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[1958.

TRAFFIC ACT, 1919-1957.

Office of the Commissioner of Police,
Perth, 8th October, 1958.

HIS Excellency the Lieutenant-Governor and Administrator in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919-1957, has been pleased to make the regulations set out in the Schedule hereunder.

J. M. O'BRIEN,
Commissioner of Police.

Schedule.

Regulations.

1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* on the 15th December, 1954, as amended by regulations amending the same published in the *Gazette* on the 9th February, 1955, the 1st April, 1955, the 11th May, 1955, the 17th June, 1955, the 9th August, 1955, the 30th September, 1955, the 30th December, 1955, the 24th April, 1956, the 23rd October, 1956, the 16th November, 1956, the 23rd November, 1956, the 21st December, 1956, the 22nd February, 1957, the 8th March, 1957, the 1st April, 1957, the 26th April, 1957, the 17th May, 1957, the 1st July, 1957, the 30th August, 1957, the 25th September, 1957, the 5th November, 1957, the 23rd December, 1957, the 24th January, 1958, the 19th February, 1958, the 17th April, 1958, the 29th April, 1958, the 13th May, 1958, the 5th June, 1958, the 25th June, 1958, the 15th July, 1958, the 18th July, 1958, and the 11th August, 1958, are referred to as the principal regulations.

2. The principal regulations are amended by adding after regulation 10 the following regulation:—

Reg. 10
amended.

10A. (1) A person may apply to a licensing authority in the form determined from time to time by the Minister and published in the *Gazette* for a temporary permit to drive an unlicensed motor vehicle.

(2) The licensing authority may issue a temporary permit in the form determined from time to time by the Minister and published in the *Gazette* and the temporary permit shall be endorsed by the person issuing it with conditions limiting the use of the vehicle and the time that the permit remains operative.

(3) The fee payable to the licensing authority on the application referred to in subregulation (1) of this regulation is two shillings and sixpence and an additional fee of two shillings and sixpence being the premium payable to obtain a policy of insurance under the provisions of the Motor Vehicle (Third Party Insurance) Act, 1943.

(4) No person shall drive, or cause, or permit to be driven on a road a vehicle in respect of which a temporary permit has issued except in accordance with the terms and conditions of the temporary permit.

Reg. 23
amended.

3. Regulation 23 of the principal regulation is amended—

- (a) by substituting for the words, "within seven days of such disposal or acquisition" in lines two and three of subsection (1), the word, "forthwith";
- (b) by adding after the word, "person" in line one of paragraph (a) of subregulation (3) the words, "other than a person who is the holder of a current dealer's license under these regulations"; and
- (c) by substituting for the words, "within seven days thereof" in lines two and three of paragraph (a) of subregulation (3) the word, "forthwith".

Reg. 30
amended.

4. Regulation 30 of the principal regulations is amended—

- (a) by adding after the word, "owner" in line ten the words, "by personal delivery or"; and
- (b) by substituting for the word, "or" in line twelve the word, "and".

New Reg.
30A added.

5. The principal regulations are amended by adding after regulation 30 the following regulation:—

30A. (1) Any member of the Police Force or traffic inspector, who is of the opinion that, in order to comply with these regulations any vehicle inspected by him requires any repair, adjustment, or re-conditioning, or the supply, fitting, or removal of any equipment, or any other attention may attach to the vehicle a notice in Form number 16 in the Second Schedule to these regulations, prohibiting the use of that vehicle on or after a date specified on the notice, until—

- (a) the repair, adjustment, re-conditioning, or the supply, fitting, or removal of any equipment or such other attention has been effected; and
- (b) the vehicle has been presented for further inspection at an office of a licensing authority and the notice has been removed by the licensing authority after an inspection of the vehicle has been made.

(2) Any person who uses, or permits a vehicle to be used, on a road during the period when the use of that vehicle is prohibited by a notice issued pursuant to subregulation (1) of this regulation, or who wilfully removes, damages or obliterates the notice affixed to any vehicle, or permits the same to be done, commits an offence against these regulations.

6. Regulation 34 of the principal regulations is amended— Reg. 34
amended.
- (a) by adding before the first word, "It" the subregulation designation, "(1)";
- (b) by adding after the last word, "abandoned" in paragraph (c) of subregulation (1) the passage—
- ; or
- (d) is so parked as to cause an obstruction, or constitute a danger, to traffic; or
- (e) he has reasonable cause to believe, has been involved in an accident on a road.; and
- (c) by adding after subregulation (1) the following subregulation:—
- (2) Where under the provisions of regulation 33 of these regulations, or this regulation a vehicle is moved by or at the direction of a member of the Police Force or a traffic inspector, the costs of removing the vehicle may be recovered by the member of the Police Force, or the traffic inspector from the owner on complaint in a Court of Petty Sessions.
7. Regulation 51 of the principal regulations is amended by adding after subregulation (5) the following subregulation:— Reg. 51
amended.
- (6) Where a vehicle together with any equipment fitted to it is seven feet or more in width and where a mudguard is fitted to that vehicle in compliance with this regulation, the portion of the mudguard that is visible from the rear of the vehicle shall be white or silver in colour and its surface shall be kept in clean and good condition.
8. Regulation 54 of the principal regulations is amended— Reg. 54
amended.
- (a) by substituting for subregulation (1) the following subregulation:—
- (1) No person shall use or permit the use of a vehicle on a road which has wheels or tracks having bars, spikes, projections or flanges affixed to them without first having obtained the written permission of the appropriate local authority to do so, and subject to any conditions that the local authority may see fit to impose.;
- (b) by deleting the words, "other than normal wear and tear" in line six of subregulation (2);
- (c) by deleting the sentence commencing with the word, "All" in line seven and ending with the passage, "property." in line nine of subregulation (2); and
- (d) by adding subregulation (3) as follows:—
- (3) Any person committing a breach of this regulation shall be liable to a penalty in addition to his liability to make good any damage to a road.
9. The principal regulations are amended by adding after regulation 54 regulations as follows:— New Regs.
54A and 54B
added.
- 54A. (1) No person shall drive, permit or cause to be driven or hauled, any agricultural machine (including tractors and ploughs) on any road so that any portion of the agricultural machine other than the wheels of the machine, comes in contact with the road, and then only if the wheels are fitted with pneumatic tyres or flat rims without flanges, spikes, bars or projections.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, a person may, with the written permission of a local authority and subject to such conditions as the local authority may impose, drive or haul an agricultural machine on any road.

(3) Any person committing a breach of this regulation or the conditions imposed by a local authority, shall be liable to a penalty in addition to his liability to make good any damage to a road.

54B. (1) No person shall drive or permit to be driven on any road any vehicle which is fitted with tyres that have—

- (a) any apparent defect likely to cause or result in injury to any person or damage to any property;
- (b) worn so smooth as to expose any tread fabric or which have any other defect likely to cause failure to the tyres.

(2) No person shall use or permit to be used on any road any vehicle unless it is equipped with tyres and rims of such size and capacity that—

- (a) the sum of the weight carrying capacity recommended by the Tyre and Rim Association of Australia for all the tyres and rims with which the vehicle is equipped is not less than the Manufacturers' Recommended Gross Vehicle Weight for such vehicle; and
- (b) the total weight of the vehicle and loading does not exceed by more than 10 per cent., the sum of the weight carrying capacity recommended by the Tyre and Rim Association of Australia for all tyres and rims with which the vehicle is equipped.

New Reg.
55A added.

10. The principal regulations are amended by adding after regulation 55 a regulation as follows:—

Ground
clearances
all vehicles.

55A. (1) No person shall drive or permit to be driven on any road any vehicle or combination of vehicles which have a ground clearance less than that specified in the following table:—

Distance Between any Two Consecutive Axles.	Ground Clearance. Inches.
(a) Over 12' but not over 22'	8
(b) Over 22' but not over 24'	9
(c) Over 24' but not over 26'	10
(d) Over 26' but not over 28'	11
(e) Over 28' but not over 30'	11½
(f) Over 30' but not over 32'	12½

(2) For the purpose of this regulation "ground clearance" means the minimum vertical distance measured not closer than three feet to any axle from the underside of a vehicle or combination of vehicles to the surface of the roadway, when such vehicle or combination of vehicles is standing on a flat level section of such roadway, under loaded conditions.

(3) (a) The lowest point of any cross section within the limits defined in subregulation (2) of this regulation is the longitudinal member or members of the trailer chassis; the under surfaces of these members shall be free from any projections, steps or irregularities.

(b) Where the under surfaces of a trailer chassis do not comply with these requirements, the minimum clearance shown in the table set out in this regulation shall be increased by three inches.

11. Regulation 64 of the principal regulations is amended— **Reg. 64 amended.**
- (a) by substituting for paragraphs (a), (b) and (c) of subregulation (1) the respective paragraphs (a), (b), (c) and (d) as follows:—
- (a) Where in the construction, equipment or loading of any vehicle or combination of vehicles, on the right hand side of the vehicle or combination of vehicles, the outer extremity of the construction, equipment or loading exceeds 24 inches from the centre of the top of the steering wheel, the driver shall use for the purpose of giving a signal to stop or slow down or to turn right, a mechanical signalling device which clearly indicates the signal to other users of the road.
- (b) The mechanical signalling device shall be fitted on the right hand or off side of the vehicle adjacent to the driver so as to be clearly visible to the driver of another vehicle, or to any person on the road, at a distance of one hundred feet to the front and to the rear of the vehicle to which it is attached.
- (c) The mechanical signalling device shall be constructed to conform to the following specifications:—
- (i) The device shall embody a replica of the human hand.
- (ii) The "hand" shall have an overall dimension of at least 8 inches by 4 inches.
- (iii) The "hand" shall be yellow in colour; and
- (iv) the device shall be constructed so that it can be locked in the stop or right turn position.
- (d) Notwithstanding the provisions of paragraph (c) of this subregulation, the Commissioner of Police may approve any other type of mechanical signalling device and that device when approved may be used on a vehicle. ; and
- (b) by substituting for the words, "two feet six inches" in line seven of subparagraph (i) of paragraph (b) of subregulation (2) the words, "one foot eight inches."
12. Regulation 64A of the principal regulations is amended— **Reg. 64A amended.**
- (a) by adding after the word, "apart" in line two the words, "and each is not more than 18 inches from the nearest lateral extremity of the vehicle"; and
- (b) by substituting for the figures, "25" in line four of subregulation (5), the figures, "24."
13. Regulation 76 of the principal regulations is amended by adding after the last word, "vehicle" the words, "and the painting and the rearmost side is maintained in clean and good condition." **Reg. 76 amended.**
14. Regulation 87 of the principal regulations is amended— **Reg. 87 amended.**
- (a) by adding after the word, "headlamps" in line two of paragraph (b) of subregulation (1) the words, "or four headlamps, where the headlamps are designed and fitted by the manufacturer of the vehicle, and are of a type approved by the Commissioner of Police"; and
- (b) by adding after the word, "headlamps" in line two of paragraph (a) of subregulation (5), the passage, "or, as the case may be, four headlamps used in the four headlamp system."

Reg. 101
amended.

15. Regulation 101 of the principal regulations is amended—

(a) by substituting for subregulation (1) the following subregulation:—

(1) A reflector shall not be deemed to be effective unless, during the hours of darkness, the light from headlamps or alternative headlamps, when projected directly on to the reflector from any distance of not less than 300 feet, is reflected by the reflector and becomes clearly visible under reasonably clear atmospheric conditions to the driver of the motor vehicle to which those lamps are affixed. ; and

(b) by adding after subregulation (8) a subregulation as follows:—

(9) Every reflector required by this regulation to be affixed shall—

(a) be affixed in a vertical position and at right angles to the longitudinal axis of the vehicle; and

(b) be unobscured and in clean condition.

Reg. 102
amended.

16. The principal regulations are amended by substituting for regulation 102 the following regulation:—

102. (1) A person shall not use a spot or search lamp on or near any vehicle except in accordance with the provisions of subregulation (2) of this regulation.

(2) A spot or search lamp may be used—

(a) by a member of the Police Force or Traffic Inspector whilst driving or using a motor vehicle in the performance of his duty; or

(b) when a vehicle is stationary and the spot or search lamp is lighted for the purpose of examining or making adjustments or repairs to that vehicle and the light from the lamp is projected not more than 20 feet from the vehicle; or

(c) when a vehicle is outside the boundaries of the metropolitan area or the limits of any town or municipal district and the lamp is lighted for the purpose of reading any finger post or notice board.

Reg. 103
amended.

17. The principal regulations are amended by substituting for regulation 103 the following regulation:—

103. No person shall use any headlamps or headlamp on a vehicle unless—

(a) each headlamp affixed to the vehicle is constructed and adjusted to diffuse or direct the light of the lamp in a manner to prevent any glare from the lamp confusing or adversely affecting the vision of other persons on a road; and

(b) the headlamps are adjusted so that the beam when in the "dip" position conforms to the requirements of these regulations.

Reg. 103A
added.

18. The principal regulations are amended by adding after regulation 103 the following regulation:—

103A. (1) No person shall drive or permit to be driven or used on a road during the hours of darkness any vehicle where the sum of the tare and load which that vehicle is capable of carrying exceeds four tons unless the vehicle is equipped with three red portable lamps, or with three signals of a type approved by the Commissioner of Police, and the lamps or approved signals are not affixed to, or part of the fixed equipment of, the vehicle.

(2) Each of the red portable lamps or signals referred to in subregulation (1) of this regulation shall produce a clear red warning light or red reflection of light visible at a distance of 600 feet from the lamp or approved signal, in reasonably clear atmospheric conditions, to a person driving a vehicle in the direction of the lamp or approved signal and to which vehicle a headlamp is affixed and operating in accordance with the provisions of these regulations relating to headlamps.

(3) Where a vehicle of the type described in subregulation (1) of this regulation is disabled and is—

- (a) on any portion of a road which is not illuminated by street lighting; or
- (b) on any road within three hundred feet of a curve, a crest or other obstruction to view,

in such a position as to cause danger to other users of the road and the driver or person in charge of the vehicle is unable to immediately remove the vehicle from the main travelled portion of the road, the driver or the person in charge of the vehicle shall immediately place or cause to be placed upon the road three lamps or approved signals complying with the provisions of subregulation (1) of this regulation and which lights or approved signals are operating so as to give a warning of danger clearly visible to drivers of other vehicles travelling along the road in either direction, and the three lamps or approved signals shall be placed as follows—

- (i) one to be placed at a distance of not less than one hundred and fifty feet nor more than four hundred and fifty feet in advance of the vehicle;
- (ii) one to be placed at a distance of not less than one hundred and fifty feet nor more than four hundred and fifty feet to the rear of the vehicle; and
- (iii) one to be placed at the side of the vehicle which is nearer to the middle of the road on which the vehicle is standing.

(4) This regulation takes effect from the 1st day of January, 1959.

19. Regulation 108 of the principal regulations is revoked.

Reg. 108
revoked.

20. Regulation 115 of the principal regulations is revoked.

Reg. 115
revoked.

21. Regulation 129 of the principal regulations is amended by substituting for the figures, "17" in line two, the figures, "16."

Reg. 129
amended.

22. The principal regulations are amended by adding after Regulation 170 the following regulation:—

Reg. 170A
added.

170A. (1) A fee calculated in accordance with the provisions of subregulation (2) of this regulation shall be paid by the person who obtains a permit issued by the Minister, or the Commissioner of Police, under the provisions of Regulation 170 of these regulations.

(2) The fee payable for a permit referred to in subregulation (1) of this regulation is—

- (a) Licensed Vehicles—Annual rate £6 per ton or portion of a ton granted under the permit and being in excess of the gross weight of the vehicle (including its load) prescribed for its class or similar class in the Tenth Schedule to these regulations.
- (b) Licensed Vehicles—Specific Trips—3d. per ton or portion of a ton per mile for all loading which exceeds the gross weight (including its load) prescribed in the Tenth Schedule of these regulations for that class or similar class of vehicle.

(c) Unlicensed Vehicles—3d. per ton or portion of a ton per mile on the gross weight of the vehicle (including the load).

(3) All fees payable under this regulation shall be paid, in the case of a licensed vehicle, to the licensing authority which licensed the vehicle, or where the vehicle is unlicensed, to the licensing authority in whose district the owner is deemed to reside, as prescribed by section 7 of the Act.

- Reg. 172 amended. 23. Regulation 172 of the principal regulations is amended—
- (a) by substituting for the figures, "33" in line eight the figures, "35";
- (b) by substituting for subregulation (ii) the following subregulation:—
- (ii) the maximum length of articulated vehicles including any projecting parts or load carried shall not exceed 45 feet, but the rigid portion of the vehicle together with any projecting parts or load carried on the rigid portion shall not exceed 35 feet, ; and
- (c) by substituting for subregulation (iii) the following subregulation:—
- (iii) no part of the trailer unit of an articulated vehicle not being a vehicle to which a pole type trailer is attached, or the loading on the trailer unit shall project more than six feet radially forward of the axis of the pivot pin.
- Reg. 174 amended. 24. Regulation 174 of the principal regulations is amended by substituting for the passage, "12 ft. 6 in." in lines three and four of paragraph (a) of subregulation (1) the passage, "14 feet."
- Reg. 183 amended. 25. Regulation 183 of the principal regulations is amended by adding after the last word, "traffic" in paragraph (b) the following passage:—
- ; or
- (c) within 30 feet of any railway crossing.
- Reg. 211 amended. 26. Regulation 211 of the principal regulations is amended by adding after subregulation (3) the following subregulation:—
- (4) Notwithstanding the provisions of subregulation (3) of this regulation where a bus stand is marked on a road and where the bus stand includes the road contiguous to an entrance to or exit from any premises, the driver of an omnibus may, while passengers are boarding, or alighting from the omnibus, park his omnibus although it obstructs the entrance to or exit from any premises.
- Reg. 227 revoked. 27. Regulation 227 of the principal regulations is revoked.
- Reg. 238 amended. Subreg. (5) (ii). 28. Paragraph (c) of Regulation 5 of the amending regulations published in the *Gazette* on the 11th August, 1958, is amended by adding before the word, "in" in line one the words, "thirdly occurring."
- Reg. 249 amended. 29. Regulation 249 of the principal regulations is amended by adding after subregulation (1a) a subregulation as follows:—
- (1b) (a) Where a traffic control light signal displays—
- (i) the word "Walk" in the colour green a person may walk on the carriageway in the direction of the traffic control light signal; or
- (ii) the words "Don't Walk" in the colour red no person shall walk on the carriageway in the direction of the traffic control light signal.
- (b) Where a traffic control light signal displays the word "Walk," a driver of a vehicle shall not drive his vehicle over the stop line.

30. Regulation 255 of the principal regulations is amended— Reg. 255 amended.
 (a) by adding after the regulation number "255" the sub-regulation designation "(1)"; and
 (b) by adding after subregulation (1) a subregulation as follows:—
 (2) Where a vehicle or horse is removed under the provisions of subregulation (1) of this regulation the costs of removing the vehicle or horse may be recovered by the traffic inspector or member of the Police Force from the owner on complaint in a Court of Petty Sessions.
31. The principal regulations are amended by substituting for Regulation 263 the following regulation:— Reg. 263 amended.
 263. (1) In this regulation the term, "load" includes that portion of the pole of a pole type jinker which projects beyond the rear of the jinker.
 (2) Notwithstanding the provisions of Regulation 172, when the load of any vehicle extends more than four feet beyond the rear extremity of the vehicle, the driver of the vehicle shall display at the rear end of the load a red flag not less than 12 inches square, in such a position as to be clearly visible at all times from the rear of the vehicle.
 (3) During the hours of darkness the driver of a vehicle described in subregulation (1) of this regulation shall display at the rear end of the load—
 (a) a red light which is plainly visible for a distance of 600 feet from the rear of such vehicle, and
 (b) a reflectorised triangle of a size and type approved by the Commissioner of Police.
32. Regulation 346 of the principal regulations is revoked. Reg. 346 revoked.
33. Appendix C to Part XI of the principal regulations is amended by substituting for the passage, "VI" appearing in line four of Item 1 under the head "Particulars of Modified Penalties for Minor Offences" the passage, "XI". Appendix C to Part XI amended.
34. The Second Schedule to the principal regulations is amended by adding the form in the Schedule hereunder. Second Schedule amended.
35. Paragraph (d) of Regulation 4 of the amending regulations published in the *Gazette* on the 15th July, 1958, is amended by substituting for the word, "if" in line two the word, "each". Sixth Schedule amended.

Schedule.

TRAFFIC ACT, 1919-1957.

Second Schedule. Form 16. Regulation 30A.

This vehicle must not be used on or after/...../19..... unless and until this label has been removed by an authorised member of the Western Australian Police Force.

Reg. No. of Vehicle.....
 No. of Notice Issued.....
 Signature.....
 Rank..... No.....
 Station.....
 Date this label issued/...../19.....

WARNING.

This label must NOT be removed EXCEPT by an authorised member of the Western Australian Police Force.