

MOTOR TRAFFIC.

No. 11 of 1960.

An Ordinance to amend the *Motor Traffic Ordinance* 1936-1959.

Short title
and citation.

1.—(1.) This Ordinance may be cited as the *Motor Traffic Ordinance* 1960.*

(2.) The *Motor Traffic Ordinance* 1936-1959† is in this Ordinance referred to as the Principal Ordinance.

(3.) The Principal Ordinance, as amended by this Ordinance, may be cited as the *Motor Traffic Ordinance* 1936-1960.

Parts.

2. Section three of the Principal Ordinance is amended by omitting the words and figures—

“Part VI.—Rules of the Road (section 56).

Part VII.—Offences (sections 57-80).”

and inserting in their stead the words and figures—

“Part VA.—Traffic Signs and Road Markings (sections 55A-55D).

Part VI.—Rules of the Road (sections 56-56z).

Part VIA.—Speed Limits (sections 56AA-56AJ).

Part VIB.—Rules relating to Parking (sections 56AK-56AR).

Part VII.—Offences (sections 57-80A).”

Interpretation.

3. Section four of the Principal Ordinance is amended—

(a) by inserting in sub-section (1.), after the definition of “approved”, the following definition:—

“‘carriageway’, in relation to a public street, includes the gutter, if any, of the public street;”;

* Made on 16th December, 1960; notified in the *Commonwealth Gazette* and commenced on 19th December, 1960.

† Ordinance No. 45, 1936, as amended by Nos. 25 and 41, 1938; No. 16, 1941; No. 14, 1942; Nos. 2 and 13, 1943; No. 3, 1945; Nos. 6 and 13, 1947; No. 7, 1950; No. 17, 1951; No. 1, 1955; No. 6, 1956; No. 19, 1957; Nos. 10 and 15, 1958; and Nos. 7 and 21, 1959.

(b) by inserting in that sub-section, after the definition of “inspector”, the following definition:—

“‘laden weight’, in relation to a motor vehicle, means the sum of the weight of the motor vehicle and the weight of the load, if any, on the motor vehicle;”;

(c) by inserting in that sub-section, after the definition of “officer”, the following definition:—

“‘overtake’, in relation to a motor vehicle, means overtake another vehicle that is travelling in the same direction as the motor vehicle in a public street, and includes the action of passing such an overtaken vehicle, and ‘overtaking’ has a corresponding meaning;”;

(d) by omitting from that sub-section the definition of “pedestrian crossing” and inserting in its stead the following definition:—

“‘park’, in relation to a motor vehicle or trailer, means cause or permit the motor vehicle or trailer to remain standing, and ‘parked’ and ‘parking’ have corresponding meanings;”;

(e) by inserting in the definition of “public street” in that sub-section, after the word “road,” (wherever occurring), the word “bridge,”;

(f) by omitting from that sub-section the definition of “school crossing” and inserting in its stead the following definition:—

“‘road marking’ means a line, symbol, sign or other device marked on the carriage-way or kerb of a public street in accordance with Part VA., and includes any reflective material used in so marking the line, symbol, sign or other device;”;

(g) by inserting in that sub-section, after the definition of “trader”, the following definitions:—

“‘traffic island’ means an island or dome constructed, placed or erected in accordance with Part VA. on a public street or at a junction or intersection of a public street and another public street;

‘ traffic lane ’ means one of two or more longitudinal portions of the carriageway of a public street defined by road markings or traffic islands for the passage of vehicles travelling in the same direction;

‘ traffic sign ’ means a sign, signal, flag, notice, beacon or other device erected, placed or displayed on, near or above the carriageway of a public street in accordance with Part VA.;

‘ trailer ’ means a vehicle without motive power designed for attachment to a motor vehicle, but does not include a side-car;” and

(h) by adding at the end thereof the following subsection:—

“ (3.) Unless the contrary intention appears, a reference in Part VI., Part VIA. or Part VIB. to a motor vehicle shall be deemed to include, where a trailer is attached to the motor vehicle, a reference to the motor vehicle and trailer.”.

4. After Part V. of the Principal Ordinance the following Part is inserted:—

“ PART VA.—TRAFFIC SIGNS AND ROAD MARKINGS.

Traffic signs and road markings.

“ 55A.—(1.) The Minister may authorize the erection, placing or displaying on, near or above the carriageway of a public street of a traffic sign for the purpose of—

- (a) regulating, prohibiting or restricting the stopping or parking of vehicles or defining the manner in which vehicles may be parked in the public street;
- (b) fixing the limits of speed for vehicles upon the public street and removing any such limits of speed;
- (c) any other rule of the road contained in Part VI.; or
- (d) conveying information or warning to persons using the public street.

“(2.) The Minister may authorize the marking of a road marking on the carriageway or kerb of a public street for the purposes of a provision of Part VI., Part VIA. or Part VIB. and either alone or in combination with a traffic sign erected, placed or displayed under the last preceding sub-section.

“(3.) The Minister may determine that a traffic sign or road marking shall be illuminated by lights or fitted with reflective material.

“(4.) The Minister may suspend an authorization under this section in relation to a traffic sign in a public street—

- (a) while the public street or a portion of the public street is being repaired or maintained; or
- (b) for a period determined by the Minister,

and, for the period of the suspension, the traffic sign to which the authorization relates ceases to be a traffic sign and the Minister shall cause it to be removed or covered up.

“(5.) The Minister may, at any time, revoke an authorization, determination or suspension in relation to a traffic sign or road marking under this section and, where the authorization for a traffic sign is revoked, the Minister shall cause the traffic sign to be removed.

“55B. The Minister may authorize the placing, erection or construction on a public street, or at a junction or in the intersection of the public street and another public street, of traffic islands for the purpose of separating traffic travelling in opposite directions on the public street, as an indication of the route to be followed by traffic in the public street or while leaving, entering or passing through the junction or intersection or for the purpose of protecting from danger any persons using the public street.

Traffic islands.

“55c. Unless the contrary is proved, evidence that—

- (a) a sign, signal, flag, notice, beacon or other device was erected, placed or displayed on, near or above the carriageway of a public street;
- (b) a line, symbol, sign or other device was marked on the carriageway or kerb of a public street; or

Signs, &c., deemed to be lawfully erected.

- (c) an island or dome was erected on a public street or at a junction or intersection of a public street and another public street,

is evidence that it was erected, placed, displayed or marked, as the case may be, by the authority of the Minister and in accordance with this Part.

Damage,
removal, &c.,
of traffic signs,
&c.

“ 55D. A person shall not—

- (a) erect, place or display a sign, signal, flag, notice, beacon or other device that may be mistaken for a traffic sign on, near or above a public street unless it is a traffic sign for the purposes of this Ordinance and he is giving effect to an authorization of the Minister under section fifty-five A of this Ordinance;
- (b) mark a line, symbol, sign or other device that may be mistaken for a road marking on a public street unless he is giving effect to an authorization of the Minister under that section;
- (c) place, erect or construct on a public street an island or dome that may be mistaken for a traffic island unless he is giving effect to an authorization of the Minister under section fifty-five B of this Ordinance; or
- (d) remove, move, damage, deface, obscure, cover up or otherwise interfere with a traffic sign, road marking or traffic island unless he is acting under the authority of the Minister.”.

5. Part VI. of the Principal Ordinance is repealed and the following Part inserted in its stead:—

“ PART VI.—RULES OF THE ROAD.

Vehicles to
keep to left
and on the
carriageway
of a public
street.

“ 56.—(1.) Except as provided in this Ordinance, the driver of a motor vehicle upon a public street shall keep the vehicle as near as practicable to the left hand side of the carriageway of the public street.

“ (2.) The driver of a motor vehicle shall not drive the motor vehicle on the footpath or on any part of a public street other than the carriageway of the public street, except on any part which forms the entrance-drive leading from the carriageway of the public street to a parcel of land.

“ (3.) When the driver of a motor vehicle upon a public street approaches a traffic sign inscribed with the words ‘ KEEP LEFT ’ and facing the direction from which he is approaching, the driver shall drive the motor vehicle on the left of the traffic sign.

“ 56A.—(1.) The driver of a motor vehicle upon the carriageway of a public street on or near which is erected a traffic sign inscribed with an arrow and the words ‘ONE WAY’ shall not drive the motor vehicle except in the direction indicated by the arrow. One way traffic streets.

“ (2.) The carriageway of a public street in respect of which a traffic sign referred to in the last preceding sub-section is erected is, for the purposes of this Ordinance, a one way traffic public street.

“ (3.) For the purposes of this Ordinance, where a public street consists of two carriageways in respect of each of which a traffic sign referred to in sub-section (1.) of this section is erected—

- (a) each of those carriageways is a separate one way traffic public street;
- (b) where another public street intersects both of those carriageways—that other public street shall be deemed to form a separate intersection with each carriageway;
- (c) where another public street intersects one of those carriageways but does not extend beyond the other carriageway—that other public street shall be deemed to form an intersection with the first-mentioned carriageway and a junction with the other carriageway; and
- (d) where another public street joins those carriageways but does not extend beyond them—that other public street shall be deemed to form a junction with each of those carriageways.

“ 56B. The driver of a motor vehicle being driven on the carriageway of a public street that is divided into traffic lanes shall so drive the motor vehicle that the motor vehicle is within one of those traffic lanes, except when the motor vehicle is being moved from one traffic lane to another in circumstances where the movement is not prohibited by this Ordinance. Vehicles to be driven in traffic lanes.

“ 56c.—(1.) The driver of a motor vehicle upon a public street shall not drive his motor vehicle so that it crosses a road marking comprising an unbroken line marked longitudinally on the carriageway of the public street unless a road marking comprising a broken line is so marked between the unbroken line and the boundary of the carriageway on the left of the public street in the direction in which he is travelling, and immediately beside the unbroken line. Unbroken lines marked on the roadway.

“ (2.) For the purposes of this section, a motor vehicle shall be deemed to have crossed a road marking comprising an unbroken line if any of the wheels of the motor vehicle crosses the unbroken line, if the motor vehicle is driven on the unbroken line or if any part of the motor vehicle overhangs the unbroken line.

“ (3.) The last preceding sub-section does not apply to a motor vehicle a part of which overhangs a road marking comprising an unbroken line if the motor vehicle is being driven as near as practicable to the left hand side of the public street and in accordance with the conditions, and for a purpose, specified in a permit granted in respect of the motor vehicle under section seventy-eight c of this Ordinance.

**Passing
on-coming
traffic.**

“ 56D. The driver of a motor vehicle upon a public street shall, when passing a vehicle travelling in the opposite direction in the public street, pass with it on his right side.

Overtaking.

“ 56E.—(1.) Except as provided in the succeeding provisions of this section, the driver of a motor vehicle upon a public street shall, when overtaking a vehicle, pass with it on his left side.

“ (2.) Subject to section fifty-six c of this Ordinance and to the next succeeding sub-section, the driver of a motor vehicle upon a portion of a public street that is divided into traffic lanes may, when overtaking a vehicle, pass on either side of the vehicle.

“ (3.) The driver of a motor vehicle upon a public street shall, when overtaking a vehicle which is making, or appears to be about to make, a right hand turn, pass with it on his right side.

“ (4.) Where the driver of a motor vehicle upon a public street has overtaken a vehicle, he shall refrain from crossing over in front of it until his motor vehicle is clear of it.

“ (5.) The driver of a motor vehicle upon a public street shall not overtake a vehicle unless he can do so with safety to, and without obstructing the progress of, other persons using the public street and travelling in the opposite direction.

“ (6.) The driver of a motor vehicle upon a public street shall not overtake a vehicle which has reduced speed at, or has stopped at, a pedestrian crossing or a school crossing in pursuance of section fifty-six M or fifty-six N, as the case requires, of this Ordinance.

“(7.) The driver of a motor vehicle that is being overtaken upon a public street shall refrain from increasing the speed of his motor vehicle until after the overtaking vehicle has had a reasonable opportunity to pass and draw clear of his motor vehicle.

“(8.) The driver of a motor vehicle that is in a stationary position at or near the boundary of the carriageway of a public street shall not draw out from that position until he can do so with safety and without obstructing the progress of any overtaking vehicle.

“56F. The driver of a motor vehicle upon a public street shall not race with another vehicle.

Motorist not to race with another vehicle.

“56G. The driver of a motor vehicle that is being driven on a public street elsewhere than—

Left hand turns.

(a) if the carriageway of the public street is divided into traffic lanes for vehicles travelling in the same direction as that in which the motor vehicle is being driven and a road marking comprising an arrow pointing to the left is marked on one of the traffic lanes—in the traffic lane on which that road marking is marked; or

(b) in any other case—as near as practicable to the left hand side of the carriageway of the public street,

shall not turn the motor vehicle to his left from that public street into another public street.

“56H.—(1.) The driver of a motor vehicle that is being driven on a public street elsewhere than—

Right hand turns.

(a) if the carriageway of the public street is separated by an area of land, a traffic island or a road marking from the carriageway of the public street on which vehicles travelling in the opposite direction are driven—as near as practicable to, but on his left of, the right hand side of the carriageway in which the motor vehicle is being driven;

(b) if the public street is a one way traffic public street within the meaning of section fifty-six A of this Ordinance—as near as practicable to the right hand side of the carriageway of the public street;

(c) if the carriageway of the public street is divided into traffic lanes for vehicles travelling in the same direction as that in which the motor vehicle is being driven—in the traffic lane that

is, of those traffic lanes, furthest to the right or, if a road marking comprising an arrow pointing to the right is marked on the carriageway of any other of those traffic lanes, in such a traffic lane; or

(d) in any other case—as near as practicable to, but on his left of, the middle of the public street, shall not turn the motor vehicle to his right from that public street into another public street.

“(2.) The driver of a motor vehicle who is turning his motor vehicle to his right from one public street into another public street at the intersection or junction of those public streets shall so drive his motor vehicle that, while turning the motor vehicle—

- (a) the motor vehicle is on the left hand side of any traffic dome that is placed in the intersection or junction of the two public streets to the right hand side of the course that he was following before commencing to turn;
- (b) the motor vehicle follows the course, if any, to be followed by a vehicle turning to the right pointed out by a road marking marked on the carriageway within the intersection or junction; and
- (c) the motor vehicle does not cross a road marking comprising an unbroken line within the intersection or junction.

“(3.) The driver of a motor vehicle shall not turn his motor vehicle to his right from one public street into another public street if there is a vehicle in the public street from which he is turning approaching from the opposite direction with which he might collide if he turned his motor vehicle and the driver of the motor vehicle shall not turn his motor vehicle until he can do so with safety to the other vehicle and to other persons using the public street.

“(4.) The driver of a motor vehicle upon a public street who approaches a traffic sign, inscribed with the words ‘NO RIGHT TURN’, erected at or near the junction or intersection of that public street and another public street, and facing the direction from which he is approaching, shall not turn his motor vehicle to his right into that other public street.

“56J. Where—

- (a) a motor vehicle upon a public street is approaching the junction or intersection of that public street and another public street;
- (b) another vehicle is approaching the same junction or intersection from his right; and

Motorist to give way to vehicles on his right at intersections, &c., in certain circumstances.

(c) the circumstances are such that there is a reasonable possibility that the vehicles might arrive at the same point simultaneously or that a dangerous situation might otherwise be created, the driver of the motor vehicle shall either decrease the speed of his motor vehicle to such an extent, or stop his motor vehicle for such time, as is necessary to avoid that possibility or situation.

“ 56K. Where—

- (a) a motor vehicle upon a public street is approaching a traffic sign, inscribed with the words ‘GIVE WAY’, erected at or near the junction or intersection of that public street and another public street and facing in the direction from which the motor vehicle is approaching;
- (b) another vehicle is approaching the same junction or intersection from the other public street; and
- (c) the circumstances are such that there is a reasonable possibility that the vehicles might arrive at the same point simultaneously or that a dangerous situation might otherwise be created,

Give way
traffic signs.

the driver of the motor vehicle shall either decrease the speed of his motor vehicle to such an extent, or stop his motor vehicle for such time, as is necessary to avoid that possibility or situation.

“ 56L.—(1.) The driver of a motor vehicle upon a public street shall, if necessary, move his motor vehicle or cause his motor vehicle to decrease speed or to stop so as to give a police, ambulance or fire brigade vehicle, to which the provisions of this Ordinance do not apply by reason of section ninety-eight of this Ordinance and which is giving warning of its approach by the sounding of a siren or other means of alarm, a reasonable space in which to pass.

Motorist to
make way for
fire engine,
ambulance or
police car.

“ (2.) A person shall not—

- (a) except in the case of a vehicle referred to in the last preceding sub-section—drive upon a public street a motor vehicle to which is attached a siren or other similar means of alarm which emits a sound that could be mistaken for the siren or means of alarm used in pursuance of that sub-section; or
- (b) except in pursuance of that sub-section—use a siren or other similar means of alarm which emits a sound that could be mistaken for the siren or means of alarm used in pursuance of that sub-section.

Pedestrian crossing.

“ 56M.—(1.) Where a motor vehicle upon a public street is approaching a pedestrian crossing, the driver of the motor vehicle shall drive it at such a speed as to be able to stop before reaching the pedestrian crossing.

“ (2.) Where—

- (a) a motor vehicle upon a public street is approaching or travelling upon a pedestrian crossing; and
- (b) the circumstances are such that there is a reasonable possibility that the motor vehicle might collide with a pedestrian who is upon the pedestrian crossing,

the driver of the motor vehicle shall decrease the speed of the motor vehicle or stop it so as to allow the pedestrian to pass in front of it.

“ (3.) For the purposes of this section, ‘ pedestrian crossing ’ means a portion of a public street—

- (a) defined by road markings marked laterally across or partly across the carriageway comprising a series of white stripes alternating with areas of the surface of the carriageway with each stripe lying longitudinally to the public street; and
- (b) indicated by a traffic sign inscribed with the word ‘ CROSSING ’,

and includes the areas of the surface of the carriageway lying between those white stripes.

School crossing.

“ 56N.—(1.) When a traffic sign, inscribed with the words ‘ SCHOOL CROSSING ’, is placed on or near road markings comprising two lines marked laterally across or partly across a public street, the area of the public street between the limits formed by those lines and the area of each of those lines is, while the traffic sign is so placed, a school crossing for the purpose of this section.

“ (2.) The driver of a motor vehicle upon a public street approaching an area of the public street that is for the time being a school crossing shall drive the motor vehicle at such a speed as to be able to stop before reaching the line forming the limit of the school crossing nearer to him.

“ (3.) The driver of a motor vehicle upon a public street shall refrain from driving the motor vehicle upon an area of the public street that is for the time being a school crossing while a pedestrian is upon the school crossing.

Stop signs.

“ 56P. The driver of a motor vehicle upon a public street approaching a traffic sign which—

- (a) is inscribed with the word ‘ STOP ’;

(b) is erected at or near a road marking comprising a line marked across or partly across the carriageway at or near the junction or intersection of that public street and another public street; and

(c) is facing in the direction from which he is travelling, shall not proceed beyond that line unless he has stopped the motor vehicle immediately before reaching the line.

“ 56Q.—(1.) The driver of a motor vehicle shall not drive the motor vehicle upon a public street negligently or recklessly or at a speed or in a manner dangerous to persons using the public street.

Dangerous, &c., driving.

“ (2.) In considering whether an offence has been committed under this section, the Court shall have regard to all the circumstances of the case, including the nature, condition and use of the public street upon which the offence is alleged to have been committed and to the amount of traffic which was, or might reasonably have been expected to have been, upon the public street at the time.

“ 56R. The driver of a motor vehicle shall not drive the motor vehicle upon a public street without due care and attention or without reasonable consideration for other persons using the public street.

Careless or inconsiderate driving.

Penalty: Ten pounds.

“ 56s. The driver of a motor vehicle upon a public street shall not, while driving the motor vehicle, be in such a position that he has not full control of the motor vehicle or has not a clear view of the traffic.

Driver to be in position so that he can control motor vehicle.

“ 56T. The driver of a motor vehicle upon a public street shall not cause the motor vehicle to travel backwards—

Limitation on travelling backwards.

(a) unless he can do so with safety, having regard to the movement of traffic on the public street at the time; and

(b) for a greater distance or time than is reasonably necessary.

“ 56U. Where a traffic sign inscribed with the words ‘LOAD LIMIT ON BRIDGE’ and with a number and the word ‘TONS’ is erected near to the entrance to a bridge in a public street, the driver of a motor vehicle approaching the traffic sign shall not, if the laden weight of the motor vehicle exceeds the weight in tons expressed by the inscription on the traffic sign, drive the motor vehicle upon the bridge.

Bridge load limit signs.

Motorist not to obstruct the free passage of any person, &c.

“ 56v. The driver of a motor vehicle upon a public street shall not negligently or wilfully obstruct, hinder or prevent the free passage of a vehicle or person upon the public street.

Precautions against driving motor vehicles without the owner's consent.

“ 56w. The driver of a motor vehicle upon a public street shall not—

- (a) leave the motor vehicle without having taken due precaution against the motor vehicle being started in his absence; or
- (b) permit a person to drive the motor vehicle without the consent of the owner.

Warnings and signals by drivers.

“ 56x.—(1.) The driver of a motor vehicle upon a public street shall, whenever necessary, give to a vehicle or person upon a public street sufficient warning of danger on the approach of the motor vehicle by sounding the horn or other means of alarm.

“ (2.) When the driver of a motor vehicle upon a public street is about to stop his motor vehicle or reduce speed suddenly (whether for the purpose of stopping or otherwise), and, if practicable, at least one hundred feet from the point at which he intends to stop his motor vehicle or reduce speed, the driver shall give a clear signal of his intention to do so either by raising his right hand with the palm turned to the front and with his fingers extended and pointing upwards in such a manner that the hand would be clearly visible to the driver of a vehicle immediately following his motor vehicle, or by using an approved signalling device, and continue to give that signal until his motor vehicle has been stopped or ceased to reduce speed.

“ (3.) When the driver of a motor vehicle upon a public street is about to cause his motor vehicle to turn or diverge towards his right (otherwise than by reason only of following the course of the carriageway or a traffic lane of the public street in which he is travelling), and, if practicable, at least one hundred feet from the point at which he intends to turn or diverge, he shall give a clear signal of his intention to do so either by extending his right arm with the palm of the hand turned to the front and holding it rigid in a horizontal position straight out on the offside of his motor vehicle, or by using an approved signalling device, and continue to give that signal for as long as is necessary to give other persons using the public street or another public street into which he is turning a clear indication of his intention.

“ (4.) When the driver of a motor vehicle upon a public street is about to draw his motor vehicle out from a stationary position at or near the boundary of the carriageway of the public street, he shall, for such time immediately before his vehicle is

put in motion as is sufficient to give adequate warning of his intention to other persons using the public street, give and continue to give a signal in a manner specified in the last preceding sub-section.

“(5.) For the purposes of this section, an approved signalling device is a signalling device which—

- (a) is of a type approved by the Minister for the purposes of this section;
- (b) is affixed to the motor vehicle in a manner approved by the Minister; and
- (c) is, together with any lighting or other equipment necessary for its proper operation, in good working order.

“(6.) The driver of a motor vehicle shall, for the purposes of this section, be deemed to use an approved signalling device if he makes, with the device, the signal approved by the Minister as the signal to be made for the purposes of this section with signalling devices of that type.

“56Y. Where the driver of a motor vehicle upon a public street does an act or omits to do an act in relation to an animal that is being ridden, driven or led upon the public street, being an act or omission which, if the animal were a vehicle, would be an offence against a provision of this Part, the driver of the motor vehicle commits an offence against this Ordinance.

Extension of offences to acts, &c., in relation to animals being ridden or led.

“56Z. Notwithstanding anything contained elsewhere in this Ordinance, the driver of a motor vehicle upon a public street shall comply with a direction given by an officer in the execution of his duty or by a member of the Police Force in uniform—

Obedience to directions by police, &c.

- (a) as to the manner of approaching or departing from a place;
- (b) as to the manner of picking up or setting down passengers or loading or unloading goods; or
- (c) for the regulation of traffic or stopping or parking.

“ PART VIA.—SPEED LIMITS.

“ 56AA. In this Part—

Definitions.

- ‘ speed limit sign ’ means a traffic sign inscribed with figures and with the words ‘ SPEED LIMIT ’;
- ‘ the City Area ’ has the same meaning as in the *City Area Leases Ordinance 1936-1957*;

‘the village of Hall’ means the area of land situated between—

- (a) a line drawn, at the northern end of the bridge at Hall’s Creek, at right angles to and across the main road between Canberra and Yass passing through the village of Hall and extending for two hundred and fifty yards on each side of that main road;
- (b) a line drawn at right angles to and across that main road one thousand four hundred yards to the north-west of the first-mentioned line and extending for two hundred and fifty yards on each side of that main road; and
- (c) lines joining the extremities of the lines referred to in the last two preceding paragraph.

Restricted speed area.

“56AB. For the purposes of this Part, each of the following areas, namely, the City Area and the village of Hall, is a restricted speed area.

Motorist not to exceed maximum speed applicable.

“56AC. A person shall not drive a motor vehicle upon a public street at a speed exceeding the maximum speed applicable in relation to that public street.

Maximum speeds applicable to streets in restricted speed area.

“56AD.—(1.) Subject to the next succeeding sub-section, the maximum speed applicable in relation to a public street in a restricted speed area is thirty miles per hour.

“(2.) Where a speed limit sign is erected on the side of a public street in a restricted speed area and is facing the direction from which a motor vehicle has approached, the maximum speed applicable in relation to that public street between that speed limit sign and another speed limit sign, or a traffic sign inscribed with the words ‘SPEED LIMIT ENDS’, erected on the same side of the public street and facing the same direction is a speed of a number of miles per hour equal to the number represented by the figures on the first-mentioned speed limit sign.

Maximum speeds applicable to streets outside restricted speed area.

“56AE. Where a speed limit sign is erected on the side of a public street outside a restricted speed area and is facing the direction from which a motor vehicle has approached, the

maximum speed applicable in relation to that public street between that speed limit sign and another speed limit sign, or a traffic sign inscribed with the words 'SPEED LIMIT ENDS', erected on the same side of the public street and facing the same direction is a speed of a number of miles per hour equal to the number represented by the figures on the first-mentioned speed limit sign.

"56AF. A person shall not drive upon a public street a motor vehicle the laden weight of which exceeds three tons at a speed exceeding the maximum speed ascertained according to the laden weight of the motor vehicle and the location of the public street in the following table:—

Speed limits on heavy vehicles.

| Laden weight of motor vehicle. | Maximum speed. | |
|--|-----------------------------|-----------------|
| | In a restricted speed area. | Elsewhere. |
| | Miles per hour. | Miles per hour. |
| Exceeding three tons but not exceeding seven tons .. | 30 | 40 |
| Exceeding seven tons but not exceeding thirteen tons | 25 | 35 |
| Exceeding thirteen tons | 20 | 30 |

"56AG. A person shall not drive a motor cycle carrying a person (not being a person carried in a side-car) in addition to the driver upon a public street at a speed exceeding forty miles per hour.

Speed limit for motor cycle with pillion passenger.

"56AH. A person shall not drive a motor vehicle at a speed exceeding fifteen miles per hour upon that part of a public street adjacent to a school while scholars are entering or leaving the school.

Speeds while passing schools.

"56AJ. In a prosecution for an offence against this Part, an averment of the informant contained in the information that—

Evidence.

- (a) a public street or a specified part of a public street is in the City Area;
- (b) a public street or a specified part of a public street is in the village of Hall; or
- (c) a public street or a specified part of a public street is elsewhere than in the City Area and in the village of Hall,

is evidence of the matter averred.

“PART VI B.—RULES RELATING TO PARKING.

Interpretation.

“56AK.—(1.) In this Part—

- ‘bus stop sign’ means a traffic sign inscribed with an arrow and with the words ‘BUS STOP’;
- ‘no parking sign’ means a traffic sign, inscribed with an arrow and with the words ‘NO PARKING’, with or without a further inscription indicating a period of time during which the prohibition operates;
- ‘no stopping sign’ means a traffic sign inscribed with an arrow and with the words ‘NO STOPPING’, with or without a further inscription indicating a period of time during which the prohibition operates;
- ‘omnibus stopping place’ means an area of a public street which is marked off—
 - (a) by a part of the kerb of the public street that is between a bus stop sign erected on or as near as practicable to that kerb, and another bus stop sign on the same side of the public street nearest in the direction indicated by the arrow on the bus stop sign; and
 - (b) by road markings marked on the carriage-way of the public street adjacent to that part of the kerb;
- ‘parking sign’ means a traffic sign inscribed with an arrow, the word ‘PARKING’ and with any of the following:—
 - (a) an inscription indicating the period during which parking is permitted;
 - (b) an inscription indicating a period of time during which the qualification on parking referred to in the last preceding paragraph operates; or
 - (c) an inscription indicating angle parking;
- ‘taxi rank’ means an area of a public street which is marked off—
 - (a) by a part of the kerb of the public street that is between a taxi rank sign erected on or as near as practicable to that kerb, and another taxi rank sign on the same side of the public street nearest in the direction indicated by the arrow on the taxi rank sign; and

(b) by road markings marked on the carriage-way of the public street adjacent to that part of the kerb;

‘ taxi rank sign ’ means a traffic sign inscribed with an arrow and with the words ‘ TAXI RANK ’.

“ (2.) Where the expression ‘ school days ’ is inscribed, with other particulars indicating certain hours, on a no parking sign or a no stopping sign erected near to a school, that expression has the effect of indicating that the prohibition on parking or stopping by the sign operates during those hours on days when that school is open for the attendance of scholars.

“ (3.) Where the expression ‘ business hours ’ is inscribed on a no parking sign, a no stopping sign or a parking sign, that expression has the effect of indicating that the prohibition or qualification on parking or stopping by the sign operates during the following periods of time:—

- (a) the hours of nine o’clock in the morning until half past five o’clock in the afternoon on Monday, Tuesday, Wednesday, Thursday and Friday of each week;
- (b) the hours of seven o’clock in the evening until nine o’clock in the evening on Friday of each week;
- (c) the hours of nine o’clock in the morning until half past eleven o’clock in the morning on Saturday of each week.

“ (4.) An abbreviation specified in the first column of the following table may be inscribed on a no parking sign, a no stopping sign or a parking sign and, if so inscribed, it has the meaning specified opposite to it in the second column of that table:—

| Abbreviation. | Meaning. |
|---------------|---|
| Mon. | Monday |
| Tue. | Tuesday |
| Wed. | Wednesday |
| Thur. | Thursday |
| Fri. | Friday |
| Sat. | Saturday |
| Sun. | Sunday |
| min. | minutes |
| a.m. | the time o’clock between mid- night and noon |
| p.m. | the time o’clock between noon and midnight |

“(5.) An arrow inscribed on a no parking sign, a no stopping sign, a parking sign, a bus stop sign or a taxi rank sign erected on a side of a public street at an angle to the boundary of the carriageway of the public street shall be deemed to be pointing on that side in the direction in which it would point if the sign were turned through an angle of less than ninety degrees until parallel to that boundary.

Stopping and parking adjacent to kerb on left side.

“56AL. Subject to this Part, a person shall not stop or park a motor vehicle or park a trailer upon a public street except with the left hand side of the motor vehicle or trailer immediately adjacent to the boundary of the carriageway of the public street on the left hand side of the direction in which the motor vehicle or trailer is facing.

Penalty: Ten pounds.

Parking, &c., traffic signs.

“56AM.—(1.) Where a no parking sign is erected on a side of a public street, a person shall not park a motor vehicle or trailer on that side of the public street between the sign and the nearest intersection or junction of that public street and another public street or between the sign and another such no parking sign, whichever is the closer, in the direction indicated by the arrow on the sign.

“(2.) Where a no stopping sign is erected on a side of a public street, a person shall not stop or park a motor vehicle or park a trailer on that side of the public street between the sign and the nearest intersection or junction of that public street and another public street or between the sign and another such no stopping sign, whichever is the closer, in the direction indicated by the arrow on the sign.

“(3.) Where a parking sign is erected on a side of a public street, a person shall not park a motor vehicle or trailer on that side of the public street between the parking sign and the nearest intersection or junction of that public street and another public street, or between the parking sign and another such parking sign, whichever is the closer, in the direction indicated by the arrow on the sign—

- (a) if the parking sign indicates a period during which parking is permitted—for a period exceeding the period so indicated; and
- (b) notwithstanding the last preceding section, if the parking sign indicates an angle—otherwise than at that angle in relation to the boundary of that side of the public street.

“(4.) If a further inscription appears on a no parking sign, a no stopping sign or a parking sign to which a provision of this section relates indicating a period of time during which the

prohibition or qualification on parking or stopping operates, a person shall not park or stop a motor vehicle or park a trailer in contravention of that provision during that period but, if no such further inscription appears on the sign, a person shall not, at any time, park or stop a motor vehicle or park a trailer in contravention of that provision.

Penalty: Twenty-five pounds.

“ 56AN. A person shall not stop or park a motor vehicle, Bus stops. other than a motor omnibus, or park a trailer so that any part of it is within an omnibus stopping place.

Penalty: Twenty-five pounds.

“ 56AP. A person shall not stop or park a motor Taxi ranks. vehicle, other than a taxi, or park a trailer so that any part of it is within a taxi rank.

Penalty: Twenty-five pounds.

“ 56AQ. A person shall not stop or park a motor vehicle Other parking, &c., offences. or park a trailer—

- (a) on a public street, if any part of another vehicle is between it and the left hand boundary of the carriageway of the public street;
- (b) on that part of the carriageway of a public street immediately adjoining an area in the public street reserved by a traffic sign for angle parking;
- (c) on a public street nearer than three feet to another motor vehicle upon the public street;
- (d) across any passage, thoroughfare, entrance-drive way or footcrossing;
- (e) where a kerb is constructed on the boundary of the carriageway of a public street, upon a part of the public street other than the carriageway of the public street or a part reserved for parking by a traffic sign;
- (f) within the intersection or junction of a public street with another public street;
- (g) upon the carriageway of a public street so that any part of the motor vehicle is alongside a road marking comprising a part of a kerb of the public street painted red;
- (h) upon, or within twenty feet of, a bridge;
- (i) upon a pedestrian crossing within the meaning of section fifty-six M of this Ordinance;
- (j) within twenty feet of such a pedestrian crossing;

- (k) upon a public street between two traffic signs, placed on the public street for the purpose of a school crossing as provided in section fifty-six N of this Ordinance, or within fifty feet of such a traffic sign;
- (l) upon a public street alongside or opposite to a street excavation or obstruction;
- (m) so that it obscures a traffic sign; or
- (n) upon a public street, in such a position, in such a condition, or in such circumstances, as to be likely to cause danger, obstruction or unreasonable inconvenience to other persons using the public street.

Penalty: Twenty-five pounds.

Exceptions and defences to parking, &c., offences.

“ 56AR.—(1.) It is not an offence against section fifty-six AL, fifty-six AM, fifty-six AN, fifty-six AP or fifty-six AQ of this Ordinance if a motor vehicle or trailer is stopped or parked—

- (a) to the extent necessary to avoid a contravention of this Ordinance or the *Traffic Ordinance* 1937-1960; or
- (b) to the extent necessary to carry out a manoeuvre of the motor vehicle required or permitted by this Ordinance or the *Traffic Ordinance* 1937-1960.

“ (2.) It is not an offence against section fifty-six AL, or against paragraph (a) of section fifty-six AQ, of this Ordinance if a motor vehicle the length of which does not exceed twenty feet is stopped or parked on a part of a public street between two traffic signs each inscribed with the words ‘ CENTRAL PARKING ’ and the motor vehicle is so stopped or parked that—

- (a) the front of the motor vehicle faces one of the boundaries of the public street; and
- (b) other vehicles are not prevented from passing in front of and at the rear of the motor vehicle.

“ (3.) It is not an offence of parking or stopping a motor vehicle or parking a trailer during a period indicated on a no parking sign, a no stopping sign or a parking sign as the period during which the prohibition or qualification on parking or stopping operates if the times when the motor vehicle or trailer is stopped or parked occur on a public holiday.

“ (4.) It is a defence to a prosecution for an offence against section fifty-six AL, fifty-six AM, fifty-six AN, fifty-six AP or fifty-six AQ of this Ordinance if the defendant establishes that the motor vehicle or trailer was stopped or parked—

- (a) owing to a breakdown or accident involving the motor vehicle or trailer; or

(b) to the extent necessary to avoid impending danger or collision with a person, vehicle or animal.

“(5.) It is a defence to a prosecution for an offence against section fifty-six AL, fifty-six AM, fifty-six AN or fifty-six AP of this Ordinance or against a provision, other than paragraph (f) or (i), of the last preceding section, if the defendant establishes that the motor vehicle or trailer was stopped or parked during a temporary stoppage by reason of the nature of the traffic.

“(6.) It is a defence to a prosecution for an offence against sub-section (1.) of section fifty-six AM of this Ordinance if the defendant establishes that he stopped the motor vehicle or trailer for the purpose of—

- (a) setting down at the boundary of the carriageway of the public street a passenger and the luggage or goods (if any) of the passenger; or
- (b) permitting a person who, before the motor vehicle was stopped, was standing on the boundary of the carriageway of the public street to enter the motor vehicle and taking up from the boundary of the carriageway the luggage or goods (if any) of that person which were then with that person,

and the period for which the vehicle was so stopped was no longer than was necessary for that purpose.”

6. Sections sixty-three and sixty-three A of the Principal Ordinance are repealed.

Repeal of sections 63 and 63A.

7. Section sixty-seven of the Principal Ordinance is amended by omitting sub-section (2.).

Driver intoxicated.

8. Section seventy-seven of the Principal Ordinance is amended by adding at the end of paragraph (a) the following sub-paragraph:—

Noise and smoke.

“(iii) from any part of which an undue amount of smoke is projected; or”.

9. Section seventy-eight of the Principal Ordinance is amended by omitting paragraph (a).

Trailers, &c.

10. Section seventy-eight A and seventy-eight B of the Principal Ordinance are repealed.

Repeal of sections 78A and 78B.

11. Section eighty of the Principal Ordinance is repealed and the following sections are inserted in its stead:—

“80.—(1.) A person who contravenes or fails to comply with a provision of this Ordinance is guilty of an offence against this Ordinance.

Penalty where not expressly provided in section creating the offence.

“(2.) A person who commits an offence against this Ordinance may be prosecuted summarily before the Court of Petty Sessions and the Court may, where no other penalty is expressly provided, impose a penalty not exceeding One hundred pounds or imprisonment for six months.

Additional
penalty of
disqualification
from holding
driver's licence.

“80A.—(1.) Where a person is convicted of an offence against section fifty-six Q of this Ordinance of driving a motor vehicle upon a public street recklessly or at a speed or in a manner dangerous to persons using the public street or of an offence against section sixty-seven of this Ordinance, that person shall, by the conviction, and in addition to any other penalty imposed by the Court for that offence—

- (a) if he holds a licence to drive a motor vehicle under this Ordinance—cease to be licensed to drive a motor vehicle and be disqualified from holding a licence to drive a motor vehicle for the appropriate period;
- (b) if he is a person who is deemed to be licensed to drive a motor vehicle under section fifty-four or section fifty-five of this Ordinance—cease to be deemed to be so licensed for the appropriate period; or
- (c) if he does not hold a licence to drive a motor vehicle under this Ordinance—be disqualified from holding a licence to drive a motor vehicle for the appropriate period.

“(2.) The appropriate period, for the purpose of the last preceding sub-section, is—

- (a) in the case of a first such offence—a period of three months or such longer period as the Court thinks fit; or
- (b) in the case of a second or subsequent such offence a period of twelve months or such longer period as the Court thinks fit.

“(3.) Where a person is convicted of an offence against section fifty-six Q of this Ordinance of driving a motor vehicle negligently upon a public street, or of an offence against any other provision of this Ordinance for which no other penalty is expressly provided, the Court may, in addition to any other penalty imposed by the Court for that offence—

- (a) if he holds a licence to drive a motor vehicle under this Ordinance—cancel the licence and direct that the person convicted shall be disqualified from holding a licence to drive a motor vehicle for such period as the Court thinks fit;

- (b) if he is deemed to be licensed to drive a motor vehicle under section fifty-four or section fifty-five of this Ordinance—direct that the person convicted shall cease to be deemed to be so licensed for such period as the Court thinks fit; or
- (c) if he is not the holder of a licence to drive a motor vehicle under this Ordinance—direct that the person convicted shall be disqualified from holding a licence to drive a motor vehicle for such period as the Court thinks fit.

“(4.) Where, by force of this section, a person ceases to be licensed to drive a motor vehicle or his licence to drive a motor vehicle is cancelled, the licence to drive a motor vehicle issued to him shall be of no effect and the person shall, forthwith after conviction, deliver the licence to the Registrar.

“(5.) A person shall not, while he is disqualified from holding a licence to drive a motor vehicle, or while he is deemed not to be licensed to drive a motor vehicle, upon conviction under this Ordinance, or during a period of suspension of a licence to drive under section fifty-one of this Ordinance—

- (a) apply for or obtain a licence to drive a motor vehicle under this Ordinance; or
- (b) drive a motor vehicle.

“(6.) Where a person is convicted of applying for or obtaining a licence to drive or of driving a motor vehicle contrary to the last preceding sub-section, the Court may, in addition to any other penalty that may be imposed, direct that the person convicted shall be disqualified from holding a licence to drive a motor vehicle under this Ordinance, or shall be deemed not to be licensed to drive a motor vehicle under this Ordinance, as the case may be, for such period commencing on the date of the conviction as the Court thinks fit.

“(7.) The Court shall cause particulars of all convictions, cancellations, disqualifications and orders of the Court to be forwarded to the Registrar.”.

12. Section eighty-two A of the Principal Ordinance is repealed. Repeal of section 82A.

13. Section eighty-six A of the Principal Ordinance is amended by adding at the end thereof the following sub-sections:— Weight of vehicles.

“(2.) Where a member of the Police Force or an officer in the execution of his duty has reasonable cause to believe that an offence has been committed by the driver of a motor vehicle against section fifty-six U or section fifty-six AF of this Ordinance

by reason of the laden weight of the motor vehicle, the member or officer may direct the driver or person in charge of the motor vehicle forthwith to drive the loaded motor vehicle to a weighbridge nominated by the member or officer and there cause the motor vehicle and the load on the motor vehicle to be weighed.

“(3.) The driver or person in charge of a motor vehicle to whom such a direction is given shall observe and comply with the direction.

“(4.) In a prosecution for an offence against section fifty-six U or section fifty-six AF of this Ordinance in relation to a motor vehicle to the driver or person in charge of which such a direction was given, a certificate purporting to be signed and issued by the person in charge of a weighbridge specified in the certificate and setting out the results of the weighing of that motor vehicle in pursuance of the direction shall, unless the contrary is proved, be deemed to be signed and issued by the person in charge of that weighbridge, and a certificate so signed and issued is evidence of the laden weight of the motor vehicle at the time that alleged offence was committed.”

Powers and
duties of police,
inspectors and
officers.

14. Section eighty-eight of the Principal Ordinance is amended by adding at the end thereof the following sub-sections:—

“(3.) Where an unattended motor vehicle or trailer has been left abandoned, stopped or parked in a public street—

- (a) at a place where the stopping or parking, as the case may be, of the motor vehicle or trailer is prohibited by or under this Ordinance; or
- (b) in a place in such a manner that the motor vehicle or trailer is, in the opinion of a member of the Police Force, causing or is likely to cause a danger or obstruction to other persons using the public street,

a member of the Police Force may move the motor vehicle or trailer or cause it to be moved from that place to the nearest convenient place, which is not so prohibited, where the motor vehicle or trailer can be left or where it does not cause or is not likely to cause such a danger or obstruction.

“(4.) For the purposes of the last preceding sub-section, a member of the Police Force may, if after reasonable inquiry the driver of a motor vehicle cannot be found or the person in charge of the motor vehicle does not comply with a request by the member to move the motor vehicle to a place indicated by the member, enter the motor vehicle for the purpose of moving the motor vehicle under that sub-section without liability for damage occasioned by the entry.”

15. Section ninety-four of the Principal Ordinance is repealed. Repeal of section 94.

16. Section one hundred and two B of the Principal Ordinance is repealed. Repeal of section 102B.

17. Section one hundred and three of the Principal Ordinance is amended by omitting paragraphs (y), (z) and (aa). Regulations.

18. Where, under the *Motor Traffic Ordinance 1937*, or under that Ordinance as amended before the date of commencement of this Ordinance, particulars of a conviction have been endorsed on a licence or a renewal of a licence issued under that Ordinance, the Registrar of Motor Vehicles shall, upon the renewal of the licence after that date under that Ordinance as amended by this Ordinance, cause the renewed licence to be issued without a reference to the conviction or to the particulars of the conviction. No endorsement of convictions on renewal of licences issued before this Ordinance.
