

No. 31 of 1978

## AN ORDINANCE

### To amend the *Motor Traffic Ordinance 1936*

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this twenty-eighth day of September 1978.

ZELMAN COWEN  
Governor-General

By His Excellency's Command,

R. ELLICOTT  
Minister of State for the Capital Territory

### MOTOR TRAFFIC (AMENDMENT) ORDINANCE (No. 2) 1978

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance (No. 2) 1978*.\* Short title

2. In this Ordinance, "Principal Ordinance" means the *Motor Traffic Ordinance 1936*.† Principal Ordinance

3. Section 112k of the Principal Ordinance is amended by adding at the end thereof the following definition: Interpretation

"'public transport route' means that part of a public street that is situated between—

- (a) a road marking consisting of the words 'BUSES ONLY' marked on the carriageway of the public street; and
- (b) another road marking of the kind referred to in paragraph (a),

being road markings between which there does not exist an intersection constituted by that public street and another public street."

\* Notified in the *Commonwealth of Australia Gazette* on 10 October 1978.  
† 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; Nos. 1 and 7, 1955; No. 6, 1956; No. 19, 1957; Nos. 10 and 15, 1958; Nos. 7 and 21, 1959; No. 11, 1960; Nos. 16 and 17, 1962; No. 21, 1963; No. 8, 1964; Nos. 9 and 13, 1965; No. 19, 1966; No. 2, 1968; Nos. 27 and 29, 1969; No. 27, 1970; Nos. 13, 17, 37 and 39, 1971; Nos. 3 and 10, 1972; Nos. 1, 32, 38, 41, 42 and 57, 1973; Nos. 4, 12, 23, 37, 48 and 49, 1974; Nos. 3, 16, 23, 31, 52 and 54, 1976; Nos. 16, 23, 30, 37, 51 and 59, 1977; and No. 2, 1978.

Vehicles to  
keep left,  
&c.

4. Section 113 of the Principal Ordinance is amended by omitting from sub-section (1) "Except as provided in this Ordinance," and substituting "Except where, in order to comply with sub-section 121 (5), the driver of a motor vehicle is required to drive the motor vehicle on the right hand side of a public street, or where otherwise provided by another provision of this Ordinance,".

5. After section 115B of the Principal Ordinance the following section is inserted:

Public  
transport  
routes

"115C. (1) In this section, 'motor vehicle' does not include a local services motor omnibus.

"(2) A person shall not drive a motor vehicle, or permit a vehicle to stand or be parked, upon a public transport route."

Unbroken  
lines marked  
on carriage-  
way

6. Section 116 of the Principal Ordinance is amended by omitting sub-section (1) and substituting the following sub-section:

"(1) The driver of a motor vehicle upon a public street shall not drive a motor vehicle so that it crosses a road marking comprising an unbroken line marked longitudinally on the carriageway of the public street—

(a) 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 the motor vehicle is being driven, and immediately beside the unbroken line; or

(b) unless—

- (i) the motor vehicle is a local services motor omnibus;
- (ii) the unbroken line forms part of road markings used to divide the carriageway of the public street into traffic lanes for vehicles travelling in the same direction as that in which the motor vehicle is being driven; and
- (iii) the motor vehicle is driven across the unbroken line for the purpose of entering a traffic lane on which there appears the words 'BUSES ONLY'.

Passing  
on-coming  
traffic

7. Section 117 of the Principal Ordinance is amended by omitting from sub-section (1) "The driver" and substituting "Except where, in order to comply with sub-section 121 (5), the driver of a motor vehicle is required to drive the motor vehicle on the right hand side of a public street, the driver".

Left hand  
turns

8. Section 120 of the Principal Ordinance is amended by adding at the end thereof the following sub-section:

“(2) Where—

- (a) a motor vehicle is being driven upon a public street;
- (b) 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;
- (c) the motor vehicle is being driven in the traffic lane that is, of those traffic lanes, furthest to the left; and
- (d) at a junction or intersection of that public street and another public street road markings are marked on the carriageway within the junction or intersection showing the course to be followed by a vehicle turning to the left into that other public street from the traffic lane in which the motor vehicle is being driven,

the driver of the motor vehicle shall turn left into that other public street and, in so turning, shall follow that course.”.

9. Section 121 of the Principal Ordinance is amended by adding at the end thereof the following sub-section: Right hand turns

“(5) Where the driver of a motor vehicle on a public street is approaching a traffic sign inscribed with the words ‘KEEP RIGHT’ and facing the direction from which the motor vehicle is approaching, the driver shall drive the motor vehicle on the right of the traffic sign.”.

10. Section 124 of the Principal Ordinance is amended by adding at the end thereof the following sub-section: Give way signs

“(2) Where—

- (a) a motor vehicle upon a public transport route is approaching a traffic sign that—
  - (i) is inscribed with the words ‘GIVE WAY’;
  - (ii) is erected near the carriageway of the public transport route; and
  - (iii) is facing the direction from which the motor vehicle is approaching;
- (b) another vehicle is travelling on the public transport route towards the motor vehicle and in the opposite direction to that in which the motor vehicle is travelling; and
- (c) the circumstances are such that there is a reasonable possibility that the vehicles might collide 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.”.

Exemption  
of special  
vehicles

11. Section 211 of the Principal Ordinance is amended—

(a) by omitting “Nothing in this Ordinance” and substituting “With the exception of section 115c, nothing in this Ordinance”; and

(b) by adding at the end thereof the following sub-sections:

“ (2) Notwithstanding sub-section (1), section 115c does not apply to a vehicle upon a public transport route, or to the driver of such a vehicle—

(a) if the presence of the vehicle upon the route is such as is reasonably necessary for a purpose connected with an accident, vehicle breakdown, fire or other emergency on, or in close proximity to, the route;

(b) if the vehicle is conveying—

(i) a member of the Police Force engaged in the execution of his duties;

(ii) a person performing duties in connection with the provision of a motor omnibus service under the *Motor Omnibus Services Ordinance* 1955; or

(iii) a person engaged in the repair or maintenance of the route or equipment or facilities associated with the route; or

(c) if the vehicle is conveying an officer or employee of the Australian Capital Territory Electricity Authority engaged in the performance of his duties.

“ (3) In this section, ‘public transport route’ has the same meaning as in Part VIII.”.