

# MOTOR VEHICLES ORDINANCE 1977

1245

No. 30 of 1977

An Ordinance to amend the *Motor Vehicles Ordinance*

[Assented to 5 July 1977]

**B**E it ordained by the Legislative Assembly for the Northern Territory of Australia as follows:

1. This Ordinance may be cited as the *Motor Vehicles Ordinance* 1977. Short title

2. *The Motor Vehicles Ordinance* is in this Ordinance referred to as the Principal Ordinance. Principal Ordinance

3.(1) Section 11A of the Principal Ordinance is amended by inserting after "the Registrar may issue the licence to the applicant" the words "notwithstanding that the applicant is under age,". Licence for handicapped person

(2) Section 11A of the Principal Ordinance is amended by adding the following sub-section:

"(2) Where the Registrar issues a licence in pursuance of sub-section (1) he may, by endorsement on the licence, exempt, conditionally or otherwise—

(a) the person so licensed; or

(b) a motor vehicle or a kind or class of motor vehicle, while it is being driven by the applicant under and in accordance with the licence,

or both, from compliance with the whole or specified provisions of this Ordinance or the *Traffic Ordinance* or both."

4. The Principal Ordinance is amended by inserting after section 108 the following section:

"108A. A person shall not drive a motor vehicle to which a trailer is attached, being a trailer, the laden mass of which exceeds 1 tonne, unless the trailer is fitted with an independent braking system in accordance with item 7 (4) in the Fourth Schedule."

5. The Fourth Schedule to the Principal Ordinance is amended by omitting Item 7 (4) and substituting the following:

“(4) Subject to sub-clause (5), where—

- (a) the unladen mass of a trailer exceeds 500 kilograms; or
- (b) in the opinion of the Registrar having regard to the length, construction and design of a trailer, the laden mass of the trailer is, at any one time, capable of exceeding 1 tonne,

the trailer shall have an independent braking system.

“(5) The independent braking system—

- (a) shall operate on at least 2 wheels of the trailer and be capable of stopping the trailer in the same manner as the motor vehicle; and
- (b) except where the trailer has a laden mass of less than 2 tonnes and has been fitted with overrider brakes, shall be capable of being operated from the driver’s seat of the motor vehicle.

“(6) The Registrar may exempt a trailer from compliance with the provisions of sub-clause (4) if he is satisfied that, having regard to the length, construction and design of the trailer, the laden mass of the trailer is not likely, at any one time, to exceed 1 tonne.”.

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