

## TASMANIA.

## THE TRAFFIC ACT, 1925,

## ANALYSIS.

## PART I.—PRELIMINARY.

1. Short title and commencement.
2. Repeal.
3. Interpretation.
4. References in the Motor Vehicles Tax Act, 1917 (8 Geo. V. No. 30), to the Motor Traffic Act, 1907 (7 Ed. VII. No. 27).
5. Amendment of Section 2 of the Local Government Act (Traction Engines), 1907.  
Certain Acts not to be affected by operation of this Act.
6. Revocation of councils' powers to make by-laws as to certain matters. Revocation of certain by-laws. Governor may revoke by-laws made by councils.  
This Act to prevail in case of inconsistency with any other provision.
7. Existing licences continued. Continuance of existing disqualifications.  
Registration of motor vehicle under the Motor Traffic Act, 1907 (7 Ed. VII. No. 27), to be deemed registration under this Act.
8. Existing stands, &c., continued.
9. Administration of Act.

## PART II.—MOTOR VEHICLES.

10. Regulations.  
Application to the Crown.
11. Record of registration and licences.
12. Motor vehicle deemed to be a vehicle for the purpose of any Act.
13. Frauds, &c., in respect of licences.
14. Driving without licence, &c.  
Proviso.

## PART III.—PUBLIC VEHICLES

15. Regulations.  
Discretion of Commissioner to issue licence.  
Licences in respect of certain public vehicles.  
Insurance policies to be taken out in respect of certain public vehicles.  
Amount of policy.

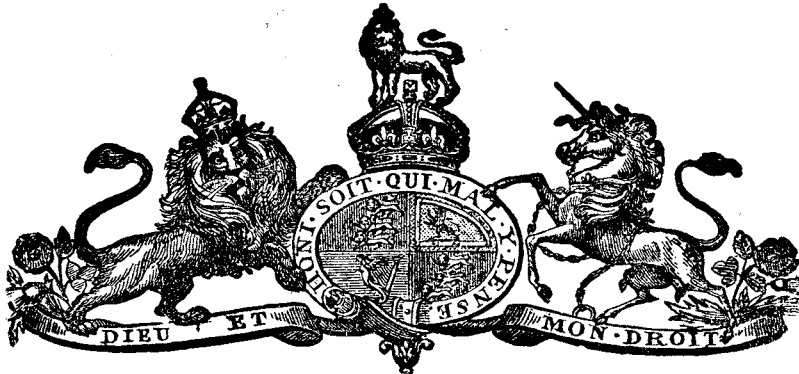
- Governor may amend table of zones in Schedule (3), and may vary application of such schedule in respect of certain public vehicles.
16. Record of licences.
  17. Public vehicles belonging to cities or municipalities not required to be licensed.
  18. Penalty on persons evading payment of fares, &c.
  19. Offences in connection with licences.
  20. Inspection of vehicles.
  21. Damage done by vehicle.
  22. No fee to be charged in proceedings for recovery of fares, &c.
  23. Conviction to be noted on licence. Particulars of conviction to be forwarded to Commissioner.
  24. Recovery of fares, &c.
  25. Licence not to exonerate owner of vehicle from compliance with this part.
  26. If driver not known, summons may be served on owner.
  27. Owner of public vehicle to be liable to payment of fine on default of driver or conductor.
  28. When cab deemed to be plying or standing for hire.
  29. Member of police force may search public vehicle for stolen property.
  30. Hawkers not to hold licences for public vehicles.

## PART IV.—TRAFFIC.

31. Regulations.  
Councils may make recommendations as to regulations in respect of particular roads.
32. Reckless driving.  
Apprehension of offender.  
Refusing to give name and address.
33. Duty of driver to stop in case of accident.  
Or on meeting restive horses, &c.
34. Driver taken into custody for an offence to be forthwith taken before court.
35. Production of licence at court.
36. Court may suspend licence of any person upon his conviction.  
Suspended licence to be of no effect.

- |   |  |
|---|--|
| <p>Particulars of conviction to be sent to Commissioner of Police.</p> <p>Improperly obtaining a licence.</p> <p>Suspension of licence to be without prejudice to imposition of any other penalty for offence.</p> <p>37. Unauthorised use of motor vehicle.</p> <p>Fraudulently procuring use of motor vehicle.</p> <p>38. Street may be temporarily closed to traffic.</p> <p>39. Refusing to give name and address.</p> <p>Refusing to sign name for identification purposes.</p> <p>40. Obstruction of police.</p> <p>41. Intoxication of driver of vehicle.</p> <p>Suspension of licence.</p> <p>Disqualification of unlicensed driver.</p> <p>Penalty in case of delicensed driver driving a motor vehicle.</p> <p>42. Orders may be made by Commissioner.</p> <p>43. Rubbish in public streets may be removed by police.</p> | <p><b>PART V.—MISCELLANEOUS AND GENERAL.</b></p> <p>44. Additional regulations.</p> <p>45. Regulations may be of a local nature.</p> <p>46. Separate offences in respect of the non-return of number-plates.</p> <p>47. Local authority to erect notices to drivers.</p> <p>48. Commissioner may post up notices on any building, &amp;c.</p> <p>49. Commissioner may erect standards, &amp;c.</p> <p>50. Compensation may be allowed to defendant when complainant not a member of the police force.</p> <p>51. Facilitation of proof of certain matters.</p> <p>52. Penalties.</p> <p>53. Procedure for offences.</p> <p>54. Appropriation of fees.</p> <p>55. Act to apply to Crown servants.</p> <p>56. Liability under other Acts or at common law.</p> |
|---|--|

## TASMANIA.



1925.

ANNO SEXTO DECIMO

GEORGII V. REGIS.

No. 38

\*\*\*\*\*

AN ACT to consolidate and amend the Law relating to Vehicular and other Traffic, and for other purposes. [11 *December*, 1925.]

A.D.  
1925.

**BE** it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:—

## PART I.

## PRELIMINARY.

- 1** This Act may be cited as “The Traffic Act, 1925,” and shall come into force on a day to be proclaimed. Short title and commencement.
- 2** The several Acts mentioned in the Schedule (1) to this Act are hereby repealed to the extent indicated in the said schedule. Repeal.
- 3** In this Act, unless the context otherwise requires— Interpretation.  
 “Cab” means a vehicle, other than a coach or omnibus, plying or standing in a public street for hire for the conveyance of passengers :

*Traffic.*

A.D. 1925.

6 Ed. VII. No. 31.

- “Coach” or “Omnibus” means a vehicle used for hire for the conveyance of passengers at a separate fare for each passenger, and which is so used in the carrying on of a regular passenger service between two extreme points; or a vehicle constructed to carry more than seven passengers, and used for the conveyance of passengers for any consideration :
- “Commissioner” means the Commissioner of Police, and any person duly appointed by the Governor to act in the place of the Commissioner :
- “Council” means the municipal council of a city or municipality :
- “Court” means a court of petty sessions consisting of—
- i. Any police magistrate : or
  - ii. Any two or more justices of the peace sitting or acting together :
- “Horses” include asses, mules, and other draught animals or beasts of burden :
- “Licensed” means licensed under this Act :
- “Mayor” means the mayor of a city and the warden of a municipality :
- “Motor Cycle” means a motor vehicle which has only two wheels, but includes a motor cycle having any vehicle attached thereto :
- “Motor Driver” means any person driving a motor vehicle, and any person riding a motor vehicle, and “Drive” includes “Ride” :
- “Motor Registry” means any place appointed under this Act for the registration of motor vehicles and the licensing of drivers of motor vehicles :
- “Motor Vehicle” means any motor car, automobile, motor carriage, motor cycle, or other carriage or vehicle propelled upon public streets wholly or partly by any volatile spirit, steam, oil, or electricity, or by any means other than animal power, but does not include a vehicle used on a railway or a tramway, nor a traction engine :
- “Municipality” means a municipality proclaimed under the Local Government Act, 1906 :
- “Owner,” when used with reference to a public vehicle, includes every person who is solely or in partnership with any other person concerned, otherwise than as merely the driver, in keeping, using, or letting such vehicle for hire :
- “Part” means part of this Act :
- “Public Street” means any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise :
- “Public Vehicle” means a vehicle plying or standing in a public street for hire, or used or let for the conveyance of passengers, goods, or merchandise, for hire or for any other consideration :

*Traffic.*

“Registered” means registered under this Act :

A.D. 1925.

“Section” means section of this Act :

“Trailer” means any vehicle drawn by, or attached to, a motor vehicle :

“Traction Engine” has the meaning assigned to it by Section Two of the Local Government Act (Traction Engines), 1907, as amended by this Act :

7 Ed VII. No. 30.

“Vehicle” includes any description of vehicle upon wheels, and any truck, barrow, or similar vehicle, but does not include a vehicle used on a railway or tramway.

“Zone” means a zone mentioned in the Table of Zones set out in Schedule (3) to this Act.

**4** Wherever in the Motor Vehicles Tax Act, 1917 (in this section hereinafter called “the said Act”)

References in the Motor Vehicles Tax Act, 1917 (8 Geo. V. No. 30), to the Motor Traffic Act, 1907. (7 Ed. VII No. 27).

i. Reference is made to the Motor Traffic Act, 1907, or to the “Principal Act,” such reference shall be deemed to be a reference to this Act :

ii. Reference is made to any “motor regulations,” such reference shall be deemed to be a reference to the regulations made under Part II. of this Act :

iii. Reference is made to any section, paragraph, or other part of the “Principal Act,” such reference shall be deemed to be a reference to any like or similar provision of this Act.

**5**—(1) Section Two of the Local Government Act (Traction Engines), 1907, is hereby amended by expunging the definition of “Traction engine” therein contained, and substituting the following definition therefor :—

Amendment of Section 2 of the Local Government Act (Traction Engines), 1907.

“‘Traction engine’ means any road locomotive propelled wholly or partly by mechanical means and used for haulage or agricultural purposes, and which is constructed to carry no load other than its own fuel and water, but does not include a vehicle used for any other purpose than the haulage of agricultural machinery, and which is propelled by means of an internal combustion engine or by electricity, and the weight of which fully equipped for use on the road does not exceed five tons, and the tyres of which are composed of rubber.”

7 Ed. VII. No. 30.

(2) Except as expressly provided by Subsection (1) hereof, nothing in this Act shall affect the operation of—

Certain Acts not to be affected by operation of this Act.

i. The Local Government Act (Traction Engines), 1907 :

7 Ed. VII. No. 30.

ii. Paragraph XIII. of Subsection (10) of Section Two hundred and five of the Local Government Act, 1906, inserted therein by the Local Government Amendment Act, 1921 : or

6 Ed. VII. No. 31.

iii. Section 2a of the Local Government Amendment Act, 1921, inserted therein by the Local Government Act (No. 2), 1924 :

12 Geo. V. No. 27.

iv. The Width of Tires Act, 1913.

15 Geo. V. No. 39.

4 Geo. V. No. 18.

*Traffic.*

A.D. 1925.

Revocation of councils' powers to make by-laws as to certain matters.

Revocation of certain by-laws.

Governor may revoke by-laws made by councils.

This Act to prevail in case of inconsistency with any other provision.

Existing licences continued.

Continuance of existing dis-qualifications.

Registration of motor vehicle under the Motor Traffic Act, 1907 (7 Ed. VII. No. 27), to be deemed registration under this Act.

Existing stands, &c., continued.

**6—**(1) Subject to Subsection (2) of Section Five, it shall not be lawful for any council to make any by-laws with regard to any of the matters with respect to which the Governor is authorised to make regulations under this Act, or any by-laws which are inconsistent with the provisions of this Act.

(2) All by-laws heretofore made by any council, which are inconsistent with the provisions of this Act, are hereby revoked.

(3) The Governor may, by regulation under this Act, revoke all or any by-laws heretofore made by any council with regard to any of the matters with respect to which the Governor is authorised to make regulations under this Act, but all such by-laws shall, in so far as they are not inconsistent with the provisions of this Act, remain in force until so revoked, and shall in the meantime be deemed to have been made under this Act, and any reference in these by-laws to a council or mayor, shall be deemed to be a reference to the Commissioner, and any reference to a town clerk, council clerk, inspector, or other officer shall be deemed to be a reference to such person administering this Act as the Commissioner may appoint in that behalf.

(4) Where there is any inconsistency between this Act and any other Act, or any rule, regulation, or by-law made thereunder, this Act shall prevail, and such other Act, or such rule, regulation, or by-law (as the case may be) shall, to the extent of such inconsistency, be of no force or effect: Provided, however, that nothing in this section shall affect the validity of any by-law or prohibition made or imposed under any of the enactments mentioned in Subsection (2) of Section Five.

**7—**(1) Every existing licence of a vehicle or driver of a vehicle, granted under any enactment hereby repealed, shall, subject to any suspension thereof under such enactment, continue in force until it expires, or until the same is sooner suspended or cancelled under this Act, and in the meantime shall be deemed to have been granted under, and shall be subject to, the provisions of this Act, and every endorsement on any such licence made under such enactment shall be deemed to have been made under the corresponding provision of this Act.

(2) Where, under any such enactment as aforesaid, the licence of any person to drive a motor vehicle has been suspended, or such person has been declared by the court to be disqualified for obtaining a licence, such person shall, during the period of suspension or disqualification, be disqualified for obtaining a licence under this Act.

(3) Every motor vehicle, the registration whereof has been effected or renewed under the Motor Traffic Act, 1907, and is still in force, shall, during the unexpired period covered by such registration or renewal (as the case may be), be deemed to be registered under this Act.

**8** All stands and places heretofore appointed where cabs or other vehicles may stand or ply for hire shall remain and be stands or places for the purposes aforesaid until other provision is made therefor by regulations under this Act.

*Traffic.*

9 This Act shall be administered by the Commissioner, the members of the police force, and such other persons (if any) as shall be appointed for that purpose.

A.D. 1925.

Administration of Act.

## PART II.

## MOTOR VEHICLES.

*Regulations, &c.*

10--(1) The Governor may make regulations--

Regulations.

- i. Providing that motor vehicles and trailers, not exempted by the regulations, shall be registered, that certificates of registration be issued for the same, and that drivers of such vehicles shall be licensed, and appointing motor registries and registering authorities where and by whom such vehicles and trailers may be registered and such drivers licensed, either provisionally or otherwise :
- ii. Prohibiting the use upon public streets of motor vehicles and trailers that are unregistered, or have not the registered number upon them, or have a number that is in any way obscured or not easily distinguishable :
- iii. Regulating the manner and duration of registration of motor vehicles and trailers, and the transfer and renewal of such registration, and the granting, duration, renewing, suspension, cancellation, and return of motor drivers' licences, and the payment of fees for the same in accordance with Schedule (2) to this Act :
- iv. Providing, in any case where the registration of any motor vehicle, or the transfer or renewal of such registration, or any licence to drive a motor vehicle, or the renewal thereof, has been refused by the Commissioner, and in any case of the cancellation or suspension by the Commissioner of any such licence, for an appeal, within fourteen days after such refusal, cancellation, or suspension, to a police magistrate, whose decision shall be final, against such refusal, cancellation, or suspension :
- v. Providing for the temporary registration, in accordance with the provisions of Section Six of the Motor Vehicles Tax Act, 1917, of motor vehicles coming within such provisions ; and the licensing of the drivers of such motor vehicles, on payment of fees not exceeding Two Shillings and Sixpence for any period of three months :
- vi. Prescribing the qualifications as to character, age, ability, and physical fitness to drive of drivers of motor vehicles, and the methods of determining such ability :

8 Geo. V. No. 30.

---

*Traffic.*

---

A.D. 1925.

- vii. Providing that each motor vehicle shall have a separate distinguishing number, and for the affixing to each motor vehicle, and to any vehicle (whether a motor vehicle or not) drawn by such motor vehicle, of one or more number plates bearing such distinguishing number; regulating the size, shape, character, and the issue and return of such number plates, and the manner and position in which the same shall be affixed; providing that only number plates issued in pursuance of the regulations be so affixed, and prescribing the charges to be made for number plates so issued, and for the application of such charges:
- viii. Providing for the issue of special number plates to manufacturers or repairers of, or dealers in motor vehicles, for use upon; and for the identification of, motor vehicles in their possession on trial (as defined by the regulations) before or after completion, and for the return of such number plates, and prescribing the conditions under, and subject to which, such number plates may be issued and used, and providing for, and regulating the payment of, fees in accordance with Schedule (2) to this Act, in respect of the use of such special number plates, and the charges to be made for special number plates so issued, and the application of such charges, and providing, subject to conditions to be prescribed, for the exemption from registration of motor vehicles on trial:
- ix. Providing generally for facilitating the identification of motor vehicles:
  - x. Regulating and controlling the speed of motor vehicles in the public streets:
  - xi. Providing for preventing or minimising noise from the action or working of the machinery or engine of any motor vehicle, whether by the use of a silencer or otherwise, or for preventing or minimising smoke, smells, or fumes from any motor vehicle:
  - xii. Providing for and regulating the affixing of efficient brakes on motor vehicles:
- xiii. With respect to the construction of motor vehicles, or the construction of the machinery, engine, or wheels, or other part thereof:
- xiv. Prohibiting the use of motor vehicles which, owing to any cause, are in the opinion of the Commissioner unsuitable for safe use:
- xv. Regulating or restricting the use of vehicles attached to or drawn by motor vehicles, and limiting the number of vehicles which may be so attached or drawn, and prohibiting the use of tyres, other than rubber tyres, on vehicles so attached or drawn:
- xvi. Providing that the unladen weight of motor vehicles, constructed or used for the carriage of goods or merchandise, shall be indicated on such motor vehicles, and prescribing



*Traffic.*

the manner of such indication, and regulating the size and other details of the tyres to be used on such motor vehicles:

A.D. 1925.

xvii. Prescribing any matter or thing in connection with the use, possession, or ownership of motor vehicles which the Governor may deem necessary or expedient for the safety of the public, for the protection of property, or otherwise in the public interest:

xviii. Regulating the keeping and use of petroleum, or any other inflammable or explosive liquid or fuel used for the purpose of motor vehicles, notwithstanding anything to the contrary in any enactment relating to petroleum or to any other inflammable or explosive liquid or fuel.

(2) Regulations under this Part shall apply in respect of motor vehicles owned by the Crown.

Application to the Crown.

**11** The particulars of the registration of motor vehicles and trailers and the licences of drivers of motor vehicles, and any other particulars prescribed, shall be recorded at the office of the Commissioner and of the motor registry, if any, where such registration was effected, or such licences were issued, and an extract from, or copy of, any such entry contained in any such record, certified under the hand of the officer in charge thereof, shall in all courts, and upon all occasions whatsoever, be received as evidence, and deemed sufficient proof, of all particulars contained in such entry, without requiring the production of such record, or any licence, requisition, notice, or other document upon which such entry may be founded.

Record of registration and licences.

**12** A motor vehicle shall be deemed to be a vehicle within the meaning of any Act, and of any rule, regulation, or by-law thereunder, and if used as a vehicle of any particular class shall be deemed to be a vehicle of that class, and the law relating to that class shall apply accordingly.

Motor vehicle deemed to be a vehicle for the purpose of any Act.

*Offences.*

**13** Any person who—

- i. By any false statement or misrepresentation, obtains or attempts to obtain a licence under this Part or the regulations thereunder: or
- ii. Without lawful excuse, has in his possession a licence or number plate issued under this Part or the regulations thereunder, or any article resembling a licence or number plate, and calculated to deceive: or
- iii. Forges, or fraudulently alters or uses, or fraudulently lends or allows to be used by any other person, any licence or any number plate or mark for identifying a motor vehicle under this Part or the regulations thereunder: or
- iv. Drives or uses upon a public street any unregistered motor vehicle or trailer, having upon it any number or number plate of a description prescribed to be fixed to registered motor vehicles or trailers, and calculated to deceive—

Frauds, &amp;c., in respect of licences.

shall be guilty of an offence against this Act.

*Traffic.*

A.D. 1925.

Driving without  
licence, &c.**14** Any person who—

- I. Drives a motor vehicle upon any public street without being licensed for that purpose: or
- II. Employs or permits any person not licensed for that purpose to drive a motor vehicle upon any public street: or
- III. Drives or uses, or causes or permits to be driven or used, upon any public street a motor vehicle or trailer—
  - (a) Not having the prescribed number plate properly affixed thereto, or having such number plate or the number thereon obscured or obliterated: or
  - (b) Which is required to be registered, and which is not registered—

shall be guilty of an offence against this Act.

Proviso.

Provided that no person shall be liable to a penalty for any breach of this section if he proves to the satisfaction of the court adjudicating that such breach was the result of an accident, or that the motor vehicle was, at the time of the alleged offence, being driven for the purpose of being registered.

## PART III.

## PUBLIC VEHICLES.

*Regulations, &c.*

Regulations.

**15—(1)** The Governor may make regulations—

- I. Providing that all public vehicles, or any specified class of public vehicles, and all drivers and conductors of any such vehicles, shall on and after the day therein mentioned, be licensed by the Commissioner, and enforcing compliance with those provisions; regulating the granting, renewing, transfer, suspension, cancelling, and return of such licences, and the payment of such fees for the same as Parliament shall from time to time determine, and the form of such licences; and providing that any licence issued may be limited or restricted to any area, route, town, or place, and that any driver's licence may be limited to any class or kind of vehicle, or any vehicle or vehicles of a particular class: Provided that the fees to be paid in respect of all such licences as aforesaid as shall be issued within the period of one year after the commencement of this Act, shall be in accordance with Schedule (3) to this Act:
- II. Prescribing the qualifications and ages of drivers and conductors, respectively, of public vehicles:

*Traffic.*

- III. Providing in any case where any licence relating to a public vehicle or the driver or conductor thereof, or the renewal or transfer of such licence has been refused by the Commissioner, and in any case of the cancellation or suspension by the Commissioner of any such licence, for an appeal, within fourteen days after such refusal, cancellation, or suspension, to a police magistrate, whose decision shall be final, against such refusal, cancellation, or suspension : A.D. 1925.
- IV. Providing for the inspection and requirements, before being licensed and at other times, whether periodically or otherwise, of public vehicles, and in respect of horse-drawn public vehicles, of the horses, harness, and equipment used or intended to be used therewith :
- V. Providing for and regulating the use of taximeters on motor cabs and other public vehicles, and for the testing of same, and prescribing the fees for such testing, not exceeding the sum of Ten shillings for any one testing :
- VI. Prescribing that all or any drivers and conductors of public vehicles shall wear badges, and regulating the form and description, and the issue, wearing, and return of such badges :
- VII. Prescribing the number of any class or description of public vehicles which may ply or stand for hire in any public street or streets, or which may be used or let for the conveyance of passengers or goods, and the form, construction, and equipment of public vehicles, and the number and description of horses to be used in horse-drawn vehicles :
- VIII. Providing that all public vehicles, or any specified class of public vehicle, shall, on and after a day therein mentioned, have separate distinguishing numbers and particulars of the zones for which they are licensed placed on such vehicles, and regulating the form of such numbers and particulars and the manner of placing the same on such vehicles, and where such numbers or particulars are on plates, regulating the issue and return of such plates, and prescribing the charges to be made for number plates so issued, and for the application of such charges :
- IX. Appointing and regulating the use of stands for public vehicles, or any class of public vehicles, or any specified public vehicles, or any public vehicles owned or used by any specified persons or by any Government department :
- X. Prescribing the number of persons and the amount of luggage and weight of goods to be carried in or upon public vehicles :
- XI. Prescribing, in the case of coaches or omnibuses, or other public passenger vehicles plying from one locality to another, the route of such vehicles, the time to be taken by such vehicles for performing the whole or any portion of their journeys,

*Traffic.*

A.D. 1925.

and the publication of time-tables, and prohibiting the setting down or taking up of passengers by public vehicles at any prescribed places :

- xii. Fixing the fares or charges for the hire and use of public vehicles plying for hire, and providing for the publication and the payment of such fares or charges, and prescribing the pace at which public vehicles hired by time shall travel :
- xiii. Providing for the custody and return of property left in public vehicles, and the payment of compensation for the same, and the disposal of such property not claimed within the time prescribed, or the sale and disposal of the proceeds of the sale thereof :
- xiv. Prohibiting drivers and conductors of public vehicles in any public street from misconducting themselves, or from driving backwards and forwards with the intention or apparent intention of picking up or obtaining passengers in any public street, and prohibiting any persons from touting or calling out or otherwise importuning any person to hire or use a public vehicle :
- xv. Prescribing any matter or thing which the Governor may consider necessary or expedient in connection with the use, construction, ownership, possession, or licensing of public vehicles, or the conduct of the drivers and conductors thereof, or of persons hiring or using such vehicles.

Discretion of  
Commissioner to  
issue licence.

(2) The Commissioner or other person authorised under this Part to issue licences may, in his absolute discretion, refuse to grant a licence in respect of any public vehicle if, in his opinion, the licensing thereof is not necessary for the convenience of the public, or not desirable in the public interest.

Licences in  
respect of certain  
public vehicles.

(3) If any public vehicle is used, or, in the opinion of the Commissioner or such other person as aforesaid, is intended to be used, in conjunction with other public vehicles, to provide for the carrying of passengers between Hobart and Launceston, or between Launceston and Smithton, the Commissioner or such other person as aforesaid shall require such public vehicle to be licensed in respect of every zone for which it would require to be licensed if such public vehicle itself carried passengers, or was intended to carry passengers, between such places respectively and throughout the whole route.

Insurance policies  
to be taken out in  
respect of certain  
public vehicles.

(4) No licence or renewal of a licence of a vehicle, other than a cab, used or intended to be used for the conveyance of passengers for hire or other consideration shall be issued to any applicant therefor unless and until such applicant—

Amount of  
policy.

- i. Has taken out with some insurance company, to be approved by the Commissioner, an insurance policy for the sum of One thousand Pounds insuring the applicant against liability for the payment of damages for injuries to passengers carried by such vehicle : and

*Traffic.*

- ii. Has produced to the Commissioner such policy, and a receipt from the insurance company issuing the same for the premium for such insurance, covering the period for which the licence, or renewal thereof (as the case may be), is to be issued. A.D. 1925.

## (5) The Governor may by regulation—

- i. Remove the name of any municipality from the list of municipalities set out in the Table of Zones in Schedule (3) to this Act as comprising any zone, or add the name of any municipality to such list : Governor may amend Table of Zones in Schedule (3) and may vary application of such schedule in respect of certain public vehicles.
- ii. Prescribe that in respect of any public vehicle plying between specified places in any one zone, the licence fee to be paid shall be such as would have been payable if such vehicle had been licensed for use in two zones :
- iii. Prescribe that, in respect of any public vehicle plying between specified places situate in two different zones, the licence fee to be paid shall be such as would have been payable if such vehicle had been licensed for use in one zone only.

(6) Subsection (4) of this section shall not apply in respect of a motor vehicle temporarily licensed for some specified day.

**16** The particulars of licences and any other particulars prescribed shall be recorded at the office of the Commissioner, and an extract from or copy of any entry contained in such record, certified under the hand of the Commissioner or officer in charge thereof, shall, in all courts and upon all occasions whatsoever, be received as evidence, and deemed sufficient proof, of all particulars contained in such entry without requiring the production of such record or any licence, requisition, notice, or other document upon which such entry may be founded. Record of licences.

**17** Nothing in this Part, or in any regulation made thereunder, shall be construed as requiring any public vehicle belonging to or while used by any city or municipality, or the driver of such vehicle, to be licensed under this Part, or under any such regulation. Public vehicles belonging to cities or municipalities not required to be licensed.

*Offences, &c.***18** Any person hiring or using a public vehicle who—

- i. Fraudulently evades the payment of the prescribed fare or charge, or, if there is no prescribed fare or charge, of the fare payable : Penalty on persons evading payment of fares, &c.
- ii. Having failed or refused to pay such fare or charge, either refuses to give to the driver of such vehicle his name and an address at which he can be found, or gives a false name or address :
- iii. Forces himself upon any such vehicle already carrying the full complement of passengers, or hired by another person :

*Traffic.*

A.D. 1925.

iv. Misconducts himself whilst using any such vehicle :  
 v. Wilfully damages any such vehicle—  
 shall be guilty of an offence against this Act ; and in the case of any offence mentioned in this section, may be removed from the vehicle by the driver or a member of the police force.

Offences in connection with licences.

**19** Any person who—

- i. By any false statement or misrepresentation, obtains, or attempts to obtain, a licence under this Part : or
  - ii. Without lawful licence has in his possession a licence, badge, or plate granted or issued under this Part, or any document or article resembling such licence, badge, or plate, and calculated to deceive :
  - iii. Drives or uses in any public street any unlicensed vehicle having on it, in any manner calculated to deceive, any printing or sign amounting to a representation that such vehicle is licensed for hire, or in respect of a zone, or is for hire, or any number or number-plate prescribed to be placed on or affixed to licensed vehicles, or any plate resembling such number-plate :
  - iv. Not being the holder of a driver's licence under this Part, drives a licensed public vehicle in any public street :
  - v. Drives or uses in any public street any unlicensed public vehicle, or causes or permits any unlicensed public vehicle to be so driven or used :
  - vi. Being the holder of a driver's licence under this Part, drives in any public street a licensed public vehicle other than such as is authorised by his licence :
  - vii. Drives, or causes or permits to be driven, upon any public street a public vehicle not having the prescribed number plate affixed thereto, or having the number thereon obscured or obliterated :
  - viii. Drives or uses in any public street in any zone a public vehicle not licensed for use in such zone, or causes or permits any such public vehicle to be so driven or used—
- shall be guilty of an offence against this Act.

Inspection of vehicles.

**20** Any member of the police force may, at any time between sunrise and sunset, enter the premises of the holder of any licence in respect of a public vehicle, and inspect any vehicles, horses, harness, or equipment upon or in such premises.

Damage done by vehicle.

**21** If any driver of a public vehicle wilfully or negligently causes any damage to be done, by driving such vehicle in a public street, to any person or property, the holder of a licence in respect of such vehicle and the driver of such vehicle shall each be liable for the amount of such damage, to be recovered in any court of competent jurisdiction.

*Traffic.*

- 22** In any proceedings under this Part for the recovery of any fare or charge, no fee in respect of such proceedings shall be charged or taken by the clerk of petty sessions or other officer of such court. A.D. 1925<sup>1</sup>  
No fee to be charged in proceedings for recovery of fares, &c.  
Conviction to be noted on licence.
- 23**—(1) In any conviction of the driver of a public vehicle under this Act, the court adjudicating shall note the conviction on any licence to drive a public vehicle under this Part held by the person convicted, and may, by order, cancel or suspend such licence, and may order the delivery of the licence to some person to be named in the conviction. Particulars of conviction to be forwarded to Commissioner.
- (2) The court shall cause particulars of every such conviction to be forwarded to the Commissioner, who shall endorse the same upon every licence or renewal of a licence to drive a public vehicle which may be issued to the person so convicted.
- 24** All fares and charges payable in respect of the hire or use of any public vehicle, or the conveyance of any passenger, or the carriage of any goods or other things, in or by such public vehicle, may be recovered before a police magistrate or any two or more justices in the mode prescribed by the Justices' Procedure Act, 1919, or in any court of competent jurisdiction. Recovery of fares, &c.  
10 Geo. V. No.55.
- 25** The fact that a public vehicle is duly licensed shall not be a defence to any action or proceeding against the owner thereof in respect of any non-compliance by such vehicle with the provisions of this Part, notwithstanding such want of compliance may have existed at the time the licence was issued. Licence not to exonerate owner of vehicle from compliance with this Part.
- 26** When a complainant is unable to ascertain the name or identity of the driver of any public vehicle, it shall be sufficient in his complaint to state the number of the public vehicle which the person he so complains of was driving at the time the offence was committed; and any summons issued by any justice thereupon may be directed "To the Driver of Cab No. " (or other public vehicle, as the case may be), and the service of the summons upon any owner of such public vehicle shall be deemed and taken to be a good and sufficient service upon the driver thereof; and if, upon the hearing of the complaint, the identity of such driver is not established, the penalty for the offence may be imposed upon the driver of such public vehicle without naming him. If driver not known, summons may be served on owner.
- 27**—(1) If a penalty has been imposed under this Part on the driver of any public vehicle without naming him, or if the driver or conductor of any public vehicle does not satisfy, within one week from the imposition thereof, the amount of any penalty imposed upon him under this Part, the owner of such vehicle shall be liable to the payment of such penalty in all respects as if he had personally been convicted of the offence in respect of which the penalty was so imposed; but such owner may (unless he had notice of the proceedings), upon depositing the amount of such penalty and costs, and also the fees for a re-hearing, apply to any justice for a re-hearing of the case, and such justice shall thereupon appoint a day for the purpose of
- Owner of public vehicle to be liable to payment of fine on default of driver or conductor.

*Traffic.*

A.D. 1925.

such re-hearing, and cause notice to be given thereof to the complainant ; and upon such re-hearing the court may make such order in the premises, and also as to the costs of the proceedings, as it thinks fit.

(2) Any such owner who pays any penalty or costs under such circumstances as aforesaid shall be entitled, upon complaint made before any justice, to recover the same from the driver or conductor together with such further expenses as the court thinks fit.

When cab deemed to be plying or standing for hire.

**28** A cab with licence-plate attached in any public street shall be deemed to be plying or standing for hire unless actually engaged ; and in any proceedings under this Act, the onus of proving such engagement shall lie upon the defendant.

Member of police force may search public vehicle for stolen property.

**29** Any member of the police force having reason to suspect that any stolen property is in or on any public vehicle licensed under this Part to carry goods or merchandise, or appearing to be so licensed, may search such public vehicle, and any package, container, or load on or in the same, without any other authority than this Act ; and if any goods or articles suspected to be stolen be found upon such search they may be detained by such constable and brought before a police magistrate to be afterwards by him disposed of after due inquiry into the matter according to law.

Hawkers not to hold licences for public vehicles.

**30** No public vehicle licensed to carry goods or merchandise shall be licensed in the name of any person who holds a licence under any Act as a hawker or as an itinerant vendor of goods, nor shall a licence to drive any such public vehicle be issued to any such person.

## PART IV.

## TRAFFIC.

*Regulations.*

Regulations.

**31**—(1) The Governor may make regulations—

- i. Prescribing the ages of persons who may drive or have charge of any vehicle, or any particular class or kind of vehicle, and prohibiting persons under the prescribed age from driving or having charge of any vehicle, or any particular class or kind of vehicle :
- ii. Prohibiting or restricting the use of any vehicle, or any kind or class of vehicle, upon any specified public streets, or within the public streets in any specified area, either generally or within certain hours :



---

*Traffic.*

---

- iii. Providing for the erection of uniform signs and notices for the guidance of drivers of vehicles or any kind or class of vehicles : A. U. 1925.
- iv. Regulating the traffic and standing of vehicles and horses, or either of them, in public streets, and prescribing what routes shall be followed, the pace of vehicles and horses, and where and under what conditions they may stand, in public streets :
- v. Prescribing and regulating the carrying of lights in public streets :
- vi. Regulating the carrying on vehicles in public streets of long, large, heavy, or projecting articles :
- vii. Prohibiting or regulating the carrying or displaying of advertisements or placards by any person, or on any vehicles, or the carrying or using of noisy instruments on vehicles or horses in public streets :
- viii. Prescribing and regulating the placing on vehicles used for carrying goods or other things in public streets, the names and addresses of the owners of such vehicles, or the holders of licences in respect of the same :
- ix. Prescribing and regulating the affixing and use of bells or alarms on vehicles :
- x. Prescribing and regulating the seizure and custody of unattended vehicles and horses in public streets, and providing for the recovery of the expenses of the custody and keep of the same, and the disposal of such vehicles and horses after failure within the time prescribed to claim the same, or to pay such expenses :
- xi. Prohibiting the use in public streets of horses that are unfit for use, vicious, or likely to cause any accident or injury to any person or property in such streets; providing that vehicles, harness, and equipment used in public streets shall be so constructed and in such condition as to be suitable for safe use in such streets; and providing that the owner and driver of any horse, vehicle, harness, or equipment used in contravention of any regulation made under this paragraph, and the holder of a licence in respect of any such vehicle, shall each be guilty of an offence against this Act :
- xii. Prohibiting or regulating the setting up and use of stalls, stands and vehicles for the sale of goods, or for the pursuit of any business, calling, or employment in any public street :
- xiii. Prohibiting loitering and the obstruction of traffic in public streets, and the projection of any goods, articles, or things into or over any footway beyond the line of any building, and providing that any vehicle left unattended on a public street shall be deemed an obstruction, whether in fact it interferes with other vehicles or persons or not :
- xiv. Preventing cruelty to horses in public streets :

*Traffic.*A.D. 1925.  
—

- xv. Regulating the driving and leading of any kind of animals in public streets, and prescribing routes therefor :
- xvi. Regulating pedestrian traffic upon, or the standing of persons in, the public streets :
- xvii. Prohibiting the obstruction of pedestrian traffic upon footways in public streets by loitering, placing goods thereon, or otherwise :
- xviii. Regulating and controlling processions in public streets :
- xix. Prescribing the time or period during which any vehicle may be left standing or unattended in the public street :
- xx. Prohibiting the leaving on the public street of any block or stone used to chock the wheels of vehicles :
- xxi. Prohibiting or regulating the drawing or hauling, otherwise than upon a wheeled vehicle, of any timber, iron, stone, article, or other thing on any public street :
- xxii. Prohibiting any article, drawn or trailed on any public street, from coming into contact with the surface of such public street :
- xxiii. Regulating and controlling from time to time, in the case of any specified road during any specified period of time, any specific traffic, with power in particular to prescribe and regulate the kind and weight of loads to be carried or taken, having regard to the nature, condition, or class of road :
- xxiv. Prohibiting or regulating the use of any instrument for retarding the descent down hill of any vehicle which may injure the surface of the road; prohibiting the running of the wheels of any vehicle in any drain by the side of any road :
- xxv. Regulating the speed at which vehicles, or any particular class of vehicles, of any specified weight, laden or unladen, may be driven in any public street, or within any specified area or part of a public street :
- xxvi. Regulating the weight of any vehicle, including load, which may be driven upon any public street, or within any specified area or part of a public street :
- xxvii. Regulating the manner in which heavy or heavily laden vehicles may use the public street, and prescribing the width of tyres to be used on any vehicle or any kind or class of vehicle :
- xxviii. Prohibiting the doing or permitting of any act, matter, or thing in the public street, or on any part thereof, which in the opinion of the Governor may cause damage to such street, or inconvenience or annoyance to the public or any member thereof, or regulating the doing of any such act, matter, or thing in such a way as to minimise such damage, inconvenience, or annoyance :
- xxix. Prescribing any matter in connection with the use of, or traffic upon, the public streets which the Governor may deem necessary or expedient for the safety or convenience of the public, or otherwise in the public interest.

*Traffic*

(2) Where any council is of opinion that regulations should be made prohibiting the traffic, either generally, or for any specified time, or for any specified period of the year, upon any particular road under the control of such council, of vehicles carrying loads—

- i. Of any specified kind of goods or other articles : or
- ii. Exceeding any specified weight : or
- iii. Exceeding any specified weight, of any particular class of goods or articles—

the council may notify the Commissioner of such their opinion, and the Commissioner shall make a recommendation to the Governor that regulations be made accordingly.

A.D. 1925.

—  
Councils may make recommendations as to regulations in respect of particular roads.

*Motor Traffic—Offences, &c.*

**32—**(1) If any person drives a motor vehicle on a public street recklessly or negligently, or at a speed or in a manner which is dangerous to the public, having regard to all the circumstances of the case, including the nature, condition, and use of the public street, and to the amount of traffic which actually is at the time, or which might reasonably be expected to be, on the street, that person shall be guilty of an offence against this Act.

Reckless driving.

(2) Any member of the police force may apprehend without warrant the driver of any motor vehicle who commits an offence under Subsection (1) of this section within his view if such driver refuses to give his name and address when required so to do by such member, or if the motor vehicle does not bear a distinguishing number or mark of identification, or its proper distinguishing number or mark of identification.

Apprehension of offender.

(3) If the driver of any motor vehicle who commits an offence under Subsection (1) of this section refuses to give his name and address when required so to do, or gives a false name or address, he shall be guilty of an offence against this Act, and it shall be the duty of the owner of the vehicle, if required by a member of the police force, to give any information which it is within his power to give, and which may lead to the identification and apprehension of the driver, and if the owner fails to do so he also shall be guilty of an offence against this Act.

Refusing to give name and address.

**33—**(1) Any person driving a motor vehicle shall, in any case, if an accident occurs to any person, or to any animal or vehicle in charge of any person, caused by such motor vehicle, or owing to the presence of the motor vehicle upon the road, stop and remain stationary so long as may be reasonably necessary, and shall, if required, produce his licence and give his name and address, and also the name and address of the owner and the registration number of the vehicle, to any member of the police force or to any person concerned.

Duty of driver to stop in case of accident.

(2) Whenever the driver of a motor vehicle overtakes or meets any horse or other beast of burden, or herd of cattle or horses, where any such horse or other beast of burden or herd of cattle or horses on such overtaking or meeting becomes restive or alarmed or ceases to be under the due control of the person for the time being in charge thereof, and when such person so in charge shall, on such overtaking or meeting,

Or on meeting restive horses, &c.

*Traffic.*

A.D. 1925.

make signal by lifting his hand or calling out so as to be seen or heard by any person driving such motor vehicle, the said driver shall stop as speedily as possible, and shall continue stationary as long as may be reasonably necessary: Provided that if any such person shall vexatiously or unnecessarily stop the driver of any motor vehicle, he shall, upon conviction, be liable to a penalty not exceeding Two Pounds.

(3) Any person acting in contravention of this section shall be guilty of an offence against this Act.

Driver taken into custody for an offence to be forthwith taken before court.

**34** Any driver of a motor vehicle taken into custody for an offence under this Act shall be forthwith taken before a court, there to have his case dealt with. If this cannot be done, he may be released from custody, if the senior police officer in charge of the nearest police-station deems such release prudent, on his giving his personal undertaking to appear at such time and place as may be indicated by such senior police officer, and on his depositing with such officer a sum equal to the maximum fine for the offence with which he is charged, or, in lieu of such deposit, where he is the owner of the motor vehicle, on his leaving the motor vehicle in the charge of such officer to answer any penalty, costs, damage, or expenses which may be awarded against him. In any such case as aforesaid the said officer shall give a receipt for such sum or motor vehicle (as the case may be).

Production of licence at court.

**35** Whenever a licensed motor driver is charged with any breach of this Act as the driver of a motor vehicle, he shall produce his licence to the court at the time of hearing, and if such driver does not produce such licence as aforesaid he shall be guilty of an offence against this Act.

Court may suspend licence of any person upon his conviction.

**36—(1)** Any court before which a person is convicted of an offence as the driver of a motor vehicle under this Act except an offence against Subsection (1) of Section Forty-one—

- i. May, if the person convicted holds any licence to drive a motor vehicle under this Act, suspend that licence for such time as the court thinks fit, and, if the court thinks fit, also declare the person disqualified for obtaining a licence to drive a motor vehicle for such further time after the expiration of such licence as the court thinks fit: and
- ii. May, if the person convicted does not hold any licence to drive a motor vehicle under this Act, declare him disqualified for obtaining a licence to drive a motor vehicle for such time as the court thinks fit: and
- iii. If the person convicted holds any licence to drive a motor vehicle under this Act, shall cause particulars of the conviction, and of any order of the court, made under this section to be endorsed upon any such licence held by him and every renewal thereof.

Suspended licence to be of no effect.

(2) A licence suspended by the court under this section or Subsection (1) of Section Forty-one shall, during the term of suspension, be of no effect, and a person whose licence is suspended, or

*Traffic.*

who is declared by the court to be disqualified for obtaining a licence to drive a motor vehicle, shall, during the period of suspension or disqualification, be disqualified for obtaining such a licence. A.D. 1925.

(3) The court shall cause particulars of each conviction or order under this Act of or against any person as the driver of a motor vehicle to be forwarded to the Commissioner, who shall endorse the particulars of every such conviction or order upon every licence to drive a motor vehicle, or renewal thereof, which may be issued to such person. Particulars of conviction to be sent to Commissioner of Police.

(4) If any person, who under the provisions of this Act is disqualified for obtaining a licence to drive a motor vehicle, applies for or obtains such licence while he is so disqualified, or if any person whose licence to drive a motor vehicle has been endorsed under this Act applies for or obtains such a licence without giving particulars of the endorsement, that person shall be guilty of an offence against this Act, and any licence so obtained shall be of no effect. Improperly obtaining a licence.

(5) An order under this section for the suspension of any licence, or the disqualification of any person for obtaining a licence, shall be without prejudice to the imposition of any other penalty imposed by this Act in respect of the offence entailing such suspension or disqualification. Suspension of licence to be without prejudice to imposition of any other penalty for offence.

**37—(1)** Any person who drives or uses any motor vehicle without first obtaining the consent of the owner thereof shall be guilty of an offence against this Act. Unauthorised use of motor vehicle.

Provided that the provisions of this subsection shall not apply to a member of the police force in the execution of his duty under this Act.

(2) Any person who procures the use or hire of any motor vehicle by fraud or misrepresentation, and any person who aids or abets such person therein, shall be guilty of an offence against this Act. Fraudulently procuring use of motor vehicle.

*General Traffic—Offences, &c.*

**38** Any member of the police force may close any street to traffic during any temporary obstruction or danger to traffic, or for any temporary purpose, and may prevent the traffic of any vehicle or horse in any street closed to traffic under the authority of this or any other Act ; and any person disobeying or neglecting to comply with any direction of a member of the police force made in pursuance of this section shall be guilty of an offence against this Act. Street may be temporarily closed to traffic.

**39—(1)** Any person who, when required by a member of the police force in the execution of his duty under this Act to state his name or place of abode, or the name or place of abode of the owner of any vehicle driven by him, refuses to do so, or when so required states a false name or place of abode, shall be guilty of an offence against this Act. Refusing to give name and address.

(2) Any person who, when required by a member of the police force, in the execution of his duty under this Act, to sign his name for the purpose of his identification, refuses to do so, shall be guilty of an offence against this Act. Refusing to sign name for identification purposes.

*Traffic.*

A.D. 1925.

Obstruction of  
police.Intoxication of  
driver of vehicle.Suspension of  
licence.Disqualification  
of unlicensed  
driver.

**40** Every person who obstructs any member of the police force in the execution of his duty under this Act shall be guilty of an offence against this Act.

**41—(1)** Any person who shall operate, or attempt to operate, a motor vehicle, or drive or have charge of any vehicle, whilst under the influence of intoxicating liquor, shall be guilty of an offence against this Act.

(2) Any member of the police force may, without warrant, apprehend any such person as aforesaid and any person who has charge of, or is driving or attempting to drive, any vehicle, and who is, in the opinion of such member, incapable of driving the same with safety to the public or any persons therein, and may take charge of and remove such vehicle to any convenient place for safe keeping, and the costs, charges, and expenses of such removal and safe keeping may, if the court adjudicating is of opinion that there was reasonable cause for such taking charge, removal, and safe keeping, be recovered from such person in a summary way.

(3) Where any person, being the holder of a licence to drive a motor vehicle under this Act, is convicted of an offence against Sub-section (1) of this section as the driver of a motor vehicle, the court before whom such person is convicted shall—

i. In the case of a first offence against the said subsection, suspend such licence for a period of not less than three months, or until the sooner expiration of the licence, and declare the person so convicted to be disqualified for obtaining a renewal of such licence during such period of three months, or during such longer period as the court thinks fit :

ii. In the case of a second offence against the said subsection, suspend such licence for a period of not less than six months, or until the sooner expiration of the licence, and declare the person so convicted to be disqualified for obtaining a renewal of such licence during such period of six months, or during such longer period as the court thinks fit :

iii. In the case of a third or subsequent offence against the said subsection, suspend such licence for a period of twelve months, or until the sooner expiration of the licence, and declare the person so convicted to be disqualified for obtaining a renewal of such licence during such period of twelve months, or during such longer period as the court thinks fit :

iv. Cause particulars of the conviction, and of any order of the court made under this section in respect of such person to be endorsed upon any licence held by him and every renewal thereof.

(4) Where any person, not being the holder of a licence to drive a motor vehicle under this Act, is convicted of an offence against Sub-section (1) of this section as the driver of a motor vehicle, the court

*Traffic.*

before whom such person is convicted, shall, in addition to imposing upon him any other penalty for an offence against this Act, declare such person to be disqualified for obtaining a licence to drive a motor vehicle for such period, being not less than twelve months, as the court thinks fit.

A.D. 1925.

(5) If any person whose licence to drive a motor vehicle under this Act has been suspended under Subsection (1) of this section, and who, while such licence is suspended, or while he is disqualified for obtaining a renewal of such licence, drives a motor vehicle upon any public street, such person shall be liable to imprisonment for not less than seven days nor more than three months.

Penalty in case of delicensed driver driving a motor vehicle.

**42** The Commissioner may, by order published in a newspaper or newspapers circulating in the area or place affected, prescribe the route of vehicles, horses, and persons on the occurring of any public procession or demonstration, or on any occasion when public streets are likely to be thronged or obstructed, and regulate the traffic of vehicles, horses, and persons in public streets on such occasions; and any such order shall have the effect of a regulation under this Act.

Orders may be made by Commissioner.

**43** If any goods or rubbish, or other article or thing whatever, is placed or allowed to remain in any public street, to the obstruction, annoyance, or danger of the residents or other persons, it shall be lawful for any member of the police force to remove or cause the same to be immediately removed and carried to any place of safety, and to detain the same until the expenses of removal and detention are paid, and if such expenses shall not be paid within seven days after such removal, to sell or dispose of the same, and apply the proceeds as the Commissioner may direct.

Rubbish in public street may be removed by police.

## PART V.

## MISCELLANEOUS AND GENERAL.

**44** The Governor may, in addition to any regulations which he is empowered to make under any other Part, make regulations—

Additional regulations.

- I. Conferring on members of the police force such powers as he may deem necessary or expedient for carrying out or giving effect to the provisions of this Act: and
- II. For any other purpose which he may deem necessary or expedient for carrying out the provisions of this Act.

*Traffic.*

A.D. 1925.

Regulations may be of a local nature.

**45** Regulations under this or any other Part may, if the Governor deems it necessary or expedient, be of a local nature and limited in their application to a particular area or place, and may, in respect of their application to vehicles, be restricted either to any specified class or classes of vehicles, or to vehicles generally with the exception of any specified class or classes.

Separate offences in respect of the non-return of number-plates.

**46** If and whenever it is prescribed by regulations made under this Act that number-plates issued under this Act shall be returned as directed by such regulations within a prescribed number of days, the failure to comply with any such regulation shall constitute a separate offence in respect of each day during which such failure continues.

Local authority to erect notices to drivers.

**47** Any council shall, if required by the Commissioner so to do, cause boards, of the size, shape, and description prescribed, to be paid for by him, to be placed or erected in such conspicuous places as the Commissioner may determine in or near any public street, having written thereon or affixed thereto notices—

i Stating, in accordance with any regulations made in that behalf—

(a) The speed and any other conditions at or under which vehicles, or any specified class of vehicles, may be driven in any place in any public street in the vicinity of such notices; or

(b) That the driving of vehicles, or any specified class of vehicles, is prohibited in any public street in such vicinity, or in any part of such public street: and

ii. Warning the drivers of vehicles or any specified class of vehicles of any dangerous corners, hills, or places on or in any public street in the vicinity of such notices.

Commissioner may post up notices on any building, &amp;c.

**48**—(1) The Commissioner may cause to be affixed to or posted up on any building, post, or other structure, or erection a copy of any notice or regulation referring to any matter the subject of this Act.

(2) Any person who shall tear down, destroy, injure, or remove any such copy, or hinder or obstruct any member of the police force or any other person from or whilst lawfully affixing or posting up any such copy as aforesaid, shall be guilty of an offence against this Act.

Commissioner may erect standards, &amp;c.

**49**—(1) The Commissioner may place or erect in the public streets standards, domes, or other contrivances for the purpose of marking stands, safety zones, or parking areas, or directing or regulating traffic.

(2) Any person who shall wilfully or negligently drive any vehicle against or damage any such standard, dome, or contrivance shall be guilty of an offence against this Act.

Compensation may be allowed to defendant when complainant not a member of the police force.

**50** If a complaint is laid by any person other than a member of the police force for an offence punishable under this Act, and the complaint is dismissed or withdrawn, the court may, if it thinks fit, order such person to pay to the defendant in addition to any costs, such compensation for loss of time or otherwise as the court thinks reasonable.



*Traffic.***51** In any proceeding under this Act—

A.D. 1925.

- I. Proof that a vehicle has not upon it a distinguishing number or plate as prescribed appropriate to the licensing or registration thereof shall be *prima facie* evidence that such vehicle is not licensed or registered (as the case may be) :
- II. Proof that a person applied for and obtained a licence for or registered a vehicle shall be *prima facie* evidence that such person was the owner of such vehicle :
- III. The production of a document signed by the Commissioner or officer in charge of any of the records referred to in Sections Eleven or Sixteen, purporting to be a copy of a licence of or certificate of registration in respect of a vehicle, shall be *prima facie* evidence that the vehicle is licensed or registered (as the case may be) and that the person named therein applied for and obtained the licence for or certificate in respect of such vehicle :
- IV. The production of a document signed by the Commissioner or officer in charge of any of the records referred to in Sections Eleven or Sixteen, purporting to be a copy of a licence of any person, shall be *prima facie* evidence that such person is licensed for the purpose mentioned in such document :
- V. The production of a document, purporting to be signed by the officer authorised to register or license any vehicle or person, certifying that a vehicle or person therein referred to or named is unregistered, or unlicensed for the purpose therein mentioned, shall be *prima facie* evidence of the fact so certified to :
- VI. Proof that any number-plate issued by the Commissioner in accordance with the regulations is attached to any vehicle shall be *prima facie* evidence that such vehicle was being used for the purpose for which the issue of such number-plate would be applicable :
- VII. The production of a notice in the form prescribed, purporting to be signed by the person giving the same, of the sale or change of ownership of a licensed or registered vehicle shall be *prima facie* evidence of the facts stated therein and of the signature of such person.

Facilitation of proof of certain matters.

**52—**(1) If any person acts in contravention of any of the provisions of this Act, he shall be guilty of an offence against this Act. Penalties.

(2) A person guilty of an offence against this Act, for which no special penalty is provided, shall be liable to a penalty not exceeding Twenty Pounds, or, in the case of a second or subsequent conviction, to a penalty not exceeding Fifty Pounds, or, in the discretion of the court, to imprisonment for a period not exceeding three months.

---

*Traffic.*

---

A.D. 1925.

---

Procedure for offences.

10 Geo. V. No. 55.

**53** All proceedings in respect of offences against this Act shall be taken, heard, and determined, and all penalties and sums of money imposed or made payable under this Act (other than under Section Twenty-one) may be enforced and recovered, by and before a police magistrate or any two or more justices, in the mode prescribed by the Justices' Procedure Act, 1919.

Appropriation of fees.

**54** All fees payable under this Act shall be paid into the Treasury, and shall form part of the Consolidated Revenue.

Act to apply to Crown servants.

**55** This Act shall apply to persons in the Public Service of the Crown.

Liability under other Acts or at common law.

**56** The mere compliance by any person with any of the provisions of this Act, or the mere contravention by him of any of such provisions, shall not affect the liability of such person under any other Act or at common law.

---

*Traffic.***SCHEDULES.**

A.D. 1925.

(1)

Regnal Year and Number of Act.	Title of Act.	Extent of Repeal.
48 Vict. No. 28	The Roads Act, 1884	Paragraphs I. to IV., inclusive, Paragraphs VII. to X., inclusive, and Paragraph XII. of Section 126
6 Will. IV. No. 7	An Act to provide for the Licensing of Hawkers and Carriers	The whole Act
10 Vict. No. 15	An Act to prohibit Hawkers and Carriers from Purchasing or Carrying Wool or Sheep or Cattle Skins, except under certain restrictions	The whole Act
4 Ed. VII. No. 4	An Act to amend An Act to provide for the Licensing of Hawkers and Carriers	The whole Act
5 Ed. VII. No. 30	The Police Act, 1905	Part VI. Paragraph III. of Section 138 Paragraphs I. to VI., inclusive, Paragraph VIII., and Paragraphs X. to XVIII., inclusive, of Subsection (1), and the whole of Subsections (2) and (3), of Section 141. Sections 143a, 145, 146, 147, 149, 150 and 203
7 Ed. VII. No. 27 7 Ed. VII. No. 46	The Motor Traffic Act, 1907 An Act to further amend the Launceston Corporation Act, 1894	The whole Act Part IV.
4 Geo. V. No. 43	The Motor Traffic Act, 1913	The whole Act
11 Geo. V. No. 58	The Metropolitan Traffic Act, 1920	The whole Act
12 Geo. V. No. 58	The Metropolitan Traffic Act, 1922	The whole Act
13 Geo. V. No. 28	The Motor Traffic Act, 1923	The whole Act

Section 2.

---

*Traffic.*


---

A.D. 1925.

(2)

Section 10.

**FEEs IN RESPECT OF MOTOR VEHICLES AND DRIVERS  
OF SAME.**
*Motor Vehicle (other than a motor cycle)—*

Registration or Renewal of Registration—Annual Fee ...	One Pound
Transfer of Registration... ..	Five Shillings

*Motor Cycle—*

Registration or Renewal of Registration—Annual Fee ...	Ten Shillings
Transfer of Registration... ..	Five Shillings

*Trailer—*

Registration or Renewal of Registration—Annual Fee ...	One Shilling
--	--------------

*Driver of Motor Vehicle (other than a motor cycle)—*

Licence—Annual Fee ... ..	Ten Shillings
Renewal of Licence—Annual Fee... ..	Five Shillings

*Rider of Motor Cycle—*

Licence—Annual Fee ... ..	Five Shillings
Renewal of Licence—Annual Fee... ..	Five Shillings

*Dealers' Special Number-plates—*

Annual Fee—One Pound in respect of each number-plate  
issued and retained,

*General—*

Certificate or other document issued in lieu or in respect of any Certificate of Registration or Licence which has been lost or destroyed... ..	One Shilling
---	--------------

---

*Traffic.*

(3)

A.D. 1925.

LICENCE FEES IN RESPECT OF PUBLIC VEHICLES.

Section 15.

*Where the vehicle is licensed for use in one only of the zones described in the Table of Zones hereunder written.*

Description of Vehicle.	Annual Fee for Licence or Renewal of Licence.
Cab—	
(a) Horse-drawn ... ..	Ten Shillings
(b) Being a motor vehicle ... ..	One Pound
Vehicle, other than a cab, for the carriage of passengers—	
(a) Horse-drawn ... ..	One Pound Ten Shillings
(b) Being a motor vehicle ... ..	An amount calculated at the rate of Five Shillings per passenger licensed to be carried, or the sum of One Pound Ten Shillings, whichever is the greater
Vehicle for the carriage of goods—	
(a) Horse-drawn, having two wheels...	One Pound
(b) Horse-drawn, having more than two wheels ... ..	Two Pounds
(c) Being a motor vehicle ... ..	Two Pounds

*Where the vehicle is licensed for use in two or more of the said zones.*

Description of Vehicle.	Annual Fee for Licence or Renewal of Licence.
Coach or omnibus, for use in two or more zones—	
(a) Horse-drawn ... ..	Two Pounds
(b) Being a motor vehicle ... ..	An amount equal to the sum of One Pound Ten Shillings multiplied by the product of the multiplication of the number of passengers licensed to be carried by the number of zones in respect of which the licence is issued
Vehicle for the carriage of goods—	
(a) Horse-drawn vehicle for use throughout the State ... ..	Four Pounds
(b) Being a motor vehicle for use in two or more zones ... ..	An amount equal to the sum of Five Shillings multiplied by the product of the multiplication of the number of hundredweights of the weight (unladen) of the motor vehicle by the number of zones in respect of which the motor vehicle is licensed : Provided that, for the purpose of the immediately foregoing calculation, any additional fractional part of a hundredweight shall be deemed to be a hundredweight ; or An amount calculated at the rate of Two Pounds for each zone in respect of which the motor vehicle is licensed— Whichever of the said amounts is the greater

*Traffic.*

A. D. 1925.

*Where the vehicle is licensed for use throughout the State.*

Description of Vehicle.	Annual Fee for Licence or Renewal of Licence.
Motor vehicle, other than a coach or omnibus, used for the conveyance of passengers ... ..	Twelve Pounds Ten Shillings

*Table of Zones.*

Zone Number.	Municipalities comprised in Zone.	Zone Number.	Municipalities comprised in Zone.
1	Hobart Glenorchy Clarence Tasman Sorell Spring Bay Glamorgan Richmond Ross Campbell Town Kingborough Port Cygnet Bruni Esperance Huon Fingal	5	Deloraine Westbury Longford Evandale Campbell Town Bothwell Gormanston Queenstown Zeehau Strahan Hamilton New Norfolk
2	Brighton Green Ponds Richmond Oatlands Bothwell	6	Latrobe Devonport Kentish Leven Penguin
3	Evandale Longford Campbell Town Ross Oatlands St. Leonards	7	Waratah Table Cape Emu Bay Penguin
4	Launceston George Town Beaconsfield Lilydale St. Leonards King Island	8	Circular Head Table Cape Waratah
		9	Scottsdale Ringarooma Portland Fingal Glamorgan Flinders Island

*Traffic.**Miscellaneous Fees.*

A.D. 1925.

Driver or Conductor of any Licensed Vehicle—Annual Fee .....	Five Shillings
Transfer of any Licence of a Public Vehicle .....	Five Shillings
Certificate or other document issued in lieu or in respect of any Certificate of Registration or Licence which has been lost or destroyed .....	One Shilling

A temporary licence may be issued, on payment of a fee of Ten Shillings, to the owner of a suitable vehicle, to ply such vehicle as a coach on any specified day, to and from a sports meeting or place of public amusement or resort.

A temporary licence may be issued to the driver or conductor of a public vehicle, limited in its duration to any number of days not exceeding four, on payment of a fee of One Shilling for each day for which the same is to be in force.

