



ANNO TRICESIMO TERTIO

ELIZABETHAE II REGINAE

A.D. 1984

No. 15 of 1984

An Act to amend the Road Traffic Act, 1961.

[Assented to 3 May 1984]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short title.

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act, 1984".

(2) The Road Traffic Act, 1961, is in this Act referred to as "the principal Act".

Commencement.

2. This Act shall come into operation on a day to be fixed by proclamation.

Amendment of s. 40—
Exemption of certain vehicles from compliance with certain provisions.

3. Section 40 of the principal Act is amended—

(a) by inserting in subsection (1) after paragraph (c) the following paragraph:

(d) A vehicle of a specified class being driven or used for road making purposes; ;

(b) by inserting in subsection (2) after the passage "an exempt vehicle" the passage "by virtue of subsection (1) (a), (b) or (c)";

(c) by striking out paragraph (e) of subsection (2) and substituting the following paragraph:

(e) passing another vehicle on a specified side of that other vehicle; ;

and

(d) by inserting after subsection (2) the following subsections:

(3) While a vehicle is an exempt vehicle by virtue of subsection (1) (d), the provisions of this Act relating to the following matters shall not apply in relation to the driving or use of that vehicle:

(a) driving or standing on any side or part of a road;

(b) passing another vehicle on a specified side of that other vehicle;

(c) the mode of making right turns.

(4) Where—

(a) an exempt vehicle is driven or used in a manner that would, except for the operation of subsection (2) or (3), constitute a breach of or non-compliance with this Act;

and

(b) in view of the driving or use of the vehicle in that manner, it would be dangerous or a substantial inconvenience for a person in the vicinity of the vehicle to comply with a provision of this Act,

that provision shall not operate to prevent that person from taking reasonable action to avoid the danger or inconvenience.

4. Sections 76 and 77 of the principal Act are repealed and the following section is substituted:

Repeal of ss. 76 and 77 and substitution of new section.

76. (1) In this section—

“traffic sign” means a sign or mark erected or placed on or near a road for the purpose of regulating the movement of traffic or the parking or standing of motor vehicles.

General provision as to signs and marks.

(2) A driver of a motor vehicle shall comply with any instructions indicated by a traffic sign lawfully erected or placed on or near a road.

(3) An instruction to which subsection (2) applies may be expressed to be subject to a specified exception or qualification and, if so expressed, shall have effect subject to that exception or qualification.

(4) Regulations may be made providing that specified words or a specified symbol, when used on, as, or as part of, a traffic sign shall be interpreted as an instruction in terms set out in those regulations and, where such regulations are in force, the words or symbol to which they relate shall be interpreted accordingly.

(5) In proceedings for an offence against subsection (2), it shall be presumed, in the absence of proof to the contrary, that a sign or mark erected or placed on or near a road apparently for the purpose of regulating the movement of traffic or the parking or standing of motor vehicles is a traffic sign lawfully erected or placed on or near that road.

(6) This section does not derogate from the operation of any other provision of this Act.

5. Section 78a of the principal Act is repealed.

Repeal of s. 78a.

6. Section 86 of the principal Act is amended—

(a) by striking out the word “or” at the end of paragraph (a) of subsection (1);

and

Amendment of s. 86—
Removal of vehicles causing obstruction or danger.

(b) by inserting in subsection (1) after paragraph (b) the following word and paragraph:

or

(c) on a road or footpath so as to obstruct or hinder vehicles from entering or leaving adjacent land.

Amendment of
s. 134—
Bells and sirens.

7. Section 134 of the principal Act is amended by inserting after its present contents (now to be designated as subsection (1)) the following subsection:

(2) Nothing in this section prevents the installation in a motor vehicle of a bell or siren of a prescribed class designed or adapted to operate in the event of any interference with the vehicle.

Amendment of
s. 152—
Duty of drivers as
to determining
the mass of
vehicles and loads
and the mass
carried on
vehicles and
wheels.

8. Section 152 of the principal Act is amended by striking out from subsection (2) the passage "Penalty: Six hundred dollars".

Amendment of
s. 160—
Defect notices.

9. Section 160 of the principal Act is amended by inserting in paragraph (b) of subsection (7) after the word "force" the passage "or an inspector".

Insertion of new
s. 163ka.

10. The following section is inserted after section 163k of the principal Act:

163ka. A person who is guilty of an offence against this Part shall be liable to a penalty not exceeding one thousand dollars.

Penalty for
offences against
this Part.

Amendment of
s. 176—
Regulations.

11. Section 176 of the principal Act is amended by striking out from paragraph (p) of subsection (1) the passage "(not exceeding twenty dollars)".

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

D. B. DUNSTAN, Governor