

No. XXI.

An Act for better securing the safety of persons travelling by Stage Carriages. [31st October, 1884.]

CARRIAGES
REGULATION.
—

WHHEREAS it is desirable that better provision should be made Preamble.
for the safety of persons travelling by stage carriages and for that purpose to extend and amend the law regulating Stage Carriages in New South Wales Be it therefore enacted by the Queen's Most Excellent Majesty by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled and by the authority of the same as follows:—

1. After the passing of this Act the proprietor licensee and driver of every vehicle licensed under the Act sixth William the Fourth number two shall severally comply with and cause to be observed the requirements following that is to say—

Requirements to be
fulfilled by stage
carriages &c.

- (a) Every such vehicle while carrying passengers for hire shall be provided with a sufficient and readily available brake properly attached to such vehicle. Provided that this subsection shall not apply to two-wheel vehicles.

(b)

Carriages Regulation.

- (b) Every horse or other animal used in the shafts or pole of any such vehicle shall have efficient breeching as a portion of its harness whilst so used unless a certificate shall have been granted by the Bench of Magistrates licensing such vehicle that such breeching is unnecessary on the portion of road on which such vehicle is running.
- (c) Every such vehicle shall carry at least two sufficient and properly furnished lamps one on either side and three such lamps if more than a pair of horses or other animals be employed in drawing it and the third lamp shall be carried and exhibited over the fore part of the body of the vehicle.

In this section the terms "sufficient" "readily available" "efficient" and "properly furnished" shall be taken to mean rightly adequate to the particular purpose in question according to the character of the vehicle and of the roads on which it habitually plies and such lamps shall be kept continuously lit between sunset and sunrise whilst such vehicle is being used for the purpose of travelling and where the question of such sufficiency availability efficiency or furnishing arises the Justices hereinafter mentioned shall finally determine it in each case.

Penalty on neglect.

2. If any proprietor licensee or driver of any such vehicle as aforesaid neglects or omits to comply with any of the requirements mentioned in the last preceding section he shall be liable to a penalty not exceeding forty pounds which may be recovered before any two Justices of the Peace in a summary way under proceedings commenced within one month from the committal of the offence in any town or place from through or to which the vehicle plies.

Saving of Common Law remedy.

3. Nothing in this Act shall affect any right of action which any person sustaining injury in consequence of any non-compliance with the requirements of the first section hereof would be entitled to if this Act had not been passed.

Stage carriages.

4. Every stage carriage shall be licensed to carry only as many passengers as can be seated allowing the space of twenty inches for each passenger on the seats and such seats are not to be less than fourteen inches wide from front to back and to have sufficient room between them to allow all passengers to be seated with comfort and decency.

Application of Act.

5. This Act shall not apply to licensed vehicles plying wholly within the Metropolitan Police District.

Short title.

6. This Act may be cited as the "Carriages Regulation Act of 1884."