

## MOTOR TRAFFIC AND TRANSPORT (AMENDMENT) ACT.

Act No. 1, 1956.

An Act to make further provisions in relation to the driving of certain heavy motor vehicles; to increase certain fees payable to the Department of Motor Transport; for these purposes to amend the Motor Traffic Act, 1909, and the Transport Act, 1930, as amended by subsequent Acts; and for purposes connected therewith. [Assented to, 18th July, 1956.]

Elizabeth II,  
No. 1, 1956.

**B**E it 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.** (1) This Act may be cited as the "Motor Traffic and Transport (Amendment) Act, 1956."

Short title,  
citation and  
commence-  
ment.

(2) The Motor Traffic Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Motor Traffic Acts, 1909-1956.

(3) The Transport Act, 1930, as amended by subsequent Acts and by this Act, may be cited as the Transport Acts, 1930-1956.

(4) The several provisions of this Act shall come into operation on such dates as are respectively fixed by the Governor by proclamation published in the Gazette.

**Motor Traffic and Transport (Amendment) Act.**

No. 1, 1956.

Amendment  
of Act No.  
5, 1909.

Sec. 8c.

(Limita-  
tion of  
time for  
which  
drivers of  
certain  
vehicles may  
remain con-  
tinuously  
on duty.)

2. (1) The Motor Traffic Act, 1909, as amended by subsequent Acts, is amended—

- (a) by omitting subsections three, four and five of section 8c;
- (b) by omitting from subsection six of the same section the words "In any proceedings for an offence under this section a certificate of registration of a motor vehicle, issued under the law for the time being in force in any part of the Commonwealth of Australia, containing particulars of the unladen weight of the vehicle shall be prima facie evidence of such unladen weight." and by inserting in lieu thereof the following paragraph:—

In any proceedings in any court a certificate purporting to be signed by the officer for the time being in charge of the records kept under the law for the time being in force in any part of the Commonwealth of Australia relating to the registration or licensing of motor vehicles, containing particulars of the unladen weight of a motor vehicle as shown on such records shall be prima facie evidence of the unladen weight of such motor vehicle without proof of the signature or of the official character of the person purporting to have signed the certificate and without the production of any record or document upon which the certificate is founded.

- (c) by inserting at the end of the same section the following new subsections:—

(8) Regulations made for carrying the provisions of this section into effect may include regulations for and with respect to—

- (a) the prescribing of the records to be kept by owners and drivers of motor vehicles having an unladen weight in excess of two tons and the form of such records;
- (b) the carriage and retention of such records;

(c)

(e) the exemption of persons from the requirement to keep or carry such records; No. 1, 1956.

(d) the inspection of such records by any member of the police force or any person authorised in that behalf by the Commissioner.

(9) Without limiting any other power or authority any member of the police force or person authorised in that behalf by the Commissioner may, for the purposes of this section or the regulations made thereunder—

(a) request or signal the driver of a motor vehicle to stop such vehicle;

(b) request such driver to produce for inspection his license to drive such vehicle and to state his name and address;

(c) request such driver to furnish him with such information as he may reasonably require.

(10) Any person who—

(a) contravenes any of the provisions of this section; or

(b) fails to comply with any request or signal made or given pursuant to the provisions of subsection nine of this section,

shall be guilty of an offence under this Act.

(2) The Motor Traffic Act, 1909, as amended by subsequent Acts, is further amended by omitting the Schedule and by inserting in lieu thereof the following Schedule:—

**SCHEDULE.**

In this Schedule—

“License” includes renewal of license.

“Motor cycle” means any motor vehicle which is steered by means of handle bars and has two wheels, or where a side-car or side-box is attached thereto, has three wheels.

“Registration” includes renewal of registration.

Registration

Further  
amend-  
ment of  
Act No. 5,  
1909.  
Substi-  
tuted  
Schedule.

**Motor Traffic and Transport (Amendment) Act.**

No. 1, 1956.

Registration fee to be paid by the applicant upon his application for registration of the vehicle—

- (a) Any motor vehicle (not being a motor cycle or a motor vehicle referred to in paragraph (c) of this item)—
  - (i) where registration is effected for a period exceeding three months—one pound ten shillings;
  - (ii) where registration is effected for a period not exceeding three months—eight shillings.
- (b) Any motor cycle—
  - (i) where registration is effected for a period exceeding three months—fifteen shillings;
  - (ii) where registration is effected for a period not exceeding three months—four shillings.
- (c) Any motor vehicle constructed principally to carry persons and in respect of which payment is received for the conveyance of passengers on a public street—
  - (i) where registration is effected for a period exceeding three months—three pounds;
  - (ii) where registration is effected for a period not exceeding three months—eighteen shillings.

Motor vehicle driver (not being the rider of a motor vehicle which has less than four wheels and is steered by means of handle bars)—Fee, one pound, to be paid by the applicant upon his application for the license.

Motor cycle rider (being the rider of a motor vehicle which has less than four wheels and is steered by means of handle bars)—Fee, fifteen shillings, to be paid by the applicant upon his application for the license.

Learner's permit—Fee, five shillings, to be paid by the applicant upon his application for the permit and for each renewal thereof.

Transfer of registration of a motor vehicle (not being a motor cycle)—Fee, one pound, to be paid by the transferee upon his application to have a certificate of registration transferred to him.

Transfer of registration of a motor cycle—Fee, ten shillings, to be paid by the transferee upon his application to have a certificate of registration transferred to him.

Trader's plate for use as prescribed on a motor vehicle other than a motor cycle—Fee, at the rate of thirteen pounds fifteen shillings yearly.

Trader's plate for use as prescribed on a motor cycle—Fee, at the rate of three pounds three shillings and six pence yearly.

Other fees prescribed by regulation for matters other than those abovementioned—not exceeding in each case two pounds.

**Motor Traffic and Transport (Amendment) Act.**

**5**

**3.** The Transport Act, 1930, as amended by subsequent Acts, is amended by omitting from Schedule Two all matter appearing after Item 4 and by inserting in lieu thereof the following matter:—

**No. 1, 1956.**

Amendment of Act No. 18, 1930. Schedule Two. (Application Fees.)

5. Registration certificate or each renewal thereof in respect of any—

(a) Motor omnibus—

(i) where registration is effected for a period exceeding three months .. .. . £5, less any fee paid in respect of the same period for a provisional registration certificate for the same motor omnibus.

(ii) where registration is effected for a period not exceeding three months .. .. . £1 7s. 6d., less any fee paid in respect of the same period for a provisional registration certificate for the same motor omnibus.

(b) Taxi-cab—

(i) where registration is effected for a period exceeding three months .. .. . £5.

(ii) where registration is effected for a period not exceeding three months .. .. . £1 7s. 6d.

(c) Private hire car—

(i) where registration is effected for a period exceeding three months .. .. . £3.

(ii) where registration is effected for a period not exceeding three months .. .. . 18s.

**(d)**

**Transport (Division of Functions) Commissioner for Railways  
Act.**

No. 1, 1956.

(d) Other public vehicle—

(i) where registration is effected  
for a period exceeding three  
months .. .. . £2.

(ii) where registration is effected  
for a period not exceeding  
three months .. .. . 12s.

Other fees prescribed by regulation for  
matters other than those abovementioned,  
not exceeding in each case .. .. . £2.

Application  
of  
amend-  
ments.

**4.** The amendments made by subsection two of section two and by section three of this Act to the Motor Traffic Act, 1909, as amended by subsequent Acts, and the Transport Act, 1930, as amended by subsequent Acts, shall apply to and in respect of registrations and transfers and renewals of registrations, and licenses and renewals of licenses under those Acts or either of them which are to take effect on or after the commencement of this Act, whether application therefor was made either before or after such commencement.

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