

MOTOR TRAFFIC (AMENDMENT) ACT.**Act No. 16, 1964.**

An Act to increase the speed limit for motor vehicles in a built-up area; to empower the Minister to fix special speed limits in certain streets; to make provisions relating to the marking of motor vehicle tyres in certain circumstances; for these purposes to amend the Motor Traffic Act, 1909–1962; and for purposes connected therewith. [Assented to, 20th April, 1964.]

Elizabeth II,
No. 16, 1964

BE

274 **Motor Traffic (Amendment) Act.**

No. 16, 1964 **BE** 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 :—

Short title, citation and commencement.

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1964".

(2) The Motor Traffic Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Motor Traffic Act, 1909-1964.

(3) This Act shall commence upon a day to be appointed by the Governor and notified by proclamation published in the Gazette.

Amendment of Act No. 5, 1909.

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

Sec. 3.
(Regulations.)

(a) by inserting next after paragraph (q9) of subsection one of section three the following new paragraph :—

(q10) make provisions for or with respect to the marking of tyres of motor vehicles by means of crayon, chalk or any similar substance by members of the police force and special constables in the employ of the Commissioner of Police for any purpose connected with the enforcement of any of the provisions of any Act, regulation or ordinance;

Sec. 4A.
(Speed limits.)

(b) (i) by omitting paragraph (a) of subsection one of section 4A and by inserting in lieu thereof the following paragraph :—

(a) Any person who upon any public street, or length of public street, which is in a built-up area or is a length of a public street to which a direction given by the Minister under paragraph (c) of subsection three of this section applies, drives a motor vehicle at a speed in excess of the speed limit applicable to that public street or length of public street shall be guilty of an offence under this Act.

For

For the purposes of this paragraph the No. 16, 1964 speed limit applicable to—

- (i) a public street which is in a built-up area (other than a length of public street to which a direction given by the Minister under paragraph (c) of subsection three of this section applies) shall be thirty-five miles per hour; or
 - (ii) a length of public street to which such a direction applies shall be the speed specified in such direction.
- (ii) by inserting in paragraph (b) of the same subsection after the words “built-up area” the words “nor a length of public street to which a direction given by the Minister under paragraph (c) of subsection three of this section applies”;
- (iii) by inserting at the end of paragraph (b) of subsection three of the same section the following word and new paragraph :—
- or
- (c) fixing the speed limit applicable to any length of public street, whether within or outside a built-up area.
- (iv) by omitting subsections four and five of the same section and by inserting in lieu thereof the following subsections :—
- (4) The regulations shall provide for the display of signs to indicate any length of public street—
- (a) which is deemed to be or not to be (as the case may require) a public street in a built-up area, or
 - (b) to which a speed limit applies,
- by virtue of a direction under this section, and may provide for the display of any other signs
necessary

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necessary or convenient for carrying this section into effect, and may prescribe any matter necessary or convenient to be prescribed in relation to any such signs.

(5) In any proceedings in any court evidence that the prescribed signs are displayed as prescribed shall be prima facie evidence that a length of public street, by virtue of a direction under this section, is deemed to be or not to be a public street in a built-up area, or is a length of public street to which a speed limit applies, according to the indication given by such prescribed signs.

(2) The amendments made by paragraph (b) of subsection one of this section shall not affect the liability of any person for an offence under the provisions in force immediately before the commencement of this Act of paragraph (a) of subsection one of section 4A of the Motor Traffic Act, 1909, as amended by subsequent Acts.