

No. 54 of 1976

AN ORDINANCE

Relating to Motor Traffic.

I, THE GOVERNOR-GENERAL of the Commonwealth of Australia, acting with the advice of the Federal Executive Council, hereby make the following Ordinance under the *Seat of Government (Administration) Act 1910*.

Dated this twenty-first day of October, 1976.

JOHN R. KERR
Governor-General.

By His Excellency's Command,

A. A. STALEY
Minister of State for the Capital Territory.

MOTOR TRAFFIC (AMENDMENT) ORDINANCE 1976

1. This Ordinance may be cited as the *Motor Traffic (Amendment) Ordinance 1976*.* Short title.

2. In this Ordinance, "Principal Ordinance" means the *Motor Traffic Ordinance 1936*.† Principal Ordinance.

3. Section 7A of the Principal Ordinance is amended— Design rules.

(a) by adding at the end of sub-section (1) the following definition:—

" 'specially constructed vehicle' means a motor vehicle other than—

- (a) a motor omnibus;
- (b) a multi-purpose passenger car;
- (c) a passenger car; or
- (d) a passenger car derivative."; and

(b) by inserting after paragraph (2)(b) the following paragraph:—

" (ba) a motor vehicle shall be deemed not to be a specially constructed vehicle where—

- (i) the Minister has, by notice published in the *Gazette*, declared the motor vehicle not to be a specially constructed vehicle;
- or

* Notified in the *Australian Government Gazette* on 27 October 1976.
† Ordinance No. 45, 1936, as amended by Nos. 25 and 41, 1938; No. 16, 1941; No. 14, 1942; Nos. 2 and 13, 1943; No. 3, 1945; Nos. 6 and 13, 1947; No. 7, 1950; No. 17, 1951; Nos. 1 and 7, 1955; No. 6, 1956; No. 19, 1957; Nos. 10 and 15, 1958; Nos. 7 and 21, 1959; No. 11, 1960; Nos. 16 and 17, 1962; No. 21, 1963; No. 8, 1964; Nos. 9 and 13, 1965; No. 19, 1966; No. 2, 1968; Nos. 27 and 29, 1969; No. 27, 1970; Nos. 13, 17, 37 and 39, 1971; Nos. 3 and 10, 1972; Nos. 1, 32, 38, 41, 42 and 57, 1973; Nos. 4, 12, 23, 37, 48 and 49, 1974; and Nos. 3, 16, 23, 31 and 52, 1976.

- (ii) the motor vehicle is included in a class of motor vehicles that the Minister has, by notice published in the *Gazette*, declared not to be a class of specially constructed vehicles;”.

Meanings indicated by traffic lights.

4. Section 112B of the Principal Ordinance is amended—

- (a) by omitting item 1 of the table and substituting the following item:—

“1	Red circular light	..	The driver shall not proceed beyond the road marking applicable in relation to the light in a direction other than a direction in which the driver is permitted to proceed by virtue of another item of this table”;
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and

- (b) by omitting item 9 of the table and substituting the following item:—

“9	Green circular light	..	The driver may proceed— (a) in the direction that is directly ahead; or (b) in the direction that is to the left or to the right, not being a direction in which the driver is prohibited from proceeding by virtue of another item of this table”.
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5. After section 119 of the Principal Ordinance the following section is inserted:—

Motor vehicle not to be driven while part of person's body protrudes from vehicle.

“119A. (1) A person shall not, on a public street, drive a motor vehicle while a part of the body of a person protrudes from the motor vehicle.

“ (2) Sub-section (1) does not apply to or in relation to—

- (a) a person who is the driver of a motor cycle;
- (b) a person who is giving with his arm a signal that is a prescribed signal for the purposes of sub-section 136 (2), 136 (4) or 136 (5); or
- (c) a person who is entering, or alighting from, a motor vehicle.”.

School crossing.

6. Section 127 of the Principal Ordinance is amended by inserting in sub-section (1), after the words “‘SCHOOL CROSSING’”, the words “or ‘CHILDREN CROSSING’”.

Definitions.

7. Section 140 of the Principal Ordinance is amended by omitting the definitions of “speed limit sign” and “the City Area” and substituting the following definition:—

“‘speed limit sign’ means a traffic sign inscribed with figures within a red circle.”.

Interpretation.

8. Section 149 of the Principal Ordinance is amended—

- (a) by omitting the definition of “business hours” in sub-section (1) and substituting the following definition:—

“‘business hours’ means—

- (a) the period commencing at 9 o'clock in the morning and ending at half past 5 o'clock in

the afternoon on Monday, Tuesday, Wednesday and Thursday;

(b) the period commencing at 9 o'clock in the morning and ending at 9 o'clock in the evening on Friday; and

(c) the period commencing at 9 o'clock in the morning and ending at 12 noon on Saturday, other than a period on a day that is a public holiday;"; and

(b) by omitting paragraphs (a), (b) and (c) of sub-section (3) and substituting the following paragraphs:—

“ (a) the period commencing at 9 o'clock in the morning and ending at half past 5 o'clock in the afternoon on Monday, Tuesday, Wednesday and Thursday;

(b) the period commencing at 9 o'clock in the morning and ending at 9 o'clock in the evening on Friday; and

(c) the period commencing at 9 o'clock in the morning and ending at 12 noon on Saturday, not being a period of time on a day that is a public holiday. ”.

9. The Second Schedule to the Principal Ordinance is amended by adding at the end of Part II the following item:—

Second Schedule.

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| " 21 | <ol style="list-style-type: none"> 1. Motor vehicle manufactured on or after 1 January 1974, being a passenger car, a passenger car derivative or a multi-purpose passenger car 2. Motor vehicle manufactured on or after 1 July 1974, being a motor vehicle having a petrol-driven engine and not being— <ol style="list-style-type: none"> (a) a motor cycle; or (b) a specially constructed vehicle 3. Motor vehicle manufactured on or after 1 July 1975, not being a specially constructed vehicle | Compliance by the motor vehicle with the requirements of the design rule known as 'Australian Design Rule No. 28—Motor Vehicle Noise'. |
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10. (1) A section of the Principal Ordinance, as amended by the foregoing provisions, the number of which is specified in Column 1 of Schedule 1, is re-numbered as specified opposite to that number in Column 2 of that Schedule.

Re-numbering.

(2) A reference in a law of the Territory, or in an instrument or document, to a section of the Principal Ordinance shall, if that section has been re-numbered in pursuance of this section, be read as a reference to that section as so re-numbered.

11. The Principal Ordinance, as amended by the foregoing provisions of this Ordinance (other than the provisions of section 10), is amended as set out in Schedule 2.

Con-sequential amendments.

SCHEDULE 1

Section 10

Column 1			Column 2		
Existing number			New number		
107A	..	..	108A		
107B	..	..	108B		
107C	..	..	108C		
107D	..	..	108D		
107E	..	..	108E		
107F	..	..	108F		
107G	..	..	108G		

SCHEDULE 2

Section 11

Provision amended	Amendments
Section 107D	Omit " 107B or 107C ", substitute " 108B or 108C ".
Section 107E (1)	Omit " 107B or 107C ", substitute " 108B or 108C ".
Section 107E (2)	Omit " 107B or 107C ", substitute " 108B or 108C ".
Section 107E (3)	Omit " 107B (2) " and " 107B ", substitute " 108B (2) " and " 108B " respectively.
Section 107E (4)	Omit " 107B or 107C ", substitute " 108B or 108C ".
Section 107E (5)	Omit " 107C (2) " and " 107C ", substitute " 108C (2) " and " 108C " respectively.
Section 107F	Omit " 107B, 107C or 107E ", substitute " 108B, 108C or 108E ".
Section 107F (d)	Omit " section 107B, section 107C, sub-section 107E (2) or sub-section 107E (4) ", substitute " section 108B, section 108C, sub-section 108E (2) or sub-section 108E (4) ".
Section 107G (1)	Omit " section 107B or sub-section 107E (2) ", substitute " section 108B or sub-section 108E (2) ".
Section 107G (2)	Omit " section 107C or sub-section 107E (4) ", substitute " section 108C or sub-section 108E (4) ".
Section 107G (3)	Omit " 107B, 107C or 107E ", substitute " 108B, 108C or 108E ".
Section 107G (4)	Omit " 107B, 107C or 107E " and " 107F ", substitute " 108B, 108C or 108E " and " 108F " respectively.