

This PUBLIC BILL originated in the LEGISLATIVE ASSEMBLY, and, having this day passed, is now ready for presentation to the LEGISLATIVE COUNCIL for its concurrence.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 18 November, 1970.*

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. , 1970.

An Act relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith.

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:—

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970".

Citation
and com-
mencement.

(2)

Motor Traffic (Amendment).

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

2. The Motor Traffic Act, 1909, is amended—

Amendment
of Act No.
5, 1909.

- 5 (a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8C the word "ten" and by inserting in lieu thereof the word "five";
- 10 (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—
- or
- 15 (iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.
- 20 (b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";
- 25 (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—
- or
- 30 (iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.
- (c)

Motor Traffic (Amendment).

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

5 (a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

10 (i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

15 (ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

20 Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in
25 respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded
30 as time spent in driving.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

[5c]

Section 107

(a) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

(b) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

(c) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

(d) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

(e) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

(f) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

(g) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

(h) In any case where a person is charged with an offence under this section, it shall be a defence for him to prove that he was acting as a driver of the vehicle in question at the time of the offence.

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No. , 1970.

A BILL

Relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith.

[MR MORRIS—11 November, 1970.]

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:—

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970".

Citation
and com-
mencement.

(2)

Motor Traffic (Amendment).

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

2. The Motor Traffic Act, 1909, is amended—

Amendment
of Act No.
5, 1909.

- 5 (a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word “ten” and by inserting in lieu thereof the word “five”;
- 10 (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—
- or
- 15 (iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.
- 20 (b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word “ten” and by inserting in lieu thereof the word “five”;
- 25 (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—
- or
- 30 (iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.
- (c)

Sec. 8c.
(Limitation
of time for
which
drivers of
certain
vehicles
may remain
continuously
on duty.)

Motor Traffic (Amendment).

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

5 (a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

10 (i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

15 (ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

20 Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in
25 respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded
30 as time spent in driving.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970
[5c]

(1) The Commission shall have the right to request the production of any documents or information in the possession, custody or control of any person who is or has been a party to the proceedings.

(2) The Commission shall have the right to require any person to attend before it and give evidence.

(3) The Commission shall have the right to require any person to produce any documents or information in the possession, custody or control of that person.

(4) The Commission shall have the right to require any person to provide any information or documents which are necessary for the Commission to carry out its functions.

(5) The Commission shall have the right to require any person to provide any information or documents which are necessary for the Commission to carry out its functions.

(6) The Commission shall have the right to require any person to provide any information or documents which are necessary for the Commission to carry out its functions.

(7) The Commission shall have the right to require any person to provide any information or documents which are necessary for the Commission to carry out its functions.

PROOF

MOTOR TRAFFIC (AMENDMENT) BILL, 1970

EXPLANATORY NOTE

THE objects of this Bill are—

- (a) to prohibit drivers of heavy motor vehicles exceeding two tons in weight driving such vehicles unless they have had at least five consecutive hours of rest in any period of twenty-four hours and at least one day of rest in the preceding seven days or two days of rest in the preceding fourteen days;
- (b) to make further provisions as to what constitutes time spent in driving such vehicles; and
- (c) to make other provisions consequential on or ancillary to the foregoing.

PROOF

No. , 1970.

A BILL

Relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith.

[MR MORRIS—11 November, 1970.]

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:—

5 **1.** (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970".

Citation and commencement.

(2)

Motor Traffic (Amendment).

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

2. The Motor Traffic Act, 1909, is amended—

Amendment
of Act No.
5, 1909.

- 5 (a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word "ten" and by inserting in lieu thereof the word "five";
- 10 (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—
- or
- 15 (iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.
- 20 (b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";
- 25 (ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—
- or
- 30 (iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.
- (c)

Sec. 8c.
(Limitation
of time for
which
drivers of
certain
vehicles
may remain
continuously
on duty.)

Motor Traffic (Amendment).

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

5 (a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

10 (i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

15 (ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

20 Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in
25 respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during
30 the preceding ninety-six hours, shall not be regarded as time spent in driving.

BY AUTHORITY:

V. C. N. BLIGHT, GOVERNMENT PRINTER, NEW SOUTH WALES—1970

not to come to the office of the
Secretary of the Board of Education
at the following address:

1234 Main Street, New York, N.Y.

It is requested that you
bring with you a copy of the
report of the Board of Education

for the year 1912-13, and
also a copy of the report of the
Committee on the Administration of the
Schools.

The Board of Education
is composed of the following
members: The Mayor, the
Comptroller, the Board of
Education, and the Board of
Fire Commissioners.

The Board of Education
is the governing body of the
Schools of the City of New York.
It is composed of the following
members: The Mayor, the
Comptroller, the Board of
Education, and the Board of
Fire Commissioners. The Board
of Education is the governing
body of the Schools of the
City of New York. It is
composed of the following
members: The Mayor, the
Comptroller, the Board of
Education, and the Board of
Fire Commissioners.

Very truly yours,
The Board of Education

I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

I. P. K. VIDLER,
Clerk of the Legislative Assembly.

*Legislative Assembly Chamber,
Sydney, 25 November, 1970.*

New South Wales



ANNO UNDEVICESIMO

ELIZABETHÆ II REGINÆ

Act No. 89, 1970.

An Act relating to the hours of driving and rest of drivers of certain heavy motor vehicles; for this purpose to amend the Motor Traffic Act, 1909; and for purposes connected therewith. [Assented to, 9th December, 1970.]

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:—

1. (1) This Act may be cited as the "Motor Traffic (Amendment) Act, 1970".

Citation
and com-
mencement.

(2)

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

L. A. PUNCH,
Chairman of Committees of the Legislative Assembly.

Motor Traffic (Amendment).

(2) 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.

Sec. 8c.
(Limitation
of time for
which
drivers of
certain
vehicles
may remain
continuously
on duty.)

2. The Motor Traffic Act, 1909, is amended—

(a) (i) by omitting from subparagraph (iii) of paragraph (a) of subsection one of section 8c the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless he has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(b) (i) by omitting from subparagraph (iii) of paragraph (b) of the same subsection the word "ten" and by inserting in lieu thereof the word "five";

(ii) by inserting at the end of the same subparagraph the following word and new subparagraph :—

or

(iv) unless the driver has had at least one period of twenty-four consecutive hours for rest during the preceding seven days or at least forty-eight hours for rest in two periods of not less than twenty-four consecutive hours each during the preceding fourteen days.

(c)

Motor Traffic (Amendment).

(c) by omitting subsection two of the same section and by inserting in lieu thereof the following subsection :—

(2) For the purposes of this section—

(a) any interval or interruption from driving for a period of less than half an hour; and

(b) any time spent—

(i) on any work on or in connection with a vehicle to which this section applies or any load carried thereby; or

(ii) in or on a motor vehicle to which this section applies whether driving or not or in or on any other vehicle for any purpose connected with or incidental to the journey of a motor vehicle to which this section applies,

shall be deemed to be time spent in driving :

Provided that in the application of the foregoing provisions, time spent in the sleeping compartment of a motor vehicle, the registration certificate for which issued in any State or Territory of the Commonwealth indicates that it is registered as a motor vehicle with a sleeper-cab compartment, and in respect of which two persons are available to drive the vehicle at all relevant times while it is in motion, if each of those persons had at least twenty-four consecutive hours for rest outside the vehicle during the preceding ninety-six hours, shall not be regarded as time spent in driving.

In the name and on behalf of Her Majesty I assent to this Act.

A. R. CUTLER,
Governor.

*Government House,
Sydney, 9th December, 1970.*

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In the presence of the undersigned
A. M. [illegible]

Governor of the State of [illegible]