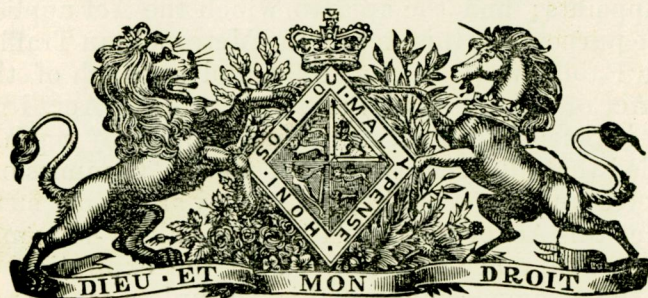


I Certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Legislative Assembly Chamber,
Sydney, 3 August, 1900, A.M. }*

F. W. WEBB,
Clerk of the Legislative Assembly

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. 8, 1900.

An Act to make better provision for the regulation of traffic within a certain metropolitan area; and for that purpose to regulate and control vehicles, horses, and the owners, drivers, and conductors thereof, and persons using such vehicles, and certain other persons; to repeal certain Acts; and for purposes incidental to or consequent on those objects. [Assented to, 29th August, 1900.]

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:—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Metropolitan Traffic Act, 1900." Short title.
- 2.

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

J. H. CANN,
Chairman of Committees of the Legislative Assembly.

Metropolitan Traffic.

Area within which Act in force.

2. The provisions of this Act shall apply to and be in force in the Metropolitan Police District as defined in Gazette number seven hundred and thirty-one of the twelfth day of September, one thousand eight hundred and ninety-nine, and such other places within the county of Cumberland as the Governor by proclamation published in the Gazette appoints; and the area to which the Act applies shall be known for the purposes of this Act as the Metropolitan Traffic District.

Repeal of certain Acts.

3. The Public Vehicles Act, 1899, and so much of the Sydney Corporation Act of 1879, and of the Municipalities Act, 1897, and of other Acts as is inconsistent with this Act, are hereby repealed.

Provided that all licenses granted by the Commissioners shall continue in force until they expire, unless they are sooner suspended or cancelled under this Act or the regulations, and all by-laws made by the Commissioners shall remain in force until the expiration of twelve months after the commencement of this Act unless sooner repealed by the regulations, and such licenses shall be deemed to be licenses granted in pursuance of the regulations, and such by-laws shall be deemed to be regulations made in pursuance of this Act. And references in those by-laws to the Commissioners shall be deemed to refer to the inspector-general of police, and references to the registrar, inspectors, or other officers shall be deemed to refer to such persons administering this Act as the said inspector-general may appoint in that behalf.

Definitions.

4. In this Act, unless the context or subject-matter otherwise indicates,—

“Commissioners” means Metropolitan Transit Commissioners.

“Licensed” means licensed under and in accordance with the regulations, or by the Commissioners.

“Prescribed” means prescribed by this Act or the regulations.

“Public street” means street, road, lane, thoroughfare, or place open to or used by the public.

“Public vehicle” means vehicle plying or standing in a public street for hire, or used or let for the conveyance for hire or for any consideration of goods or merchandise.

“Regulation” means regulation made under the provisions of this Act.

“Vehicle” means any description of vehicle upon wheels, except vehicles used on railways or tramways.

Transfer of property of Transit Commissioners.

5. (1) All books, papers, records, and other things in the possession of the Commissioners, and such property, estate, and interest as the Commissioners have in the shelter sheds erected by them are hereby transferred to the inspector-general of police.

(2) All sums of money at the credit of the Metropolitan Transit Fund are hereby transferred to the Consolidated Revenue to be credited to a fund called the Transit Fund, and all moneys due and payable at the commencement of this Act, or which thereafter may become

Metropolitan Traffic.

become due and payable to the Commissioners, shall be deemed to be due and payable to the Colonial Treasurer, and shall be carried by him to the credit of the last-named fund.

(3) There shall be paid and discharged out of such last-named fund all debts and liabilities (if any) due and payable, or which hereafter may become due and payable by the Commissioners, and there shall be paid out of such fund to each officer of the Commissioners who is not appointed under the provisions of this Act a gratuity of one month's pay (calculated at the rate of such officer's salary at the commencement of this Act) for each year such officer was employed by the Commissioners, and the balance of such fund shall be paid to drivers, licensed before the passing of this Act, who shall become incapacitated for work in such manner and at such rates as the inspector-general of police shall by regulation direct.

6. (1) Subject to the control of the Colonial Secretary, this Act shall be administered by the inspector-general of police, the person appointed superintendent, as hereinafter provided, and members of the police force. Administration of Act.

(2) The Governor shall appoint a superintendent who, subject to the control and authority of the inspector-general of police, shall be charged with the control of the other members of the police force engaged in the administration of this Act and the regulations; and, subject to disallowance by the Governor, and within one month from the commencement of this Act, the inspector-general of police may, notwithstanding any provision of the Police Regulation Act, 1899, appoint for the purpose of such administration any officers employed by the Commissioners at the time of such commencement.

(3) Every person when so appointed shall be a member of the police force, and shall be subject to the provisions of the Police Regulation Act, 1899.

PART II.

REGULATION OF TRAFFIC.

General traffic.

7. The Governor may, by regulations made under this Act,— General traffic.
- (a) regulate the traffic and standing of vehicles and horses in public streets, and prescribe what routes shall be followed by vehicles and horses, or by any prescribed description of vehicles, the pace of vehicles and horses, and where and under what conditions vehicles and horses may stand in public streets; (b)

Metropolitan Traffic.

- (b) prescribe and regulate the carrying of lights on vehicles in public streets ;
- (c) regulate the carrying on vehicles in public streets of long, large, heavy, or projecting articles ;
- (d) prohibit or regulate the carrying or displaying of advertisements or placards by any persons, or on any vehicles, or the carrying or using of noisy instruments on vehicles or horses in public streets ;
- (e) prescribe and regulate the placing on vehicles used for carrying goods in public streets the names and addresses of the owners of such vehicles or of the holders of licenses in respect of the same ;
- (f) prescribe and regulate the seizure and custody of unattended vehicles and horses in public streets, and provide for the recovery of expenses of the custody and keep of the same, the disposal of such vehicles and horses after failure within the time prescribed to claim the same, or to pay such expenses ;
- (g) prohibit the use in public streets of horses that are unfit for use, vicious, or likely to cause any accident or any injury to any person or property in such streets, provide that vehicles, harness, and equipment used in public streets shall be so constructed and in such condition as to be suitable for safe use in such streets, and impose a penalty upon the owner and driver of any horse, vehicle, harness, or equipment used in contravention of any regulation made under this sub-section, and the holder of a license in respect of any such vehicle ;
- (h) prohibit or regulate the setting up and use of stalls, stands, and vehicles for the sale of goods, or for the pursuit of any business, calling, or employment in any public street ;
- (i) prohibit loitering and the obstruction of traffic in the carriage-ways of public streets ;
- (j) prevent cruelty to horses in public streets ;
- (k) provide for the regulation of vehicles and horses in public streets, and generally for carrying this Act into effect ;
- (l) impose any penalty not exceeding *ten* pounds for any breach of any regulation made under this section.

Public vehicles.

Public vehicles.

8. The Governor may, by regulations made under this Act,—
- (a) provide that all public vehicles, or any specified class of public vehicles shall, on and after the day therein mentioned, be licensed, and that the drivers and conductors of any such vehicles shall hold licenses under this Act and enforce compliance with those provisions ; regulate the granting, renewing,

Metropolitan Traffic.

- renewing, transfer, suspension, cancelling, and return of such licenses; and prescribe the fees (not exceeding those mentioned in the Schedule to this Act) to be paid for the granting and renewing of such licenses; and the forms of such licenses;
- (b) prescribe the qualifications and ages of drivers and conductors respectively of public vehicles;
 - (c) prescribe that all or any drivers and conductors of public vehicles shall wear badges; and regulate the form and description, and the issue, wearing, and return of such badges;
 - (d) prescribe the number of any class or description of public vehicles, which may ply or stand for hire in any public street or streets, or which may be used or let for the conveyance of goods, and the form, construction, and equipment of public vehicles, and the number and description of horses to be used in the same;
 - (e) provide that all public vehicles, or any specified class of public vehicles, shall, on and after a day therein mentioned, have numbers placed on such vehicles, and regulate the form of such numbers and the manner of placing the numbers on such vehicles, and where such numbers are on plates, regulate the issue and return of such plates;
 - (f) appoint and regulate the use of stands for public vehicles or any class of public vehicles;
 - (g) prescribe the number of persons and the amount of luggage and weight of goods to be carried in or upon public vehicles;
 - (h) prescribe, in the case of omnibuses and other public passenger vehicles plying from one locality to another, the route of such vehicles, the time to be taken by such vehicles for performing the whole or any portion of their journeys, and the publication of time-tables, and prohibit the setting down or taking up of passengers by public vehicles at the places prescribed;
 - (i) fix the fares for the hire or use of public vehicles plying for hire, and provide for the publication and the payment of such fares, and for the payment of so much of any fare for the hire or use of public vehicles plying for hire agreed upon as does not exceed the fare so fixed, and prescribe the pace at which public vehicles hired by time shall travel;
 - (j) for the custody and return of property left in public vehicles, and the payment of compensation for the same, and the sale and disposal of the proceeds of the sale of such property not claimed within the time prescribed;
 - (k) prohibit drivers and conductors of public vehicles in any public street from misconducting themselves, and prohibiting any persons from touting or calling out or otherwise importuning any person to hire or use a public vehicle; (l)

Metropolitan Traffic.

- (l) provide for the regulation of public vehicles and the holders of licenses in respect of such vehicles, and the drivers, and conductors thereof, and persons hiring or using such vehicles;
- (m) repeal all or any by-laws made by the Commissioners;
- (n) impose any penalty not exceeding ten pounds for any breach of any regulation made under this section: Provided that there shall be an appeal to a court of petty sessions in any case where any license, renewal, or transfer is refused, and in any case of cancellation or suspension.

PART III.

OFFENCES.

Penalty on persons
using vehicles.

9. Any person hiring or using a public vehicle, who—

- (a) fraudulently evades the payment of the prescribed fare;
- (b) having failed or refused to pay such fare, either refuses to give an address at which he can be found, or gives a false address;
- (c) forces himself upon any such vehicle already carrying the full complement of passengers, or hired by another person;
- (d) misconducts himself whilst using any such vehicle;
- (e) damages any such vehicle,

shall be guilty of an offence against this Act; and in the case of any offences mentioned in subsections (c) (d) or (e) of this section may be removed from the vehicle by the driver or a member of the police force.

Street may be closed
temporarily to traffic.

10. Any member of the police force may close any street to traffic during any temporary obstruction or danger to traffic, or for any temporary purpose, and may prevent the traffic of any vehicles or horses in any street closed to traffic under the authority of this or any other Act; and any person disobeying or neglecting to comply with any direction of a member of the police force made in pursuance of this section shall be guilty of an offence against this Act.

Drivers not giving
name and address.

11. Any driver or rider of a horse or vehicle who, when required by a member of the police force in the execution of his duty under this Act or the regulations to state his name or place of abode, refuses to do so, or, when so required, states a false name or place of abode, shall be guilty of an offence against this Act.

Obstruction of
police.

12. Every person who obstructs any member of the police force in the execution of his duty under this Act or the regulations shall be guilty of an offence against this Act.

Unlawfully
possessing licenses,
&c.

13. Any person who—

- (a) by any false statement or misrepresentation, obtains or attempts to obtain a license under this Act; or
- (b)

Metropolitan Traffic.

- (b) without lawful excuse has in his possession a license, badge, or number plate granted or issued under this Act, or any document or article resembling such license, badge, or number plate, and calculated to deceive; or
 - (c) owns or drives in any public street any unlicensed vehicle having on it any printing or sign amounting to a representation that such vehicle is licensed or for hire, or any number plate prescribed to be affixed to licensed vehicles, or any plate resembling such number plate and calculated to deceive,
- shall be guilty of an offence against this Act.

PART IV.

GENERAL AND SUPPLEMENTAL.

14. The inspector-general of police may, by order published in newspapers circulating in the locality where the order is to have effect, prescribe the route of vehicles, horses, and persons on the occurring of any public procession or demonstration, or on any occasion when public streets are likely to be thronged or obstructed, and regulate the traffic of vehicles, horses, and persons in public streets on any such occasion.

Orders may be made by inspector-general of police.

15. Any member of the police force may, at any time between sunrise and sunset, enter the premises of the holder of any license in respect of a vehicle for the inspection of vehicles, horses, harness, and equipment.

Inspection of vehicles.

16. The particulars of licenses shall be recorded in books kept for the purpose at the office of the superintendent, and an extract from or copy of any entry contained in such books, certified under the hand of the officer-in-charge thereof, shall in all courts, and upon all occasions whatsoever, be received as evidence and deemed sufficient proof of all particulars contained in such entry without requiring the production of such books or any license, requisition, notice, or other document upon which any entry may be founded.

Record of licenses.

17. All regulations made under this Act shall be published in the Gazette, and shall take effect from the date of such publication, and shall, within fourteen days of the publication thereof, be laid before both Houses of Parliament if then sitting, and if not then within the first fourteen days of the next ensuing session thereof.

Publication of regulations.

18. If any driver of a public vehicle wilfully or negligently causes any damage to be done, by driving such vehicle in a public street, to any person or property, the holder of a license in respect of such vehicle and the driver of such vehicle shall be liable for the amount of such damage.

Damage done by vehicles.

Metropolitan Traffic.

No fee to be charged in proceedings for recovery of fares.

19. In any proceedings under this Act for the recovery of any fare no fee in respect of such proceeding shall be charged or taken by any clerk of petty sessions or other officer of such court.

Penalty for breach of Act.

20. Every person guilty of an offence against the provisions of this Act, or any order made and published by the inspector-general of police as hereinbefore provided, shall be liable to a penalty not exceeding ten pounds.

Recovery of penalties.

21. All penalties incurred under this Act, or any regulations or orders made thereunder, and all fares required by the regulations to be paid, and all other sums made payable by this Act or the regulations, may be recovered in a summary way before a court of petty sessions, and all informations for offences against this Act or the regulations may be laid by any person and may be heard and determined in a summary way by such court: Provided that any person aggrieved by any judgment, conviction, or order, given or made under this section, may appeal therefrom.

Court may order compensation for damages, &c.

22. In any conviction under this Act or the regulations, the court of petty sessions may order such payment as compensation for loss of time or expense incurred in consequence of the offence of which the defendant was convicted, as it thinks fit; and shall, in the manner prescribed, note the conviction on any license under this Act held by the person so convicted, and may by order cancel or suspend his license, and may order the delivery of the license to some person to be named in the conviction.

Compensation, &c. on dismissal of proceedings.

23. If an information or complaint is laid or made by any person other than a member of the police force for any offence punishable in pursuance of or for the recovery of any fare prescribed by this Act or the regulations, and the proceedings are dismissed or withdrawn, the Court may, if it think fit, order that the said person pay to the defendant in addition to any costs such compensation for loss of time or otherwise as seems reasonable.

Procedure in case of non-payment of penalty.

24. In default of payment of any penalty, fare, or other sum and costs ordered to be paid under this Act, the amount of such penalty, fare, or other sum and costs shall be levied by distress and sale of the goods and chattels of the offender, and in case no sufficient distress can be found whereon to levy the penalty, fare, or other sum and costs, the offender shall be imprisoned for a period not exceeding three months—

Facilitation of proof.

- 25.** In any proceedings under this Act or the regulations—
- (a) proof that a vehicle has not upon it a distinguishing number, as prescribed by the regulations, shall be *primâ facie* evidence that such vehicle is not licensed;
 - (b) proof that any licensed vehicle, not being a vehicle used for the carriage of goods and merchandise only, is in a public street shall be *primâ facie* evidence that it is plying or standing for hire;
 - (c)

Metropolitan Traffic.

- (c) proof that a person applied for and obtained a license for a vehicle shall be primâ facie evidence that such person was the owner of such vehicle ;
- (d) the production of a copy of a license of a vehicle signed by the person to whom the license was issued shall be primâ facie evidence that the vehicle is licensed, and that such person named therein applied for and obtained the license for such vehicle ;
- (e) the production of a copy of a license of any person signed by such person shall be primâ facie evidence that such person is licensed.

26. In any proceedings under this Act or the regulations, any printed paper purporting to be regulations made by the Governor under this Act and to be printed by the Government Printer, shall be evidence that the regulations, in the words printed in such paper, were duly made by the Governor under this Act. Proof of regulations.

SCHEDULE.

Licenses.

	£	s.	d.	
Omnibus	2	0	0	yearly.
Cab	1	0	0	„
Van, dray, or waggon	1	0	0	„
Driver or conductor	0	5	0	„

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

*Government House,
Sydney, 29th August, 1900.*

BEAUCHAMP,
Governor.

Registration Traffic

- (c) proof that a person applied for and obtained a license for a vehicle shall be prima facie evidence that such person was the owner of such vehicle;
- (d) the production of a copy of a license of a vehicle signed by the person to whom the license was issued shall be prima facie evidence that the vehicle is licensed, and that such person granted therein applied for and obtained the license for such vehicle;
- (e) the production of a copy of a license of any person signed by such person shall be prima facie evidence that such person is licensed.

28. In any proceeding under this Act or the regulations any printed paper purporting to be regulations made by the Governor under this Act and to be printed by the Government Printer shall be evidence that the regulations in the words printed in such paper were duly made by the Governor under this Act.

SCHEDULE

Licenses	
Operator of motor vehicle	4.00
Operator of motor vehicle (limited)	2.00
Operator of motor vehicle (limited) (1000)	1.00
Operator of motor vehicle (limited) (2000)	1.00
Operator of motor vehicle (limited) (3000)	1.00
Operator of motor vehicle (limited) (4000)	1.00
Operator of motor vehicle (limited) (5000)	1.00
Operator of motor vehicle (limited) (6000)	1.00
Operator of motor vehicle (limited) (7000)	1.00
Operator of motor vehicle (limited) (8000)	1.00
Operator of motor vehicle (limited) (9000)	1.00
Operator of motor vehicle (limited) (10000)	1.00
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Operator of motor vehicle (limited) (97000)	1.00
Operator of motor vehicle (limited) (98000)	1.00
Operator of motor vehicle (limited) (99000)	1.00
Operator of motor vehicle (limited) (100000)	1.00

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

BRAHCHAMAR,

Governor

Government House,

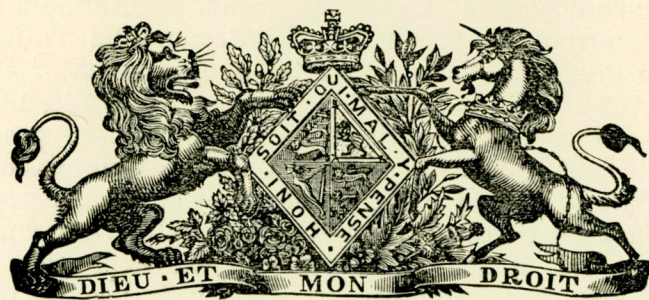
Singapore, 28th August, 1900.

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.

*Legislative Assembly Chamber,
Sydney, 3 August, 1900, A.M. }*

F. W. WEBB,
Clerk of the Legislative Assembly

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. 8, 1900.

An Act to make better provision for the regulation of traffic within a certain metropolitan area; and for that purpose to regulate and control vehicles, horses, and the owners, drivers, and conductors thereof, and persons using such vehicles, and certain other persons; to repeal certain Acts; and for purposes incidental to or consequent on those objects. [Assented to, 29th August, 1900.]

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:—

PART I.

PRELIMINARY.

1. This Act may be cited as the "Metropolitan Traffic Act, 1900." Short title.
- 2.

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

J. H. CANN,
Chairman of Committees of the Legislative Assembly.

Metropolitan Traffic.

Area within which
Act in force.

2. The provisions of this Act shall apply to and be in force in the Metropolitan Police District as defined in Gazette number seven hundred and thirty-one of the twelfth day of September, one thousand eight hundred and ninety-nine, and such other places within the county of Cumberland as the Governor by proclamation published in the Gazette appoints; and the area to which the Act applies shall be known for the purposes of this Act as the Metropolitan Traffic District.

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Acts.

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Provided that all licenses granted by the Commissioners shall continue in force until they expire, unless they are sooner suspended or cancelled under this Act or the regulations, and all by-laws made by the Commissioners shall remain in force until the expiration of twelve months after the commencement of this Act unless sooner repealed by the regulations, and such licenses shall be deemed to be licenses granted in pursuance of the regulations, and such by-laws shall be deemed to be regulations made in pursuance of this Act. And references in those by-laws to the Commissioners shall be deemed to refer to the inspector-general of police, and references to the registrar, inspectors, or other officers shall be deemed to refer to such persons administering this Act as the said inspector-general may appoint in that behalf.

Definitions.

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“Regulation” means regulation made under the provisions of this Act.

“Vehicle” means any description of vehicle upon wheels, except vehicles used on railways or tramways.

Transfer of property
of Transit
Commissioners.

5. (1) All books, papers, records, and other things in the possession of the Commissioners, and such property, estate, and interest as the Commissioners have in the shelter sheds erected by them are hereby transferred to the inspector-general of police.

(2) All sums of money at the credit of the Metropolitan Transit Fund are hereby transferred to the Consolidated Revenue to be credited to a fund called the Transit Fund, and all moneys due and payable at the commencement of this Act, or which thereafter may become

Metropolitan Traffic.

become due and payable to the Commissioners, shall be deemed to be due and payable to the Colonial Treasurer, and shall be carried by him to the credit of the last-named fund.

(3) There shall be paid and discharged out of such last-named fund all debts and liabilities (if any) due and payable, or which hereafter may become due and payable by the Commissioners, and there shall be paid out of such fund to each officer of the Commissioners who is not appointed under the provisions of this Act a gratuity of one month's pay (calculated at the rate of such officer's salary at the commencement of this Act) for each year such officer was employed by the Commissioners, and the balance of such fund shall be paid to drivers, licensed before the passing of this Act, who shall become incapacitated for work in such manner and at such rates as the inspector-general of police shall by regulation direct.

6. (1) Subject to the control of the Colonial Secretary, this Act shall be administered by the inspector-general of police, the person appointed superintendent, as hereinafter provided, and members of the police force. Administration of Act.

(2) The Governor shall appoint a superintendent who, subject to the control and authority of the inspector-general of police, shall be charged with the control of the other members of the police force engaged in the administration of this Act and the regulations; and, subject to disallowance by the Governor, and within one month from the commencement of this Act, the inspector-general of police may, notwithstanding any provision of the Police Regulation Act, 1899, appoint for the purpose of such administration any officers employed by the Commissioners at the time of such commencement.

(3) Every person when so appointed shall be a member of the police force, and shall be subject to the provisions of the Police Regulation Act, 1899.

PART II.

REGULATION OF TRAFFIC.

General traffic.

7. The Governor may, by regulations made under this Act,— General traffic.
- (a) regulate the traffic and standing of vehicles and horses in public streets, and prescribe what routes shall be followed by vehicles and horses, or by any prescribed description of vehicles, the pace of vehicles and horses, and where and under what conditions vehicles and horses may stand in public streets; (b)

Metropolitan Traffic.

- (b) prescribe and regulate the carrying of lights on vehicles in public streets ;
- (c) regulate the carrying on vehicles in public streets of long, large, heavy, or projecting articles ;
- (d) prohibit or regulate the carrying or displaying of advertisements or placards by any persons, or on any vehicles, or the carrying or using of noisy instruments on vehicles or horses in public streets ;
- (e) prescribe and regulate the placing on vehicles used for carrying goods in public streets the names and addresses of the owners of such vehicles or of the holders of licenses in respect of the same ;
- (f) prescribe and regulate the seizure and custody of unattended vehicles and horses in public streets, and provide for the recovery of expenses of the custody and keep of the same, the disposal of such vehicles and horses after failure within the time prescribed to claim the same, or to pay such expenses ;
- (g) prohibit the use in public streets of horses that are unfit for use, vicious, or likely to cause any accident or any injury to any person or property in such streets, provide that vehicles, harness, and equipment used in public streets shall be so constructed and in such condition as to be suitable for safe use in such streets, and impose a penalty upon the owner and driver of any horse, vehicle, harness, or equipment used in contravention of any regulation made under this sub-section, and the holder of a license in respect of any such vehicle ;
- (h) prohibit or regulate the setting up and use of stalls, stands, and vehicles for the sale of goods, or for the pursuit of any business, calling, or employment in any public street ;
- (i) prohibit loitering and the obstruction of traffic in the carriage-ways of public streets ;
- (j) prevent cruelty to horses in public streets ;
- (k) provide for the regulation of vehicles and horses in public streets, and generally for carrying this Act into effect ;
- (l) impose any penalty not exceeding *ten* pounds for any breach of any regulation made under this section.

Public vehicles.

Public vehicles.

8. The Governor may, by regulations made under this Act,—
- (a) provide that all public vehicles, or any specified class of public vehicles shall, on and after the day therein mentioned, be licensed, and that the drivers and conductors of any such vehicles shall hold licenses under this Act and enforce compliance with those provisions ; regulate the granting, renewing,

Metropolitan Traffic.

- renewing, transfer, suspension, cancelling, and return of such licenses; and prescribe the fees (not exceeding those mentioned in the Schedule to this Act) to be paid for the granting and renewing of such licenses; and the forms of such licenses;
- (b) prescribe the qualifications and ages of drivers and conductors respectively of public vehicles;
 - (c) prescribe that all or any drivers and conductors of public vehicles shall wear badges; and regulate the form and description, and the issue, wearing, and return of such badges;
 - (d) prescribe the number of any class or description of public vehicles, which may ply or stand for hire in any public street or streets, or which may be used or let for the conveyance of goods, and the form, construction, and equipment of public vehicles, and the number and description of horses to be used in the same;
 - (e) provide that all public vehicles, or any specified class of public vehicles, shall, on and after a day therein mentioned, have numbers placed on such vehicles, and regulate the form of such numbers and the manner of placing the numbers on such vehicles, and where such numbers are on plates, regulate the issue and return of such plates;
 - (f) appoint and regulate the use of stands for public vehicles or any class of public vehicles;
 - (g) prescribe the number of persons and the amount of luggage and weight of goods to be carried in or upon public vehicles;
 - (h) prescribe, in the case of omnibuses and other public passenger vehicles plying from one locality to another, the route of such vehicles, the time to be taken by such vehicles for performing the whole or any portion of their journeys, and the publication of time-tables, and prohibit the setting down or taking up of passengers by public vehicles at the places prescribed;
 - (i) fix the fares for the hire or use of public vehicles plying for hire, and provide for the publication and the payment of such fares, and for the payment of so much of any fare for the hire or use of public vehicles plying for hire agreed upon as does not exceed the fare so fixed, and prescribe the pace at which public vehicles hired by time shall travel;
 - (j) for the custody and return of property left in public vehicles, and the payment of compensation for the same, and the sale and disposal of the proceeds of the sale of such property not claimed within the time prescribed;
 - (k) prohibit drivers and conductors of public vehicles in any public street from misconducting themselves, and prohibiting any persons from touting or calling out or otherwise importing any person to hire or use a public vehicle; (l)

Metropolitan Traffic.

- (l) provide for the regulation of public vehicles and the holders of licenses in respect of such vehicles, and the drivers, and conductors thereof, and persons hiring or using such vehicles;
- (m) repeal all or any by-laws made by the Commissioners;
- (n) impose any penalty not exceeding ten pounds for any breach of any regulation made under this section: Provided that there shall be an appeal to a court of petty sessions in any case where any license, renewal, or transfer is refused, and in any case of cancellation or suspension.

PART III.

OFFENCES.

Penalty on persons
using vehicles.

9. Any person hiring or using a public vehicle, who—

- (a) fraudulently evades the payment of the prescribed fare;
- (b) having failed or refused to pay such fare, either refuses to give an address at which he can be found, or gives a false address;
- (c) forces himself upon any such vehicle already carrying the full complement of passengers, or hired by another person;
- (d) misconducts himself whilst using any such vehicle;
- (e) damages any such vehicle,

shall be guilty of an offence against this Act; and in the case of any offences mentioned in subsections (c) (d) or (e) of this section may be removed from the vehicle by the driver or a member of the police force.

Street may be closed
temporarily to traffic.

10. Any member of the police force may close any street to traffic during any temporary obstruction or danger to traffic, or for any temporary purpose, and may prevent the traffic of any vehicles or horses in any street closed to traffic under the authority of this or any other Act; and any person disobeying or neglecting to comply with any direction of a member of the police force made in pursuance of this section shall be guilty of an offence against this Act.

Drivers not giving
name and address.

11. Any driver or rider of a horse or vehicle who, when required by a member of the police force in the execution of his duty under this Act or the regulations to state his name or place of abode, refuses to do so, or, when so required, states a false name or place of abode, shall be guilty of an offence against this Act.

Obstruction of
police.

12. Every person who obstructs any member of the police force in the execution of his duty under this Act or the regulations shall be guilty of an offence against this Act.

Unlawfully
possessing licenses,
&c.

13. Any person who—

- (a) by any false statement or misrepresentation, obtains or attempts to obtain a license under this Act; or
- (b)

Metropolitan Traffic.

- (b) without lawful excuse has in his possession a license, badge, or number plate granted or issued under this Act, or any document or article resembling such license, badge, or number plate, and calculated to deceive; or
- (c) owns or drives in any public street any unlicensed vehicle having on it any printing or sign amounting to a representation that such vehicle is licensed or for hire, or any number plate prescribed to be affixed to licensed vehicles, or any plate resembling such number plate and calculated to deceive,
- shall be guilty of an offence against this Act.

PART IV.

GENERAL AND SUPPLEMENTAL.

14. The inspector-general of police may, by order published in newspapers circulating in the locality where the order is to have effect, prescribe the route of vehicles, horses, and persons on the occurring of any public procession or demonstration, or on any occasion when public streets are likely to be thronged or obstructed, and regulate the traffic of vehicles, horses, and persons in public streets on any such occasion.

Orders may be made by inspector-general of police.

15. Any member of the police force may, at any time between sunrise and sunset, enter the premises of the holder of any license in respect of a vehicle for the inspection of vehicles, horses, harness, and equipment.

Inspection of vehicles.

16. The particulars of licenses shall be recorded in books kept for the purpose at the office of the superintendent, and an extract from or copy of any entry contained in such books, certified under the hand of the officer-in-charge thereof, shall in all courts, and upon all occasions whatsoever, be received as evidence and deemed sufficient proof of all particulars contained in such entry without requiring the production of such books or any license, requisition, notice, or other document upon which any entry may be founded.

Record of licenses.

17. All regulations made under this Act shall be published in the Gazette, and shall take effect from the date of such publication, and shall, within fourteen days of the publication thereof, be laid before both Houses of Parliament if then sitting, and if not then within the first fourteen days of the next ensuing session thereof.

Publication of regulations.

18. If any driver of a public vehicle wilfully or negligently causes any damage to be done, by driving such vehicle in a public street, to any person or property, the holder of a license in respect of such vehicle and the driver of such vehicle shall be liable for the amount of such damage.

Damage done by vehicles.

19.

Metropolitan Traffic.

No fee to be charged in proceedings for recovery of fares.

19. In any proceedings under this Act for the recovery of any fare no fee in respect of such proceeding shall be charged or taken by any clerk of petty sessions or other officer of such court.

Penalty for breach of Act.

20. Every person guilty of an offence against the provisions of this Act, or any order made and published by the inspector-general of police as hereinbefore provided, shall be liable to a penalty not exceeding ten pounds.

Recovery of penalties.

21. All penalties incurred under this Act, or any regulations or orders made thereunder, and all fares required by the regulations to be paid, and all other sums made payable by this Act or the regulations, may be recovered in a summary way before a court of petty sessions, and all informations for offences against this Act or the regulations may be laid by any person and may be heard and determined in a summary way by such court: Provided that any person aggrieved by any judgment, conviction, or order, given or made under this section, may appeal therefrom.

Court may order compensation for damages, &c.

22. In any conviction under this Act or the regulations, the court of petty sessions may order such payment as compensation for loss of time or expense incurred in consequence of the offence of which the defendant was convicted, as it thinks fit; and shall, in the manner prescribed, note the conviction on any license under this Act held by the person so convicted, and may by order cancel or suspend his license, and may order the delivery of the license to some person to be named in the conviction.

Compensation, &c. on dismissal of proceedings.

23. If an information or complaint is laid or made by any person other than a member of the police force for any offence punishable in pursuance of or for the recovery of any fare prescribed by this Act or the regulations, and the proceedings are dismissed or withdrawn, the Court may, if it think fit, order that the said person pay to the defendant in addition to any costs such compensation for loss of time or otherwise as seems reasonable.

Procedure in case of non-payment of penalty.

24. In default of payment of any penalty, fare, or other sum and costs ordered to be paid under this Act, the amount of such penalty, fare, or other sum and costs shall be levied by distress and sale of the goods and chattels of the offender, and in case no sufficient distress can be found whereon to levy the penalty, fare, or other sum and costs, the offender shall be imprisoned for a period not exceeding three months—

Facilitation of proof.

25. In any proceedings under this Act or the regulations—

- (a) proof that a vehicle has not upon it a distinguishing number, as prescribed by the regulations, shall be *primâ facie* evidence that such vehicle is not licensed;
- (b) proof that any licensed vehicle, not being a vehicle used for the carriage of goods and merchandise only, is in a public street shall be *primâ facie* evidence that it is plying or standing for hire;
- (c)

Metropolitan Traffic.

- (c) proof that a person applied for and obtained a license for a vehicle shall be *primâ facie* evidence that such person was the owner of such vehicle ;
- (d) the production of a copy of a license of a vehicle signed by the person to whom the license was issued shall be *primâ facie* evidence that the vehicle is licensed, and that such person named therein applied for and obtained the license for such vehicle ;
- (e) the production of a copy of a license of any person signed by such person shall be *primâ facie* evidence that such person is licensed.

26. In any proceedings under this Act or the regulations, any printed paper purporting to be regulations made by the Governor under this Act and to be printed by the Government Printer, shall be evidence that the regulations, in the words printed in such paper, were duly made by the Governor under this Act. Proof of regulations.

SCHEDULE.

Licenses.

	£	s.	d.	
Omnibus	2	0	0	yearly.
Cab	1	0	0	"
Van, dray, or waggon	1	0	0	"
Driver or conductor	0	5	0	"

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

Government House,
Sydney, 29th August, 1900.

BEAUCHAMP,
Governor.

Motor Vehicle Traffic

- (c) that a person applied for and obtained a license for a motor vehicle;
- (d) the production of a copy of a license of a motor vehicle issued to a person from whom the license was issued shall be prima facie evidence that the vehicle is licensed and that such person carried therein applied for and obtained the license for such vehicle;
- (e) the production of a copy of a license of a motor vehicle or a person shall be prima facie evidence that such person is licensed.

38. In any proceeding under this Act or the regulations any printed paper purporting to be regulations made by the Governor under this Act and to be printed by the Government Printer shall be evidence that the regulations in the words printed in such paper were duly made by the Governor under this Act.

SCHEDULE

Licenses

Class	Fee
Operator	2.00
Driver	1.00
Motor vehicle	1.00
Motor cycle	0.50
Motor boat	0.50

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

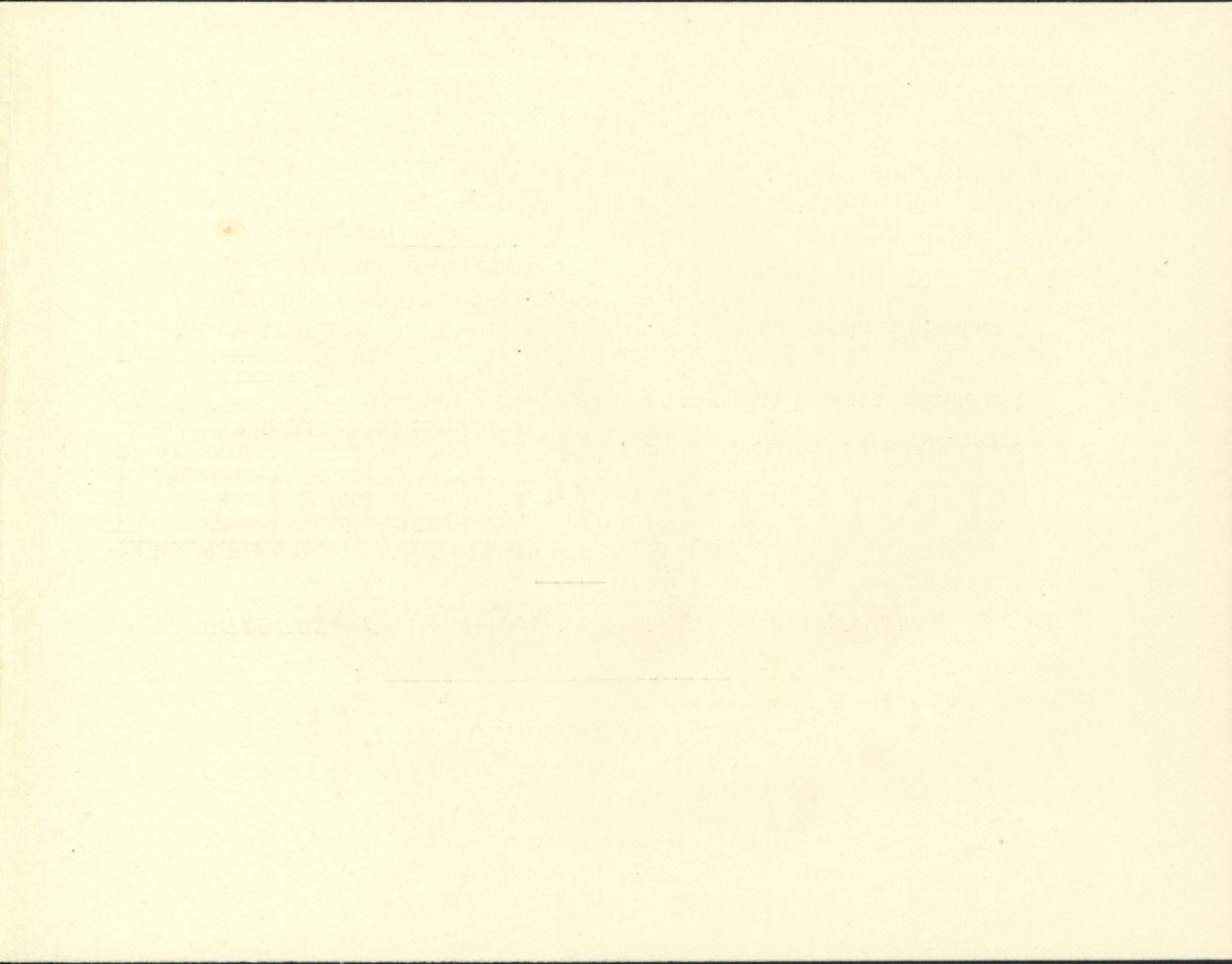
BRANCHAMER
Governor

Government House,
Sydney, 20th August, 1900.

METROPOLITAN TRAFFIC BILL.

SCHEDULE of the Amendments referred to in Message of 31st July, 1900.

- Page 3, clause 6, line 15. *Omit "Chief" insert "Colonial"*
Page 3, clause 6, line 25. *After "Act" insert "1899"*
Page 3, clause 6, line 30. *After "1899" omit remainder of clause.*
Page 6, clause 9, line 23. *After "or" insert "a"*
Page 6, clause 11, line 32. *After "force" insert "in the execution of his duty under
"this Act or the regulations"*
Page 7, clause 15, line 20. *After "may" insert "at any time between sunrise and
"sunset"*
Page 7, clause 15, line 23. *After "equipment" omit remainder of clause.*
Page 7, clause 16, line 25. *Omit "inspector-general of police" insert "superintendent"*
-



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.

*Legislative Assembly Chamber,
Sydney, 18 July, 1900.* }

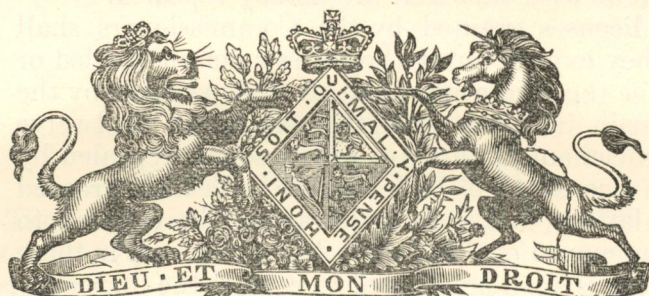
F. W. WEBB,
Clerk of the Legislative Assembly

The LEGISLATIVE COUNCIL has this day agreed to this Bill with Amendments.

*Legislative Council Chamber,
Sydney, 31st July, 1900.* }

JOHN J. CALVERT,
Clerk of the Parliaments.

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. , 1900.

An Act to make better provision for the regulation of traffic within a certain metropolitan area; and for that purpose to regulate and control vehicles, horses, and the owners, drivers, and conductors thereof, and persons using such vehicles, and certain other persons; to repeal certain Acts; and for purposes incidental to or consequent on those objects.

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

PART I.

PRELIMINARY.

1. This Act may be cited as the "Metropolitan Traffic Act, 1900." Short title.

57—A

2.

NOTE.—The words to be omitted are ruled through; those to be inserted are printed in black letter.

Metropolitan Traffic.

2. The provisions of this Act shall apply to and be in force in the Metropolitan Police District as defined in Gazette number seven hundred and thirty-one of the twelfth day of September, one thousand eight hundred and ninety-nine, and such other places within the county of Cumberland as the Governor by proclamation published in the Gazette appoints; and the area to which the Act applies shall be known for the purposes of this Act as the Metropolitan Traffic District.

Area within which
Act in force.

3. The Public Vehicles Act, 1899, and so much of the Sydney Corporation Act of 1879, and of the Municipalities Act, 1897, and of other Acts as is inconsistent with this Act, are hereby repealed.

Repeal of certain
Acts.

Provided that all licenses granted by the Commissioners shall continue in force until they expire, unless they are sooner suspended or cancelled under this Act or the regulations, and all by-laws made by the Commissioners shall remain in force until the expiration of twelve months after the commencement of this Act unless sooner repealed by the regulations, and such licenses shall be deemed to be licenses granted in pursuance of the regulations, and such by-laws shall be deemed to be regulations made in pursuance of this Act. And references in those by-laws to the Commissioners shall be deemed to refer to the inspector-general of police, and references to the registrar, inspectors, or other officers shall be deemed to refer to such persons administering this Act as the said inspector-general may appoint in that behalf.

4. In this Act, unless the context or subject-matter otherwise indicates,—

Definitions.

25 "Commissioners" means Metropolitan Transit Commissioners.

"Licensed" means licensed under and in accordance with the regulations, or by the Commissioners.

"Prescribed" means prescribed by this Act or the regulations.

30 "Public street" means street, road, lane, thoroughfare, or place open to or used by the public.

"Public vehicle" means vehicle plying or standing in a public street for hire, or used or let for the conveyance for hire or for any consideration of goods or merchandise.

35 "Regulation" means regulation made under the provisions of this Act.

"Vehicle" means any description of vehicle upon wheels, except vehicles used on railways or tramways.

5. (1) All books, papers, records, and other things in the possession of the Commissioners, and such property, estate, and interest as the Commissioners have in the shelter sheds erected by them are hereby transferred to the inspector-general of police.

Transfer of property
of Transit
Commissioners.

45 (2) All sums of money at the credit of the Metropolitan Transit Fund are hereby transferred to the Consolidated Revenue to be credited to a fund called the Transit Fund, and all moneys due and payable at the commencement of this Act, or which thereafter may become

Metropolitan Traffic.

become due and payable to the Commissioners, shall be deemed to be due and payable to the Colonial Treasurer, and shall be carried by him to the credit of the last-named fund.

(3) There shall be paid and discharged out of such last-named fund all debts and liabilities (if any) due and payable, or which hereafter may become due and payable by the Commissioners, and there shall be paid out of such fund to each officer of the Commissioners who is not appointed under the provisions of this Act a gratuity of one month's pay (calculated at the rate of such officer's salary at the commencement of this Act) for each year such officer was employed by the Commissioners, and the balance of such fund shall be paid to drivers, licensed before the passing of this Act, who shall become incapacitated for work in such manner and at such rates as the inspector-general of police shall by regulation direct.

6. (1) Subject to the control of the Chief Colonial Secretary, this Act shall be administered by the inspector-general of police, the person appointed superintendent, as hereinafter provided, and members of the police force.

Administration of Act.

(2) The Governor shall appoint a superintendent who, subject to the control and authority of the inspector-general of police, shall be charged with the control of the other members of the police force engaged in the administration of this Act and the regulations; and, subject to disallowance by the Governor, and within one month from the commencement of this Act, the inspector-general of police may, notwithstanding any provision of the Police Regulation Act, 1899, appoint for the purpose of such administration any officers employed by the Commissioners at the time of such commencement.

(3) Every person when so appointed shall be a member of the police force, and shall be subject to the provisions of the Police Regulation Act, 1899: ~~Provided that no such person shall be liable to contribute to or to participate in the benefits of the Police Superannuation Fund or the Police Reward Fund.~~

PART II.

REGULATION OF TRAFFIC.

General traffic.

35

7. The Governor may, by regulations made under this Act,— General traffic.
 (a) regulate the traffic and standing of vehicles and horses in public streets, and prescribe what routes shall be followed by vehicles and horses, or by any prescribed description of vehicles, the pace of vehicles and horses, and where and under what conditions vehicles and horses may stand in public streets ; (b)

40

Metropolitan Traffic.

- (b) prescribe and regulate the carrying of lights on vehicles in public streets ;
- (c) regulate the carrying on vehicles in public streets of long, large, heavy, or projecting articles ;
- 5 (d) prohibit or regulate the carrying or displaying of advertisements or placards by any persons, or on any vehicles, or the carrying or using of noisy instruments on vehicles or horses in public streets ;
- 10 (e) prescribe and regulate the placing on vehicles used for carrying goods in public streets the names and addresses of the owners of such vehicles or of the holders of licenses in respect of the same ;
- (f) prescribe and regulate the seizure and custody of unattended vehicles and horses in public streets, and provide for the recovery of expenses of the custody and keep of the same, the disposal of such vehicles and horses after failure within the
- 15 time prescribed to claim the same, or to pay such expenses ;
- (g) prohibit the use in public streets of horses that are unfit for use, vicious, or likely to cause any accident or any injury to any person or property in such streets, provide that vehicles, harness, and equipment used in public streets shall be so constructed and in such condition as to be suitable for safe use in such streets, and impose a penalty upon the owner and driver of any horse, vehicle, harness, or equipment used in
- 20 contravention of any regulation made under this sub-section, and the holder of a license in respect of any such vehicle ;
- (h) prohibit or regulate the setting up and use of stalls, stands, and vehicles for the sale of goods, or for the pursuit of any business, calling, or employment in any public street ;
- 25 (i) prohibit loitering and the obstruction of traffic in the carriage-ways of public streets ;
- (j) prevent cruelty to horses in public streets ;
- (k) provide for the regulation of vehicles and horses in public streets, and generally for carrying this Act into effect ;
- 30 (l) impose any penalty not exceeding *ten* pounds for any breach of any regulation made under this section.
- 35

Public vehicles.

8. The Governor may, by regulations made under this Act,— Public vehicles.
- 40 (a) provide that all public vehicles, or any specified class of public vehicles shall, on and after the day therein mentioned, be licensed, and that the drivers and conductors of any such vehicles shall hold licenses under this Act and enforce compliance with those provisions ; regulate the granting, renewing,

Metropolitan Traffic.

- renewing, transfer, suspension, cancelling, and return of such licenses; and prescribe the fees (not exceeding those mentioned in the Schedule to this Act) to be paid for the granting and renewing of such licenses; and the forms of such licenses;
- 5 (b) prescribe the qualifications and ages of drivers and conductors respectively of public vehicles;
- (c) prescribe that all or any drivers and conductors of public vehicles shall wear badges; and regulate the form and description, and the issue, wearing, and return of such
- 10 (d) prescribe the number of any class or description of public vehicles, which may ply or stand for hire in any public street or streets, or which may be used or let for the conveyance of goods, and the form, construction, and equipment of public vehicles, and the number and description of horses to be used in the same;
- 15 (e) provide that all public vehicles, or any specified class of public vehicles, shall, on and after a day therein mentioned, have numbers placed on such vehicles, and regulate the form of such numbers and the manner of placing the numbers on such vehicles, and where such numbers are on plates, regulate the issue and return of such plates;
- 20 (f) appoint and regulate the use of stands for public vehicles or any class of public vehicles;
- 25 (g) prescribe the number of persons and the amount of luggage and weight of goods to be carried in or upon public vehicles;
- (h) prescribe, in the case of omnibuses and other public passenger vehicles plying from one locality to another, the route of such vehicles, the time to be taken by such vehicles for performing the whole or any portion of their journeys, and the publication of time-tables, and prohibit the setting down or taking up of
- 30 passengers by public vehicles at the places prescribed;
- (i) fix the fares for the hire or use of public vehicles plying for hire, and provide for the publication and the payment of such fares, and for the payment of so much of any fare for the hire or use of public vehicles plying for hire agreed upon as does not exceed the fare so fixed, and prescribe the pace at which public vehicles hired by time shall travel;
- 35 (j) for the custody and return of property left in public vehicles, and the payment of compensation for the same, and the sale and disposal of the proceeds of the sale of such property not claimed within the time prescribed;
- 40 (k) prohibit drivers and conductors of public vehicles in any public street from misconducting themselves, and prohibiting any persons from touting or calling out or otherwise importuning any person to hire or use a public vehicle; (l)
- 45

Metropolitan Traffic.

- (*l*) provide for the regulation of public vehicles and the holders of licenses in respect of such vehicles, and the drivers, and conductors thereof, and persons hiring or using such vehicles ;
- (*m*) repeal all or any by-laws made by the Commissioners ;
- 5 (*n*) impose any penalty not exceeding ten pounds for any breach of any regulation made under this section : Provided that there shall be an appeal to a court of petty sessions in any case where any license, renewal, or transfer is refused, and in any case of cancellation or suspension.

10

PART III.

OFFENCES.

9. Any person hiring or using a public vehicle, who—
- (*a*) fraudulently evades the payment of the prescribed fare ;
- 15 (*b*) having failed or refused to pay such fare, either refuses to give an address at which he can be found, or gives a false address ;
- (*c*) forces himself upon any such vehicle already carrying the full complement of passengers, or hired by another person ;
- (*d*) misconducts himself whilst using any such vehicle ;
- 20 (*e*) damages any such vehicle,
- shall be guilty of an offence against this Act ; and in the case of any offences mentioned in subsections (*c*) (*d*) or (*e*) of this section may be removed from the vehicle by the driver or a member of the police force.
10. Any member of the police force may close any street to
- 25 traffic during any temporary obstruction or danger to traffic, or for any temporary purpose, and may prevent the traffic of any vehicles or horses in any street closed to traffic under the authority of this or any other Act ; and any person disobeying or neglecting to comply with any direction of a member of the police force made in pursuance of
- 30 this section shall be guilty of an offence against this Act.
11. Any driver or rider of a horse or vehicle who, when required by a member of the police force in the execution of his duty under this Act or the regulations to state his name or place of abode, refuses to do so, or, when so required, states a false name or place
- 35 of abode, shall be guilty of an offence against this Act.
12. Every person who obstructs any member of the police force in the execution of his duty under this Act or the regulations shall be guilty of an offence against this Act.
13. Any person who—
- 40 (*a*) by any false statement or misrepresentation, obtains or attempts to obtain a license under this Act ; or (*b*)

Penalty on persons using vehicles.

Street may be closed temporarily to traffic.

Drivers not giving name and address.

Obstruction of police.

Unlawfully possessing licenses, &c.

Metropolitan Traffic.

- (b) without lawful excuse has in his possession a license, badge, or number plate granted or issued under this Act, or any document or article resembling such license, badge, or number plate, and calculated to deceive; or
- 5 (c) owns or drives in any public street any unlicensed vehicle having on it any printing or sign amounting to a representation that such vehicle is licensed or for hire, or any number plate prescribed to be affixed to licensed vehicles, or any plate resembling such number plate and calculated to deceive,
- 10 shall be guilty of an offence against this Act.

PART IV.

GENERAL AND SUPPLEMENTAL.

14. The inspector-general of police may, by order published in newspapers circulating in the locality where the order is to have
15 effect, prescribe the route of vehicles, horses, and persons on the occurring of any public procession or demonstration, or on any occasion when public streets are likely to be thronged or obstructed, and regulate the traffic of vehicles, horses, and persons in public streets on any such occasion. Orders may be made by inspector-general of police.
- 20 15. Any member of the police force may, at any time between sunrise and sunset, enter the premises of the holder of any license in respect of a vehicle for the inspection of vehicles, horses, harness, and equipment, ~~such entry shall only be between sunset and sunrise.~~ Inspection of vehicles.
- 25 16. The particulars of licenses shall be recorded in books kept for the purpose at the office of the ~~inspector-general of police,~~ superintendent, and an extract from or copy of any entry contained in such books, certified under the hand of the officer-in-charge thereof, shall in all courts, and upon all occasions whatsoever, be received as evidence and deemed sufficient proof of all particulars contained in such entry without
30 requiring the production of such books or any license, requisition, notice, or other document upon which any entry may be founded. Record of licenses.
17. All regulations made under this Act shall be published in the Gazette, and shall take effect from the date of such publication, and shall, within fourteen days of the publication thereof, be laid
35 before both Houses of Parliament if then sitting, and if not then within the first fourteen days of the next ensuing session thereof. Publication of regulations.
18. If any driver of a public vehicle wilfully or negligently causes any damage to be done, by driving such vehicle in a public street, to any person or property, the holder of a license in respect
40 of such vehicle and the driver of such vehicle shall be liable for the amount of such damage. Damage done by vehicles.

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19. In any proceedings under this Act for the recovery of any fare no fee in respect of such proceeding shall be charged or taken by any clerk of petty sessions or other officer of such court.

No fee for summons only to be charged in proceedings for recovery of fares.

20. Every person guilty of an offence against the provisions of this Act, or any order made and published by the inspector-general of police as hereinbefore provided, shall be liable to a penalty not exceeding ten pounds.

Penalty for breach of Act.

21. All penalties incurred under this Act, or any regulations or orders made thereunder, and all fares required by the regulations to be paid, and all other sums made payable by this Act or the regulations, may be recovered in a summary way before a court of petty sessions, and all informations for offences against this Act or the regulations may be laid by any person and may be heard and determined in a summary way by such court: Provided that any person aggrieved by any judgment, conviction, or order, given or made under this section, may appeal therefrom.

Recovery of penalties.

22. In any conviction under this Act or the regulations, the court of petty sessions may order such payment as compensation for loss of time or expense incurred in consequence of the offence of which the defendant was convicted, as it thinks fit; and shall, in the manner prescribed, note the conviction on any license under this Act held by the person so convicted, and may by order cancel or suspend his license, and may order the delivery of the license to some person to be named in the conviction.

Court may order compensation for damages, &c.

23. If an information or complaint is laid or made by any person other than a member of the police force for any offence punishable in pursuance of or for the recovery of any fare prescribed by this Act or the regulations, and the proceedings are dismissed or withdrawn, the Court may, if it think fit, order that the said person pay to the defendant in addition to any costs such compensation for loss of time or otherwise as seems reasonable.

Compensation, &c. on dismissal of proceedings.

24. In default of payment of any penalty, fare, or other sum and costs ordered to be paid under this Act, the amount of such penalty, fare, or other sum and costs shall be levied by distress and sale of the goods and chattels of the offender, and in case no sufficient distress can be found whereon to levy the penalty, fare, or other sum and costs, the offender shall be imprisoned for a period not exceeding three months—

Procedure in case of non-payment of penalty.

25. In any proceedings under this Act or the regulations—
 (a) proof that a vehicle has not upon it a distinguishing number, as prescribed by the regulations, shall be primâ facie evidence that such vehicle is not licensed;
 (b) proof that any licensed vehicle, not being a vehicle used for the carriage of goods and merchandise only, is in a public street shall be primâ facie evidence that it is plying or standing for hire;
 (c)

Facilitation of proof.

Metropolitan Traffic.

- (c) proof that a person applied for and obtained a license for a vehicle shall be primâ facie evidence that such person was the owner of such vehicle ;
- 5 (d) the production of a copy of a license of a vehicle signed by the person to whom the license was issued shall be primâ facie evidence that the vehicle is licensed, and that such person named therein applied for and obtained the license for such vehicle ;
- 10 (e) the production of a copy of a license of any person signed by such person shall be primâ facie evidence that such person is licensed.

26. In any proceedings under this Act or the regulations, any printed paper purporting to be regulations made by the Governor under this Act and to be printed by the Government Printer, shall 15 be evidence that the regulations, in the words printed in such paper, were duly made by the Governor under this Act.

SCHEDULE.

Licenses.

						£	s.	d.	
20	Omnibus	...	...	...	...	2	0	0	yearly.
	Cab	...	...	...	...	1	0	0	„
	Van, dray, or waggon	...	...	...	...	1	0	0	„
	Driver or conductor	0	5	0	„

Sydney : William Applegate Gullick, Government Printer.—1900.

[9d.]

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- (c) that a person applied for and obtained a license for a vehicle shall be prima facie evidence that such person was the owner of such vehicle;
- (d) the production of a copy of a license signed by the person to whom the license was issued shall be prima facie evidence that the vehicle is licensed, and that such person named therein applied for and obtained the license for such vehicle;
- (e) the production of a copy of a license of any person signed by such person shall be prima facie evidence that such person is licensed.

36. In any proceedings under this Act or the regulations, any printed paper purporting to be regulations made by the Governor under this Act and to be printed by the Government Printer shall be evidence that the regulations in the words printed in such paper were duly made by the Governor under this Act.

SCHEDULE

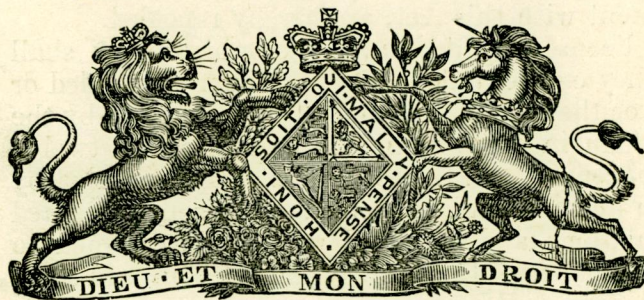
Class of vehicle	Number of drivers or conductors	Yearly fee or system	Rate
Motor cars	One	...	...
Motor trucks	One	...	...
Motor cycles	One	...	...
Motor rickshaws	One	...	...
Motor omnibuses	Two or more	...	...

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.

*Legislative Assembly Chamber,
Sydney, 18 July, 1900.* }

F. W. WEBB,
Clerk of the Legislative Assembly

New South Wales.



ANNO SEXAGESIMO QUARTO

VICTORIÆ REGINÆ.

Act No. , 1900.

An Act to make better provision for the regulation of traffic within a certain metropolitan area; and for that purpose to regulate and control vehicles, horses, and the owners, drivers, and conductors thereof, and persons using such vehicles, and certain other persons; to repeal certain Acts; and for purposes incidental to or consequent on those objects.

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:—

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PART I.

PRELIMINARY.

1. This Act may be cited as the "Metropolitan Traffic Act, 1900." Short title.
57—A
- 2.

Metropolitan Traffic.

2. The provisions of this Act shall apply to and be in force in the Metropolitan Police District as defined in Gazette number seven hundred and thirty-one of the twelfth day of September, one thousand eight hundred and ninety-nine, and such other places within the county of Cumberland as the Governor by proclamation published in the Gazette appoints; and the area to which the Act applies shall be known for the purposes of this Act as the Metropolitan Traffic District.

Area within which
Act in force.

3. The Public Vehicles Act, 1899, and so much of the Sydney Corporation Act of 1879, and of the Municipalities Act, 1897, and of other Acts as is inconsistent with this Act, are hereby repealed.

Repeal of certain
Acts.

Provided that all licenses granted by the Commissioners shall continue in force until they expire, unless they are sooner suspended or cancelled under this Act or the regulations, and all by-laws made by the Commissioners shall remain in force until the expiration of twelve months after the commencement of this Act unless sooner repealed by the regulations, and such licenses shall be deemed to be licenses granted in pursuance of the regulations, and such by-laws shall be deemed to be regulations made in pursuance of this Act. And references in those by-laws to the Commissioners shall be deemed to refer to the inspector-general of police, and references to the registrar, inspectors, or other officers shall be deemed to refer to such persons administering this Act as the said inspector-general may appoint in that behalf.

4. In this Act, unless the context or subject-matter otherwise indicates,—

Definitions.

25 "Commissioners" means Metropolitan Transit Commissioners.

"Licensed" means licensed under and in accordance with the regulations, or by the Commissioners.

"Prescribed" means prescribed by this Act or the regulations.

30 "Public street" means street, road, lane, thoroughfare, or place open to or used by the public.

"Public vehicle" means vehicle plying or standing in a public street for hire, or used or let for the conveyance for hire or for any consideration of goods or merchandise.

35 "Regulation" means regulation made under the provisions of this Act.

"Vehicle" means any description of vehicle upon wheels, except vehicles used on railways or tramways.

5. (1) All books, papers, records, and other things in the possession of the Commissioners, and such property, estate, and interest as the Commissioners have in the shelter sheds erected by them are hereby transferred to the inspector-general of police.

Transfer of property
of Transit
Commissioners.

(2) All sums of money at the credit of the Metropolitan Transit Fund are hereby transferred to the Consolidated Revenue to be credited to a fund called the Transit Fund, and all moneys due and payable at the commencement of this Act, or which thereafter may become

Metropolitan Traffic.

become due and payable to the Commissioners, shall be deemed to be due and payable to the Colonial Treasurer, and shall be carried by him to the credit of the last-named fund.

(3) There shall be paid and discharged out of such last-named fund all debts and liabilities (if any) due and payable, or which hereafter may become due and payable by the Commissioners, and there shall be paid out of such fund to each officer of the Commissioners who is not appointed under the provisions of this Act a gratuity of one month's pay (calculated at the rate of such officer's salary at the commencement of this Act) for each year such officer was employed by the Commissioners, and the balance of such fund shall be paid to drivers, licensed before the passing of this Act, who shall become incapacitated for work in such manner and at such rates as the inspector-general of police shall by regulation direct.

6. (1) Subject to the control of the Chief Secretary, this Act shall be administered by the inspector-general of police, the person appointed superintendent, as hereinafter provided, and members of the police force. Administration of Act.

(2) The Governor shall appoint a superintendent who, subject to the control and authority of the inspector-general of police, shall be charged with the control of the other members of the police force engaged in the administration of this Act and the regulations; and, subject to disallowance by the Governor, and within one month from the commencement of this Act, the inspector-general of police may, notwithstanding any provision of the Police Regulation Act, appoint for the purpose of such administration any officers employed by the Commissioners at the time of such commencement.

(3) Every person when so appointed shall be a member of the police force, and shall be subject to the provisions of the Police Regulation Act, 1899: Provided that no such person shall be liable to contribute to or to participate in the benefits of the Police Superannuation Fund or the Police Reward Fund.

PART II.

REGULATION OF TRAFFIC.

General traffic.

7. The Governor may, by regulations made under this Act,— General traffic.
 (a) regulate the traffic and standing of vehicles and horses in public streets, and prescribe what routes shall be followed by vehicles and horses, or by any prescribed description of vehicles, the pace of vehicles and horses, and where and under what conditions vehicles and horses may stand in public streets; (b)

Metropolitan Traffic.

- (b) prescribe and regulate the carrying of lights on vehicles in public streets ;
- (c) regulate the carrying on vehicles in public streets of long, large, heavy, or projecting articles ;
- 5 (d) prohibit or regulate the carrying or displaying of advertisements or placards by any persons, or on any vehicles, or the carrying or using of noisy instruments on vehicles or horses in public streets ;
- 10 (e) prescribe and regulate the placing on vehicles used for carrying goods in public streets the names and addresses of the owners of such vehicles or of the holders of licenses in respect of the same ;
- 15 (f) prescribe and regulate the seizure and custody of unattended vehicles and horses in public streets, and provide for the recovery of expenses of the custody and keep of the same, the disposal of such vehicles and horses after failure within the time prescribed to claim the same, or to pay such expenses ;
- 20 (g) prohibit the use in public streets of horses that are unfit for use, vicious, or likely to cause any accident or any injury to any person or property in such streets, provide that vehicles, harness, and equipment used in public streets shall be so constructed and in such condition as to be suitable for safe use in such streets, and impose a penalty upon the owner and driver of any horse, vehicle, harness, or equipment used in
- 25 contravention of any regulation made under this sub-section, and the holder of a license in respect of any such vehicle ;
- (h) prohibit or regulate the setting up and use of stalls, stands, and vehicles for the sale of goods, or for the pursuit of any business, calling, or employment in any public street ;
- 30 (i) prohibit loitering and the obstruction of traffic in the carriage-ways of public streets ;
- (j) prevent cruelty to horses in public streets ;
- (k) provide for the regulation of vehicles and horses in public streets, and generally for carrying this Act into effect ;
- 35 (l) impose any penalty not exceeding *ten* pounds for any breach of any regulation made under this section.

Public vehicles.

8. The Governor may, by regulations made under this Act,— Public vehicles.
- 40 (a) provide that all public vehicles, or any specified class of public vehicles shall, on and after the day therein mentioned, be licensed, and that the drivers and conductors of any such vehicles shall hold licenses under this Act and enforce compliance with those provisions ; regulate the granting, renewing,

Metropolitan Traffic.

- renewing, transfer, suspension, cancelling, and return of such licenses; and prescribe the fees (not exceeding those mentioned in the Schedule to this Act) to be paid for the granting and renewing of such licenses; and the forms of such licenses;
- 5 (b) prescribe the qualifications and ages of drivers and conductors respectively of public vehicles;
- (c) prescribe that all or any drivers and conductors of public vehicles shall wear badges; and regulate the form and description, and the issue, wearing, and return of such
- 10 badges;
- (d) prescribe the number of any class or description of public vehicles, which may ply or stand for hire in any public street or streets, or which may be used or let for the conveyance of goods, and the form, construction, and equipment of public vehicles, and the number and description of horses to be
- 15 used in the same;
- (e) provide that all public vehicles, or any specified class of public vehicles, shall, on and after a day therein mentioned, have numbers placed on such vehicles, and regulate the form of such numbers and the manner of placing the numbers on such vehicles, and where such numbers are on plates, regulate the issue and return of such plates;
- 20 (f) appoint and regulate the use of stands for public vehicles or any class of public vehicles;
- (g) prescribe the number of persons and the amount of luggage and weight of goods to be carried in or upon public vehicles;
- 25 (h) prescribe, in the case of omnibuses and other public passenger vehicles plying from one locality to another, the route of such vehicles, the time to be taken by such vehicles for performing the whole or any portion of their journeys, and the publication of time-tables, and prohibit the setting down or taking up of passengers by public vehicles at the places prescribed;
- 30 (i) fix the fares for the hire or use of public vehicles plying for hire, and provide for the publication and the payment of such fares, and for the payment of so much of any fare for the hire or use of public vehicles plying for hire agreed upon as does not exceed the fare so fixed, and prescribe the pace at which public vehicles hired by time shall travel;
- 35 (j) for the custody and return of property left in public vehicles, and the payment of compensation for the same, and the sale and disposal of the proceeds of the sale of such property not claimed within the time prescribed;
- 40 (k) prohibit drivers and conductors of public vehicles in any public street from misconducting themselves, and prohibiting any persons from touting or calling out or otherwise importuning any person to hire or use a public vehicle; (l)
- 45

Metropolitan Traffic.

- 5 (l) provide for the regulation of public vehicles and the holders of licenses in respect of such vehicles, and the drivers, and conductors thereof, and persons hiring or using such vehicles ;
 (m) repeal all or any by-laws made by the Commissioners ;
 (n) impose any penalty not exceeding *ten* pounds for any breach of any regulation made under this section : Provided that there shall be an appeal to a court of petty sessions in any case where any license, renewal, or transfer is refused, and in any case of cancellation or suspension.

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PART III.

OFFENCES.

9. Any person hiring or using a public vehicle, who—
 (a) fraudulently evades the payment of the prescribed fare ;
 15 (b) having failed or refused to pay such fare, either refuses to give an address at which he can be found, or gives a false address ;
 (c) forces himself upon any such vehicle already carrying the full complement of passengers, or hired by another person ;
 (d) misconducts himself whilst using any such vehicle ;
 20 (e) damages any such vehicle,
 shall be guilty of an offence against this Act ; and in the case of any offences mentioned in subsections (c) (d) or (e) of this section may be removed from the vehicle by the driver or member of the police force.
- 25 10. Any member of the police force may close any street to traffic during any temporary obstruction or danger to traffic, or for any temporary purpose, and may prevent the traffic of any vehicles or horses in any street closed to traffic under the authority of this or any other Act ; and any person disobeying or neglecting to comply with any direction of a member of the police force made in pursuance of
 30 this section shall be guilty of an offence against this Act.
11. Any driver or rider of a horse or vehicle who, when required by a member of the police force to state his name or place of abode, refuses to do so, or, when so required, states a false name or place of abode, shall be guilty of an offence against this Act.
- 35 12. Every person who obstructs any member of the police force in the execution of his duty under this Act or the regulations shall be guilty of an offence against this Act.
13. Any person who—
 40 (a) by any false statement or misrepresentation, obtains or attempts to obtain a license under this Act ; or

Penalty on persons using vehicles.

Street may be closed temporarily to traffic.

Drivers not giving name and address.

Obstruction of police.

Unlawfully possessing licenses, &c.

(b)

Metropolitan Traffic.

- (b) without lawful excuse has in his possession a license, badge, or number plate granted or issued under this Act, or any document or article resembling such license, badge, or number plate, and calculated to deceive ; or
- 5 (c) owns or drives in any public street any unlicensed vehicle having on it any printing or sign amounting to a representation that such vehicle is licensed or for hire, or any number plate prescribed to be affixed to licensed vehicles, or any plate resembling such number plate and calculated to deceive,
- 10 shall be guilty of an offence against this Act.

PART IV.

GENERAL AND SUPPLEMENTAL.

14. The inspector-general of police may, by order published in newspapers circulating in the locality where the order is to have
15 effect, prescribe the route of vehicles, horses, and persons on the occurring of any public procession or demonstration, or on any occasion when public streets are likely to be thronged or obstructed, and regulate the traffic of vehicles, horses, and persons in public streets on any such occasion. Orders may be made by inspector-general of police.
- 20 15. Any member of the police force may enter the premises of the holder of any license in respect of a vehicle for the inspection of vehicles, horses, harness, and equipment, such entry shall only be between sunset and sunrise. Inspection of vehicles.
- 25 16. The particulars of licenses shall be recorded in books kept for the purpose at the office of the inspector-general of police, and an extract from or copy of any entry contained in such books, certified under the hand of the officer-in-charge thereof, shall in all courts, and upon all occasions whatsoever, be received as evidence and deemed sufficient proof of all particulars contained in such entry without
30 requiring the production of such books or any license, requisition, notice, or other document upon which any entry may be founded. Record of licenses.
17. All regulations made under this Act shall be published in the Gazette, and shall take effect from the date of such publication, and shall, within fourteen days of the publication thereof, be laid
35 before both Houses of Parliament if then sitting, and if not then within the first fourteen days of the next ensuing session thereof. Publication of regulations.
18. If any driver of a public vehicle wilfully or negligently causes any damage to be done, by driving such vehicle in a public street, to any person or property, the holder of a license in respect
40 of such vehicle and the driver of such vehicle shall be liable for the amount of such damage. Damage done by vehicles.

Metropolitan Traffic.

19. In any proceedings under this Act for the recovery of any fare no fee in respect of such proceeding shall be charged or taken by any clerk of petty sessions or other officer of such court. Fee for summons only to be charged in proceedings for recovery of fares.
20. Every person guilty of an offence against the provisions of this Act, or any order made and published by the inspector-general of police as hereinbefore provided, shall be liable to a penalty not exceeding ten pounds. Penalty for breach of Act.
21. All penalties incurred under this Act, or any regulations or orders made thereunder, and all fares required by the regulations to be paid, and all other sums made payable by this Act or the regulations, may be recovered in a summary way before a court of petty sessions, and all informations for offences against this Act or the regulations may be laid by any person and may be heard and determined in a summary way by such court: Provided that any person aggrieved by any judgment, conviction, or order, given or made under this section, may appeal therefrom. Recovery of penalties.
22. In any conviction under this Act or the regulations, the court of petty sessions may order such payment as compensation for loss of time or expense incurred in consequence of the offence of which the defendant was convicted, as it thinks fit; and shall, in the manner prescribed, note the conviction on any license under this Act held by the person so convicted, and may by order cancel or suspend his license, and may order the delivery of the license to some person to be named in the conviction. Court may order compensation for damages, &c.
23. If an information or complaint is laid or made by any person other than a member of the police force for any offence punishable in pursuance of or for the recovery of any fare prescribed by this Act or the regulations, and the proceedings are dismissed or withdrawn, the Court may, if it think fit, order that the said person pay to the defendant in addition to any costs such compensation for loss of time or otherwise as seems reasonable. Compensation, &c. on dismissal of proceedings.
24. In default of payment of any penalty, fare, or other sum and costs ordered to be paid under this Act, the amount of such penalty, fare, or other sum and costs shall be levied by distress and sale of the goods and chattels of the offender, and in case no sufficient distress can be found whereon to levy the penalty, fare, or other sum and costs, the offender shall be imprisoned for a period not exceeding three months— Procedure in case of non-payment of penalty.
25. In any proceedings under this Act or the regulations— Facilitation of proof.
- (a) proof that a vehicle has not upon it a distinguishing number, as prescribed by the regulations, shall be *primâ facie* evidence that such vehicle is not licensed;
- (b) proof that any licensed vehicle, not being a vehicle used for the carriage of goods and merchandise only, is in a public street shall be *primâ facie* evidence that it is plying or standing for hire;
- (c)

Metropolitan Traffic.

- (c) proof that a person applied for and obtained a license for a vehicle shall be primâ facie evidence that such person was the owner of such vehicle ;
- 5 (d) the production of a copy of a license of a vehicle signed by the person to whom the license was issued shall be primâ facie evidence that the vehicle is licensed, and that such person named therein applied for and obtained the license for such vehicle ;
- 10 (e) the production of a copy of a license of any person signed by such person shall be primâ facie evidence that such person is licensed.

26. In any proceedings under this Act or the regulations, any printed paper purporting to be regulations made by the Governor under this Act and to be printed by the Government Printer, shall be evidence that the regulations, in the words printed in such paper, were duly made by the Governor under this Act. Proof of regulations.

SCHEDULE.

Licenses.

						£	s.	d.	
20	Omnibus	...	...	...	...	2	0	0	yearly.
	Cab	...	...	...	...	1	0	0	„
	Van, dray, or waggon	...	...	...	...	1	0	0	„
	Driver or conductor	...	...	...	...	0	5	0	„

