

## MOTOR TRAFFIC (AMENDMENT) BILL, 1953.

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### EXPLANATORY NOTE.

The objects of this bill are to amend the Motor Traffic Act, 1909-1952, the Metropolitan Traffic Act, 1900, as amended, and the Local Government Act, 1919, as amended, to—

- (a) enable the Commissioner of Police to give authority for schemes, designed to assist children to cross public streets with safety, to be conducted by persons who desire to take part in the schemes;
- (b) require motorists and other road users to observe "Stop" signs displayed by authorised persons when children are crossing public streets;
- (c) make other provisions of an ancillary nature.

[CONFIDENTIAL]

(Rough Draft for Consideration Only.)

No. , 1953.

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## A BILL

To provide for schemes designed to assist children to cross public streets with safety; for this purpose to amend the Motor Traffic Act, 1909-1952, and certain other Acts; and for purposes connected therewith.

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**B**E it enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Council and Legislative Assembly of New South Wales in Parliament assembled, and by the authority of  
 5 the same, as follows:—

**1.** (1) This Act may be cited as the "Motor Traffic Short title and citation.  
 (Amendment) Act, 1953."

58037 —(2)

(2)

*Motor Traffic (Amendment).*

(2) The Motor Traffic Act, 1909, as amended by subsequent Acts and by this Act, may be cited as the Motor Traffic Act, 1909-1953.

(3) The Metropolitan Traffic Act, 1900, as amended by subsequent Acts and by this Act, may be cited as the Metropolitan Traffic Act, 1900-1953.

2. The Motor Traffic Act, 1909-1952, is amended—

Amendment of Act No. 5, 1909.

10 (a) by omitting from section 2c the words "The provisions" and by inserting in lieu thereof the words "Except where otherwise expressly provided to the contrary by this Act, or by regulation under this Act the provisions";

Sec. 2c. (Enforcement by police.)

(b) by inserting next after section 4b the following new section:—

New sec. 4c.

15 4c. (1) The Commissioner of Police may—

Schemes to assist children to cross public streets with safety.

20 (a) from time to time give authorities for schemes, designed to assist children to cross public streets with safety, to be conducted by persons who are desirous of taking part in such schemes and are referred to in such authorities;

25 (b) authorise any person or class of persons by whom such schemes may be conducted to exercise and discharge the powers, authorities, duties and functions specified in such authorities;

(c) at any time revoke any such authority.

30 (2) Each such scheme so authorised shall come into force upon the date specified in the scheme.

35 (3) Any such scheme in force under this section may from time to time be amended or replaced by a subsequent scheme authorised in like manner.

(4)

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*Motor Traffic (Amendment).*

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(4) The regulations may prescribe all matters necessary or convenient to be prescribed for the purpose of carrying out any scheme under this section. In particular, and without prejudice to the generality of the foregoing power, the regulations may for the purpose of carrying out any such scheme—

- 5
- (a) provide for “Stop” signs and the exhibition thereof;
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- (b) provide for the placing of barriers across or partly across a public street near a marked footcrossing whilst a “Stop” sign is being exhibited;
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- (c) prescribe conditions relating to the wearing or display of an insignia, badge, belt or other article of uniform by any persons taking part in the scheme.

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(5) Whilst a “Stop” sign is exhibited, as prescribed, at or near a marked footcrossing and children are about to use, or are upon any portion of, the footcrossing, the driver of a motor vehicle facing such sign shall stop such vehicle and cause it to remain stationary until all such children have completed the passage of the footcrossing. If he fails to do so, he shall be guilty of an offence under this Act.

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(6) In any proceedings in any court evidence that a “Stop” sign was exhibited, as prescribed, by a person at or near a marked footcrossing when children were about to use, or were upon, any portion of such footcrossing, shall be prima facie evidence that the exhibition of such sign by such person was authorised under this Act and the regulations.

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3. The Metropolitan Traffic Act, 1900, as amended by subsequent Acts, is amended—

- (a) by omitting from subsection one of section six the word “shall” and by inserting in lieu thereof

Amendment  
of Act No.  
8, 1900.  
Sec. 6.  
(Adminis-  
tration of  
Act.)

*Motor Traffic (Amendment).*

thereof the words "and the regulations shall, except where otherwise expressly provided to the contrary by this Act or by the regulations,";

5 (b) by inserting next after section 13B the following new section:—

13c. (1) The Commissioner of Police may—

10 (a) from time to time give authorities for schemes, designed to assist children to cross public streets with safety, to be conducted by persons who are desirous of taking part in such schemes and are referred to in such authorities;

15 (b) authorise any person or class of persons by whom such schemes may be conducted to exercise and discharge for the purposes of such schemes the powers, authorities, duties and functions specified in such authorities;

(c) at any time revoke any such authority.

20 (2) Each such scheme so authorised shall come into force upon the date specified in the scheme.

25 (3) Any such scheme in force under this section may from time to time be amended or replaced by a subsequent scheme authorised in like manner.

30 (4) The regulations may prescribe all matters necessary or convenient to be prescribed for the purpose of carrying out any scheme under this section. In particular, and without prejudice to the generality of the foregoing power, the regulations may for the purpose of carrying out any such scheme—

35 (a) provide for "Stop" signs and the exhibition thereof;

(b) provide for the placing of barriers across or partly across a public street near a marked footcrossing whilst a "Stop" sign is being exhibited;

(c)

New sec. 13c.

Schemes to assist children to cross public streets with safety.

*Motor Traffic (Amendment).*

5- (c) prescribe conditions relating to the wearing or display of an insignia, badge, belt or other article of uniform by any persons taking part in the scheme.

10 (5) Whilst a "Stop" sign is exhibited, as prescribed, at or near a marked footcrossing and children are about to use, or are upon any portion of, the footcrossing, the driver or rider of a vehicle or horse facing such sign shall stop it and cause it to remain stationary until all such children have completed the passage of the footcrossing. If he fails to do so, he shall be guilty of an offence against this Act.

15 (6) In any proceedings in any court evidence that a "Stop" sign was exhibited, as prescribed, by a person at or near a marked footcrossing when children were about to use, or were upon, any portion of such footcrossing, shall be prima facie evidence that the exhibition of such sign by such person was authorised under this Act and the regulations.

25 4. The Local Government Act, 1919, as amended by subsequent Acts, is amended by inserting at the end of subsection one of section two hundred and seventy-seven the following new paragraph:—

Amendment of Act No. 41, 1919. Sec. 277. (Ordinances.)

30 (dd) (i) empowering the Commissioner of Police to exercise similar powers to those conferred upon him by section 4c of the Motor Traffic Act, 1909-1953, or section 13c of the Metropolitan Traffic Act, 1900-1953;

(ii) any matter or thing in respect of which regulations may be made under those sections.