

No. , 1900.

A BILL

To regulate the width of the tires of stage carriages and vehicles constructed to carry loads, and the weight of the loads to be carried on the said vehicles; to provide for painting on such vehicles the names and residences or places of business of the owners, and the weight of the vehicles; and for purposes consequent on or incidental thereto.

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:—

Preliminary.

1. This Act shall take effect on the day of ,
 one thousand nine hundred and (hereinafter referred to as the Commencement and
 commencement of this Act), and may be cited as the "Width of Tires short title.
 Act, 1900."

316—(3)

2.

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2. In this Act, unless the context otherwise indicates,—
- “Bearing surface” when used in relation to the tire of a wheel means the bearing surface of the tire which would actually come in contact with, or bear upon, a hard, smooth, plane surface, when the wheel is attached to the axle and ready for use.
- “Load” includes everything inanimate or animate (except passengers) carried on a vehicle.
- “Load vehicle” includes any vehicle constructed to carry a load, except a van, cart, or other vehicle of a similar character, the body of which is hung or constructed on springs.
- “Owner” includes a corporation.
- “Stage carriage” means any open or close coach carriage or other wheeled vehicle.

Definitions.

3. This Act shall apply to every load vehicle and every stage carriage licensed under the Stage Carriages Act, 1899, or the Newcastle Paving and Public Vehicles Regulation Act, to carry more than eight passengers, built or fitted with new wheels or axles on or after the commencement of this Act.

Vehicles and carriages to which this Act applies.

4. Subject to the provisions herein contained, this Act shall be administered by the Secretary for Public Works.

Authority to administer Act.

Load vehicles.

5. (1) Where a load vehicle to which this Act applies, having the number of wheels set forth in some line of the first column of the Schedule, has on the vehicle any axle, the diameter of which, measured at the shoulder of the axle arm, is as described in the line of the second column of the Schedule corresponding to the line of the first column aforesaid such vehicle—

Load vehicles, width of tires, and weight of load prescribed.

- (a) shall have the wheels thereof fitted with tires having at least the bearing surface set forth in the line of the third column of the Schedule corresponding to the line aforesaid of the second column; and
- (b) shall not carry a load greater than the weight mentioned in the line of the fourth column of the Schedule corresponding to the line aforesaid of the second column.

(2) If any such load vehicle in which the bearing surface of any tire is not as above prescribed is driven, led, or conducted on a public highway, the owner of the vehicle shall be liable to a penalty not exceeding pounds, nor less than shillings.

Penalty.

(3) If any person drives, leads, or conducts on a public highway any such load vehicle on which a load is carried in excess of that above prescribed, that person shall be liable to a penalty not exceeding pounds nor less than shillings.

Penalty.

6. (1) A load vehicle, to which this Act applies, shall have the name of the owner, or where the vehicle is the property of joint owners, the name of one of such owners, and the residence or chief

Load vehicle to have name of owner and weight painted thereon.

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chief place of business of such owner, together with the correct weight of the vehicle, painted on the vehicle in the place and manner prescribed by regulations made under this Act.

(2) If any such load vehicle on which the above particulars Penalty. are not painted as aforesaid is driven, led, or conducted on a public highway, the owner of the vehicle shall be liable to a penalty not exceeding pounds nor less than shillings.

Stage carriages.

7. (1) A stage carriage, to which this Act applies, shall have Stage carriages; width of tires. the wheels thereof fitted with tires having a bearing surface of at least three-and-a-half inches.

(2) If any such stage carriage, in which the bearing surface Penalty. of any tire is not as above prescribed, is driven on a public highway, the owner of the carriage shall be liable to a penalty not exceeding *ten* pounds nor less than *forty* shillings.

General and supplemental.

8. (1) For the purpose of enforcing compliance with the Inspectors may be appointed; powers to inspect, measure, and weigh. requirements of this Act the Governor may appoint inspectors. And any inspector, appointed as aforesaid, and any member of the police force or officer of a municipal council may—

- (a) Examine any load vehicle, or stage carriage to which this Act applies and the load on such vehicle, and examine and measure the axles and tires of any such vehicle or carriage.
- (b) Require the person driving, leading, or conducting any such load vehicle to produce for his inspection all way-bills or other documents in the possession or under the control of the said person containing a description of the nature or weight of the load.
- (c) Require the person driving, leading, or conducting any such load vehicle to take the vehicle together with any load (if any) thereon to any weighbridge or other suitable weighing machine, situate within a distance of one mile from any place where the vehicle then or at any time thereafter may be, and to weigh the vehicle and load together, if the vehicle be loaded, but if not, to weigh the vehicle alone on the weighbridge or weighing machine.

(2)

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(2) If any person driving, leading, or conducting any such ^{Penalty.} load vehicle or stage carriage—

- (a) obstructs, hinders, or delays an inspector, member of the police force, or officer of a municipal council in the exercise of any power conferred on him by this section; or
- (b) refuses when required to afford reasonable assistance to an inspector, member of the police force, or officer of a municipal council in the exercise of any such power; or
- (c) upon request being duly made neglects or refuses to do anything which by this section he may be required to do, he shall be liable to a penalty not exceeding *five* pounds nor less than *forty* shillings.

9. The Governor may at any time after the passing of this Act ^{Governor may make regulations.} make regulations for carrying this Act into effect, and may in those regulations impose any penalty not exceeding *five* pounds for any breach of the same.

The regulations shall be published in the Gazette and shall thereupon have the force of law. All regulations under this Act shall be laid before both Houses of Parliament without delay.

10. Penalties imposed by this Act or by any regulations made ^{Recovery of penalties.} thereunder, may be recovered before a stipendiary or police magistrate, or any two justices of the peace in petty sessions.

SCHEDULE.

| 1. | 2. | 3. | 4. |
|-------------------|--|--|-----------------------------|
| Number of wheels. | Diameter of axle. | Width of bearing surface of each tire. | Maximum load to be carried. |
| 2 | Not greater than $2\frac{1}{4}$ inches | Inches. $2\frac{1}{2}$ | Tons. 1 |
| 2 | Greater than $2\frac{1}{4}$ but not greater than $2\frac{1}{2}$ inches | 3 | 2 |
| 2 | " $2\frac{1}{2}$ inches | 4 | No limit. |
| 4 | Not greater than $2\frac{1}{2}$ inches | 3 | $3\frac{1}{2}$ |
| 4 | Greater than $2\frac{1}{2}$ but not greater than $2\frac{3}{4}$ inches | $3\frac{1}{2}$ | 4 |
| 4 | " $2\frac{3}{4}$ " " 3 " ... | $4\frac{1}{2}$ | 5 |
| 4 | " 3 " " $3\frac{1}{4}$ " ... | 5 | 6 |
| 4 | " $3\frac{1}{4}$ " " $3\frac{1}{2}$ " ... | 6 | 8 |
| 4 | " $3\frac{1}{2}$ " " $3\frac{3}{4}$ " ... | 7 | 10 |
| 4 | " $3\frac{3}{4}$ " " 4 " ... | 8 | 12 |
| 4 | " 4 inches | 9 | No limit. |