

No. , 1901.

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 to those objects.

BE it enacted by the King'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, 1901."

Width of Tires.

2

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.
- “Inspector” means inspector appointed under this Act.
- “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.
- “Public road” means road open to public traffic, and which or any part of which has been cleared, formed or constructed.
- “Stage carriage” means open or close coach carriage or other wheeled vehicle.

Definitions.

3. This Act shall apply to every load vehicle and to 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, where such vehicle or carriage has been fitted with new wheels or axles or built after the commencement of this Act.

Vehicles and carriages to which this Act applies.

Load vehicles.

4. (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 of a diameter measured at the shoulder of the axle arm, 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 road, 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 road 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.

5.

Width of Tires.

3

5. (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 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.

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

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

Penalty.

Stage carriages.

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

Stage carriages; width of tires.

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

Penalty.

General and supplemental.

7. For the purpose of enforcing compliance with the requirements of this Act the Governor may appoint inspectors

Inspectors may be appointed.

8. The person driving, leading, or conducting a load vehicle to which this Act applies shall have in his possession and produce for inspection when requested to do so by an inspector or a member of the police force or officer of a municipal council, a waybill or other document containing a description of the nature and weight of the load (if any) on the vehicle, and if he fails to comply with any requirements of this section, he shall be liable to a penalty not exceeding *five* pounds nor less than *forty* shillings.

Driver to have waybill and produce the same.

9. Any inspector and any member of the police force or officer of a municipal council may—

Powers to inspect, measure, and weigh.

(a) Examine any load vehicle or stage carriage and the load on such vehicle, and measure the axles and tires of any such vehicle or carriage.

(b) Require the person driving, leading, or conducting any load vehicle to which this Act applies, 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)

Width of Tires.

4

(2) If any person driving, leading, or conducting any load vehicle or stage carriage—

(a) obstructs, hinders, or delays an inspector, member of the police force, or officer of a municipal council, or refuses when required to afford him reasonable assistance in the exercise of any power conferred by this section, or

(b) 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.

10. The Governor may 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. Governor may make regulations.

The regulations shall be published in the Gazette and shall be laid before both Houses of Parliament without delay.

11. Penalties imposed by this Act or by any regulations made thereunder, may be recovered in a summary way before a court of petty sessions. Recovery of penalties.

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.