



ANNO VICESIMO NONO

ELIZABETHAE II REGINAE

A.D. 1980

No. 25 of 1980

An Act to amend the Road Traffic Act, 1961-1979.

[Assented to 17th April, 1980]

BE IT ENACTED by the Governor of the State of South Australia, with the advice and consent of the Parliament thereof, as follows:

Short titles.

1. (1) This Act may be cited as the "Road Traffic Act Amendment Act (No. 2), 1980".

(2) The Road Traffic Act, 1961-1979, is hereinafter referred to as "the principal Act".

(3) The principal Act, as amended by this Act, may be cited as the "Road Traffic Act, 1961-1980".

**Commence-
ment.**

2. This Act shall come into operation on a day to be fixed by proclamation.

**Amendment of
principal Act,
s. 20—
Signs indicating
that works are
in progress on
a road.**

3. Section 20 of the principal Act is amended—

(a) by striking out subsection (2) and inserting in lieu thereof the following subsections:—

(2) A public authority may, with the approval of the Board or of a person appointed by the Board to give approvals under this section, place signs on a road for the purpose of indicating a maximum speed to be observed by drivers while driving on a portion of a road on which works are in progress, or on which men are working.;

(2a) The maximum speed to be indicated by signs placed on a road in pursuance of this section shall be—

(a) in relation to a portion of a road on which works are in progress—a speed not exceeding 60 kilometres an hour;

or

(b) in relation to a portion of a road on which men are working—a speed not exceeding 25 kilometres an hour.

and

(b) by inserting after subsection (3) the following subsection:—

(4) While driving a motor vehicle on a portion of a road between signs placed in pursuance of this section, a person shall not drive at a speed greater than the speed indicated by the signs.

4. Section 49 of the principal Act is amended—

Amendment of principal Act, s. 49—
Speed limits.

(a) by striking out paragraph (c) of subsection (1) and inserting in lieu thereof the following paragraph:—

(c) 25 kilometres an hour on a portion of a road that is between a sign bearing the word “School” and a further sign bearing the words “End School Limit” at a time when children proceeding to or from a school are on that portion of the road;;

and

(b) by striking out paragraph (e) of subsection (1).

5. Section 63 of the principal Act is amended by inserting after subsection (5) the following subsection:—

Amendment of principal Act, s. 63—
Giving way at intersections and junctions.

(6) For the purposes of this section, traffic lights shall not be regarded as operating if they are merely displaying a flashing yellow light.

6. The following section is enacted and inserted in the principal Act after section 162ab thereof:—

Enactment of s. 162ac of principal Act.

162ac. (1) Where—

Child restraints.

(a) a child is in a motor vehicle while the vehicle is in motion;

(b) there is a seating position in the motor vehicle equipped with a child restraint and unoccupied by another child,

the child must occupy a seating position equipped with a child restraint and the child restraint must be properly adjusted and securely fastened.

(2) Where—

(a) a child is in a motor vehicle while the vehicle is in motion;

(b) either—

(i) there is no seating position in the motor vehicle equipped with a child restraint;

or

(ii) the seating positions equipped with child restraints are occupied by other children;

(c) the motor vehicle is equipped with front and back seats, and there is a seating position in the back seat unoccupied by another child,

the child must occupy a seating position in the back seat.

(3) Subsection (1) of this section does not apply in relation to a child under the age of one year if the child is occupying a position in the back seat of the motor vehicle, or if the motor vehicle is equipped with a front seat only.

(4) A person shall not drive a motor vehicle while a requirement of subsection (1) or subsection (2) of this section is not complied with.

(5) It shall be a defence to a charge under subsection (4) of this section for the defendant to prove that there are in the circumstances of the case special reasons justifying non-compliance with the requirements of this section.

(6) In this section—

“child” means a child under the age of eight years:

“child restraint”, in relation to a motor vehicle, means a device—

(a) for restraining movement of a child in the event of rapid acceleration or deceleration of the vehicle;

and

(b) of a kind declared by regulation to be a child restraint.

In the name and on behalf of Her Majesty, I hereby assent to this Bill.

K. D. SEAMAN, Governor