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Deputy Chief Parliamentary Counsel
Dated 12 December 2022



TASMANIA

TRAFFIC ACT 1925

No. 38 of 1925

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TRAFFIC ACT 1925

No. 38 of 1925

An Act to consolidate and amend the law relating to vehicular and other traffic

[Royal Assent 11 December 1925]

Be it enacted by His Excellency the Governor of Tasmania, by and with the advice and consent of the Legislative Council and House of Assembly, in Parliament assembled, as follows:

PART I – PRELIMINARY

1. Short title and commencement

This Act may be cited as the *Traffic Act 1925*, and shall come into force on 1st January 1926.

2. Act does not apply to aircraft

This Act does not apply to aircraft.

3. Interpretation

(1) In this Act, unless the contrary intention appears

—

Commission means the Transport Commission incorporated under the *Transport Act 1981*;

council clerk means a general manager within the meaning of the *Local Government Act 1993*;

Director, MPES means the Director, Monetary Penalties Enforcement Service appointed under section 8 of the *Monetary Penalties Enforcement Act 2005*;

horses include asses, mules, and other draught animals or beasts of burden;

motor vehicle race has the same meaning as it has for the purposes of Division III of Part VI of the *Police Offences Act 1935*;

notice of demand means a notice of demand served under section 43G;

officer of the Commission means a person appointed or employed pursuant to section 8 of the *Transport Act 1981*;

parking offence means an offence arising by reason of a vehicle being placed, left, or allowed to remain in a stationary position

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in any street or part of a street contrary to the regulations made under this Act;

public passenger vehicle means a motor vehicle that is used to operate a passenger transport service within the meaning of the *Passenger Transport Services Act 2011*;

public street means any street, road, lane, thoroughfare, footpath, bridge, or place open to or used by the public, or to which the public have or are permitted to have access, whether on payment of a fee or otherwise;

registered operator of a motor vehicle or a trailer means the registered operator for the purposes of the *Vehicle and Traffic Act 1999* or a corresponding law and includes –

- (a) in the case of a vehicle to which a trade plate under the *Vehicle and Traffic Act 1999* or a similar device under a corresponding law is affixed – the person to whom the trade plate or similar device was issued; or
- (b) in the case of a vehicle for which a short term unregistered vehicle permit under the *Vehicle and Traffic Act 1999* or a similar authorisation under a corresponding law has been

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issued – the person to whom the permit or authorisation was issued;

the regulations means regulations made and in force under this Act;

reliability trial has the same meaning as it has for the purposes of Division III of Part VI of the *Police Offences Act 1935*;

Road Rules means the rules made under section 31A;

traffic infringement notice has the meaning assigned to that expression by section 43H(1);

vehicle includes any description of vehicle designed to move or to be moved on one or more wheels or revolving runners, and any truck, barrow, or similar vehicle, but, except as may be expressly prescribed by regulations, does not include a vehicle constructed or adapted for propulsion on rails only.

- (2) This Act is to be read together with the *Vehicle and Traffic Act 1999* as a single Act and accordingly –
- (a) words and expressions used in this Act that are defined under the *Vehicle and Traffic Act 1999* (and not in this Act) have, unless the contrary intention appears, the same respective meanings; and

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4 - 8

(b) a reference to “this Act” extends, unless the contrary intention appears, to both Acts.

(3)

4 - 8.

9. Administration of Act

(1) This Act shall be administered by the Commission, all police officers, and such other State Service officers and State Service employees, if any, as shall be appointed for that purpose.

(2) Where, under this Act or the *Vehicle and Traffic Act 1999*, any power or right may be exercised by an authorised officer, or any act is authorised or required to be done by or in respect of an authorised officer, that power may be exercised by, and that act may be done by or in respect of –

- (a) an officer of the Commission; or
- (b) an officer of a local authority; or
- (c) another person; or
- (d) persons of a specified class –

authorised in writing by the Commission in that behalf.

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- (2A) A person referred to in subsection (2)(c) may but need not be a State Service employee.
- (2B) A class of persons referred to in subsection (2)(d) may but need not be a class of State Service employees.
- (3) The Commission may only authorise an officer of a local authority to exercise a power or right in respect of, or in respect of the prevention of, prescribed offences within the municipal area of that local authority.

PART II – MOTOR VEHICLES

10. Regulations: Application to the Crown

(1AA)

(1) The Governor may make regulations –

(a - ja)

(jb) providing for and regulating the placement and display of identifying information, such as the name and address of a registered operator and business names, on public passenger vehicles, freight carrying vehicles and other kinds of vehicle specified in the regulations;

(k)

(l) regulating and controlling the speed of motor vehicles in the public streets;

(m - o)

(oa) providing for –

(i) the inspection of motor vehicles and trailers (other than motor vehicles and trailers liable to inspection under the *Vehicle and Traffic Act 1999*); and

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- (ii) the granting of certificates as to the result of those inspections; and
 - (iii) the recovery of the cost of any such inspection or the granting of any such certificate from the registered operator of, or any other person having a right to the possession of, or the right to use, the vehicle in respect of which the inspection is made or the certificate granted;
- (p - rb)
- (rc) providing, either generally or in particular cases, requirements to be met in relation to freight carrying vehicles and other kinds of vehicle specified in the regulations, including the accommodation to be provided and the number of passengers, and the amount or mass of luggage or goods, that may be carried;
 - (rd) providing for and regulating the operation of public passenger vehicles generally;
 - (re) providing for and regulating the use of stands for the use of public passenger vehicles and freight carrying vehicles;
 - (rf)

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(s) prescribing any matter or thing in connection with the use, possession, or ownership of motor vehicles which the Governor may deem necessary or expedient for the safety of the public, for the protection of property, or otherwise in the public interest;

(sa)

(t) regulating the keeping and use of petroleum, or any other inflammable or explosive liquid or fuel used for the purpose of motor vehicles, notwithstanding anything to the contrary in any enactment relating to petroleum or to any other inflammable or explosive liquid or fuel.

(u)

(1A - 8)

(9) Regulations made under this section may –

(a) apply generally or be limited in their application by reference to specified exemptions or specified factors; and

(b) apply differently according to different factors, limitations or restrictions of a specified kind.

10AA - 14A.

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Part III –

PART III –

14AB - 30.

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Part IIIA – Provisions Relating to Appeals from Decisions of the Commission

**PART IIIA – PROVISIONS RELATING TO APPEALS
FROM DECISIONS OF THE COMMISSION**

30A - 30C.

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31. Regulations on recommendation of committee or council

(1) The Governor may make regulations prescribing all matters and things which may be necessary or desirable for regulating and controlling the driving, using, and having in possession of any vehicle or class of vehicle in any public street or any specified part thereof; and prohibiting in any such street or part any act, matter, or thing calculated to cause damage to such street or to cause injury, danger, inconvenience, or annoyance to the public or any person or to any property; or regulating the doing of any such act, matter, or thing, for the purpose of obviating or minimizing such damage, injury, danger, inconvenience, or annoyance as aforesaid; and in addition to any other powers hereby conferred may make regulations –

(a - za)

(zb) prescribing the persons by, and to whom, the times at which, and the manner in which, notification of accidents in respect of vehicles shall be given;

(zc) prescribing any matter in connection with the use of, or traffic upon, the public streets which the Governor may deem necessary or expedient for the safety or convenience of the public, or otherwise in the public interest.

(zd - zk)

(2 - 6)

31A. Nationally uniform road traffic laws

- (1) The Governor may, to further any scheme or agreement aimed at promoting or creating uniform or consistent national road transport legislation, make rules prescribing –
 - (a) road traffic laws that are uniform or essentially uniform, in content and style, with the road traffic legislation of other Australian jurisdictions; and
 - (b) all matters necessary or convenient to be prescribed for explaining, administering, enforcing or otherwise giving effect to or complementing those road traffic laws.
- (2) Without limiting the generality of subsection (1), the rules may apply to or provide for any matter that regulations under Part 2 of the *Road Transport Reform (Vehicles and Traffic) Act 1993* of the Commonwealth may apply to or provide for.
- (3) The rules may, for the purpose of consolidating the State’s road traffic laws, include rules prescribing road traffic laws that are peculiar to the State.
- (4) The rules may provide that any guide, diagram, example, note or other explanatory or illustrative

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item set out in those rules is, or is not, a part of the rules.

- (5) The rules may –
 - (a) be of limited or general application; and
 - (b) be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the rules; and
 - (c) impose a duty or confer a power on a specified person or a specified class of persons; and
 - (d) authorise any matter to be from time to time determined, applied or regulated by the Commission, the Commissioner of Police or a specified person; and
 - (e) provide for exemptions from the rules; and
 - (f) provide for any transitional matters.
 - (g)
- (6) The rules may –
 - (a) provide that a contravention of any of the rules is an offence; and
 - (b) in respect of such an offence, provide for the imposition of a fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not

exceeding 2 penalty units for each day during which the offence continues.

32. Reckless driving

- (1) A person who drives a motor vehicle on a public street recklessly, having regard to all the circumstances of the case, including the nature, condition, and use of the public street and the amount of traffic that actually is at the time or that might reasonably be expected to be on the public street, is guilty of an offence against this Act and is liable on summary conviction to –
 - (a) a penalty not exceeding 20 penalty units, or to imprisonment for a term not exceeding 2 years, or both, for a first offence; and
 - (b) a penalty not exceeding 40 penalty units, or to imprisonment for a term not exceeding 4 years, or both, for a second or subsequent offence.
- (1A) For the avoidance of doubt, a second or subsequent offence under subsection (1) includes any offence under that subsection whether the offence occurred before or after the commencement of the *Criminal Code Amendment (Dangerous Driving) Act 2017*.
- (2) A person must not drive a motor vehicle on a public street negligently.

Penalty: Fine not exceeding 5 penalty units.

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- (2A) A person must not cause the death of another person by driving a motor vehicle on a public street negligently.

Penalty: In the case of –

- (a) a first offence, a fine not exceeding 10 penalty units and imprisonment for a term not exceeding 2 years; and
- (b) a subsequent offence, a fine not exceeding 20 penalty units and imprisonment for a term not exceeding 3 years.

- (2B) A person must not cause grievous bodily harm to another person by driving a motor vehicle on a public street negligently.

Penalty: In the case of –

- (a) a first offence, a fine not exceeding 10 penalty units and imprisonment for a term not exceeding 1 year; and
- (b) a subsequent offence, a fine not exceeding 20 penalty units and imprisonment for a term not exceeding 18 months.

- (2C) For the purpose of determining whether a person is driving a motor vehicle on a public street negligently, the following are to be taken into account:

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- (a) the circumstances of the case;
 - (b) the nature, condition and use of the public street;
 - (c) the amount of traffic that is actually at the time, or that might reasonably be expected to be, on the public street.
- (3) Notwithstanding any other law to the contrary, proceedings in respect of offences under subsection (1) shall be heard and determined by a magistrate sitting alone.
- (4 - 4B)
- (5) A person may lawfully be charged and convicted of an offence under this section notwithstanding that death or bodily harm has resulted from the driving of the motor vehicle in the circumstances that are the subject of the charge and that he might have been charged with a crime under the *Criminal Code* arising out of the same circumstances.
- (6) A police officer may apprehend without warrant the driver of a motor vehicle who commits an offence under subsection (1) within his view if the driver refuses to give his name and address when required so to do by the police officer.
- (7) If the driver of a motor vehicle who commits an offence under subsection (1) refuses to give his name and address when required so to do, or gives a false name or address, he is guilty of an offence against this Act, and it is the duty of the owner or the registered operator of the vehicle, if

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required by a police officer, to give any information that it is within his power to give, and that may lead to the identification and apprehension of the driver, and if the owner or the registered operator fails to do so he also is guilty of an offence against this Act.

33. Duty of driver to stop and assist in case of accident

(1) In this section –

crash includes –

- (a) a collision between 2 or more vehicles; or
- (b) any other accident or incident in which a person is or may have been killed or injured, property is or may have been damaged, or an animal in someone's charge is or may have been injured;

driver means a person –

- (a) driving a vehicle; or
- (b) riding, leading or otherwise in charge of an animal.

(2) A driver who is involved in a crash must –

- (a) stop immediately; and
- (b) stay at the scene of the crash; and

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- (c) give any assistance which may be necessary or practicable in the circumstances and which it is in the driver's power to give.

Penalty: Fine not exceeding 80 penalty units or imprisonment for a term not exceeding 2 years, or both.

- (3) The driver is not guilty of an offence under this section if he or she leaves the scene of the crash solely for the purposes of seeking medical, police or other emergency assistance in connection with the crash.
- (4) It is a defence to a charge under this section that the driver was unaware that the crash had occurred and that the lack of awareness was not due to carelessness or recklessness.

33A - 40.

41. Refusing to give name and address, &c.

- (1) A person who, when required by a police officer or an authorised officer in the execution of his duty under this Act or the *Vehicle and Traffic Act 1999* –
 - (a) to give that person's name, age, or the address of his place of residence; or
 - (ab) where that person is the owner or registered operator of a vehicle, to give –

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- (i) the name and address of the place of residence of any person who on a specified occasion was the driver of the vehicle; or
 - (ii) if that person held an Australian driver licence, the number of the licence and the State or Territory in which it was issued; or
- (b) where that person is the driver of a vehicle and is not the owner or registered operator of the vehicle – to give the name and the address of the place of residence of the owner or registered operator of the vehicle –

fails or refuses to do so, or gives particulars which he knows are likely to mislead the police officer or authorised officer, is guilty of an offence against this Act.

- (2) Where a request is made of a person by a police officer or authorised officer under subsection (1)(ab) or (b), that person is not guilty of an offence under this Act by reason of his failure to give the name and address of the place of residence of the owner or registered operator of the vehicle he is driving if he proves to the satisfaction of the court before which he is prosecuted for that offence that he did not know, and could not with reasonable diligence have ascertained and given, the particulars requested.

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- (3) A police officer may arrest a person without warrant if that person, in response to a request made by the officer under subsection (1)(a) –
- (a) refuses to give his name or the address of his place of residence; or
 - (b) gives a name or an address of a place of residence that the officer has reasonable grounds for believing is false or misleading.
- (4) A police officer or authorised officer in the execution of his or her duty under this Act or the *Vehicle and Traffic Act 1999* may require a person giving particulars under this section –
- (a) to sign his or her name; or
 - (b) to provide any such particulars in writing supported by statutory declaration –
- and a person who fails to comply with any such requirement is guilty of an offence against this Act.
- (5) In the application of subsection (4) to a body corporate, the statutory declaration is to be made by –
- (a) a director, secretary or manager of the body corporate; or
 - (b) any other person who, in the opinion of the police officer or authorised officer –
 - (i) substantially controls its affairs;
or

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- (ii) is able to provide any information relating to the use of the vehicle at the time of the alleged offence.

41A. Power of police officer to forbid incapable person to drive, &c.

- (1) Where a police officer is of the opinion that a person who is for the time being in charge of a motor vehicle is, by reason of his physical or mental condition, however arising, incapable of having proper control of the motor vehicle, the police officer may –
 - (a) forbid that person to drive the motor vehicle;
 - (b) direct that person to deliver up to the police officer forthwith all ignition keys and other keys of the motor vehicle that are in that person's possession; and
 - (c) take such steps as may be necessary to render the motor vehicle immobile or to remove it to a place of safety.
- (2) A person who fails to comply with a direction given to him under subsection (1) or does an act that is for the time being forbidden under that subsection is guilty of an offence against this Act, but no person shall be convicted of an offence under this subsection unless the court before which he is charged is satisfied that the police officer had reasonable grounds for believing that, in all the circumstances of the case, the direction or prohibition was necessary

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in the interests of the defendant, or of any other person, or of the public.

- (3) Subject to subsection (4), where a police officer exercises the powers conferred by subsection (1), he shall retain the ignition keys and other keys of the motor vehicle and cause the motor vehicle to be kept immobile or in a place of safety until such time as, in his opinion, the person referred to in the last-mentioned subsection is capable of having proper control of the motor vehicle.
- (4) Notwithstanding anything in subsection (3), a person who is directed or forbidden to do anything, pursuant to subsection (1), may, at the time when the direction or prohibition is given or imposed or at any time thereafter, request that –
 - (a) his capacity to have proper control of the motor vehicle be determined by a police officer (in this subsection referred to as “the senior police officer”) of a higher rank than the police officer who gave the direction or imposed the prohibition, if the last-mentioned police officer is of a rank lower than inspector; or
 - (b) he be permitted to submit himself for examination by a medical practitioner –

and if it is reasonably practicable that the request be granted the police officer who gave the direction or imposed the prohibition shall make the necessary arrangements accordingly, and if the senior police officer or the medical

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practitioner, as the case may be, certifies that he is of the opinion that that person is capable of having proper control of the motor vehicle, the police officer who has possession of the ignition keys and other keys of the motor vehicle shall forthwith return them to that person and, if the motor vehicle has been rendered immobile, shall also without further delay cause it to be again returned to running order.

41B. Power of police officer to temporarily confiscate personal mobility devices, wheeled recreational devices and wheeled toys

(1) In this section –

adult means a person who has attained the age of 17 years;

Commissioner means the Commissioner of Police;

contravention includes a failure to comply;

personal mobility device means a personal mobility device within the meaning of the *Road Rules*;

wheeled recreational device means a wheeled recreational device within the meaning of the *Road Rules*;

wheeled toy means a wheeled toy within the meaning of the *Road Rules*.

(2) A police officer who reasonably believes that a person apparently in charge of a personal

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mobility device, wheeled recreational device or wheeled toy is using it contrary to the *Road Rules* may, having regard to the circumstances of the contravention and any attendant danger to the person or the public, seize and detain the device or toy.

- (3) Subsection (2) has effect whether or not the police officer takes any other action regarding the contravention.
- (4) The police officer, on seizing the personal mobility device, wheeled recreational device or wheeled toy, must inform the person how it may be re-claimed.
- (5) After 7 days the Commissioner must, when practicable, release the personal mobility device, wheeled recreational device or wheeled toy on request to –
 - (a) the person from whom it was seized if the person is then an adult; or
 - (b) if the person from whom it was seized is not then an adult –
 - (i) the person's parent or guardian; or
 - (ii) an adult who is legally entitled to take possession of the device or toy.
- (6) If the personal mobility device, wheeled recreational device or wheeled toy is not re-claimed and released within 30 days of its

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seizure, the Commissioner must make a reasonable attempt to notify the person from whom it was seized that, if not re-claimed, the device or toy will be forfeited to the Crown after a further 30 days.

- (7) If, after the Commissioner has complied with subsection (6), the personal mobility device, wheeled recreational device or wheeled toy has still not been re-claimed and released within the further 30 days it is forfeited to the Crown and may be sold or otherwise disposed of as the Commissioner sees fit.

41C. Road authorities not liable if roads, &c., unsuitable for wheeled recreational devices and toys

- (1) In this section –

edge line for a road, means a line marked along the road at or near the far left or far right side of the road (excluding any road-related area);

road means an area that is open to or used by the public and is developed for, or has as one of its main uses, the driving or riding of motor vehicles and includes –

- (a) a road shoulder; and
- (b) a road-related area;

road authority means a person, body corporate or body politic responsible for

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designing, constructing, maintaining or managing roads;

road-related area means any of the following:

- (a) an area that divides a road;
- (b) a footpath or nature strip adjacent to a road;
- (c) an area that is not a road but is open to the public and designated for use, whether exclusively or otherwise, by cyclists or animals;
- (d) an area that is not a road but is open to or used by the public for driving, riding or parking vehicles;

road shoulder means any part of a road that is not designed to be used by motor vehicles in travelling along the road, and includes –

- (a) for a kerbed road, any part of the kerb; and
- (b) for a sealed road, any unsealed part of the road and any sealed part of the road outside the edge line of the road –

but does not include a footpath or any other kind of path;

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wheeled recreational device means a wheeled recreational device within the meaning of the *Road Rules*;

wheeled toy means a wheeled toy within the meaning of the *Road Rules*.

- (2) A road authority does not incur any civil liability for an act or omission on its part in the design, construction, maintenance or management of a road to take account of the fact that the users or potential users of the road may include riders of wheeled recreational devices and wheeled toys.

41CA. Declaration of road for use by personal mobility devices

- (1) In this section –

personal mobility device means a personal mobility device within the meaning of the *Road Rules*;

PMD user means a PMD user within the meaning of the *Road Rules*;

road authority has the same meaning as in section 41C;

speed-limited road means a road on which the speed-limit for drivers on that road is not greater than 50 kilometres per hour.

- (2) The road authority for a speed-limited road may, by notice published in the *Gazette*, declare that road to be a road on which a PMD user may

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travel, subject to such terms and conditions as are specified in the notice.

- (3) The terms and conditions specified in a notice under subsection (2) must not be inconsistent with a provision of this Act or the *Road Rules*.
- (4) Before making a declaration under subsection (2), the road authority is to consider the following in respect of the road:
 - (a) safety;
 - (b) efficiency;
 - (c) use of the road;
 - (d) risk mitigation.
- (5) If a road authority makes a declaration under subsection (2), that road authority is to publish a copy of that declaration on a website of the road authority and is to ensure that a copy of the declaration remains on the website while the declaration remains in force.
- (6) A notice under this section is not a statutory rule for the purposes of the *Rules Publication Act 1953*.

41D. Seizure of detection devices

- (1) A police officer or authorised officer who has reasonable grounds for believing that a motor vehicle is equipped with a detection device may –

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- (a) enter and search the motor vehicle; and
 - (b) doing as little damage as possible in the circumstances, seize any device that appears to the police officer or authorised officer to be a detection device; and
 - (c) cause any device so seized to be tested; and
 - (d) cause any device so seized to be produced in court as evidence in any proceedings under the *Road Rules*.
- (2) If a person is convicted of an offence under the *Road Rules* relating to the possession or use of a detection device, the detection device to which the offence relates is forfeited to the Crown.
- (3) In this section –
- detection device*** means –
- (a) a device for preventing the effective use of a speed-measuring device; or
 - (b) a device for detecting the use of a speed-measuring device.

41E. Seizure of vehicles

- (1) A police officer may seize a vehicle and remove it to a place of safe storage if –
- (a) it is obstructing access to or from adjacent land; or

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- (b) the officer reasonably believes that it has been abandoned; or
- (c) the officer reasonably believes that it has been left in a dangerous position; or
- (d) it has been involved in an accident and the officer reasonably considers that it may need to be examined, or used as evidence, in any proceedings under this Act.

(2) In this section –

adjacent land means adjacent land within the meaning of the *Road Rules*.

41F. Disposal of seized vehicles

- (1) This section applies to a vehicle that has been seized under section 41E.
- (2) The registered operator of the vehicle is liable to pay the reasonable expenses of removing and storing the vehicle.
- (3) The Commissioner of Police must, as soon as practicable after the seizure, cause reasonable steps to be taken to inform the registered operator of the seizure, and the provisions of this section.
- (4) If the registered operator is informed of the seizure and does not claim the vehicle and pay the expenses within one month after the date of being so informed, the Commissioner of Police may cause the vehicle to be –

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- (a) sold privately or by auction or public tender and use any money received from the sale to defray the expenses; or
 - (b) disposed of in such manner as the Commissioner of Police thinks fit if he or she reasonably considers that the vehicle could not be sold for an amount greater than the amount of the expenses.
- (5) If reasonable steps to locate the registered operator have been unsuccessful, the Commissioner of Police may act under subsection (4)(a) or (b) after the expiration of the period of one month from the date of seizure.
- (6) If the proceeds of a sale under this section exceed the amount of the expenses, the Commissioner of Police is to hold the balance for a period of 3 months from the date of sale and, if the balance is not claimed by the registered operator during that period, pay the balance into the Public Account.

41G. Hazardous lights and reflectors

- (1) A person must not, without lawful excuse, display on or near a road a light or reflector that does, or is likely to do, any of the following:
- (a) be reasonably mistaken by a driver for the flashing light of an emergency vehicle;
 - (b) dazzle or distract a driver;

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- (c) mislead or confuse a driver;
- (d) interfere with the operation or effectiveness of any traffic lights, traffic arrows or overhead lane control signals.

Penalty: Fine not exceeding 10 penalty units.

- (2) A person must not display a light or reflector on or near a road if the person has been given written notice by the Commission that the light or reflector constitutes a traffic hazard.

Penalty: Fine not exceeding 20 penalty units.

- (3) A police officer or authorised officer who reasonably considers that a person is committing an offence under subsection (1) or (2) may direct that person or any employee or agent of that person to adjust, disconnect, move or cover the light or reflector so that it no longer constitutes a traffic hazard.

- (4) A person must obey a direction given to the person under subsection (3).

Penalty: Fine not exceeding 20 penalty units.

- (5) If a person disobeys a direction given to the person under subsection (3), the police officer or authorised officer who gave the direction may, doing as little damage as possible in the circumstances, take such action as the police officer or authorised officer reasonably considers necessary in the circumstances to eliminate the traffic hazard posed by the light or reflector and may, for that purpose, enter the premises.

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(6) In this section –

emergency vehicle means an emergency vehicle within the meaning of the *Road Rules*;

overhead lane control signals means overhead lane control signals within the meaning of the *Road Rules*;

traffic arrows means traffic arrows within the meaning of the *Road Rules*;

traffic lights means traffic lights within the meaning of the *Road Rules*.

41H. Obscuring traffic control devices

- (1) A person must not, without lawful excuse, place or display anything on or near a road that –
- (a) obscures a traffic control device; or
 - (b) interferes with the operation or effectiveness of a traffic control device; or
 - (c) prevents, or is likely to prevent, a driver approaching or at a traffic control device from clearly seeing that traffic control device.

Penalty: Fine not exceeding 20 penalty units.

(2) In this section –

traffic control device means a traffic control device within the meaning of the *Road Rules*.

41I. Tampering with traffic control devices

(1) A person must not, without lawful excuse –

- (a) alter, deface or obscure a traffic control device; or
- (b) damage, dismantle or destroy a traffic control device; or
- (c) remove a traffic control device from the place where it has been lawfully placed or erected.

Penalty: Fine not exceeding 40 penalty units.

(2) In this section –

traffic control device has the same meaning as in section 41H.

41J. Unlawful road markings

(1) A person must not, without lawful excuse, mark or otherwise place on a road anything that purports to be a road marking.

Penalty: Fine not exceeding 20 penalty units.

(2) In this section –

mark means mark by the use of paint, tape or other means;

paint includes wash and chalk;

road marking means a road marking within the meaning of the *Road Rules*.

42. Use of loudspeakers on or from vehicles

- (1) A person must not use a loudspeaker on or from a vehicle unless –
 - (a) the person has a permit to do so; or
 - (b) the person is a police officer, emergency worker or transport inspector acting in the course of his or her duty as a police officer, emergency worker or transport inspector.

Penalty: Fine not exceeding 10 penalty units.

- (2) Permits for this section are issued by senior police officers and any person may apply in writing for such a permit.
- (3) In determining whether or not to grant an application for a permit, a senior police officer –
 - (a) must consider the safety and convenience of the public and, if applicable, the arrangements made for the safety and convenience of participants in the relevant activity; and
 - (b) must, if the relevant activity is of a political character, have regard to the principle that people should be free to engage in lawful political activities; and

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- (c) may have regard to such other considerations as appear relevant in the circumstances.
- (4) A permit –
- (a) is to be in such form as the senior police officer issuing it considers appropriate in the circumstances; and
 - (b) may be issued only for a specific date or dates, or for a specific period not exceeding 10 days; and
 - (c) may be made subject to such reasonable conditions as the issuing officer considers necessary or expedient in the interests of public safety; and
 - (d) must specify the name of the permit holder and the name, or a description, of the relevant activity; and
 - (e) must also specify the location or, if applicable, route of the relevant activity and the date, dates or period when it will be held.
- (5) A permit –
- (a) may be surrendered but is not capable of being amended, renewed or transferred; and
 - (b) is not a defence to an action or indictment for nuisance.

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- (6) The holder of a permit must not contravene a condition of the permit.

Penalty: Fine not exceeding 10 penalty units.

- (7) The holder of a permit must immediately produce it to a police officer on demand.

Penalty: Fine not exceeding 10 penalty units.

- (8) In this section –

emergency worker means an emergency worker within the meaning of the *Road Rules*;

relevant activity means the fundraising, political or other activity for which a person proposes to use a loudspeaker on or from a vehicle;

transport inspector means an authorised officer who has been identified as a transport inspector by the Commission.

43. Removal of things obstructing public streets

- (1) In this section –

article includes rubbish and goods, but does not include a vehicle;

authorised person means –

- (a) in the case of a public street anywhere in the State, a police officer; or

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- (b) in the case of a public street in a municipal area, a person who is an employee or agent of the responsible council and has the approval of that council to exercise power under this section within that area;

relevant authority means –

- (a) in relation to an authorised person who is a police officer, the Commissioner of Police; or
 - (b) in relation to an authorised person who is an employee or agent of a council, that council.
- (2) If an article is placed or left in a public street to the obstruction, annoyance or danger of road users, nearby residents or other persons, an authorised person may –
- (a) remove the article or cause it to be removed; and
 - (b) take the article, or cause it to be taken, to a place of safety; and
 - (c) detain the article, or cause it to be detained, until the expenses of removing, taking and detaining it are paid to the relevant authority.
- (3) The relevant authority must, as soon as practicable after the removal, take reasonable

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steps to inform the article's owner of the action taken and the terms of this section.

- (4) If –
 - (a) reasonable steps to inform the owner within 30 days after the date of removal prove unsuccessful; or
 - (b) the owner is informed of the removal within those 30 days but does not pay the required expenses within 14 days after the date of being so informed –

the relevant authority may cause the article to be disposed of in such manner as the authority sees fit and use the proceeds, if any, to defray those expenses.

- (5) If the proceeds of disposal exceed the amount of the expenses, the relevant authority must hold those balance proceeds for a period of 3 months from the date of disposal and, if not claimed by the owner during that period –
 - (a) pay the balance into the Public Account if the relevant authority is the Commissioner of Police; or
 - (b) dispose of the balance as the relevant authority sees fit if it is a council.

43A.

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PART IVA – THE DEMERIT POINTS SYSTEM

43AA - 43F.

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s. 43G

Part IVB – Traffic Infringement Notices

PART IVB – TRAFFIC INFRINGEMENT NOTICES

Division 1 – Notices of demand

43G. Notice of demand

- (1) A police officer or an authorised officer may serve a notice of demand on the registered operator of a vehicle if the officer is satisfied that the driver of that vehicle committed a traffic offence.
- (2) A notice of demand is to –
 - (a) indicate the offence to which it relates; and
 - (b) specify the registration number of the vehicle that was involved in the offence; and
 - (c) specify that the registered operator is to provide to a police officer, or an authorised officer, within 14 days after the registered operator is served with the notice, a statutory declaration stating the name, address and, if known, the date of birth and driver licence number of the driver of the vehicle at the time the offence was committed.
- (3) A registered operator must comply with the notice of demand.

Penalty: Fine not exceeding 40 penalty units.

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s. 43GA

43GA. Statutory declaration naming driver

- (1) A registered operator providing a statutory declaration naming the driver of a vehicle under section 43G(2)(c) is to –
 - (a) state in the statutory declaration his or her full name and address; and
 - (b) state the name, address and, if known, the date of birth and driver licence number of the driver of the vehicle at the time the offence took place.
- (2) A statutory declaration provided under section 43G(2)(c) and naming the driver is prima facie evidence that the person named in the statutory declaration as the driver of the vehicle at the time of the offence was the driver of the vehicle at that time.

43GB. Withdrawal of notice of demand

- (1) A notice of demand that has been served on a registered operator may, whether or not the registered operator has provided a statutory declaration in accordance with the notice, be withdrawn.
- (2) For the purposes of subsection (1), a notice of demand is to be withdrawn –
 - (a) in the case of a notice of demand served on a registered operator by a police officer, by the service on that registered operator of a withdrawal notice in a form

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approved by the Commissioner of Police
and signed by a police officer; and

(b) in the case of a notice of demand served on a registered operator by an authorised officer, by the service on that registered operator of a withdrawal notice in a form approved by the Commissioner of Police and signed by an authorised officer.

(3) If a notice of demand is withdrawn section 43G(3) does not apply.

43GC. Suspension of registration on non-compliance with notice of demand

(1) In this section –

non-complying registered operator means a
body corporate that has –

(a) been taken to have been convicted in accordance with section 20 of the *Monetary Penalties Enforcement Act 2005* of an offence under section 43G(3) in respect of non-compliance with a notice of demand; or

(b) been convicted of that offence by a court.

(2) If a non-complying registered operator is convicted, or taken to have been convicted, of an offence, then, by that conviction, the registration

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of the vehicle specified in the notice of demand is suspended for a period of 14 days starting on the date specified in a notice of suspension served on the registered operator of the vehicle by the Registrar of Motor Vehicles.

- (3) If –
- (a) in the normal course of events, the period of registration of the vehicle referred to in subsection (2) would end, and therefore would need to be renewed, within the 14-day period specified in the notice of suspension –
 - (i) the registration of that vehicle is suspended for that part of that 14-day period during which the registration continues; and
 - (ii) the registration of that vehicle may not be renewed until that 14-day period has ended; or
 - (b) the vehicle is not registered, that vehicle may not be registered, or the registration of that vehicle may not be renewed, until that 14-day period has ended.
- (4) The penalties imposed by subsection (2) in respect of an offence under section 43G(3) are in addition to any other penalty imposed under this Act in respect of that offence.

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s. 43H

Part IVB – Traffic Infringement Notices

Division 2 – Traffic infringement notices

43H. Traffic infringement notices

- (1) Where a police officer or an authorised officer is satisfied that a person has committed a prescribed offence or offences he may serve on that person a notice (in this Act referred to as a “traffic infringement notice”) in respect of that offence or those offences.
- (1A)
- (2) Where proceedings under section 39(2) of the *Monetary Penalties Enforcement Act 2005* are brought against a person for an offence set out in a traffic infringement notice, he or she is not entitled to dispute the date of service of the notice unless, within 21 days after the date of service of the complaint and summons, he or she has submitted a defence to the complaint and summons including notice of his or her intention to dispute that date.
- (3) A traffic infringement notice is to specify the number of demerit points, if any, in respect of the offence or offences to which the notice relates.
- (4) A traffic infringement notice is to be in accordance with section 14 of the *Monetary Penalties Enforcement Act 2005*.
- (4A - 6)

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(6A) A traffic infringement notice served on a person who holds a learner licence (and no other Australian driver licence of a different type) is of no effect (and accordingly any sum paid under a traffic infringement notice by a person who held such a licence when the notice was served must be refunded), unless the offence to which the notice relates is a prescribed offence.

(a - b)

(7 - 8)

43HA. Notification of driver by statutory declaration

(1) Where a person on whom a traffic infringement notice has been served under section 43H provides, within 28 days following service of the notice, a statutory declaration to the relevant police officer or authorised officer stating the name and address of the person who was in charge of the vehicle at all relevant times relating to the alleged offence, the statutory declaration, if produced in any proceedings against the person named in the declaration and in respect of the offence to which the declaration relates, is evidence –

- (a) in the case of a parking offence, that the person named in the declaration was in charge of the vehicle at all times relevant to that offence; or
- (b) in the case of any other prescribed offence, that the person named in the

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declaration was the driver of the vehicle at the time when the offence occurred.

- (2) A statutory declaration made in accordance with this section is to be treated as an application for withdrawal of the traffic infringement notice under section 23(1)(a) or 24(1)(a) of the *Monetary Penalties Enforcement Act 2005*.

43HB. Bodies corporate

A traffic infringement notice may be served on a body corporate.

43J - 43K.

43L. Service of notices

- (1) A traffic infringement notice or notice of demand may be served –
- (a) by fixing it to the vehicle or other thing in respect of which the offence occurred; or
 - (b) by personal delivery; or
 - (c) by post.

- (1AA) Where a traffic infringement notice relates to a red light offence or speeding offence and the offence has been detected by means of a photographic detection device –

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- (a) the notice is to be served within 21 days after the commission of the offence; and
- (b) if the notice is not served within that period, no prosecution may be brought in respect of the offence.

(1AAA) For the purposes of subsection (1AA)(b), if a notice of demand is served within the 21-day period referred to in subsection (1AA)(a), a traffic infringement notice is taken to have been served within that period.

(1AAB) A traffic infringement notice to which subsection (1AA) applies or a notice of demand served under subsection (1AAA) is taken to have been effectively served on a person by post within a 21 day period if the notice is actually posted to the person before the period expires.

(1AB - 1A)

(1B) A person who removes a traffic infringement notice affixed to a vehicle or other thing under subsection (1) so that its contents do not become known to the person in charge of the vehicle is guilty of an offence and is liable on summary conviction to a penalty not exceeding 2 penalty units.

(2 - 3)

43LA.

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s. 43M

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43M. Application of penalties in respect of traffic infringement notices

- (1) Any sums paid to the Director, MPES under this Division by way of penalty shall be paid into the Public Account.
- (1A) Any sums paid to a council clerk under this Division by way of prescribed penalty or pursuant to subsection (2) are the property of the council.
- (2) Where a person has been summarily convicted of an offence in respect of which a traffic infringement notice was served by an authorised officer who was an officer of a local authority, any penalty which is paid to the Director, MPES in respect of that conviction shall be paid, out of the Public Account (which, to the necessary extent, is appropriated accordingly), to the relevant local authority.
- (3)

Division 3 – Miscellaneous

43N. Prescribed offences for Part IVB

- (1) The Governor may make regulations prescribing offences for the purposes of this Part and the penalty applicable to each such offence.
- (2) An offence prescribed under subsection (1) may be an offence under –
 - (a) this Act or any other Act dealing with vehicles or traffic; or

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- (b) a regulation made under this Act or any other Act dealing with vehicles or traffic.
- (3) Regulations under subsection (1) may be made so as to apply differently according to matters, limitations or restrictions, whether as to time, circumstance or otherwise, specified in the regulations.

43O. Transitional provision

- (1) In this section –

repeal day means the day on which the *Traffic Amendment (Notice of Demand) Act 2004* commences;

repealed section means section 43HB as in force immediately before the repeal day.

- (2) Despite the repeal of the repealed section, that section continues to apply to a traffic infringement notice served before the repeal day on a joint registered operator of a motor vehicle or trailer or on a body corporate if the requirements under that section and the other provisions of this Act arising from the service of that notice have not been met before the repeal day.

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s. 43P

Part V – Miscellaneous and General

PART V – MISCELLANEOUS AND GENERAL

43P. Complaint for offence detected by photographic detection device

Where –

- (a) an offence against this Act or the *Vehicle and Traffic Act 1999* is detected by a photographic detection device; and
- (b) the driver of the vehicle at the relevant time was not the registered operator of the vehicle –

a complaint in respect of that offence may, notwithstanding section 26 of the *Justices Act 1959*, be laid at any time within 6 months after the date on which the identity of the driver is established.

43Q. Statutory declarations

A statutory declaration under this Act is to be made as provided by the *Oaths Act 2001*.

44. Additional regulations

- (1) The Governor may, in addition to any regulations which he is empowered to make under any other Part, make regulations –
 - (a) conferring on police officers or authorised officers such powers as he may deem necessary or expedient for

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carrying out or giving effect to the provisions of this Act or the *Vehicle and Traffic Act 1999*; and

- (b) for any other purpose which he may deem necessary or expedient for carrying out the provisions of this Act.

(2)

45. Local and other special provisions in regulations

Regulations under this Act may –

- (a) be of a local nature and limited in their application to a particular area, place, or public street;
- (b) exclude from the application of any provisions of the regulations, or make special provision with respect to, any public street during specified times or in specified circumstances;
- (c) be restricted to any specified class of vehicle or to vehicles generally with the exception of vehicles of any specified class;
- (d) exclude from the application of any provisions of the regulations, or make special provision with respect to, vehicles kept or used for any specified purpose and persons owning, registered as the operators of, in charge of, or driving such vehicles; and

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- (e) adopt or incorporate, either wholly or in part and either specifically or by reference, any rules, codes, or specifications published or formulated by, or on behalf of, the Standards Association of Australia or the British Standards Association, or any other similar body specified in the regulations, or the Australian Design Rules for Motor Vehicle Safety as determined from time to time by the Motor Vehicles Design Advisory Panel and published in the *Commonwealth Gazette*.

46 - 47.

48. Commission may post up notices on any building, &c.

- (1) The Commission may cause to be affixed to or posted up on any building, post, or other structure or erection, a copy of any notice or regulation referring to any matter the subject of this Act.
- (2) Any person who shall tear down, destroy, injure, or remove any such copy, or hinder or obstruct any police officer or any other person from or whilst lawfully affixing or posting up any such copy as aforesaid, shall be guilty of an offence against this Act.

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49. Erection of standards, &c., by Commission

- (1) The Commission may, for the purpose of marking stands, safety zones, or parking areas or for the purpose of guiding, directing, or regulating traffic, place, erect, or install in public streets, posts, standards, domes, studs, and other contrivances and may make markings on or in the surface of a public street.
- (2) A person who wilfully or negligently damages any posts, standards, domes, studs, or other contrivances erected or installed under this section or who wilfully obliterates or defaces any markings made under this section is guilty of an offence against this Act.

49A. Installation of road humps

- (1) In this section –

road authority means a person, body corporate or body politic responsible for designing, constructing, maintaining or managing roads;

road hump means a section of raised pavement constructed or placed in or on, and across or partly across, a road to restrict the speed of vehicles along that road.

- (2) The Commission may issue written directions in relation to road humps, or proposed road humps, on public streets.

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s. 49B

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- (3) A direction referred to in subsection (2) may be issued to the following:
 - (a) a road authority;
 - (b) any other person or class of persons.
- (4) A road authority or person to whom a direction under subsection (2) is issued must comply with that direction.

Penalty: Fine not exceeding 10 penalty units.

49B.

50. Compensation may be allowed to defendant when complainant not a police officer

If a complaint is laid by any person other than a police officer for an offence punishable under this Act, and the complaint is dismissed or withdrawn, the court may, if it thinks fit, order such person to pay to the defendant in addition to any costs, such compensation for loss of time or otherwise as the court thinks reasonable.

51. Facilitation of proof of certain matters

- (1) In any proceeding under this Act –
 - (a - k)
 - (l) an averment in a complaint that on a specified day a specified person was –

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(i) of, over or under a specified age;
or

(ii) had or had not attained a
specified age –

is evidence of the matter so averred; and

(m) an averment in a complaint that on a
specified day a specified traffic sign or
other device for the control of traffic
applied to a specified length of road or
area, or to another specified place, is
evidence of the matter so averred; and

(n) the production of a certificate purporting
to be signed by the Commissioner or
Deputy-Commissioner of Police, or by
an Assistant Commissioner of Police,
and certifying that on or by a specified
day a specified person had failed to
report to any police officer a specified
collision between 2 or more vehicles, or
another specified traffic accident or
incident, is evidence that that person
failed to make such a report on or by that
day.

(2)

(3) Where any person is alleged to have committed
any offence against this Act or the *Vehicle and
Traffic Act 1999* as the driver of any vehicle –

(a) the owner or registered operator of such
vehicle, on demand by any police officer
or an authorised officer, shall give to

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such officer all such information as such officer may require as to the identity and whereabouts of the driver of such vehicle at any time relevant to such charge;

- (b) if any information so required is not known to the owner or registered operator, he shall forthwith with all reasonable diligence (proof of which shall be upon him) take steps to obtain the same, and shall report to such officer within 7 days or sooner if practicable the result of the steps so taken;
- (c) upon demand being made to any person by a police officer or an authorised officer for any information within such person's knowledge as to the identity of such driver as aforesaid, or as to any fact which may lead to the identification of such driver, such person shall give such information to such officer—

and if any person fails to comply with any of the requirements of this subsection he shall be guilty of an offence.

51A - 51B.

52. Penalties

- (1) Except where elsewhere specially provided by this Act, a person who contravenes a provision

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of this Act is guilty of an offence against this Act.

- (2) Except where otherwise specially provided by this Act, a person who is guilty of an offence against this Act is liable on summary conviction to –
 - (a) a penalty not exceeding 20 penalty units for a first offence; and
 - (b) a penalty not exceeding 40 penalty units, or to imprisonment for a term not exceeding 3 months, for a second or subsequent offence.
- (3) The foregoing provisions of this section do not apply to contraventions of the regulations under this Act and, except as otherwise provided in this Act any regulations made under this Act may provide that it is an offence, punishable on summary conviction, for a person to contravene any of those regulations and may provide in respect of any such offence a penalty not exceeding 20 penalty units for an individual or 100 penalty units for a body corporate.

53. Proceedings against owner or registered operator in certain cases

- (1) If in any proceedings in respect of an offence against this Act or the *Vehicle and Traffic Act 1999*–
 - (a) the offence charged is in relation to driving or using a motor vehicle or trailer

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which, or any prescribed equipment of which, is alleged to have been in an unsafe condition, or to have been lacking; and

- (b) the court is of opinion, on the evidence before it, that the offence has been caused by any neglect or default of the owner or registered operator of such vehicle –

the court, before disposing of the original proceedings, may direct that proceedings be taken against such owner or registered operator, and that a summons be issued calling upon him to show cause against the infliction upon him of a penalty for having caused or procured the commission of the offence charged in the original proceedings.

- (2) Upon the hearing of such proceedings against such owner or registered operator, the court may impose on him any penalty which it might have imposed on the defendant in the original proceedings, unless such owner or registered operator satisfies the court that he had taken reasonable precautions to ensure compliance with the provisions of this Act in respect of the matter in relation to which such proceedings were initiated; and may order him to pay the costs of all or any of such proceedings as aforesaid.
- (3) Where the owner or registered operator is punished as aforesaid, the court may dismiss the complaint against the original defendant.

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54. Proceedings in relation to certain offences

- (1AA) This section applies to such offences under this Act or the *Vehicle and Traffic Act 1999* as may be specified in the regulations.
- (1) Where an offence to which this section applies occurs in relation to a motor vehicle or trailer, the person who, at the time of the occurrence of the offence, was the registered operator of the motor vehicle or trailer, is, by virtue of this section, guilty of the offence as if he were the person driving or in charge of the motor vehicle or trailer at the time of the occurrence of the offence.
- (2) It is a defence to proceedings in relation to an offence under subsection (1) for the defendant to establish that he was not driving or in charge of the motor vehicle or trailer at the time of the occurrence of the offence.
- (2A) If a person wishes to rely on a defence under subsection (2), he or she must –
- (a) lodge with the Director, MPES a notice of election to have the matter heard in court; or
 - (b) provide a statutory declaration under section 43HA.
- (3) A person is not entitled to rely on a defence under subsection (2) unless he gives, within 21 days of the service on him of a complaint and summons relating to the offence, to the clerk of the court specified in the summons, written

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notice of his intention to rely on that defence, together with a statutory declaration stating that at the time of the occurrence of the offence –

- (a) the motor vehicle or trailer was being driven by some other person without his knowledge or consent;
 - (b) the motor vehicle or trailer was in the charge of another person and stating the name of that person; or
 - (c) the person had completed as transferor an application for the transfer of the registration and stating the name of the transferee.
- (4) Proceedings shall not be heard in relation to an offence to which this section applies unless the defendant referred to in the complaint and summons relating to the offence was, at the time of the service of the complaint and summons on him, notified in writing of the provisions of this section.
- (5) A complaint and summons to which this section relates shall contain an address at which a notice under subsection (3) may be lodged.
- (5A) Where there are 2 registered operators of a motor vehicle or trailer –
- (a) a prosecution for an offence to which this section applies may be brought against one or both of them; and

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- (b) if the court is satisfied that such an offence has been committed and a defence is not established under subsection (3), the defendants, or any one of them who does not establish such a defence, may be found guilty of the offence.
- (5B) Where a fine is imposed on 2 registered operators of a motor vehicle or trailer who have been found guilty of an offence to which this section applies, the total of any fines imposed in respect of that offence is not to exceed the maximum fine that could have been imposed if only one of them had been found guilty of that offence.
- (6) Where –
 - (a) a person on whom a complaint and summons relating to an offence to which this section applies has been served gives to the clerk of the court specified in the summons written notice of his intention to rely on the defence under subsection (2) together with a statutory declaration stating that the motor vehicle or trailer was in the charge of another person and stating the name of that person; and
 - (b) proceedings in respect of that offence are taken against the person named in the statutory declaration as being in charge of the motor vehicle or trailer –

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the statutory declaration is evidence that the person named in the statutory declaration as being in charge of the motor vehicle or trailer was in charge of the motor vehicle or trailer at all relevant times relating to the offence.

(7) Nothing in this section affects the liability of the actual offender but where a penalty has been imposed on or recovered from any person in relation to an offence to which this section applies, a further penalty shall not be imposed on or recovered from any other person in relation to the offence.

(8)

55. Act to apply to Crown servants

This Act shall apply to persons in the public service of the Crown.

56. Liability under other Acts or at common law

Except as otherwise expressly provided, nothing in this Act or the *Vehicle and Traffic Act 1999* shall affect the provisions of any other Act or any rule of common law, but the failure by any person to comply with any provision of this Act or the *Vehicle and Traffic Act 1999* may be relied upon in any proceedings (civil or criminal) by any party to such proceedings, as tending to establish, or to negative, any liability which is in question in such proceedings.

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**PART VI – GENERAL POWERS AND DUTIES OF THE
TRANSPORT COMMISSION**

57.

58. Powers and duties of Commission

- (1) The Commission may advise the Governor on any State transport or traffic matters.
- (2)
- (3) The Commission may, with the approval of the Minister, hold such public inquiries into any matter relating to State transport or traffic as it thinks fit.
- (4) For the purposes of any such public inquiry as aforesaid the Commission shall have and may exercise all the powers and authority conferred upon a Commission established under the *Commissions of Inquiry Act 1995*, and subject to any prescribed conditions may sit at such times and in such places as it thinks best.

59. Traffic signs

- (1) The Commission may issue directions for the use of traffic signs –
 - (a) on or near public streets; and
 - (b) on or in vehicles on public streets.

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- (1A) A direction referred to in subsection (1) may be given to any of the following:
- (a) a highway authority;
 - (b) a prescribed authority;
 - (c) any other person or class of persons.

- (1B) A person referred to in subsection (1A) must comply with a direction issued by the Commission.

Penalty: Fine not exceeding 10 penalty units.

- (2) The Commission may cause prescribed traffic signs to be made and supplied to an authority or person referred to in subsection (1A).
- (3) An authority or person referred to in subsection (1A) shall cause all traffic signs supplied to it by the Commission to be used in conformity with the Commission's directions, and shall provide all such posts, holders, and appliances as may be necessary for that purpose.
- (4) Except as hereinbefore provided, no traffic sign shall be placed on or near any public street or placed on or in any vehicle on any public street.

Penalty: Fine not exceeding 10 penalty units.

- (5) In any case where any traffic sign or object, so nearly resembling a traffic sign as to be calculated to be mistaken for a traffic sign or to mislead, is on any land in proximity to a public street or is on or in any vehicle on or near any public street, the highway authority may require

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the owner of such land or vehicle to remove such sign or object forthwith.

- (6) If such owner as aforesaid fails to comply with such requirement within a reasonable time, the highway authority may enter upon such land or enter into such vehicle and may cause such removal to be effected (doing as little damage therein as may be), and may recover the cost of such removal from such owner.
- (7) In any case where the Commission directs, the highway authority shall proceed as provided by subsections (5) and (6), and in default thereof the Commission may exercise the powers thereby conferred on the highway authority.
- (8) For the purposes of this section the expression *traffic sign* means any signal, warning, sign-post, direction post, or other device for the guidance or direction of traffic on public streets or for the giving of information to persons driving on or using public streets; and *highway authority* means the person responsible for the maintenance of the public street in relation to which the expression applies.

60. Removal of obstructions to vision of drivers

- (1) Where, in the opinion of the Commission, any building, hoarding, fence, or other structure, or any tree, hedge, or other vegetation on any land is so constructed or placed, or in such condition, as to constitute an obstruction calculated to limit the vision of persons driving vehicles, trams, or trains upon or near any public street, the

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Commission, by notice in writing to the owner of such land, may require him to remove the object causing such obstruction, or to modify the same as the Commission, by such notice, may direct.

- (2) If such owner fails within 30 days after the service of such notice upon him to comply with such requirement, the Commission may enter upon such land and effect such removal or modification, as the case may be (doing therein as little damage as may be), and may recover from such owner the cost of so doing.

61. Regulations

The Governor may make regulations for the purposes of this Part, prescribing all such matters and things as may be necessary or desirable for giving effect to its provisions, and in addition to any other such matters may –

- (a) regulate the procedure to be followed in respect of any public inquiry by the Commission;
- (b) require any specified person or classes of persons when called upon by the Commission to produce books or documents or information to the Commission relating to any inquiry or matter on which the Commission may be engaged;
- (c - d)

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PART VIII – ELECTRONIC BILLBOARDS

76. Interpretation of Part

In this Part –

associated vehicle, in relation to an electronic billboard, means a vehicle –

- (a) to which the electronic billboard is affixed; or
- (b) on which the electronic billboard is mounted; or
- (c) of which the electronic billboard is an integral part;

condition, of an electronic billboard approval, means a condition imposed on the approval under section 79(4);

electronic billboard – see section 77;

electronic billboard approval – see section 78(2)(a)(iii) and section 79;

officer means a police officer or authorised officer;

road authority means –

- (a) a body or person having statutory authority or responsibility for the design, construction, demolition, maintenance or management of any road; or

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- (b) a person that is designing, constructing, demolishing, maintaining or managing a road for a road authority of the kind referred to in paragraph (a).

77. What is an electronic billboard?

- (1) For this Part, an electronic billboard is a device that is displaying, either constantly or intermittently and with or without variation, illuminated words or images.
- (2) However, neither of the following is taken to be an electronic billboard for this Part:
 - (a) a traffic sign that is made, supplied and placed in accordance with section 59;
 - (b) a prescribed device.

78. Restrictions on use of electronic billboards in traffic settings

- (1) A person must not –
 - (a) place or leave an electronic billboard on a public street; or
 - (b) place or leave an electronic billboard in a public place if any occupant of any motor vehicle on any public street can, with the naked eye, read any words or make out any images being displayed by the electronic billboard.

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Penalty: Fine not exceeding 20 penalty units.

(2) However –

(a) subsection (1)(a) does not apply to an electronic billboard that is –

(i) used for traffic management or road safety purposes by a road authority; or

(ii) used for the purposes of a civil or other emergency by a statutory service within the meaning of the *Emergency Management Act 2006*; or

(iii) placed or left on a public street with and in accordance with the written approval of the Commission (in this Part referred to as an “electronic billboard approval”); and

(b) subsection (1)(b) does not apply to an electronic billboard that is placed or left in a public place by, or with the approval of, the owner or occupier of that public place.

79. Electronic billboard approvals

(1) An electronic billboard approval is to –

(a) be in a form determined by the Commission; and

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- (b) identify the electronic billboard or electronic billboards for which it is given; and
 - (c) specify –
 - (i) the name of the person to whom it is given; and
 - (ii) the date or dates, or the period, for which it is given; and
 - (iii) the precise location or locations where the relevant electronic billboard or electronic billboards may be placed or left; and
 - (iv) any other matter the Commission thinks fit.
- (2) An electronic billboard approval may be –
- (a) given for more than one electronic billboard, if all electronic billboards relate to the same event; and
 - (b) given for any period or periods that the Commission determines; and
 - (c) amended, renewed, transferred or otherwise modified as the Commission determines.
- (3) The Commission is not to give an electronic billboard approval unless it is satisfied that –

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- (a) the relevant electronic billboard is to be used only for legitimate traffic management or road safety purposes; or
 - (b) exceptional circumstances apply.
- (4) An electronic billboard approval may be made subject to such conditions as the Commission thinks fit having regard to road safety and the convenience of the public.
- (5) An electronic billboard approval –
- (a)
 - (b) is not a defence to an action or indictment for nuisance; and
 - (c) may, by written notice to the person to whom it is given, be suspended or revoked by the Commission if it is satisfied on reasonable grounds that –
 - (i) the person has contravened section 78(1)(a) in respect of any electronic billboard; or
 - (ii) the conditions of the approval have been contravened in a way that compromises road safety or in another serious respect; or
 - (iii) by reason of altered traffic conditions or other considerations, the circumstances that justified the giving of the approval no longer apply; or

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(iv) the approval is no longer required.

(6) An electronic billboard approval has no force or effect while it is suspended.

(7) The Commission, by notice, may revoke the suspension of an electronic billboard approval at any time if it is satisfied that the suspension is no longer merited.

(8) A person must not contravene a condition of an electronic billboard approval.

Penalty: Fine not exceeding 20 penalty units.

(9) A person who is given an electronic billboard approval must immediately produce it to an officer who demands to see it.

Penalty: Fine not exceeding 20 penalty units.

80. Directions to move unsafe or unauthorised electronic billboards, &c.

(1) This section applies if an officer reasonably suspects that a person has –

(a) contravened section 78(1); or

(b) contravened section 79(8) in a way that compromises road safety or in another serious respect; or

(c) contravened section 79(9).

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- (2) The officer may direct the person to move the relevant electronic billboard, including any associated vehicle, within a specified time and, by the same direction, may –
- (a) require that the electronic billboard be switched off, either immediately or within a specified time; and
 - (b) give instructions as to how the electronic billboard should be moved and where it may or may not be moved to.
- (3) If the officer gives the person a direction under subsection (2), the person must comply with that direction.

Penalty: In the case of –

- (a) a first offence, a fine not exceeding 15 penalty units; or
- (b) a subsequent offence, a fine not exceeding 30 penalty units.

81. Seizure and removal of unsafe or unauthorised electronic billboards, &c.

- (1) This section applies if, in respect of an electronic billboard, an officer reasonably believes that –
- (a) there is a real and immediate road safety hazard; or
 - (b) section 78(1) has been contravened and reasonable efforts to identify or locate

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the person apparently responsible for the contravention have been unsuccessful; or

- (c) section 79(8) has been contravened in a way that compromises road safety or in another serious respect and reasonable efforts to locate the person with the relevant electronic billboard approval have been unsuccessful; or
 - (d) section 80(3) has been contravened.
- (2) The officer, or another person authorised by the officer, may seize the electronic billboard, including, if necessary, any associated vehicle, and remove it to a place of safekeeping.
- (3) In seizing or removing the electronic billboard, the officer, or another person authorised by the officer, may –
- (a) use reasonable force and assistance; and
 - (b) switch off or cover the electronic billboard; and
 - (c) enter and remain on, regardless of who the owner or occupier may be, any public place.
- (4) Subsection (2) has effect –
- (a) for subsection (1)(a), regardless of the existence, terms or conditions of, or degree of compliance with, any electronic billboard approval; and

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- (b) for subsection (1)(a), (b) or (c), regardless of whether a direction has been given under section 80(2).

82. Return or disposal of seized electronic billboards

- (1) This section applies if an electronic billboard has been seized and removed to a place of safekeeping under section 81.
- (2) The electronic billboard may be released to its owner, or to any person who establishes that he or she is entitled to take possession of it, on payment to the Commission of the reasonable costs incurred in respect of its removal and safekeeping.
- (3) If the electronic billboard is not released within 2 months of the date of seizure, the Commission may sell or dispose of it in such manner as the Commission thinks fit.
- (4) However, the Commission is to –
 - (a) advertise the proposed sale or disposal in a newspaper circulating in the locality where the electronic billboard was seized; and
 - (b) if there is an associated vehicle, give written notice of the proposed sale or disposal to its registered operator.
- (5) The Crown, the Commission, an officer or any person authorised by an officer, is not liable for any damage that may be caused to an electronic

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billboard as a result of an act or omission of an officer, or person authorised by an officer, exercising power under this Part in good faith.

(6) In exercising power under this section, the Commission may deal with an electronic billboard separately from its associated vehicle if circumstances require.

(7) In this section –

electronic billboard includes its associated vehicle, if any.

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SCHEDULE 1

Section 2

Regnal Year and Number of Act	Title of Act	Extent of repeal
6 Wm. IV No. 7	<i>An Act to provide for the Licensing of Hawkers and Carriers</i>	The whole Act
10 Vict. No. 15	<i>An Act to prohibit Hawkers and Carriers from Purchasing or Carrying Wool or Sheep or Cattle Skins, except under certain restrictions</i>	The whole Act
4 Edw. VII No. 4	<i>An Act to amend an Act to provide for the Licensing of Hawkers and Carriers</i>	The whole Act
7 Edw. VII No. 27	<i>Motor Traffic Act 1907</i>	The whole Act
7 Edw. VII No. 46	<i>An Act to further amend the Launceston Corporation Act 1894</i>	Part IV
4 Geo. V No. 43	<i>Motor Traffic Act 1913</i>	The whole Act
11 Geo. V No. 58	<i>Metropolitan Traffic Act 1920</i>	The whole Act
12 Geo. V No. 58	<i>Metropolitan Traffic Act 1922</i>	The whole Act
13 Geo. V No. 28	<i>Motor Traffic Act 1923</i>	The whole Act

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NOTES

The foregoing text of the *Traffic Act 1925* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 30 November 2022 are not specifically referred to in the following table of amendments.

Act	Number and year	Date of commencement
<i>Traffic Act 1925</i>	No. 38 of 1925	1.1.1926
<i>Traffic Act 1926</i>	No. 46 of 1926	21.12.1926
<i>Traffic Act 1930</i>	No. 6 of 1930	2.10.1930
<i>Traffic Act (No. 2) 1930</i>	No. 52 of 1930	23.12.1930
<i>Traffic Act 1931</i>	No. 51 of 1931	14.12.1931
<i>Traffic Act 1932</i>	No. 32 of 1932	23.12.1932
<i>Traffic Act 1933</i>	No. 43 of 1933	10.1.1934
<i>Statute Law Revision Act 1934 and proclamations thereunder</i>	No. 78 of 1934	13.12.1934
<i>Traffic Act 1935</i>	No. 83 of 1935	16.1.1936
<i>Traffic Act 1937</i>	No. 74 of 1937	20.12.1937
<i>Traffic Act 1943</i>	No. 28 of 1943	19.10.1943
<i>Traffic Act 1947</i>	No. 54 of 1947	11.11.1947
<i>Transport Act (No. 2) 1949</i>	No. 69 of 1949	23.12.1949
<i>Traffic Act 1952</i>	No. 37 of 1952	17.10.1952
<i>Traffic Act 1953</i>	No. 73 of 1953	9.12.1953
<i>Traffic Act 1955</i>	No. 78 of 1955	1.3.1956
<i>Traffic Act 1956</i>	No. 50 of 1956	29.11.1956
<i>Traffic Act 1957</i>	No. 14 of 1957	11.4.1957
<i>Traffic Act (No. 2) 1957</i>	No. 75 of 1957	6.12.1957 (remainder) 1.2.1958 (ss. 6-13)
<i>Traffic Act 1958</i>	No. 16 of 1958	3.7.1958
<i>Statute Law Revision Act 1958</i>	No. 36 of 1958	24.7.1958
<i>Traffic Act (No. 2) 1958</i>	No. 83 of 1958	9.1.1959 (remainder) 1.4.1959 (s. 2 (a) and (d))
<i>Traffic Act 1959</i>	No. 23 of 1959	21.8.1959
<i>Traffic Act 1961</i>	No. 31 of 1961	4.12.1961 (remainder except ss. 14, 15(j) and

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Act	Number and year	Date of commencement
		17(c))
<i>Traffic Act 1962</i>	No. 18 of 1962	10.5.1962
<i>Traffic Act 1961</i>	No. 31 of 1961	1.6.1962
		(s. 47)
<i>Traffic Act (No. 2) 1963</i>	No. 73 of 1963	3.12.1963
<i>Traffic Act 1963</i>	No. 36 of 1963	1.1.1964
<i>Traffic Act 1961</i>	No. 31 of 1961	1.6.1964
		(ss. 4(a),(d) and(h), 23(u), 26(a), 44, 45, 51(b))
<i>Traffic Act (No. 2) 1964</i>	No. 54 of 1964	26.11.1964
<i>Traffic Act 1964</i>	No. 35 of 1964	1.12.1964
<i>Traffic Act (No. 3) 1963</i>	No. 93 of 1963	16.1.1965
<i>Traffic Act 1965</i>	No. 27 of 1965	12.10.1965
<i>Decimal Currency Act 1965</i>	No. 55 of 1965	14.2.1966
<i>Traffic Act 1966</i>	No. 26 of 1966	20.7.1966
<i>Traffic Act (No. 2) 1966</i>	No. 53 of 1966	12.12.1966
<i>Traffic Act 1967</i>	No. 60 of 1967	7.12.1967
<i>Traffic Act 1968</i>	No. 35 of 1968	24.7.1968
<i>Traffic Act (No. 2) 1968</i>	No. 74 of 1968	20.12.1968
<i>Traffic Act 1969</i>	No. 43 of 1969	23.12.1969
<i>Traffic Act 1970</i>	No. 62 of 1970	23.12.1970
<i>Road Safety (Alcohol and Drugs) Act 1970</i>	No. 77 of 1970	1.2.1971
<i>Tasmanian Government Insurance Act 1971</i>	No. 35 of 1971	15.11.1971
<i>Traffic Act (No. 2) 1971</i>	No. 94 of 1971	14.12.1971
<i>Traffic Act 1971</i>	No. 50 of 1971	1.1.1972
<i>Traffic Act (No. 2) 1972</i>	No. 17 of 1972	1.1.1972
		(s. 4)
<i>Traffic Act 1972</i>	No. 63 of 1972	21.12.1972
<i>Traffic Act (No. 2) 1972</i>	No. 17 of 1972	17.1.1973
		(remainder)
<i>Police Offences Act 1973</i>	No. 23 of 1973	27.6.1973
<i>Traffic Act 1973</i>	No. 25 of 1973	27.6.1973
<i>Traffic Act (No. 2) 1973</i>	No. 98 of 1973	22.1.1974
<i>Motor Accidents (Liabilities and Compensation) Act 1973</i>	No. 71 of 1973	23.1.1974
<i>Traffic Act (No. 3) 1973</i>	No. 119 of 1973	8.5.1974
<i>Traffic Act 1974</i>	No. 37 of 1974	8.5.1974
		(s. 4)
<i>Traffic (Metric Conversion) Act 1974</i>	No. 30 of 1974	1.7.1974
<i>Traffic Act 1974</i>	No. 37 of 1974	19.9.1974
		(remainder)
<i>Acts Interpretation (Traffic Act 1925) Order 1975</i>	S.R. 1975, No. 107	14.5.1975
<i>Traffic Act 1975</i>	No. 58 of 1975	11.12.1975

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Act	Number and year	Date of commencement
<i>Justices Act 1974</i>	No. 108 of 1974	15.6.1976
<i>Justices Act 1975</i>	No. 66 of 1975	15.6.1976
<i>Traffic Act 1976</i>	No. 37 of 1976	21.6.1976
<i>Traffic Act (No. 2) 1976</i>	No. 96 of 1976	22.12.1976
<i>Traffic Act 1977</i>	No. 58 of 1977	21.9.1977
<i>Traffic Act (No. 2) 1977</i>	No. 92 of 1977	1.5.1978
<i>Traffic (Infringement Notices) Act 1978</i>	No. 10 of 1978	18.5.1978
<i>Traffic (Special Penalties) Act 1978</i>	No. 52 of 1978	13.12.1978 (remainder)
<i>Traffic (Miscellaneous Provisions) Act 1978</i>	No. 75 of 1978	20.12.1978
<i>Road Safety (Alcohol and Drugs) Act 1978</i>	No. 83 of 1978	1.2.1979
<i>Traffic Amendment Act 1979</i>	No. 17 of 1979	16.5.1979
<i>Traffic Amendment Act (No. 2) 1979</i>	No. 76 of 1979	14.12.1979
<i>Traffic (Special Penalties) Act 1978</i>	No. 52 of 1978	1.1.1980 (s. 3)
<i>Traffic Amendment Act 1980</i>	No. 10 of 1980	30.4.1980
<i>Traffic Amendment Act (No. 2) 1980</i>	No. 11 of 1980	1.7.1980
<i>Traffic Amendment Act (No. 3) 1980</i>	No. 74 of 1980	1.12.1980
<i>Traffic Amendment Act (No. 4) 1980</i>	No. 107 of 1980	28.1.1981 (remainder)
		5.2.1981 (s. 5)
<i>Traffic Amendment (Fire Service Funding) Act 1981</i>	No. 13 of 1981	1.7.1981
<i>Traffic Amendment Act (No. 2) 1981</i>	No. 34 of 1981	14.7.1981
<i>Traffic Amendment Act 1981</i>	No. 19 of 1981	1.11.1981
<i>Traffic Amendment Act (No. 3) 1981</i>	No. 69 of 1981	30.11.1981 (remainder)
		1.1.1982 (s. 6)
<i>Statute Law Revision Act 1982</i>	No. 99 of 1982	18.1.1983
<i>Traffic Amendment Act 1983</i>	No. 9 of 1983	23.5.1983
<i>Traffic Amendment (Public Vehicles) Act 1983</i>	No. 19 of 1983	13.7.1983 (ss. 1-4, 5(a) and (b)) 8.9.1983 (ss. 17, 18 and 19) 1.10.1983 (remainder)
<i>Records of Offences (Access) Act 1981</i>	No. 61 of 1981	1.3.1984
<i>Revenue (Miscellaneous Provisions) Act 1984</i>	No. 55 of 1984	1.9.1984 (s. 5 (2))
<i>Traffic Amendment Act 1984</i>	No. 80 of 1984	1.12.1984
<i>Traffic Amendment Act 1985</i>	No. 101 of 1985	14.11.1985 (remainder) 1.12.1985

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Act	Number and year	Date of commencement
		(s. 4)
<i>Tasmanian State Service (Miscellaneous Amendments) Act 1984</i>	No. 29 of 1984	1.12.1985
<i>Traffic Amendment Act 1986</i>	No. 35 of 1986	1.6.1986
<i>Traffic Amendment Act (No. 2) 1985</i>	No. 102 of 1985	3.7.1986
<i>Traffic Amendment Act (No. 2) 1986</i>	No. 108 of 1986	9.12.1986
<i>Traffic Amendment Act 1987</i>	No. 34 of 1987	8.5.1987
		(remainder)
<i>Traffic Amendment Act (No. 2) 1987</i>	No. 41 of 1987	8.5.1987
<i>Traffic Amendment Act 1987</i>	No. 34 of 1987	1.6.1987
		(ss. 3, 4, and 6-18)
<i>Traffic Amendment (Common Expiry Dates) Act 1986</i>	No. 10 of 1986	4.11.1987
<i>Traffic Amendment Act (No. 3) 1987</i>	No. 73 of 1987	1.12.1987
<i>Fire Service Amendment Act 1990</i>	No. 3 of 1990	1.7.1990
<i>Administrative Arrangements (Miscellaneous Amendments) Act 1990</i>	No. 5 of 1990	1.7.1990
<i>Revenue Measures Legislation (Miscellaneous Amendments) Act 1990</i>	No. 40 of 1990	1.1.1991
<i>Traffic Amendment Act 1991</i>	No. 9 of 1991	1.12.1991
<i>Traffic Amendment Act 1992</i>	No. 54 of 1992	21.12.1992
<i>Traffic Amendment Act (No. 2) 1992</i>	No. 62 of 1992	21.12.1992
<i>Traffic Amendment Act 1993</i>	No. 58 of 1993	1.2.1994
<i>Local Government (Consequential Amendments) Act 1995</i>	No. 30 of 1995	1.9.1995
<i>Taxi Industry (Miscellaneous Amendments) Act 1995</i>	No. 28 of 1995	1.9.1995
<i>Commissions of Inquiry (Consequential Amendments) Act 1995</i>	No. 71 of 1995	14.11.1995
<i>Traffic Amendment Act 1995</i>	No. 86 of 1995	1.9.1996
<i>Traffic Amendment (National Road Transport Reform) Act 1996</i>	No. 18 of 1996	1.10.1996
<i>Traffic Amendment (Fees) Act 1996</i>	No. 52 of 1996	17.12.1996
<i>Traffic Amendment Act 1997</i>	No. 11 of 1997	1.11.1997
<i>Metro Tasmania (Transitional and Consequential Provisions) Act 1997</i>	No. 79 of 1997	2.2.1998
<i>Traffic Amendment (Regulatory Powers and Offences) Act 1999</i>	No. 71 of 1999	24.11.1999
		(remaining provisions)
		1.12.1999
		(s. 9)
<i>Driving Offences (Miscellaneous Amendments) Act 2000</i>	No. 15 of 2000	28.4.2000
<i>Passenger Transport Act 1997</i>	No. 52 of 1997	26.6.2000

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Act	Number and year	Date of commencement
<i>Passenger Transport (Consequential and Transitional) Act 1997</i>	No. 53 of 1997	26.6.2000
<i>Traffic Amendment (Accreditation and Miscellaneous) Act 1997</i>	No. 57 of 1997	26.6.2000
<i>Traffic Amendment (Public Vehicles Reform) Act 2000</i>	No. 44 of 2000	14.8.2000
<i>Vehicle and Traffic (Transitional and Consequential) Act 1999</i>	No. 90 of 1999	14.8.2000
<i>Passenger Transport (Consequential and Transitional) Act 1997</i>	No. 53 of 1997	26.9.2000 (s. 5)
<i>State Service (Consequential and Miscellaneous Amendments) Act 2000</i>	No. 86 of 2000	1.5.2001
<i>Traffic Amendment (Wheeled Recreational Devices and Wheeled Toys) Act 2001</i>	No. 23 of 2001	1.7.2001
<i>Vehicle and Traffic Amendment (Vehicle Standards) Act 2001</i>	No. 22 of 2001	1.11.2001
<i>Traffic Amendment (Red Light Cameras) Act 2001</i>	No. 67 of 2001	1.12.2001
<i>Traffic Control (Miscellaneous Amendments) Act 2001</i>	No. 104 of 2001	5.12.2001 (ss. 1, 2, 3, Part 3, and ss. 9, 11, 18, 19 and 21) 1.1.2002 (remaining provisions)
<i>Vehicle and Traffic Amendment (Vehicle Operations) Act 2001</i>	No. 71 of 2001	1.1.2002
<i>Evidence (Consequential Amendments) Act 2001</i>	No. 80 of 2001	1.7.2002
<i>Traffic Offence Detection Devices (New Arrangements) Act 2002</i>	No. 7 of 2002	1.11.2002
<i>Traffic Amendment Act 2003</i>	No. 71 of 2003	15.12.2003
<i>Traffic Amendment (Authorised Officers) Act 2004</i>	No. 28 of 2004	23.9.2004
<i>Traffic Amendment Act 2007</i>	No. 32 of 2007	28.9.2007
<i>Traffic Amendment (Notice of Demand) Act 2004</i>	No. 27 of 2004	3.12.2007
<i>Monetary Penalties Enforcement (Transitional Arrangements and Consequential Amendments) Act 2007</i>	No. 72 of 2007	28.4.2008
<i>Monetary Penalties Enforcement (Consequential Amendments) Act 2008</i>	No. 6 of 2008	28.4.2008
<i>Monetary Penalties Enforcement</i>	No. 27 of 2008	28.4.2008

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Act	Number and year	Date of commencement
<i>(Consequential Amendments) Act</i>		
<i>(No. 2) 2008</i>		
<i>Vehicle and Traffic Amendment (Novice Driver Licensing) Act 2008</i>	No. 10 of 2008	25.8.2008
<i>Traffic Amendment Act 2009</i>	No. 40 of 2009	30.11.2009
<i>Health Practitioner Regulation National Law (Tasmania) (Consequential Amendments) Act 2010</i>	No. 3 of 2010	1.7.2010
<i>Passenger Transport and Related Legislation (Consequential Amendments) Act 2011</i>	No. 60 of 2011	1.7.2013
<i>Heavy Vehicle National Law (Tasmania) Act 2013</i>	No. 30 of 2013	10.2.2014
<i>Traffic Amendment Act 2016</i>	No. 45 of 2016	31.10.2016
<i>Criminal Code Amendment (Dangerous Driving) Act 2017</i>	No. 35 of 2017	19.9.2017
<i>Traffic and Related Legislation Amendment Act 2018</i>	No. 32 of 2018	10.12.2018
<i>Financial Management (Consequential and Transitional Provisions) Act 2017</i>	No. 4 of 2017	1.7.2019
<i>Traffic Amendment (Personal Mobility Devices) Act 2021</i>	No. 29 of 2021	15.12.2021
<i>Traffic Amendment (Electronic Billboards) Act 2022</i>	No. 31 of 2022	30.11.2022
<i>Traffic Amendment (Infringement Notices) Act 1997</i>	No. 2 of 1997	not commenced
<i>Traffic Amendment (Fees) Act 1998</i>	No. 4 of 1998	not commenced
<i>Vehicle and Traffic Amendment (Driver Distraction and Speed Enforcement) Act 2022</i>	No. 27 of 2022	not commenced

TABLE OF AMENDMENTS

Provision affected	How affected
Section 1	Amended by 25 Geo. V No. 78
Section 2	Repealed by 25 Geo. V No. 78
	Inserted by No. 53 of 1997, Sched. 1
Section 3	Amended by 1 Geo. VI No. 74, s. 1, 17 Geo. V No. 46, s. 2, No. 73 of 1953, s. 2, No. 50 of 1956, s. 2, 21 Geo. V No. 52, s. 3, No. 36 of 1958, s. 4 and Sched. 5, No. 83 of 1958, s. 2, No. 23 of 1959, s. 2, 24 Geo. V No. 43, s. 2, No. 31 of 1961, s. 2 and s. 56 and Sched. 2, 25 Geo. V No. 78, No. 93 of 1963, s. 2, No. 74 of 1968, s. 2, No.

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	50 of 1971, s. 2, No. 17 of 1972, s. 2, No. 96 of 1976, s. 3, No. 107 of 1980, s. 4, No. 19 of 1981, s. 4, No. 69 of 1981, s. 4, No. 101 of 1985, s. 4, No. 35 of 1986, s. 4, No. 41 of 1987, s. 4, No. 54 of 1992, s. 4, No. 30 of 1995, s. 3 and Sched. 1, No. 86 of 1995, s. 4, No. 18 of 1996, s. 4, No. 11 of 1997, s. 4, No. 53 of 1997, Sched. 1, No. 90 of 1999, Sched. 1, No. 67 of 2001, s. 4, No. 104 of 2001, s. 12, No. 7 of 2002, s. 4, No. 27 of 2004, s. 4, No. 28 of 2004, s. 4, No. 72 of 2007, Sched. 1, No. 6 of 2008, Sched. 1, No. 40 of 2009, s. 4 and No. 60 of 2011, Sched. 1
Section 4	Repealed by 25 Geo. V No. 78
Section 5	Repealed by No. 35 of 1968, s. 2
Section 6	Repealed by No. 35 of 1968, s. 2
Section 7	Repealed by 25 Geo. V No. 78
Section 8	Repealed by No. 90 of 1999, Sched. 1
Section 9	Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 3, 25 Geo. V No. 78, No. 29 of 1984, s. 3 and Sched. 1, No. 41 of 1987, s. 5, No. 86 of 1995, s. 5, No. 90 of 1999, Sched. 1, No. 86 of 2000, Sched. 1 and No. 28 of 2004, s. 5
Section 10	Amended by 7 Geo. VI No. 28, s. 2, 17 Geo. V No. 46, s. 3, No. 50 of 1956, s. 3, No. 75 of 1957, s. 2, No. 36 of 1958, s. 4 and Sched. 5, No. 83 of 1958, s. 3, 23 Geo. V No. 32, s. 2, No. 31 of 1961, s. 4, No. 31 of 1961, s. 4 and s. 56 and Sched. 2, 25 Geo. V No. 78, No. 73 of 1963, s. 2, No. 54 of 1964, s. 2, No. 54 of 1964, s. 2 and s. 4, No. 60 of 1967, s. 2, No. 94 of 1971, s. 2, No. 17 of 1972, s. 3, No. 25 of 1973, s. 2, No. 71 of 1973, s. 35 and Sched. 3, No. 98 of 1973, s. 2, No. 30 of 1974, s. 2 and Sched. 1, No. 58 of 1975, s. 2, No. 96 of 1976, s. 4, No. 58 of 1977, s. 2, No. 52 of 1978, s. 2, No. 75 of 1978, s. 2, No. 74 of 1980, s. 4, No. 13 of 1981, s. 4, No. 9 of 1983, s. 3, No. 80 of 1984, s. 4, No. 101 of 1985, s. 5, No. 10 of 1986, s. 4, No. 41 of 1987, s. 13 and Sched. 1, No. 73 of 1987, s. 4, No. 40 of 1990, s. 21, No. 86 of 1995, s. 6, No. 18 of 1996, s. 5, No. 11 of 1997, s. 5, No. 53 of 1997, Sched. 1, No. 57 of 1997, s. 4, No. 71 of 1999, s. 4, No. 90 of 1999, Sched. 1, No. 44 of 2000, s. 4, No. 22 of 2001, s. 10, No. 71 of 2001, s. 27 and No. 30 of 2013, Sched. 1
Section 10AA	Substituted by No. 9 of 1991, s. 4 Repealed by No. 90 of 1999, Sched. 1
Section 10A	Inserted by No. 31 of 1961, s. 5 Amended by No. 71 of 1973, s. 35 and Sched. 3, No. 37 of 1976, s. 2 Subsection (2) added by No. 75 of 1978, s. 3 Repealed by No. 90 of 1999, Sched. 1

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Provision affected	How affected
Section 11	Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 6, 25 Geo. V No. 78, No. 29 of 1984, s. 3 and Sched. 1
Section 11A	Repealed by No. 90 of 1999, Sched. 1 Substituted by No. 18 of 1996, s. 6
Section 11B	Repealed by No. 90 of 1999, Sched. 1 Substituted by No. 18 of 1996, s. 6
Section 11C	Repealed by No. 90 of 1999, Sched. 1 Substituted by No. 18 of 1996, s. 6
Section 11D	Repealed by No. 18 of 1996, s. 6
Section 12	Inserted by No. 26 of 1966, s. 2 Amended by No. 52 of 1978, s. 4 and Sched. 1, No. 18 of 1996, s. 7 Subsection (3) omitted by No. 90 of 1999, Sched. 1 Repealed by No. 22 of 2001, s. 10
Section 13	Amended by No. 31 of 1961, s. 7 and s. 56 and Sched. 2, 25 Geo. V No. 78
Section 13A	Repealed by No. 90 of 1999, Sched. 1 Inserted by No. 31 of 1961, s. 8 Amended by No. 55 of 1965, s. 5, No. 52 of 1978, s. 4 and Sched. 1, No. 41 of 1987, s. 13 and Sched. 1
Section 14	Repealed by No. 90 of 1999, Sched. 1 Amended by No. 50 of 1956, s. 4, No. 83 of 1958, s. 4 Subsection (3) added by No. 83 of 1958, s. 4 Amended by No. 23 of 1959, s. 3, No. 31 of 1961, s. 9 and s. 56 and Sched. 2 Subsection (4) inserted by No. 31 of 1961, s. 9 Subsection (5) inserted by No. 31 of 1961, s. 9 and s. 56 and Sched. 2 Subsection (6) inserted by No. 31 of 1961, s. 9 Subsection (7) added by No. 31 of 1961, s. 9 Amended by No. 96 of 1976, s. 2 and Sched. 1 Subsection (1) substituted by No. 86 of 1995, s. 7 Subsection (2) substituted by No. 86 of 1995, s. 7 Subsection (2A) inserted by No. 86 of 1995, s. 7 Subsection (2B) inserted by No. 86 of 1995, s. 7 Repealed by No. 90 of 1999, Sched. 1
Section 14AA	Inserted by No. 26 of 1966, s. 3 Subsection (1A) inserted by No. 94 of 1971, s. 3 Amended by No. 94 of 1971, s. 3, No. 58 of 1975, s. 3, No. 52 of 1978, s. 4 and Sched. 1, No. 41 of 1987, s. 13 and Sched. 1
Section 14A	Repealed by No. 90 of 1999, Sched. 1 Subsection (3) substituted by No. 73 of 1953, s. 3 Amended by No. 36 of 1958, s. 4 and Sched. 5 Inserted by 24 Geo. V No. 43, s. 2 Amended by No. 31 of 1961, s. 10

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Provision affected	How affected
	Subsection (10) added by No. 31 of 1961, s. 10
	Subsection (2A) inserted by No. 31 of 1961, s. 10
	Subsection (4) substituted by No. 31 of 1961, s. 10
	Subsection (5) substituted by No. 31 of 1961, s. 10
	Subsection (6) inserted by No. 31 of 1961, s. 10
	Subsection (7) inserted by No. 31 of 1961, s. 10
	Subsection (8) inserted by No. 31 of 1961, s. 10
	Subsection (9) inserted by No. 31 of 1961, s. 10
	Amended by No. 55 of 1965, s. 5, No. 37 of 1976, s. 3, No. 52 of 1978, s. 4 and Sched. 1
	Substituted by No. 57 of 1997, s. 5
	Repealed by No. 90 of 1999, Sched. 1
Part III	Substituted by 21 Geo. V No. 52, s. 3
	Repealed by No. 52 of 1997, s. 26
Section 14AB	Inserted by No. 31 of 1961, s. 11
	Amended by No. 28 of 1995, s. 4, No. 30 of 1995, s. 3 and Sched. 1
	Repealed by No. 52 of 1997, s. 26
Section 14B	Repealed by No. 34 of 1987, s. 5 and No. 52 of 1997, s. 26
Section 15	Substituted by No. 31 of 1961, s. 12
	Amended by No. 19 of 1983, s. 5, No. 28 of 1995, s. 5
	Subsection (2A) inserted by No. 28 of 1995, s. 5
	Amended by No. 28 of 1995, s. 5
	Subsection (7A) substituted by No. 28 of 1995, s. 5
	Subsection (7B) omitted by No. 28 of 1995, s. 5
	Repealed by No. 52 of 1997, s. 26
Section 16	Substituted by No. 31 of 1961, s. 12
	Amended by No. 19 of 1983, s. 6
	Subsection (2) substituted by No. 28 of 1995, s. 6
	Repealed by No. 52 of 1997, s. 26
Section 16A	Inserted by No. 31 of 1961, s. 12
	Amended by No. 19 of 1983, s. 7
	Subsection (1A) inserted by No. 34 of 1987, s. 4
	Amended by No. 28 of 1995, s. 7
	Repealed by No. 52 of 1997, s. 26
Section 16B	Inserted by No. 31 of 1961, s. 12
	Amended by No. 19 of 1983, s. 8, No. 28 of 1995, s. 8
	Subsection (2A) omitted by No. 28 of 1995, s. 8
	Subsection (2B) omitted by No. 28 of 1995, s. 8
	Subsection (2C) omitted by No. 28 of 1995, s. 8
	Subsection (2D) omitted by No. 28 of 1995, s. 8
	Amended by No. 28 of 1995, s. 8
	Repealed by No. 52 of 1997, s. 26
Section 16C	Substituted by No. 19 of 1983, s. 9
	Amended by No. 28 of 1995, s. 9
	Subsection (13) omitted by No. 28 of 1995, s. 9
	Subsection (2) omitted by No. 28 of 1995, s. 9
	Subsection (3) omitted by No. 28 of 1995, s. 9

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Provision affected	How affected
Section 16D	Subsection (4) omitted by No. 28 of 1995, s. 9
	Amended by No. 28 of 1995, s. 9
	Subsection (8) omitted by No. 28 of 1995, s. 9
	Subsection (9) omitted by No. 28 of 1995, s. 9
	Repealed by No. 52 of 1997, s. 26
Section 17	Inserted by No. 19 of 1983, s. 10
	Subsection (2) omitted by No. 28 of 1995, s. 10
	Subsection (3) omitted by No. 28 of 1995, s. 10
	Repealed by No. 52 of 1997, s. 26
Section 18	Substituted by 21 Geo. V No. 52, s. 3
	Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 13
	Subsection (4) omitted by No. 28 of 1995, s. 11
	Subsection (5) omitted by No. 28 of 1995, s. 11
	Subsection (6) omitted by No. 28 of 1995, s. 11
	Repealed by No. 52 of 1997, s. 26
	Amended by 1 Geo. VI No. 74, s. 2, No. 69 of 1949, s. 14
Section 19	Substituted by 21 Geo. V No. 52, s. 3
	Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 15 and s. 56 and Sched. 2
	Subsection (1A) inserted by No. 31 of 1961, s. 15
	Subsection (1B) inserted by No. 31 of 1961, s. 15
	Subsection (1C) inserted by No. 31 of 1961, s. 15
	Subsection (1D) inserted by No. 31 of 1961, s. 15
	Amended by No. 31 of 1961, s. 15, 25 Geo. V No. 78, No. 55 of 1965, s. 5, No. 35 of 1968, s. 3, No. 30 of 1974, s. 2 and Sched. 1
	Repealed by No. 52 of 1997, s. 26
	Amended by 1 Geo. VI No. 74, s. 2
	Substituted by 21 Geo. V No. 52, s. 3
Section 20	Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 16
	Subsection (3A) inserted by No. 31 of 1961, s. 16
	Subsection (3B) inserted by No. 31 of 1961, s. 16
	Amended by No. 31 of 1961, s. 16, 25 Geo. V No. 78
	Subsection (1) substituted by No. 28 of 1995, s. 12
	Repealed by No. 52 of 1997, s. 26
	Amended by 1 Geo. VI No. 74, s. 2
	Substituted by 21 Geo. V No. 52, s. 3
	Amended by No. 36 of 1958, s. 4 and Sched. 5
	Subsection (3) added by No. 36 of 1958, s. 4 and Sched. 5
Amended by No. 31 of 1961, s. 17, No. 31 of 1961, s. 17 and s. 56 and Sched. 2	
Subsection (1A) inserted by No. 31 of 1961, s. 17 and s. 56 and Sched. 2	
Amended by No. 31 of 1961, s. 17 and s. 56 and Sched. 2, 25 Geo. V No. 78, No. 75 of 1978, s. 4	
Repealed by No. 52 of 1997, s. 26	

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Provision affected	How affected
Section 20A	<p>Inserted by No. 73 of 1953, s. 4</p> <p>Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 18, No. 31 of 1961, s. 18 and s. 56 and Sched. 2</p> <p>Subsection (8) substituted by No. 31 of 1961, s. 18</p> <p>Subsection (9) substituted by No. 31 of 1961, s. 18</p> <p>Amended by No. 55 of 1965, s. 3 and Sched. 1, No. 30 of 1974, s. 2 and Sched. 1, No. 29 of 1984, s. 3 and Sched. 1</p> <p>Repealed by No. 52 of 1997, s. 26</p>
Section 20B	<p>Inserted by No. 73 of 1953, s. 4</p> <p>Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 19, No. 30 of 1974, s. 2 and Sched. 1</p> <p>Repealed by No. 52 of 1997, s. 26</p>
Section 21	<p>Repealed by No. 31 of 1961, s. 20 and No. 52 of 1997, s. 26</p>
Section 22	<p>Substituted by No. 69 of 1949, s. 15</p> <p>Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 21 and s. 56 and Sched. 2</p> <p>Subsection (2) substituted by No. 31 of 1961, s. 21</p> <p>Subsection (3) inserted by No. 31 of 1961, s. 21</p> <p>Subsection (4) inserted by No. 31 of 1961, s. 21</p> <p>Subsection (5) inserted by No. 31 of 1961, s. 21</p> <p>Subsection (6) inserted by No. 31 of 1961, s. 21</p> <p>Subsection (7) added by No. 31 of 1961, s. 21</p> <p>Amended by No. 35 of 1968, s. 4</p> <p>Subsection (5A) inserted by No. 35 of 1968, s. 4</p> <p>Subsection (6A) inserted by No. 35 of 1968, s. 4</p> <p>Subsection (6B) inserted by No. 35 of 1968, s. 4</p> <p>Subsection (6C) inserted by No. 35 of 1968, s. 4</p> <p>Subsection (6D) inserted by No. 35 of 1968, s. 4</p> <p>Amended by No. 37 of 1974, s. 6 and Sched. 1, No. 37 of 1974, s. 2, No. 19 of 1983, s. 12, No. 28 of 1995, s. 13</p> <p>Subsection (6E) omitted by No. 28 of 1995, s. 13</p> <p>Subsection (6F) omitted by No. 28 of 1995, s. 13</p> <p>Subsection (6G) omitted by No. 28 of 1995, s. 13</p> <p>Repealed by No. 52 of 1997, s. 26</p>
Section 22A	<p>Substituted by No. 31 of 1961, s. 22</p> <p>Repealed by No. 52 of 1997, s. 26</p>
Section 23	<p>Substituted by 21 Geo. V No. 52, s. 3</p> <p>Amended by No. 36 of 1958, s. 4 and Sched. 5</p> <p>Repealed by No. 52 of 1997, s. 26 and No. 79 of 1997, Sched. 3</p>
Section 24	<p>Amended by 1 Geo. VI No. 74, s. 2</p> <p>Substituted by 21 Geo. V No. 52, s. 3</p> <p>Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 23 and s. 56 and Sched. 2</p> <p>Subsection (10A) inserted by No. 31 of 1961, s. 23</p>

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Provision affected	How affected
	Subsection (10B) inserted by No. 31 of 1961, s. 23 Amended by No. 31 of 1961, s. 23 and s. 56 and Sched. 2
	Subsection (13) substituted by No. 31 of 1961, s. 23
	Subsection (14) added by No. 31 of 1961, s. 23
	Subsection (3) substituted by No. 31 of 1961, s. 23
	Subsection (3A) inserted by No. 31 of 1961, s. 23 Amended by No. 31 of 1961, s. 23 and s. 56 and Sched. 2
	Subsection (5A) inserted by No. 31 of 1961, s. 23 Amended by No. 31 of 1961, s. 23
	Subsection (8) substituted by No. 31 of 1961, s. 23
	Subsection (9A) inserted by No. 31 of 1961, s. 23 Amended by 25 Geo. V No. 78, No. 55 of 1965, s. 5
	Subsection (2) omitted by No. 35 of 1968, s. 5
	Subsection (9) omitted by No. 37 of 1974, s. 6 and Sched. 1 Amended by No. 52 of 1978, s. 4 and Sched. 1, No. 75 of 1978, s. 5, No. 41 of 1987, s. 13 and Sched. 1
	Subsection (15) added by No. 41 of 1987, s. 13 and Sched. 1 Amended by No. 41 of 1987, s. 13 and Sched. 1
	Subsection (5) substituted by No. 41 of 1987, s. 13 and Sched. 1 Amended by No. 41 of 1987, s. 13 and Sched. 1
	Subsection (1AA) inserted by No. 28 of 1995, s. 14
	Subsection (3B) substituted by No. 18 of 1996, s. 8
	Subsection (3C) inserted by No. 18 of 1996, s. 8
	Repealed by No. 52 of 1997, s. 26
Section 25	Substituted by 21 Geo. V No. 52, s. 3 Amended by No. 36 of 1958, s. 4 and Sched. 5
	Subsection (1) substituted by No. 31 of 1961, s. 24
	Subsection (2) substituted by No. 31 of 1961, s. 24
	Subsection (2A) inserted by No. 31 of 1961, s. 24
	Subsection (2B) inserted by No. 31 of 1961, s. 24 Amended by No. 31 of 1961, s. 24
	Subsection (1AA) inserted by No. 28 of 1995, s. 15
	Repealed by No. 52 of 1997, s. 26
Section 26	Substituted by 21 Geo. V No. 52, s. 3 Repealed by No. 52 of 1997, s. 26
Section 27	Substituted by 21 Geo. V No. 52, s. 3 Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 3 of 1961, s. 25, No. 19 of 1981, s. 6
	Repealed by No. 52 of 1997, s. 26
Section 28	Repealed by No. 28 of 1995, s. 16 and No. 52 of 1997, s. 26
Section 28A	Repealed by No. 28 of 1995, s. 16 and No. 52 of 1997, s. 26
Section 28B	Repealed by No. 28 of 1995, s. 16 and No. 52 of 1997, s. 26

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Provision affected	How affected
Section 29	Substituted by No. 83 of 1958, s. 5 Repealed by No. 52 of 1997, s. 26
Section 30	Substituted by No. 79 of 1997, Sched. 3 Amended by 1 Geo. VI No. 74, s. 2, No. 69 of 1949, s. 16 Substituted by 21 Geo. V No. 51, s. 2 Amended by No. 36 of 1958, s. 4 and Sched. 5, 22 Geo. V No. 51, s. 2, No. 31 of 1961, s. 26 and s. 56 and Sched. 2, 25 Geo. V No. 78 Subsection (2) added by 25 Geo. V No. 78 Amended by No. 30 of 1974, s. 2 and Sched. 1, No. 37 of 1974, s. 6 and Sched. 1, No. 75 of 1978, s. 6 Repealed by No. 52 of 1997, s. 26
Part IIIA	Inserted by No. 69 of 1949, s. 17 Amended by No. 36 of 1958, s. 4 and Sched. 5
Section 30A	Inserted by No. 69 of 1949, s. 17 Amended by No. 36 of 1958, s. 4 and Sched. 5 Subsection (3A) inserted by No. 74 of 1968, s. 4 Amended by No. 74 of 1968, s. 4, No. 98 of 1973, s. 3 Subsection (3B) substituted by No. 76 of 1979, s. 3 Subsection (3C) inserted by No. 76 of 1979, s. 3 Amended by No. 76 of 1979, s. 3 Subsection (6) substituted by No. 29 of 1984, s. 3 and Sched. 1 Subsection (7) inserted by No. 29 of 1984, s. 3 and Sched. 1 Subsection (8) added by No. 29 of 1984, s. 3 and Sched. 1 Amended by No. 102 of 1985, s. 4 Subsection (2) substituted by No. 102 of 1985, s. 4 Subsection (3) substituted by No. 102 of 1985, s. 4 Subsection (3AB) inserted by No. 102 of 1985, s. 4 Amended by No. 5 of 1990, s. 3 and Sched. 1 Repealed by No. 53 of 1997, s. 5
Section 30B	Inserted by No. 69 of 1949, s. 17 Amended by No. 73 of 1953, s. 5 Subsection (2) substituted by No. 50 of 1956, s. 7 Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 27 and s. 56 and Sched. 2 Subsection (1A) inserted by No. 31 of 1961, s. 27 and s. 56 and Sched. 2 Subsection (8) substituted by No. 31 of 1961, s. 27 Amended by No. 31 of 1961, s. 27, No. 55 of 1965, s. 5, No. 53 of 1966, s. 2, No. 19 of 1983, s. 14, No. 28 of 1995, s. 17, No. 71 of 1995, s. 3 and Sched. 1 Repealed by No. 53 of 1997, Sched. 1
Section 30C	Inserted by No. 69 of 1949, s. 17 Amended by No. 31 of 1961, s. 28 Repealed by No. 53 of 1997, Sched. 1
Section 31	Amended by 1 Geo. VI No. 74, s. 2, 21 Geo. V No. 52, s. 3,

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	No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 29 and s. 56 and Sched. 2, 25 Geo. V No. 78, No. 18 of 1962, s. 2, No. 55 of 1965, s. 5, No. 98 of 1973, s. 4, No. 30 of 1974, s. 2 and Sched. 1, No. 37 of 1974, s. 6 and Sched. 1, No. 52 of 1978, s. 2, No. 99 of 1982, s. 3 and Sched. 2, No. 9 of 1983, s. 4, No. 41 of 1987, s. 13 and Sched. 1, No. 54 of 1992, s. 5, No. 62 of 1992, s. 4, No. 30 of 1995, s. 3 and Sched. 1, No. 53 of 1997, Sched. 1, No. 71 of 1999, s. 5, No. 90 of 1999, Sched. 1, No. 22 of 2001, s. 10, No. 71 of 2001, s. 27, No. 104 of 2001, s. 13 and No. 7 of 2002, s. 5
Section 31A	Inserted by No. 71 of 1999, s. 6
Section 32	Amended by No. 40 of 2009, s. 5 Substituted by No. 14 of 1957, s. 2
Section 33	Amended by No. 83 of 1958, s. 6, No. 31 of 1961, s. 30, No. 55 of 1965, s. 5, No. 94 of 1971, s. 5, No. 52 of 1978, s. 4 and Sched. 1, No. 41 of 1987, s. 13 and Sched. 1, No. 71 of 1999, s. 7, No. 90 of 1999, Sched. 1, No. 15 of 2000, s. 6 and No. 35 of 2017, s. 4
Section 33A	Amended by 25 Geo. V No. 78, No. 55 of 1965, s. 5, No. 52 of 1978, s. 4 and Sched. 1 Substituted by No. 71 of 1999, s. 8
Section 34	Inserted by No. 71 of 1999, s. 8 Repealed by No. 104 of 2001, s. 14
Section 34	Renumbered by No. 96 of 1976, s. 2 and Sched. 1
Section 34	Substituted by No. 96 of 1976, s. 6
Section 35	Repealed by No. 90 of 1999, Sched. 1
Section 35	Inserted by No. 96 of 1976, s. 7
Section 36	Amended by No. 76 of 1979, s. 4 Repealed by No. 90 of 1999, Sched. 1
Section 36	Renumbered by No. 96 of 1976, s. 2 and Sched. 1
Section 36A	Substituted by No. 96 of 1976, s. 8 Subsection (1A) inserted by No. 58 of 1977, s. 3 Subsection (10A) substituted by No. 41 of 1987, s. 13 and Sched. 1
Section 36	Repealed by No. 90 of 1999, Sched. 1
Section 36A	Inserted by No. 83 of 1978, s. 8 Repealed by No. 90 of 1999, Sched. 1
Section 37	Inserted by No. 74 of 1968, s. 7 Amended by No. 77 of 1970, s. 32 and Sched. 2, No. 119 of 1973, s. 3 Renumbered by No. 96 of 1976, s. 2 and Sched. 1 Subsection (2) substituted by No. 96 of 1976, s. 2 and Sched. 1 Amended by No. 52 of 1978, s. 4 and Sched. 1, No. 17 of 1979, s. 2 Subsection (3) inserted by No. 17 of 1979, s. 2 Subsection (4) inserted by No. 17 of 1979, s. 2

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	Subsection (5) inserted by No. 17 of 1979, s. 2
	Subsection (1) substituted by No. 41 of 1987, s. 13 and Sched. 1
Section 37	Repealed by No. 90 of 1999, Sched. 1
Section 38	Inserted by No. 31 of 1961, s. 31
	Subsection (1) substituted by No. 93 of 1963, s. 6
	Subsection (1A) inserted by No. 93 of 1963, s. 6
	Amended by No. 93 of 1963, s. 6
	Subsection (8) added by No. 26 of 1966, s. 5
	Subsection (6) omitted by No. 74 of 1968, s. 8
	Amended by No. 43 of 1969, s. 3, No. 77 of 1970, s. 32 and Sched. 2, No. 119 of 1973, s. 4, No. 37 of 1974, s. 3
	Renumbered by No. 96 of 1976, s. 2 and Sched. 1
	Subsection (10) inserted by No. 96 of 1976, s. 2 and Sched. 1
	Subsection (11) added by No. 96 of 1976, s. 2 and Sched. 1
	Amended by No. 96 of 1976, s. 9
	Subsection (4B) omitted by No. 96 of 1976, s. 9
	Subsection (4C) omitted by No. 96 of 1976, s. 9
	Subsection (7) omitted by No. 96 of 1976, s. 9
	Subsection (9) inserted by No. 96 of 1976, s. 2 and Sched. 1
	Subsection (1C) omitted by No. 75 of 1978, s. 7
	Subsection (1D) omitted by No. 75 of 1978, s. 7
	Subsection (1E) omitted by No. 75 of 1978, s. 7
	Subsection (1F) omitted by No. 75 of 1978, s. 7
	Subsection (1G) omitted by No. 75 of 1978, s. 7
	Subsection (4) substituted by No. 10 of 1980, s. 3
	Subsection (4A) inserted by No. 10 of 1980, s. 3
	Subsection (1B) omitted by No. 58 of 1993, s. 4
Section 38	Repealed by No. 90 of 1999, Sched. 1
Section 39	Substituted by No. 74 of 1968, s. 10
	Amended by No. 119 of 1973, s. 5, No. 37 of 1974, s. 4
	Renumbered by No. 96 of 1976, s. 2 and Sched. 1
	Subsection (1) substituted by No. 96 of 1976, s. 10
	Subsection (2) substituted by No. 96 of 1976, s. 10
	Subsection (3) omitted by No. 96 of 1976, s. 10
	Subsection (5) omitted by No. 96 of 1976, s. 10
	Subsection (4) omitted by No. 10 of 1980, s. 4
Section 39	Repealed by No. 90 of 1999, Sched. 1
Section 40	Substituted by No. 93 of 1963, s. 8
	Subsection (8) substituted by No. 54 of 1964, s. 3
	Renumbered by No. 96 of 1976, s. 2 and Sched. 1
Section 40	Repealed by No. 104 of 2001, s. 14
Section 41	Substituted by No. 34 of 1981, s. 4
	Amended by No. 86 of 1995, s. 8 and No. 90 of 1999,

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	Sched. 1
Section 41A	Inserted by No. 75 of 1957, s. 5 Amended by No. 3 of 2010, Sched. 1
Section 41B	Inserted by No. 34 of 1981, s. 5 Repealed by No. 90 of 1999, Sched. 1 Inserted by No. 23 of 2001, s. 4 Amended by No. 40 of 2009, s. 6 and No. 29 of 2021, s. 4
Section 41C	Repealed by No. 77 of 1970, s. 32 and Sched. 2 Inserted by No. 23 of 2001, s. 4 Amended by No. 40 of 2009, s. 7
Section 41CA	Inserted by No. 29 of 2021, s. 5
Section 41D	Repealed by No. 77 of 1970, s. 32 and Sched. 2 Inserted by No. 40 of 2009, s. 8
Section 41E	Inserted by No. 40 of 2009, s. 8
Section 41F	Inserted by No. 40 of 2009, s. 8 Amended by No. 4 of 2017, Sched. 1
Section 41G	Inserted by No. 40 of 2009, s. 8
Section 41H	Inserted by No. 40 of 2009, s. 8
Section 41I	Inserted by No. 40 of 2009, s. 8
Section 41J	Inserted by No. 40 of 2009, s. 8
Section 42	Amended by No. 36 of 1958, s. 4 and Sched. 5, 25 Geo. V No. 78 Repealed by No. 104 of 2001, s. 15 Inserted by No. 40 of 2009, s. 8
Section 43	Amended by No. 36 of 1958, s. 4 and Sched. 5, 25 Geo. V No. 78 Substituted by No. 104 of 2001, s. 16 Amended by No. 4 of 2017, Sched. 1
Section 43A	Inserted by No. 26 of 1966, s. 9 Subsection (1A) inserted by No. 37 of 1976, s. 4 Subsection (1B) inserted by No. 37 of 1976, s. 4 Subsection (1C) inserted by No. 37 of 1976, s. 4 Subsection (1D) inserted by No. 37 of 1976, s. 4 Amended by No. 52 of 1978, s. 4 and Sched. 1 Repealed by No. 71 of 1999, s. 4
Part IVA	Inserted by No. 50 of 1971, s. 4
Section 43AA	Inserted by No. 58 of 1993, s. 5 Repealed by No. 90 of 1999, Sched. 1
Section 43B	Substituted by No. 34 of 1987, s. 7 Subsection (2) substituted by No. 71 of 1999, s. 10 Repealed by No. 90 of 1999, Sched. 1
Section 43C	Inserted by No. 50 of 1971, s. 4 Amended by No. 96 of 1976, s. 11 Subsection (5) added by No. 96 of 1976, s. 11 Repealed by No. 90 of 1999, Sched. 1
Section 43D	Inserted by No. 50 of 1971, s. 4 Amended by No. 34 of 1987, s. 8 Repealed by No. 90 of 1999, Sched. 1

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Section 43DA	Inserted by No. 54 of 1992, s. 6 Repealed by No. 90 of 1999, Sched. 1
Section 43DB	Inserted by No. 54 of 1992, s. 6 Repealed by No. 90 of 1999, Sched. 1
Section 43E	Inserted by No. 50 of 1971, s. 4 Amended by No. 30 of 1974, s. 2 and Sched. 1 Subsection (1A) inserted by No. 96 of 1976, s. 12 Subsection (3) substituted by No. 96 of 1976, s. 12 Subsection (4) substituted by No. 34 of 1981, s. 6 Subsection (4A) inserted by No. 34 of 1981, s. 6 Subsection (4B) inserted by No. 34 of 1981, s. 6 Subsection (4C) inserted by No. 34 of 1981, s. 6 Subsection (7) omitted by No. 99 of 1982, s. 3 and Sched. 2 Amended by No. 34 of 1987, s. 9 Subsection (3A) inserted by No. 34 of 1987, s. 9 Subsection (3B) inserted by No. 34 of 1987, s. 9 Subsection (4AA) inserted by No. 34 of 1987, s. 9 Amended by No. 58 of 1993, s. 6 Subsection (1B) inserted by No. 58 of 1993, s. 6 Amended by No. 58 of 1993, s. 6 Repealed by No. 90 of 1999, Sched. 1
Section 43EA	Inserted by No. 58 of 1993, s. 7 Repealed by No. 90 of 1999, Sched. 1
Section 43EB	Inserted by No. 58 of 1993, s. 7 Repealed by No. 90 of 1999, Sched. 1
Section 43F	Inserted by No. 50 of 1971, s. 4 Subsection (5) omitted by No. 61 of 1981, s. 13 Subsection (6) omitted by No. 61 of 1981, s. 13 Subsection (7) omitted by No. 61 of 1981, s. 13 Subsection (1AA) inserted by No. 58 of 1993, s. 8 Subsection (3) inserted by No. 58 of 1993, s. 8 Subsection (4) inserted by No. 58 of 1993, s. 8 Repealed by No. 90 of 1999, Sched. 1
Part IVB	Inserted by No. 50 of 1971, s. 4
Division 1 of Part IVB	Inserted by No. 27 of 2004, s. 5
Section 43G	Repealed by No. 34 of 1987, s. 10 Inserted by No. 27 of 2004, s. 5 Amended by No. 45 of 2016, s. 4
Section 43GA	Inserted by No. 27 of 2004, s. 5
Section 43GB	Inserted by No. 27 of 2004, s. 5 Amended by No. 45 of 2016, s. 5
Section 43GC	Inserted by No. 27 of 2004, s. 5 Substituted by No. 27 of 2008, Sched. 1
Division 2 of Part IVB	Heading inserted by No. 27 of 2004, s. 6
Section 43H	Inserted by No. 50 of 1971, s. 4

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	Amended by No. 96 of 1976, s. 13, No. 10 of 1978, s. 2, No. 76 of 1979, s. 5, No. 34 of 1987, s. 11, No. 41 of 1987, s. 6, No. 86 of 1995, s. 9, No. 90 of 1999, Sched. 1, No. 72 of 2007, Sched. 1 and No. 10 of 2008, s. 12
Section 43HA	Inserted by No. 86 of 1995, s. 10
Section 43HB	Substituted by No. 72 of 2007, Sched. 1
	Inserted by No. 86 of 1995, s. 10
	Amended by No. 90 of 1999, Sched. 1
Section 43J	Substituted by No. 27 of 2004, s. 7
	Inserted by No. 50 of 1971, s. 4
	Amended by No. 10 of 1978, s. 3
	Subsection (1A) inserted by No. 10 of 1978, s. 3
	Amended by No. 41 of 1987, s. 7
Section 43K	Repealed by No. 72 of 2007, Sched. 1
	Inserted by No. 50 of 1971, s. 4
	Amended by No. 34 of 1987, s. 12, No. 41 of 1987, s. 8
Section 43L	Repealed by No. 72 of 2007, Sched. 1
	Inserted by No. 50 of 1971, s. 4
	Amended by No. 10 of 1978, s. 4, No. 76 of 1979, s. 6, No. 34 of 1987, s. 13, No. 41 of 1987, s. 9, No. 54 of 1992, s. 7, No. 86 of 1995, s. 11
	Repealed by No. 86 of 1995, s. 11
	Substituted by No. 86 of 1995, s. 11
	Amended by No. 71 of 1999, s. 11, No. 90 of 1999, Sched. 1, No. 67 of 2001, s. 5, No. 104 of 2001, s. 17, No. 27 of 2004, s. 8, No. 72 of 2007, Sched. 1 and No. 6 of 2008, Sched. 1
Section 43LA	Inserted by No. 86 of 1995, s. 12
	Repealed by No. 27 of 2004, s. 9
Section 43M	Inserted by No. 50 of 1971, s. 4
	Amended by No. 41 of 1987, s. 10, No. 86 of 1995, s. 13, No. 27 of 2004, s. 10, No. 72 of 2007, Sched. 1 and No. 4 of 2017, Sched. 1
Division 3 of Part IVB	Heading inserted by No. 27 of 2004, s. 11
Section 43N	Inserted by No. 34 of 1987, s. 14
	Amended by No. 71 of 1999, s. 12, No. 90 of 1999, Sched. 1 and No. 104 of 2001, s. 18
Section 43O	Inserted by No. 27 of 2004, s. 12
Section 43P	Inserted by No. 86 of 1995, s. 14
	Amended by No. 90 of 1999, Sched. 1
Section 43Q	Inserted by No. 90 of 1999, Sched. 1
	Amended by No. 80 of 2001, Sched. 1 and No. 27 of 2004, s. 13
Section 44	Amended by No. 31 of 1961, s. 36, No. 31 of 1961, s. 36 and s. 56 and Sched. 2, 25 Geo. V No. 78 and No. 90 of 1999, Sched. 1
Section 45	Substituted by No. 83 of 1958, s. 8

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	Amended by No. 23 of 1959, s. 6, No. 74 of 1968, s. 11, No. 94 of 1971, s. 6 and No. 90 of 1999, Sched. 1
Section 46	Amended by 25 Geo. V No. 78
Section 47	Repealed by No. 90 of 1999, Sched. 1
Section 48	Repealed by No. 31 of 1961, s. 37
Section 49	Amended by No. 36 of 1958, s. 4 and Sched. 5 and 25 Geo. V No. 78
Section 49A	Substituted by No. 31 of 1961, s. 38
Section 49B	Inserted by No. 41 of 1987, s. 11
Section 50	Substituted by No. 32 of 2018, s. 6
Section 51	Inserted by No. 53 of 1997, Sched. 1
	Repealed by No. 90 of 1999, Sched. 1
	Amended by 25 Geo. V No. 78
	Amended by 1 Geo. VI No. 74, s. 2, 17 Geo. V No. 46, s. 8, 21 Geo. V No. 52, s. 3, No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 39 and s. 56 and Sched. 2, 25 Geo. V No. 78, No. 37 of 1976, s. 6, No. 19 of 1981, s. 7, No. 29 of 1984, s. 3 and Sched. 1, No. 54 of 1992, s. 8, No. 86 of 1995, s. 15, No. 53 of 1997, Sched. 1, No. 71 of 1999, s. 13, No. 90 of 1999, Sched. 1 and No. 67 of 2001, s. 6
Section 51A	Repealed by No. 66 of 1975, s. 7
	Inserted by No. 67 of 2001, s. 7
Section 51B	Repealed by No. 7 of 2002, s. 6
	Inserted by No. 67 of 2001, s. 7
	Repealed by No. 7 of 2002, s. 6
Section 52	Substituted by No. 41 of 1987, s. 13 and Sched. 1
Section 53	Amended by No. 71 of 1999, s. 14
Section 54	Substituted by 1 Geo. VI No. 74, s. 2, 25 Geo. V No. 78
	Amended by No. 90 of 1999, Sched. 1 and No. 22 of 2001, s. 10
Section 54	Inserted by No. 107 of 1980, s. 5
	Amended by No. 41 of 1987, s. 12, No. 54 of 1992, s. 9, No. 86 of 1995, s. 16
	Substituted by No. 86 of 1995, s. 16
	Amended by No. 90 of 1999, Sched. 1 and No. 72 of 2007, Sched. 1
Section 56	Amended by 25 Geo. V No. 78 and No. 90 of 1999, Sched. 1
Part VI	Inserted by 21 Geo. V No. 52, s. 3
	Heading substituted by No. 36 of 1958, s. 4 and Sched. 5
Section 57	Repealed by No. 28 of 1995, s. 18
Section 58	Inserted by 21 Geo. V No. 52, s. 3
	Amended by No. 36 of 1958, s. 4 and Sched. 5, 24 Geo. V No. 43, s. 4, No. 31 of 1961, s. 41, No. 53 of 1997, Sched. 1 and No. 80 of 2001, Sched. 1
Section 59	Amended by 1 Geo. VI No. 74, s. 2
	Inserted by 21 Geo. V No. 52, s. 3

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Section 60	Amended by No. 36 of 1958, s. 4 and Sched. 5, No. 31 of 1961, s. 42, 25 Geo. V No. 78, No. 94 of 1971, s. 7, No. 94 of 1971, s. 7 and Sched. and No. 71 of 2003, s. 4 Inserted by 21 Geo. V No. 52, s. 3
Section 61	Amended by No. 36 of 1958, s. 4 and Sched. 5 and No. 94 of 1971, s. 8 Inserted by 21 Geo. V No. 52, s. 3
Part VII	Amended by No. 36 of 1958, s. 4 and Sched. 5 and No. 31 of 1961, s. 43 and s. 56 and Sched. 2
Part VII	Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 62	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 63	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 64	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 65	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 66	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 67	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 68	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 69	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 70	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 71	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 72	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 73	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6 Repealed by No. 30 of 2013, Sched. 1

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Section 74	Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6
Section 75	Repealed by No. 30 of 2013, Sched. 1 Repealed by No. 71 of 1973, s. 35 and Sched. 3 Inserted by No. 57 of 1997, s. 6 Repealed by No. 30 of 2013, Sched. 1
Section 76	Inserted by No. 32 of 2007, s. 4
Section 77	Inserted by No. 32 of 2007, s. 4
Section 78	Inserted by No. 32 of 2007, s. 4
Section 79	Inserted by No. 32 of 2007, s. 4 Amended by No. 31 of 2022, s. 4
Section 80	Inserted by No. 32 of 2007, s. 4
Section 81	Inserted by No. 32 of 2007, s. 4 Amended by No. 31 of 2022, s. 5
Section 82	Inserted by No. 32 of 2007, s. 4 Amended by No. 31 of 2022, s. 6
Schedule 1	Amended by 25 Geo. V No. 78
Schedule 2	Substituted by No. 18 of 1996, s. 9 Amended by No. 52 of 1996, s. 4 Repealed by No. 90 of 1999, Sched. 1 Amended by No. 90 of 1999, Sched. 1
Part 1 of Schedule 2	Amended by No. 90 of 1999, Sched. 1
Part 2 of Schedule 2	Amended by No. 90 of 1999, Sched. 1
Part 3 of Schedule 2	Amended by No. 90 of 1999, Sched. 1
Part 4 of Schedule 2	Amended by No. 90 of 1999, Sched. 1
Schedule 3	Substituted by No. 31 of 1961, s. 52 Amended by No. 55 of 1965, s. 5, No. 34 of 1987, s. 16 Repealed by No. 53 of 1997, Sched. 1 Amended by No. 53 of 1997, Sched. 1
Part I of Schedule 3	Amended by No. 53 of 1997, Sched. 1
Part II of Schedule 3	Amended by No. 53 of 1997, Sched. 1
Schedule 4	Repealed by No. 28 of 1995, s. 19
Schedule 5	Repealed by No. 34 of 1987, s. 17
