

THE ROAD TRAFFIC AMENDMENT ORDINANCE, 1929.

Western Samoa.—No. 2, 1929.

AN ORDINANCE made by the Administrator of the Territory of Western Samoa, with the advice and consent of the Legislative Council of that Territory, and in pursuance of the Samoa Act, 1921.

Title. Take effect.

1. This Ordinance may be cited as the Road Traffic Amendment Ordinance, 1929, and shall be read together with and deemed part of the Road Traffic Ordinance, 1921 (hereinafter referred to as the principal Ordinance), and shall be deemed to come into operation on the first day of April, nineteen hundred and twenty-nine.

Interpretations.

2. For the purposes of this Ordinance, the principal Ordinance, and the Road Traffic Ordinance Amendment Ordinance, 1923, unless the context otherwise requires,—

“Drive” includes “ride”;

“Driver” means any person driving a vehicle, and includes any person riding a vehicle or animal;

“Commissioner of Police” includes Inspector of Police and any person authorized by him;

“Motor-omnibus” means a motor-vehicle plying for hire for the conveyance of passengers and designed principally for the carriage of persons exceeding seven in number inclusive of the driver;

“Motor-vehicle” means any motor-car, motor-carriage, motor-lorry, motor-cycle, or other motor-vehicle propelled wholly or partially by mechanical or electrical power, except vehicles used on railways or tramways;

“Owner” means, in respect to a registered vehicle, the person in whose name such vehicle is registered;

“Public road” means any road, street, lane, thoroughfare, footpath, or place over which there is a public right of way;

“Traffic” means the comings and goings of persons, animals, vehicles, and goods by or on a public road;

“Vehicle” means and includes any motor-vehicle, commercial vehicle, or any cart, van, lorry, truck, barrow, or other vehicle drawn or propelled by animal or man;

“Licensed driver” means the holder of a driver's license under clause seven of the principal Ordinance;

“Certificated driver” means the holder of a certificate of competency to drive a motor-vehicle;

“License” means a license issued under the principal Ordinance;

“Public motor-vehicle” means any motor-vehicle plying for hire or accepting hire for the conveyance of passengers, goods, or material.

Driver failing to stop and report in case of accidents.

3. (1) Any person driving a motor-vehicle shall, in any case if an accident occurs to any person, or to any animal or vehicle in charge of any person, caused by such motor-vehicle, or owing to the presence of the motor-vehicle upon the road, stop and, if required, produce his license, and give his name and place of abode, and also the name and place of abode of the owner and the registration number of the vehicle, and shall within twenty-four hours of the accident report the same either verbally or in writing to an officer of police; and if he fails to do so shall be guilty of an offence.

(2) No person failing to stop as in this section provided shall be convicted of an offence if he proves to the satisfaction of the Court that he did not know that any accident had occurred.

Refusal to produce license on demand.

4. (1) Any officer of police may call upon any person driving a motor-vehicle to produce his license and to state his name and place of abode.

(2) Any person who being called upon as aforesaid refuses to produce his license or to state his name and place of abode shall be guilty of an offence.

Owner required to give information.

(3) Any owner of a motor-vehicle shall, if required by an officer of police, give any information which it is within his power to give which may lead to the identification of any person who was driving such motor-vehicle when an offence against the principal Ordinance or any amendment thereof is alleged to have been committed, and if such owner fails to do so he shall be guilty of an offence.

Property left in public motor-vehicle.

5. The owner or driver of a public motor-vehicle, upon finding any property which has been left therein, shall deliver such property to the Commissioner of Police, who shall hand it to any claimant who appears to be the rightful owner thereof. If such property is not claimed within three months it shall be dealt with or disposed of as the Commissioner of Police shall direct.

Inspection by Police.

6. Every licensed motor-car, public motor-vehicle, or motor-omnibus shall be subject to inspection by the Commissioner of Police as often as it is deemed necessary by the said Commissioner, and the owner of any licensed vehicle shall produce such vehicle for inspection at any stated time or place as the said Commissioner shall by notice direct.

Unfit for traffic.

7. The Commissioner of Police shall have power to require to cease from running on the roads any licensed vehicle unless the same is in the opinion of the said Commissioner in good order and fit for traffic.

Motor-omnibus requirements.

8. No motor-vehicle shall be used as a motor-omnibus unless such vehicle is registered as a public motor-vehicle, nor unless such vehicle complies with the requirements set out in Schedule hereof.

Regulations.

9. The Administrator may by Proclamation to be published in the *Western Samoa Gazette* make regulations prescribing rules for the following purposes: Control of traffic, use of roads, car equipment, license fees not otherwise provided for, carriage of passengers, and generally making provision for all matters deemed necessary for the due administration of and for giving full effect to the provisions of the principal Ordinance or any amendment thereof.

Penalty.

10. Any person who is convicted of an offence against this Ordinance, or of contravening or failing to comply with any of its provisions or any regulations made hereunder, shall be liable to a fine not exceeding twenty pounds.

Amendment.

11. Clause three of the principal Ordinance is amended by adding the following subclause:—

“(1) Drives any vehicle or animal while he is under the influence of liquor.”