

THE ROAD TRAFFIC AMENDMENT ORDINANCE, 1929.

Western Samoa.

No. 2, 1929.



NO 2  
1931.

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.*

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, 1929.

*Take effect.*

*Interpretation.*

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 authorised 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 7 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 24 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.

## 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 £20.

## Amendment.

11. Clause 3 of the principal Ordinance is amended by adding the following subclause:—

(l) drives any vehicle or animal while he is under the influence of liquor.

Amendment to  
law of 1907.

12. Sub-clause (c) of clause 5 is hereby amended by striking out the figures "21" in the second last line thereof and substituting therefor the figures "17".

Repeal and sub-  
stitution of  
motor lights.

13. Sub-clause (g) of clause 17 is hereby repealed and the following sub-clause substituted therefor:—

(c) "No person shall drive or use a motor car in any road or street after sunset or before sunrise unless such car shall be provided with at least one light on each side to give light in front of such car and one light at the rear thereof so placed as to illuminate the registered number plate thereon, and to show a red light rearward and which lights shall be kept lighted and burning during the whole time such car is upon such road or street.

## Repeal.

14. Clauses 13 and 16 of the principal Ordinance are hereby repealed.

Arrest without  
warrant.

15. Any Officer of Police may arrest without warrant any driver whom he has reason to believe is committing an offence as defined by sub-clauses (c) and (l) of clause 3 of the principal Ordinance.

Schedule  
of  
Requirements Relating to Omnibuses.

(vide clause 8.)

- Body and seating accommodation.** 1. The body of the vehicle and the seating accommodation shall be approved by the Commissioner of Police.
2. Seating provision for each passenger shall be not less than 16 inches in width and 14 inches deep with a back for each seat.
- Driver's seat.** 3. No seat other than the driver's seat shall be nearer than three feet to the steering wheel or brake or gear lever and is divided from the same by a partition.
4. The driver's seat shall be so situated that he can readily give prominent arm or mechanical signals for traffic purposes.
- Mirror.** 5. A mirror shall be so provided that the driver may observe traffic on the left and rear of the omnibus.
- Fire appliance.** 6. The omnibus must be provided with at least one suitable appliance for extinguishing fire which must at all times be effectually maintained and be so placed as to be readily accessible both from inside and outside the vehicle.
- Red reflector.** 7. A suitable red reflector shall be fitted in the proximity of the rear light so as to be an extra protection in the event of failure of such light.
- Number of passengers.** 8. The number of passengers for which the omnibus is licensed shall be legibly painted upon some conspicuous part of the inside with the words "LICENSED TO CARRY. . . . PASSENGERS" in English and Samoan.
- Destination.** 9. The destination or route of the omnibus shall be painted on the outside of the vehicle or on a board attached to the outside in letters not less than two inches in height.
- Spare wheel.** 10. The omnibus shall be provided with a spare properly equipped wheel, or with a spare rim and tyre ready for service, also a tool box containing suitable tools and renewable parts to meet reasonable road requirements.
- Step, grip handles and interior light.** 11. The omnibus shall be provided with a safe and convenient step and grip handles for the assistance of passengers in entering and alighting and with a light so placed that the exit and step are illuminated by it at night PROVIDED that in the case of an omnibus licensed as such prior to the first day of April, 1929 a strict compliance with the provisions of this clause shall not be required if the Commissioner of Police is satisfied that such omnibus is substantially in a fit condition and safe and convenient for public use.

Assented to this 27th day of March, 1929.

[L.S.]

S. S. ALLEN,  
Administrator.