

**Legislative Council,**

Thursday, 10th October, 1935.

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The PRESIDENT took the Chair at 4.30 p.m., and read prayers.

**QUESTION—TRAFFIC ACT, LICENSES.**

Hon. A. THOMSON asked the Chief Secretary: 1, How many commercial goods vehicles were licensed under "The Traffic Act, 1919-1932," to the end of December, 1933? 2, How many commercial vehicles' licenses were cancelled or refused renewals after December, 1933? 3, (a) How many commercial goods vehicles have been granted licenses for the year 1935-36 in accordance with Section 35 of the State Transport Co-ordination Act; (b) What are the routes upon which the commercial vehicles operate; (c) What was the description of the vehicles for which licenses were granted; (d) What are the classes of goods for which licenses were granted; (e) What particulars and conditions have been prescribed by the Board?

The CHIEF SECRETARY replied: It would be necessary to prepare a return before these questions could be answered. The report of the Transport Board will be presented to Parliament next week, and a schedule which will be embodied therein will afford at least some of the information asked for.

**QUESTION—MINING, MARVEL LOCH WATER SUPPLY.**

Hon. J. CORNELL asked the Chief Secretary: 1, Upon what date was the price of water, used for mining purposes at Marvel Loch, raised from 4s. 9d. per 1,000 gallons to 7s. per 1,000 gallons? 2, What are the reasons for the increased charge?

The CHIEF SECRETARY replied: 1, 1st March, 1935. 2, The increase from a non-payable rate to the uniform rate chargeable to other mining communities similarly supplied from branch mains is

justified by—(a) The substantial additional expense incurred in renewing the main conduit of the Goldfields Water Supply; (b) The expenditure of £45,000 in enlarging the branch main to Marvel Loch and Burbidge; (c) The continued buoyancy of the mining market, ensuring the mines' ability to pay a reasonable charge for an essential commodity.

**BILL—INDUSTRIES ACT CONTINUANCE.**

Read a third time and *passed*.

**REPORTS OF COMMITTEE.**

- 1, Brands Act Amendment.
  - 2, Droving Act Amendment.
- Adopted.

**BILL—TRAFFIC ACT AMENDMENT.**

*Second Reading.*

Debate resumed from the 8th October.

HON. C. F. BAXTER (East) [4.40]: With the great expansion in traffic and transport conditions it is natural that amendments should be made from time to time to the laws on our statute books governing traffic. I do not agree with members who say that in country districts the traffic should be handed over to the police. I would very strongly oppose the handing over of the collection of fees to one centre, the metropolitan area. The present system is quite sound and is working equitably.

Hon. H. S. W. PARKER: I do not suggest one centre for the collection of fees.

Hon. C. F. BAXTER: No. Why interfere with the present system which is giving so much satisfaction? Country districts are up in arms because of the suggested alteration, which would allow all the money to go to one centre. To put the control of traffic in the country districts into the hands of the police would cause a great deal of trouble and extra expense. In none of our towns would the appointment of a permanent traffic inspector be warranted. It would be impracticable for a policeman in a country town also to control the traffic. Such officers have multifarious duties to perform. It is very difficult for the ordinary country constable to discharge all the duties expected of him. He has to make long journeys through his district, and is hamp-

ered by the fact that he is given only a horse to travel on and can only do a few miles in a day. It is proposed to regulate pedestrian traffic. The time is long overdue for something to be done in that direction. In Perth pedestrians are allowed to wander from one street to another irrespective of the danger to themselves and other people.

Hon. A. Thomson: They even walk down the centre of streets.

Hon. C. F. BAXTER: Yes. Adequate regulations unless they are enforced with would remedy that situation. One has only to drive a car in Perth to realise how difficult it is to avoid trouble. Young people will deliberately walk in front of a car, and challenge the driver either to run them down or pull up. There are other people who have not enough common sense to see the danger they are running. The accelerator is next to the brake. If a nervous driver were to press the accelerator instead of the foot brake it would be almost impossible for him to avoid an accident. It is no use framing regulations unless they are enforced with strictness. If that were done the number of accidents would be greatly reduced, and drivers themselves would find it much safer to travel through the congested areas of the city. The modern car is a powerful vehicle and possessed of fourwheel brakes, but notwithstanding that it is often difficult for the driver, owing to the carelessness of other people, to avoid trouble. I agree that the fast driver is not the dangerous driver. The man who drives fast can usually control his car, and does not drive at a speed at which he cannot control it.

Hon. T. Moore: The loiterer on the road takes no risk.

Hon. C. F. BAXTER: I have been slowed down myself when going round the pointsmen, but in congested areas the pointsman will speak strongly to a driver if he does not go round him quickly in order to facilitate traffic. Crawling round a corner is the worst thing in the world under such circumstances. In Capetown, there is no speed limit at all and pedestrians have to get out of the way. The percentage of accidents there is far less than in Western Australia. It is the slow driver, not the fast driver who causes the accidents.

Hon. H. S. W. Parker: If you are coming back from the races the traffic people force you to drive at about 40 miles an hour.

Hon. C. F. BAXTER: Quite so, and if they did not do that, the traffic would never be cleared. Those who have control of traffic in the city are doing wonderful work, and that is most apparent on busy days, such as Show Day and days on which races are held in the metropolitan area. Bearing in mind the extraordinary drivers that they have to deal with at times and the congested nature of the traffic, it is remarkable that the Traffic Branch officials handle the situation as well as they do. The same thing applies to the men on point duty. Heaven alone knows how they understand the signals that are given by some drivers. An excellent set of signals has been provided, but 40 per cent. of the people who drive cars do not make use of them properly. I do not know if it is merely a matter of laziness or that some drivers are too lackadaisical. How often do members see a driver hang his hand limply over the side for a few seconds and then withdraw it? How can any following driver tell what the signal means? It merely emphasises the necessity for watching the car ahead and slowing down so that trouble may be avoided. Those in charge of the traffic have been very lenient, but I think they should cease their leniency with regard to the observation of signals, not only for the sake of the public, but for their own sake as well. The Traffic Branch of the Police Department have issued pamphlets dealing comprehensively with the requirements and have published illustrations of the necessary signals in the Press. Nevertheless, many drivers do not comply with the requirements and hang their hands limply over the side of the car. The younger generation of drivers is more responsible for this sort of thing than the older people. The Bill is essentially a Committee measure, and I shall reserve any further remarks I have to make until we reach that stage. While I realise we have effective traffic control now, the Act must be amended and brought up to date from time to time. I support the second reading of the Bill.

**HON. H. TUCKEY** (South-West) [4.48]: The altered conditions respecting traffic in recent years tend to make the Bill important. I was rather surprised to hear the remarks of Mr. Parker and Mr. Macfarlane, who advocated 100 per cent. control of traffic by the police. They did not appear to

realise that method would mean the loss of the traffic fees to the local authorities.

Hon. H. S. W. Parker: No, you are wrong.

Hon. H. V. Piesse: That would be the thin edge of the wedge.

Hon. H. TUCKEY: That is so, and if we were to agree to that, the police would collect the fees. I have had some experience, and I know that the police will not do work if they do not get the fees. From the remarks of those hon. members, it would also appear that they considered the road boards had insisted upon having their own inspectors. That is entirely wrong. What the local authorities object to is the handing over of fees to a central authority.

Hon. J. M. Macfarlane: I agree with them.

Hon. H. TUCKEY: I endorse the view that traffic inspectors should wear some suitable uniform instead of merely pinning a badge to the coat. One member said that traffic inspectors were not needed in small places where it was not necessary to station a police constable. I do not agree with that contention. If the police have to do the work, many more constables will have to be appointed.

Hon. H. S. W. Parker: Do you not like a policeman round your place?

Hon. H. TUCKEY: We cannot get one. I know more than one place where a constable is needed, but the department claim they cannot afford to make the appointment.

Hon. C. F. Baxter: Are you referring to Mandurah?

Hon. H. TUCKEY: That is one place.

Hon. C. F. Baxter: That would be for the visitors.

Hon. H. TUCKEY: It is regarded as necessary to have a constable there throughout the year. I do not agree with those members who say that speeding is not the cause of the majority of motor accidents.

Hon. E. H. Gray: Hear, hear!

Hon. H. TUCKEY: In my opinion, excessive speeding has caused the great majority of the fatal accidents recorded. Then again members should realise that the accidents reported do not represent the number that actually take place. Last year 3,000 odd accidents were reported, but I guarantee that there were at least 25 per cent. more, of which we heard nothing. If we could provide against cars travelling at more than 40 miles an hour, I believe the number of accidents would be reduced.

Hon. T. Moore: That might do around the city areas.

Hon. H. TUCKEY: It is necessary on the country roads too. I remember a recent accident that occurred between Bunbury and Pinjarra where three out of the five persons in the car were killed and the other two were maimed for life. That accident was due entirely to speeding. There seems to be a great deal of misapprehension regarding Clause 4. Members seem to think that if it is agreed to it will mean that the owner of a motor car will not be able to give a lift to his friends. That suggestion is entirely wrong, although that seemed to be the prevailing idea in another place, and for that reason the clause was passed only on the casting vote of the Chairman. If the clause is read carefully, members will see that it deals with one class of vehicle only and has nothing to do with private cars or trucks. As Mr. Baxter said, the Bill is essentially one for the Committee stage, and I shall content myself with supporting the second reading.

HON. W. J. MANN (South-West) [4.52]: I move—

That the debate be adjourned.

Motion put and negatived.

HON. E. H. GRAY (West) [4.53]: I am glad the adjournment of the debate was not agreed to, because I desire to say a few words regarding the Bill. It is a matter of surprise to me that nothing has been said regarding the proposed amendment to Section 10. The amendment appears in Clause 6, which proposes to insert the following proviso in Section 10:—

Provided also that any minister of religion shall be entitled to obtain free of charge a license for one vehicle owned and used by him.

I do not know why that proviso has been inserted, but I think it is a bad principle to adopt.

Hon. J. Nicholson: Such a provision appears in the present Act, and the proviso in the Bill merely alters the phraseology to a slight extent.

Hon. C. F. Baxter: Do you drive a car?

Hon. E. H. GRAY: Yes. I would have no objection to the proviso if it had a wider application.

Hon. J. Cornell: Who else do you think should enjoy the privilege?

Hon. E. H. GRAY: I think nurses should have the concession. There are about 30 infant health nurses in Western Australia and 50 per cent. of their time is spent in visiting their clients.

Hon. L. Craig: They get paid for it.

Hon. E. H. GRAY: And so do ministers of religion.

Hon. J. Cornell: Do they? Sometimes they may.

Hon. E. H. GRAY: The ministers who will secure relief because of this proviso will be those who can afford to pay. The ministers who cannot afford to do so will have to walk.

Hon. J. J. Holmes: If you want nurses to enjoy the concession, do you suggest that doctors should also participate?

Hon. E. H. GRAY: No, because doctors receive large professional fees.

Hon. H. S. W. Parker: Do you think that members of Parliament should be exempt too?

Hon. E. H. GRAY: Perhaps so. It is obvious that the proviso means that assistance will be available for ministers who can afford to pay for their car licenses; those ministers who cannot afford to do so have no cars and therefore will not benefit. I would agree to the concession being granted to ministers in country districts, but I think it is a dangerous principle to introduce in any Act of Parliament. It is dangerous to provide a concession such as this because it provides assistance that is not available to others. It would apply to ministers belonging to free churches who do not want any financial assistance from the State, but desire absolute impartiality in treatment.

Hon. L. Craig: You object to parsons receiving this concession at all.

Hon. E. H. GRAY: If we are to give this concession to ministers, we should also extend it to others who are carrying out similar work.

Hon. J. Cornell: You know we denied ministers the right to stand for Parliament.

Hon. E. H. GRAY: And it is just as well. I think my expression of opinion will be supported by anyone who belongs to the free churches.

Hon. J. J. Holmes: They need not apply for licenses.

Hon. E. H. GRAY: That is all right, but it is wrong to commence this sort of thing.

I disagree with the remarks of Mr. Baxter—

Hon. C. F. Baxter: You would.

Hon. E. H. GRAY: And also with the remarks of Mr. Parker, where those two members referred to the cause of accidents. Mr. Tuckey took the words out of my mouth when he said that most of the fatal accidents were due to excessive driving.

Hon. H. S. W. Parker: I did not refer to excessive driving but to fast driving.

Hon. E. H. GRAY: I am not a fast driver.

Hon. C. F. Baxter: I should imagine you would not be; you are one of the drivers who are a danger.

Hon. E. H. GRAY: Statistics show that women, who are not fast drivers, are responsible for a greater percentage of accidents than men.

Hon. G. W. Miles: Many ladies drive faster than men!

Hon. E. H. GRAY: They do not, but I agree that many of them are a nuisance on the road. Mr. Parker referred to the regulation that limits driving over intersections to 15 miles an hour. I interjected that I thought that was quite right. Mr. Parker referred to the Perth-Fremantle-road, but, in my opinion, that is one of the safest roads that motorists can travel over, because the streets that join up with the main Perth-Fremantle-road do not intersect; those streets are not directly opposite each other.

Hon. H. S. W. Parker: But the motorist still has to drive at 15 miles an hour at those streets.

Hon. E. H. GRAY: There are three dangerous places only on the road between Perth and Fremantle, and at those places only would it be necessary to restrict the pace to 15 miles an hour.

Hon. H. S. W. Parker: It is not what you think is necessary; the law says it must be done.

Hon. E. H. GRAY: Whoever surveyed the roads in that area did a splendid work. There is not more than one place between Perth and Fremantle where roads intersect. So that if motorists exercise reasonable care, there should not be any accidents on that road. As I have said, there are three places where the intersecting streets may be considered to be dangerous. There is Locke-street—

Hon. H. S. W. Parker: Locke-street does not cross the main road.

The PRESIDENT: Order! I wish hon. members would allow Mr. Gray to proceed with his speech.

Hon. E. H. GRAY: The Locke-street turn-off can be regarded as dangerous and it is a place where motorists should exercise care. If fast driving is not responsible, as some members contend, for accidents, how is it that so many accidents do happen at intersections? A motor car with 100 per cent. efficient brakes can be pulled up in 7½ feet travelling 15 miles an hour, in 13 feet travelling 20 miles an hour, in 41 feet travelling 35 miles an hour, in 53 feet travelling 40 miles an hour, in 67 feet travelling 45 miles an hour, and in 83 feet travelling 50 miles an hour.

Hon. G. W. Miles: Where did you get those figures?

Hon. E. H. GRAY: I got them from Mexico and I am prepared to stand by them as being accurate. They have been issued by the Automobile Club on a chart which all motorists should have.

Hon. H. S. W. Parker: Regardless of the make and weight of the car?

Hon. E. H. GRAY: Generally speaking, four-wheel brakes are 70 per cent. efficient and they are considered to be good if 60 per cent. efficient. Therefore the argument advanced that the 15-miles-an-hour regulation should be abolished will not stand investigation when we find that travelling 15 miles an hour with ordinary brake efficiency you cannot pull up within 13 feet, and you cannot pull up a car within 24 feet, travelling 30 miles an hour. It does not require much to realise that if that regulation is abolished, and the motorist is allowed to travel at 30 miles an hour at intersections, it will be simply impossible to pull up at the intersection without crashing into another vehicle that may be passing. In the Old Country the policy of fast driving everywhere has been tried out and has been proved a failure. Now the authorities control traffic throughout Britain and in built-up areas no one is allowed to exceed 30 miles an hour, and the greatest precautions are taken to see that motorists do not exceed that speed.

Hon. L. B. Bolton: I have seen them doing 70 miles an hour.

Hon. E. H. GRAY: There have been great improvements in the regulation of

traffic in Britain since the hon. member's return from that country.

Hon. H. S. W. Parker: At what speed do they travel over intersections?

Hon. E. H. GRAY: In my opinion the cause of so many accidents is the fact that many drivers do not realise the speed at which they are actually travelling. With regard to the high-powered modern cars, there will have to be some alteration in the regulations so as to bring about more effective control. You can get into a secondhand car, one that may be seven or eight years old, and find that you are travelling at a terrific speed when you are doing 40 miles an hour. In a modern car, however, you can do 60 or 70 miles an hour without realising it. The cause of a number of accidents is due to the fact that drivers depend entirely upon the horn to see them through.

Hon. A. Thomson: I am inclined to agree with you there.

Hon. E. H. GRAY: Some experts have recommended that motor horns should be removed from cars. I contend, however, that drivers should be compelled to pull up at intersections, particularly those opening out on main roads. That would reduce the number of accidents. We should also be careful not to pass anything that will tend to restrict the use of motor cars owned by people in the country. For instance, we should not prevent anyone picking up a passenger, although we realise that the railways must be given some protection. My experience is that it is not so much the railway fare that concerns people in the country as the time that is occupied in travelling by rail. I would not agree to any amendment the effect of which would be to prevent any farmer picking up a friend and bringing him to Perth.

Hon. T. Moore: That is not intended.

Hon. E. H. GRAY: I am glad to know that. Of course there are two ways of looking at this: there is the railway point of view and there is also the saving of time for citizens. We must also remember the economic condition of the people.

Hon. J. Cornell: You know that the only means a lot of covies have of getting to Perth is by someone giving them a lift.

Hon. E. H. GRAY: I shall support the second reading of the Bill, reserving to myself the right in Committee to vote in the manner that I think proper upon any amendments that may be moved.

**HON. W. J. MANN** (South-West) [5.9]: I had not intended to speak on the second reading of the Bill to-day because I had written for some information regarding one phase of traffic regulations and did not expect to receive a communication in reply until to-morrow. However, that is by the way. There is a good deal to be said for the Bill but there are one or two phases that require explanation and some aspects of traffic control that need to be tightened up. Regarding the control of traffic to-day and the new element of transport which has come on the people fairly rapidly, many do not realise the dangers that exist. It would not be amiss, therefore, if, say, at the schools, teachers were instructed occasionally to give a little sound advice to the children. I made inquiries in one district recently as to whether teachers ever spoke to the children regarding the necessity for care being exercised in connection with motor traffic and the reply was that only now and again were the children told to be careful. There is scope in that direction for the training of children who are to be the future men and women of this country. I do not intend to traverse the whole of the Bill. I do, however, wish to refer to what Mr. Gray said regarding the pulling-up of traffic coming into main thoroughfares from side streets. In the City of Vancouver, all traffic from side streets must stop on approaching a main thoroughfare, whether there is any visible traffic or not on that road. On the road there is a diagonal piece of rubber three feet long and about five or six inches high on which is painted the word "stop." It is made of rubber so that if a motorist passes over it there is no resultant jolt. The traffic there must stop, and if the motorist does not do so, he commits a breach of the law. At first it might occur to one that action of that kind would result in loss of time, but in the city I speak of, it is quite a recognised thing. When the Bill before us was first introduced, I remembered what I had seen in Vancouver and I was sorry I was not able to get statistics to show how that city compared with others in respect of accidents. Regarding the collection of traffic fees, I question whether members actually are aware of the many duties the police in small country districts have to perform. The officers are frequently called away from the town. Reports coming in from outlying districts which

might compel them to remain out of the town for a considerable time. In addition, a policeman may be away for a couple of months each year collecting statistics, so that it is impracticable for police to take over this work. While no one desires that people should be harassed unduly, I hold that the idea of a local traffic inspector is preferable in every respect. I could take hon. members to intersections in some country towns where on busy days it is absolutely necessary to have a traffic inspector stationed for some hours. There is one other reference I want to make, and that is to negligent driving. Hon. members may have observed on the Notice Paper an amendment of mine proposing to deal with what is generally known as the hit-and-run driver. That person is positively a menace. It is no use appealing to the finer side of the nature of such a person; it does not appear to exist. The driver who deliberately strikes another person and then departs as fast as possible to escape any consequences, should be dealt with by the law emphatically. My amendment will be varied slightly in its latter portion, but I hope the House will support it and make the position for the person who deliberately does that kind of thing such that one breach of the law in that respect will be enough. Otherwise I support the Bill.

**HON. L. B. BOLTON** (Metropolitan) [5.17]: I support the second reading. Like Mr. Mann, I had some figures that I intended to quote: but as I have come here direct from the Show, I have not got them with me. The Government are anxious to get on; and as I am one of those who have complained of delay in business, I must not retard the second reading of the Bill. During the debate we have heard a great deal regarding the causes of accidents; and that is one of the things with which we are principally concerned. It is our duty to support any proposal tending to reduce the number of accidents. Various causes have been put forward; but in my opinion the main cause of accidents is not the fast motorist, but the careless driver. There are, of course, some fast drivers who are also careless; and undoubtedly they represent a grave menace. But generally it is found that the motorist who drives fast is a careful driver, and one who sees that his brakes are always 100 per cent. efficient. I am not a slow driver, and

I make sure that my brakes are in good order, because I appreciate that if I want to get to a given point in a given time I must drive fast, and therefore must drive carefully. But the pedestrian as well as the motorist needs education. Hardly a week passes without some accident happening at main city crossings, and even in circumstances when the motorist has been given the right of way. Indeed, we often hear of people being killed at main city intersections. Surely those accidents are not the fault of the motorist. In my opinion, it is time that the rules were tightened up for pedestrians as well. I have often followed pedestrians down the centre of Hay and Murray-streets. Those pedestrians have the right of the footpath, which the motorist has not; and surely they could be taught to walk on the footpath, leaving the road for the motorist. The push bike is also a menace to motorists, as well as to its rider.

Hon. G. W. Miles: The tail-light regulation should be strictly enforced.

Hon. L. B. BOLTON: Yes; that regulation should be tightened up considerably. Driving at a time when push bikes are about is dangerous. I have driven a motor car for many years, and have had only two accidents—slight ones, and both due to push bikes. A word of praise is due to the police for the manner in which they administer the Traffic Act—anything but a pleasant job. After all, the police are there simply to administer the Act. There may be times when we think them a little hard on us; but all round I consider they do an exceptionally good job.

Members: Hear, hear!

Hon. L. B. BOLTON: For this, very little praise has been bestowed upon them. My experience of the public in this respect is that some of them are at times a little unreasonable—as perhaps I myself am at times—but that from most of the police motorists receive every courtesy. Mr. Gray mentioned the speed at which motorists travel in the United Kingdom. I am aware that since I left the Old Country, some months ago, there has been a considerable tightening-up of the traffic regulations; but when I was in England, and particularly in the country districts, I was appalled at the pace of the average motorist. I have seen English motorists pass through villages at 60 and 70 miles per hour, scattering pedestrians, including children. I am never surprised

when reading of the huge number of accidents happening every week in the Old Country. I interjected, while Mr. Gray was speaking, that it was time an improvement was effected at Home; but according to the figures the number of accidents per week now is scarcely less than it was 12 months ago.

Hon. J. Nicholson: A discussion about that is going on at present.

Hon. L. B. BOLTON: The pace travelled by motorists in England is appalling, and it is no wonder that hundreds or even thousands are killed in the Old Country as the result of motor accidents. I am rather sorry that the Bill does not include a clause to eliminate car watchers. I am totally opposed to the car watchers, and would have liked to see a provision eliminating them, or else having them regulated by the Government so that there might be uniformity. It has been suggested that the matter is one for the local governing authorities, but I do not hold that view. Two or three proposals of the Bill I am entirely opposed to; but, like other members, I shall defer speaking on them until the Committee stage. One which I may mention now refers to a matter in the Traffic Act of years ago concerning which I was consulted. That is the reasonable load to be carried in those days by horse-drawn vehicles only. The first suggestion in the original Bill was, to my mind, entirely wrong. It was that the weight should be regulated in accordance with the size of the axle. The relative provision in the present Act was really suggested by my late father, who submitted a scale of weights to be carried by various vehicles according to width of tyres. Why the Government wish to amend the Fourth Schedule as proposed in the Bill, regulating the weight to be carried according to diameter of wheel, I do not know. To me the proposal seems almost a joke. Having had some little experience in the building of vehicles, and some knowledge of their carrying capacity, I have yet to learn that a 4-foot wheel would do more damage to the road than would a 5-foot wheel. When the clause in question is reached in Committee, I shall suggest an amendment to the Honorary Minister. The proposal of the Bill is entirely wrong. The Fourth Schedule is now divided into two parts; formerly it was not subdivided. In Committee I shall oppose principally the second part, proposing to regulate the

weight to be carried in accordance with height of wheel in conjunction, naturally, with width of tyre.

The Honorary Minister: That is dealing with steel and iron tyres.

Hon. L. B. BOLTON: Yes. The proposal is to reduce considerably the capacity of various horse-drawn vehicles. That would work a hardship on the owners of such vehicles. At the time of the passing of the original Act it was necessary for many vehicles to be fitted with much wider tyres. I agree that a narrow tyre is bad, especially on country roads; but very few narrow-tyred vehicles are used now. A spring cart usually has a 2-inch tyre, a dray a 4-inch tyre, and a wagon a tyre of from 4 to 6 inches. Probably the Honorary Minister, in replying, will give an explanation regarding this particular amendment.

**THE HONORARY MINISTER** (Hon. W. H. Kitson—West—in reply) [5.30]: The discussion on the Bill has disclosed that the House is agreed it is about time the Traffic Act was brought up to date, mainly on account of the immense alteration that has taken place in the traffic during recent years. Therefore, I do not propose to speak at any length in reply, for it would mean repetition when we get into Committee. There have been some strange and erroneous constructions placed upon one or two of the amendments contained in the Bill, and some unusual theories have been advanced. I do not hold myself an expert in these matters, but I certainly am in possession of information which no doubt will guide members as to what attitude to adopt on those particular provisions. However, as I say, I do not propose to take up any more time on the second reading, for it is desired to get the Bill into Committee as soon as possible.

Question put and passed.

Bill read a second time.

*In Committee.*

Hon. J. Cornell in the Chair; the Honorary Minister in charge of the Bill.

Clauses 1 and 2—agreed to.

Clause 3—Amendment of Section 5:

Hon. A. THOMSON: I move an amendment—

That in line 5 the words "one-half" be struck out and "one-fifth" inserted in lieu.

This provision means that a defendant will be called upon to pay a penalty of one-half the amount of the license fee. I have no objection to that in cases of wilful evasion of the payment of license fees, but in most instances the fault will be no more than forgetting to pay up within the prescribed time. So it seems to me the penalty provided is unduly heavy, and I should like to see it reduced to one-fifth of the license fee.

The HONORARY MINISTER: The reason for this provision is that in the past it has paid those guilty of this offence to submit to the fine and afterwards pay their license fees. This has occurred on innumerable occasions. It works something like this: A motorist may not take out his license for the first half year, but desires to take it out for the second half year. The Act provides that if he does not use his vehicle during the first half-year he shall return his number plates within 14 days, in other words he gets 14 days' grace and 14 days' free running. In many instances, the motorist not only exceeds the 14 days, but runs for practically the whole of the half-year and then applies for his license for the second half-year. The license fee for small cars is very little, in some cases only 30s., and strange to relate it is in those cases where the advantage I have spoken of is most frequently taken. Clearly it has paid the owner of the vehicle to submit to a fine rather than take out his license at the proper time.

Hon. A. Thomson: Make the penalty £1.

The HONORARY MINISTER: In some instances even £1 might be too high, while there are many other cases where we should inflict the penalties contained in the Bill.

Hon. A. THOMSON: Where the license fee is only £1, there is not much to worry about. The people I have in mind are those motorists who have to pay from £10 to £15. Under the Act the magistrate has no discretion but must inflict the full fine, after which the motorist has to pay for his license. I hope the Committee will agree to the amendment.

Amendment put and a division taken with the following result:—

|                |    |
|----------------|----|
| Ayes . . . . . | 10 |
| Noes . . . . . | 11 |

|                            |   |
|----------------------------|---|
| Majority against . . . . . | 1 |
|----------------------------|---|



**AYES.**

Hon. C. F. Baxter  
 Hon. L. B. Bolton  
 Hon. L. Craig  
 Hon. J. T. Frauklin  
 Hon. V. Hamersley

Hon. W. J. Mann  
 Hon. H. V. Piesse  
 Hon. A. Thomson  
 Hon. H. Tuckey  
 Hon. J. Nicholson  
*(Teller.)*

**NOES.**

Hon. A. M. Clydesdale  
 Hon. J. M. Drew  
 Hon. C. G. Elliott  
 Hon. G. Fraser  
 Hon. E. H. Gray  
 Hon. J. J. Holmes

Hon. W. H. Kitson  
 Hon. G. W. Miles  
 Hon. T. Moore  
 Hon. H. S. W. Parker  
 Hon. J. M. Macfarlane  
*(Teller.)*

**PAID.**

**AYE.**  
 Hon. C. H. Wittenoom

**N.**  
 Hon. C. B. Williams

Amendment thus negatived.

Hon. A. THOMSON: I move an amendment—

That the words "whichever is the greater" be struck out.

The HONORARY MINISTER: Experience has shown that in many instances only nominal fines have been inflicted for this offence, and the object of the measure is to tighten up the Act.

Hon. V. HAMERSLEY: When there are extenuating circumstances, the magistrate should be at liberty to exercise discretion. We should not stick out for the pound of flesh.

Hon. J. J. HOLMES: Everything possible should be done to tighten up the Act. Motor vehicles are becoming a menace, not only in the streets, but to the homes. People are mortgaging their homes and furniture in order to buy motor cars, and then they claim that they cannot pay the license fees. I would make failure to license a car a serious offence. If we retain the clause as printed, we might achieve what the department have in view. Every time I walk in St. George's Terrace I am annoyed to see both sides of the street, from Barrack-street to beyond Government House grounds, lined with motor cars owned by people, many of whom cannot afford to pay for them.

Hon. L. B. Bolton: How do you know that?

Hon. J. J. HOLMES: We all know it. If people are going to mortgage their homes and furniture in order to buy motor cars, the Government should be able to collect the full license fee or the penalty.

Hon. J. NICHOLSON: The clause deals with the licensing not only of motor cars, but of every type of vehicle.

Hon. T. Moore: Even the farmer's spring cart.

Hon. J. NICHOLSON: Yes. An ordinary spring cart used on a farm would pay

15s., and if the owner omitted to take out a license, he would be fined £1 as a minimum and then have to take out a license. I do not think that is intended.

Hon. H. S. W. PARKER: I do not like the clause. The minimum should be half the license fee and the maximum should be stated. Some people have run cars for years without taking out a license. I understand that is more pronounced in the country than in the city. A minimum fine of £1 would be a hardship where the license fee was, say, 7s. 6d.

Hon. J. M. MACFARLANE: The clause should be amended. In some instances a fine of £1 would be equitable, but in other instances it would be quite inequitable.

The HONORARY MINISTER: I do not think it is intended that the clause should apply as Mr. Nicholson suggested.

Hon. J. Nicholson: But it would apply in that way.

The HONORARY MINISTER: Anyone would regard as ridiculous the imposition of a fine of £1 for not having taken out a license costing 2s. 6d. In order to consider the matter further, I move—

That the further consideration of the clause be postponed.

Motion put and passed.

Clause 4—Amendment of Section 6:

Hon. A. THOMSON: I hope the clause will be deleted. Section 6 provides that a passenger vehicle license is required for every vehicle used for the carriage of passengers for hire or reward and that a carrier's license is required for every vehicle regularly used for the carriage of goods for hire or reward. It is proposed to strike out the word "regularly." The intention was that if a man was regularly using his vehicle for the carriage of goods for hire or reward, he should take out a carrier's license. The authorities, however, desire to tighten up the Act so that they might extract still more money from the pockets of the people. We know that if a taxpayer succeeds in an action against the Taxation Department, through a loophole in the Act, the Act is immediately amended. In the Toodyay district, during the grape season, one settler is frequently called upon to assist another by conveying his products to market, for which he is of course paid. For such a service the truck owner is expected to take out a carrier's

license. A farmer's vehicle may break down, and very often his neighbour takes the other man's wheat to the siding. For doing that he is expected to take out a carrier's license. I move an amendment—

That paragraph (a) be struck out.

Hon. H. TUCKEY: I understand the amendment refers more to the carriage of passengers than of goods, and is not brought forward at the instigation of the grape growers.

The HONORARY MINISTER: If a settler is merely obliging a neighbour, I am sure we can leave it to the local authority to deal with the matter fairly and equitably. In some districts deliberate attempts have been made to avoid taking out licenses, and because of the word "regularly" the authorities have been unable to take proceedings against them.

Hon. W. J. Mann: What does the word "regularly" mean?

The HONORARY MINISTER: The interpretation is left to the determination of the court, which has found great difficulty in dealing with cases in which evasions have occurred. The use of this word has hampered the authorities to a very large extent. I do not think action would be taken against one person who was merely helping another out of a difficulty.

Hon. H. V. Piesse: I know of men who have had their ordinary licenses suspended because they have helped their neighbours.

Hon. C. F. BAXTER: If the word "regularly" is struck out of the Act, numbers of people who are struggling for a living will be adversely affected. The local authorities are not likely to take a lenient view of even a slight offence of this kind, but will read the Act as it appears on the statute-book. People should not be rendered liable to prosecution for helping others. I hope the amendment will be agreed to.

Hon. H. V. PIESSE: I support the amendment. I am informed that in the grape-growing districts men have been proceeded against by the local authorities because they did some carting for their neighbours. When the matter was referred to the department the officials said, "You have got us there; we shall have to amend the Act." I am opposed to doing anything that savours of an injury to our primary industries.

Hon. C. B. WILLIAMS: I support Mr. Thomson's proposal. Paragraph (a) will undoubtedly impose restrictions upon numbers of people. In Kalgoorlie the taxi drivers tried to stop private car owners from driving their friends to the railway station. I am not going to do anything that will prevent people from giving me a free ride.

Progress reported.

*House adjourned at 6.15 p.m.*

## Legislative Assembly,

*Thursday, 10th October, 1935.*

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The SPEAKER took the Chair at 4.30 p.m., and read prayers.

### BILL—WORKERS' HOMES ACT AMENDMENT (No. 2).

*First Reading.*

MR. NORTH (Claremont) [4.35]: On behalf of the member for Nedlands (Hon. N. Keenan) I move—

That leave be given to introduce this Bill.

MR. LAMBERT (Yilgarn-Coolgardie) [4.36]: In view of the Bill to amend the Workers' Homes Act now before this House, is it competent to move for leave to introduce another Bill to amend that Act?

Mr. SPEAKER: Yes. I do not yet know the amendment or amendments proposed by the Bill.

Leave given.

Bill introduced, and read a first time.