

22.1/83

SUPREME COURT OF SOUTH AUSTRALIA

PANOZZO v DUNSMORE

White J

1982 — (1982) 104 LSJS 137

MOTOR TRAFFIC – DRIVING AT A SPEED DANGEROUS – 105KM/H IN A 60KM/H ZONE – NO ERROR IN COURT CONVICTING DEFENDANT

The appellant was convicted of driving a motor car at a speed dangerous to the public. It was alleged that the appellant drove at least 300 metres at 105 km/h at 2 a.m. along a main road with 2 marked lanes on either side of the centre line. Where the offence occurred, business and domestic premises lined both sides of the main road; a factory employing night-shift workers abutted the road – although no workers were said to be emerging at the time. The bitumen surface of the main road was good but wet; traffic was light: no embarrassment was caused to other traffic. Upon appeal—

HELD: Appeal dismissed.

WHITE J: "The special magistrate knew at the time, and I know at the time of the appeal, that driving in a built up area at 105 km/h. where the speed limit is 60 km/h. and where other persons might be about, is driving at a sufficiently high speed to support a conviction of speeding in a manner dangerous to the public."
