

Hon. Mr. Hall-Jones.

MODEL BY-LAWS.

ANALYSIS.

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| <ul style="list-style-type: none"> <li>Title.</li> <li>1. Short Title.</li> <li>2. Model by-laws enacted.</li> <li>3. Adoption of by-laws.</li> <li>4. Publication of by-laws.</li> <li>5. Mode of printing and publishing.</li> </ul> | <ul style="list-style-type: none"> <li>6. Special order.</li> <li>7. Model by-laws to supersede others.</li> <li>8. Appeal to the Governor.</li> <li>9. Complaints as to breaches of by-laws.</li> <li>10. Colonial licenses.</li> <li>11. Regulations and additional by-laws.</li> <li>Schedule.</li> </ul> |
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A BILL INTITULED

AN ACT to make Model By-laws regulating Heavy Traffic on Roads. Title.

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

1. The Short Title of this Act is "The Model By-laws Act, 1906." Short Title.

2. The heavy-traffic by-laws regulating the use of traction and portable engines, in Part I of the Schedule hereto, and the heavy-traffic by-laws regulating the use of vehicles other than traction or portable engines, in Part II of the said Schedule, shall, when adopted by any local authority, be deemed to be valid and shall not be questioned in any Court, and the provisions thereof shall have application and shall be enforced in the manner hereinafter appearing. Model by-laws enacted.

3. (1.) Any local authority may from time to time by special order adopt or revoke the adoption of the by-laws in Parts I and II of the Schedule hereto, or may adopt or revoke the adoption of the by-laws in either Part I or Part II; and upon their adoption the by-laws so adopted shall without further proceedings be binding to the extent to which they have been adopted, and upon the revocation of the adoption the by-laws shall cease to have effect to the extent to which the adoption has been revoked. Adoption of by-laws.

(2.) The by-laws shall come into force or shall cease to have force at and from a time specified in the special order, being in no case less than seven days from the date when the order is publicly notified.

*Model By-laws.*

(3.) The special order shall be sufficient if it simply states that the by-laws in Part I or Part II, as the case may be, in the Schedule to "The Model By-laws Act, 1906," are thereby adopted or that the adoption is thereby revoked.

(4.) The special order may apply the by-laws to the whole of the roads under the jurisdiction of the local authority without mentioning their names or otherwise describing them, or to any road or roads or part or parts thereof specified in the order. 5

Publication of  
by-laws.

4. (1.) When the by-laws have been adopted by the local authority a copy thereof shall be clearly printed on calico and affixed to a board and exhibited and maintained in a conspicuous position on every road and bridge affected thereby for public information, and so as to be easily seen by the travelling public, and the by-laws shall be so exhibited before they come into force. 10

(2.) Any exhibition of such by-laws, if purporting to be made by or by the direction of the local authority, shall be sufficient evidence that the same have been properly adopted. 15

Mode of printing  
and publishing.

5. In printing and publishing by-laws for public information the local authority shall, so far as may be necessary,—

(a.) Add to the by-laws its name and the designation of any of its officers it may appoint to carry out the provisions of the same in the manner indicated in the Schedule hereto: 20

(b.) Add to the by-laws either a statement to the effect that the by-laws apply to all the roads and bridges under its control or a schedule showing the road or roads or bridges thereon, or part or parts of such road or roads, to which the by-laws or any of them specially apply, as the case may require: 25

(c.) Insert in the by-laws the maximum license fee which it considers should be paid for the use of any traction-engine or other vehicle in the manner indicated in the Schedule hereto: 30

(d.) Insert in the by-laws the maximum weight or weights which it considers any engine or vehicle may haul or carry or which such engine or vehicle shall weigh, or the number of vehicles or trucks which a traction-engine should haul: 35

(e.) Insert in the by-laws a schedule of the minimum width of tires of engines or vehicles of various weights or descriptions in proportion to load carried, or in proportion to the number of animals employed to drag any such vehicle in the manner indicated in the Schedule hereto: 40

(f.) Insert in the by-laws the maximum load which may be carried in any vehicle with a specified width of tire of such vehicle, and the minimum width of tires which may be used on vehicles drawn by a specified number of animals in the manner indicated in Part II of the Schedule hereto: 45

(g.) Insert in the by-laws the maximum weight of any engine or vehicle, with or without the load thereon, which may be driven, hauled, drawn, or carried over any bridge or culvert in the manner indicated in the Schedule hereto: 50

(h.) Insert any other particulars manifestly required, and also any verbal alterations or additions reasonably necessary to make the by-laws complete and applicable to the district of such local authority.

5 6. A copy of every special order by a local authority adopting or  
 10 revoking the adoption of any by-laws under this Act, together with a  
 complete copy of the by-laws as published by the local authority,  
 shall be sent to the Minister for Public Works within one week from  
 the date of the order, and the order shall be gazetted by him without  
 charge.

Special order to be  
 gazetted.

7. When a local authority adopts any by-laws under the  
 authority of this Act, such by-laws shall be held to supersede, on the  
 road or roads or part or parts thereof to which they are applied, any  
 other by-laws of the local authority so far as the same are in conflict  
 15 therewith, but not further or otherwise.

Model by-laws to  
 supersede others.

8. (1.) If a local authority in adopting the whole or any portion  
 of the by-laws under this Act, or if a Magistrate issuing a license  
 under By-laws Nos. 6 or 49 in the Schedule hereto, imposes an  
 unreasonable license fee, or inserts in such by-laws any condition as  
 20 to width of tires, number of animals, security against damage, or  
 any other thing that may be deemed to be arbitrary, unjust, or  
 oppressive, any person affected by the action of such local authority  
 or Magistrate may appeal to the Governor, and he shall decide  
 whether or not such license fee is unreasonable or whether any  
 25 condition in the by-laws is arbitrary, unjust, or oppressive, and he  
 may, if he thinks fit, reduce such license fee or add to or modify such  
 condition to such extent as he thinks fit, and his decision shall be  
 final and binding upon the local authority.

Appeal to the  
 Governor.

(2.) To enable the Governor to decide any such question  
 30 he may cause inquiry to be made in the manner provided in sec-  
 tion one hundred and nineteen of "The Public Works Act, 1905," or  
 he may, if he thinks fit, appoint any person generally to be a Com-  
 missioner to hear on his behalf all appeals to him hereunder, and  
 may prescribe the powers, duties, and status of such Commissioner.

(3.) The Governor may by regulations from time to time provide  
 35 what security as to the costs of such inquiry is to be given by any  
 person who appeals to him hereunder.

9. The local authority adopting the by-laws, or any person  
 injured by the breach of any of the by-laws so adopted, may lodge a  
 40 complaint against any person committing the breach in the office of  
 the Magistrate nearest to the place at which the breach is alleged to  
 have been committed, and the Magistrate shall have jurisdiction to  
 hear any such complaint, and to inflict any fine authorised for  
 the breach of any of these by-laws.

Complaints as to  
 breaches of by-laws.

10. (1.) By-law No. 6, relating to traction-engines, in Part I  
 of the Schedule hereto, and By-law No. 49, in Part II of the said  
 Schedule, relating to vehicles other than traction-engines that  
 require to use the roads of more than one local authority, shall  
 be in force throughout New Zealand, and shall be deemed to have  
 50 been adopted by all local authorities therein; and no local authority  
 shall have power under this Act to revoke the adoption of such  
 by-laws; and all Magistrates are hereby authorised to administer such

Colonial licenses.

by-laws and to issue licenses thereunder, and to punish any one committing an offence against any such by-laws in the manner provided in By-laws Nos. 42 and 78 in the Schedule hereto.

(2.) For the purpose of enabling a Magistrate to issue licenses under By-laws Nos. 6 and 49 aforesaid, and to enforce the same, By-laws Nos. 7 and 8, and 41 and 42 in Part I, and By-laws Nos. 50 and 51, and 77 and 78 in Part II, of the Schedule hereto shall apply as if they had been adopted by the local authorities in the districts to which the license relates.

Regulations and  
additional  
by-laws.

11. The Governor may from time to time, by Order in Council gazetted, make regulations for the purpose of giving full effect to this Act, and may by any such regulation alter, add to, or modify any by-law contained in the Schedule hereto for any of the purposes therein mentioned, or may make model by-laws for any other purpose; and if any such by-law professes to be a model by-law under this Act, it shall have the same effect and may be adopted by any local authority as if it had originally been set out in the Schedule hereto.

Schedule.

## SCHEDULE.

### HEAVY-TRAFFIC BY-LAWS.—PART I.

#### BY-LAWS REGULATING THE USE OF TRACTION AND PORTABLE ENGINES.

##### BY-LAW No. 1.

##### *Interpretation.*

In these by-laws, if not inconsistent with the context,—

“Animal” means any animal used for traction purposes :

“Bicycle” includes any bicycle, tricycle, velocipede, or any similar machine propelled by the person or persons using the same :

“Borough” includes a city :

“By-law” or “by-laws” means any one or more by-laws made by or under the authority of this Act :

“Cart” includes any dray or wagon drawn by animals or propelled by mechanical power or otherwise :

“Cattle” includes any horse, mare, gelding, rig, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, sheep, ram, ewe, wether, lamb, goat, kid, and pig of any kind :

“County” means a county with the meaning of “The Counties Act, 1886,” whether that Act is in force therein or otherwise :

“District” means the district of a local authority, or the road or roads in such district or parts of such district to which the local authority applies any by-law :

“Engine” means either a traction-engine or a portable engine as herein defined :

“Footpath” means a space formed or set apart on the side of any road or elsewhere for the use of pedestrians or foot-passengers only :

“Government road” means any road defined or declared to be a Government road under the provisions of “The Public Works Act, 1905,” or any road which is being constructed, improved, or maintained by the Government :

“Goods” includes any substance, liquid, mineral, material, or thing whatsoever that is capable of being carried, conveyed, or dragged over a road by any means whatever :

“ Heavy traffic ” means—

(a.) The transportation of any traction or other engine or vehicle which itself, or together with any thing or things being transported thereon, weighs more than one and a half tons to each pair of wheels ;

(b.) The traction of any traction or other engine or vehicle by means of bullocks, notwithstanding that such traction or other engine or vehicle may separately or together with any load thereon weigh less than one and a half tons to each pair of wheels ;

(c.) The transportation during the months of<sup>(1)</sup> any traction or other engine or vehicle, with or without any load thereon, which requires more than six animals at a time to haul or draw it over, across, or along any road or street, and notwithstanding that such traction or other engine or vehicle may separately or together with any load thereon weigh less than one and a half tons to each pair of wheels ;

(1) Insert months within which the provision is intended to apply.

(d.) The transportation during the months of<sup>(1)</sup> any traction or other engine or vehicle which is drawn or propelled by any means whatever other than by animals, and notwithstanding that such traction or other engine or vehicle may separately or together with any load thereon weigh less than one and a half tons to each pair of wheels ;

(e.) Any special sort of traffic on any road, whether the traction or other engine or vehicle, and the load carried thereon, shall or shall not weigh one and a half tons to a pair of wheels, and which owing to its continuous use or operation inflicts such an amount of damage on the road as makes its effect on such road equal in the opinion of the to heavy traffic as is herein otherwise defined ;

(f.) Any traffic which from time to time is declared “ heavy traffic ” by Order in Council issued under “ The Public Works Act, 1905 ” :

“ Inspector ” means any officer for the time being appointed by the<sup>(2)</sup> for the purpose of inspecting traffic on roads :

(2) Insert name of local authority.

“ Local authority ” means the local authority having charge or control of any road or street to which these by-laws apply, and it includes any County Council, Borough Council, Town Board, Road Board, Harbour Board, or any other authority having control or charged with the maintenance of public roads, and in the case of Government roads it includes the Governor or Minister for Public Works :

“ Magistrate ” means a Stipendiary Magistrate :

“ Motor ” has the same meaning as in “ The Motor Regulation Act, 1906 ” :

“ Offence ” means an offence against any by-law under this Act, and includes the omission or neglect to comply with any part thereof :

“ Officer ” means any person authorised or appointed in writing to carry out the instructions of the<sup>(3)</sup> in respect to these by-laws :

“ Owner ” includes a bailee and every person, whether a servant of the owner or otherwise, using, driving, or having any interest (whether permanent or temporary) in any bicycle, traction or other engine, motor, or any animal, cattle, vehicle, or thing to which these by-laws relate :

“ Person ” and words applying to or indicating any person or individual include a body of persons or company whether incorporated or not :

“ Portable engine ” means an engine not being used or intended for use for traction purposes, but which propels itself by any power and is used or is intended for use on roads :

“ Public place ” means and includes every road, street, footpath, court, alley, or thoroughfare of a public nature open or used by the public as of right, and every reserve and place of recreation or resort so open or used :

“ Road ” shall have the meaning given to it in section one hundred and one of “ The Public Works Act, 1905,” and also includes a street, public place, or private street or right-of-way as defined in “ The Municipal Corporations Act, 1900,” and includes any footpath, bridge, drain, stream, watercourse, water-table, culvert, tunnel, cutting, embankment, gates, buildings, or anything whatever appurtenant to or made or used as part of or in connection with a road or street :

“ Traction-engine ” means a portable or traction engine or locomotive (not being used on a railway or tramway) propelled by any power whatever, used or intended for use on roads :

“ Vehicle ” includes every kind of vehicle, coach, cart, trap, carriage, motor, dray, barrow, engine, combine, mill, threshing-machine, agricultural machine, or other machine, or any bicycle or conveyance other than a traction-engine wholly raised above the ground on wheels, with or without springs, drawn or propelled by animal, mechanical, or any other power, or used, or intended for use on roads :

Words importing the singular number include the plural number, and words importing the plural number include the singular number, and words importing the masculine gender include females.

BY-LAW NO. 2.

*All Engines to be licensed.*

No person shall use any engine engaged in heavy traffic, or the weight or description of which will bring it under the definition of “ heavy traffic,” or to which these by-laws relate, unless the traction-engine is duly licensed in manner herein-after mentioned.

BY-LAW NO. 3.

*Application for License in One District only.*

(<sup>1</sup>) Insert name or description of person to whom application is to be made.

The owner of an engine who desires to use or travel with the same upon any road shall make application to the(<sup>1</sup>) for a license so to do, and in such application shall state the true weight and description of the engine, and the name and extent of the road or roads upon which it is intended that such engine shall travel, and the number and weight of the trucks or vehicles, if any, that it is intended it should drag or the weight of the load which it is intended it should carry, and the time or times, not exceeding one year, within which it is intended such license should continue in force, and the class and weight of goods, materials, or things which it is intended such engine should carry or drag, or the purpose for which such engine is intended to be applied, and also any other information which the(<sup>2</sup>) requires.

BY-LAW NO. 4.

*Granting of License by Local Authority.*

(<sup>2</sup>) Insert name of local authority

The(<sup>2</sup>) shall consider the application, and if it appears that the road or roads and bridges and culverts thereon are sufficiently strong to stand the traffic, it shall grant the license, subject to the following conditions :—

- (a.) The license may be issued at any time and shall be for such time (not less than one week and not exceeding one year) as the(<sup>2</sup>) thinks fit, and it shall state the road or roads upon which the engine may travel, the maximum number of trucks or vehicles which the engine may drag, and the maximum load to each truck or vehicle, and it may state such terms as to the stoppage of traffic in wet weather, or it may limit the license to certain months in the year, or it may make different provisions for different roads, or it may give authority to use all the roads under the control of the(<sup>2</sup>) or only to some of them, and the license may stipulate such other terms as in each case the(<sup>2</sup>) thinks reasonable and necessary.
- (b.) The applicant shall either give security or deposit a sum of money to the satisfaction of the(<sup>2</sup>) for any damage likely to accrue to the roads or extra cost of maintenance by the use of the engine and the trucks and vehicles dragged by it on such roads, beyond the amount of the license fee or beyond such use of such road or roads, as the(<sup>2</sup>) may think to be reasonable.
- (c.) The applicant shall pay the whole or any proportionate part of the license fee either at once or in such instalments as the(<sup>2</sup>) in each case thinks fit, and the maximum license shall be as stated in By-law No. 43 hereof.
- (d.) The license may be issued without payment of such license fee or upon payment of such less fee as, having regard to the nature or extent and effect of the probable traffic, the(<sup>2</sup>) in each case thinks fit, but it shall not exceed the maximum amount for the class of engine stated in the Schedule to these by-laws; but nothing herein shall authorise the(<sup>2</sup>) imposing or charging different license fees to different people for the same sort of traction-engine engaged in the same sort of traffic.
- (e.) Such license fee shall be deemed to include the cost of registration, and the(<sup>3</sup>) shall register it and give the engine a distinctive registered number accordingly.

(<sup>3</sup>) Insert name or description of officer empowered to receive the license fee and to register the engine.

- (f.) Any other conditions may be inserted in the license that the<sup>(1)</sup> thinks reasonable, and the license shall be subject also to every by-law in force in the district relating to traction or portable engines that are not in conflict with these by-laws. (1) Insert name of local authority.

## BY-LAW No. 5.

*No Engine to be used without License.*

No person shall use any engine upon any road unless he is in possession of a license as provided either in this or the next succeeding by-law, nor shall he use such engine upon any other road or for any other purpose, or use it to carry or drag any greater weight or any greater number of trucks or vehicles, or use it for any other purpose than is specified in such license.

## BY-LAW No. 6.

*Application for License in more than One District.*

(a.) If the road or roads upon which the owner of any engine as is referred to in the previous by-law desires to travel are in districts under the control of more than one local authority, he may apply to each local authority for a separate license for each of such districts; but if he requires one license for all the districts, he shall in his application state the names of all the local authorities concerned, and shall send a copy of his application (to be otherwise made in all respects as in the case of an application under the preceding by-law) to each local authority, together with an intimation that he will apply to the Magistrate having jurisdiction in the district in which he (the owner) resides for a license to use such engine upon the roads mentioned in the application.

(b.) The owner shall send a copy of such application to the Magistrate accordingly, and the Magistrate shall thereupon without fee summon each of the local authorities to be represented before him at a time and place which he shall appoint, and may proceed with the application whether the local authorities are represented at the hearing or not, if he is satisfied that they have received notice.

(c.) After hearing any evidence or statement which such representatives think fit to make he shall decide whether or not the application is to be granted, and he may grant or refuse it accordingly, or may grant it subject to such conditions as he thinks fit, and he shall have all the powers mentioned in the preceding by-law as if he were a local authority; and shall, in addition, have power to apportion among the various local authorities concerned the amount of the license fee for the engine in such proportion as he thinks fair and just, and shall cause the same to be paid to them accordingly, and his decision shall be final and conclusive.

(d.) The amount of the license fee under this by-law shall be settled by the Magistrate after considering the probable effect of the traffic of the engine on the road or roads proposed to be used, but such license fee shall not in any case exceed twice the maximum license fee provided to be charged by any local authority in the same provincial district for an engine as if engaged in heavy traffic, but he shall be guided in the assessment of the license fee by any fees actually levied by the local authorities in the districts to which the application relates.

(e.) If he considers that money or security should be given for the repair of any road likely to be damaged by the engine, beyond the amount of the license fee, he shall require such money or security to be given to any or all of the local authorities in such amount or amounts as he deems to be just before issuing the license.

(f.) No person shall use any engine upon any road or roads in the district of any of the local authorities unless and until he is in possession of a license as herein provided, nor shall he use such engine upon any other road or for any other purpose, or use it to carry or drag any greater weight or drag any greater number of trucks or vehicles, or use it in any other way than may be provided for in such license.

(g.) Such license and the owner and person driving or in charge of such engine shall, except as is herein specially provided, be subject to all such by-laws in force relating to engines in the district of any local authority to which it relates as are not in conflict herewith.

## BY-LAW No. 7.

*License for Occasional Use of a Road.*

In granting a license under either of the two preceding by-laws the<sup>(1)</sup> or the Magistrate may, if it or he thinks fit, and if the applicant so desires, grant the license upon payment of a definite fixed sum for each time the engine uses any road or roads mentioned in such license, in lieu of granting the license generally for a fixed

term ; and in any such case the provisions of such by-laws shall otherwise respectively apply, provided that no license as is in this by-law specially provided for shall be granted for any term exceeding one year. The fees so fixed shall be in the absolute discretion of the<sup>(1)</sup> or of the Magistrate, but shall bear a reasonable proportion to the character of the traffic, the length and condition of the road, and the special damage likely to accrue to such road by reason of such traffic.

(1) Insert name of local authority.

#### BY-LAW No. 8.

##### *Signing Licenses.*

(a.) Every license granted under the provisions of these by-laws shall be signed by the<sup>(2)</sup> or the Magistrate, as the case may require, and shall continue in force (unless suspended or revoked) during the period therein mentioned.

(2) Insert name or description of officer authorised to issue licenses.

(b.) Every such license shall specify the name of every owner of the engine in respect of which it is issued, the number of the license (but so that no two licenses issued shall bear the same number), the number of vehicles, trucks, or wagons which such engine may drag or haul, and the weight and sort of load which may be carried on such vehicles, trucks, or wagons, the number of passengers or the quantity or weight of goods which may be carried in or upon such engine, vehicles, or trucks, and shall sufficiently describe the engine in respect of which the license is issued, and shall state clearly whether such engine is licensed to ply for the carriage or haulage of passengers or of goods, or of both.

(c.) Such license shall be for the engine only, and if the vehicles, trucks, and wagons come under the definition of "heavy traffic" they shall be separately licensed under heavy-traffic by-laws relating to such vehicles, trucks, or wagons.

#### BY-LAW No. 9.

##### *Licenses issued subject to By-laws.*

Every engine in respect of which any such license fee is paid, while of the kind and while being used as in terms of the license in respect of which such payment is made, shall, subject to the provisions of any by-laws in force and relating to the matter in the district, be deemed to be licensed to use all roads mentioned in such license for the period therein mentioned and no longer, and while such license is operative the owner of such traction or other engine shall not be liable to pay any wheel-tax or other license fee in force in the district that would otherwise be chargeable upon such engine.

#### BY-LAW No. 10.

##### *Licensee to be supplied with Copy of By-laws.*

In every case where the license is not issued by the Magistrate the<sup>(2)</sup> in issuing such license shall at the same time supply the licensee without charge with a copy of all by-laws to which he will be subject in carrying on the traffic which the license is intended to authorise, and such<sup>(2)</sup> shall be liable to the penalty imposed for a breach of or an offence against these by-laws if he fails so to do, but the omission to so supply the licensee with such copy shall not be held to exonerate him for a breach of such by-laws, and the license shall be held to have been issued subject to such by-laws.

#### BY-LAW No. 11.

##### *Driver to have License in his Possession.*

The driver of every engine required to be licensed shall have the license for the same in his immediate personal possession, and shall, whenever required by the Inspector, Engineer, Clerk, or other person authorised by the<sup>(1)</sup>, produce such license for inspection forthwith. Every driver who, on being so required, refuses or fails forthwith to produce such license is guilty of a breach of this by-law.

#### BY-LAW No. 12.

##### *Engine to have Name of Owner, Number of License, and Weight painted thereon.*

(a.) The owner or driver of every engine for which a license is granted shall, before using such engine, cause the full name of the owner, and the number of the license, and the correct weight of such engine (apart from the weight of coals or water therein) to be legibly painted in letters and figures with good white paint on a dark ground on the right-hand side of such engine, and shall cause the painting to be maintained and, if necessary, renewed during the currency of such license, and within three days after such engine has ceased to be so licensed such owner shall cause the said painting to be completely effaced and obliterated.



(b.) The letters shall be at least<sup>(1)</sup> inches high, and the figures shall be at least<sup>(1)</sup> inches high, and of proportionate thickness to be easily read.  
 (c.) Before the number of the license there shall appear the words "License No. "; and before the weight there shall appear the words "Weight of this engine," and this weight shall be stated in tons, hundredweights, quarters, and pounds, and in any proceedings for a breach of any of these by-laws the onus of proving that this is the correct weight shall rest upon the owner.

<sup>(1)</sup> Insert number of inches required.

BY-LAW No. 13.

*Applicant for License making Untrue Statement guilty of Offence.*

Every person making an application for a license for an engine under this Part of these by-laws who knowingly includes or specifies in such application any untrue particular in respect of such engine for the purpose of obtaining such license is guilty of an offence, and any license issued pursuant to such application may be revoked by the<sup>(2)</sup>

<sup>(2)</sup> Insert name of local authority.

BY-LAW No. 14.

*Applicant for License to produce Certificate of Inspector of Machinery.*

(a.) The<sup>(3)</sup> may require the person applying for a license for an engine to produce the last annual certificate issued by the Inspector of Machinery in respect of the boiler of such engine under "The Inspection of Machinery Act, 1902," or any Act amending or in substitution thereof.

<sup>(3)</sup> Insert name or description of officer authorised to issue license.

(b.) Every person who knowingly produces a forged, counterfeited, or false certificate, or a certificate which has been superseded, or which has for any reason known to such person ceased to have full force and effect, or which has not been issued in respect of the said boiler, is guilty of an offence.

BY-LAW No. 15.

*Licensee liable for Injury or Damage to Roads.*

Nothing in these by-laws or in respect to any license issued thereunder shall be held to relieve the licensee or any persons from any liability to which he may otherwise be subject in respect of injury done or damage caused to any road to which these by-laws apply by reason of extraordinary traffic or otherwise that may be forbidden under the provisions of section one hundred and fifty-one of "The Public Works Act, 1905."

BY-LAW No. 16.

*Local Authority may forbid Traffic in certain Months.*

Every license to use an engine on any road is subject to the right of the<sup>(2)</sup> from time to time, by resolution publicly notified, to declare that it shall not be lawful to propel any engine over any specified bridge or road named in such resolution during the months of April, May, June, July, August, September, and October, or any of them, in any year; and upon the passing of any such resolution it shall not be lawful to propel such engine over any such road or bridge, or part thereof, during the time specified in the resolution:

Provided that if any such resolution is passed the owner of any engine who may have paid a license fee for a period covering such time shall be entitled to a refund of a proportionate part of such license fee from the<sup>(2)</sup>:

And provided also that such resolution shall not take effect until such date as is specified in the resolution, not being earlier than seven days from the date when the resolution is first publicly ratified.

BY-LAW No. 17.

*Method of ascertaining Weight of Engine or Load thereon.*

For the purpose of ascertaining the weight of any engine or of the load thereon or on any vehicles hauled thereby, or for the purpose of verifying the correctness of the weight painted or marked on such engine or vehicles hauled thereby, the<sup>(4)</sup> or any constable, or any person authorised by the<sup>(2)</sup>, may require the owner or person in charge of such engine to have the same and the vehicles hauled thereby, or the load thereon, weighed at the nearest accessible weighbridge; or, in the event of there being no weighbridge easily available, or in the event of the owner or person in charge of the engine or vehicle neglecting or refusing to weigh, or to have such engine or vehicles hauled thereby or the load thereon weighed, a

<sup>(4)</sup> Inset name or description of officer authorised hereunder.

Magistrate hearing any charge of breach of these by-laws shall accept the computation of the weight of the same, or of the load thereon, made by some competent person, and the burden of proof that the weight so computed is incorrect shall be upon the party disputing it.

## BY-LAW No. 18.

*Method of computing Weight of Engine and Load thereon.*

(a.) The manner of ascertaining the weight of the loading or contents of any engine or the vehicles hauled thereby, and the load thereon, by computation shall be by computing the weight from the quantity or the superficial or cubical measurement or contents of the engine and the load thereon.

(b.) For the purpose of such computation the weight of the following articles shall, unless proved to the contrary, be deemed to be according to the following scale:—

- 10 bags of 4 bushels of wheat to 1 ton.
- 12 bags of 4 bushels of barley to 1 ton.
- 14 bags of 4 bushels of oats to 1 ton.
- 28 bags of 4 bushels of oaten chaff to 1 ton.
- 48 bags of 4 bushels of straw chaff to 1 ton.
- 500 superficial feet rough or mixed New Zealand timber to 1 ton.
- 250 superficial feet of Australian timber to 1 ton.
- Two-thirds of a cord of firewood to 1 ton
- 5 barrels of cement to 1 ton.
- 38 cubic feet of lime to 1 ton.
- 45 cubic feet of coal to 1 ton.
- 5 bales of wool to 1 ton.
- 5 cubic feet of iron or steel to 1 ton.
- One yard of broken stone weighs 24 cwt.
- "    shingle weighs 24 cwt.
- "    rubble weighs 24 cwt.
- 500 bricks weigh 30 cwt.
- One yard of clay weighs 24 cwt.
- "    sand weighs 24 cwt.

## BY-LAW No. 19.

*Width of Tires of Engines limited by the Load carried.*

(a.) The wheels of every engine whose weight complete is not more than four tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, shall be at least<sup>(1)</sup> inches wide.

(b.) The wheels of every engine whose weight complete exceeds four tons but is not more than six tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, shall be at least<sup>(1)</sup> inches wide.

(c.) The wheels of every engine whose weight complete exceeds six tons but is not more than eight tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, shall be at least<sup>(1)</sup> inches wide.

(d.) The wheels of every engine whose weight complete exceeds eight tons but is not more than ten tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, shall be at least<sup>(1)</sup> inches wide.

(e.) The wheels of every engine whose weight complete exceeds ten tons but is not more than twelve tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, shall be at least<sup>(1)</sup> inches wide.

(f.) The wheels of every engine whose weight complete is more than twelve tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, shall be at least<sup>(1)</sup> inches wide.

(g.) The wheels of every engine used on any road shall be so arranged that the front wheels of the same shall not run in the same tracks or in any part of such tracks as the hind wheels, unless with permission in writing of the<sup>(2)</sup>

<sup>(1)</sup> Insert number of inches required.

<sup>(2)</sup> Insert name of local authority.

## BY-LAW No. 20.

*Engine not to be driven in Ruts formed by other Engines or Vehicles.*

No engine shall be driven so that its wheels shall travel (if it can be reasonably avoided) in ruts formed in any road by the wheels of the same or any other engine, vehicle, or machine.

BY-LAW No. 21.

*Engine not to be driven on Footpaths or into Drain or Water-table.*

No engine shall be driven or allowed to be driven along, into, or upon any foot-path, drain, or water-table on any road except for the *bona fide* purpose of crossing over the same, and no engine shall be driven so that any part of such engine shall be in contact with any bank at the side of any road.

BY-LAW No. 22.

*Driver of Engine to stop same on request by Authorised Person.*

The driver or person for the time being in charge of any engine shall, whenever required to do so by any person authorised for that purpose by the<sup>(1)</sup>, cause such engine to be stopped and to remain so stopped for a reasonable and sufficient time to allow such authorised person to inspect and examine such engine and the load or trucks being transported thereon or dragged thereby; and the driver or person so in charge shall permit such inspection and examination, and shall not obstruct such authorised person in or about making such inspection or examination; and the driver or person for the time being in charge of any such engine shall, at the verbal request of such authorised person, give such information as to the load being transported, and as to the quantity, weight, size, and measurement of the same, as is then required by such authorised person.

(1) Insert name of local authority.

BY-LAW No. 23.

*Driver of Engine to allow Space for other Traffic.*

Whenever any engine passes along any road the driver thereof shall allow as much space as possible for other vehicles, and for all persons using the said road, and for all horses, cattle, and sheep passing along the said road; and he shall, on request by the driver of any horse, vehicle, or stock that wishes to pass, at once drive to the side of the road and allow sufficient space to let such horse, vehicle, or stock pass in safety.

BY-LAW No. 24.

*Driver of Engine to be accompanied by Another Man.*

No person driving or in charge of any engine shall propel or cause the same to be propelled along or over any public road, highway, street, or bridge unless he is accompanied by another man; and it shall be part of the duty of the driver and such other man to keep a careful lookout, both in front and behind the engine, for horses and vehicles approaching, and to warn the riders and drivers of such horses and vehicles of the proximity of the engine, and to assist them in passing the engine in safety.

BY-LAW No. 25.

*Driver of Engine to assist Driver of other Vehicles to pass safely.*

The driver or person in charge of any engine as aforesaid, upon being signalled by the rider or driver of any horse or vehicle to stop such engine, shall do so immediately; and if it appears that the rider or driver of any horse or vehicle meeting or overtaking such engine has difficulty in passing the same, the driver and other person mentioned in the preceding by-law shall forthwith stop and render all possible assistance; and if the rider or driver of any such horses or vehicles verbally demands or holds up his hand, it shall be sufficient signal for the driver or person in charge of such traction or other engine to stop the same.

BY-LAW No. 26.

*Engines to carry Lamps.*

In any case where any engine is standing on a road or is travelling on any road between sunset and sunrise the engine shall carry two white lights—viz., one on each side—showing clearly in front, and one red one behind, unless where a truck or vehicle or trucks or vehicles are being drawn by such engine, and in such case there shall, in addition to the front lights, also be carried a red tail-light on the back of the hindmost truck or vehicle showing clearly to any approaching vehicle, horseman, or pedestrian the proximity of such truck or vehicle.

BY-LAW No. 27.

*Planks to be used in crossing Bridges when Load is beyond a certain Weight.*

No engine which, together with the maximum weight of coal and water which such engine is constructed to carry for its propulsion, weighs more than<sup>(2)</sup>

(2) Insert number of tons.

(1) Insert number of tons.

(2) Insert number of inches.

tons, and no vehicle, agricultural or other machine of any kind, which with the load (if any) weighs more than (1) tons shall be hauled by an engine or in any other manner taken on to or over any bridge or culvert except upon planks (2) inches wide and (2) inches deep, to be provided and laid on such bridges or culverts by the owner, driver, or person in charge of such traction-engine.

BY-LAW No. 28.

*Engine not to have Bars, Shoes, Clogs, or Spikes on Wheels.*

No person shall drive, propel, or take any engine having bars, shoes, clogs, or spikes upon any of its wheels which will have the effect of breaking or damaging the surface of a road, bridge, or culvert, or cause any such engine to be driven, propelled, or taken upon any road, bridge, or culvert, except by the express permission in writing of the (3)

(3) Insert name of local authority.

BY-LAW No. 29.

*Driver of Engine to remove Stones, &c., from Bridge, and to use certain Precautions before crossing the Bridge.*

Before crossing any engine over any bridge all stones or other substances which might, if passed over by the engine, injure the woodwork of such bridge shall be removed by the driver or person in charge of the engine, and before entering upon such bridge he shall cause a man to be stationed at the end farthest from the engine, who shall expose a red flag and warn all persons approaching the bridge that the said engine is approaching the bridge or is crossing the bridge, as the case may be; and before nearing the corner of a road, the person in charge of any engine shall take all necessary precautions by whistling and slowing down or otherwise to insure the safety of the traffic.

BY-LAW No. 30.

*Engine not to cross Bridge while other Traffic is thereon.*

No person shall drive or take any engine or any truck or vehicle attached thereto on to any bridge while any person with a horse or vehicle drawn by a horse or horses, or when any stock is on or about to come upon such bridge.

BY-LAW No. 31.

*Person in Charge of Engine that has damaged Road, &c., to inform Local Authority and repair the Damage.*

(a.) When any damage or injury is done by any engine or vehicle or truck attached thereto to any road, fence, bridge, culvert, drain, or side ditch, or to any other thing appertaining thereto, the person in charge of such engine shall at once give notice in writing to the Clerk of the (4) of the nature of such damage or injury, and of the place or locality where and the time when the same happened; and if such damage or injury has rendered the road or its appurtenances dangerous for ordinary traffic or to public safety, the owner or person in charge of such engine shall, in addition to giving such notice as aforesaid, at once place at or near the place where such damage or injury has happened, and shall maintain for such time as the Clerk directs, such signals as are sufficient to give warning of the existence of such danger to all persons using the road by day or by night.

(b.) The owner or person in charge of such engine shall forthwith repair or cause to be repaired at his expense any damage or injury so caused by the engine, whether the damage or injury has rendered the road or its appurtenances dangerous for ordinary traffic or public safety or otherwise.

(c.) If the owner or person in charge of such engine fails to repair or cause the damage or injury to be repaired as aforesaid, the (5) may, without further notice or delay, proceed to repair the same at the expense of the owner of the engine, and may recover the cost of the work as a debt from him in any competent Court, and may in addition cancel the license.

BY-LAW No. 32.

*Engine not to stop on Bridge or Culvert.*

No driver or person in charge of any engine or truck or vehicle attached thereto shall cause or permit the same to stop on any bridge or culvert for the purpose of drawing water from any water-race, river, stream, or ditch passing under or through such bridge or culvert, or for any other purpose whatever, except for the safety or convenience of other traffic.

BY-LAW No. 33.

*Ashes not to be discharged on Bridge or Culvert.*

No driver or person in charge of any engine shall cause or permit any ashes or refuse from the furnace thereof to be discharged upon a bridge or culvert on any road or upon any wooden structure appertaining to any such road, or upon a road within one chain of a bridge or culvert or wooden structure as aforesaid, or to be left in a heap on a road, but he shall cause such ashes or refuse, upon being discharged from any engine, to be immediately and thoroughly soaked with water and spread evenly on the road.

BY-LAW No. 34.

*Limitation of Trucks to be drawn at One Time on Bridge.*

No more than<sup>(1)</sup> trucks or vehicles shall be drawn at any one time by any engine over any bridge. <sup>(1) Insert number of trucks.</sup>

BY-LAW No. 35.

*Limitation of Weight of Engine that may cross any Bridge.*

No person shall at any time drive, or cause or permit to be driven, any engine which with the maximum load and the maximum weight of coal and water that such engine is constructed to carry for its propulsion weighs more than<sup>(2)</sup> tons, and no vehicle of any kind hauled thereby which weighs more than<sup>(2)</sup> tons shall be taken on to or over any bridge or culvert on any road without a special permit in writing issued by the<sup>(3)</sup> <sup>(2) Insert number of tons.</sup> <sup>(3) Insert name of local authority.</sup>

BY-LAW No. 36.

*Distance between Vehicle or Trucks hauled by Engine over Bridge.*

No person in charge of any engine shall drive such engine across any bridge or culvert, with one or more vehicles or trucks attached to such engine, unless a sufficient distance is kept between such engine and such truck or trucks, and, if necessary, between such trucks if more than one, to insure that there shall not at any time be upon any one span of the bridge, or upon the bridge if consisting of only one span, or upon any culvert, a greater weight than<sup>(2)</sup> tons.

BY-LAW No. 37.

*Limitation of Speed in crossing Bridge.*

No person shall drive or take, or cause to be driven or taken, any engine or machine over a bridge at a speed exceeding<sup>(4)</sup> miles an hour. <sup>(4) Insert number of miles.</sup>

BY-LAW No. 38.

*Limitation of Speed on Roads.*

No person shall drive, take, or cause to be driven or taken any engine, vehicle, or machine at a speed exceeding<sup>(4)</sup> miles an hour over any road or ford under the control or within the jurisdiction of the

BY-LAW No. 39.

*Cylinder-taps of Engine, &c., not to be opened or Steam blown off in Sight of Horses or Stock.*

No person driving or in charge of any engine shall open the cylinder-taps or allow the steam to be blown off, or allow the steam to attain a pressure exceeding the limit fixed by the safety-valve, within the sight of any person riding, driving, leading, or in charge of a horse or of stock upon a road; nor shall the person in charge of any engine blow off the steam, or cause the same to be blown off, on any public road, highway, or bridge.

BY-LAW No. 40.

*Limitation of Weight of Combines or Vehicles hauled by Engines.*

It shall not be lawful to carry on any combine or vehicle attached to or drawn by an engine any greater weight (over and above the weight of the combine or vehicle) than as may be provided for in by-laws relating to heavy traffic for vehicles only; and no combine or vehicle drawn by any engine shall carry more than as may be provided for in by-laws in force relating to heavy traffic other than by engines.

## BY-LAW No. 41.

*Definition of Offence.*

An offence against these by-laws shall be deemed to have been committed when and so soon as any person drives or uses, or causes to be driven or used, on any road any traction or other engine contrary to the provisions of any of the foregoing by-laws, or when and so soon as any person does or is concerned in doing anything whatever which any such by-law states is not to be done by him, or when and so soon as any person fails to do or refrains from doing any act or thing whatever which any such by-law or part thereof states is to be done by him; and the owner and driver or person in charge of any traction or other engine, vehicle, or thing to which any such by-law relates shall be deemed to have committed an offence against these by-laws if he uses, drives, or allows to be used or driven any engine, vehicle, or thing in any manner whatever on any road contrary to or not in compliance with the provisions of any of these by-laws or of any portion thereof.

## BY-LAW No. 42.

*Penalties.*

(a.) Any person who does or performs any act or things, or who fails to do or perform any act, duty, or thing, or who is concerned in the performance or non-performance of any act, duty, or thing, or who fails to pay any license or other fee, or who uses or is concerned in using any engine, vehicle, or thing, in any manner whatever that contravenes anything in or to be reasonably implied from the provisions of any of the foregoing by-laws, or which is contrary in any way whatever to the provisions of any such by-laws, or who offends in any manner whatever against the provisions of any such by-law, is guilty of an offence against such by-law, and shall for each such offence be liable on conviction before a Magistrate to a fine not exceeding twenty pounds, and if the offence has been a continuing one, then to a fine not exceeding ten pounds for every day during the period of such continuance as the Magistrate inflicting the fine in his discretion thinks fit, and such fine shall be recoverable in a summary way.

(b.) The Magistrate shall convict for an offence against any such by-law if and when he is satisfied that an offence thereunder has in fact been committed against such by-law by the defendant, and the defendant shall not escape conviction upon a technicality only or for any other reason where the Magistrate is satisfied that an offence has in fact been committed by such defendant; and if upon the hearing it appears that the driver or owner of any engine, vehicle, or animal, or that any other person ought also to be charged with the offence, or be charged in place of the defendant, the Magistrate shall direct that such owner or other person shall be so charged or shall be joined as a defendant, and upon conviction the Magistrate may at his discretion inflict the whole or any part of the prescribed fine for such offence upon any or all of such persons in such proportions as he thinks to be just.

## BY-LAW No. 43.

*Maximum License Fees payable for the Use of Traction or Portable Engines on Roads in the* of

On every traction or other engine to which these by-laws apply there shall be paid to the<sup>(1)</sup> a yearly license fee according to the following scale:—

- (a.) On every traction-engine under eight tons in weight, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, while used in transporting any threshing-machine, plant, or combine, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (b.) On every traction-engine over eight tons in weight and under twelve tons in weight, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, and while used as described in paragraph (a) above, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (c.) On every traction-engine over twelve tons in weight, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, and while used as described in paragraph (a) above, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (d.) On every other traction-engine under eight tons in weight, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, the yearly license fee shall not exceed<sup>(2)</sup> pounds.

<sup>(1)</sup> Insert name of local authority.

<sup>(2)</sup> Insert number of pounds sterling.

- (e.) On every other traction-engine over eight tons but under twelve tons in weight, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, the yearly license fee shall not exceed <sup>(1)</sup> pounds. (1) Insert number of pounds sterling.
- (f.) On every other traction-engine over twelve tons in weight, inclusive of the weight of coals or other fuel, water, and load to be carried thereon or therein, the yearly license fee shall not exceed<sup>(1)</sup> pounds.
- (g.) On every portable engine other than a traction-engine under four tons in weight, inclusive of the weight of coals or other fuel, water, and load to be carried thereon, the yearly license fee shall not exceed<sup>(1)</sup> pounds.
- (h.) On every portable engine other than a traction-engine over four tons in weight and under eight tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon, the yearly license fee shall not exceed<sup>(1)</sup> pounds.
- (i.) On every portable engine other than a traction-engine over eight tons and under twelve tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon, the yearly license fee shall not exceed<sup>(1)</sup> pounds.
- (j.) On every portable engine other than a traction-engine over twelve tons, inclusive of the weight of coals or other fuel, water, and load to be carried thereon, the yearly license fee shall not exceed<sup>(1)</sup> pounds.

## HEAVY-TRAFFIC BY-LAWS.—PART II.

### BY-LAWS REGULATING THE USE OF VEHICLES OTHER THAN TRACTION OR PORTABLE ENGINES.

#### BY-LAW No. 44.

##### *Interpretation.*

In these by-laws, if not inconsistent with the context,—

- “Animal” means any animal used for traction purposes :
- “Bicycle” includes any bicycle, tricycle, velocipede, or any similar machine propelled by the person or persons using the same :
- “Borough” includes a city :
- “By-law” or “by-laws” means any one or more by-laws made by or under the authority of this Act :
- “Cart” includes any dray or wagon drawn by animals or propelled by mechanical power or otherwise :
- “Cattle” includes any horse, mare, gelding, rig, colt, filly, ass, mule, bull, cow, ox, heifer, steer, calf, sheep, ram, ewe, wether, lamb, goat, kid, and pig of any kind :
- “County” means a county within the meaning of “The Counties Act, 1886,” whether that Act is in force therein or otherwise :
- “District” means the district of a local authority or the road or roads in such district or parts of such district to which the local authority applies any by-laws :
- “Engine” means any sort of engine or machine other than a traction or portable engine, bicycle, or tricycle :
- “Footpath” means a space formed or set apart on the side of any road or elsewhere for the use of pedestrians or foot-passengers only :
- “Government road” means any road defined or declared to be a Government road under the provisions of “The Public Works Act, 1905,” or any road which is being constructed, improved, or maintained by the Government :
- “Goods” includes any substance, liquid, mineral, material, or thing whatsoever that is capable of being carried, conveyed, or dragged over a road by any means whatever :
- “Heavy traffic” means—
- (a.) The transportation of any vehicle, engine, or machine which itself, or together with any thing or things being transported thereon, weighs more than one and a half tons to each pair of wheels ;
- (b.) The traction of any vehicle or thing by means of bullocks, notwithstanding that such vehicle or thing may separately or together

with any load thereon weigh less than one and a half tons to each pair of wheels;

(<sup>1</sup>) Insert months within which the provision is intended to apply.

(c.) The transportation during the months of(<sup>1</sup>) of any vehicle, engine, or machine, with or without any load thereon, which requires more than six animals at a time to haul or draw it over, across, or along any road or street, and notwithstanding that such vehicle, engine, or machine may separately or together with any load thereon weigh less than one and a half tons to each pair of wheels;

(d.) The transportation during the months of(<sup>1</sup>) of any vehicle, engine, or machine which is drawn or propelled by any means whatever other than by animals, and notwithstanding that such vehicle, engine, or machine may separately or together with any load thereon weigh less than one and a half tons to each pair of wheels;

(<sup>2</sup>) Insert name of local authority.

(e.) Any special sort of traffic on any road, whether the vehicle, engine, or machine and the load carried thereon shall or shall not weigh one and a half tons to a pair of wheels, and which owing to its continuous use or operation inflicts such an amount of damage on the road as makes its effects on such road equal in the opinion of the(<sup>2</sup>) to heavy traffic as is herein otherwise defined;

- (f.) Any traffic which from time to time is declared "heavy traffic" by Order in Council issued under "The Public Works Act, 1905":
- "Inspector" means any officer for the time being appointed by the(<sup>2</sup>) for the purpose of inspecting traffic on roads:
- "Local authority" means the local authority having charge or control of any road or street to which these by-laws apply; and it includes any County Council, Borough Council, Town Board, Road Board, Harbour Board, or any other authority having control or charged with the maintenance of public roads; and, in the case of Government roads, it includes the Governor or Minister for Public Works:
- "Magistrate" means a Stipendiary Magistrate:
- "Motor" has the same meaning as in "The Motor Regulation Act, 1906":
- "Offence" means an offence against any by-law under this Act, and includes the omission or neglect to comply with any part thereof:
- "Officer" means any person authorised or appointed in writing to carry out the instructions of the(<sup>2</sup>) in respect to these by-laws:
- "Owner" includes a bailee and every person, whether a servant of the owner or otherwise, using, driving, or having any interest (whether permanent or temporary) in any bicycle, traction or other engine, motor, or any animal, cattle, vehicle, or thing to which these by-laws relate:
- "Person" and words applying to or indicating any person or individual include a body of persons or company whether incorporated or not:
- "Portable engine" means any sort of engine or machine not being used or intended for use for traction purposes, but which propels itself by any power whatever and is used or is intended for use on roads:
- "Public place" means and includes every road, street, footpath, court, alley, or thoroughfare of a public nature open or used by the public as of right, and every reserve and place of recreation or resort so open or used:
- "Road" shall have the meaning given to it in section one hundred and one of "The Public Works Act, 1905"; and also includes a street, a public place, or private street or right-of-way as defined in "The Municipal Corporations Act, 1900"; and includes any footpath, bridge, drain, stream, watercourse, water-table, culvert, tunnel, cutting, embankment, gates, buildings, or anything whatever appurtenant to or made or used as part of or in connection with a road or street:
- "Traction-engine" means a portable or traction engine or locomotive (not being used on a railway or tramway), propelled by any power whatever, used or intended for use on roads:
- "Vehicle" includes every kind of vehicle, coach, cart, trap, carriage, motor, dray, barrow, engine, combine, mill, threshing-machine, agricultural machine, or other machine, or any bicycle or conveyance other than a traction or portable engine wholly raised above the ground on wheels, with or without springs, drawn or propelled by animal, mechanical, or any other power, or used or intended for use on roads:

Words importing the single number include the plural number, and words importing the plural number include the singular number, and words importing the masculine gender include females.



BY-LAW No. 45.

*All Vehicles to be licensed.*

No person shall use any vehicle for the purpose of heavy traffic or the weight or description of which will bring it under the definition of "heavy traffic," or to which these by-laws relate, unless such vehicle is duly licensed in manner hereinafter mentioned.

BY-LAW No. 46.

*Application for License in One District only.*

The owner of a vehicle intended for heavy traffic or which is capable of being used for heavy traffic, or which otherwise comes within the definition of heavy traffic, shall before using such vehicle on any road make application to the<sup>(1)</sup> for a license so to do, and in such application shall state the true weight and description of the vehicle, and the name and extent of the road or roads upon which it is intended that such vehicle shall travel, and the weight of the load which it is intended it should carry, and the time or times (not exceeding one year) within which it is intended such license should continue in force, and the class of goods, materials, or things which it is intended such vehicle should carry, and also any other information which the<sup>(1)</sup> requires.

<sup>(1)</sup> Insert name of local authority.

BY-LAW No. 47.

*Granting of License by Local Authority.*

The<sup>(1)</sup> shall consider the application; and if it appears that the road or roads, and bridges and culverts thereon, are sufficiently strong to stand the traffic, it shall grant the license, subject to the following conditions:—

- (a.) The license may be issued at any time and shall be for such time (not less than one week and not exceeding one year) as the<sup>(1)</sup> thinks fit, and it shall state the road or roads upon which the vehicle may travel, the maximum load which the vehicle may carry, and the license may state such terms as to the stoppage of traffic in wet weather, or it may limit the license to certain months in the year, or it may make different provisions for different roads, or it may give authority to use all the roads under the control of the<sup>(1)</sup> or only to some of them, and the license may stipulate such other terms as in each case the<sup>(1)</sup> thinks are reasonable and necessary.
- (b.) The applicant shall either give security or deposit a sum of money to the satisfaction of the<sup>(1)</sup> for any damage likely to accrue to the roads, or extra cost of maintenance by the use of the vehicle on such roads, beyond the amount of the license fee or beyond such use of the road or roads, as the<sup>(1)</sup> may think to be reasonable.
- (c.) The applicant shall pay the whole or any proportionate part of the license fee either at once or in such instalments as the<sup>(1)</sup> in each case thinks fit, and the maximum license fee shall be as stated in the Schedule to these by-laws.
- (d.) The license may be issued without payment of such license fee or upon payment of such less fee, as, having regard to the nature or extent and effect of the probable traffic, the<sup>(1)</sup> in each case thinks fit, but it shall not exceed the maximum amount for the class of vehicle or traffic stated in the Schedule to these by-laws; but nothing herein shall authorise the<sup>(1)</sup> imposing or charging different license fees to different people for the same sort of vehicle engaged in the same sort of traffic.
- (e.) Such license fee shall be deemed to include the cost of registration, and the<sup>(2)</sup> shall register it, and give the vehicle a distinctive registered number accordingly.
- (f.) Any other conditions may be inserted in the license that the<sup>(1)</sup> thinks reasonable, and the license shall be subject also to every by-law in force in the district relating to vehicles that are not in conflict with these by-laws.

<sup>(2)</sup> Insert name or description of officer empowered to receive the license fee and register the vehicle.

BY-LAW No. 48.

*No Vehicle to be used without License.*

No person shall use any vehicle upon any road unless he is in possession of a license as provided either in this or the next succeeding by-law, nor shall he use such vehicle upon any other road or for any other purpose, or use it to carry any greater weight or use it for any other purpose, than is specified in such license.

## BY-LAW No. 49.

*Application for License in more than One District.*

(a.) If the road or roads upon which the owner of any vehicle as is referred to in the previous by-law desires to travel are in districts under the control of more than one local authority, he may apply to each local authority for a separate license for each of such districts; but if he requires one license for all the districts, he shall in his application state the names of all the local authorities concerned, and shall send a copy of his application (to be otherwise made in all respects as in the case of an application under the preceding by-law) to each local authority, together with an intimation that he will apply to the Magistrate having jurisdiction in the district in which he (the owner) resides for a license to use such vehicle upon the roads mentioned in the application.

(b.) The owner shall send a copy of such application to the Magistrate accordingly, and the Magistrate shall thereupon, without fee, summon each of the local authorities to be represented before him at a time and place which he shall appoint, and may proceed with the application, whether the local authorities are represented at the hearing or not, if he is satisfied that they have received notice.

(c.) After hearing any evidence or statement which such representatives may think fit to make he shall decide whether or not the application is to be granted, and he may grant or refuse it accordingly, or may grant it subject to such conditions as he thinks fit, and he shall have all the powers mentioned in the preceding by-law as if he were a local authority; and shall, in addition, have power to apportion among the various local authorities concerned the amount of the license fee for the vehicle in such proportion as he thinks fair and just, and shall cause the same to be paid to them accordingly, and his decision shall be final and conclusive.

(d.) The amount of the license fee under this by-law shall be settled by the Magistrate after considering the probable effect of the traffic of the vehicle on the road or roads proposed to be used, but such license fee shall not in any case exceed twice the maximum license fee provided to be charged by any local authority in the same provincial district for a vehicle as if engaged in heavy traffic, but he shall be guided in the assessment of the license fee by any fees actually levied by the local authorities in the districts to which the application relates.

(e.) If he considers that money or security should be given for the repair of any road likely to be damaged by the vehicle, beyond the amount of the license fee, he shall require such money or security to be given to any or all of the local authorities in such amount or amounts as he deems to be just before issuing the license.

(f.) No person shall use any vehicle upon any road or roads in the district of any of the local authorities, if the same come within the definition of "heavy traffic," unless and until he is in possession of a license as herein provided; nor shall he use such vehicle upon any other road or roads or for any other purpose, or use it to carry any greater weight, or use it in any other way than may be provided for in such license.

(g.) Such license and the owner and person driving or in charge of such vehicle shall, except as is herein specially provided, be subject to all such by-laws in force relating to vehicles in the district of any local authority to which it relates as are not in conflict herewith.

## BY-LAW No. 50.

*License for Occasional Use of a Road.*

(<sup>1</sup>) Insert name of local authority.

In granting a license under either of the two preceding by-laws the (<sup>1</sup>) or the Magistrate may, if it or he thinks fit, and if the applicant so desires, grant the license upon payment of a definite fixed sum for each time the vehicle uses any road or roads mentioned in such license, in lieu of granting the license, generally for a fixed term, and in any such case the provisions of such by-law shall otherwise respectively apply, provided that no license as in this by-law specially provided for shall be granted for any term exceeding one year. The fees so fixed shall be in the absolute discretion of the (<sup>1</sup>) or of the Magistrate, but shall bear a reasonable proportion to the character of the traffic, the length and condition of the road, and the special damage likely to accrue to such road by reason of such traffic.

## BY-LAW No. 51.

*Signing Licenses.*

(<sup>2</sup>) Insert name or description of officer authorised to issue licenses.

(a.) Every license granted under the provisions of these by-laws shall be signed by the (<sup>2</sup>) or the Magistrate, as the case may require, and shall continue in force (unless suspended or revoked) during the period therein mentioned.

(b.) Every such license shall specify the name of every owner of the vehicle in respect of which it is issued, the number of the license (but so that no two licenses issued shall bear the same number), the sort of load which may be carried on such vehicles, the number of passengers or the quantity or weight of goods which may be carried in or upon such vehicle, and it shall sufficiently describe the vehicle in respect of which the license is issued, and shall state clearly whether such vehicle is licensed to ply for the carriage or haulage of passengers or of goods, or of both.

BY-LAW No. 52.

*Licenses issued subject to By-laws.*

Every vehicle in respect of which any such license fee is paid, while of the kind and while being used as in terms of the license in respect of which such payment is made, shall, subject to the provisions of any by-laws in force relating to the matter in the district, be deemed to be licensed to use all roads mentioned in such license for the period therein mentioned and no longer, and while such license is operative the owner of such vehicle shall not be liable to pay any wheel-tax or other license in force in the district that would otherwise be chargeable upon such vehicle.

BY-LAW No. 53.

*Licensee to be supplied with Copy of By-laws.*

In every case where the license is not issued by the Magistrate the<sup>(1)</sup> in issuing any such license shall at the same time supply the licensee, without charge, with a copy of all by-laws to which he will be subject in carrying on the traffic which the license is intended to authorise, and such<sup>(1)</sup> shall be liable to the penalty imposed for a breach of or an offence against these by-laws if he fails so to do; but the omission to so supply the licensee with such copy shall not be held to exonerate him for a breach of such by-laws, and the license shall be held to have been issued subject to such by-laws.

<sup>(1)</sup> Insert name or description of officer authorised to issue licenses.

BY-LAW No. 54.

*Driver to have License in his Possession.*

The driver of every vehicle required to be licensed shall have the license for the same in his immediate personal possession, and shall, whenever required by the Inspector, Engineer, Clerk, or other person authorised by the local authority, produce such license for inspection forthwith. Every driver who on being so required refuses or fails forthwith to produce such license is guilty of a breach of this by-law.

BY-LAW No. 55.

*Vehicles to have Name of Owner, Number of License, and Weight painted thereon.*

(a.) The owner or driver of every vehicle for which a license is granted shall, before using such traction or other engine, cause the full name of the owner, and the number of the license, and the correct weight of such vehicle to be legibly painted in letters and figures with good white paint on a dark ground on the right-hand side of such vehicle, and shall cause the paint to be maintained and, if necessary, renewed during the currency of such license, and within three days after such vehicle has ceased to be so licensed such owner shall cause the said painting to be completely effaced and obliterated.

(b.) The letters shall be at least<sup>(2)</sup> inches high, and the figures shall be at least<sup>(2)</sup> inches high, and of proportionate thickness so as to be easily read.

<sup>(2)</sup> Insert number of inches.

(c.) Before the number of the license there shall appear the words "License No.;" and before the weight there shall appear the words "Weight of this vehicle," and this weight shall be stated in tons, hundredweights, quarters, and pounds, and in any proceedings for a breach of any of these by-laws the onus of proving that this is the correct weight shall rest upon the owner.

BY-LAW No. 56.

*Applicant for License making Untrue Statement guilty of Offence.*

Every person making an application for a license for a vehicle under this Part of these by-laws who knowingly includes or specifies in such application any untrue particular in respect of such vehicle for the purpose of obtaining such license is guilty of an offence, and any license issued pursuant to such application may be revoked by the<sup>(3)</sup>

<sup>(3)</sup> Insert name of local authority.

BY-LAW No. 57.

*Licensee liable for Injury or Damage to Roads.*

Nothing in these by-laws or in respect to any license issued thereunder shall be held to relieve the licensee or any person from any liability to which he may other-

wise be subject in respect of injury done or damage caused to any road to which these by-laws apply by reason of extraordinary traffic or otherwise on any such road, or in respect to liability for any traffic that may be forbidden under the provisions of section one hundred and fifty-one of "The Public Works Act, 1905."

## BY-LAW No. 58.

*Local Authority may forbid Traffic in certain Months.*

(1) Insert name of local authority.

Every license to use a vehicle on any road is subject to the right of the (1) from time to time, by resolution publicly notified, to declare that it shall not be lawful to drive any vehicle engaged in heavy traffic over any specified bridge or road, or to limit the weight to be carried by any vehicle on such road or roads named in such resolution, during the months of April, May, June, July, August, September, and October, or any of them, in any year; and upon the passing of any such resolution it shall not be lawful to use any vehicle upon any such road or bridge, or part thereof, during the time specified in any way contrary to the resolution:

Provided that if any such resolution is passed, the owner of any vehicle who may have paid a license fee for a period covering such time shall be entitled to a refund of a proportionate part of such license fee from the (1); and provided also that such resolution shall not take effect until such date as is specified in the resolution, not being earlier than seven days from the date when the resolution is first publicly notified.

## BY-LAW No. 59.

*Method of ascertaining Weight of a Vehicle, or Load thereon.*

(2) Insert name or description of officer authorised hereunder.

For the purpose of ascertaining the weight of any vehicle or of the load thereon, or for the purpose of verifying the correctness of the weight painted or marked on such vehicle, the (2) or any constable, or any person authorised by the (2) may require the owner or person in charge of such vehicle to have the same weighed at the nearest accessible weighbridge; or, in the event of there being no weighbridge easily available, or in the event of the owner or person in charge of the vehicle neglecting or refusing to weigh or to have such vehicle or machine weighed, a Magistrate hearing any charge of breach of these by-laws shall accept the computation of the weight of the same or of the load thereon made by some competent person, and the burden of proof that the weight so computed is incorrect shall be upon the party disputing it.

## BY-LAW No. 60.

*Method of computing Weight of a Vehicle, and Load thereon.*

(a.) The manner of ascertaining by computation the weight of and also the loading or contents of any vehicle shall be by computing the weight from the quantity or the superficial or cubical measurement or contents of the vehicle and the load thereon.

(b.) For the purpose of such computation the weight of the following articles shall, unless proved to the contrary, be deemed to be according to the following scale:—

- 10 bags of 4 bushels of wheat to 1 ton.
- 12 bags of 4 bushels of barley to 1 ton.
- 14 bags of 4 bushels of oats to 1 ton.
- 28 bags of 4 bushels of oaten chaff to 1 ton.
- 48 bags of 4 bushels of straw chaff to 1 ton.
- 500 superficial feet rough or mixed New Zealand timber to 1 ton.
- 250 superficial feet of Australian timber to 1 ton.
- Two-thirds of a cord of firewood to 1 ton.
- 5 barrels of cement to 1 ton.
- 38 cubic feet of lime to 1 ton.
- 45 cubic feet of coal to 1 ton.
- 5 bales of wool to 1 ton.
- 5 cubic feet of iron or steel to 1 ton.
- One yard of broken stone weighs 24 cwt.
- " shingle weighs 24 cwt.
- " rubble weighs 24 cwt.
- 500 bricks weigh 30 cwt.
- One yard of clay weighs 24 cwt.
- " sand weighs 24 cwt.

BY-LAW No. 61.

Maximum Load of Vehicle limited by Width of Tire.

The maximum load to be carried in vehicles, whether plying upon any road or roads mentioned in the Schedule hereto for hire or not, shall bear the following proportion to the width of tires of such vehicles :—

Four-wheeled vehicles with <sup>(1)</sup>	in.	tires shall carry not more than	25 cwt.	<sup>(1)</sup> Insert number of inches or parts of an inch.
"	in.	"	30 "	
"	in.	"	35 "	
"	in.	"	60 "	
"	in.	"	5 tons.	
"	in.	"	7 "	

But<sup>(2)</sup> tons is to be the maximum weight of any load on any four-wheeled vehicle, in all cases not including the weight of the vehicle, unless by permission of the<sup>(3)</sup>

Two-wheeled vehicles with <sup>(1)</sup>	in.	tires shall carry not more than	15 cwt.	<sup>(2)</sup> Insert number of tons. <sup>(3)</sup> Insert name of local authority.
"	in.	"	25 "	
"	in.	"	30 "	
"	in.	"	40 "	
"	in.	"	40 "	

Two-wheeled vehicles shall not carry more than two tons unless the tires are<sup>(1)</sup> in. or over, and shall in any case not carry more than<sup>(2)</sup> tons.

Vehicles on springs with <sup>(1)</sup>	in.	tires shall not carry more than	7 cwt.
"	in.	"	10 "
"	in.	"	15 "
"	in.	"	25 "
"	in.	"	35 "

No vehicle on springs shall carry more than 35 cwt. unless the tires are<sup>(1)</sup> in. or over.

BY-LAW No. 62.

Width of Tires of Vehicles limited by Number of Traction Animals.

(a.) The width of tires of all vehicles upon the road or upon any of the roads mentioned in the Schedule hereto, whether plying for hire or not, shall bear the following proportion to the number of animals employed to draw the same : *i.e.*,—

If the Number of Animals used to draw a Vehicle having Two Wheels is— Then the Minimum Width of Tires of any such Vehicle shall be—

Bullocks.	Other Animals.	If without Springs.	If with Springs.
2	1	<sup>(1)</sup> inches	<sup>(1)</sup> inches.
4	2	"	"
6	3	"	"
8	4	"	"
...	6	"	"

If the Number of Animals used to draw a Vehicle having Four Wheels is— Then the Minimum Width of Tires of any such Vehicle shall be—

Bullocks.	Other Animals.	If without Springs.	If with Springs.
4	2	<sup>(1)</sup> inches	<sup>(1)</sup> inches.
6	3	"	"
8	4	"	"
10	5	"	"
12	8	"	"

(b.) No more than eight bullocks or six horses shall be used at any one time as traction animals to any vehicle having two wheels, nor more than twelve bullocks or eight horses at any one time as traction animals to any vehicle having four wheels.

(1) Insert number of tons.

(c.) No two-wheeled vehicle shall carry a load exceeding<sup>(1)</sup> tons on any road, and no four-wheeled vehicle shall carry a load exceeding<sup>(1)</sup> tons on any road.

(d.) No person shall use, or cause or permit to be used, upon any road any vehicle engaged in heavy traffic having tires of less width or carrying any load exceeding those prescribed in this by-law.

BY-LAW No. 63.

*Width of Tires of Vehicles limited by the Load carried.*

(2) Insert number of inches or parts of an inch.

(a.) The wheels of every vehicle whose weight complete is not more than two tons, inclusive of the weight of load carried thereon or therein, shall be at least<sup>(2)</sup> inches wide.

(b.) The wheels of every vehicle whose weight complete is not more than four tons, inclusive of the weight of load carried thereon or therein, shall be at least<sup>(2)</sup> inches wide.

(c.) The wheels of every vehicle whose weight complete is not more than six tons, inclusive of the weight of load carried thereon or therein, shall be at least<sup>(2)</sup> inches wide.

(d.) The wheels of every vehicle whose weight complete is not more than eight tons, inclusive of the weight of load carried thereon or therein, shall be at least<sup>(2)</sup> inches wide.

(e.) The wheels of every vehicle whose weight complete is not more than ten tons, inclusive of the weight of load carried thereon or therein, shall be at least<sup>(2)</sup> inches wide.

(f.) The wheels of every vehicle whose weight complete is more than ten tons, inclusive of the weight of load carried thereon or therein, shall be at least<sup>(2)</sup> inches wide.

(g.) The wheels of every four-wheeled vehicle used on any road shall be so arranged that the front wheels of the same shall not run in the same tracks or in any part of such tracks as do the hind wheels, unless with permission in writing of the<sup>(3)</sup>

(6) Insert name of local authority.

BY-LAW No. 64.

*Vehicles not to be driven in Ruts formed by other Vehicles.*

No vehicle engaged in heavy traffic shall be driven so that its wheels shall (if it can be reasonably avoided) travel in ruts formed in any road by the wheels of the same or any other vehicle.

BY-LAW No. 65.

*Vehicles not to be driven on Footpaths or into Drain or Water-table.*

No vehicle, whether engaged in heavy traffic or not, shall be driven or allowed to be driven along, into, or upon any footpath, drain, or water-table on any road except for the *bona fide* purpose of crossing over the same, and no vehicle or machine shall be driven so that any part of the same shall be in contact with any bank at the side of the road.

BY-LAW No. 66.

*Driver of Vehicle to stop same on request by Authorised Person.*

The driver or person for the time being in charge of any vehicle shall, whenever required to do so by any person authorised for that purpose by the<sup>(3)</sup>, cause such vehicle to be stopped and to remain so stopped for a reasonable and sufficient time to allow such authorised person to inspect and examine the same, and the load being transported thereon; and the driver or person in charge shall permit such inspection and examination, and shall not obstruct such authorised person in or about making such inspection or examination; and the driver or person for the time being in charge of any such vehicle shall, at the verbal request of such authorised person, give such information as to the load being transported, and as to the quantity, weight, size, and measurement of the same, as is then required by such authorised person.

BY-LAW No. 67.

*Driver of Vehicle to allow Space for other Traffic.*

Whenever any vehicle engaged in heavy traffic passes along any road, the driver thereof shall allow as much space as possible for other vehicles, and for all persons using the said road, and for all horses, cattle, and sheep passing along the said road; and he shall, on request by the driver of any horse, vehicle, or stock that wishes to pass, at once drive to the side of the road, and allow sufficient space to let such horse, vehicle, or stock pass in safety.

BY-LAW No. 68.

*Driver of Vehicle to assist the Driver of other Horse or Vehicle to pass safely.*

If the driver or person in charge of any vehicle engaged in heavy traffic is met or overtaken by the rider or driver of any other horse or vehicle who signals him to stop such vehicle, he shall do so immediately; and if it appears that the rider or driver of any horse or vehicle meeting or overtaking such vehicle engaged in heavy traffic has difficulty in passing the same, the driver of such latter vehicle shall, without waiting for any signal, forthwith stop and render all possible assistance; and if the rider or driver of any such horse or vehicle so meeting or overtaking the vehicle engaged in heavy traffic either verbally demands or holds up his hand, it shall be sufficient signal for the driver or person in charge of such vehicle to stop the same.

BY-LAW No. 69.

*Vehicles on Roads to carry Lamps.*

In any case where any vehicle, whether engaged in heavy traffic or not, is standing on a road or shall be travelling on any road between sunset and sunrise, such vehicle shall carry two white lights—viz., one on each side of the vehicle—showing clearly to an approaching vehicle, horseman, or pedestrian the proximity of such vehicle.

BY-LAW No. 70.

*Planks to be used in crossing Bridges when Load is beyond a certain Weight.*

No vehicle which, together with the maximum weight of load which such vehicle may carry thereon, weighs more than (1) \_\_\_\_\_ tons shall be taken on to or over any bridge or culvert except upon planks (2) \_\_\_\_\_ inches wide and (2) \_\_\_\_\_ inches deep, to be provided and laid on such bridges or culverts by the owner, driver, or person in charge of such vehicle.

(1) Insert number of tons.  
(2) Insert number of inches.

BY-LAW No. 71.

*Person in Charge of Vehicle that has damaged Road, &c., to inform Local Authority and repair the Damage.*

(a.) Where any damage or injury is done by any vehicle engaged in heavy traffic to any road, fence, bridge, culvert, drain, or side ditch, or to any other thing appertaining thereto, the person in charge of such vehicle shall at once give notice in writing to the Clerk of the (3) \_\_\_\_\_ of the nature of such damage or injury, and of the place or locality where and the time when the same happened; and if such damage or injury has rendered the road or its appurtenances dangerous for ordinary traffic to public safety, the owner or person in charge of such vehicle shall, in addition to giving such notice as aforesaid, at once place at or near the place where such damage or injury has happened, and shall maintain for such time as the Clerk directs, such signals as are sufficient to give warning of the existence of such danger to all persons using the road by day or by night.

(3) Insert name of local authority.

(b.) The owner or person in charge of such vehicle shall forthwith repair or cause to be repaired at his own expense any damage or injury so caused by the vehicle, whether the damage or injury has rendered the road or its appurtenances dangerous for ordinary traffic or public safety or otherwise.

(c.) If the owner or person in charge of such vehicle fails to repair or cause the damage or injury to be repaired as aforesaid, the (3) \_\_\_\_\_ may without further notice or delay proceed to repair the same at the expense of the owner of the vehicle, and may recover the cost of the work as a debt from him in any competent Court, and may in addition cancel the license.

BY-LAW No. 72.

*Vehicle not to stop on a Bridge or Culvert.*

No driver or person in charge of any vehicle engaged in heavy traffic shall cause or permit the same to stop on any bridge or culvert for any purpose whatever except for the safety or convenience of other traffic.

BY-LAW No. 73.

*Limitation of Speed in crossing Bridge.*

No person shall drive any vehicle across or upon any bridge mentioned in the Schedule hereto at any pace faster than at the rate of (4) \_\_\_\_\_ miles per hour, and no person shall ride or propel or cause to be propelled any motor across or upon any

(4) Insert number of miles.

(1) Insert number of miles.

such bridge at a pace faster than at the rate of(1) \_\_\_\_\_ miles per hour, and no person shall ride or propel or cause to be propelled any bicycle across or upon any such bridge at a pace faster than at the rate of(1) \_\_\_\_\_ miles per hour; and no person shall ride, drive, or lead any animal across or upon any such bridge at any pace faster than at the rate of(1) \_\_\_\_\_ miles per hour.

Schedule.

(2) Insert particulars.

Name or Position of Bridge.	Name of Road upon which such Bridge is situated.
(2)	(2)

BY-LAW No. 74.

*Limitation of Use of Bullocks as Traction Animals.*

(3) Insert name of local authority.

No person shall use bullocks as traction animals along, over, or upon any road at any time during the months of March, April, May, June, July, August, September, October, and November in each year, except with the permission of the(3) \_\_\_\_\_, and upon such terms in each case as such(3) \_\_\_\_\_ thinks fit.

BY-LAW No. 75.

*Limiting Weight of Load over Bridges in proportion to Width of Tires.*

(4) Insert number of tons or cwts.

The maximum weight of load, including the vehicle, which it shall be lawful for any such vehicle to carry across any bridge or culvert on any road mentioned in the Schedule hereto shall not exceed the following:—

- (a.) For a four-wheeled vehicle, in the proportion of(4) \_\_\_\_\_ ton to each one inch in width of tire.
- (b.) For a two-wheeled vehicle, in the proportion of(4) \_\_\_\_\_ cwt. to each one inch in width of tire.

Schedule.

Name or Position of Bridge or Culvert.	Name of Road upon which such Bridge or Culvert is situated.

BY-LAW No. 76.

*Limiting Weight of Load over Bridges in Proportion to Weight carried.*

The maximum weight of load, including the vehicle, which it shall be lawful for any such vehicle to carry across any bridge or culvert mentioned in the Schedule hereto shall not exceed the following:—

- (a.) For a four-wheeled vehicle, \_\_\_\_\_ ton.
- (b.) For a two-wheeled vehicle, \_\_\_\_\_ cwt.

Schedule.

Name or Position of Bridge or Culvert.	Name of Road upon which such Bridge or Culvert is situated.
(2)	(2)

BY-LAW No. 77.

*Definition of Offence.*

An offence against these by-laws shall be deemed to have been committed when and so soon as any person does or is concerned in doing anything whatever which any such by-law or part thereof states is not to be done by him, or when and so



soon as any person fails to do or refrains from doing any act or thing whatever which any such by-law or part thereof states is to be done by him; and the owner and driver or person in charge of any vehicle, animal, or thing to which any such by-law relates shall be deemed to have committed an offence against these by-laws if he uses, drives, or allows to be used or driven any vehicle, animal, or thing in any manner whatever on any road contrary to or not in compliance with the provisions of any of these by-laws or of any portion thereof.

BY-LAW No. 78.

*Penalties.*

(a.) Any person who does or performs any act or thing, or who fails to do or perform any act, duty, or thing, or who is concerned in the performance or non-performance of any act, duty, or thing, or who fails to pay any license or other fee, or who uses or is concerned in using any vehicle, animal, or thing in any manner whatever that contravenes anything in or to be reasonably implied from the provisions of any of the foregoing by-laws, or which is contrary in any way whatever to the provisions of any of such by-laws, or who offends in any manner whatever against the provisions of any such by-law, is guilty of an offence against such by-law, and shall for each such offence be liable on conviction before a Magistrate to a fine not exceeding twenty pounds, and if the offence has been a continuing one, then to a fine not exceeding ten pounds for every day during the period of such continuance as the Magistrate inflicting the fine in his discretion thinks fit, and such fine shall be recoverable in a summary way.

(b.) The Magistrate shall convict for an offence against any such by-law if and when he is satisfied that an offence thereunder has in fact been committed against such by-law by the defendant, and the defendant shall not escape conviction upon a technicality only, or for any other reason where the Magistrate is satisfied that an offence has in fact been committed by such defendant; and if upon the hearing it appears that the driver or owner of any vehicle, animal, or thing, or that any other person ought also to be charged with the offence, or be charged in place of the defendant, the Magistrate shall direct that such owner or other person shall be so charged, or shall be joined as a defendant; and upon conviction the Magistrate may, at his discretion, inflict the whole or any part of the prescribed fine for such offence upon any or all of such persons in such proportions as he thinks to be just.

BY-LAW No. 79.

*Maximum License Fees payable for the Use of Vehicles other than Traction or Portable Engines on Roads in the of*

On every vehicle engaged in heavy traffic to which these by-laws apply there shall be paid to the<sup>(1)</sup> a yearly license fee according to the following scale:—

- (a.) On every two-wheeled vehicle or machine not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) not less than one and a half tons to the pair of wheels, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (b.) On every two-wheeled vehicle or machine not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) one and a half tons to three tons, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (c.) On every two-wheeled vehicle or machine not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) three tons to six tons, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (d.) On every two-wheeled vehicle or machine not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) over six tons, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (e.) On every vehicle or machine having more than two wheels and not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) not less than three tons, the yearly license fee shall not exceed<sup>(2)</sup> pounds.
- (f.) On every vehicle or machine having more than two wheels and not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) three tons to six tons, the yearly license fee shall not exceed<sup>(2)</sup> pounds.

<sup>(1)</sup> Insert name of local authority.

<sup>(2)</sup> Insert number of pounds sterling.

(<sup>1</sup>) Insert number of pounds sterling.

- (g.) On every vehicle or machine having more than two wheels and not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) six tons to nine tons, the yearly license fee shall not exceed(<sup>1</sup>)                   pounds.
- (h.) On every vehicle or machine having more than two wheels and not being a traction-engine or portable engine, and weighing (with load carried and intended to be carried thereon) over nine tons, the yearly license fee shall not exceed(<sup>1</sup>)                   pounds.
- (i.) On every vehicle or machine drawn by bullocks and not being a traction-engine or portable engine, and irrespective of the number of wheels, the yearly license fee, if the vehicle or machine is drawn by not more than two bullocks, shall not exceed(<sup>1</sup>)                   pounds.
- (j.) On every vehicle or machine drawn by bullocks and not being a traction-engine or portable engine, and irrespective of the number of wheels, the yearly license fee, if the vehicle or machine is drawn by not more than four bullocks, shall not exceed(<sup>1</sup>)                   pounds.
- (k.) On every vehicle or machine drawn by bullocks and not being a traction-engine or portable engine, and irrespective of the number of wheels, the yearly license fee, if the vehicle or machine is drawn by not more than eight bullocks, shall not exceed(<sup>1</sup>)                   pounds.
- (l.) On every vehicle or machine drawn by bullocks and not being a traction-engine or portable engine, and irrespective of the number of wheels, the yearly license fee, if the vehicle or machine is drawn by not more than twelve bullocks, shall not exceed(<sup>1</sup>)                   pounds.
- (m.) On every vehicle or machine drawn by bullocks and not being a traction-engine or portable engine, and irrespective of the number of wheels, the yearly license fee, if the vehicle or machine is drawn by over twelve bullocks, shall not exceed(<sup>1</sup>)                   pounds.

By Authority: JOHN MACKAY, Government Printer, Wellington.—1906.