

## Serial Number 1948/4



**THE HEAVY MOTOR-VEHICLE REGULATIONS 1940,  
AMENDMENT NO. 5**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 21st day of  
January, 1948

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Public Works Act, 1928, and the Motor-vehicles Act, 1924, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, doth hereby make the following regulations.

REGULATIONS

1. These regulations may be cited as the Heavy Motor-vehicle Regulations 1940, Amendment No. 5.

2. These regulations shall be read together with and form part of the Heavy Motor-vehicle Regulations 1940\* (hereinafter called the principal regulations).

3. The principal regulations are amended by inserting, next following Regulation 7, the following regulation :—

“ REGULATION 7A.—PROTECTION OF BRIDGES

“ (1) No person shall operate on or over any bridge which is under the control of a controlling authority any heavy motor-vehicle which exceeds the weight-limits for the time being in force and fixed with respect to that bridge pursuant to this regulation.

“ (2) For the purposes of this regulation a controlling authority may fix weight-limits for heavy motor-vehicles using any bridge under its control, that is to say, it may fix—

“ (a) The maximum weight of any such heavy motor-vehicle and its load ; and

“ (b) The maximum portion of the weight of any such heavy motor-vehicle and its load borne by any axle.

\* Statutory Regulations 1940, Serial number 1940/78, page 240.

Amendment No. 1 : Statutory Regulations 1940, Serial number 1940/97, page 339.

Amendment No. 2 : Statutory Regulations 1944, Serial number 1944/180, page 504.

Amendment No. 3 : Statutory Regulations 1946, Serial number 1946/9, page 22.

Amendment No. 4 : Statutory Regulations 1946 Serial number 1946/116, page 283.

“(3) Before a controlling authority proceeds to fix any weight-limits with respect to any bridge pursuant to this regulation it shall have obtained from an engineer registered under the Engineers’ Registration Act, 1924, a certificate that the use of the bridge by vehicles exceeding in weight the weight-limits proposed to be fixed would so overstrain the bridge as to be likely to cause its ultimate failure.

“(4) Any controlling authority that has fixed weight-limits with respect to any bridge as aforesaid shall cause notification thereof in Form F in the Second Schedule hereto to be published in some newspaper circulating in the district in which the bridge is situated and shall erect and maintain at each end of the bridge a sign indicating the weight-limits fixed in the form of diagram No. 1A in the Third Schedule hereto—that is to say, in the form of a rectangle coloured lemon-yellow bearing black letters and numerals and approximately of the dimensions in sign, letters, and numerals indicated in the diagram.

“(5) The weight-limits fixed with respect to any bridge shall become effective for the purposes of this regulation so soon as the provisions of the last preceding clause of this regulation have been complied with and no sooner.

“(6) Within seven days of the first publication (if more than one) of a notification as aforesaid the controlling authority shall forward to the Commissioner of Transport a copy of the newspaper containing such notification together with advice that an engineer’s certificate has been obtained in accordance with clause (6) of this regulation.

“(7) Any controlling authority may remove any weight-limits which it has fixed with respect to any bridge upon being satisfied that the same are no longer necessary by reason of repairs to the bridge having been effected or for other sufficient reason and shall cause notification of such removal to be published in some newspaper circulating in the district in which the bridge is situated and shall forthwith remove the signs erected pursuant to clause (4) of this regulation.

“(8) The controlling authority shall forthwith notify the Commissioner of Transport of the removal of any weight-limits as aforesaid and shall forward to him a copy of the newspaper containing notification thereof.

“(9) The Minister may at any time, by notice in the *Gazette*, remove any weight-limits with respect to any bridge fixed by a controlling authority pursuant to this regulation, and the controlling authority shall thereupon comply with clause (7) of this regulation as to publication of notification of such removal and as to removal of signs from the bridge as if it had itself removed such weight-limits.

“(10) Any weight-limits removed pursuant to this regulation either by the controlling authority or by the Minister shall be effective as from the time of removal of the signs by the controlling authority, or as from the date of the first publication (if more than one) of the notification of such removal, or as from the date of publication in the *Gazette* of the Minister’s notice as aforesaid, whichever is the earliest.

“(11) In any prosecution for a breach of this regulation it shall be sufficient evidence that the weight-limits with respect to any bridge have been fixed in accordance with this regulation if the prosecution proves that at the time when the offence was committed the signs indicating such weight-limits were erected at each end of the bridge.”

4. The Second Schedule to the principal regulations is hereby amended by adding thereto the additional form set forth in the First Schedule hereto.

5. The Third Schedule to the principal regulations is hereby amended by inserting therein, next following Diagram No. 1, the following words:—

“DIAGRAM NO. 1A

“Bridge Weight-limits Sign (Reg. 7A (4))”

followed by the diagram set out in the Second Schedule hereto.

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## SCHEDULES

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### FIRST SCHEDULE

[Form F (Reg. 7A)

#### NOTIFICATION OF WEIGHT-LIMITS FOR BRIDGE

WHEREAS it is provided by clause (1) of Regulation 7A of the Heavy Motor-vehicles Regulations 1940 (as enacted by Regulation 3 of the Heavy Motor-vehicles Regulations 1940, Amendment No. 5) that no person shall operate on or over any bridge which is under the control of a controlling authority any heavy motor-vehicle which exceeds the weight-limits for the time being in force and fixed with respect to that bridge pursuant to the said regulations:

Notification is hereby given that . . . . ., being the controlling authority in respect of the . . . . . Bridge, situated on the . . . . . Road, in the . . . . . County (or as the case may be), has fixed the following weight-limits for heavy motor-vehicles using the said bridge, that is to say—

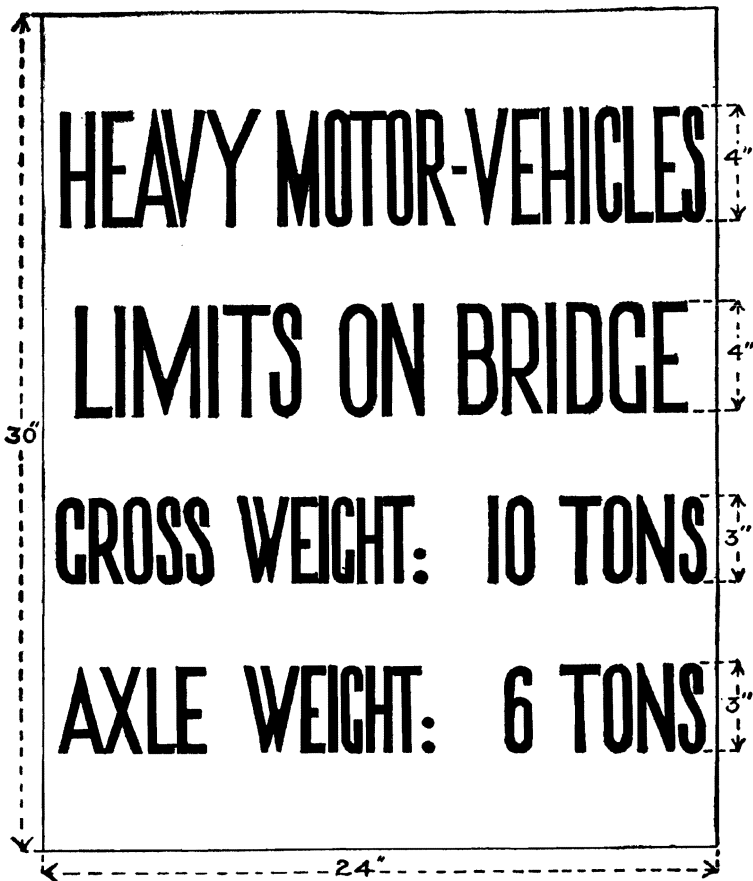
The maximum weight of any such heavy motor-vehicle and its load shall not exceed . . . . . tons; and

The maximum portion of the weight of any such heavy motor-vehicle and its load borne by any axle shall not exceed . . . . . tons.

Attention is called to Regulation 16 of the said regulations, which fixes a penalty of £20 for each offence against the regulations.

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Controlling Officer.

## SECOND SCHEDULE



T. J. SHERRARD,  
Acting Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.  
Date of notification in *Gazette* : 23rd day of January, 1948.  
These regulations are administered in the Transport Department.