

1955/59



THE HEAVY MOTOR VEHICLE REGULATIONS 1955

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 2nd day of May 1955

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING IN COUNCIL

PURSUANT to the Transport Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

Title and Commencement

1. (1) These regulations may be cited as the Heavy Motor Vehicle Regulations 1955.
- (2) These regulations shall come into force on the 1st day of June 1955.

Interpretation

2. (1) In these regulations, unless the context otherwise requires,—

“Axle” means any part of a vehicle through which weight is transmitted directly through a bearing to a road wheel, or the equivalent thereof, or to two or more road wheels or their equivalent being substantially in alignment, and which forms an axis for the road wheel or road wheels or its or their equivalent:

Provided that where two or more wheels of a motor vehicle are substantially in the same line transversely and some or all of them have separate axles, the axles of all those wheels shall for the purpose of these regulations be deemed to be one axle:

“Board” means the National Roads Board established under the National Roads Act 1953:

“Commissioner” means the Commissioner of Transport:

“Controlling authority” means the Minister of Works, Board, or local authority, as the case may be, having control over any road or street and the power of constructing and maintaining the same:

“Farmer’s truck” means a heavy motor vehicle (inclusive of a tractor with a trailer attached) which is owned by a person carrying on business as a farmer, market gardener, orchardist, nurseryman, or apiarist, and which is used exclusively in connection with that business, or which, being owned by a farmer, is used exclusively in connection with that business and for the carriage of milk, cream, or whey to or from a dairy factory for the neighbours of the farmer:

“Garage” means a building or other structure or place in which a motor vehicle is usually kept when not in use:

“Heavy motor vehicle” means a motor vehicle (other than a private motor car) that with the load it is for the time being carrying weighs more than 2 tons, but does not include a traction engine or a vehicle designed solely or principally for the use of fire brigades in attendance at fires:

“Licence” means a heavy traffic licence issued under these regulations; and “licensee” has a corresponding meaning:

“Licence year” means any period of twelve months ending with the 31st day of May:

“Licence quarter” means any period of three months ending with the last days of August, November, February, and May; and “quarter” and “quarterly” have corresponding meanings:

“Licensing authority” means any local authority having power to issue a licence under these regulations; and, in relation to motor vehicles owned by the Crown, means the Commissioner:

“Minister” means the Minister of Transport:

“Multi-axled heavy motor vehicle” means any heavy motor vehicle specially designed or adapted so that the weight of the vehicle and its load is carried on three or more axles and having not less than two wheels on each axle:

To “operate” means to use or drive, or cause or permit to be used or driven, or permit to be on any road, whether the person operating is present in person or not:

“Owner” means the registered owner of a motor vehicle for the purposes of Part II of the Transport Act 1949:

“Pneumatic tire” means a tire which, when in use, is inflated by air introduced from time to time under pressure so as to enclose under normal inflation a cushion of air forming altogether at least half of the total area of an average cross section of the tire so inflated:

“Road” and “street” include any highway, whether or not the same has been declared to be a main highway; and “road” includes a street:

“Weight”, in relation to a vehicle on a road, means the weight of the vehicle and its load, including any equipment or accessories, which is transmitted to the road surface by the tire or tires which are attached to the wheels of the vehicle:

“Wheel track” means the distance between the centres of the off side and near side wheels of a pair of wheels and, when a pair of wheels consists of twin wheels on the off side and twin wheels on the near side, means the distance from the centre of the off side twin wheels to the centre of the near side twin wheels.

(2) For the purpose of issuing heavy traffic licences and assessing under these regulations the liability for licence fees of tractors and trailers,—

- (a) Any heavy motor vehicle in use for the time being for the purpose of drawing a trailer, whether or not the heavy motor vehicle is laden, shall be deemed to be a tractor while so used;
- (b) A tractor with a single trailer attached thereto shall be deemed to form one heavy motor vehicle;

Provided that nothing in this paragraph or elsewhere in these regulations shall be deemed to prevent the owner of any single trailer attached to a tractor from applying for and holding, and the Licensing Authority from granting, a separate heavy traffic licence in respect of that single trailer:

- (c) Each additional trailer after one attached to a tractor and every single trailer licensed separately from the tractor shall be deemed to be a separate heavy motor vehicle.

(3) For the purposes of these regulations, in the computation of the load of heavy motor vehicles engaged in the carriage of passengers, fifteen persons, including any personal effects carried free of charge, shall be deemed to weigh 1 ton, and in computing the number of persons the driver shall be included:

Provided that in the case of a heavy motor vehicle used for the carriage of school children and their teachers, and for no other purpose, thirty school children shall be deemed to weigh 1 ton, and each teacher and the driver shall each be deemed to weigh one fifteenth of a ton.

Classification of Roads

3. (1) The National Roads Board may at any time require the Commissioner of Transport to declare that any main highway or State highway or Government road under the control of the Board belongs to such one of the following classes, namely, Class One, Class Two, Class Three, or Class Four, as the Board specifies, and the Commissioner shall declare the classification accordingly.

(2) The local authority having the control of any road or main highway may at any time apply to the Commissioner to approve the proposal of the local authority that the road or main highway belongs to one of the classes specified in subclause (1) of this regulation.

(3) Notwithstanding anything in the foregoing provisions of this regulation, the Board, after notice to the appropriate controlling authority, may require the Commissioner to declare that any road under the control of that authority (whether or not any classification or proposed classification thereof has theretofore been effected) belongs to such one of the classes specified in subclause (1) of this regulation as the Board thinks fit, and the Commissioner shall declare the classification accordingly.

(4) Where under the foregoing provisions of this regulation a local authority or the Board applies to or requires the Commissioner to approve or declare any such classification, it shall first give public notice of the names or other sufficient identification of the roads proposed to be so classified and of the class to which it is proposed that each such road shall be declared to belong, and shall in that notice call upon any person objecting to lodge notice in writing of his objection and of the ground thereof at an address to be stated in the notice, and before a date to be specified in the notice which shall be at least fourteen clear days after the date of the first publication of the notice. The notice shall be given either—

- (a) By publishing in some newspaper circulating in the district affected a notice in form A in the First Schedule to these regulations; or
- (b) By depositing for public inspection at some convenient place within the borough, riding, or other district affected a statement showing the names of the road or roads proposed to be classified and the class to which it is proposed that each shall belong, and publishing in some newspaper circulating in the district affected a notice in form B in the First Schedule to these regulations.

(5) Upon the expiration of the period stated in the notice the controlling authority or the Board, as the case may be, shall apply to the Commissioner for his approval or (in the case of an application by the Board) for his declaration of the classification, and, in the case of a local authority, the local authority shall forward with its application any objections thereto received as aforesaid.

(6) In the case of a classification proposed by the Board the Commissioner shall, by notice in the *Gazette*, declare the classification proposed by the Board.

(7) In the case of a classification proposed by a local authority the Commissioner may, by notice in the *Gazette*, approve the proposed classification or, with the concurrence of the parties concerned, alter the classification in accordance with any objections received or otherwise, and then approve the classification as so altered.

(8) In the event of any difference of opinion as to the correct classification for a road arising between the Commissioner and the local authority applying under subclause (2) of this regulation to have the road classified and any party objecting under subclause (4) of this regulation to the proposed classification, the question may be submitted by the Commissioner or the local authority or any such party to the Board, and the decision of the Board shall be final and binding on all persons interested, and the Commissioner shall declare the classification accordingly in accordance with the classification determined by the Board.

(9) No classification of any road shall have any force or effect—

- (a) Until it is approved or declared by the Commissioner in writing and publicly notified and the road is designated as provided by subclause (10) of this regulation; or
- (b) At any time while the designation of the road is not maintained as provided by subclause (10) of this regulation.

(10) Upon the giving of that approval or the making of that declaration the local authority or the Board, as the case may be, shall give public notice, by publication in some newspaper circulating in the district affected, of the classification effected, and of the Commissioner's approval or declaration thereof, and shall forthwith erect and shall at all times maintain, in manner prescribed by regulation 5 of these regulations, such one of the signs described in regulation 5 of these regulations as may be appropriate to the classification.

(11) Any such classification may be varied from time to time, and the foregoing procedure shall, as far as it is applicable and with the necessary modifications, apply on any such variation.

(12) Upon publication in the *Gazette* of a notice given under subclause (6) or subclause (7) of this regulation, the controlling authority shall forthwith take the steps prescribed by subclause (10) of this regulation, and on default by the controlling authority the Commissioner may at any time take those steps, or any of them, at the expense in all things of the controlling authority.

(13) In any proceedings for a breach of these regulations—

- (a) The production of a copy of the *Gazette* or of an official extract therefrom purporting to contain the Commissioner's approval or declaration of the classification of any road; and
- (b) Proof that at all material times the appropriate classification signs were erected and maintained on the road in accordance with regulation 5 of these regulations—

shall be sufficient evidence that the road was at all material times duly classified in the class specified in the Commissioner's approval or declaration, as the case may be.

(14) Any licensee who claims that his operations are adversely affected by a classification of a road may apply to the controlling authority not earlier than twelve months from the date when the classification was last effected (whether newly effected or effected by amendment of a former classification) for the classification to be amended, and the controlling authority, if it is satisfied by such evidence as it thinks fit, that the licensee has substantiated his claim, may take the appropriate steps to amend the classification. If in the case of a road not under the control of the Board the amendment is not effected within three months of the date of the application, the licensee may within a further period of fourteen days appeal to the National Roads Board, which, after making such inquiries as it thinks proper, may exercise its power to amend the classification under subclause (3) of this regulation or decide not to require the Commissioner to amend the classification.

Use of Classified Roads and General Weight Limitations

4. (1) No person shall operate any heavy motor vehicle (including a trailer) on a road classified as indicated in column 1 of the table to form A in the First Schedule to these regulations—

- (a) In the case of a motor vehicle having not more than two axles and not drawing a trailer, if the portion of the weight of the vehicle on any one axle exceeds the weight indicated for a road of that class by column 2 of the said table; or
- (b) In the case of a multi-axled motor vehicle or of any motor vehicle drawing a trailer, if the weight of the motor vehicle inclusive of the weight of the trailer exceeds the weight indicated for a road of that class in column 3 of the said table, or if the portion of the weight of the motor vehicle or trailer on any one axle exceeds the weight indicated for a road of that class by (i) column 4 of the said table when the axle is 8 ft. or more from the nearest other axle of the motor vehicle or trailer, or by (ii) column 5 of the said table in other cases.

(2) Notwithstanding anything in subclause (1) of this regulation, when the distance between the two axles on the drawing unit of an articulated vehicle is less than 8 ft. but more than 6 ft., the vehicle may be operated on a classified road, provided the portion of the weight on any one of those axles does not exceed the axle weight indicated for a road of that class by column 4 of the said table and the sum of the weights on both of those axles does not exceed twice the axle weight fixed in respect of that road by column 5 of the said table.

(3) In subclause (2) of this regulation, the term “articulated vehicle” means a heavy motor vehicle consisting of a trailing unit attached permanently or temporarily to a drawing unit so that part of the trailing unit is superimposed upon the drawing unit and so that when the trailing unit is uniformly loaded not less than 20 per cent of the weight of the load is borne by the drawing unit.

(4) Notwithstanding anything in the foregoing provisions of this regulation, a controlling authority may give written permission for any specified heavy motor vehicle to be used under the authority of the appropriate heavy traffic licence on any road (being a road under the control of that controlling authority and classified so as not otherwise to be available for the use thereon of that heavy motor vehicle), subject to such conditions as to weather, speed, weight of load, number of trips, or any other condition not involving a monetary payment, as the controlling authority may think fit to impose. That permission shall be given in form C in the First Schedule to these regulations or to the like effect, and may be signed by any officer of the controlling authority authorized by it in that behalf. In the case of the use of any State highway or main highway that permission (subject to those conditions) may be given by the National Roads Board or any person appointed by it for the purpose, in which case it shall not be necessary to obtain the permission from any controlling authority.

(5) Every person operating a heavy motor vehicle under a permission given as aforesaid shall comply with all the conditions of the permission.

(6) Any controlling authority may, with the consent of any other controlling authority, give any written permission necessary under subclause (4) of this regulation in respect of any road controlled by the

latter controlling authority, and the provisions of subclauses (4) and (5) of this regulation shall in all respects apply to any permission so given.

(7) Any permission given under this regulation may apply to any particular trip or to any number of trips or to a specified period or periods, and may at any time be revoked or amended by any controlling authority so far as it relates to roads under the control of that controlling authority:

Provided that no other controlling authority may revoke or amend any such permission given by the Board.

(8) No such permission shall prejudice the rights of the controlling authority to recover by legal process reimbursement for any damage done to the roads during the trip or trips authorized by the permission.

(9) For the purpose of this regulation, when the longitudinal centre line of the axle of a motor vehicle is closer than 3 ft. 4 in. to the longitudinal centre line of another axle, then the two axles shall be deemed to be one.

Road Classification Signs

5. (1) The signs (hereinafter referred to as classification signs) to be erected under subclause (10) of regulation 3 of these regulations shall be in the form of diagram No. 1 in the Second Schedule to these regulations—that is to say, in the form of a circle coloured yellow with black border, numerals, and letters, and approximately of the dimensions in sign, letters, and numerals indicated on the diagram. The sign shall bear such one of the terms “Class I,” “Class II”, “Class III”, or “Class IV” as may be appropriate to the classification of the road or portion of road designated by the sign.

(2) Every controlling authority shall erect and maintain classification signs to indicate the classification of all roads under its control which have been classified in accordance with these regulations.

(3) In every case the controlling authority shall erect and maintain the appropriate classification signs in such a manner as to give owners and drivers of heavy motor vehicles reasonable indication of the classification.

(4) Notwithstanding anything in subclause (3) of this regulation, it shall not be necessary to erect classification signs in the case of any classified road to which road access for heavy motor vehicles is available only by means of another road of the same classification for which the appropriate classification signs are either duly maintained or have been dispensed with under the authority of this subclause.

(5) Where possible every controlling authority erecting a classification sign shall erect the sign at such a site, at such a height above the level of the road, and generally in such a position and manner that it shall—

- (a) Not be a source of danger to pedestrian or other traffic:
- (b) Be clearly and readily visible for at least 50 yards before reaching it to the driver of a motor vehicle approaching it:
- (c) Where practicable, be illuminated by the headlights of approaching motor vehicles:
- (d) Where not incompatible with the foregoing requirements of this subclause, be approximately 3½ ft. above the level of the road.

(6) No controlling authority shall erect or maintain, or cause or permit to be erected or maintained, any classification sign relating (whether exclusively or not) to the classification of roads otherwise than in accordance with the requirements of this regulation.

(7) Every controlling authority that erects a classification sign shall at all times while the sign remains in position maintain it in good repair, undefaced, and undamaged, and with the colours thereof and the characters thereon in bright, clear, and legible condition.

(8) No controlling authority shall erect or maintain, or cause or permit to be erected or maintained or to be, on any road or in any place visible from a road, any sign in or similar to the form hereinbefore described which is not used solely for denoting the matter and conveying the information hereby authorized to be denoted and conveyed by means of classification signs.

(9) No person shall, except as an employee of the controlling authority, erect or maintain, or cause or permit to be erected or maintained or to be, on any road or in any place visible from a road any classification sign, unless authorized to do so in writing by the controlling authority having control of the road.

(10) No person shall erect or maintain, or cause or permit to be erected or maintained or to be, on any road or in any place visible from a road any sign, device, or object liable to be mistaken for a classification sign of the form hereinbefore described.

(11) If the name of any person or the name of any business carried on by him or the name of any wares dealt with by him is displayed on a sign which is so erected or maintained that its erection or maintenance constitutes a breach of any provision of this regulation, that person commits an offence against these regulations:

Provided that it shall be a defence to any person charged with an offence against this subclause if he proves that the sign was erected and maintained without his knowledge, or that before the date of the offence he gave notice in writing to the occupier of the land on which the sign is erected requiring the occupier forthwith to remove the sign.

(12) No person shall remove, mutilate, obscure, or in any manner damage or interfere with any classification sign erected under this regulation.

Maximum Inflation of Tires

6. (1) No person shall operate any heavy motor vehicle outside of the district of any borough where there is a population of six thousand or upwards if the air pressure in any pneumatic tire fitted to the vehicle exceeds 75 lb. per square inch.

(2) For the purpose of any prosecution under this regulation a certificate of the Government Statistician that the population of any borough was under six thousand at any date shall be conclusive evidence thereof.

(3) Notwithstanding anything in subclause (1) of this regulation, a controlling authority may give written permission for any specified heavy motor vehicle to be used on any road under the control of that controlling authority although the air pressure in any tire exceeds 75 lb. per square inch. The permission may be granted subject to such

conditions as to speed, weight of load, number of trips, or any other condition not involving a monetary payment as the controlling authority thinks fit to impose. That permission may be signed by an officer of the controlling authority authorized by it in that behalf. In the case of a State highway or main highway permission (subject to those conditions) may be given by the National Roads Board or by any person appointed by it for the purpose, in which case it shall not be necessary to obtain the permission from any controlling authority.

(4) Every person operating a heavy motor vehicle under a permission given as aforesaid shall comply with all the conditions of the permission.

(5) Any controlling authority may, with the consent of any other controlling authority, give any written permission necessary under subclause (3) of this regulation in respect of any road controlled by the latter controlling authority, and the provisions of subclauses (3) and (4) of this regulation shall in all respects apply to any permission so given.

(6) Any permission given under this regulation may apply to any particular trip or to any number of trips or to a specified period or periods, and may at any time be revoked or amended by any controlling authority so far as it relates to roads under the control of that controlling authority:

Provided that no other controlling authority may revoke or amend any such permission given by the Board.

Speed

7. (1) No person shall operate any heavy motor vehicle, or any vehicle displaying a heavy motor vehicle licence, at a speed exceeding the maximum speed provided in this regulation for that motor vehicle or, as the case may be, for heavy motor vehicles of the class to which the licence relates, whether or not for the time being the motor vehicle with the load it is carrying exceeds 2 tons in weight.

(2) The maximum speed for heavy motor vehicles which are designed principally for the carriage of passengers or which are designed (and not merely adapted) solely for the transport of horses and which have pneumatic tires on all road wheels and for which no other maximum speed is provided in this regulation shall be 40 miles an hour.

(3) The maximum speed for heavy motor vehicles other than those described in subclause (2) of this regulation, all tires of which are pneumatic, and for which no other maximum speed is provided in this regulation, shall be 30 miles an hour:

Provided that nothing in this subclause shall apply to a heavy motor vehicle which with the load it is carrying does not exceed $2\frac{1}{2}$ tons in weight.

(4) The maximum speed for any heavy motor vehicle of which any tire is solid but no tire is metal shall, subject to subclause (5) of this regulation, be 12 miles an hour, and the maximum speed for any heavy motor vehicle of which any tire is metal shall, subject to subclause (5) of this regulation, be 8 miles an hour. For the purposes of this subclause the term "solid tire" means a rubber tire that is not a pneumatic tire as defined in subclause (1) of regulation 2 of these regulations, and the term "metal tire" includes any tire other than a rubber tire or a pneumatic tire.

(5) The maximum speeds for all heavy motor vehicles (including trailers) constructed without springs or other effective cushioning apparatus between the road wheels and the chassis shall be the respective speeds hereinbefore set out in this regulation reduced by 50 per cent.

(6) In any case in which the maximum speed fixed so as to apply to any heavy motor vehicle by a controlling authority for any locality, road, or part of a road is greater than the appropriate speed fixed by this regulation, the maximum speed of that heavy motor vehicle for that locality, road, or part of a road shall be that fixed by this regulation.

Prohibition of Certain Heavy Traffic

8. (1) No person shall operate upon any road—

(a) Any traction engine, or any heavy motor vehicle other than an agricultural tractor if it is fitted with any tire which is not pneumatic; or

(b) Any heavy motor vehicle, if it is fitted with any metal tire or any tire having lugs, cleats, or similar projections,—
unless the consent thereto in writing is first obtained from the controlling authority of the road, which consent may be given subject to such conditions as the controlling authority thinks fit to impose. In this subclause the term “tire” includes a self laying track, and the term “metal tire” has the same meaning as in regulation 7 (4) of these regulations.

(2) Every person operating any traction engine or heavy motor vehicle under a consent given under subclause (1) of this regulation shall comply with all the conditions subject to which the consent is given.

(3) Any controlling authority may by resolution, passed on reasonable grounds to be set out in the resolution, prohibit absolutely or conditionally the use of heavy motor vehicles or of any specified class of heavy motor vehicle during any specified period or series of periods.

(4) Notice of any prohibition imposed under subclause (3) of this regulation shall be given by the controlling authority in manner provided in subclause (5) of this regulation at least seven days before the commencement of the specified period or the first of any series of specified periods:

Provided that in special circumstances it shall be sufficient compliance with this requirement if that notice be given as long before the commencement of the period or series of periods as the circumstances reasonably permit.

(5) The notice referred to in subclause (4) of this regulation shall be given by publication of the terms of the resolution or a statement conveying the general effect of the prohibition in some newspaper circulating in the district to which the matter of the notice relates, and, if there is no such newspaper available, then by a printed or written placard posted in some conspicuous place on the road affected by the notice.

(6) Where due to emergency arising from rain, frost, flood, or other climatic conditions it appears to the controlling authority that the continued use of heavy motor vehicles or of any class of heavy motor vehicle may cause extraordinary damage to any road, and there is insufficient time to exercise the powers contained in subclause (3) of this regulation, a controlling authority may prohibit conditionally or

absolutely the use of heavy motor vehicles or any specified class of heavy motor vehicle for a specified period not exceeding one month. Notice of the prohibition shall be given by a printed or written placard posted in some conspicuous place at all entries to the road affected by the notice, and as soon thereafter as may be practicable notice of the terms of the prohibition shall be given by the publication thereof in a newspaper circulating in the district to which the matter of the notice refers.

(7) The Minister may prohibit the use on any specified road of any heavy motor vehicle which exceeds 30 ft. in length, or of any combination of motor vehicles that includes a heavy motor vehicle and exceeds 30 ft. in length, where he is satisfied that the road is not of a standard suitable for such heavy motor vehicles or of any such combination of motor vehicles.

(8) Notice of any prohibition imposed under subclause (7) of this regulation shall be given by the controlling authority at least seven days before the commencement of the prohibition by publication of the terms of the prohibition in a newspaper circulating in the district to which the matter of the notice relates, and the controlling authority shall erect and maintain at all entrances to the road affected by the notice a sign indicating the prohibition in the form of diagram No. 2 in the Second Schedule to these regulations—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.

(9) No person shall operate any heavy motor vehicle on any road where its use has for the time being been prohibited by a controlling authority or by the Minister under subclause (3), subclause (6), or subclause (7) of this regulation.

(10) Any consent or prohibition given or imposed under subclauses (1), (3), (6), or (7) of this regulation may be expressed to relate to all roads under the control of the controlling authority, or any particular road or portion thereof.

(11) If as a result of inquiry the Minister is of the opinion that the power given by subclause (3) of this regulation has in the case of any road not been exercised in a reasonable manner, he may, by notice in writing given to the controlling authority, revoke, wholly or in part, the prohibition of the use of the road by heavy motor vehicles or any class of heavy motor vehicles, as the case may be, as from the date of the notice or from such later date as may be specified in that behalf in the notice, and may give such public notice of the revocation as he thinks fit.

Protection of Bridges

9. (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 within the immediately preceding twelve months.

(2) No person shall cause any heavy motor vehicle to pass over any such bridge at a speed in excess of the speed limit for the time being in force and fixed with respect to that bridge pursuant to this regulation within the immediately preceding twelve months.

(3) For the purposes of this regulation the weight of a heavy motor vehicle shall be deemed to include the weight of any trailer drawn by the heavy motor vehicle.

(4) For the purposes of this regulation a controlling authority may with respect to any bridge under its control fix weight limits or a speed limit or both weight limits and a speed limit for heavy motor vehicles using that bridge—that is to say, it may fix—

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

(b) The maximum portion of the weight of any such heavy motor vehicle and its load borne by any one axle,—
and either additionally or alternatively—

(c) The maximum speed at which any such heavy motor vehicle may pass over the bridge.

(5) Before a controlling authority proceeds to fix any weight limits or speed limit with respect to any bridge under this regulation, it shall obtain from an engineer (who is either registered under the Engineers Registration Act 1924 or is the holder of a certificate of recognition issued by the Engineers Registration Board) a certificate that he has made a detailed inspection of the bridge and that as a result he is of opinion that the use of the bridge by vehicles exceeding in weight the weight limits, or travelling at a speed exceeding the speed limit, proposed to be fixed would so overstrain the bridge as to be likely to cause its ultimate failure.

(6) Any controlling authority that has fixed weight limits or a speed limit or both weight limits and a speed limit with respect to any bridge as aforesaid shall cause notification thereof in form D in the First Schedule to these regulations 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 or speed limit or both weight limits and speed limit so fixed and the date of fixation thereof in the form of diagram No. 3 in the Second Schedule to these regulations—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 that diagram.

(7) The weight limits or speed limit fixed with respect to any bridge shall become effective for the purpose of this regulation so soon as the provisions of subclause (6) of this regulation have been complied with and no sooner.

(8) Within seven days of the publication or first publication (if more than one) of a notification as aforesaid the controlling authority shall forward to the Commissioner a copy of the newspaper containing the notification, together with advice that an engineer's certificate has been obtained in accordance with subclause (5) of this regulation.

(9) The controlling authority shall remove any weight limits or speed limit which it has fixed with respect to any bridge under this regulation upon being satisfied that the same is no longer necessary by reason of repairs to the bridge having been effected or for other sufficient reason, and shall cause notification of the removal to be published in some newspaper circulating in the district in which the bridge is situated, and shall forthwith remove the signs erected under subclause (6) of this regulation.

(10) The controlling authority shall forthwith notify the Commissioner of the removal of any weight limits or speed limit as aforesaid and shall forward to him a copy of the newspaper containing notification thereof.

(11) Any weight limits or speed limit removed under this regulation shall be ineffective as from the time of removal of the signs by the controlling authority, or as from the date of publication or first publication (if more than one) of the notification of that removal.

(12) Any weight limits or speed limit fixed by the controlling authority under the provisions of this regulation shall remain in force, unless sooner revoked or amended, for a period of twelve months and no longer, but may be reimposed from time to time under the provisions of this regulation for further periods not exceeding twelve months at any one time.

(13) In any prosecution for a breach of this regulation it shall be sufficient evidence that the weight limits or speed limit with respect to any bridge had been fixed and were in force in accordance with this regulation if the prosecution proves that at the time when the offence was committed the signs indicating weight limits or speed limit, or both, were in position at each end of the bridge, and that those limits had been fixed by the controlling authority not less than twelve months before the date of the alleged offence.

(14) In the case of any weight limits or speed limit fixed for any bridge before the commencement of these regulations and in force at the commencement of these regulations, the limits shall, for the purpose of this regulation, be deemed to have come into force on the date of the commencement of these regulations.

Collection of Heavy Traffic Fees and Issue of Licences

10. (1) The Commissioner shall be the appropriate Licensing Authority for the purpose of collecting heavy traffic fees due under these regulations in respect of heavy motor vehicles owned by the Crown.

(2) In respect of heavy motor vehicles (not being motor vehicles owned by the Crown) the Minister shall, by notice published in the *Gazette*, appoint sufficient local authorities to be Licensing Authorities for the purpose of collecting heavy traffic fees due under these regulations. The Licensing Authority may be appointed to collect fees either for its own district or for such other district or districts as may be described in the appointment.

(3) Application for a licence (not being a licence in respect of a heavy motor vehicle owned by the Crown) shall be made to the Licensing Authority (hereinafter referred to as the appropriate Licensing Authority) either—

(a) For the area in which is situated on the date of the application the business domicile or place of residence of the owner of the vehicle or vehicles in respect of which the application is made; or

(b) For the area within which in the opinion of the applicant he does or will do the greatest amount of his carrying business.

(4) Application for a licence shall be made in form E in the First Schedule to these regulations.

(5) Upon receipt of the application and upon payment of the appropriate fees, the appropriate Licensing Authority shall issue to the applicant in the number applied for a heavy traffic licence or heavy traffic licences as described in regulation 12 of these regulations.

(6) Except as provided by subclause (9) of this regulation, every licence shall be for a period of one or more licence quarters, and the fee shall be paid on or before the issue of the licence.

(7) Any heavy traffic licence issued under these regulations by any Licensing Authority shall have effect throughout New Zealand, and shall apply to any heavy motor vehicle which with the load it is for the time being carrying complies with the weight limitation and all other conditions set out in the licence (except that it may also apply to any vehicle for which a licence fee would be payable lower than the fee in fact paid for the licence) and which is operated only,—

(a) By the owner (being the licensee); or

(b) On behalf of the owner (being the licensee) for the purpose of or in the course of the owner's business and for no other purpose;
or

(c) By the hirer of the vehicle from the owner (being the licensee).

(8) The fee due for any quarter shall be reduced by one-third for every complete calendar month of that quarter which has elapsed at the date when the term of the licence commences.

(9) In respect of any specified heavy motor vehicle that with the load it is carrying weighs 15 tons or over, the appropriate Licensing Authority may issue a heavy traffic licence (as described in subclause (5) of regulation 12 of these regulations and hereinafter referred to as a weekly licence) for a period of seven days at a fee which is computed at one-eighth of the quarterly fee normally payable for that class and type of vehicle calculated to the next highest shilling.

(10) Every Licensing Authority shall keep a true and faithful record of all applications for heavy traffic licences and of all fees paid therefor.

(11) No heavy traffic licence fee other than one fixed by these regulations shall be made, levied, charged, or collected in respect of any heavy motor vehicle by any local authority having control of roads.

(12) Nothing in these regulations shall prevent the owner of any heavy motor vehicle from applying for and receiving a licence for a term exceeding a licence quarter:

Provided that the term of the licence shall expire on the last day of a licence quarter, and, if issued for a term commencing on or before the 31st day of May in any year, shall expire not later than the 31st day of May in that year, and, if issued for a term commencing after the 31st day of May in any year, shall expire not later than the 31st day of May in the next succeeding year.

(13) A Licensing Authority may issue a licence for a term to commence not more than fourteen days after the day on which the licence is issued.

Licence Fees

11. (1) The quarterly licence fees payable in respect of heavy motor vehicles shall be as follows:

When Maximum Weight with Load Does not Exceed—	For every Vehicle not being a Farmer's Truck	For every Farmer's Truck
	£ s. d.	£ s. d.
2½ tons	2 3 4	1 1 8
3 tons	3 3 4	1 11 8
3½ tons	4 5 0	2 2 6
4 tons	5 15 0	2 17 6
4½ tons	7 1 8	3 10 10
5 tons	8 10 0	4 5 0
5½ tons	9 18 4	4 19 2
6 tons	11 6 8	5 13 4
6½ tons	12 15 0	7 1 8
7 tons	14 3 4	8 10 0
7½ tons	15 18 4	10 5 0
8 tons	17 15 0	12 1 8
8½ tons	19 10 0	13 16 8
9 tons	21 5 0	15 11 8
9½ tons	23 0 0	17 6 8
10 tons	26 11 8	20 18 4
11 tons	31 5 0	25 11 8
12 tons	34 15 0	29 1 8
13 tons	38 5 0	32 11 8
14 tons	41 15 0	36 1 8
15 tons	45 5 0	39 11 8
16 tons	48 15 0	43 1 8
17 tons	52 5 0	46 11 8
18 tons	55 15 0	50 1 8
19 tons	59 5 0	53 11 8
20 tons	62 15 0	57 1 8
21 tons	66 5 0	60 11 8
22 tons	69 15 0	64 1 8
23 tons	73 5 0	67 11 8
24 tons	76 15 0	71 1 8
25 tons	80 5 0	74 11 8
26 tons	83 15 0	78 1 8
27 tons	87 5 0	81 11 8
28 tons	90 15 0	85 1 8
29 tons	94 5 0	88 11 8
30 tons	97 15 0	92 1 8
Over 30 tons	97 15 0 plus an additional £3 10s. for each ton or part thereof by which the vehicle with its load exceeds 30 tons	92 1 8 plus an additional £3 10s. for each ton or part thereof by which the vehicle with its load exceeds 30 tons.

(Note.—In the case of vehicles engaged in the carriage of passengers regulation 2 (3) of these regulations provides that fifteen persons shall be deemed to weigh 1 ton, inclusive of the driver, or, in a school bus, thirty children shall be deemed to weigh 1 ton and each teacher and the driver shall each be deemed to weigh $\frac{1}{15}$ th of a ton.)

(2) The Licensing Authority may retain all fees for copies of licences and duplicates of licence labels.

(3) Any licence fee paid to a Licensing Authority under these regulations (less the commission for the time being which under section 22 (5) of the National Roads Act 1953 the Licensing Authority is authorized by the Minister of Finance to deduct from the licence fees to meet the expenses incidental to the collection thereof) shall be paid by the Licensing Authority into the Public Account to the credit of the National Roads Fund at the Reserve Bank of New Zealand or at any branch of the Bank of New Zealand, and the bank receipt shall be forwarded by the Licensing Authority to the Chief Accountant of the Ministry of Works, Wellington, within seven days after the last day of the calendar month during which the licence fee was received by the Licensing Authority.

(4) Any Licensing Authority shall at all times supply the National Roads Board with any information which the Board may require concerning the licence fees collected or received by the Authority under this regulation.

Heavy Traffic Licences

12. (1) Licences shall be issued by the Government Printer to Licensing Authorities, and shall, subject to the succeeding provisions of this regulation, be in the form F in the First Schedule to these regulations and shall be associated with a label (also to be issued by the Government Printer to Licensing Authorities) in the form G in the said Schedule.

(2) The label on its face shall bear one of the figures 2½ to 19 to represent the maximum authorized weight in tons for which the licence is issued, or where the maximum authorized weight exceeds 19 tons, shall bear the capital letter Z. The labels shall be issued to Licensing Authorities by the Government Printer separately from the licence, in sheets numbered or lettered as hereinbefore provided by this subclause, and having a gummed back.

(3) The back of each licence shall be of a different colour (as allotted by the Commissioner) for each licence quarter and shall at the foot be boldly imprinted with the figures representing the two calendar years within which the licence year falls.

(4) Except as provided in subclause (3) of this regulation the licences and labels shall be printed in black figures or lettering on a white background.

(5) Notwithstanding anything in this regulation to the contrary, the back of a weekly licence shall be coloured white with black lettering, and instead of the words "This licence terminates on the day of..... 19....." as used in the said form F, there shall be substituted the words,—

"Available for seven days ending..... 19.....",
and the back of the licence shall not have any year reference printed on it.

(6) On receipt of an application for a licence with the appropriate fee, the issuing officer of the Licensing Authority shall—

- (a) Select the licence appropriate for the licence year or licence quarters or licence quarter or (in the case of an application for a weekly licence) the days named in the application, and, when a licence is sought for more than one quarter, shall issue the licence in the colour appropriate to the last quarter of the period to be covered by the licence;
- (b) Select the label for the maximum laden weight applied for;
- (c) Gum the label to the back of the original copy of the licence, detach the stub of the label, and place it on the front of a duplicate copy of the licence over the words "Maximum Laden Weight" and "No.", appearing thereon;
- (d) Affix the stamp or seal of the Licensing Authority so that it is clearly marked across both the original of the licence and the label attached thereto; and
- (e) In the case of an application for a licence for a farmer's truck boldly mark the capital letter F in red crayon across the full face of the label exclusive of its stub and also across the stub.

(7) In inserting the name of the licensee on the licence the issuing officer of the Licensing Authority may use such readily understandable abbreviation of the name as may be appropriate in view of the available space. The licensee shall at all times keep the licence and its label clear and undefaced and visible for inspection.

(8) No person shall operate a heavy motor vehicle for which a heavy traffic licence is required unless the licence is attached to the inside of the windscreen of the motor vehicle so that the back of the licence displaying the attached label with the figures or, as the case may be, the capital letter Z faces towards the foremost part of the vehicle and is visible from outside of it:

Provided that the Licensing Authority may, in writing, exempt from the provisions of this subclause any taxicab, but in such a case the driver of the vehicle while it is in use on any road or street shall at all times have available and produce to any Inspector on demand the licence for the vehicle and also the written exemption aforesaid:

Provided also that in the case of a trailer used under the authority of a licence the licence shall be attached to the windscreen of the towing vehicle as aforesaid.

(9) Every licensee who requires a further licence in consequence of a change in the class or use of the heavy motor vehicle proposed to be used under the licence shall be entitled to receive a further licence on the making of a fresh application and surrender of the original licence and on payment of the difference between the fee payable in respect of the further licence and the fee already paid, should the latter fee be the lower. The provisions for the abatement of fees set out in regulation 14 of these regulations shall, as far as they are applicable and with the necessary modifications, apply to all applications under this subclause in any case where a reduction of fees is involved.

(10) No person shall operate a heavy motor vehicle upon a road, unless a heavy traffic licence appropriate to that vehicle and issued to the owner of the motor vehicle is carried on the vehicle as prescribed by this regulation.

(11) Subclause (10) of this regulation shall not apply to a motor vehicle which—

(a) Is exempt from the payment of an annual licence fee under Part II of the Transport Act 1949:

Provided that, where the vehicle is exempt from payment of an annual licence fee only by virtue of section 28 of that Act, no person shall operate a heavy motor vehicle which does not carry a heavy traffic licence as prescribed by this regulation, unless the precedent consent in writing of the appropriate Licensing Authority has first been obtained, which consent may be given subject to such conditions as the Licensing Authority thinks fit; or

(b) Is owned by the Crown and used for the time being in the service of Her Majesty's Forces; or

(c) Is a trailer drawn by a tractor under such conditions that by virtue of regulation 2 (2) of these regulations the trailer and tractor are deemed to form one heavy motor vehicle.

(12) In all proceedings under these regulations an application for a licence shall be *prima facie* evidence of the truth of the statements, matters, and things therein contained as against the owner.

(13) No person shall operate any heavy motor vehicle that bears a licence or label displayed or used contrary to the provisions of these regulations.

(14) No person shall obscure or deface, or without authority alter before or during its currency or after its expiry, any licence or label issued under these regulations.

(15) No person shall operate any heavy motor vehicle the licence whereof is obscured, defaced, or not visible for inspection.

(16) Where any person is convicted of an offence against subclause (10) or subclause (13) or subclause (14) of this regulation, being an offence relating to the operation of a heavy motor vehicle, an amount equal to the licence fee for the quarter during which the offence was committed payable in respect of a vehicle of the type and laden weight operated (in this subclause referred to as the quarterly licence fee), less the amount of any licence fee for that quarter paid in respect of the licence, if any, issued to the owner of the vehicle and carried on the vehicle at the time of the offence, shall be recoverable from the defendant as a debt owing to the Crown, and when recovered shall be paid into the National Roads Fund:

Provided that, in addition to the amount recoverable under the foregoing provisions of this subclause, there shall also be recoverable from the defendant, unless the Court is satisfied that the defendant had no intention of evading payment of licence fees or further licence fees, an additional licence fee equal to the amount of the quarterly licence fee.

Duplicate Licences

13. (1) Where a licence issued under these regulations has been accidentally lost, destroyed, mutilated, defaced, or otherwise become illegible, the licensee may apply in writing to the appropriate Licensing Authority for a duplicate of the licence. Except where the original licence is lost or destroyed, the application shall be accompanied by the original licence or any remnants of it available.

(2) The licensee shall supply proof to the satisfaction of the Licensing Authority of the facts supporting his application for the issue of a duplicate of the licence, and the Licensing Authority may require the application to be supported by a statutory declaration or such other evidence as the Licensing Authority thinks fit. If the original licence is subsequently found by the licensee he shall forward it forthwith to the Licensing Authority.

(3) On payment of a fee of 5s., and upon proof to its satisfaction as aforesaid, the Licensing Authority may issue a further licence to the licensee in replacement of the licence which is the subject of the application. Every duplicate licence shall be endorsed with the word "Duplicate" and with a note of the numbers of the original licence and label, and shall have the same effect as the licence in replacement of which it was issued.

(4) The Licensing Authority shall keep a true and faithful record of all duplicate licences issued under this regulation.

Surrender of Licences and Abatement of Licence Fees

14. (1) A licensee may give notice in writing to the Licensing Authority by which the licence was issued that he intends to surrender the licence or not use the licence for such period of the term of the licence as is then unexpired or for any specified part of that term. Every such notice shall be delivered at the office of the Licensing Authority on or before the first day of that period, and shall be accompanied by the licence and label, or the licensee shall supply proof to the satisfaction of the Licensing Authority of the loss or destruction thereof.

(2) Any application under this regulation must be made before the date of the expiration of the licence.

(3) On receipt of the notice the Licensing Authority shall refund to the licensee a portion of the licence fee bearing the same proportion to the whole fee paid as the number of months (meaning for the purpose of this subclause a continuous period of twenty-eight days) in the unexpired term of the licence or, as the case may be, during which the licence is not intended to be used bears to the number of months of the year for which the licence was issued. The Licensing Authority shall be entitled to a refund from the National Roads Fund of money paid to the licensee by the Licensing Authority under this subclause upon application being made to the National Roads Board with such particulars supporting the application for refund as the Board requires. The Board may authorize a remission in the money due to the Board by the Licensing Authority up to the amount of and as an alternative to making the refund.

(4) Where the licensee has surrendered his licence or has notified the Licensing Authority that he does not intend to use the licence for the unexpired period thereof, the Licensing Authority shall cancel the licence and label and retain them for record purposes. Where the licensee has notified the Licensing Authority that he does not intend to use the licence for a specified part of the term of the licence, the Licensing Authority shall retain the licence and label until the expiration of that period and shall then return them to the licensee.

(5) Any proof required to be given under any of the provisions of this regulation may be given by statement in writing, statutory declaration, or other evidence to the satisfaction of the Licensing Authority.

Display of Certain Particulars on Heavy Motor Vehicles

15. (1) The owner of every heavy motor vehicle (being a goods service vehicle) shall at all times cause to be conspicuously displayed on the right or off side thereof in clear letters of not less than $1\frac{1}{2}$ in. in height the name of the post office which is nearest to the garage of the heavy motor vehicle or, alternatively, in the election of the owner if that garage is situated within a borough or town district, the place word included in the name of that borough or town district.

(2) The owner of every heavy motor vehicle shall at all times cause to be shown on the right or off side thereof, in clearly painted letters and figures not less than 1 in. in height, a statement, correct to within 1 cwt., of the unladen weight of the vehicle as follows:

“Unladen (or tare) weight tons cwt.”

(3) The Minister may from time to time in writing exempt any owner from any one or more of the requirements of the foregoing provisions of this regulation.

(4) Any such exemption may, by notice signed by the Minister and delivered to the owner, be at any time withdrawn.

(5) It shall be a defence to any owner charged with a breach of subclause (1) or subclause (2) of this regulation if he proves that the omission with which he is charged was authorized by an exemption granted by the Minister and in force at the time of the alleged offence.

Inspectors

16. (1) The Minister, by writing under his hand, and any local authority by resolution duly passed, may appoint any person to be an Inspector for the purposes of these regulations.

(2) Every Inspector shall, when stopping any heavy motor vehicle, wear some distinctive dress, badge, or cap.

(3) All Traffic Officers duly appointed shall be deemed to be Inspectors for the purposes of these regulations.

(4) An inspector appointed by the Minister shall be entitled to exercise the powers hereby conferred on him upon any road.

(5) An Inspector appointed by any local authority shall be entitled to exercise the powers hereby conferred on him upon any road within the district of that local authority, notwithstanding that the road may be a Government road or a main highway or a State highway.

(6) More than one local authority may appoint the same person to be an Inspector.

(7) The production of an instrument of appointment under the hand of the Minister or under the seal of any local authority shall be conclusive evidence of that appointment.

(8) An Inspector shall be entitled at any time to require the driver of a heavy motor vehicle to produce the licence carried in respect of that heavy motor vehicle, and the driver shall forthwith comply with that requirement.

- (9) An Inspector may at any time—
- (a) Require the driver of any heavy motor vehicle to stop;
 - (b) Inspect the load of any heavy motor vehicle;
 - (c) Require any heavy motor vehicle or its weight to be measured;
 - (d) Require the removal of any part of any load to the extent necessary for any vehicle to comply with any load or weight restriction fixed under these regulations;
 - (e) Require the removal of any article carried contrary to the provisions of these regulations, the Traffic Regulations 1936,* the Passenger Service Vehicle (Construction) Regulations 1954†, the Goods Service Vehicle (Constructional) Regulations 1936‡, or any regulations passed in amendment thereof or in substitution therefor.
- (10) The driver of every heavy motor vehicle shall comply with the requirements of any Inspector under subclause (9) of this regulation.
- (11) No person shall obstruct, hinder, or interfere with any Inspector in the exercise of his powers.

Offences and Penalties

17. (1) Every person commits an offence against these regulations who—
- (a) Fails to comply in any respect with any of the provisions of these regulations or does any act in contravention thereof; or
 - (b) Knowingly supplies any false or misleading information in or concerning any application under these regulations or concerning any obligation under these regulations.
- (2) Every person who commits an offence against these regulations is liable on summary conviction to a fine not exceeding £50.

Revocations

18. (1) The regulations specified in the Third Schedule to these regulations are hereby revoked.
- (2) All licences, certificates, appointments, warrants, permits, applications, road classifications, notices, and generally all acts of authority and all other documents, matters, acts, and things which originated or had effect under the regulations hereby revoked and are of continuing effect at the commencement of these regulations, shall enure for the purposes of these regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

*S.R. 1936/86 (Reprinted with Amendments Nos. 1 to 3, S.R. 1947/44.)

Amendment No. 4: S.R. 1948/129.

Amendment No. 5: S.R. 1948/170.

Amendment No. 6: S.R. 1948/212.

Amendment No. 7: S.R. 1949/142.

Amendment No. 8: S.R. 1950/189.

Amendment No. 9: S.R. 1951/131.

Amendment No. 10: S.R. 1951/285.

Amendment No. 11: S.R. 1953/18.

Amendment No. 12: S.R. 1953/134.

Amendment No. 13: S.R. 1953/186.

Amendment No. 14: S.R. 1954/28.

Amendment No. 15: S.R. 1954/143.

†S.R. 1954/144.

‡S.R. 1936/80.

Amendment No. 1: S.R. 1949/76.

SCHEDULES

FIRST SCHEDULE

Form A

Reg. 3 (4)

ROAD CLASSIFICATION NOTICE

Road Classification in..... (Borough) (County) (Town District)
 NOTICE is hereby given that the (Borough) (County) (Town)
 Council (or National Roads Board) proposes to apply to the Com-
 missioner of Transport to (approve the classification of) (classify) the
 following roads as herein indicated. Any person objecting to the proposals
 is called upon to lodge notice in writing before [Date] of his objection
 and of the ground thereof at the office of the Council (or Board) the
 address of which is

Roads proposed to be classified in Class One: Available for use
 thereon of heavy motor vehicles as specified in table below:

Roads proposed to be classified in Class Two: Available for use
 thereon of heavy motor vehicles as specified in table below:

Roads proposed to be classified in Class Three: Available for use
 thereon of heavy motor vehicles as specified in table below:

Roads proposed to be classified in Class Four: Available for use
 thereon of heavy motor vehicles as specified in table below:

NOTE: Give names or other sufficient identification of roads.

.....
 [Seal of controlling authority or
 signature of person or persons
 authenticating the notice;
 Town Clerk, County Chair-
 man, County Clerk, Secre-
 tary of National Roads
 Board, or as the case may
 be.]

TABLE OF WEIGHT LIMITS (Regs. 3 and 4 (1))

Class of Road (Column 1)	Two-axled Heavy Motor Vehicle Not Being a Trailer, and Not Drawing Trailer(s) Axle Weight (Column 2)	Multi-axled Heavy Motor Vehicle or Heavy Motor Vehicle Drawing Trailer(s) or Heavy Motor Vehicle Being a Trailer		
		Gross Weight (Column 3)	Axle Weight	
			Axles Spaced 8 ft. or More (Column 4)	Axles Spaced Less Than 8 ft. (Column 5)
	Tons	Tons	Tons	Tons
Class One	8	30	7	6
Class Two	6½	23	6½	5
Class Three	5	16	5	3½
Class Four	3½	12	3½	2½

NOTE.—The word “weight” (of a vehicle on a road) is defined in regulation 2 (1) as being the weight of the vehicle and its load, including any equipment or accessories, which is transmitted to the road surface by the tire or tires which are attached to the wheels of the vehicle.

Where the longitudinal centre line of the axle of a motor vehicle is less than 3 ft. 4 in. distant from the longitudinal centre line of another axle the two axles shall be deemed to be one (reg. 4 (9)).

FIRST SCHEDULE—*continued*

Form B

Reg. 3 (4)

ROAD CLASSIFICATION NOTICE

Road Classification in (Borough) (County) (Town District) NOTICE is hereby given that the (Borough) (County) (Town) Council (National Roads Board) proposes to apply to the Commissioner of Transport (for approval of its proposals) to classify roads (under its control) as indicated in a statement deposited and available for public inspection at the office of the (Council) (District Engineer) the address of which is Any person objecting to the proposals is called upon to lodge notice in writing before [Date] of his objection and of the ground thereof at the above office.

.....
 [Seal of controlling authority, or
 signature of person or
 persons authenticating the
 notice.]

Form C

Reg. 4 (4)

PERMIT GIVEN UNDER REGULATION 4 (4)

Heavy Motor Vehicle Regulations 1955

PURSUANT to regulation 4 (4) of the above regulations, the [Set out description of heavy motor vehicle, e.g., motor omnibus], maker's name,, and of current Registered No. is hereby authorized to be used—

- (a) For trips on the day of 19....; or
 (b) On the day of 19....; or
 (c) For the period from to —

over the classified road(s) hereunder described, subject to the conditions hereunder set out.

Description of roads covered by the permit

CONDITIONS

1. On breach of any of these conditions, or upon the alteration of this document without authority, or upon the mutilation hereof, this permission shall immediately determine.

2. The gross weight of the vehicle, with load while used under this permission shall not exceed tons cwt.

3. The gross weight upon any one axle of the vehicle with load while used under this permission shall not exceed tons cwt.

4. The speed of the vehicle while used under this permission shall not exceed miles an hour.

5.

6.

Name of controlling authority
 granting permission

Signature of authorized officer

FIRST SCHEDULE—*continued*

Form D

Reg. 9 (6)

NOTIFICATION OF WEIGHT LIMITS (AND SPEED LIMIT) FOR BRIDGE

WHEREAS it is provided by regulation 9 (1) and (2) of the Heavy Motor Vehicle Regulations 1955 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 (or shall cause any heavy motor vehicle to pass over any such bridge at a speed in excess of the speed limit) 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 as from the [Date] the following weight limits (and speed limit) 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:

The maximum portion of the weight of any such heavy motor vehicle and its load (including any equipment or accessories) transmitted to the road surface by the tire or tires which are attached to the wheel or wheels on any one axle shall not exceed tons:

The maximum speed at which any such heavy motor vehicle may pass over the bridge shall not exceed miles an hour.

Attention is called to regulation 17 of the said regulations, which fixes a penalty of £50 for each offence against the regulations.

.....
Controlling Officer.

FIRST SCHEDULE—continued

Form E

Reg. 10 (4)

APPLICATION FOR A LICENCE UNDER THE HEAVY MOTOR VEHICLE REGULATIONS 1955

To the Clerk, [*Name of Licensing Authority*].

I, [*Name in full*], of [*Address and occupation*], apply for
 [*Number*] heavy traffic licence(s) as follows to be issued to me as the
 owner of one or more heavy motor vehicles:

Maximum Laden Weight	Period to be Covered by Each Licence* and, When for Farmer's Truck, Write in "Farmer's Truck" and Complete the Declaration below

I hereby declare that at this date I am the owner of
 [*Number*] heavy motor vehicles the registration plate numbers of which
 are as follows:

I hereby declare that the particulars supplied by me in this form are
 true and correct.

..... [*Name of owner*]

..... [*Signature of owner or
 person making applica-
 tion on behalf of
 owner*]

DECLARATION RE FARMER'S TRUCK LICENCE

I hereby declare that I am carrying on a business as a farmer
 (market gardener) (orchardist) (nurseryman) (apiarist) and that the
 licence(s) hereby applied for will be used only on vehicle(s) used either
 exclusively in connection with that business (or otherwise only for the
 carriage of milk, cream, or whey to or from a dairy factory for my
 neighbours†).

Declared at this day of 19.....

..... (Signature of Owner).

*NOTE.—All licences except weekly licences must end on the last day of August,
 November, February, or May, and must in any case terminate on 31 May in
 any year. Weekly licences are available for up to seven days only and only if
 laden weight is 15 tons or over.

†Delete in case of market gardener, orchardist, nurseryman, or apiarist.

FIRST SCHEDULE—continued

Form F

Reg. 12 (1)

HEAVY TRAFFIC LICENCE

(Front)

No.

HEAVY TRAFFIC LICENCE

This is to certify that is licensed to operate a
(farmer's) heavy motor vehicle of

Maximum laden weight:

Label No.

Fee Paid: £.....s.....d.

Receipt No.

This licence terminates on the day of.....
19.....

Licensing Authority:

Signed: Date:

(Back)

[Affix label here]

19.....—

FIRST SCHEDULE—continued

Form G

Reg. 12 (1)

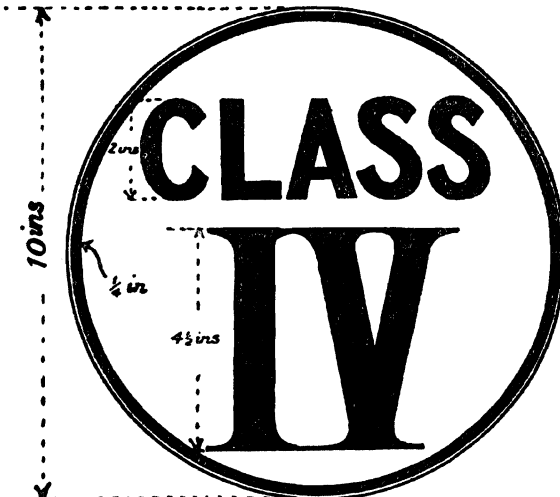
LABEL

<p>MAXIMUM LADEN WEIGHT</p> <p style="text-align: right;">No.</p> <p style="text-align: center;">..... Tons (or Z)</p> <hr style="border-top: 1px dashed black;"/> <p style="text-align: center;">No.</p> <p style="text-align: center;">..... tons (or Z)</p>

SECOND SCHEDULE

Diagram No. 1

Classification Sign (Reg. 5 (1))

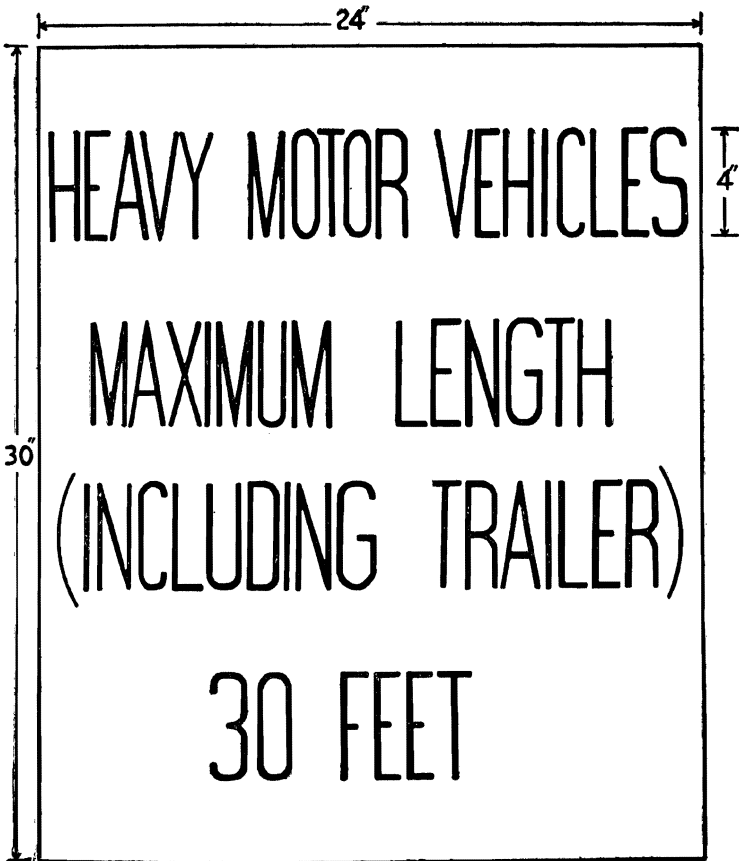


Black letters and border on yellow ground.

SECOND SCHEDULE—*continued*

Diagram No. 2

Maximum Length Sign (Reg. 8 (8))

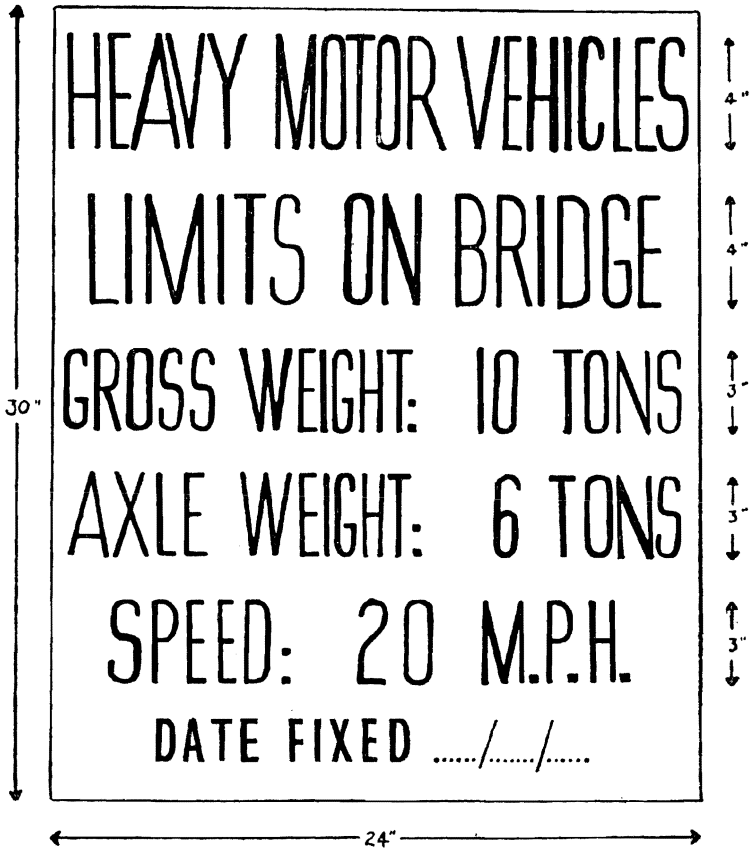


Black lines and letters on yellow background.

SECOND SCHEDULE—continued

Diagram No. 3

Bridge Weight and Speed Limit Sign (Reg. 9 (6))



Black letters on yellow background.

THIRD SCHEDULE

Reg. 18 (1)

REGULATIONS REVOKED

Title of Regulations	Serial Number
The Heavy Motor Vehicle Regulations 1950	1950/26
The Heavy Motor Vehicle Regulations 1950, Amendment No. 1	(Reprinted with Amendments Nos. 1 to 5, S.R. 1952/62) 1950/69
The Heavy Motor Vehicle Regulations 1950, Amendment No. 2	1950/178
The Heavy Motor Vehicle Regulations 1950, Amendment No. 3	1951/45
The Heavy Motor Vehicle Regulations 1950, Amendment No. 4	1951/136
The Heavy Motor Vehicle Regulations 1950, Amendment No. 5	1951/217
The Heavy Motor Vehicle Regulations 1950, Amendment No. 6	1952/183
The Heavy Motor Vehicle Regulations 1950, Amendment No. 8	1954/52

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

EXPLANATORY NOTE

[This note is not part of the regulations, but is intended to indicate their general effect.]

These regulations consolidate with amendments the Heavy Motor Vehicle Regulations 1950 and the amendments of those regulations.

The most important changes are as follows:

- (a) The definition of "farmer's truck" in reg. 2 (1) has been extended to include heavy motor vehicles operated by orchardists, nurserymen, and apiarists, who will now receive the benefit of the reduced licence fees payable in respect of farmers' trucks.
- (b) Provision is now made in reg. 3 (1) for the lodging of objections to road classifications proposed by the National Roads Board in respect of main highways, State highways, and Government roads under the control of the Board.
- (c) Provision is made in reg. 3 (8) for an appeal to the National Roads Board in the event of a difference of opinion between the Commissioner of Transport, the local authority, or any objector. Under reg. 3 (14) a licensee may apply to have a classification amended after it has been in force for twelve months, and may appeal to the National Roads Board if his application is refused.
- (d) The axle loading for multi-axled vehicles in respect of Class 2 or Class 4 roads has been made the same as for two-axled vehicles where axles are spaced 8 ft. or more apart (reg. 4 (1) and Table in form A, First Schedule).
- (e) Permission to exceed road classification limits cannot now include a condition for a monetary payment (reg. 4 (4)).

- (f) Provision is made in reg. 6 for permits to be issued for the operation of heavy motor vehicles having tires inflated beyond the maximum of 75 lb. per square inch.
- (g) The maximum speed limit for horse floats is increased to 40 miles an hour (reg. 7 (2)).
- (h) Reg. 8 (1) prohibits the use of solid tyred vehicles (except on farm vehicles) without the consent of the controlling authority.
- (i) Under reg. 9 weight restrictions and speed limits on bridges must be renewed every twelve months. The provision in the existing regulations giving the Minister of Transport power to remove weight restrictions and speed limits on bridges has not been repeated.
- (j) Under reg. 10 the owner of a vehicle is given the choice of applying for a heavy traffic licence either in the district where he resides or in the district where he mainly operates.
- (k) Heavy traffic licences may in future be used on any vehicle owned by the licensee which complies with the weight limitation and other conditions of the licence (reg. 10 (7)). The licence will not be issued in respect of a specified vehicle.
- (l) Provision is made in reg. 10 (9) for the issue of weekly licences in respect of specified heavy motor vehicles of a laden weight of 15 tons or over.
- (m) The form of licences and procedure for issuing licences have been considerably modified (reg. 12).
- (n) Where a person is convicted of an offence of operating a heavy motor vehicle without a proper licence, he will be liable for the difference between the licence fee (if any) paid by him and the licence fee which ought to have been paid, and in addition, unless the Court is satisfied that he had no intention of evading licence fees, he will be liable for an additional quarter's licence fee (reg. 12 (16)).
- (o) A rebate of licence fees may be obtained for every complete period of 28 days a licence is not used (reg. 14). At present rebates are payable only in respect of complete calendar months. The regulation also contains provision for a refund of fees when a licence is surrendered (e.g. on the sale of the vehicle).
- (p) The provision for the carrying of classification plates in reg. 16 (7) of the present regulations has not been repeated.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 May 1955.

These regulations are administered in the Transport Department.