

1961/131



**THE HEAVY MOTOR VEHICLE REGULATIONS 1955,
AMENDMENT NO. 4**

COBHAM, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 11th day of October 1961

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL 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

1. These regulations may be cited as the Heavy Motor Vehicle Regulations 1955, Amendment No. 4, and shall be read together with and deemed part of the Heavy Motor Vehicle Regulations 1955* (hereinafter referred to as the principal regulations).

2. (1) The principal regulations are hereby amended by revoking regulation 4A (as inserted by regulation 4 of the Heavy Motor Vehicle Regulations 1955, Amendment No. 3), and substituting the following regulation:

“Maximum Weight Limits

“4A. (1) Except in accordance with permission granted under sub-clause (2) of this regulation, no person shall operate on any road any heavy motor vehicle or combination of heavy motor vehicles if the weight (including the weight of the load, if any) of the heavy motor vehicle or combination of heavy motor vehicles exceeds the sum of the maximum weights on the axles of the heavy motor vehicle or combination of heavy motor vehicles as prescribed by section 50 of the Transport Act 1949 less 2 tons, and in no case shall—

“(a) The weight (including the weight of the load, if any) of a heavy motor vehicle or combination of heavy motor vehicles not exceeding 44 ft in length or in aggregate length exceed 30 tons:

“(b) The weight (including the weight of the load, if any) of a combination of heavy motor vehicles exceeding 44 ft in aggregate length exceed 38 tons.

*S.R. 1955/59
Amendment No. 1: S.R. 1956/39
Amendment No. 2: S.R. 1960/61
Amendment No. 3: S.R. 1961/9

“(2) The provisions of subclauses (4) to (8) of regulation 4 hereof shall, with any necessary modifications, apply to the limitations of weight of motor vehicles prescribed by this regulation.”

(2) Regulation 4 of the Heavy Motor Vehicle Regulations 1955, Amendment No. 3, is hereby revoked.

3. (1) Regulation 8 of the principal regulations is hereby amended by revoking subclause (7), and substituting the following subclause:

“(7) Any controlling authority may, by resolution, 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 it is satisfied that the road is not of a standard suitable for such heavy motor vehicles or of any such combination of motor vehicles.”

(2) Regulation 8 of the principal regulations is hereby further amended—

- (a) By omitting from subclause (9) the words “or by the Minister”:
- (b) By inserting in subclause (11) after the words “subclause (3)”, the words “or subclause (7)”.

4. (1) Regulation 15 of the principal regulations is hereby amended by omitting the word “Minister” wherever it appears, and substituting in each case the word “Commissioner”.

(2) Any exemption given under regulation 15 of the principal regulations before the date of the commencement of this regulation may, by notice signed by the Commissioner and delivered to the owner, be at any time withdrawn.

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.

Regulation 2 amends the provisions relating to maximum laden weights for heavy motor vehicles.

Regulation 3 provides that the power to prohibit the use of heavy motor vehicles exceeding 30 ft in length on any road under its control may be exercised by the controlling authority instead of by the Minister, and gives the Minister power to disallow any such prohibition.

Regulation 4 provides that the power to exempt owners of heavy motor vehicles from displaying tare weight and locality name may be exercised by the Commissioner of Transport instead of by the Minister.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 12 October 1961.

These regulations are administered in the Transport Department.