



**THE HEAVY MOTOR VEHICLE REGULATIONS 1974,
AMENDMENT NO. 6**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 26th day of June 1989

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 77 and 199 of the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Heavy Motor Vehicle Regulations 1974, Amendment No. 6, and shall be read together with and deemed part of the Heavy Motor Vehicle Regulations 1974* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 28th day after the date of their notification in the *Gazette*.

2. Interpretation—(1) The principal regulations are hereby amended by revoking regulation 2, and substituting the following regulation:

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

*S.R. 1974/218

Amendment No. 1: S.R. 1974/309
Amendment No. 2: S.R. 1983/283
Amendment No. 3: S.R. 1985/145
Amendment No. 4: S.R. 1987/206
Amendment No. 5: S.R. 1988/325

- “ ‘Axle’ means one or more shafts, spindles, or bearings in the same vertical transverse plane by means of which, in conjunction with wheels mounted on those shafts, spindles, or bearings, a portion of the weight of the vehicle is transmitted to the roadway:
- “ ‘Axle set’ means a single axle set or a tandem axle set or a tri-axle set:
- “ ‘Board’ means the National Roads Board established under the National Roads Act 1953:
- “ ‘Controlling authority’, in relation to any road, means the authority, body, or person or persons having control of the road; and includes any person acting under and within the terms of any delegation or authorisation given by a controlling authority:
- “ ‘Heavy motor vehicle’ means a motor vehicle (other than a motorcar that is not used, kept, or available for the carriage of passengers for hire or reward) the gross weight of which exceeds 2 000 kg; but does not include a traction engine or vehicle designed solely or principally for the use of fire brigades in attendance at fires:
- “ ‘Longitudinal walking beam’ means a device connecting 2 or more axles to the chassis of a vehicle in such a manner that the vertical force applied by the pressure of the road surface on one of those axles results in a vertical force in the opposite direction applied on another of those axles:
- “ ‘Metal tyre’ means any tyre which is neither a pneumatic tyre nor a solid tyre:
- “ ‘To operate’ means to use or drive, or cause or permit to be used or driven, on any road, or permit to be on any road, whether the person operating is present in person or not:
- “ ‘Oscillating axle’ means any axle which complies with the following provisions:
- “(a) The axle has 4 wheels attached thereto, consisting of 2 pairs of wheels; and
- “(b) Each such pair of wheels is mounted on a separate axle so affixed to the motor vehicle as to share the load equally between the 2 wheels and to permit oscillation of the separate axles in a vertical transverse plane which is at right angles to the longitudinal centre line of the vehicle; and
- “(c) The centre of each such wheel is at least 50 cm distant from the centre of every other wheel fitted to the motor vehicle:
- “ ‘Pneumatic tyre’ means a tyre which, when in use, is inflated by air or gas introduced from time to time under pressure so as to enclose under normal inflation a cushion of air or gas forming altogether at least half of the total area of an average cross-section of the tyre so inflated:
- “ ‘Single-tyred axle’ means any axle fitted with 2 or more wheels, but which is neither an oscillating axle nor a twin-tyred axle:
- “ ‘Single axle set’ means either 1 axle or 2 axles having their centres spaced less than 1 m apart:
- “ ‘Single large-tyred axle’ means a single-tyred axle that is not a single standard-tyred axle:
- “ ‘Single standard-tyred axle’ means a single-tyred axle fitted with tyres smaller than—

“(a) A manufacturer’s designated tyre section width of 13 inches or 330 mm and a rim diameter of 24 inches at the bead seat; or

“(b) A manufacturer’s designated tyre section width of 14 inches or 355 mm and a rim diameter of 19.5 inches at the bead seat:

“‘Solid tyre’ means any tyre constructed of rubber which is not a pneumatic tyre:

“‘Tandem axle set’ means 2 axles having their centres spaced not less than 1 m and not exceeding 2 m apart and are load sharing:

“‘Tri-axle set’ means 3 axles, where—

“(a) The centre of the first and third axles are spaced not less than 2 m and not exceeding 3 m apart; and

“(b) All axles contain an equal number of tyres of the same size, and none of the axles is a single standard-tyred axle; and

“(c) The axles are a load sharing axle set:

“‘Twin-tyred axle’ means—

(a) Any axle, not being an oscillating axle, which has a wheel track of 1.3 m or more and is equipped with 4 or more tyres:

(b) Any other axle declared to be a twin-tyred axle by the Secretary for Transport by notice in the *Gazette*:

“‘Twin steer set’ means a tandem axle set with single tyres, where both axles are connected to the same mechanism in order to steer similarly:

“‘Wheel track’ means the distance between the centres of the left-side and right-side wheels of a pair of wheels.

“(2) For the purposes of these regulations, a dual-wheel assembly consisting of twin wheels fitted with twin tyres shall be deemed to be 1 wheel.

“(3) For the purposes of these regulations, in the computation of the load of a heavy motor vehicle engaged in the carriage of passengers, each person, including any personal effects carried free of charge, shall be deemed to weigh 68 kg, 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, each school child shall be deemed to weigh 34 kg, and each teacher and the driver shall be deemed to weigh 68 kg each.”

(2) The following regulations are hereby consequentially revoked:

(a) The Heavy Motor Vehicle Regulations 1974, Amendment No. 2*:

(b) Regulation 2 of the Heavy Motor Vehicle Regulations 1974, Amendment No. 4†:

(c) Regulation 2 of the Heavy Motor Vehicle Regulations 1974, Amendment No. 5‡.

3. Use of roads and general weight limitations—Regulation 5 of the principal regulations (as substituted by regulation 5 (1) of the Heavy Motor Vehicle Regulations 1974, Amendment No. 5) is hereby amended by revoking subclause (4), and substituting the following subclause:

*S.R. 1983/283
†S.R. 1987/206
‡S.R. 1988/325

“(4) No person shall operate any heavy motor vehicle or any combination including a heavy motor vehicle if the weight on any 2 or more axles that together do not constitute a single tandem axle set or a single tri-axle set exceeds the weight prescribed for such axles by table No. 4 or table No. 5 in the Second Schedule to these regulations:

“Provided that if the distance from the centre of the first axle to the centre of the last axle is 13.5 m or more and the vehicle or combination does not comply with all of the applicable provisions in regulation 16A (1) of these regulations, the weight on any 2 or more such axles shall not exceed 39 000 kg.”

4. Vehicle standards—(1) Regulation 16A of the principal regulations (as inserted by regulation 8 of the Heavy Motor Vehicle Regulations 1974, Amendment No. 5) is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) The Secretary may, by notice in the *Gazette* or otherwise, determine or prescribe an alternative standard, specification, code of practice, or other requirement to one that is determined or prescribed by or under any of paragraphs (a) to (d) of subclause (1) of this regulation; and compliance with any such alternative shall be deemed to be compliance with the corresponding standard, specification, code of practice, or other requirement prescribed by or under that subclause.”

(2) Regulation 16A (6) of the principal regulations (as so inserted) is hereby amended by revoking paragraph (d), and substituting the following paragraph:

“(d) Every heavy motor vehicle not exceeding 39 000 kg that was first registered in New Zealand before the 1st day of February 1989 shall comply with—

“(i) Subclause (1) (a) of this regulation, if the vehicle is altered or modified or reconstructed to such an extent that a new certificate of loading is required in respect of that vehicle; and

“(ii) Subclause (1) (c) of this regulation, unless the vehicle was fitted before the 1st day of February 1989 with equipment complying with the Recommended Practice for Towing Connections published by the New Zealand Truck-Trailer Manufacturer’s Federation and is for the time being fitted with such equipment; and

“(iii) Subclause (1) (d) of this regulation, on and after the 1st day of January 1995; and

“(iv) Subclause (1) (e) of this regulation, on and after the 1st day of January 1992; and

“(v) Paragraphs (f) and (g) of subclause (1) of this regulation.”

5. Second Schedule amended—(1) Table No. 1 in the Second Schedule to the principal regulations (as substituted by regulation 9 (1) of the Heavy Motor Vehicle Regulations 1974, Amendment No. 5) is hereby amended—

(a) By omitting from clause 2 (c) the word “axle”, and substituting the words “axle set”;

(b) By omitting from clause 4 the word “tyred”, and substituting the word “axle”.

(2) Table No. 2 in the Second Schedule to the principal regulations (as so substituted) is hereby amended by revoking clause 6.

(3) Table No. 3 in the Second Schedule to the principal regulations (as so substituted) is hereby amended by adding the following paragraph:

“(c) Spaced 2 m or more and less than 2.4 m from the first axle to the last axle 15 500”.

(4) The Second Schedule to the principal regulations (as so substituted) is hereby further amended by revoking table No. 4, and substituting the tables set out in the Schedule to these regulations.

Reg. 5 (4)

SCHEDULE

NEW TABLES OF MAXIMUM WEIGHTS SUBSTITUTED IN SECOND SCHEDULE TO
PRINCIPAL REGULATIONS

“Table No. 4—Maximum Sum of Weights on any 2 or More Axles That Together Do Not Constitute a Single Tandem Axle Set or Single Tri-axle Set, Where Distance From Centre of First Axle to Centre of Last Axle is 1 m or More but Less than 1.8 m (Including Maximum Gross Weight)”

Type of Axle	Weight (Kilograms)
1. Two single standard tyred axles	10 800
2. Two single large tyred axles	12 000
3. A single standard tyred axle with a single large tyred axle or a twin tyred axle	12 000
4. Any other 2 or more axles	14 500

“Table No. 5—Maximum Sum of Weights on any 2 or More Axles That Together Do Not Constitute a Single Tandem Axle Set or Single Tri-axle Set, Where Distance From Centre of First Axle to Centre of Last Axle is 1.8 m or More (Including Maximum Gross Weight)”

Type of Axle	Weight (Kilograms)
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Where the distance from the centre of the first axle to the centre of the last axle is—

1.8m but less than 2.5m	15 500
2.5m but less than 3.0m	17 500
3.0m but less than 3.3m	19 000
3.3m but less than 3.6m	20 000
3.6m but less than 4.0m	21 000
4.0m but less than 4.4m	22 000
4.4m but less than 4.7m	23 000
4.7m but less than 5.1m	24 000
5.1m but less than 5.4m	25 000
5.4m but less than 5.8m	26 000
5.8m but less than 6.4m	27 000
6.4m but less than 7.0m	28 000
7.0m but less than 7.6m	29 000
7.6m but less than 8.2m	30 000
8.2m but less than 8.8m	31 000

SCHEDULE—continued

Type of Axle	Weight (Kilograms)
8.8m but less than 9.4m	32 000
9.4m but less than 10.0m	33 000
10.0m but less than 10.8m	34 000
10.8m but less than 11.6m	35 000
11.6m but less than 12.4m	36 000
12.4m but less than 13.2m	37 000
13.2m but less than 13.5m	38 000
13.5m but less than 14.4m	39 000
14.4m but less than 14.8m	40 000
14.8m but less than 15.2m	41 000
15.2m but less than 15.6m	42 000
15.6m but less than 16.0m	43 000
16.0m or more	44 000"

MARIE SHROFF,
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, which come into force 28 days after their notification in the *Gazette*, make minor changes to the Heavy Motor Vehicle Regulations 1974.

New definitions of the terms "single axle set", "tri-axle set", and "twin steer set" are included in a revised regulation 2.

Regulation 5 of the principal regulations is amended to prohibit any vehicle being operated with a maximum weight exceeding 39 000 kg if the distance from the centre of the first axle to the centre of the last axle is 13.5 m or more and the vehicle does not comply with all of the applicable vehicle standards prescribed by or under regulation 16A.

Regulation 16A (2) of the principal regulations is amended to ensure that alternative vehicle standards prescribed by the Secretary for Transport do not affect those prescribed by the regulation itself.

Regulation 16A (6) of the principal regulations is amended in relation to heavy motor vehicles not exceeding 39 000 kg that were first registered in New Zealand before 1 February 1989. The vehicle standards prescribed by or under regulation 16A (1) will apply to such heavy motor vehicles in the manner specified in the new paragraph (d) substituted by regulation 4 (2) of these regulations. Formerly, none of those standards applied to such vehicles.

Minor changes are made to the Second Schedule (which prescribes the maximum weights for heavy motor vehicles). Former table No. 4 is replaced with tables No. 4 and No. 5. New table No. 4 relates to vehicles that have 2 or more axles spaced 1 m or more but less than 1.8 m apart and new table No. 5 relates to vehicles that have 2 or more axles spaced 1.8 m or more apart. Neither of the new tables applies to axles that constitute a single tandem axle set or a single tri-axle set.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 29 June 1989.

These regulations are administered in the Ministry of Transport.