

Serial Number 1947/112



**THE MOTOR-DRIVERS REGULATIONS 1940,
AMENDMENT NO. 3**

B. C. FREYBERG, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 16th day of
July, 1947

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

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

REGULATIONS

1. These regulations may be cited as the Motor-drivers Regulations 1940, Amendment No. 3.

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

3. These regulations shall come into force on the date of notification in the *Gazette* of the making thereof.

4. Paragraph (b) of clause (2) of Regulation 2 of the principal regulations is hereby amended by inserting next following the words "any trade motor", the words "or any motor-omnibus not used for the time being in the carriage of passengers for hire or reward".

5. Clause (3) of Regulation 3 of the principal regulations is amended by inserting, next following the words "the said form numbered 1", the words "or any part of such clause"; and by

* Statutory Regulations 1940, Serial number 1940/73, page 211.

Amendment No. 1 : Statutory Regulations 1943, Serial number 1943/101, page 199.

Amendment No. 2 : Statutory Regulations 1945, Serial number 1945/199, page 527.

inserting, next following the words "registered medical practitioner", the words "or, where such certificate relates only to eyesight, by a registered optician".

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

"REGULATION 3A.—CERTIFICATES GIVEN BY MEDICAL PRACTITIONERS AND REGISTERED OPTICIANS

"(1) Any local authority may by resolution determine and designate those medical practitioners and opticians who may furnish certificates for the purposes of applications to that local authority for licences under these regulations, and every certificate given by any medical practitioner or optician not so designated shall not, while such resolution is in force, be deemed to be a certificate for the purposes of these regulations in regard to licences issued by that local authority.

"(2) Every such resolution, and every variation or rescission thereof, shall, as soon as may be after it is recorded, be publicly notified by an advertisement in at least one newspaper circulating in the local authority's district."

7. Regulation 5 of the principal regulations is amended by inserting, next following clause (4), the following clause:—

"(4A) Notwithstanding anything to the contrary elsewhere in these regulations, and in particular in clause (4) of this regulation, in no case shall a licence to drive any public motor-vehicle in any of the following classes—taxicab, motor-omnibus, passenger-service vehicle, or trackless tram—be granted to an applicant who has the use of only one eye while driving."

8. Regulation 6 of the principal regulations is hereby amended by inserting therein, next after clause (8), the following clause:—

"(9) Every driver of a taxicab or motor-omnibus who smokes in such motor-vehicle while engaged in the conveyance of fare-paying passengers commits an offence against these regulations."

9. Regulation 9 of the principal regulations is hereby revoked.

10. The principal regulations are amended by inserting, next after Regulation 13 thereof, the following additional regulations:—

"REGULATION 13A.—PRODUCTION OF MOTOR-DRIVERS' LICENCES

"Every holder of a motor-driver's licence shall, while driving any motor-vehicle have his licence with him and shall while so driving produce the same for inspection whenever required to do so by a Traffic Inspector as defined by Regulation 2 of the Traffic Regulations 1936, and if he refuses or fails so to carry his licence or so to produce it, he commits an offence against these regulations."

"REGULATION 13B.—OBTAINING OR ATTEMPTING TO OBTAIN MORE THAN ONE MOTOR-DRIVER'S LICENCE

"Every holder of a motor-driver's licence who obtains or attempts to obtain another such licence (not being an extension of a licence to vehicles of another class as provided for in clause (14) of Regulation 3 hereof), while the licence held by him is in force, commits an offence against these regulations."

11. As from the 31st day of July, 1947, the forms in the Schedule to the principal regulations are hereby amended as follows :—

- (a) By inserting in form No. 1, next following item 13, the following item :—
- “ 13A. Has the applicant previously been refused a medical certificate for the purpose of this application by any registered medical practitioner or (in respect of eye-sight only) by any registered optician ? ” ; and
- (b) By inserting in form No. 2, next following the words “ Date of Extension ” the words “ Name of local authority granting extension, and signature of officer issuing same (when licence extended). ”
- (c) By inserting in form No. 4, next following item 3, the following item : “ Applicant has the use of (both eyes) (only one eye) while driving. ”
- (d) By revoking all the words in item 1 in form 5 following the words “ with glasses, ” and substituting the following words : “ NOTE.—If the applicant has the use of only one eye while driving, he is totally disqualified by clause (4A) of Regulation 5 from being granted a licence of any of the classes to which this form relates ”.

W. O. HARVEY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 17th day of July, 1947.

These regulations are administered in the Department of Transport.