

**Serial Number 1950/230**

**THE MOTORWAYS REGULATIONS 1950**

B. C. FREYBERG, Governor-General

**ORDER IN COUNCIL**

At the Government Buildings at Wellington, this 20th day of  
December, 1950

Present :

THE HON. K. J. HOLYOAKE PRESIDING IN COUNCIL

PURSUANT to section 12 of the Public Works Amendment Act, 1947, 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 Motorways Regulations 1950.

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

“ Vehicle ” means a vehicle that is drawn or propelled by mechanical power; and includes a motor cycle that is registered under the Transport Act, 1949, and any trailer drawn by a motor vehicle and any vehicle normally propelled by mechanical power while it is being towed; but does not include—

(a) A vehicle requiring for its operation on the motorway fittings or fixtures on, in, over, or under the motorway :

(b) A vehicle or combination of vehicles which, by reason of its weight, width, or height, requires a permit under the Transport Act, 1949, to use a main highway :

(c) A vehicle or combination of vehicles (other than a passenger service vehicle) which, by reason of its length, requires a permit under the Transport Act, 1949, to use a main highway :

(d) A vehicle whose weight is not borne by pneumatic tires :

(e) A vehicle that is not registered under the Transport Act, 1949 :

“ Construction plant ” includes everything that is or has been or is intended to be used for the construction, reconstruction, maintenance, or repair of a motorway or for the clearance of any obstruction therefrom or for the doing of any work thereon or therefrom under the authority, whether direct or delegated, of the Main Highways Board.

3. (1) Nothing may be on any motorway except—

(a) Vehicles, things confined within vehicles, and construction plant :

(b) Anything expressly authorized by any enactment to be on a motorway.

(2) No person may be on any motorway unless—

(a) He is in or on a motor vehicle :

- (b) He is there for the purpose of emergency attendance on a person or thing which is lawfully on the motorway or for the purpose of leaving a vehicle in an emergency :
  - (c) He is there for the purpose of doing any work on or from the motorway under the authority, whether direct or delegated, of the Main Highways Board :
  - (d) He is there for the purpose of mitigating any offence against the Public Works Act, 1928, or these regulations in respect of the motorway.
- (3) Every person commits an offence against this regulation who owns or is in charge of anything that is on a motorway in contravention of this regulation, unless he proves that the presence of the thing on the motorway was not due to any negligence on his part.
- (4) Every person commits an offence against this regulation who is on a motorway in contravention of this regulation.
- (5) Every person who commits an offence against this regulation shall be liable on summary conviction to a fine not exceeding £50.

4. The provisions of the enactments and laws specified in the Schedule to these regulations shall apply to every motorway, so far as it is not within a borough or town district, as if it were a road and, so far as it is within a borough or town district, as if it were a street :

Provided that—

- (a) For the purposes of any restriction upon speed every part of every motorway shall be deemed not to be within a borough or town district :
- (b) No provision of any of the enactments or laws specified in the Schedule to these regulations shall apply to any motorway so far as the provision conflicts with any of the provisions of the Public Works Amendment Act, 1947, or with any regulations made thereunder, or with any enactment relating specifically to motorways.

## SCHEDULE

### ENACTMENTS AND LAWS APPLIED TO MOTORWAYS

- (a) The Transport Act, 1949, and all regulations made or deemed to be made thereunder.
- (b) All laws relating to crimes and offences on roads or streets.
- (c) All laws which affect legal liability in civil proceedings in respect of persons or goods while they are on a public highway.

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 restrict the use of motorways to motor vehicles, other than those which are extra heavy or oversize : and apply to motorways the provisions of the Transport Act, 1949, all laws relating to crimes and offences on roads and streets, and all laws which affect legal liability in civil proceedings in respect of persons or goods while they are on a public highway.

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette* : 21st day of December, 1950.

These regulations are administered in the Public Works Department.