



TRAFFIC AMENDMENT REGULATIONS 1997

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 21st day of July 1997

Present:

THE HON WINSTON PETERS PRESIDING IN COUNCIL

PURSUANT to sections 41A, 77, 77A, and 199 of the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

ANALYSIS

- 1. Title and commencement
- 2. Interpretation
- 3. Overtaking
- 4. Exemptions from requirements relating to use of child restraints and seat belts
- 5. Restrictions on stopping or parking vehicles
- 6. Parking signs
- 7. Erection of signs
- 8. New regulations substituted
 - 131. Support for traffic signs

- 131A. Signs on traffic signals or pedestrian poles
- 131B. Combination of signs
- 9. Stationary vehicle offences
- 10. Fourth Schedule amended

SCHEDULE

Amendments to Fourth Schedule of Principal Regulations

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Traffic Amendment Regulations 1997, and are part of the Traffic Regulations 1976* (“the principal regulations”).

(2) These regulations come into force on 1 September 1997 (except regulation 10 (3)).

(3) Regulation 10 (3) comes into force on 1 September 1999.

2. Interpretation—(1) Regulation 2 of the principal regulations is amended by revoking the definition of the term “centre line” (as substituted by regulation 2(2) of the Traffic Regulations 1976, Amendment No. 15, and amended by regulation 2(1) of the Traffic Regulations 1976, Amendment No. 23), and substituting the following definition:

“ ‘Centre line’,—

“(a) In relation to any portion of a roadway not marked with a flush median, means a dotted or solid line or lines of paint or raised studs (or any combination of those lines and studs) intended to separate opposing traffic:

“(b) In relation to any portion of a roadway marked with a flush median, means the longitudinal white line that forms the left side of the flush median as viewed by a driver facing forward.”

(2) Regulation 2 of the principal regulations is amended by inserting, after the definition of the term “fire authority”, the following definition:

“ ‘Flush median’, in relation to any portion of a roadway, means an area marked by white diagonal lines which—

“(a) Are painted along the middle of the roadway; and

“(b) Are bounded by approximately parallel, longitudinal white lines—

for the purpose of separating opposing traffic.”

(3) Regulation 2 of the principal regulations is amended by revoking the definition of the term “lane”, and substituting the following definition:

“ ‘Lane’, in relation to any roadway, means a longitudinal strip of the roadway at least 2.5 metres wide, intended for the passage of traffic, which is separated from other parts of the roadway by a

*S.R. 1976/227

Amendment No. 1: S.R. 1978/72
 Amendment No. 2: (Revoked by S.R. 1984/169)
 Amendment No. 3: (Revoked by S.R. 1980/115)
 Amendment No. 4: S.R. 1980/31
 Amendment No. 5: S.R. 1980/115
 Amendment No. 6: S.R. 1981/158
 Amendment No. 7: S.R. 1981/311
 Amendment No. 8: S.R. 1982/93
 Amendment No. 9: S.R. 1983/282
 Amendment No. 10: S.R. 1984/31
 Amendment No. 11: S.R. 1984/169
 Amendment No. 12: S.R. 1985/70
 Amendment No. 13: S.R. 1985/144
 Amendment No. 14: S.R. 1985/289
 Amendment No. 15: S.R. 1987/213
 Amendment No. 16: S.R. 1988/171
 Amendment No. 17: S.R. 1988/187
 Amendment No. 19: (Revoked by S.R. 1990/335)
 Amendment No. 20: S.R. 191989/312
 Amendment No. 21: S.R. 1990/159
 Amendment No. 22: S.R. 1990/333
 Amendment No. 23: S.R. 1992/184
 Amendment No. 24: S.R. 1993/176
 Amendment No. 25: S.R. 1993/295
 Amendment No. 26: S.R. 1994/31
 Amendment No. 27: S.R. 1994/312
 Amendment No. 28: S.R. 1996/43
 Amendment No. 29: S.R. 1996/338

longitudinal line or lines of paint or raised studs; but does not include any flush median or any area on either side of the roadway on which diagonal lines have been marked. A two-way road divided by a centre line is deemed to be marked in lanes.”.

(4) Regulation 2 of the principal regulations is amended by revoking paragraph (b) of the definition of the term “parking”, and substituting the following paragraph:

“(b) In relation to any other portion of a road, the stopping or standing of a vehicle (other than a vehicle picking up or setting down passengers in a restricted parking area, and entitled to do so) on that portion of the road;—”.

3. Overtaking—Regulation 8 of the principal regulations is amended by inserting, after subclause (2), the following subclause:

“(2A) No driver may, when approaching or passing a flush median, pass or attempt to pass to the right of a vehicle moving in the same direction unless—

“(a) The movement can be made with safety and is made with due consideration for other users of the road; and

“(b) The driver—

“(i) Intends to turn right from the road marked with the flush median into another road or vehicle entrance; or

“(ii) Has turned right onto the road marked with the flush median; or

“(iii) Can make the entire movement without encroaching on the flush median.”

4. Exemptions from requirements relating to use of child restraints and seat belts—Regulation 30C of the principal regulations (as inserted by regulation 4 of the Traffic Regulations 1976, Amendment No. 11) is amended by revoking paragraph (d) of subclause (4) (as inserted by regulation 4 of the Traffic Regulations 1976, Amendment No. 26), and substituting the following paragraphs:

“(d) Is driving a motor cycle; or

“(e) Is driving a motor vehicle that is being used by a constable or a traffic officer who is a non-sworn member of the Police in the execution of the constable’s or traffic-officer’s duty.”

5. Restrictions on stopping or parking vehicles—Regulation 35 (2) of the principal regulations is amended by inserting, after paragraph (ba) (as inserted by regulation 4 of the Traffic Regulations 1976, Amendment No. 12), the following paragraph:

“(bb) On a flush median.”.

6. Parking signs—Regulation 123 (2) (c) of the principal regulations (as substituted by regulation 4 of the Traffic Regulations 1976, Amendment No. 28) is amended by revoking subparagraph (iii), and substituting the following subparagraph:

“(iii) At distances of not more than—

“(A) 100 m between any 2 signs (except where subparagraph (B) applies);

“(B) 500 m on a road having a speed limit that is greater than 70 kilometres an hour between the parking signs Pk 3. (a) (No stopping at all times) as described in

Part VII of the Fourth Schedule of the principal regulations.”

7. Erection of signs—(1) Regulation 128 (5) of the principal regulations is amended by revoking paragraph (c) (as amended by regulation 18 (1) of the Traffic Regulations 1976, Amendment No. 15), and substituting the following paragraph:

“(c) Where practicable and subject to regulation 131, appear on the near or left-hand side of the road to a person approaching the locality to which the sign is intended to refer.”.

(2) Regulation 18 (1) of the Traffic Regulations 1976, Amendment No. 15 is consequentially revoked.

8. New regulations substituted—(1) The principal regulations are amended by revoking regulation 131 (as amended by regulation 11 of the Traffic Regulations 1976, Amendment No. 29), and substituting the following regulations:

“131. **Support for traffic signs**—(1) Subject to subclause (2), traffic signs must be erected—

“(a) On a white-coloured (or, if made of galvanised steel or aluminium, unpainted) pole provided by the controlling authority for the purpose; or

“(b) With the consent of the owner of the pole, on any telegraph pole, electric-power pole, or other pole.

“(2) If there is no room to erect any pole under subclause (1) (a) and no other pole is available, signs may, with the consent of the owner of the building or wall or fence, be erected on any adjacent building or wall or fence.

“(3) Subject to subclause (8) and to regulation 131B, if a “Stop” sign or “Give Way” sign is erected on any pole or building or wall or fence, no other sign may be erected on that pole or, as the case may be, on the same side of that building or on the same wall or fence.

“(4) Subject to subclause (8) and to regulations 131A and 131B, a regulatory sign or warning sign must not be erected with any other traffic sign, other than an approved supplementary sign facing the same direction as the regulatory sign or the warning sign, on the same pole or in the same location on the same building, wall, or fence.

“(5) Subject to subclause (8), not more than 2 parking signs, or 3 parking signs provided 1 of them is a “Clearway” sign, or 1 parking sign and 1 pedestrian sign, may be erected on the same pole or in the same location on the same building, wall, or fence.

“(6) Subject to regulation 131B, information signs must be erected on separate poles from other signs.

“(7) No other sign, written matter, or monogram may be erected on or appear on any pole supporting a traffic sign but, in the case of a sign erected by an automobile association or a controlling authority, the monogram of the association or a public notice by the authority may be placed on the pole.

“(8) A traffic sign may be mounted on the reverse side of another traffic sign—

“(a) If the sign is of the same shape and size as that other sign; and

“(b) If the sign is intended to be seen by opposing traffic (in relation to traffic approaching that other sign).

131A. Signs on traffic signals or pedestrian poles—(1) The following signs may be erected on a pole supporting a traffic signal:

“(a) A ‘Keep Left’ sign:

“(b) A ‘Turning Traffic Give Way To Pedestrians’ sign:

“(c) Any sign prohibiting vehicles from turning in a specified direction.

“(2) Where a traffic signal is at a level crossing, the following signs may be erected on the pole supporting the traffic signal:

“(a) A crossbuck sign; and

“(b) Where appropriate, a ‘stop on red’ sign or a ‘more than 1 track’ sign, or both.

“(3) A ‘Keep Left’ sign may be erected on a pole maintained under regulation 93 (1) at a pedestrian crossing.

131B. Combination of signs—The combination of signs specified in any one of the following paragraphs may be erected on the same pole:

“(a) Where the pole is at a level crossing,—

“(i) A ‘Give Way’ sign or a ‘Stop’ sign; and

“(ii) A crossbuck sign; and

“(iii) Where appropriate, a ‘look for trains’ sign or a ‘more than 1 track’ sign, or both:

“(b) A ‘Give way’ sign or a ‘Stop’ sign and a ‘Keep Left’ sign, where the ‘Keep Left’ sign faces the opposing traffic viewed from the position of a driver approaching the ‘Give Way’ or ‘Stop’ sign:

“(c) A sign showing the name of a street (but of not more than 1 street) and any other sign:

“(d) Any sign relating to cycling and any sign relating to pedestrians:

“(e) A ‘Road Narrows’ sign or ‘Narrow Bridge’ sign; and

“(i) A ‘Please Give Way’ sign (including any supplementary sign); or

“(ii) A ‘Right of Way’ sign:

“(f) A sign warning of curves and a sign advising the appropriate cornering speed.”

(2) Regulation 11 of the Traffic Regulations 1976, Amendment No. 29, is consequentially revoked.

9. Stationary vehicle offences—The principal regulations are amended by inserting, after regulation 136, the following regulation:

“136A. The following offences are stationary vehicle offences for the purposes of the definition of that term in section 41A of the Act:

“(a) An offence against regulation 37 (5) (which relates to parking a goods service vehicle during the hours of darkness without a visible rear red light):

“(b) An offence against regulation 71 (1) (which relates to using a worn or damaged tyre):

“(c) An offence against regulation 71 (2) (which relates to using a smooth tyre):

“(d) An offence against regulation 85 (1) (which relates to operating a vehicle without a current warrant of fitness or certificate of fitness or permit).”

10. Fourth Schedule amended—(1) Part II of the Fourth Schedule of the principal regulations (as substituted by regulation 6 (1) of the Traffic Regulations 1976, Amendment No. 17) is amended by adding to the item relating to sign P 15 the item set out in Part 1 of the Schedule.

(2) Part IV of the Fourth Schedule of the principal regulations (as so substituted) is amended by revoking the item relating to sign R16, and substituting the items set out in Part 2 of the Schedule.

(3) Part IV of the Fourth Schedule of the principal regulations (as so substituted) is amended by revoking the item relating to sign R20.

(4) Part IV of the Fourth Schedule of the principal regulations (as so substituted) is amended by revoking the items relating to signs R27 and R31, and substituting the items set out in Part 3 of the Schedule.

(5) Part VI of the Fourth Schedule of the principal regulations (as so substituted) is amended by revoking the item relating to sign I1, and substituting the item set out in Part 4 of the Schedule.

(6) Part VII of the Fourth Schedule of the principal regulations (as substituted by regulation 7(2) of the Traffic Regulations 1976, Amendment No. 21) is amended—

- (a) By revoking the items relating to signs Pk 3. (a), Pk 7, and Pk 10, and substituting the items set out in Part 5 of the Schedule; and
- (b) By adding to the words in the fifth column of the item relating to sign Pk 4 the words “Additional words may be placed on a supplementary panel to provide information, such as contact telephone numbers, on retrieving towed away vehicles.”; and
- (c) By omitting from the fifth column of the item relating to sign Pk 9 the expression “5”; and
- (d) By inserting in the fifth column of the item relating to sign Pk 11, after the words “or a symbol of a person in a wheelchair,” the words “or a symbol of a bus,”; and
- (e) By adding to the words in the fifth column of the item relating to sign Pk 11 the words “Additional words to assist motorists to comply, such as specifications of the hours of operation, or terms such as ‘Tour buses only’ may be placed on a supplementary panel below the sign, in letters at least x 25.”

(7) Until 1 September 1999, it is sufficient compliance with the requirement of regulation 129 of the principal regulations if, instead of the signs substituted by subclauses (4) and (5), the signs revoked by those subclauses are displayed.

(8) Until 1 September 1999, it is sufficient compliance with the requirement of regulation 129 of the principal regulations if,—

- (a) Instead of sign Pk 9 as amended by subclause (6)(c), sign Pk 9 in the form prescribed immediately before the commencement of these regulations is displayed;
 - (b) Instead of sign Pk 10 as substituted by subclause (6)(a), the sign Pk 10 revoked by that subclause is displayed.
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SCHEDULE
AMENDMENTS TO FOURTH SCHEDULE OF PRINCIPAL REGULATIONS
PART 1

Name of Sign (meaning of sign in brackets)	Shape and Size	Background Colour	Border	Legend	Colour and Size
	Other Requirements, Associated Signs, Etc				
(d) Gravel Road	Rectangular, 600 mm wide, 400 mm high	Yellow (r)	Black, 15 mm	'GRAVEL ROAD'	Black, 100/14
PART 2					
R16. Please Give Way (give way to vehicles)	600 mm diameter circle	White (r)	Red (r), 75 mm	Upward pointing red arrow and downward pointing black arrow	Red and Black
(a) Give Way	Rectangular, 600 mm wide, 250 mm high	White (r)	Red (r), 10 mm, placed 5 mm from edges of sign	'GIVE WAY'	Red (r), 100/12.5
PART 3					
R27. One Way (traffic may travel only in the direction shown by the arrow on the roadway alongside which it is erected)	Rectangular, 600 mm wide, 250 mm high	Blue	White (r), 10 mm	Horizontal arrow showing direction of travel	White (r), arrow length 400 mm, arrow shaft width 75 mm
				'ONE WAY' Inside horizontal arrow	Blue (r), 50/7
R31. Give Way to Pedestrians	Rectangular, 375 mm wide, 475 mm high	White (r)	Red	'TURNING' 'TRAFFIC' 'GIVE WAY' 'TO' 'PEDESTRIANS'	Black, 50/7 Black, 50/7 Black, 50/7 Black, 50/7 Black, 50/7

SCHEDULE—*continued*

AMENDMENTS TO FOURTH SCHEDULE OF PRINCIPAL REGULATIONS—*continued*

Name of Sign (meaning of sign in brackets)	Shape and Size	Background Colour	Border	Legend	Colour and Size
	Other Requirements, Associated Signs, Etc				

PART 4

11. Turn Left At Any Time With Care (drivers may turn left irrespective of nearby traffic signals, provided they give way to all other traffic)	Rectangular, 750 mm wide, 600 mm high	White (r)	Black, 12 mm, placed 6 mm from edges of sign	'TURN' 'LEFT' 'AT ANY TIME' 'WITH CARE'	Black, 100/17 Black, 100/17 Black, 80/11 Black, 80/13
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Name of Sign (meaning of sign in brackets)	Shape and Size	Background Colour	Border	Legend	Colour and Size
	Other Requirements, Associated Signs, Etc			Symbols/Words	

PART 5

Pk 3. (a) No Stopping At All Times (drivers may not stop, stand, or park their vehicles at the kerb at all times or during the hours stated except when required to by traffic conditions)	Circular 400 mm diameter	Blue (r), (the sign does not need to be reflectorised if it is positioned approximately parallel with the edge of the road)	Red (r), (the sign does not need to be reflectorised if it is positioned approximately parallel with the edge of the road) 50 mm	Diagonal cross. In addition, a single or double-headed arrow of 20 mm shaft width, red, may be placed on a supplementary panel below the sign to show the direction or directions in which the restriction applies	Red (r) (the sign does not need to be reflectorised if it is positioned approximately parallel with the edge of the road) 40 mm wide
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SCHEDULE—*continued*

AMENDMENTS TO FOURTH SCHEDULE OF PRINCIPAL REGULATIONS—*continued*

Name of Sign (meaning of sign in brackets)	Shape and Size	Background Colour	Border	Legend	Colour and Size
	Other Requirements, Associated Signs, Etc			Symbols/Words	
Pk 7. Bus Stop or Shuttle Bus Stop (vehicles other than buses or shuttle buses may not stop in the area marked out)	Rectangular, 300 mm wide, 440 mm high, or more to accommodate the legend comfortably	White	Red, 10 mm	No Parking symbol of 120 mm diameter and 15 mm red border, with a red 10 mm wide diagonal slash through a black 'P' Bus symbol or shuttle bus symbol, red, 'Bus Stop' or 'Shuttle Bus Stop' Additional words or numerals may be used to define the period of application, in letters at least x 25, red, on the bottom of the sign. In addition, a single or double-headed arrow of 15 mm shaft width, red, may be placed on the bottom of the sign	Black 70/11 x 35 red

SCHEDULE—*continued*

AMENDMENTS TO FOURTH SCHEDULE OF PRINCIPAL REGULATIONS—*continued*

Name of Sign (meaning of sign in brackets)	Shape and Size	Background Colour	Border	Legend	Colour and Size
	Other Requirements, Associated Signs, Etc			Symbols/Words	
Pk 10. Supplementary Loading Zone sign (area marked out as a loading zone is reserved for a specified class of vehicle)	Rectangular, 300 mm wide, 125 mm high	Blue	White, 10 mm	'Goods Vehicles Only', or other words to specify the class of vehicle, or a symbol of a goods service vehicle Additional words or figures may appear specifying the time in minutes during which a driver may leave the vehicle unattended	x 25 white
Placed below a loading zone sign to restrict its use to a certain class of vehicles					

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 on 1 September 1997, make miscellaneous amendments to the Traffic Regulations 1976.

Regulation 2 inserts a new definition of “flush median”, and amends existing definitions to take into account flush medians. The definition of “parking” is amended to clarify that vehicles legitimately engaged in picking up or setting down passengers in a restricted area are not “parked” within the meaning of the regulations.

Regulation 3 limits overtaking on a flush median.

Regulation 4 exempts police vehicles from having to be fitted with approved child restraints.

Regulation 5 prohibits drivers from stopping or parking a vehicle on a flush median.

Regulation 6 extends the minimum distance between “No Stopping” signs, in no parking zones on roads with speed limits over 70 kilometres, from 100 metres to 500 metres.

Regulation 7 aligns regulation 128 with new *regulation 131*.

Regulation 8 permits traffic signs to be mounted on unpainted, galvanised steel, or aluminium poles. It also allows back-to-back mounting of signs.

New *regulation 131A* allows certain traffic signs to be mounted on traffic signals. New *regulation 131B* allows certain combinations of traffic signs to be mounted on the same pole.

Regulation 9 inserts a new *regulation 136A* that lists the types of offences against the regulations that constitute stationary vehicle offences.

The offences listed are the same as those previously contained in section 41A of the Transport Act 1962 before its amendment by section 3 of the Transport Amendment Act 1997. The section now allows the regulations themselves to specify what is a stationary vehicle offence, rather than itself specifying those offences by cross-reference to specific regulations.

Regulation 10 changes provisions regulating traffic signs. In particular, it—

- Inserts a “Gravel Road” warning sign:
- Inserts a new “Give Way” supplementary sign:
- Revokes, as of 1 August 1999, the “No Stopping Rural” sign:
- Changes the format of the “One Way” and “Give Way to Pedestrians” signs:
- Replaces the “Free Turn” sign with a “Turn Left at any Time with Care” sign:
- Requires the “No Stopping at all Times” sign to be reflectorised except where it is positioned parallel to the road:
- Extends the “Bus Stop” no parking sign to shuttle buses:
- Changes the format of the “Supplementary Loading Zone” sign:
- Permits supplementary signs to be placed below “Clearway” signs to advise about retrieving towed away vehicles:
- Omits the 5 minute limit from the “Loading Zone” sign:
- Permits additional information to be provided in relation to the “Parking Reserved Sign”.

Until 1 August 1999, the “One Way”, “Give Way to Pedestrians”, “Free Turn”, and “Loading Zone” signs may be displayed in the form approved for those signs before the commencement of these regulations.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 25 July 1997.

These regulations are administered in the Ministry of Transport.