

1976/37



**THE TRANSPORT LICENSING REGULATIONS 1963,
AMENDMENT NO. 20**

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 2nd day of February 1976

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to 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 Transport Licensing Regulations 1963, Amendment No. 20, and shall be read together with and deemed part of the Transport Licensing Regulations 1963* (hereinafter referred to as the principal regulations).

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

2. Transport, goods-service, and rental-service districts—Regulation 19 (1) of the principal regulations is hereby amended by adding the words “Any reference in the Fourth Schedule hereto to a boundary of a county or borough shall be deemed to be a reference to that boundary as it existed on the date of commencement of these regulations and a reference to a boundary of the district of a local authority that has been abolished since the commencement of these regulations shall continue to have effect as if the local authority and its district had continued in existence.”.

3. Exemptions from transport-service licensing—(1) Regulation 28 of the principal regulations (as substituted by regulation 3 of the Transport Licensing Regulations 1963, Amendment No. 9, and amended by

*S.R. 1963/58 (Reprinted with Amendments Nos. 1 to 15: S.R. 1971/87)
 Amendment No. 16: S.R. 1971/255
 Amendment No. 17: S.R. 1972/136
 Amendment No. 18: S.R. 1974/74
 Amendment No. 19: S.R. 1975/87

regulation 3 of the Transport Licensing Regulations 1963, Amendment No. 14, regulation 2 of the Transport Licensing Regulations 1963, Amendment No. 16, and regulation 3 of the Transport Licensing Regulations 1963, Amendment No. 19) is hereby further amended by revoking paragraph (c), and substituting the following paragraph:

“(c) Every goods service for the carriage by the owner of fresh meat, poultry, or fresh fish or for the carriage of used empty fresh fish containers on return journeys where fresh fish has been carried on the inward journey:”.

(2) Regulation 28 of the principal regulations (as so substituted and amended) is hereby further amended by omitting from paragraph (1) the words “New Zealand Broadcasting Corporation”, and substituting the words “Broadcasting Council of New Zealand”.

(3) Regulation 28 of the principal regulations (as so substituted and amended) is hereby further amended by adding the following paragraphs:

“(p) Every goods service carried on by the Reserve Bank of New Zealand for the carriage in its own motor vehicles of currency and securities:

“(q) Every goods service for the carriage to or from a sporting fixture by any member of an amateur sporting organisation of cycles, gliders, canoes, rowing skiffs, or other sports equipment owned by the organisation and intended to be used at that fixture.”

4. Hiring of rental vehicles—(1) Regulation 39 (2) (a) (iii) of the principal regulations is hereby amended by omitting the words “21 years or over, or, where the vehicle hired is a motor scooter or power cycle,”.

(2) The Third Schedule to the principal regulations is hereby amended by revoking clause 16, and substituting the following clause:

“16. The hirer declares that he is of the age of 18 years or over.”

5. Taxicab driver's duties—(1) Regulation 54 (a) of the principal regulations is hereby amended by revoking subparagraph (i) of the first proviso (as substituted by regulation 6 of the Transport Licensing Regulations 1963, Amendment No. 3), and substituting the following subparagraph:

“(i) He may refuse to accept any person as a passenger, or refuse to continue the hiring of his taxicab by any person, if he believes on reasonable grounds that his personal safety would be threatened or endangered thereby or if that person is drunk or is in a filthy condition or is consuming food or drink or is noisy or violent or is disturbing the public peace or is accompanied by any animal:”.

(2) Regulation 54 of the principal regulations is hereby further amended by revoking paragraph (h), and substituting the following paragraph:

“(h) When answering a radio or telephone call to premises to pick up a hire, make every reasonable endeavour to announce in person his arrival at the pick-up-point, or, in the case of public premises, at the main entrance on the ground floor level or such other entrance as may be agreed:

“Provided that—

“(i) During the hours of darkness, he shall not be required to announce in person his arrival if he believes on reasonable grounds that his personal safety would be threatened or endangered thereby:

“(ii) This paragraph shall be read subject to any bylaw or regulation which may be in force affecting roads or the use thereof and affecting taxicabs.”

(3) Regulation 6 of the Transport Licensing Regulations 1963, Amendment No. 3, is hereby consequentially revoked.

P. G. MILLEN,
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 amend the Transport Licensing Regulations 1963.

Regulation 2 amends regulation 19 of the principal regulations (which specifies the transport, goods-service, and rental-service districts). The effect of the amendment is that, notwithstanding any change in the county and borough boundaries which are used in the descriptions of transport district boundaries in the principal regulations, the transport district boundaries remain the same.

Regulation 3 amends regulation 28 of the principal regulations (which specifies exemptions from transport-service licensing).

The effect of the amendment made by subclause (1) is that a goods service for the carriage of used empty fresh fish containers on return journeys by the owner thereof will be exempt from licensing under Part VII of the Transport Act 1962.

Subclause (2) substitutes the words “Broadcasting Council of New Zealand” for the words “New Zealand Broadcasting Corporation” in paragraph (1).

Subclause (3) exempts from goods service licensing the carriage of currency and securities in its own motor vehicles by the Reserve Bank of New Zealand and the carriage to or from a sporting fixture by any member of an amateur sporting organisation of sports equipment owned by the organisation and intended to be used at that fixture.

Regulation 4 amends regulation 39 of the principal regulations (which relates to the register of rental vehicles) and the Third Schedule to those regulations (in which is set out the form of an agreement to hire a rental vehicle). These amendments are consequential upon regulation 4 of the Transport Licensing Regulations 1963, Amendment No. 19, which substituted a new regulation 45 in the principal regulations and enabled rental vehicles of any kind to be hired to persons 18 years of age and over.

Regulation 5 amends regulation 54 of the principal regulations (which relates to the duties of a taxicab driver).

The effect of the amendment made by subclause (1) is that a driver may refuse to accept any person as a passenger, or refuse to continue the hiring of his taxicab by any person, if he believes on reasonable grounds that his personal safety would be threatened or endangered thereby or if that person is consuming food or drink.

The effect of the amendment made by subclause (2) is that, when answering a call to premises to pick up a hire during the hours of darkness, a driver shall not be required to announce in person his arrival if he believes on reasonable grounds that his personal safety would be threatened or endangered thereby.

Subclause (3) makes a consequential revocation.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 February 1976.

These regulations are administered in the Ministry of Transport.