



**TRANSPORT (DEMERIT POINTS) AMENDMENT REGULATIONS
1999**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 22nd day of January 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to sections 167 and 218 of the Land Transport Act 1998, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

ANALYSIS

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1. Title and commencement
 2. New Schedule substituted
 3. Revocation
 4. Saving
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SCHEDULE
New Schedule Substituted in Principal
Regulations

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Transport (Demerit Points) Amendment Regulations 1999, and are part of the Transport (Demerit Points) Regulations 1993* (“the principal regulations”).

(2) These regulations come into force on 1 March 1999.

*S.R. 1993/6
Amendment No 1: S.R. 1993/296

2. New Schedule substituted—The principal regulations are amended by revoking the Schedule, and substituting the Schedule set out in the Schedule of these regulations.

3. Revocation—The Transport (Demerit Points) Regulations 1993, Amendment No. 1 (S.R. 1993/296) are consequentially revoked.

4. Saving—Nothing in these regulations applies in respect of an offence committed before the commencement of these regulations, and every such offence must be dealt with as if these regulations had not been made.

SCHEDULE

NEW SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS

Reg. 2

“SCHEDULE

Reg. 2

SCALE OF DEMERIT POINTS

PART 1

OFFENCES OTHER THAN SPEEDING OFFENCES

Enactment	Section or Regulation	General Description of Offence	Number of Demerit Points
1. The Land Transport Act 1998	37 (1)	Careless or inconsiderate use of motor vehicle	35
	52 (1)(c)	Failure to stop on request or signal of an enforcement officer or on being followed by motor vehicle displaying flashing blue, or blue and red, lights or sounding a siren, as required by section 114 of the Land Transport Act 1998	35
	52 (1)(c)	Failure to remain stopped for an enforcement officer as required under section 114 of the Land Transport Act 1998	35

SCHEDULE—*continued*

NEW SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS—*continued*

Enactment	Section or Regulation	General Description of Offence	Number of Demerit Points
2. The Traffic Regulations 1976	52 (1) (c)	Driving or attempting to drive when forbidden by an enforcement officer under section 121 of the Land Transport Act 1998	35
	57 (1) or (2)	Person younger than 20 driving or attempting to drive with excessive breath-alcohol or blood-alcohol concentration	50
	59 (1)	Failure or refusal— (a) To wait for the result of a breath screening test or an evidential breath test (b) To accompany an enforcement officer when so required (c) To remain for evidential breath test or blood test	50
	4 (1)	Failure to keep vehicle as close as practicable to left side of roadway	50
	8 (3)	Passing or attempting to pass where insufficient clear road visible	20
	8 (6)	Passing or attempting to pass where no-passing line marked	35
	9 (1) (b)	Proceeding before way is clear at stop sign	35

SCHEDULE—*continued*

NEW SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS—*continued*

Enactment	Section or Regulation	General Description of Offence	Number of Demerit Points
	9 (2), (3), or (4)	Failure to observe give-way rules	20
	12	Failure to observe duties at pedestrian crossing	35
	13	Failure to stop and remain stopped for school patrol sign	35
	22 (1)	Driving in a lane at such a speed as to be unable to stop in the length of lane visible	20
	22 (2)	Driving at such a speed as to be unable to stop in half the clear distance ahead	20
	22 (3)	Driving a motor vehicle behind another vehicle and being unable to stop short of the vehicle ahead	20

SCHEDULE—*continued*

NEW SCHEDULE SUBSTITUTED IN PRINCIPAL REGULATIONS—*continued*

PART 2

	Speeding Offences	Number of Demerit Points
1.	Speeding offence in which the speed limit fixed is exceeded by not more than 10 km/h	10
2.	Speeding offence in which the speed limit fixed is exceeded by more than 10 km/h but not more than 20 km/h	20
3.	Speeding offence in which the speed limit fixed is exceeded by more than 20 km/h but not more than 30 km/h	35
4.	Speeding offence in which the speed limit fixed is exceeded by more than 30 km/h but not more than 35 km/h	40
5.	Speeding offence in which the speed limit fixed is exceeded by more than 35 km/h	50''

DIANE WILDERSPIN,
Acting for 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 March 1999, replace the Schedule of the principal regulations, in order to update various references to take account of the enactment of the Land Transport Act 1998.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 28 January 1999.
These regulations are administered in the Ministry of Transport.