



## THE TRANSPORT (DEMERIT POINTS) REGULATIONS 1993

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CATHERINE A. TIZARD, Governor-General

### ORDER IN COUNCIL

At Wellington this 26th day of January 1993

Present:

THE RIGHT HON. D. C. MCKINNON PRESIDING IN COUNCIL

PURSUANT to sections 51 and 199 of the Transport Act 1962, Her Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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### REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Transport (Demerit Points) Regulations 1993.

(2) These regulations shall come into force on the 1st day of March 1993.

**2. Demerit points**—(1) Subject to subclause (2) of this regulation, the number of demerit points to be recorded by the Secretary in respect of any person convicted of an offence described in the Schedule to these regulations that was committed on or after the 1st day of March 1993 shall be the number of demerit points shown in that Schedule in relation to the offence.

(2) No demerit points shall be recorded in respect of any offence for which the defendant is disqualified from holding or obtaining a driver's licence for a period of 6 months or more.

**3. Revocations and savings**—(1) The Transport (Demerit Points) Regulations 1985\* and the Transport (Demerit Points) Regulations 1985, Amendment No. 1† are hereby revoked.

(2) Nothing in regulation 2 of these regulations shall apply in respect of an offence committed before the commencement of these regulations, and every such offence shall be dealt with as if these regulations had not been made.

\*S.R. 1985/100  
†S.R. 1987/374

Reg. 2

**SCHEDULE**  
**SCALE OF DEMERIT POINTS**

Enactment	Section or Regulation	General Description of Offence	Number of Demerit Points	
The Transport Act 1962	58 (1) (f) or (g)	Person under 20 years of age driving or attempting to drive with excessive breath-alcohol or blood-alcohol concentration	50	
	58A (4), 58B (5), or 58C (5)	Failure or refusal— (a) To wait for the result of a breath screening test or an evidential breath test (b) To accompany a traffic officer or constable when so required (c) To remain for evidential breath test or blood test	50 50 50	
	60	Careless or inconsiderate use of a motor vehicle	35	
	63 (2)	Driving or attempting to drive when prohibited by constable or traffic officer	35	
	66 (1) and 66 (4) (a)	Failure to stop on request or signal of constable or traffic officer or on being followed by motor vehicle displaying flashing blue, or blue and red, lights and sounding a siren	35	
	66 (2) (a) and 66 (4) (a)	Failure to remain stopped for a constable or traffic officer	35	
	The Traffic Regulations 1976	4 (1)	Failure to keep vehicle as close as practicable to left side of roadway	20
		8 (3)	Passing or attempting to pass where insufficient clear road visible	35
		8 (6)	Passing or attempting to pass where no-passing line marked	35
		9 (1) (b)	Proceeding before way is clear at stop sign	20

SCHEDULE—*continued*SCALE OF DEMERIT POINTS—*continued*

Enactment	Section or Regulation	General Description of Offence	Number of Demerit Points
The Traffic Regulations 1976— <i>continued</i>	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
The Transport Act 1962 or any other Act or any regulations or by-laws made or continuing and having effect under the Transport Act 1962 or any other Act	..	Any offence (including an infringement offence) consisting solely of the breach of a speed limit	35

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 March 1993, replace the Transport (Demerit Points) Regulations 1985.

These regulations prescribe a new Schedule of demerit points to be recorded in relation to various offences (being offences relating to the driving of motor vehicles) committed on or after 1 March 1993.

Sections 44 to 48 of the Transport Act 1962 set out the consequences for a driver of having demerit points recorded against him or her.

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These regulations are administered in the Ministry of Transport.