

Serial Number **1953/18**



THE TRAFFIC REGULATIONS 1936, AMENDMENT NO. 11

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington, this 4th day of March 1953

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Transport Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. These regulations may be cited as the Traffic Regulations 1936, Amendment No. 11, and shall be read together with and deemed part of the Traffic Regulations 1936* (hereinafter referred to as the principal regulations).

2. Regulation 3 of the principal regulations is hereby amended by adding the following subclause:—

“(6) Every person to whom any direction is given pursuant to this regulation shall comply with that direction, and no person shall do any act which is for the time being forbidden pursuant to this regulation:

“Provided that no person shall be deemed to have committed a breach of this subclause unless the Court is satisfied that the police officer or traffic inspector had reasonable grounds for believing that in all the circumstances of the case the direction or prohibition was necessary in the interests of the safety of the driver or rider or person in charge of the vehicle or of any other person or of the public.”

* Statutory Regulations 1936–37, Serial number 86/1936, page 319.
(Reprinted with Amendments Nos. 1 to 3, Statutory Regulations 1947, Serial number 1947/44, page 124.)

Amendment No. 4: Statutory Regulations 1948, Serial number 1948/129, page 388.
Amendment No. 5: Statutory Regulations 1948, Serial number 1948/170, page 517.
Amendment No. 6: Statutory Regulations 1948, Serial number 1948/212, page 875.
Amendment No. 7: Statutory Regulations 1949, Serial number 1949/142, page 586.
Amendment No. 8: Statutory Regulations 1950, Serial number 1950/189, page 877.
Amendment No. 9: Statutory Regulations 1951, Serial number 1951/131, page 396.
Amendment No. 10: Statutory Regulations 1951, Serial number 1951/285, page 1112.

3. (1) Regulation 21 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:—

“(2) No person shall ride any bicycle during hours of darkness unless—

“(a) It is equipped with a lamp which is placed at the back of the bicycle so as to display and does display to the rear a red light of sufficient brilliance to be visible under normal atmospheric conditions for a distance of at least 300 ft.; and

“(b) It is equipped with a red reflector of a make and type which is approved by the Minister by notice published in the *Gazette*, and which is placed perpendicularly at the back of the bicycle so as to reflect to the rear and does reflect to the rear a light shining towards it from rearward of the bicycle.”

(2) This regulation shall come into force on the 1st day of May 1953.

4. Regulation 7 of the principal regulations (as enacted by regulation 3 of the Traffic Regulations 1936, Amendment No. 9) is hereby amended by omitting from subclause (1) the words “clause (11)”, and substituting the words “clause (16)”.

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.]

Regulation 2 imposes an obligation on all persons to comply with any direction given by a police officer or traffic inspector under regulation 3 of the principal regulations and to refrain from doing any act prohibited by a police officer or traffic inspector under that regulation. In any prosecution for a breach of this provision the Court must be satisfied that the police officer or traffic inspector had reasonable grounds for believing that the direction or prohibition was necessary in the interests of road safety.

Regulation 3, which comes into force on 1 May 1953, requires all bicycles ridden during hours of darkness to be equipped with both a red tail light and a red rear reflector.

Regulation 4 corrects an incorrect reference in regulation 7 (1) of the principal regulations.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 5 March 1953.

These regulations are administered in the Transport Department.