



THE TRAFFIC REGULATIONS 1936, AMENDMENT NO. 13

C. W. M. NORRIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington, this 15th day of
December 1953

Present:

THE RIGHT HON. S. G. HOLLAND PRESIDING 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. 13, and shall be read together with and deemed part of the Traffic Regulations 1936* (hereinafter referred to as the principal regulations).

2. (1) Regulation 14 of the principal regulations, as amended by regulation 6 of the Traffic Regulations 1936, Amendment No. 2, is hereby further amended by inserting, after subclause (2A), the following subclause:

“(2B) In addition to complying with the requirements of subclauses (1) and (2) of this regulation, every driver of a motor vehicle shall keep the vehicle as far as practicable to his left of the centre line of the roadway when he has not a clear view of the road and the traffic thereon for a distance of at least 300 ft. in the direction in which he is travelling.”

(2) Regulation 14 of the principal regulations is hereby further amended as follows:

- (a) By omitting from subclause (2) the words “overtake or attempt to pass any vehicle”, and substituting the words “pass or attempt to pass any vehicle proceeding in the same direction”;
- (b) By omitting from subclause (10) the word “overtake”, and substituting the word “pass”.

* Statutory Regulations 1936-37, Serial number 1936/86, 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 873.
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.
Amendment No. 11:	Statutory Regulations 1953,	Serial number 1953/18,	page 63.
Amendment No. 12:	Statutory Regulations 1953,	Serial number 1953/134,	page 666.

3. (1) Regulation 14 of the principal regulations (as amended by regulation 2 of the Traffic Regulations 1936, Amendment No. 12) is hereby further amended by revoking subclauses (4A) and (4B), and substituting the following subclauses:

“(4A) The driver of any motor vehicle upon meeting or overtaking any school bus which has stopped on the road for the purpose of discharging or embarking school children shall drive with due care for the safety of the children and in no case shall while passing any part of the school bus drive at a speed in excess of 10 miles an hour.

“(4B) For the purpose of subclause (4A) of this regulation the term ‘school bus’ means a motor vehicle which is displaying the signs for a school bus in the manner prescribed by the Passenger Service Vehicle (Constructional) Regulations 1936*, namely, conspicuous signs with the words ‘School Bus’ displayed thereon, one of which signs is at the front facing forward and another of which is at the rear facing rearward.”

(2) The Traffic Regulations 1936, Amendment No. 12, are hereby revoked.

4. The principal regulations are hereby amended by inserting, after regulation 14, the following new heading and regulation:

“REGULATION 14A—OFFENCES INVOLVING COMPULSORY
DISQUALIFICATION FROM DRIVING

“Subsection (1A) of section 31 of the Transport Act 1949 (as inserted by section 4 of the Transport Amendment Act 1953) shall apply with respect to the following offences:

“(a) An offence against subclause (2B) of regulation 14 of these regulations:

“(b) An offence against subclause (10) of regulation 14 of these regulations so far only as paragraph (b) thereof applies.”

T. J. SHERRARD,
Clerk of the Executive Council.

* Statutory Regulations 1936, Serial number 1936/79, page 281.
Amendment No. 1: Statutory Regulations 1947, Serial number 147/137, page 496.

EXPLANATORY NOTE

[*This note is not part of the regulations, but is intended to indicate their general effect.*]

Regulation 14 (2) of the principal regulations requires the driver of a motor vehicle to keep to the left at bends. Regulation 2 (1) of these regulations imposes a further obligation to keep to the left when the driver has not a clear view of the road and the traffic thereon for at least 300 ft. This provision would apply not only at corners, bends, and turnings, but also in other circumstances, for instance, at rises where there is no visibility ahead. This requirement is in addition to the existing requirements that the driver must keep as far as practicable to the left, must keep to the left of longitudinal centre lines at corners, bends, and turnings, and must not overtake other vehicles where double lines are marked at corners, bends, and turnings.

Regulation 2 (2) is intended to clarify the intention of regulation 14 (2) and regulation 14 (10) of the principal regulations, which make it an offence in certain circumstances to overtake or attempt to pass a vehicle within a specified distance of a corner, bend, or turning or a vehicle proceeding in the same direction. The expression “to overtake” has always been interpreted as meaning “to pass”, and this amendment brings the wording into line with the accepted interpretation.

Regulation 3 replaces the existing provisions requiring drivers to stop before a school bus that is stopped for the purpose of discharging or embarking school children, and now provides that where any school bus is stopped on the road for the purpose of discharging or embarking school children drivers of other motor vehicles must exercise due care for the safety of the school children and in any case must not exceed 10 miles an hour while driving past the school bus.

Regulation 4 specifies those offences under the principal regulations where, unless the Court thinks fit to order otherwise, the defendant's driving licence must, by virtue of section 31 (1A) of the Transport Act 1949, be suspended or cancelled for at least twenty-eight days or he must be disqualified from obtaining a driver's licence for that period. The offences which will involve that suspension or cancellation or disqualification are—

- (a) Failing to keep to the left where the driver has not a clear view of the road and the traffic thereon for at least 300 ft. in the direction in which he is travelling:
- (b) Passing or attempting to pass a vehicle proceeding in the same direction unless the driver has a clear view of the road and the traffic thereon for at least 300 ft. in the direction in which he is travelling.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 December 1953.

These regulations are administered in the Transport Department.