

1969/54



## THE TRAFFIC REGULATIONS 1956, AMENDMENT NO. 17

ARTHUR PORRITT, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 24th day of March 1969

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 Traffic Regulations 1956, Amendment No. 17, and shall be read together with and deemed part of the Traffic Regulations 1956\* (hereinafter referred to as the principal regulations).

(2) Except as otherwise provided herein, these regulations shall come into force on the 1st day of April 1969.

**2. Speed—general restrictions**—(1) Regulation 26 of the principal regulations is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) Except as provided in regulations 27B and 27C hereof, no person shall on any road drive any motor vehicle at a speed exceeding 55 miles an hour.”

(2) The Traffic Regulations 1956, Amendment No. 6, is hereby consequentially revoked.

**3. Sixty-mile speed-limit areas**—(1) The principal regulations are hereby further amended by inserting, after regulation 27A (as inserted by regulation 11(1) of the Traffic Regulations 1956, Amendment No. 15), the following heading and regulation:

\*S.R. 1956/217 (Reprinted with Amendments Nos. 1 to 16: S.R. 1968/32)

*“Sixty-mile Speed-limit Areas*

“27B. (1) The Minister may from time to time, by notice in the *Gazette*, declare any road or portion of a road that is not subject to the limitation as to speed imposed by section 52 (1) of the said Act to be a 60 miles an hour speed-limit area.

“(2) No person shall drive a motor vehicle at a speed exceeding 60 miles an hour on any road which has been declared to be a 60 miles an hour speed-limit area under the provisions of subclause (1) of this regulation.

“(3) At the places of entrance to and at the places of exit from a 60 miles an hour speed-limit area the controlling authority shall cause to be erected and maintained the appropriate signs prescribed by Part X of these regulations.”

(2) Regulation 120 of the principal regulations is hereby amended by revoking so much of subclause (1) as relates to signs of “Class I”, and substituting the following words:

“Class I: Signs denoting—

“(a) The presence of a 30 mile speed-limit area; or

“(b) The presence of a 40 mile speed-limit area; or

“(c) The presence of a 60 mile speed-limit area; or

“(d) A local speed-limit.”

(3) Regulation 120 of the principal regulations is hereby further amended by revoking so much of subclause (1) as relates to signs of “Class K”, and substituting the following words:

“Class K: Signs denoting the presence of an area where the 55 miles an hour speed-limit applies”.

(4) Regulation 125 of the principal regulations is hereby amended by revoking paragraphs (a) to (c) of subclause (13), and substituting the following paragraphs:

“(a) An area which is lawfully subject to a speed limit of less than 55 miles an hour or a 60 miles an hour speed-limit area, signs of Class I:

“(b) An area which forms a limited speed zone, signs of Class J:

“(c) An area where the maximum speed limit is 55 miles an hour, signs of Class K.”

(5) The following regulations are hereby consequentially revoked:

(a) Regulation 20 of the Traffic Regulations 1956, Amendment No. 10:

(b) Subclause (2) of regulation 11 of the Traffic Regulations 1956, Amendment No. 15.

**4. Exemptions from speed limits**—The principal regulations are hereby further amended by inserting, after regulation 27B (as inserted by regulation 3 (1) of these regulations), the following heading and regulation:

*“Exemptions from Speed Limits*

“27c. (1) It shall be a defence to any person charged with an offence against subclause (1) of regulation 26 or subclause (2) of regulation 27B hereof if he proves that he was at the time of the act in respect of which he is so charged the driver of a motor vehicle—

- “(a) Used as an ambulance fitted with a siren or bell and being at the time used on urgent ambulance service; or
- “(b) Used for a fire brigade for attendance at fires and at the time responding to a call of fire; or
- “(c) Conveying a traffic officer or police officer engaged on urgent public business or in the execution of his duty; or
- “(d) Conveying a member of the Executive Council engaged on urgent public business, or conveying any other person authorised in that behalf by the Minister and engaged on urgent public business in the execution of his functions.”

**5. Minimum-speed lanes**—The principal regulations are hereby further amended by inserting, after regulation 31A (as inserted by regulation 12 of the Traffic Regulations 1956, Amendment No. 15), the following heading and regulation:

*“Minimum-speed Lanes*

“31B. (1) The Minister may from time to time, by notice in the *Gazette*, fix a minimum speed for vehicles travelling in the right-hand lane (hereinafter referred to as a minimum-speed lane) of any road where the roadway available for vehicles travelling in one direction is marked out in two or more lanes.

“(2) No person shall in any minimum-speed lane for which signs in accordance with subclause (3) of this regulation have been duly erected and maintained drive a motor vehicle at a speed less than the minimum speed fixed in respect of that lane pursuant to subclause (1) of this regulation, unless—

“(a) By reason of weather conditions, poor visibility, the density or nature of traffic, the conditions of the road or road surface, or other reasonable cause, that minimum speed would be unsafe; or

“(b) He is required by a signal or instruction from a traffic officer, police officer, or traffic sign not to exceed a speed that is less than the minimum so fixed.

“(3) At the places of entrance to and at the places of exit from any road or portion of road which includes a minimum-speed lane, the controlling authority shall cause to be erected and maintained the appropriate signs prescribed by the Minister by notice in the *Gazette*.”

**6. Approach to railway crossing**—(1) Regulation 125 of the principal regulations is hereby further amended by revoking subclause (13A) (as inserted by regulation 13 of the Traffic Regulations 1956, Amendment No. 5), and substituting the following subclauses:

“(13A) Notwithstanding anything in subclause (13) of this regulation, the commencement of a speed limit declared by the Minister pursuant to subsection (2) of section 64 of the Government Railways Act 1949 on each approach to a railway level crossing shall be denoted by a sign of Class I with a supplementary sign placed directly thereunder containing the words ‘TO RAILWAY CROSSING’. Where the speed limit on the part of the road adjoining one approach is the same as the speed limit on the part of the road adjoining any other approach, that speed limit shall continue in force on each such part notwith-

standing that the appropriate signs prescribed by the said subclause (13) have not been erected to demark the ends of the approaches to the crossing.

“(13B) A sign of Class N shall be erected only in conjunction with a sign of Class C, and shall be placed directly under that sign.”

(2) Regulation 13 of the Traffic Regulations 1956, Amendment No. 5, is hereby consequentially revoked.

**7. Speed limits for school buses**—(1) The principal regulations are hereby further amended by inserting, after regulation 29, the following heading and regulation:

*“School Buses*

“29A. No person shall on any road drive a school bus, as defined in regulation 33 hereof, having a gross weight in excess of 2 tons, at a speed exceeding 45 miles an hour.”

(2) Regulation 30 of the principal regulations is hereby amended by omitting the words “regulations 26 to 29”, and substituting the words “regulations 26 to 29A”.

**8. Tyres**—(1) The principal regulations are hereby further amended by revoking regulation 44A (as inserted by regulation 13 (1) of the Traffic Regulations 1956, Amendment No. 7), and substituting the following heading and regulation:

*“Tyres*

“44A. (1) No person shall on any road use on any motor vehicle a pneumatic tyre that has worn or damaged cords apparent by external examination.

“(2) No person shall on any road use on any motor vehicle a pneumatic tyre having a tread pattern (excluding any tie-bar or tread-depth indicator strip) of less than 1/16th of an inch in depth across at least three-quarters of the breadth of the tread and around the entire circumference of the tyre. Nothing in this subclause shall apply with respect to any motor vehicle which is not capable of a speed in excess of 20 miles an hour, nor to any trailer drawn by such a vehicle, nor to any trailer which has a gross weight less than 10 cwt., nor to any power cycle.

“(3) No person shall on any road use on any power cycle a pneumatic tyre the tread pattern of which is not clearly visible across at least three-quarters of the breadth of the tread and around the entire circumference of the tyre.”

(2) Regulation 13 of the Traffic Regulations 1956, Amendment No. 7, is hereby amended by revoking subclause (1).

(3) This regulation shall come into force on the 1st day of May 1969.

**9. Rear-vision mirror**—(1) Regulation 47 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) No person shall operate a heavy motor vehicle (being a goods-service vehicle or passenger-service vehicle), unless it is fitted on the left side, or, in the case of a vehicle operated as described in regulation 44 (1) hereof, on the right side, with an external mirror so located

as to reflect to the driver a view of the roadway to the rear to as great a degree as is reasonably practicable from a mirror so located on the vehicle concerned. The mirror so fitted shall be in addition to the mirror required to be fitted under subclause (1) of this regulation.”

(2) This regulation shall come into force on the 1st day of April 1970.

**10. Unsafe vehicles**—The principal regulations are hereby further amended by inserting, after regulation 51D (as inserted by regulation 18 of the Traffic Regulations 1956, Amendment No. 15), the following heading and regulation:

*“Unsafe Vehicles*

“51E. No person shall operate a motor vehicle which is so affected by corrosion or weakening of its structure (being corrosion or weakening that is apparent by visual external examination) that the vehicle is unsafe to operate.”

**11. Warrants of fitness**—(1) Regulation 52 of the principal regulations is hereby amended by adding to subclause (6) (as substituted by regulation 19 of the Traffic Regulations 1956, Amendment No. 15) the words “or if, having regard to the condition of the vehicle or of any of its equipment or to the absence of any equipment, the operation or use of the vehicle would be a breach of any of those provisions”.

(2) Regulation 52 of the principal regulations is hereby further amended by inserting, after subclause (6) (as so substituted), the following subclauses:

“(6A) Until the date fixed by the Minister for the purposes of subclause (6B) of this regulation, any person may, in his discretion, decline to issue a warrant of fitness in respect of any motor vehicle if in his opinion it is so affected by corrosion or weakening of its structure that the vehicle is unsafe to operate.

“(6B) On and after a date to be fixed by the Minister by notice in the *Gazette*, no person shall issue a warrant of fitness in respect of any motor vehicle if in his opinion based on a visual external examination the motor vehicle is so affected by corrosion or weakening of its structure that the vehicle is unsafe to operate.”

**12. Fee for warrant of fitness**—Regulation 52 of the principal regulations is hereby further amended—

(a) By omitting from subclause (8) (as substituted by regulation 2 (1) of the Traffic Regulations 1956, Amendment No. 14, and amended by section 7 (1) of the Decimal Currency Act 1964) the words “a fee of 50c”, and substituting the words “a fee of 55c”:

(b) By omitting from the same subclause the words “a fee of 70c”, and substituting the words “a fee of 75c”.

**13. Restrictions as to loading and dimensions**—(1) The principal regulations are hereby further amended by revoking regulation 55, regulation 55A (as inserted by regulation 17 (1) of the Traffic Regulations 1956, Amendment No. 7), and regulation 56, and substituting the following heading and regulation:

*“Restrictions as to Loading and Dimensions*

“55. (1) In this regulation—

“‘Forward length’—

“(a) In relation to a motor vehicle other than a trailer, means the distance from the rear axle to the foremost part of the vehicle or its load, whichever is the greater:

“(b) In relation to a trailer the front axle of which is steered by the towbar, means the greater of the following distances:

“(i) From the front axle of the trailer to the point of attachment of the towbar to the towing vehicle:

“(ii) From the rear axle of the trailer to the axle steered by the towbar:

“(c) In relation to any other trailer, means the distance from the rear axle of the trailer to the point of attachment to the towing vehicle:

“‘Non-steering axle’ means any axle of a vehicle the wheels of which remain substantially parallel with the longitudinal centre-line of the vehicle while the vehicle is turning:

“‘Rear axle’—

“(a) In relation to a vehicle with only one non-steering axle, means that axle:

“(b) In relation to a vehicle with two or more non-steering axles, means a horizontal line at right angles to the longitudinal centre-line of the vehicle and midway between the first and last non-steering axles:

“(c) In relation to a vehicle with no non-steering axles, means a horizontal line at right angles to the longitudinal centre-line of the vehicle at a point determined by the Secretary for Transport:

“‘Trailer’ means a trailer as defined in regulation 3 hereof; and includes the trailing unit of an articulated vehicle, whether or not it is readily detachable; and also includes the rear portion of any motor vehicle which is constructed in two rigid portions connected by a vertical hinge or pivot.

“(2) No person shall operate any motor vehicle, if the vehicle or its load or both exceed 8 ft 2½ in. in width or extend more than 4 ft 1¼ in. from the longitudinal centre-line of the vehicle. The provisions of this subclause shall not apply to any agricultural trailer or agricultural machine, where—

“(a) The vehicle does not exceed 12 ft in width; and

“(b) The vehicle is not operated during the hours of darkness; and

“(c) The vehicle is not driven at a speed exceeding 15 miles an hour; and

“(d) The extreme right-hand front edge of the vehicle is indicated by a white rectangular cloth at least 18 in. long and 9 in. wide.

“(3) For the purposes of subclause (2) of this regulation, any mirrors or direction indicators shall be deemed not to be part of the vehicle or its load.

“(4) No person shall operate any motor vehicle other than a trailer, if the vehicle or its load or both has a forward length in excess of 27 ft.

“(5) No person shall operate any trailer if its forward length exceeds 24 ft.

“(6) No person shall operate any trailer, if the trailer or its load or both extend more than 27 ft ahead of the rear axle of the trailer. This subclause shall not apply to any load the forward end of which is supported by the towing vehicle, and for the purposes of this subclause any towbar shall be deemed not to be part of the trailer.

“(7) No person shall operate any motor vehicle towing a trailer, if the forward length of the motor vehicle or its load or both exceeds any of the following:

“(a) 24 ft:

“(b) 22 ft when the forward length of the trailer exceeds 15 ft:

“(c) 20 ft when the forward length of the trailer exceeds 18 ft:

“(d) 18 ft when the forward length of the trailer exceeds 20 ft:

“(e) 15 ft when the forward length of the trailer exceeds 22 ft:

“(8) No person shall operate any motor vehicle other than a trailer, if the vehicle or its load or both extend more than 7 ft 6 in. forward from the front axle of the vehicle, or if the load extends more than 18 in. forward from the foremost part of the vehicle.

“(9) No person shall operate any motor vehicle, if the vehicle or its load or both extend backward more than 9 ft 6 in. from the rear axle, or if the load extends backward more than 4 ft from the rear of the body of the vehicle. This subclause shall not apply to the load on any goods-service vehicle, where—

“(a) The vehicle is not operated during the hours of darkness; and

“(b) The portion of the load extending behind the body of the vehicle is not greater than three-quarters of the portion of the load contained within the vehicle; and

“(c) The vehicle is so loaded that as much of the load as is practicable is contained within the vehicle; and

“(d) The rear of the load is indicated by means of a white rectangular cloth at least 18 in. long and 9 in. wide; and

“(e) The overall length of the vehicle and load does not exceed 30 ft.

“(10) No person shall operate any motor vehicle, if the vehicle or its load or both rise to such a height as to be liable to damage any construction or wires lawfully over the roadway used by the vehicle, or in any case to a height exceeding 14 ft from the ground.

“(11) No person shall operate any motor vehicle if the vehicle or its load or both drag on or make moving contact with the roadway otherwise than by means of the wheels or by means of an attachment used to prevent the accumulation of static electricity.

“(12) Except in the case of any articulated vehicle first registered before the 17th day of December 1956, no person shall operate any articulated motor vehicle if any part of the trailing unit extends beyond 4 ft 6 in. forward in any direction from the centre of the turntable on which the trailing unit is hinged.”

(2) Regulation 57 of the principal regulations is hereby amended by omitting from subclause (1) the words "regulations 55 and 56", and substituting the words "regulation 55".

(3) The following regulations are hereby consequentially revoked:

(a) Regulation 14 of the Traffic Regulations 1956, Amendment No. 2:

(b) Regulation 17 of the Traffic Regulations 1956, Amendment No. 7.

14. **Towing**—Regulation 68 of the principal regulations is hereby amended by adding the following proviso:

"Provided that nothing in this regulation shall apply to a motor cycle classified as a vehicle of Class B by regulation 5 of the Motor Vehicle Taxation Regulations 1966\* while it is towing an agricultural trailer or a trailer classified as a vehicle of Class A by regulation 3 of those regulations and the motor cycle is not being driven at a speed exceeding 20 miles an hour."

P. J. BROOKS,  
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 amends regulation 26 of the principal regulations relating to the general speed limit of 55 miles an hour, and is consequential on the provisions of the new regulations 27B and 27C inserted by regulations 3 and 4 of these regulations.

Regulation 3 empowers the Minister to declare 60 miles an hour speed-limit areas.

Regulation 4 re-enacts provisions formerly in the proviso to regulation 26 (1) of the principal regulations defining the cases in which it is permissible to exceed the general 55 miles an hour speed limit, and extends them to apply to 60 miles an hour speed limits.

Regulation 5 authorises the Minister to fix minimum speeds for vehicles travelling in the right-hand lane where the roadway available for vehicles travelling in one direction is marked out in two or more lanes, and, with certain exemptions, makes it an offence for a person to drive in that lane at a speed lower than the minimum so fixed.

Regulation 6 provides for the erection of speed-limit signs at the approaches to those railway crossings at which the Minister of Transport has approved a special speed limit under section 64 of the Government Railways Act 1949.

Regulation 7 makes it an offence for school buses having a gross weight in excess of 2 tons to exceed a speed of 45 miles an hour.

Regulation 8 requires that on and after 1 May 1969 pneumatic tyres on motor vehicles are to have a minimum tread depth of  $\frac{1}{16}$  in. over at least three-quarters of the breadth of the tread and around the complete circumference. The regulation exempts certain types of vehicles from this requirement.

Regulation 9 makes left-hand mirrors compulsory on all heavy passenger and goods-service vehicles as from 1 April 1970.

Regulation 10 makes it an offence for a person to operate a motor vehicle so affected by corrosion or weakening of its structure that it is unsafe.

\*S.R. 1966/80

Amendment No. 1: S.R. 1966/187

Amendment No. 2: S.R. 1967/102

Amendment No. 3: S.R. 1968/39

Amendment No. 4: S.R. 1969/20



Regulation 11 makes the following amendments to regulation 52 of the principal regulations relating to warrants of fitness:

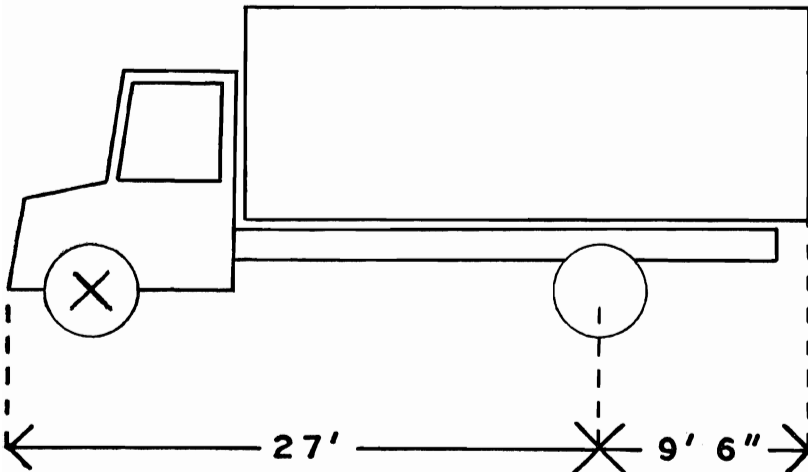
- (a) Subclause (6) of regulation 52 prohibits the issue of a warrant of fitness if the vehicle is not equipped in accordance with the provisions of certain regulations specified in that subclause. This subclause is amended to prohibit also the issue of a warrant of fitness if, by reason of the condition of any equipment or of the vehicle itself or of the absence of any equipment, the use of the vehicle would be a breach of any of those provisions.
- (b) As from a date to be fixed by the Minister, a testing authority may not issue a warrant of fitness if in its opinion, based on a visual external examination, the vehicle is unsafe because of corrosion or weakening of its structure. Until that date a testing authority has a discretion to decline to issue a warrant.

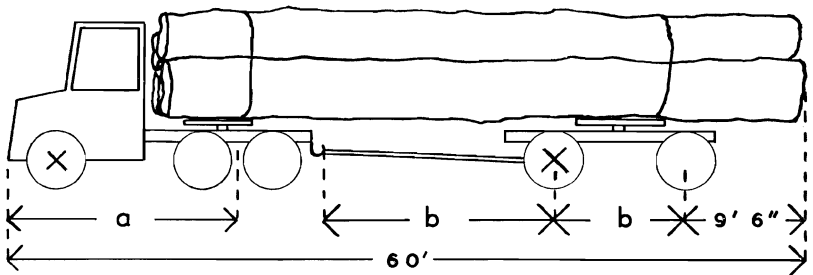
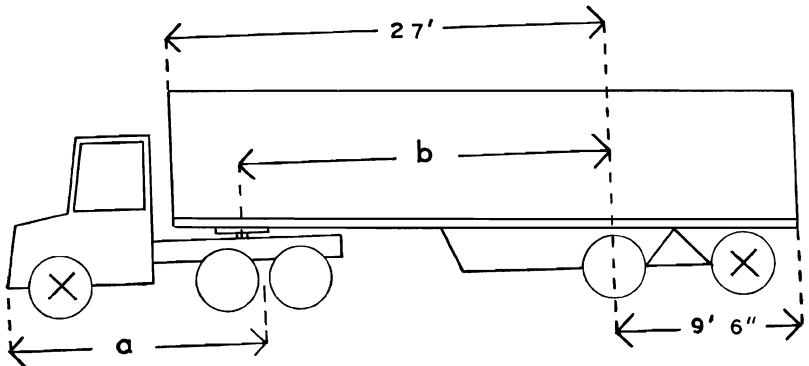
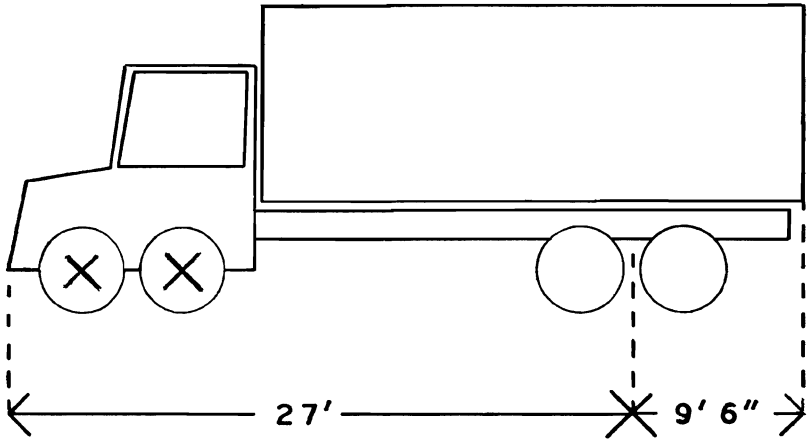
Regulation 12 increases by 5c the fees fixed by regulation 52 (8) of the principal regulations for warrants of fitness issued for motor cycles, trailers, and other motor vehicles.

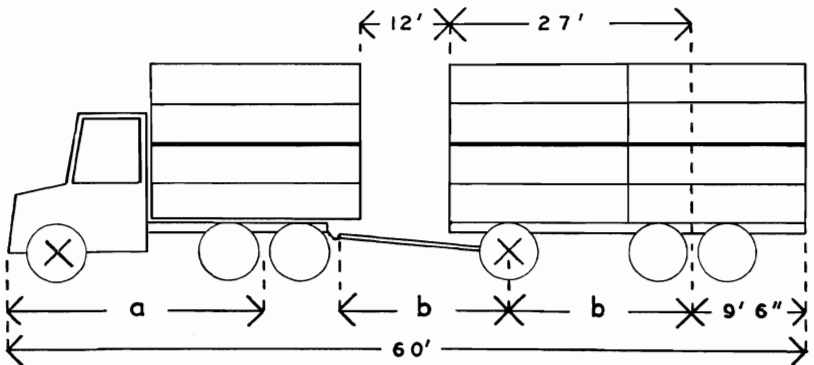
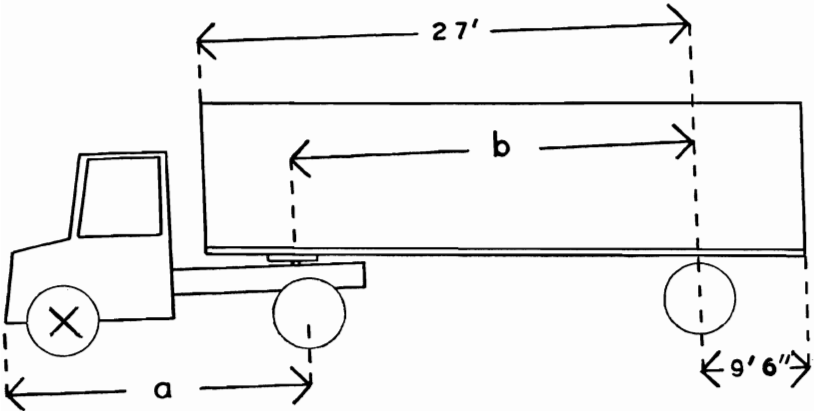
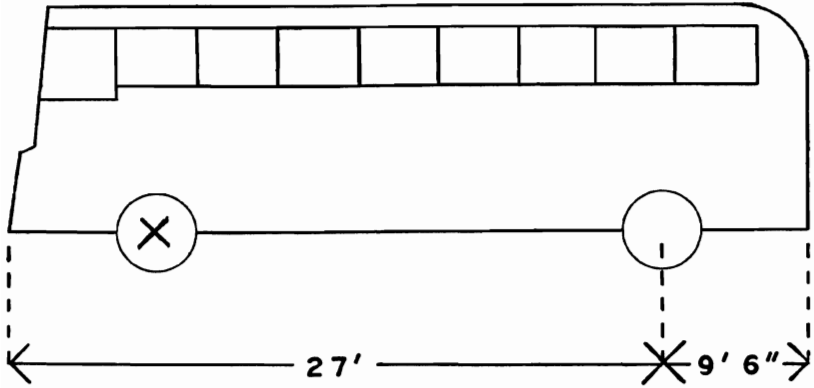
Regulation 13 consolidates, with amendments, regulations 55, 55A, and 56 of the principal regulations concerning loading and dimensions. The maximum width is increased from 8 ft to 8 ft 2½ in. New length provisions are adopted, and the effect of these on common types of vehicles is shown in the diagrams following this explanatory note. The maximum lengths permitted are shown in those diagrams.

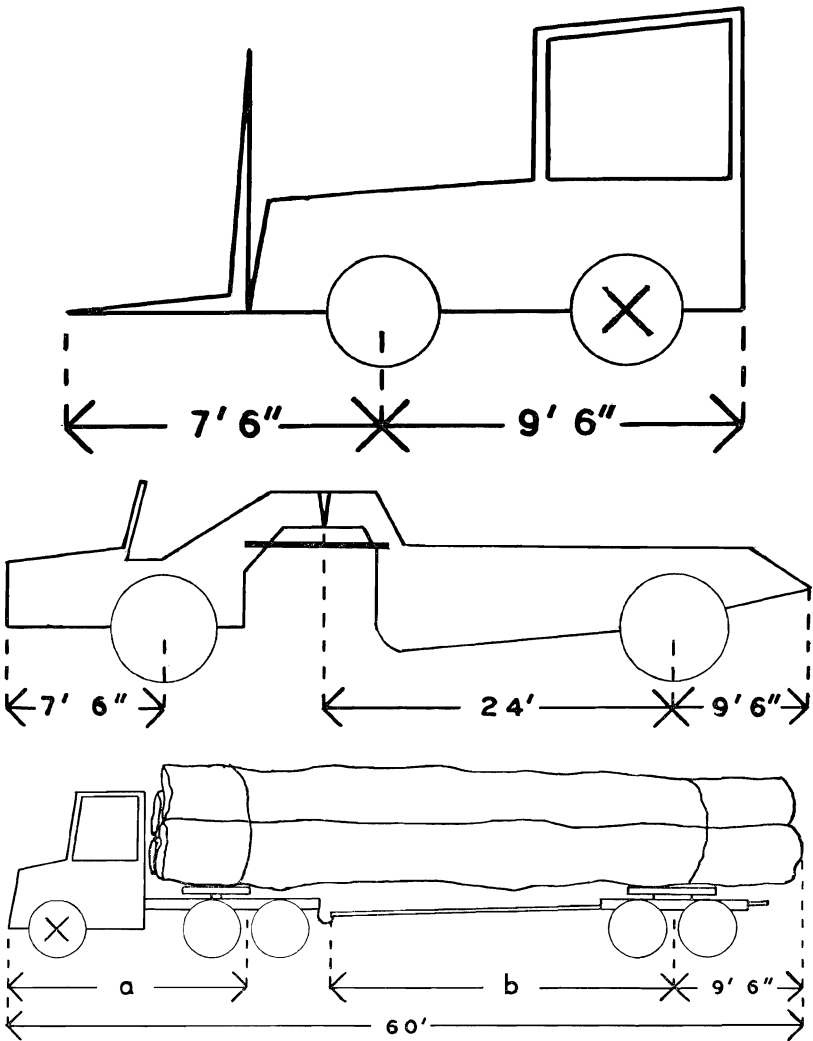
Regulation 14 permits a motor cycle used for farming or agricultural purposes to tow a trailer provided the speed does not exceed 20 miles an hour.

DIAGRAMS SHOWING EFFECT OF REGULATION 13  
(MAXIMUM DIMENSIONS)









The values for "a" and "b" are as follows:  
 Neither "a" nor "b" may exceed 24 ft, but—  
 "a" may not exceed 22 ft if "b" exceeds 15 ft.  
 "a" may not exceed 20 ft if "b" exceeds 18 ft.  
 "a" may not exceed 18 ft if "b" exceeds 20 ft.  
 "a" may not exceed 15 ft if "b" exceeds 22 ft.

NOTE: (X) designates a steering axle.

Issued under the authority of the Regulations Act 1936.  
 Date of notification in *Gazette*: 27 March 1969.  
 These regulations are administered in the Ministry of Transport.