



## THE TRAFFIC REGULATIONS 1956, AMENDMENT NO. 19

ARTHUR PORRITT, Governor-General

### ORDER IN COUNCIL

At the Government House at Wellington this 3rd day of August 1970

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. 19, and shall be read together with and deemed part of the Traffic Regulations 1956\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the fourteenth day after the date of their notification in the *Gazette*.

**2. Parking of trailers**—Regulation 19 of the principal regulations is hereby amended by inserting, after subclause (3), the following subclause:

“(3A) Except with the written permission of the controlling authority given in respect of any specified trailer, and in compliance with any conditions subject to which that permission is given, no person shall park a trailer on any roadway for a period exceeding 7 days. Nothing in this subclause shall derogate from any of the provisions of subclauses (1), (2), and (3) of this regulation.”

**3. Warrants of fitness**—Regulation 52 of the principal regulations is hereby amended by revoking subclause (10), and substituting the following subclause:

“(10) This regulation shall not apply to any motor vehicle which has been issued with or is required to be issued with a certificate of fitness, permit, or corresponding document issued under Part VII of the said Act.”

**4. Current certificate or warrant of fitness to be delivered to purchaser on sale of motor vehicle**—The principal regulations are hereby further amended by revoking regulation 53, and substituting the following regulation:

\*S.R. 1956/217 (Reprinted with Amendments Nos. 1 to 16: S.R. 1968/32)  
Amendment No. 17: S.R. 1969/54  
Amendment No. 18: S.R. 1969/115

*“Current Certificate or Warrant of Fitness to be Delivered to Purchaser on Sale of Motor Vehicle*

“53. (1) Except as provided in subclause (2) of this regulation, any person who sells a motor vehicle shall deliver to the purchaser at the time of delivery of the vehicle a certificate of fitness or permit under section 143 of the said Act current at the date of delivery or, as the case may require, a warrant of fitness under regulation 52 hereof issued with respect to the vehicle and having an expiry date at least 5 months after the date of delivery.

“(2) Subclause (1) of this regulation shall not apply to—

“(a) Any motor vehicle in respect of which by reason of its class or description neither a certificate of fitness nor a permit nor a warrant of fitness is required by law at the time of the sale; or

“(b) Any motor vehicle in respect of which the purchaser supplies to the seller at the time of delivery of the vehicle a statement in writing, in a separate document containing only that statement, undertaking that, except for the purpose of removing the vehicle to the premises of the purchaser or for the purpose of obtaining a certificate of fitness or permit or warrant of fitness, the purchaser will not use the vehicle on a road until he has obtained for the vehicle a certificate of fitness or permit or warrant of fitness issued after the date of delivery; or

“(c) Any heavy motor vehicle in respect of which a warrant of fitness is in force (whatever the date of its expiry) at the date of delivery.

“(3) Every purchaser who supplies to the seller a statement in writing specified in paragraph (b) of subclause (2) of this regulation commits an offence if he uses the vehicle on the road in breach of his undertaking in that statement.”

**5. Restrictions as to loading and dimensions—**(1) The principal regulations are hereby further amended by revoking regulation 55 (as substituted by regulation 13 (1) of the Traffic Regulations 1956, Amendment No. 17) and the heading thereto, 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 axis of the vehicle 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 axis of the trailer to the axle steered by the towbar:

“(c) In relation to any other trailer, means the distance from the rear axis 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 axis’—

“(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 flag of the type specified by regulation 58 hereof to indicate excess dimensions.

“(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 its forward length exceeds 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 axis 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 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 extends more than 10 ft forward from the front edge of the driver’s seat.

“(9) No person shall operate any motor vehicle if the vehicle or its load extends backward more than 12 ft from the rear axis.

“(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.

“(13) Except in the case of a vehicle first registered before the 1st day of January 1971, no person shall operate any motor vehicle or combination of motor vehicles if the vehicle or combination is not capable of completing a 360° turn without projecting outside the circumference of a circle of 80 ft diameter.”

(2) Regulation 13 of the Traffic Regulations 1956, Amendment No. 17 is hereby consequentially amended by revoking subclause (1).

**6. Flag to indicate excess dimensions**—The principal regulations are hereby further amended by revoking regulation 58, and substituting the following heading and regulation:

*“Flag to Indicate Excess Dimensions*

“58. (1) No person shall operate a motor vehicle under a permission given under regulation 57 hereof, or any motor vehicle the load of which projects more than 3 ft backward from the body of the vehicle or more than 3 ft forward from the body of the vehicle, unless the projecting load or the excess dimensions of the vehicle are suitably indicated by means of a clean white flag or a red or orange or yellow fluorescent flag. Such flags shall be at least 18 in. long and 9 in. wide.

“(2) Notwithstanding anything in subclause (1) of this regulation, the Secretary for Transport—

“(a) In writing, may exempt any specified motor vehicle or any specified load from the requirements of subclause (1) of this regulation and may prescribe an alternative method of indicating the excess dimensions or the projecting load:

“(b) By notice in the *Gazette*, may exempt any specified type of motor vehicle or any specified type of load from the requirements of subclause (1) of this regulation and may prescribe an alternative method of indicating the excess dimensions or the projecting load.

“(3) Where under subclause (2) of this regulation the Secretary for Transport exempts any specified motor vehicle or load or any type of motor vehicle or load from the requirements of subclause (1) of this regulation and prescribes an alternative method of indicating the excess dimensions or the projecting load, no person shall operate any motor vehicle pursuant to that exemption, unless the excess dimensions or the projecting load are indicated by the method so prescribed.”

**7. Appointment of school patrols**—(1) Regulation 112 of the principal regulations is hereby amended—

- (a) By omitting from subclause (1) the words “pupils of the school”, and substituting the words “any persons”;
- (b) By omitting from subclause (3) the words “pupils of the school”, and substituting the word “persons”.

(2) Regulation 112 of the principal regulations is hereby further amended by inserting, after subclause (3), the following subclause:

“(3A) No person other than a pupil of the school may be appointed as a member of a school patrol under this regulation unless he—

- “(a) Is under 60 years of age; and
- “(b) Is physically fit; and
- “(c) Is the holder of a current driver’s licence:

“Provided that the fact that any person appointed as a member of a school patrol was not qualified for appointment under this subclause shall not be a defence in proceedings for an offence against regulation 15 of these regulations (which relates to the duties of a driver approaching a pedestrian crossing at which a school patrol is operating).”

P. J. BROOKS,  
Clerk of the Executive Council.

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#### EXPLANATORY NOTE

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

Regulation 2 provides that except with the written permission of the controlling authority, no person may park a trailer (which term includes a caravan) on any roadway for a period exceeding 7 days.

Regulation 3 excludes from the operation of regulation 52 of the principal regulations (relating to warrants of fitness) motor vehicles which have been issued with or are required to be issued with a certificate of fitness, permit, or corresponding document issued under Part VII of the Transport Act 1962. The former provision excluded only vehicles lawfully used under such a certificate of fitness, permit, or corresponding document.

Regulation 4 substitutes a new regulation for regulation 53 of the principal regulations, relating to the obligation of the seller of a motor vehicle to supply to the purchaser a current certificate of fitness or permit or a recent warrant of fitness unless the purchaser undertakes in writing not to use the vehicle on the road until a new certificate or permit or warrant is obtained. The changes in the new regulation 53 are—

- (a) Where a warrant is supplied, it must be one having an expiry date not earlier than 5 months after the date of delivery of the vehicle. The date of expiry and not the date of issue normally appears on the warrant.
- (b) Where an undertaking is given by the purchaser, this must be contained in a separate document.
- (c) The undertaking will be one which permits the purchaser to use the vehicle on the road for the purpose of removing it to his own premises (as formerly) and also for the purpose of obtaining a certificate of fitness or permit or warrant of fitness.
- (d) It is made an offence for the purchaser to use the vehicle on the road in breach of his undertaking.

Regulation 5 substitutes a new regulation for regulation 55 of the principal regulations imposing restrictions on loading and dimensions. The changes in the new regulation 55 are as follows:

- (a) The permissible front overhang limit is fixed at 10 ft measured from the front of the driver’s seat. Previously the limit was fixed at 1 ft 6 in. from the foremost part of the vehicle or 7 ft 6 in. from the front axle.

(b) The permissible rear overhang limit is increased from 9 ft 6 in. to 12 ft.

(c) A swept turning circle limit of 80 ft diameter is fixed for vehicles first registered on or after 1 January 1971.

Regulation 6 substitutes a new regulation for regulation 58 of the principal regulations, relating to the carriage of a white cloth to indicate excess dimensions. The new regulation 58 provides that excess dimensions or a projecting load must be indicated by a white flag or a red or orange or yellow fluorescent flag. The Secretary for Transport may grant exemptions from this requirement and, where he grants an exemption, may prescribe an alternative method of indicating the excess dimensions or the projecting load.

Regulation 7 enables persons who are not pupils of the school concerned to be appointed as members of a school patrol. Such a person must be physically fit, under 60 years of age, and the holder of a current driver's licence.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 6 August 1970.

These regulations are administered in the Ministry of Transport.