

1972/252



THE TRAFFIC REGULATIONS 1956, AMENDMENT NO. 23

DENIS BLUNDELL, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 20th day of November 1972

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

(2) Regulations 13, 14, and 16 of these regulations shall come into force on the 1st day of April 1973.

(3) Except as provided in subclause (2) of this regulation, these regulations shall come into force on the 7th day after the date of their notification in the *Gazette*.

2. Definition of "motor vehicle"—Regulation 3 of the principal regulations is hereby amended by revoking the definition of the term "motor vehicle" and substituting the following definition:

"'Motor vehicle' means a vehicle drawn or propelled by mechanical power; and includes a trailer; but does not include:

- "(a) A vehicle running on rails; or
- "(b) An invalid carriage; or
- "(c) A trailer (not being a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of any of Her Majesty's Forces; or
- "(d) A trailer running on 1 wheel and designed exclusively as a speed-measuring device or for testing the wear of vehicle tyres; or

*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
 Amendment No. 19: S.R. 1970/157
 Amendment No. 20: S.R. 1970/272
 Amendment No. 21: S.R. 1971/117
 Amendment No. 22: S.R. 1972/83

- “(e) A vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
“(f) A pedestrian controlled machine:”.

3. Controlling authorities—Regulation 4 of the principal regulations (as amended by regulation 2 of the Traffic Regulations 1956, Amendment No. 3) is hereby further amended by adding to subclause (1) the following paragraph:

- “(h) In the case of the road commonly known as the tunnel—access road in Christchurch extending from the intersection with Ferry Road, Christchurch, to the toll booths for the Christchurch-Lyttelton road tunnel, by the Christchurch-Lyttelton Road Tunnel Authority.”

4. Blocking an intersection—The principal regulations are hereby further amended by inserting, after regulation 12A (as inserted by regulation 5 (1) of the Traffic Regulations 1956, Amendment No. 2), the following regulation:

“Blocking an Intersection

“12B. Notwithstanding anything in regulation 18 hereof, no driver shall enter an intersection when his intended passage through the intersection or his intended exit from it is blocked by stationary traffic.”

5. Stopping at tram stops—The principal regulations are hereby further amended by revoking regulation 13.

6. Restrictions on the stopping or parking of vehicles—Regulation 19 of the principal regulations is hereby amended by revoking paragraph (e) of subclause (2) (as substituted by regulation 8 (1) of the Traffic Regulations 1956, Amendment No. 15), and substituting the following paragraph:

- “(e) In any part of a roadway so close to any corner, bend, rise, safety zone, or intersection as to obstruct or be likely to obstruct other traffic or any view of the roadway to the driver of a vehicle proceeding towards that corner, bend, rise, safety zone, or intersection, or within 20 feet of an intersection, or on any part of a roadway where the controlling authority has marked a broken yellow line parallel to and at a distance of not less than 2 feet nor more than 4 feet from the edge of the roadway:”.

7. Exemption of motor vehicles from equipment and inspection requirements—Regulation 25 of the principal regulations is hereby amended by revoking paragraph (e) and inserting the following paragraphs:

- “(e) Vehicles normally propelled by mechanical power while they are being temporarily towed without the use of their own power:
“(f) Trailers designed exclusively for agricultural purposes and not used on any road except when proceeding to or from a farm or from one part of a farm to another part of the same farm:

“(g) Such other types of motor vehicle as may be exempted from time to time by Order in Council published in the *Gazette*.”

8. School buses—Regulation 33 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) No person shall operate a school bus which is being used (whether for hire or reward or not)—

“(a) Exclusively for the carriage (in addition to the driver) of school children to or from school whether with or without their teachers; or

“(b) Principally for the carriage of school children to or from a school function—

unless the vehicle displays, both at the front facing forward and at the rear facing rearwards, either of the signs prescribed by regulation 33A hereof. The sign at the rear of the school bus shall be mounted not less than 6 ft from the ground, in the centre line or the right thereof of the school bus. When the vehicle is not being used for the carriage of children as hereinbefore described, the signs shall not be displayed.”

9. Description of school bus signs—(1) The principal regulations are hereby further amended by inserting, after regulation 33, the following regulation:

“Description of School Bus Signs

“33A. (1) The signs required by regulation 33 (2) hereof shall either be in the form of diagram No. 6 in the Third Schedule hereto—that is to say a rectangle 33 in. in width by 12 in. in height bearing the word ‘School’ or in the form of diagram No. 7 in that Schedule—that is to say a rectangle 48 in. in width by 12 in. in height bearing the words ‘School Bus’; the word or words of both the signs to be in black letters 6 in. high on a fluorescent yellow background surrounded by a 1 in. black border.

“(2) Until the 1st day of February 1974, a school bus may display, instead of either of the signs described in subclause (1) of this regulation, a sign at the front facing forward and at the rear facing rearwards containing, on a yellow background, the words ‘School Bus’ in black capital letters at least 6 in. high in the style known as bold face sans-serif, the letters of which are plain, legible, and uniform in size.”

(2) The Third Schedule to the principal regulations is hereby amended by adding the diagrams Nos. 6 and 7 set out in the Schedule to these regulations.

10. General lighting requirements—Regulation 34 of the principal regulations is hereby amended by revoking subclause (4), and substituting the following subclause:

“(4) Except as permitted by regulations 38, 39, and 40 hereof, no vehicle shall be equipped with a lamp that displays towards the rear any light other than red or amber, or with a lamp or reflecting surface that displays towards the front any red or reddish light, or with a lamp that displays any flashing or revolving light:

“Provided that this subclause shall not apply to direction indicators or to lamps not exceeding 6 watts in the interior of a vehicle serving to light the interior for the convenience of passengers.”

11. Lights used by medical practitioners—Regulation 39 of the principal regulations (as substituted by regulation 13 (1) of the Traffic Regulations 1956, Amendment No. 15) is hereby amended by adding the following subclause:

“(7) A motor vehicle used by a registered medical practitioner may be equipped with one flashing or revolving green lamp on the top of the vehicle and visible from the front or from all directions for use while on urgent medical service only.”

12. Seat belts—Regulation 51B of the principal regulations (as inserted by regulation 3 of the Traffic Regulations 1956, Amendment No. 22) is hereby amended by inserting, after subclause (2), the following subclause:

“(2A) A passenger of or over the age of 15 years (not being a person who is exempted from wearing a seat belt) who is occupying a front seat of a motor vehicle shall wear the seat belt fitted pursuant to this regulation for the use of a passenger unless that seat belt is being worn by another passenger.”

13. Exhaust system and silencer—The principal regulations are hereby further amended by inserting, after regulation 51E (as inserted by regulation 10 of the Traffic Regulations 1956, Amendment No. 17), the following regulation:

“Exhaust System and Silencer

“51F. No person shall operate any motor vehicle having an internal combustion engine, unless it is equipped with an exhaust system and a silencer which are effective and in good working order, and unless the silencer is so constructed or adapted that it is impossible to interfere readily with its operation or effectiveness at any time.”

14. Warrants of fitness—(1) Regulation 52 of the principal regulations (as substituted by regulation 3 of the Traffic Regulations 1956, Amendment No. 21) is hereby amended by inserting, after subclause (7), the following subclause:

“(7A) Any approved testing authority may in his or its discretion decline to issue a warrant of fitness in respect of any motor vehicle if in his or its opinion the exhaust system or silencer is not effective and in good working order, or it is possible to interfere readily with the operation or effectiveness of the silencer at any time.”

(2) Regulation 52 of the principal regulations (as so substituted) is hereby further amended by omitting from subclause (1) the words “subclause (10)”, and substituting the words “subclause (13)”.

15. Further provisions as to warrants of fitness—The principal regulations are hereby further amended by inserting, after regulation 52 (as so substituted), the following regulation:

“Further Provisions as to Warrants of Fitness

“52A. (1) No person shall operate a motor vehicle to which a warrant of fitness is affixed if the vehicle is no longer so equipped or in such a condition as to justify the issue for it of a warrant of fitness pursuant to regulation 52 hereof:

“Provided that it shall be a defence in any proceedings for a breach of this subclause if the defendant proves that the motor vehicle was being operated solely for the purpose of obtaining a new warrant of fitness.

“(2) No person shall operate a motor vehicle which displays both an expired warrant of fitness and a current warrant of fitness.

“(3) When issuing a new warrant of fitness for a motor vehicle, the issuing authority may remove or require the removal of any warrant of fitness already displayed on the motor vehicle.”

16. Silencers on motor cycles—Regulation 66 of the principal regulations is hereby revoked.

17. Bicycle equipment—Regulation 78 of the principal regulations is hereby amended by revoking subclause (6).

18. Erection of traffic signs—Regulation 125 of the principal regulations is hereby amended by adding to subclause (11) the words “unless such a prohibition is indicated by a broken yellow line marked pursuant to regulation 129A hereof”.

19. Road markings—The principal regulations are hereby further amended by revoking regulation 129A (as inserted by regulation 29 of the Traffic Regulations 1956, Amendment No. 15), and substituting the following regulation:

“Road Markings

“129A. A controlling authority may mark on any part of a roadway where the stopping, standing, or parking of vehicles is prohibited at all times by these regulations, or pursuant to a bylaw of the controlling authority, a broken yellow line parallel to, and at a distance of not less than 2 ft nor more than 4 ft from, the edge of the roadway.”

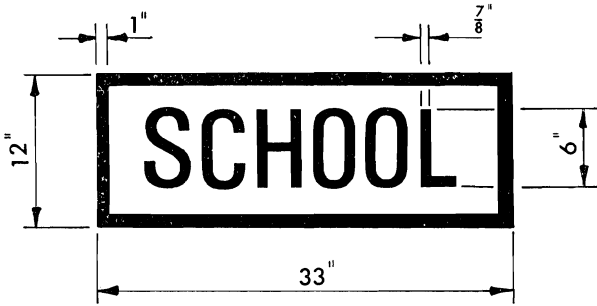
SCHEDULE

Reg. 9 (2)

SCHOOL BUS SIGNS

Reg. 33A (1)

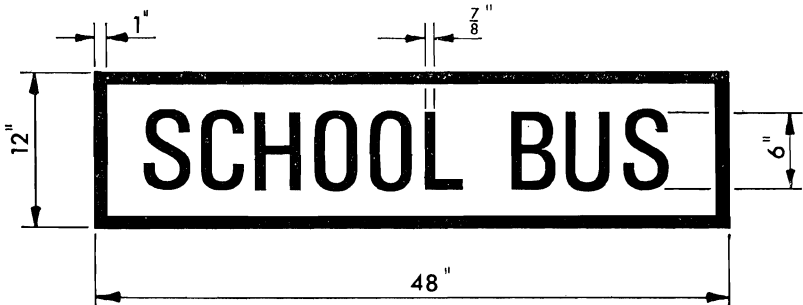
Diagram No. 6



Black on yellow fluorescent background with black border.

Reg. 33A (1)

Diagram No. 7



Black on yellow fluorescent background with black border.

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 substitutes a new definition of "motor vehicle" in the principal regulations. The new definition is the same as the present definition of that term in section 2 of the Transport Act 1962.

Regulation 3 declares the Christchurch-Lyttelton Road Tunnel Authority to be the controlling authority for the purposes of the regulations of the tunnel-access road from Ferry Road to the toll booths for the tunnel.

Regulation 4 prohibits a driver from entering an intersection if his intended passage through the intersection or his intended exit from it is blocked by stationary traffic.

Regulation 5 revokes the provisions of the principal regulations as to stopping at tram stops.

Regulation 6 amends the provisions relating to stopping, standing, or parking near corners, bends, rises, safety zones, and intersections.

Regulation 7 exempts from the equipment (except lights) and inspection requirements of the principal regulations vehicles temporarily being towed without the use of their own mechanical power and certain farm trailers.

Regulation 8 alters the provisions as to displaying signs on school buses.

Regulation 9 prescribes forms of signs for school buses.

Regulation 10 prohibits the use of any flashing or revolving lights except where the principal regulations otherwise provide. Previously only flashing red or amber lights were prohibited.

Regulation 11 permits medical practitioners to use flashing or revolving green lights while on urgent medical service.

Regulation 12 provides that any passenger occupying a front seat of a motor vehicle must wear the seat belt fitted in compliance with regulation 51B for the use of a passenger unless that seat belt is being worn by another passenger.

Regulation 13 requires all motor vehicles fitted with an internal combustion engine to have an effective exhaust system and silencer in good working order. This requirement is to come into force on 1 April 1973.

Regulation 14 empowers an issuing authority to refuse to issue a warrant of fitness for a motor vehicle if its exhaust system or silencer is not effective and in good working order. This provision is also to come into force on 1 April 1973.

Regulation 15 makes the following provisions with respect to warrants of fitness:

(a) A person may not operate a motor vehicle having a warrant of fitness if the condition of the vehicle or any of its equipment is such that a new warrant could not be issued.

(b) A motor vehicle may not display both an expired and a current warrant of fitness.

(c) The authority issuing a new warrant of fitness may remove a warrant already displayed on the vehicle.

Regulation 16 revokes regulation 66 of the principal regulations relating to silencers on motor cycles. Regulation 13 of these regulations now makes provision for silencers on motor vehicles generally, including motor cycles.

Regulation 17 revokes the requirement that bicycles are to be fitted with a bell.

Regulation 18 provides that a "No Stopping" or "No Standing" or "No Parking" sign is not required if the roadway is marked with a broken yellow line in accordance with regulation 129A of the principal regulations.

Regulation 19 re-enacts the provisions of the former regulation 129A of the principal regulations relating to the marking of broken yellow lines on roadways as an alternative to erecting traffic signs. The new regulation permits the roadway to be so marked where the stopping, standing, or parking is prohibited by the principal regulations (as in the former regulation 129A) and also where the prohibition is contained in the controlling authority's bylaws.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 November 1972.

These regulations are administered in the Ministry of Transport.