

1978/72



THE TRAFFIC REGULATIONS 1976, AMENDMENT NO. 1

KEITH HOLYOAKE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 20th day of March 1978

Present:

THE RIGHT HON. R. D. MULDOON PRESIDING 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.

ANALYSIS

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| 1. Title and commencement | 8. Tyres |
| 2. Pedestrian crossings | 9. Issue of warrants and certificates of fitness |
| 3. Use of motor-vehicle lights | 10. Warrants or certificates of fitness to be displayed and vehicle standard maintained |
| 4. Direction-indicator lamps | 11. Current certificate or warrant of fitness to be delivered to purchaser on sale of motor vehicle |
| 5. Additional lamps on heavy motor vehicles | 12. Parking signs |
| 6. Warning devices for disabled or stopped vehicles | 13. Description of traffic signs |
| 7. Special provisions as to lights on specialist vehicles | |

REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Traffic Regulations 1976, Amendment No. 1, and shall be read together with and deemed part of the Traffic Regulations 1976* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of April 1978.

2. Pedestrian crossings—(1) The principal regulations are hereby amended by revoking regulation 12, and substituting the following regulation:

“12. (1) Every driver when approaching a pedestrian crossing shall give way to any pedestrian on that pedestrian crossing and, if necessary,

*S.R. 1976/227

shall slow down and stop his vehicle for that purpose. For the purposes of this subclause, where a pedestrian crossing is interrupted by a centre line or traffic island, the parts of the crossing that are situated on different sides of the centre line or traffic island, as the case may be, shall be deemed to be separate pedestrian crossings.

“(2) No driver shall overtake or pass any vehicle that has stopped or slowed down to comply with subclause (1) of this regulation.

“(3) This regulation shall not apply to any pedestrian crossing that is for the time being controlled by a traffic officer or police officer.”

(2) Regulation 91 (3) of the principal regulations is hereby amended by revoking paragraph (b), and substituting the following paragraph:

“(b) The crossing marking may be interrupted by a centre line.”.

3. Use of motor-vehicle lights—Regulation 37 (9) of the principal regulations is hereby amended by omitting the words “Except as permitted by regulations 65 to 67 hereof”, and substituting the words “Except as required or permitted by any of regulations 62, 63, and 65 to 67 hereof”.

4. Direction-indicator lamps—(1) Regulation 63 of the principal regulations is hereby amended by inserting in subclause (1) and also in subclause (3), after the word “approved”, the word “flashing”.

(2) Regulation 63 (4) (b) of the principal regulations is hereby amended—

(a) By omitting the words “so as not to be visible from the front”;

(b) By omitting the figure “90” in both places where it occurs, and substituting in each case the figure “60”.

(3) Regulation 63 (6) of the principal regulations is hereby amended by revoking paragraph (a), and substituting the following paragraph:

“(a) Any heavy motor vehicle—

“(i) That was first registered before the 1st day of June 1965 and the construction, loading, or intended loading of which does not prevent a satisfactory arm signal being seen by a following driver; or

“(ii) That was first registered before the 1st day of July 1967 and that has fitted on its right side an approved flashing direction-indicator lamp; or”.

(4) Regulation 63 (6) of the principal regulations is hereby further amended by revoking paragraph (e), and substituting the following paragraph:

“(e) Any motor vehicle (other than a heavy motor vehicle) first registered before the 1st day of July 1967.”

5. Additional lamps on heavy motor vehicles—Regulation 64 (1) of the principal regulations is hereby amended by omitting the figure “90” wherever it occurs, and substituting in each case the figure “60”.

6. Warning devices for disabled or stopped vehicles—The principal regulations are hereby amended by revoking regulation 66, and substituting the following regulation:

“66. (1) Notwithstanding anything to the contrary in these regulations, a motor vehicle that is fitted with approved direction-indicator lamps consisting of 4 or more flashing lights, 2 or more of which are

located at the front of the vehicle and 2 or more of which are located at the rear of the vehicle, may be fitted with a switch for the purpose of causing all of those lights to flash simultaneously.

“(2) The lights specified in subclause (1) of this regulation may be operated simultaneously only for the purpose of indicating that—

- “(a) A vehicle has been immobilised by a mishap or is stationary at the site of a temporary hazard to traffic; or
- “(b) A goods-service vehicle has stopped with a vehicle between it and the nearest edge of the roadway in such circumstances that regulation 36 (2) (b) hereof applies.”

7. Special provisions as to lights on specialist vehicles—(1) Regulation 67 (3) of the principal regulations is hereby amended by inserting, after the word “red”, the word “, blue,”.

(2) The principal regulations are hereby amended by inserting in regulation 9 (5) and also in the proviso to regulation 18 (1), after the word “red”, the words “or blue”.

8. Tyres—Regulation 71 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(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 1.5 mm 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 that is not capable of a speed in excess of 30 kilometres an hour, nor to any trailer drawn by such a vehicle, nor to any trailer that has a gross weight of less than 1,000 kg, nor to any power cycle, nor to any tyre on a twin wheel fitted to a vehicle that is not principally designed for the carriage of passengers unless both the tyres fitted to that twin wheel have a tread pattern less than that specified as aforesaid.”

9. Issue of warrants and certificates of fitness—Regulation 84 of the principal regulations is hereby amended—

- (a) By inserting in subclause (4), after the words “The existence of such a warrant”, the words “or certificate or permit”;
- (b) By omitting from subclause (5) the words “or permit”;
- (c) By revoking subclause (9), and substituting the following subclause:

“(9) On application by any person to whom a warrant of fitness or certificate of fitness has been issued and on proof to the satisfaction of the approved testing authority that the warrant or certificate has been lost or destroyed, the approved testing authority that issued the warrant or certificate shall at any time during the currency of the warrant or certificate issue to the applicant a duplicate warrant or certificate free of charge. Every such duplicate shall for the purposes of these regulations have the same effect as the original.”

10. Warrants or certificates of fitness to be displayed and vehicle standard maintained—(1) Regulation 85 (1) of the principal regulations is hereby amended by adding the following proviso:

“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 current warrant of fitness or certificate of fitness or permit.”

(2) The proviso to regulation 85 (5) of the principal regulations is hereby amended by omitting the words “the motor vehicle was being operated solely for the purpose of obtaining a new warrant of fitness or certificate of fitness or permit, or that”.

11. Current certificate or warrant of fitness to be delivered to purchaser on sale of motor vehicle—Regulation 86 (2) (b) of the principal regulations is hereby amended by inserting, after the words “premises of the purchaser”, the word “or”.

12. Parking signs—(1) Regulation 123 of the principal regulations is hereby amended by adding the following proviso to subclause (1):

“Provided that no signs shall be necessary to indicate parking restrictions or their extent where parking is controlled by parking meters.”

(2) Regulation 123 (3) of the principal regulations is hereby amended by revoking the proviso.

13. Description of traffic signs—The Fourth Schedule to the principal regulations is hereby amended—

(a) By inserting in the description of sign No. 17, after the words “to the right or to the”, the word “left”;

(b) By omitting from the description of sign No. 69 the expression “1.8 metres”, and substituting the expression “1.5 metres”.

P. G. MILLEN,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations, which come into force on 1 April 1978, amend the Traffic Regulations 1976 by—

- (a) Substituting new provisions relating to pedestrian crossings. The new provisions are substantially the same as those in force before the commencement of the Traffic Regulations 1976;
- (b) Altering certain requirements relating to direction-indicator and other lamps on heavy motor vehicles;
- (c) Altering certain provisions relating to warning lights;
- (d) Permitting the fitting of blue flashing or revolving lights to traffic and police cars; and extending exemptions relating to intersections and places controlled by traffic signals to cars so fitted;
- (e) Reducing the minimum tread depth for tyres used on passenger-service vehicles from 3 mm to 1.5 mm; and
- (f) Making various other drafting amendments.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 22 March 1978.

These regulations are administered in the Ministry of Transport.