

1987/213



THE TRAFFIC REGULATIONS 1976, AMENDMENT NO. 15

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 20th day of July 1987

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 77, 79, and 199 of 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.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Traffic Regulations 1976, Amendment No. 15, and shall be read together with and deemed part of the Traffic Regulations 1976* (hereinafter referred to as the principal regulations).

(2) Except as provided in regulation 4 (2) of these regulations, these regulations shall come into force on the 1st day of August 1987.

2. Interpretation—(1) Regulation 2 of the principal regulations is hereby amended by omitting from the definition of the term “auxiliary headlamp” the words “supplement or”

(2) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “centre line”, and substituting the following definition:

“‘Centre line’ means a dotted or solid line or line of raised studs (or any combination of those lines or combination of those lines and studs) intended to separate 2 directions of traffic:”.

3. Seat belt exemption—Regulation 30c of the principal regulations (as substituted by regulation 4 of the Traffic Regulations 1976, Amendment No. 11) is hereby amended by adding the following paragraph:

“(e) Is a constable, traffic officer, or prison officer travelling with another person who is not a constable, traffic officer, or prison officer in circumstances in which it is impractical or undesirable to wear a seat belt.”

4. Safety helmets for motorcyclists—(1) Regulation 31 of the principal regulations is hereby amended by revoking subclause (3) (as amended by regulation 3 of the Traffic Regulations 1976, Amendment No. 10), and substituting the following subclauses:

“(3) Subclause (1) of this regulation shall not apply to any driver of or rider on a motorcycle or moped who—

“(a) Is driving or riding in accordance with the terms and conditions of any certificate of exemption issued by the Secretary under subclause (3A) of this regulation; and

“(b) Is carrying that certificate of exemption; and

*S.R. 1976/227

- Amendment No. 1: S. R. 1978/72
- Amendment No. 2: S. R. (Revoked)
- Amendment No. 3: S. R. (Revoked)
- Amendment No. 4: S. R. 1980/31
- Amendment No. 5: S. R. 1981/115
- Amendment No. 6: S. R. 1981/158
- Amendment No. 7: S. R. 1981/311
- Amendment No. 8: S. R. 1982/98
- Amendment No. 9: S. R. 1983/282
- Amendment No. 10: S. R. 1984/31
- Amendment No. 11: S. R. 1984/169
- Amendment No. 12: S. R. 1985/70
- Amendment No. 13: S. R. 1985/144
- Amendment No. 14: S. R. 1985/289

“(c) Is travelling at a speed not exceeding 50 kilometres an hour.

“(3A) The Secretary may issue a certificate of exemption from the requirement to wear a safety helmet to any person who produces a medical certificate, issued by a registered medical practitioner not more than 60 days before the date on which the person applies to the Secretary, to the effect that the person is unable by reason of a medical condition to wear a safety helmet.

“(3B) A certificate of exemption shall be current for such period not exceeding 2 years, and subject to such terms and conditions, as the Secretary thinks fit.”

(2) This regulation shall come into force on the 1st day of November 1987.

5. New Part relating to cycles and mopeds substituted—(1) The principal regulations are hereby amended by revoking Part III, and substituting the following Part:

“PART III—RULES FOR CYCLES AND MOPEDS

“38. **Carrying restrictions—**No person shall ride a cycle or moped on any road while it is carrying any passenger, unless—

“(a) The passenger is carried on a pillion seat designed for that purpose and footrests are provided for that person; and

“(b) In the case of an infant, the infant is carried in a container or seat that is designed to protect the legs of the infant from coming into contact with the wheels of the vehicle.

“39. **Towing restrictions—**(1) No person shall ride a cycle or moped on any road while it is towing any vehicle other than a trailer.

“(2) No rider of a cycle or moped shall permit the cycle or moped to be towed by any other vehicle.

“40. **Riding abreast—**No person shall ride a cycle or moped on any roadway so that it remains abreast and to the right of—

“(a) Two other such vehicles; or

“(b) One other such vehicle while that vehicle is overtaking and passing another vehicle; or

“(c) Any other vehicle having 3 or more road wheels (including a motor cycle fitted with a sidecar).

“41. **Cycle tracks, footpaths, etc.—**(1) When a reasonably adequate cycle track is available, every rider of a cycle or moped shall keep to the track as far as is practicable.

“(2) No person shall ride a cycle or moped on any footpath or on any lawn, garden, or other cultivation forming part of a road.

“(3) Nothing in subclause (2) of this regulation shall apply to any person who rides a cycle on a footpath in the course of delivering newspapers, mail, or printed material to letterboxes.

“42. **Lighting and reflector requirements for mopeds—**(1) No person shall ride a moped on any road during the hours of darkness, unless it has attached at the front a lamp displaying a beam of light substantially white in colour and of sufficient power to enable substantial objects and the nature of the road surface at a distance of at least 30 m directly in front

of the vehicle to be clearly visible under normal atmospheric conditions to a driver of normal vision.

“(2) No person shall ride a moped on any road unless it displays to the rear—

“(a) A white surface of at least 75 cm² (inclusive of the area taken up by an approved reflector) or approved reflecting red tape not less than 50 cm² in area maintained in a clean condition at a place where the surface or tape is not likely to be obscured by the rider or the rider’s clothes; and

“(b) An approved red reflector in a clean and efficient condition or approved reflecting red tape not less than 50 cm² in area placed at the back of the moped so as to reflect directly to the rear light shining towards it from rearward of the moped.

“(3) No person shall ride a moped during the hours of darkness on any road unless it displays to the rear—

“(a) In the case of a moped manufactured before the 1st day of January 1988, a red light which is visible under normal atmospheric conditions at least 100 m to the rearward, or an approved lamp displaying a red light;

“(b) In the case of a moped manufactured on or after the 1st day of January 1988, an approved lamp displaying a red light.

“(4) No person shall ride on any road any moped that is equipped with a lamp that displays towards the rear any light other than a red light, or with a lamp or reflecting surface that displays towards the front any red light.

“43. Lighting and reflector requirements for cycles manufactured before 1 January 1988—(1) No person shall ride a cycle manufactured before the 1st day of January 1988 on any road during the hours of darkness, unless it has attached at the front a lamp displaying a light substantially white in colour of sufficient brilliance to be visible under normal atmospheric conditions for at least 100 m in a forward direction, or an approved lamp displaying a white light.

“(2) No person shall ride on any road a cycle manufactured before the 1st day of January 1988 unless it displays to the rear—

“(a) During the hours of darkness, a red light which is visible under normal atmospheric conditions at least 100 m to the rearward; and

“(b) A white surface of at least 75 cm² (inclusive of the area taken up by an approved reflector) or approved reflecting red tape not less than 50 cm² in area, maintained in a clean condition at a place where the surface or tape is not likely to be obscured by the rider or the rider’s clothes; and

“(c) An approved red reflector in a clean and efficient condition or approved red reflecting tape not less than 50 cm² in area, placed at the back of the vehicle so as to reflect directly to the rear light shining towards it from rearward of the vehicle.

“(3) It shall be sufficient compliance with the requirements of paragraphs (b) and (c) of subclause (2) of this regulation if the cycle displays to the rear an approved red or yellow reflector not less than 35 cm² in area and is fitted with approved yellow reflectors on the forward and rearward facing surfaces of each pedal.

“(4) No person shall ride on any road any cycle that is equipped with a lamp that displays towards the rear any light other than a red or yellow light, or with a lamp or reflecting surface that displays towards the front any red or yellow light unless that lamp or reflecting surface is part of an approved device.

“(5) Nothing in this regulation shall apply in respect of any cycle that is being ridden other than during the hours of darkness in a race controlled by a cycle or athletic club or in a sponsored event or sporting promotion.

“44. **Lighting and reflector requirements for cycles manufactured on or after 1 January 1988**—(1) No person shall ride on any road during the hours of darkness a cycle manufactured on or after the 1st day of January 1988 unless it has attached at the front an approved lamp displaying a white light.

“(2) No person shall ride on any road a cycle manufactured on or after the 1st day of January 1988 unless it displays to the rear an approved red or yellow reflector not less than 35 cm² in area and approved yellow reflectors on the forward and rearward facing surfaces of each pedal.

“(3) No person shall ride on any road during the hours of darkness a cycle manufactured on or after the 1st day of January 1988 unless it displays to the rear an approved red or yellow light or an approved yellow flashing light.

“(4) No person shall ride on any road a cycle that is equipped with a lamp that displays towards the rear any light other than a red or yellow light or with a lamp or reflecting surface that displays towards the front any red or reddish or yellow light unless that lamp or reflecting surface is part of an approved device.

“(5) Nothing in this regulation shall apply in respect of any cycle that is being ridden other than during the hours of darkness in a race controlled by a cycle or athletic club or in a sponsored event or sporting promotion.

“44A. **Brakes**—(1) No person shall ride on any road a moped unless it is fitted with at least one efficient brake on each road wheel.

“(2) No person shall ride on any road a cycle manufactured before the 1st day of January 1988 unless it is fitted with at least one efficient brake on the rear road wheel.

“(3) No person shall ride on any road a cycle manufactured on or after the 1st day of January 1988 unless it is fitted with at least one efficient brake on each road wheel.

“44B. **Careless riding**—Every person who rides any moped or cycle on a road shall do so in a careful and considerate manner.”

(2) Regulation 2 (3) of the Traffic Regulations 1976, Amendment No. 10 is hereby amended by omitting the references to regulations 38 to 44 of the principal regulations.

6. Fee for special exemption relating to loading and dimensions—(1) Regulation 49 (3) of the principal regulations (as added by regulation 10 (1) of the Traffic Regulations 1976, Amendment No. 4, and amended by regulation 2 of the Traffic Regulations 1976, Amendment No. 8) is hereby amended by omitting the expression “\$4”, and substituting the expression “\$30”.

(2) Regulation 2 of the Traffic Regulations 1976, Amendment No. 8 is hereby consequentially revoked.

7. Spacing of headlamps—Regulation 58(1) of the principal regulations is hereby amended by revoking paragraph (b), and substituting the following paragraph:

“(b) With dual headlamp systems comprising 4 headlamps in sets of 2 each, one set located on each side of the vehicle and each set of headlamps being equidistant from the centre line of the vehicle and at an equal height from the ground; or”.

8. Auxiliary lamps—(1) Regulation 65 of the principal regulations is hereby amended by revoking paragraph (a), and substituting the following paragraph:

“(a) Auxiliary Headlamps: Two, or only in the case of a motor cycle 1, mounted in a permanently-dipped position, and electrically connected so that they cannot be used while headlamps are in use. When lit, an auxiliary headlamp shall display a light substantially white or amber in colour.”.

(2) Regulation 65 of the principal regulations is hereby amended by adding the following paragraph:

“(d) Auxiliary stoplamps: Not more than 2 auxiliary stoplamps that—
“(i) Display a red light to the rear of the vehicle clearly visible in normal sunlight at a distance of 100 m; and
“(ii) Display light diffused by a frosted lens or by other approved means.”

9. Special provisions as to lights on specialist vehicles—Regulation 67 (8) of the principal regulations is hereby amended by omitting the words “flashing or revolving lights”, and substituting the words “lights of a specified type”.

10. Issue of warrants of fitness, certificates of fitness, and permits—(1) The principal regulations are hereby amended by repealing regulation 84, and substituting the following regulation:

“84. (1) A warrant of fitness shall be issued only by an approved testing authority which shall be—

“(a) A person appointed or approved for the purpose by the Minister; or

“(b) The Secretary, or an officer of the Department appointed by the Secretary for the purpose.

“(2) The appointment or approval of any person under subclause (1) (a) of this regulation may be revoked at any time by the Minister.

“(3) The appointment or approval of any person under subclause (1) (a) of this regulation may specify that the person is authorised to issue warrants of fitness in respect of all classes of vehicles or vehicles of specified classes; and where no class of vehicles is specified, the appointment or approval shall apply in respect of all classes of motor vehicles.

“(4) Any person (other than a department of State or an officer of the Crown) desiring to be appointed as an approved testing authority may make an appropriate application to the Secretary together with an application fee of \$77.27 which shall include the fee in respect of the first annual inspection.

“(5) Every approved testing authority (other than a department of State or an officer of the Crown) that desires to retain that status for a further year shall be liable to pay an annual inspection fee of \$77.27.

“(6) Except as provided in subclauses (9), (10), and (11) of this regulation, no warrant of fitness, certificate of fitness, or permit shall be issued in respect of any vehicle requiring to be equipped by any of the relevant provisions of regulations 58 to 64, 68 to 75, 78, 78A, 81, 82, and 82A of these regulations which is not so equipped, 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 regulations or regulation 80 of these regulations.

“(7) Every applicant for a warrant of fitness, certificate of fitness, or permit shall present the vehicle for inspection in such a manner (including the provision of other vehicles or equipment) that all equipment required to be inspected or tested for the issue of the warrant, certificate, or permit can be inspected or tested.

“(8) No warrant of fitness, certificate of fitness, or permit shall be issued in respect of any vehicle fitted with an alternative fuel system as defined in regulation 90A of these regulations—

“(a) That is not in a safe working condition; or

“(b) That is a charged CNG or LPG fuel system if that vehicle does not have displayed a current inspection certificate issued under regulation 90L of these regulations.

“(9) A warrant of fitness or a certificate of fitness or permit may be issued, with the prior consent in each particular case of the Secretary or any person authorised by him to give that consent, for a vehicle not equipped with lamps as required by regulations 58 to 62, and 64, of these regulations if the warrant, certificate, or permit is expressed to be subject to the following conditions:

“(a) No headlamps shall be fitted to the vehicle; and

“(b) The vehicle is not to be operated during the hours of darkness.

“(10) A warrant of fitness, certificate of fitness, or permit may be issued in respect of a motor vehicle notwithstanding that it does not comply with the requirements of regulation 71 (2) of these regulations, if—

“(a) The owner of the motor vehicle has placed with a supplier an order, which is then in force, for a new, retreaded, or recapped tyre to replace the tyre that does not comply with the relevant requirements of regulation 71 of these regulations, but such a tyre is not then obtainable; and

“(b) The owner provides evidence of the matters referred to in paragraph (a) of this subclause when presenting the vehicle for inspection; and

“(c) The owner supplies an undertaking in writing that such a tyre will be fitted to the motor vehicle as soon as it is secured.

“(11) A warrant of fitness, certificate of fitness, or permit may be issued in respect of a motor vehicle notwithstanding that it does not comply with the requirements of regulation 78 or regulation 78A of these regulations if—

“(a) The owner of the motor vehicle has, not more than 2 months previously, placed with any supplier or repairer an order, which is then in force,—

“(i) For an approved seat belt, or any component thereof; or

“(ii) For the repair of any seatbelt, fastener, buckle, or retractor that has been removed for repair; and

“(b) The owner provides evidence of the matters referred to in paragraph (a) of this subclause when presenting the vehicle for inspection; and

“(c) The owner supplies an undertaking that the seatbelt or seatbelt component to be supplied or repaired will be fitted to the motor vehicle as soon as possible after it is secured.

“(12) Any approved testing authority shall withhold the issue of any warrant of fitness, and the Secretary or any person authorised by the Secretary to issue certificates of fitness or permits shall withhold the issue of any certificate or permit if, in the opinion of the testing authority, Secretary, or other person, any of the requirements of this Part of these regulations is not complied with.

“(13) An applicant for a warrant of fitness shall pay to the approved testing authority a fee not exceeding \$3.64 in the case of a warrant in respect of a motor cycle or trailer and a fee not exceeding \$7.27 in the case of a warrant in respect of any other kind of motor vehicle.

“(14) Where as a result of inspection a warrant of fitness is not issued, no additional fee shall be payable for any subsequent application to the same approved testing authority for the purposes of the same warrant if any such application is made within 28 days after the first inspection for the issue of the warrant.

“(15) An applicant for a certificate of fitness or permit shall be liable to pay the appropriate fee specified in the Sixth Schedule to the Transport Licensing Regulations 1984*.

“(16) The expiry date to be entered on a warrant of fitness by the approved testing authority shall be—

“(a) In the case of a vehicle that is first registered in New Zealand on or after the 1st day of December 1985 and has never been registered or used in any other country, 12 months from the date of the examination; plus up to 14 days of the unexpired portion of any warrant of fitness still current:

“(b) In the case of any other vehicle and any vehicle to which paragraph (a) of this subclause no longer applies, 6 months from the date of the examination; plus up to 14 days of the unexpired portion of any warrant of fitness still current.

“(17) Paragraph (a) of subclause (16) of this regulation shall cease to apply to a vehicle referred to in that paragraph following the expiry of 3 years after the first registration of the vehicle in New Zealand.

“(18) The expiry date to be entered on a certificate of fitness or permit by the person issuing it shall be 6 months from the date of the examination plus up to 28 days of the unexpired portion of any certificate or permit still current.

“(19) Notwithstanding subclause (18) of this regulation, the person issuing a permit may specify an earlier expiry date if satisfied that the circumstances of the case so require.

“(20) A record of all warrants of fitness issued in the preceding 12 months shall be maintained by every approved testing authority and made available for inspection by any police officer or traffic officer.

“(21) On application by any person to whom a warrant of fitness, certificate of fitness, or permit has been issued and on proof that the warrant, certificate, or permit has been lost or destroyed, there shall be issued to the applicant, by the authority or person that issued the original, a duplicate warrant, certificate, or permit for a fee not exceeding \$4.55 at any time during the currency of the original warrant, certificate, or permit. Every such duplicate shall for the purposes of these regulations have the same effect as the original.”

(2) Regulation 2 of the Traffic Regulations 1976, Amendment No. 14 is hereby consequentially revoked.

11. Fees in relation to authorised agencies—Regulation 90G of the principal regulations (as inserted by regulation 5 (1) of the Traffic Regulations 1976, Amendment No. 7) is hereby amended by adding the following subclauses:

“(7) Every applicant for authorisation as an authorised agency shall pay to the Secretary an application fee of \$77.27 which shall include the fee in respect of the first annual inspection.

“(8) Every authorised agency that desires to retain that status for a further year shall be liable to pay an annual inspection fee of \$77.27.

“(9) Notwithstanding subclauses (7) and (8) of this regulation, where application is made under either of those subclauses in respect of an annual inspection that is to be carried out in conjunction with an inspection under subclause (4) or subclause (5) of regulation 84 of these regulations the total fee payable under that regulation and this regulation shall be \$122.73.”

12. Installation certificates—Regulation 90H of the principal regulations (as inserted by regulation 5 (1) of the Traffic Regulations 1976, Amendment No. 7) is hereby amended by revoking subclause (6), and substituting the following subclause:

“(6) Where any installation certificate is issued by an authorised agency it shall be in a form prescribed by the Secretary, and the authorised agency shall—

“(a) Give the owner’s copy to the owner of the vehicle; and

“(b) Forward the Ministry’s copy to the Secretary for Transport within 28 days after the issue of the certificate; and

“(c) Ensure that its own copy is filed in a secure place together with all other such certificates issued by that agency.”

13. New regulations relating to alternative fuel cylinders substituted—(1) The principal regulations are hereby amended by revoking regulations 90i and 90j (as inserted by regulation 5 (1) of the Traffic Regulations 1976, Amendment No. 7), and substituting the following regulations:

“90i. **Alternative fuel cylinders**—(1) No person shall operate a motor vehicle fitted with an alternative fuel system that has a cylinder for CNG unless that cylinder—

“(a) Has passed a test conducted in accordance with regulation 90j of these regulations within the previous 5 years; and

“(b) Bears the marks and figures required by regulation 90j (5) of these regulations.

“(2) No person shall operate a motor vehicle fitted with an alternative fuel system that has a cylinder for LPG unless that cylinder has passed a test conducted in accordance with regulation 90J of these regulations—

“(a) In the case of any cylinder originally tested by the manufacturer before the 1st day of January 1985, within 5 years before the date of the operation of the vehicle; or

“(b) In the case of any other cylinder, and any cylinder in a vehicle operated on or after the 1st day of January 1990, within 10 years before the date of the operation of the vehicle—

and in either case the cylinder bears the marks and figures required by regulation 90J (5) of these regulations.

“90J. **Testing of cylinders**—(1) The test referred to in regulation 90I of these regulations may be conducted by a testing station or, in the case of a newly manufactured cylinder, an inspection of the cylinder by the manufacturer of the cylinder.

“(2) Except as provided in subclause (3) of this regulation, the test shall be carried out in the following manner:

“(a) If the cylinder is installed in a vehicle, the cylinder shall be removed from the vehicle; and

“(b) The cylinder shall be thoroughly cleaned and examined externally, and as far as is practicable internally, for surface defects, corrosion, and foreign matter; and

“(c) Where excessive internal corrosion is observed the cylinder shall be cleaned by wire brushing, shot blasting, flail or rumberling, scraping, boiling, or steaming, after which it shall be internally examined and dried; and

“(d) It shall then be subjected to any cylinder test specified in respect of that cylinder as a condition of the approval of that cylinder under regulation 90B of these regulations.

“(3) Where a cylinder has passed an original cylinder inspection carried out by the manufacturer but has never been fitted to any vehicle, it may be tested by being thoroughly cleaned and examined externally, and as far as practicable internally, for surface defects, corrosion, and foreign matter and—

“(a) Where no excessive corrosion is observed the test shall be complete:

“(b) Where excessive corrosion is observed, the cylinder shall be cleaned and tested as provided for in paragraphs (c) and (d) of subclause (2) of this regulation.

“(4) Where any cylinder has failed a test under subclause (2) (d) of this regulation the testing station shall render it unserviceable for charging with gas.

“(5) Upon the successful completion of every test of a cylinder under this regulation the cylinder or a suitably attached plate on the cylinder shall be stamped with—

“(a) The date on which the test was conducted; and

“(b) Marks and figures indicating the identity of the testing station or manufacturer which conducted the test; and

“(c) Where the test is of a cylinder that has never been installed in any vehicle, with the expression “Unused cyl”.

“(6) Notwithstanding anything to the contrary in these regulations, any person employed by a testing station may remove any cylinder from any

vehicle for the purpose of carrying out any test of that cylinder required by this regulation, and such removal shall not constitute a repair or alteration to the alternative fuel system.”

(2) Regulation 4 of the Traffic Regulations 1976, Amendment No. 8 is hereby revoked.

14. Duplicate inspection certificates—Regulation 90K of the principal regulations (as inserted by regulation 5 (1) of the Traffic Regulations 1976, Amendment No. 7) is hereby amended by adding the following subclause:

“(4) On application by any person to whom an inspection certificate has been issued and on proof that the certificate has been lost or destroyed, there shall be issued to the applicant, by the authority or person that issued the original, at any time during the currency of the original certificate and on payment of a fee not exceeding \$4.55, a duplicate certificate that shall, for the purposes of these regulations, have the same effect as the original.”

15. Inspection certificate—Regulation 90L of the principal regulations (as inserted by regulation 5 (1) of the Traffic Regulations 1976, Amendment No. 7) is hereby amended by omitting from subclause (3) the words “in 2 parts as described in Schedule 2A to these regulations”, and substituting the words “in a form prescribed by the Secretary, comprising such parts and in such colour or colours (if any) as the Secretary may prescribe”.

16. Exemption for certain tradespersons working on alternative fuel systems—Regulation 90P of the principal regulations (as inserted by regulation 5 (1) of the Traffic Regulations 1976, Amendment No. 7) is hereby amended by inserting in subclause (2) (a), after the words “motor trade apprentice”, the words “or qualified motor tradesperson”.

17. Warning signs—Regulation 124 of the principal regulations is hereby amended by revoking subclause (2), and substituting the following subclause:

“(2) In the case of temporary road hazards (such as disabled vehicles on the road, traffic accidents, slips, washouts, or broken telegraph or electricity transmission lines), appropriate warning signs may be erected by police officers, traffic officers, ambulance drivers, breakdown-vehicle drivers, road repair or construction workers, or employees of Telecom Corporation of New Zealand Limited, Electricity Corporation of New Zealand Limited, Electric Power Boards, the New Zealand Railways Corporation, the Ministry of Works and Development, and territorial authorities.”

18. Speed limits—(1) Regulation 128 (5) (c) of the principal regulations is hereby amended by omitting the expression “an 80”, and substituting the expression “a 100”.

(2) The Fourth Schedule to the principal regulations is hereby amended by omitting from item 2 the expression “80”, and substituting the expression “100”.

19. Revocation of provisions relating to driving hours—Regulation 133 of the principal regulations is hereby revoked.

20. Amount of goods and services tax excluded—The principal regulations are hereby amended by inserting, after regulation 137, the following regulation:

“137A. It is hereby declared that the fees or maximum fees fixed by or under these regulations are exclusive of any goods and services tax payable under the Goods and Services Tax Act 1985”.

21. Form of certificates—(1) The principal regulations are hereby amended by revoking Schedule 2A.

(2) The Schedule to the Traffic Regulations 1976, Amendment No. 7 is hereby consequentially revoked.

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 August 1987, make a number of changes to the Traffic Regulations 1976. The principal changes are—

- A change to the definition of the term “centre line” to accord with current practice (*regulation 2*):
- A seat belt exemption for constables and traffic officers in certain circumstances (*regulation 3*):
- A new rule relating to safety helmets for motorcyclists and moped riders (*regulation 4*). From 1 November 1987 certificates of exemption from the requirement to wear a safety helmet will be issued by the Secretary for Transport. Such certificates may be issued for a period not exceeding 2 years and subject to such terms and conditions as the Secretary thinks fit. A medical certificate will be required to support any application for a certificate of exemption:
- Permission for cycles to be ridden on footpaths for newspaper and other deliveries (*regulation 5: new regulation 41*):
- New requirements for lighting and reflectors on mopeds and cycles manufactured on or after 1 January 1988. Mopeds are required to have an approved red rear light. Cycles must have an approved white front light, approved red or yellow rear reflectors, and approved yellow reflectors on pedals (*regulation 5: new regulations 42 to 44*):
- Cycles manufactured on or after 1 January 1988 must have an efficient brake on each road wheel (*regulation 5: new regulation 44A*). The present requirement is for a brake on the rear wheel only:
- If a vehicle other than a motorcycle has auxiliary headlamps, 2 must be fitted (*regulation 7*). At present 1 or 2 auxiliary headlamps may be fitted. Authority is also given for auxiliary stoplamps:
- There are fee increases for approvals to issue warrants of fitness, and approvals must be renewed annually. A further fee is payable (*regulation 10: new regulation 84 (4) and (5)*):
- A seat belt inspection is made a compulsory part of any warrant of fitness check, rather than discretionary as at present. A warrant may nevertheless be issued where the vehicle owner has placed the necessary order to obtain or repair a seatbelt (*regulation 10: new regulation 84 (6) and (11)*):
- An applicant for a warrant of fitness, certificate of fitness, or permit must present the vehicle in such a manner that the appropriate equipment can be tested (*regulation 10: new regulation 84 (7)*). For example, this will mean that a trailer presented for a warrant of fitness inspection will have to be connected to a suitably wired car so that the lights can be tested:
- The fees for warrants of fitness are increased and a fee for duplicates introduced (*regulation 10: new regulation 84 (13) and (21)*). The increased and new fees are maximum fees:
- Fees are introduced for applications for approval as authorised agents and the approvals must be renewed annually (*regulation 11*). Where the approval is combined with an approval to issue warrants of fitness, etc., the combined fee is reduced.
- Changes are made to the requirements for testing of alternative fuel cylinders (*regulation 13*).

The revocation of a regulation relating to driving hours (*regulation 19*) should be considered in conjunction with the Transport Amendment Act 1987 which introduced a new set of rules for driving hours.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 23 July 1987.

These regulations are administered in the Ministry of Transport.