



THE TRAFFIC REGULATIONS 1976, AMENDMENT NO. 9

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government House at Wellington this 19th day of December
1983

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 77 and 199 of the Transport Act 1962, and, in relation to roads that are motorways, pursuant also to section 243 of the Public Works Act 1981, 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 1976, Amendment No. 9, 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 day after the date of their notification in the *Gazette*.

2. Interpretation—(1) Regulation 2 of the principal regulations is hereby amended by adding to the definition of the term “controlling authority” the words “and includes any person acting under and within the terms of any delegation or authorisation given by a controlling authority:”.

(2) Regulation 2 of the principal regulations is hereby further amended by omitting from the definition of the term “road” the words “; but does not include a motorway within the meaning of the Public Works Amendment Act 1947”.

S.R. 1976/227

Amendment No. 1: 1978/72
Amendment No. 2: 1978/301
Amendment No. 3: *(Revoked)*
Amendment No. 4: 1980/31
Amendment No. 5: 1980/115
Amendment No. 6: 1981/158
Amendment No. 7: 1981/311
Amendment No. 8: 1982/93

3. Motorways—The principal regulations are hereby amended by inserting, after the heading “Part II—DRIVING RULES” and before regulation 4, the following regulation:

“3A. (1) No driver shall enter a motorway except at such opportunity and at such speed as will place his vehicle correctly in the stream of traffic without danger to any other user of the motorway.

“(2) No driver shall stop or park his vehicle on a motorway except in an area set aside and indicated by a traffic sign as a parking area.

“(3) No driver shall reverse his vehicle on a motorway, or effect a U turn on any motorway.

“(4) It shall be a defence to any person charged with a breach of this regulation if he proves that the act complained of was done in any emergency or in compliance with the directions of a traffic officer, constable, traffic-control signal, or traffic sign, or, in the case of an act done by a traffic officer or constable, was necessary in the execution of his duty.”

4. Special exemptions—Regulations 49 (1) of the principal regulations is hereby amended by omitting the words “thinks fit to impose”, and substituting the words “considers desirable for the safety and convenience of users of the road or the prevention of damage to the road, including conditions relating to—

“(a) The dimensions of the vehicle or its load:

“(b) Speeds that the vehicle must maintain or must not exceed:

“(c) The times of the day or weather conditions during which the vehicle may or may not travel:

“(d) The provision of pilotage or warning devices:

“(e) The giving of notice to the Ministry of Transport, the Commissioner of Works, or the controlling authority of the intended use of the vehicle on a road.”

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 amend the Traffic Regulations 1976, are part of a rationalisation of legislation relating to motorways and roads generally, involving the Public Works Act 1981 and regulations authorised by that Act, and the Transport Act 1962 and regulations made under that Act.

Regulation 2 amends definitions in the principal regulations.

Regulation 3 regulates the use of vehicles on motorways. They require a driver to enter a motorway only in such a manner as will place his vehicle in the stream of traffic without danger. Parking, other than in designated parking areas, is prohibited, as are U turns and reversing on motorways.

A defence of emergency or compliance with directions of a traffic officer, constable, or traffic control signal or traffic sign is provided. There is also a defence for acts done by a traffic officer or constable in the execution of his duty.

Regulation 4 sets out in some detail examples of the kinds of conditions that may be imposed in permits for the use of oversize vehicles or loads.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 21 December 1983.

These regulations are administered in the Ministry of Transport.