



THE TRAFFIC REGULATIONS 1976, AMENDMENT NO. 9

DAVID BEATTIE, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 27th day of February 1984

Present:

THE HON W. F. BIRCH 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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| <ol style="list-style-type: none"> 1. Title and commencement 2. Definition of term "moped" 3. Moped riders to wear safety helmets 4. Additional lamps on heavy motor vehicles | <ol style="list-style-type: none"> 5. Warning devices for security vehicles 6. Windscreens and other glazing 7. Warrant or certificate of fitness 8. Form of warrants and certificates of fitness 9. Exemptions for agricultural trailers |
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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).

*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

(2) Except as provided in regulation 2 (4) of these regulations, these regulations shall come into force on the 14th day after the date of their notification in the *Gazette*.

2. Definition of term "moped"—(1) Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term "local speed limit", the following definition:

"'Moped' means a motor vehicle running on 2 or 3 wheels that is fitted with a motor having a power output not exceeding 2 kilowatts and is designed to be ridden at a speed not exceeding 50 kilometres per hour under normal conditions of use."

(2) Regulation 2 of the principal regulations is hereby further amended by revoking the definition of the term "power cycle".

(3) The principal regulations are hereby amended by omitting the expression "power cycle" where it occurs in the definitions of the terms "driver" and "motor cycle" in regulation 2, and in regulations 15 (1) (a) (i), 21 (8), and 37 (1), the second proviso to regulation 35 (2) (j), regulation 38, subclauses (1) and (2) of regulation 39, regulation 40, subclauses (1) and (2) of regulation 41, subclauses (1) and (3) of regulation 42, regulations 43 (2) and 44, subclauses (8) and (9) of regulation 48, regulations 58 (1) and 61 (1) (b), subclauses (3) and (3A) of regulation 62, regulations 63 (6) (d), 65, and 68 (3), subclauses (2) and (3) of regulation 71, regulation 72 (1), subclauses (1) and (4) of regulation 73, regulations 74 (1) and 85 (1), and the First Schedule, and substituting in each case the expression "moped".

(4) This regulation shall come into force on the 1st day of March 1984.

3. Moped riders to wear safety helmets—Regulation 31 of the principal regulations is hereby amended by inserting, after the expression "motor cycle" at each place where it occurs in subclauses (1), (2), (3), and (5), the expression "or moped".

4. Additional lamps on heavy motor vehicles—Regulation 64 (1) (a) of the principal regulations is hereby amended by inserting, after the word "white", the words "or amber".

5. Warning devices for security vehicles—(1) Regulation 69 of the principal regulations is hereby amended by adding the following subclause:

"(6) Every vehicle operated by the holder of a security guard's licence issued under the Private Investigators and Security Guards Act 1974 and used for the carriage of money or other valuable goods may be fitted with an audible warning device of an approved type. No person shall use a device fitted pursuant to this regulation unless some person in or associated with the use of the vehicle is in distress."

(2) Regulation 29 (5) of the principal regulations is hereby amended by omitting the expression "subclauses (3) to (5)" (as substituted by regulation 7 (1) of the Traffic Regulations 1976, Amendment No. 4), and substituting the expression "subclauses (3) to (6)".

(3) Regulation 7 (1) of the Traffic Regulations 1976, Amendment No. 4 is hereby consequentially revoked.

6. Windscreens and other glazing—Regulation 73 of the principal regulations is hereby amended by adding the following subclause:

“(6) No person shall operate any motor vehicle that has any glass in the front windscreen or other glazing (with or without any overlay or treatment) which reflects light in a manner likely to dazzle or cause annoyance to any road user.”

7. Warrant or certificate of fitness—(1) Regulation 84 of the principal regulations is hereby amended by revoking subclause (5), and substituting the following subclause:

“(5) Except as provided in subclause (4) of this regulation, no approved testing authority shall issue a warrant of fitness or a certificate of fitness in respect of any vehicle requiring to be equipped by any of the relevant provisions of regulations 58 to 64, 68 to 75, 78 (4), 81, and 82 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.”

(2) The following regulations are hereby consequentially revoked:

- (a) Regulation 9 (b) of the Traffic Regulations 1976, Amendment No. 1:
- (b) Regulation 8 (1) of the Traffic Regulations 1976, Amendment No. 7.

8. Form of warrants and certificates of fitness—(1) Regulation 85 (2) of the principal regulations is hereby amended by omitting the words “2 parts as described in the Second Schedule hereto, and the owner of the motor vehicle for which the warrant or certificate is issued shall keep the”, and substituting the words “in a form prescribed by the Secretary, comprising such parts and in such colour or colours (if any) as he may prescribe, and the owner of the motor vehicle for which the warrant or certificate is issued shall keep the appropriate”.

(2) The principal regulations are hereby amended by revoking the Second Schedule.

9. Exemptions for agricultural trailers—Regulation 89 of the principal regulations is hereby amended by revoking paragraph (f), and substituting the following paragraph:

“(f) Trailers designed exclusively for agricultural purposes and not used on a road except—

“(i) When being delivered from a manufacturer to his agent;
or

“(ii) When being taken to or from an agricultural show for display or demonstration purposes; or

“(iii) When being taken to or from a farm, or from one part of a farm to another part of that farm.”

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 make various amendments to the Traffic Regulations 1976. *Regulation 2* comes into force on 1 March 1984, while the other regulations come into force 14 days after the regulations are notified in the *Gazette*.

Regulation 2 substitutes the term "moped" for the term "power cycle". The change follows an amendment to the Transport Act 1962. The principal changes are that a moped must be designed to be ridden at a speed not exceeding 50 kph under normal conditions of use, while there was no such restriction in the definition of the term "power cycle", and a moped need not have provision for pedal power as was the case with a power cycle.

The effect of *regulation 3* is to require moped riders to wear safety helmets.

The effect of *regulation 4* is that the sidelights that must be fitted to heavy motor vehicles over 2 metres in length may be amber or white. At present, they must be white.

Regulation 5 permits the fitting of audible warning devices to vehicles operated by licensed security guards and used to carry money or other valuables. The alarms may only be used if someone in or associated with the use of the vehicle is in distress.

Regulation 6 amends *regulation 73* which relates to windscreens and other windows. The new *subclause (6)* prohibits the use of glass in windscreens and other windows that reflects light in a manner likely to dazzle or annoy other road users.

The effect of *regulation 7* is that the requirements of the principal regulations relating to exhaust systems and silencers and corrosion or weakening of the structure of vehicles become matters to be checked in the issuing of a warrant or certificate of fitness.

The effect of *regulation 8* is that the form of warrants and certificates of fitness will be prescribed by the Secretary instead of being prescribed in the regulations themselves.

Regulation 9 extends an exemption at present available to agricultural trailers being taken to or from a farm or moved from one part of a farm to another. The exemption relates to brakes, tyres, and mudguards, and reduced lighting requirements apply. The exemption is extended to the delivery of agricultural trailers from a manufacturer to his agent, and the movement of the trailers to or from an agricultural show.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 28 February 1984.

These regulations are administered in the Ministry of Transport.