

Consolidating and amending Regulations as to the Use of Motor-lorries.

CHARLES FERGUSSON, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 30th day of March, 1927.

Present :

THE HONOURABLE W. DOWNIE STEWART PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred on him by the Public Works Amendment Act, 1924, and the Motor-vehicles Act, 1924, and of every other power and authority in anywise enabling him in that behalf, His Excellency the Governor-General of the Dominion of New Zealand, acting by and with the advice and consent of the Executive Council of the said Dominion, doth hereby revoke the regulations and amendments thereto as to the use of motor-lorries dated the twenty-fourth day of March, one thousand nine hundred and twenty-five, and twenty-first day of September, one thousand nine hundred and twenty-five, and the thirtieth day of March, one thousand nine hundred and twenty-six, and published in the *New Zealand Gazette* of the twenty-sixth day of March, one thousand nine hundred and twenty-five, the twenty-fourth day of September, one thousand nine hundred and twenty-five, and the first day of April, one thousand nine hundred and twenty-six respectively, and doth hereby make the following regulations in amendment thereof or in substitution thereof; and doth hereby declare that this Order in Council shall come into operation on the first day of April, one thousand nine hundred and twenty-seven.

REGULATIONS.

1. INTERPRETATION.

(1) IN these regulations, where not inconsistent with the context,—

“Controlling authority” means the Minister of Public Works, Board, local authority, or person or persons, as the case may be, having control over any road or street :

“Inspector” means any person appointed to be an Inspector for the purposes of these regulations :

“License” means a heavy-traffic license issued under the provisions of these regulations; and includes a copy of a license issued as herein provided :

“License year” means any period of twelve months ending on the thirty-first day of March :

“Licensing authority” means any local authority having power to issue a license under these regulations :

“Motor-lorry” means any motor-vehicle as defined by the Motor-vehicles Act, 1924, used for hire or used for commercial purposes in the carriage of passengers or goods, and which with its maximum load exceeds two tons in weight; and includes tractors and steam-wagons, but does not include traction-engines; and does not include any vehicle the owner of which proves to the satisfaction of the licensing authority (as witnessed by a certificate issued to the owner by the latter):—

(a) That it is a taxi carrying only passengers and their luggage, and available for hire to any of the public from day to day on undefined routes; and

(b) That with its maximum load it does not exceed 2 tons 5 cwt. in weight; and

(c) That the vehicle was and has remained in possession of its owner on or since the thirtieth day of June, one thousand nine hundred and twenty-five :

To “operate” means to use or drive on any road or street :

“Owner” includes a bailee to whom a motor-lorry is bailed for any period exceeding fourteen days, and also includes a person in possession of a motor-lorry pursuant to a bill of sale or hire-purchase agreement. Where there are more owners of a motor-lorry than one, every such owner is an owner for the purposes of these regulations :

“Pneumatic tire” means a tire which when in use is inflated by air introduced from time to time under pressure so as to enclose under normal inflation a cushion of air forming altogether at least one-half of the total area of any cross-section of the tire so inflated :

“Road” and “street” include any highway, whether or not the same may at any time be or have been declared to be a main highway; and “road” includes “street” :

“Six-wheeled motor-lorry” means (a) a motor-lorry having six wheels, which is specially designed so that the weight of the load is distributed between the middle and rear pairs of wheels; and (b) a four-wheeled motor-lorry adapted to secure the better distribution of the load by means of a combination body and trailer with two wheels added :

“Steam-wagon” means any motor-lorry propelled by steam-power, which is primarily designed to carry a load of passengers or goods, exclusive of fuel or water for the use of the vehicle :

“Super-resilient tire” means a tire, not being a pneumatic tire, but composed of a soft or elastic material and of a kind, brand, or description certified by the Minister by notice published in the *New Zealand Gazette* as being a super-resilient tire for the purposes of these regulations :

“Traction-engine” means any locomotive engine propelled by steam-power and designed for use on ordinary roads, but does not include steam-wagons, whether or not used for the purposes of traction :

“Tractor” means any motor-vehicle used solely for the purposes of traction, and not for the carriage thereon of passengers (other than the driver) or goods :

“Trailer” means a vehicle without motive power designed solely or principally for the carriage of persons or goods, and drawn by a motor-vehicle other than a traction-engine :

“Trip” means a one-way journey :

“Wheel-track” means the distance between the centres of the off-side and near-side wheels of a pair of wheels, and, when a pair of wheels consists of twin wheels on the off-side and twin wheels on the near side, means the distance from the centre of the off-side twin wheels to the centre of the near-side twin wheels :

“Width” of a tire in any case in which such tire is pneumatic or is otherwise made wholly or principally of a soft or elastic material such as rubber and is held in a metal rim (whether the rim be detachable or part of the wheel) means the distance measured across the tire, parallel to the axis of the wheel at the place nearest the top of the metal rim where the tire makes contact with the rim :

“Width” of a tire in any case in which such tire is made wholly or principally of a soft or elastic material such as rubber and is immovably fixed to a metallic base means the greatest distance that can be measured across the tire parallel to the axis of the wheel, exclusive of the distance (if any) along that line where the soft or elastic material, when measured vertically towards the metallic base, is less than one quarter of an inch in thickness :

“Width” in relation to a metal tire, or any other tire not included in either of the foregoing definitions, means the distance (measured in the shortest straight line) across the running-surface of the tire that actually makes contact with the roadway.

(2) For the purposes of these regulations, a tractor with one trailer attached thereto shall be deemed to form one motor-lorry, and each additional trailer after one attached to a tractor shall be deemed to be a separate motor-lorry.

(3) For the purpose of assessing liability for license fees, a motor-lorry in use solely as a tractor shall be deemed to be a tractor.

(4) For the purposes of these regulations, in the computation of the load of motor-lorries engaged in the carriage of passengers fifteen persons shall be deemed to weigh one ton, and in counting the number of persons the driver shall be included.

(5) For the purposes of general interpretation thereof under section 7 of the Acts Interpretation Act, 1924, these regulations shall be deemed to be made under the Public Works Amendment Act, 1924.

(6) These regulations may be cited as “The Motor-lorry Regulations, 1927.”

2. CLASSIFICATION OF MOTOR-LORRIES.

Motor-lorries shall consist of the following classes :—

Class	Any motor-lorry which, with the maximum load it is licensed to carry, exceeds in weight—	But does not exceed in weight—
A ..	2 tons	2½ tons.
B ..	2½ ”	3 ”
C ..	3 ”	3½ ”
D ..	3½ ”	4 ”
E ..	4 ”	4½ ”
F ..	4½ ”	5 ”
G ..	5 ”	5½ ”
H ..	5½ ”	6 ”
I ..	6 ”	6½ ”
J ..	6½ ”	7 ”
K ..	7 ”	7½ ”
L ..	7½ ”	8 ”
M ..	8 ”	8½ ”
N ..	8½ ”	9 ”
O ..	9 ”	9½ ”
P ..	9½ ”	10 ”
Q ..	Any six-wheeled motor-lorry which, with the maximum load it is licensed to carry exceeds in weight—	But does not exceed in weight—
	10 tons	15 tons.