

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

BLEDISLOE, Governor-General.
ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 10th day of February, 1932.

Present :

THE RIGHT HON. G. W. FORBES, PRESIDING IN COUNCIL.

IN pursuance and exercise of the powers and authorities conferred on him by the Public Works Act, 1928, and the Motor-vehicles Act, 1924, and 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 thirtieth day of March, one thousand nine hundred and twenty-seven, the twenty-ninth day of March, one thousand nine hundred and twenty-eight, the twenty-seventh day of August, one thousand nine hundred and twenty-eight, the twenty-first day of May, one thousand nine hundred and twenty-nine, and the thirtieth day of May, one thousand nine hundred and thirty, and published in the *New Zealand Gazette* of the thirty-first day of March, one thousand nine hundred and twenty-seven, the thirtieth day of March, one thousand nine hundred and twenty-eight, the thirtieth day of August, one thousand nine hundred and twenty-eight, the twenty-fourth day of May, one thousand nine hundred and twenty-nine, and the thirty-first day of May, one thousand nine hundred and thirty, respectively, and doth hereby make the following regulations in lieu thereof; and doth hereby declare that, save as hereinafter provided, such revocation shall take effect, and the regulations hereby made shall come into force, on the date of the publication of this Order in Council in the *Gazette*.

REGULATIONS.

1. INTERPRETATION.

(1) THESE regulations may be cited as "The Heavy Motor-vehicle Regulations, 1932."

(2) In these regulations, where not inconsistent with the context,—

"Axle" means any part of a vehicle through which weight is transmitted directly through a bearing to a road-wheel, or the equivalent thereof, or to two or more road-wheels or their equivalent being substantially in alignment, and which forms an axis for such road-wheel or road-wheels or its or their equivalent: Provided that two axles substantially in alignment shall be deemed for the purposes of this definition to be one axle.

"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:

"Heavy motor-vehicle" means a motor-lorry within the meaning of section 166 of the Public Works Act, 1928, and includes any motor-vehicle within the meaning of the Motor-vehicles Act, 1924 (other than a private motor-car as defined by the said Act), which, with the greatest load it is at any time carrying, 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 has obtained from the licensing authority a certificate to the effect that he has proved to the satisfaction of the licensing authority—

(a) That such vehicle is a public motor-car 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 the greatest load it is at any time carrying 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 and since the 30th day of June, 1925.

"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 31st day of May:

"License quarter" means any period of three months ending on the last days of August, November, February, and May:

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

"Minister" means the Minister of Transport:

"Multi-axled heavy motor-vehicle" means any heavy motor-vehicle specially designed or adapted so that the weight of the vehicle and its load is carried on more than two axles with their respective road-wheels, and having not less than two wheels to each axle, and approved by the Minister individually or as a class or type for the purposes of this definition:

To "operate" means to use or drive, or cause or permit to be used or driven, or permit to be on any road, whether the person operating is present in person or not:

"Owner" includes a bailee to whom a heavy motor-vehicle is bailed for any period exceeding fourteen days, and also includes a person in possession of a heavy motor-vehicle pursuant to a bill of sale or hire-purchase agreement. Where there are more owners of a heavy motor-vehicle 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":

"Steam-wagon" means any heavy motor-vehicle 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 and 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 in use for the time being 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 or propelled by a motor-vehicle other than a traction-engine:

"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 made wholly or principally of a soft and 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 and 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.

(3) For the purpose of issuing heavy-traffic licenses and assessing under these regulations the liability for license fees of tractors and trailers:—

(a) Any heavy motor-vehicle in use for the time being solely as a tractor shall be deemed to be a tractor while so used;