

*Regulations under the Motor-vehicles Act, 1924, as to the Equipment and Use of Motor-vehicles, as to Notices and Signs, and generally as to Motor-traffic.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 28th day of February, 1933.

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by the Motor-vehicles Act, 1924, and of all other powers in that behalf enabling him, 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 made under the Motor-vehicles Act, 1924, on the twenty-fourth day of February, one thousand nine hundred and twenty-eight, the seventeenth day of September, one thousand nine hundred and twenty-eight, the third day of April, one thousand nine hundred and twenty-nine, and the eleventh day of May, one thousand nine hundred and twenty-nine, and published in the *New Zealand Gazette* on the first day of March, one thousand nine hundred and twenty-eight, the twentieth day of September, one thousand nine hundred and twenty-eight, the fourth day of April, one thousand nine hundred and twenty-nine, and the twenty-third day of May, one thousand nine hundred and twenty-nine respectively, and doth hereby make the following regulations in lieu thereof.

REGULATIONS.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Motor-vehicle Regulations, 1933.

(2) In these regulations, unless the context otherwise requires,—

“The said Act” means the Motor-vehicles Act, 1924, and the amendments thereof:

“Controlling authority” means the Minister of Public Works, the Main Highways Board, the Council of any borough or county, the Board of any road district or town district, or any other person or persons having control over any road:

“Driver” includes the rider of a motor-bicycle; and “drive” has a corresponding meaning:

“Intersection” means the crossing of a road by any other road, or by any railway or tramway, at a level crossing; and includes the meeting of a road with any other road:

“Minister” means the Minister of Transport:

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:

“Police Officer” includes any member, of whatever rank, of the Police Force constituted by the Police Force Act, 1913, if for the time being in uniform, or in possession of any warrant or other proper evidence of his authority as a Police Officer:

“Road” includes street, and any portion of a road or street, and any way or portion of a way to which the public has access:

“Tram” means any vehicle engaged in the public carriage of passengers, and running on rails, and “tramway” has a corresponding meaning:

“Traffic Inspector” means any person duly appointed as a Traffic Inspector in terms of these regulations:

“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.

(3) Regulations 4 to 6 hereof (relating to equipment other than lights) shall not apply to the following kinds of vehicle:—

(a) Traction-engines being locomotive engines propelled by steam-power and designed for use on ordinary roads, exclusive of steam-wagons, whether or not used for the purpose of traction:

(b) Mechanically-propelled rollers:

(c) Cranes and excavators of the self-laying track type:

(d) Machines used solely in farm or roading operations, whether for traction or otherwise, and not for the carriage of goods or passengers, and not capable of a speed in excess of ten miles per hour:

(e) Such other types of motor-vehicle as may be exempted from time to time by Order in Council published in the *Gazette*.

(4) It shall be a defence to any person, being the driver of a motor-vehicle charged with an act or omission amounting to a breach of these regulations, if such person proves that such motor-vehicle was at the time of such act or omission actually engaged in the work of cleaning, maintaining, repairing, constructing, or reconstructing any road, and that such act or omission was reasonably necessary for the purposes of such work, and that such person took all reasonable care to prevent the occurrence of any accident, mishap, collision, damage, or any injury to or interference with any person, animal, property, or object on any road or other place, arising by reason of such act or omission.

(5) In so far as these regulations are inconsistent with or repugnant to the Heavy Motor-vehicle Regulations, 1932, or any regulations hereafter made in amendment thereof or in substitution thereof, or to any regulations made under the Transport Licensing Act, 1931, such latter regulations shall prevail; but, save as aforesaid, compliance with such latter regulations shall not excuse any person from compliance with the provisions of these regulations.

(6) Nothing in these regulations shall affect any liability of the driver or owner of a vehicle by virtue of any statute or at common law.

(7) Any power, or authority, or duty conferred or imposed on the controlling authority by these regulations in regard to any road, or to the use of any motor-vehicle thereon, shall be exercisable as follows:—

(a) In the case of a county road other than a main highway, by the County Council:

(b) In the case of a district road other than a main highway, by the Road Board:

(c) In the case of a road within a borough or town district other than a main highway, by the Borough Council or Town Board:

(d) In the case of a main highway the general control of which the Main Highways Board has not delegated to any local authority, by the Main Highways Board:

(e) In the case of a main highway control of which the Main Highways Board has delegated to any local authority, by the local authority to which such control has been so delegated:

(f) In the case of a Government road which is not a main highway, by the Minister of Public Works.

(8) Any power or authority which is exercisable by a controlling authority (being a local authority) shall be exercisable by resolution of such controlling authority; and any such power or authority (except the power of appointing Traffic Inspectors) shall be exercisable by any member or officer of a controlling authority empowered in that behalf from time to time, either generally or specially by resolution thereof, and, unless otherwise provided by resolution thereof, shall be exercisable by any Traffic Inspector appointed by such controlling authority.

REGULATION 2.—ADMINISTRATION.

(1) Every Police Officer and Traffic Inspector is hereby authorized to see that the said Act and these regulations are duly observed; and in all cases not expressly provided for by the said Act or these regulations any Police Officer or Traffic Inspector may in the execution of his duty generally control the traffic of motor-vehicles, and may give such reasonable directions to persons driving or in charge of motor-vehicles upon any public road as may, in his opinion, be necessary for the safe and efficient regulation of the traffic thereon, and every person shall comply with all lawful directions given to him by a Police Officer or Traffic Inspector relating to the driving of a motor-vehicle driven by him or in his charge.

(2) (a) Any controlling authority may by resolution, and the Minister may by writing under his hand, appoint one or more persons to be Traffic Inspectors for the purposes of these regulations, and all such Traffic Inspectors shall wear a distinctive badge, which shall, while the Inspector is on duty, be displayed in a conspicuous position.

(b) No person other than the holder of a motor-driver's license issued under the said Act shall be appointed or hold office as a Traffic Inspector.

(c) A Traffic Inspector (appointed by the Minister or the Main Highways Board) or a Police Officer shall be entitled to exercise the powers hereby conferred on him upon any road.