

*Regulations under the Transport Licensing Act, 1931, relating to the Design, Construction, and Condition of Passenger-service Vehicles.*

BLEDISLOE, Governor-General.

ORDER IN COUNCIL.

At the Government House at Wellington, this 20th day of December, 1933.

Present :

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL.

IN pursuance and exercise of the powers conferred on him by section fifty-nine of the Transport Licensing Act, 1931 (hereinafter referred to as "the said Act"), and of all other powers and authorities him thereunto enabling, 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 make the following regulations, and doth hereby declare that this Order in Council shall come into operation on the date of publication thereof in the *New Zealand Gazette*.

REGULATIONS.

GENERAL PROVISIONS.

1. THESE regulations may be cited as the Passenger-service Vehicle (Constructional) Regulations, 1933.

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

"Authorized Officer" includes the Commissioner of Transport and the officer authorized by him to issue a certificate of fitness in respect of a passenger-service vehicle :

"Body" includes all that portion of a passenger-service vehicle designed to accommodate and to protect the driver, passengers, conductor, or attendant (if any), or otherwise provided for their use in general :

"Chassis," save as otherwise provided in clause (5) of Regulation 33 hereof, includes all that portion of a passenger-service vehicle (exclusive of the body and the separate fittings, equipment, or attachments for the body, and exclusive of the consumable supplies, such as fuel, oil, and water :

"Commissioner" means the Commissioner of Transport :

"Omnibus" means a passenger-service vehicle the body of which is designed for the carriage of both seated and standing passengers :

"Passenger-service vehicle" means a passenger-service vehicle as defined by the said Act :

"Passenger-truck" means (1) a passenger-service vehicle the body of which, although designed principally for the carriage of goods, has by adaption or by alteration been made suitable for the carriage of passengers, or (2) any passenger-service vehicle so designated by the Commissioner of Transport :

"Service-car" means a passenger-service vehicle which has the majority of its seats placed uninterruptedly across the body, which is not designed to carry standing passengers :

"Service-coach" means a passenger-service vehicle the body of which has a longitudinal aisle and is not designed to carry standing passengers :

"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.

(2) The Commissioner shall have power to determine whether any passenger-service vehicle is an omnibus, a passenger-truck, a service-car, or a service-coach, and his determination thereof shall be for the purposes of these regulations be final and conclusive.

3. (1) Every passenger-service vehicle (not being a passenger-truck) first used in a passenger-service (as defined by the said Act) before the 1st day of June, 1932, shall comply with the conditions and requirements appropriate to its class contained in Part I of these regulations.

(2) Every passenger-service vehicle (not being a passenger-truck) first used in a passenger-service (as defined by the said Act) after the 1st day of June, 1932, and every passenger-service vehicle which has been licensed under the Motor-omnibus Traffic Act, 1926, and to which the provisions of both Parts I and II of the Motor-omnibus (Constructional) Regulations, 1929, applied, shall comply with all the conditions and requirements appropriate to its class contained in Parts I and II of these regulations.

(3) Every passenger-truck shall comply with the conditions and requirements contained in Part III of these regulations, but need not comply with the conditions and requirements contained in Parts I and II hereof other than as provided in Part III.

(4) Every passenger-service vehicle, in addition to complying with such of the conditions and requirements of these regulations as is hereinbefore provided, shall comply with such other of the conditions and requirements of Parts I, II, and III hereof as the Commissioner, after taking into account the nature and reasonable needs and requirements of the service in which such vehicle is being or is intended to be used, may direct.

(5) The Commissioner shall have power to determine from any records in his possession the date on which any passenger-service vehicle was first used, and for the purpose of these regulations his determination shall be final.

4. (1) The Commissioner may, in special circumstances, and subject to such conditions as he thinks fit to impose, grant exemption in respect of any passenger-service vehicle from the provisions of any of these regulations, and may extend such exemption so that it may be granted at the discretion of the Authorized Officer to all passenger-service vehicles of the same make, type, and model plying under similar conditions.

(2) Application for such exemption shall in every case be made by the owner (or intending owner) of the passenger-service vehicle, or of the chassis to the Authorized Officer, and shall state fully the grounds on which exemption is sought. The application shall state the name of the maker of the chassis, shall properly identify the vehicle, and any other information required by the Authorized Officer shall be also supplied.

5. (1) For the purpose of the said Act, the Authorized Officer may, at his discretion, issue a certificate of fitness or permit in respect of the passenger-service vehicle, subject to the condition that certain requirements of these regulations be fulfilled within a specified time limit or limits.

(2) From every decision of an Authorized Officer (not being the Commissioner) made in terms of these regulations, there shall be a right of appeal by the owner of the vehicle to the Commissioner.

6. Every person who does or omits or causes or knowingly permits or suffers to be done or omitted, any act, matter, or thing contrary to the provisions of these regulations, or contrary to the provisions or restrictions in the permit, or the certificate of fitness, or who, for the purpose of these regulations, makes any statement or supplies any information that is false or misleading in any material particular, or who otherwise than in accordance with an order of exemption made under Regulation 4 hereof, or permission in terms of Regulation 5 hereof, uses as a passenger-service vehicle any motor-vehicle that does not comply with the provisions or requirements of these regulations shall be liable to a fine of £10.

PART I.

REGULATIONS APPLICABLE TO ALL LICENSED PASSENGER-SERVICE VEHICLES OTHER THAN PASSENGER-TRUCKS.

*Doorways.*

7. (1) Every passenger-service vehicle with a body designed to give shelter to the passengers from the weather shall be fitted with at least two doorways, one of which being that one generally used by the passengers shall be situated on the near side of the vehicle and another which if not at the extreme rear end of the body shall be on the off side. When only two doorways are provided no part of one doorway shall be transversely opposite any portion of the opening of the other doorway.

(2) One of the doorways need not be available for use save in cases of emergency, and if intended for use only in such cases, shall be fitted with a door (hereinafter referred to as the "emergency door") kept securely latched until it is required to be used. The device for opening the emergency door shall be quick acting and of ample strength and shall at all times be capable of ready operation, and if such device includes a removable key, the latter shall be permanently fixed by a chain fastened within 1 ft. 6 in. of the keyhole. The keyhole shall be situated not higher than 4 ft. from the floor. On every emergency door fitted with a closing or locking device there shall be painted an "arrow" sign or some suitable word or phrase (e.g., "turn," "lift, then push") as a guide to the method of opening the door. In an omnibus fitted with an emergency door a conspicuous notice directing attention to the emergency door shall be displayed inside the omnibus near the front thereof. Every emergency door shall be kept free of all obstruction on the outside of the passenger-service vehicle.

(3) The outside of and any passageway to the doorway or doorways in general use shall at all times be kept free and