

1959/156



**THE MOTOR DRIVERS REGULATIONS 1940,
AMENDMENT NO. 14**

—
COBHAM, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 7th day of October 1959

Present:
HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Transport Act 1949, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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REGULATIONS

1. (1) These regulations may be cited as the Motor Drivers Regulations 1940, Amendment No. 14, and shall be read together with and deemed part of the Motor Drivers Regulations 1940* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the twenty-eighth day after the date of their notification in the *Gazette*.

2. (1) Regulation 8 of the principal regulations, as substituted by regulation 4 (1) of the Motor Drivers Regulations 1940, Amendment No. 11, is hereby amended by revoking the definition of the term "new applicant" in subclause (1), and substituting the following definition:

"'New applicant' means an applicant for a licence to drive a motor cycle who is unable to produce to the appropriate authority—

"(a) Satisfactory evidence that he has previously been licensed to drive a motor cycle in New Zealand or elsewhere; or

"(b) A certificate or letter from an approved school of instruction certifying that the applicant has successfully completed a course of instruction in motor-cycle driving conducted by the school."

(2) Regulation 8 of the principal regulations, as so substituted, is hereby further amended by omitting from the first proviso to subclause (9) the words "the expiration of three months from the date of".

*S.R. 1940/73. (Reprinted with Amendments Nos. 1 to 10: S.R. 1956/95)
Amendment No. 11: S.R. 1956/125
Amendment No. 12: S.R. 1957/139
Amendment No. 13: S.R. 1958/74

3. (1) The principal regulations are hereby amended by inserting, after regulation 8, as substituted as aforesaid, the following regulation:

“REGULATION 8A—PROVISIONAL LICENCES TO DRIVERS OF MOTOR CYCLES

“(1) Notwithstanding anything in these regulations, any local authority may, on payment of a fee of 5s., issue a provisional motor-driver’s licence in form numbered 2c in the Schedule hereto to any person who passes the tests prescribed by regulation 5 hereof as to eyesight, hearing, and traffic law, authorising that person to drive a motor cycle for the purpose of learning to drive a motor cycle.

“(2) Every such provisional licence shall continue in force, unless it is sooner cancelled or suspended, for a period of six weeks, but may be extended from time to time by the local authority for further periods of six weeks each upon payment of a further fee of 5s. for each extension.

“(3) If during the licensing year in which a provisional licence was granted or extended the holder obtains an ordinary licence (whether or not it is one to which regulation 8 hereof applies), no further fee shall be payable in respect of the issue of the ordinary licence other than a testing fee of 5s. for a practical-driving test.

“(4) No provisional licence shall be issued under this regulation except subject to the following special conditions:

“(a) The holder shall not drive any motor cycle on any road at a speed exceeding 30 miles an hour:

“(b) The holder shall not carry any other person on any motor cycle he is driving or use a sidecar:

“(c) The holder shall not ride any motor cycle, unless it is fitted with learner’s registration plates in accordance with the provisions of regulation 8 (3) (c) hereof.

“(5) The provisions of paragraph (c) of subclause (3) and subclauses (4) to (7) of regulation 8 hereof, as far as they are applicable and with the necessary modifications, shall apply with respect to every provisional licence issued under this regulation as if it were a licence to drive a motor cycle issued to a new applicant.

“(6) Every person commits an offence against these regulations who, being the holder of a provisional licence issued under this regulation, drives a motor cycle in breach of any of the conditions specified in subclause (4) of this regulation.

“(7) Subject to the provisions of this regulation, every provisional licence issued under this regulation shall be deemed to be a motor-driver’s licence for the purposes of these regulations and of the Transport Act 1949 and of any other regulations under that Act, but, except as provided in this regulation, nothing in regulation 8 hereof shall apply with respect to any provisional licence issued under this regulation.

“(8) Where a provisional licence under this regulation is issued to a person who holds a current motor-driver’s licence authorising him to drive some other class or classes of motor vehicle, the provisional licence shall be deemed to be part of and shall be affixed to that current licence, and, subject to this regulation, shall have effect as an extension of that current licence.”

(2) The Schedule to the principal regulations is hereby amended by inserting, after form numbered 2b, as inserted by regulation 2 (5) of the Motor Drivers Regulations 1940, Amendment No. 9, the form numbered 2c set out in the Schedule to these regulations.

SCHEDULE

Form 2c

PROVISIONAL LICENCE TO DRIVE A MOTOR CYCLE

Issued by the [Name of local authority]

Name of licensee: No.

Address:

Occupation: M F /...../.....

Date of Issue:

This licence is valid for a period of six weeks from the date of issue hereof and is issued subject to the conditions specified below.

Signature of Issuing Officer:

Signature of Licensee:

[To be signed in ink]

THIS LICENCE IS NOT VALID UNLESS SIGNED BY THE LICENSEE

Special Conditions

Provisional licences to drive motor cycles are issued subject to the following conditions:

- (1) The licensee shall not ride a motor cycle at a speed exceeding thirty (30) miles an hour.
- (2) The licensee shall not carry any other passenger on any motor cycle he is driving or use a sidecar.
- (3) The licensee shall not drive any motor cycle unless it is fitted with the special learner's registration plates.
- (4) Upon expiration of this licence, the licensee shall be entitled at his option and upon payment of a further fee of 5s. to an extension thereof for a further period of six weeks.
- (5) In the event of an ordinary licence or a learner's licence to drive a motor cycle being issued to the licensee, no further licence fee shall be payable for the unexpired portion of the current licensing year.

T. J. SHERRARD,
Clerk of the Executive Council.

EXPLANATORY NOTE

This note is not part of the regulations, but is intended to indicate their general effect.

The effect of regulation 2 is to exempt successful holders of certificates from approved schools of instruction in motor-cycle driving from being subject to the special conditions imposed on new applicants. It also enables a new applicant to apply for the removal of those special conditions at any time after issue of his licence on production of a certificate from an approved school of instruction that he has successfully completed a course in motor-cycle driving conducted by that school.

Regulation 3 authorises the issue of provisional licences authorising the licensee to ride a motor cycle on a road for the purpose of learning to ride the motor cycle.

A practical driving test will not be required for a provisional licence, but the applicant will have to pass the same test of eyesight, hearing, and knowledge of traffic rules as for an ordinary driving licence.

The licence, for which a fee of 5s. is payable, will be valid for six weeks only, but renewals for further six weekly periods may be obtained at a fee of 5s. for each renewal.

The holder may not exceed a speed of 30 miles an hour or carry a pillion rider or use a sidecar, and the motor cycle must carry learner's registration plates.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 8 October 1959.

These regulations are administered in the Transport Department.