

1964/204



THE MOTOR DRIVERS REGULATIONS 1940,
AMENDMENT NO. 17

BERNARD FERGUSSON, Governor-General
ORDER IN COUNCIL

At the Government House at Wellington this 16th day of December 1964

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

REGULATIONS

1. (1) These regulations may be cited as the Motor Drivers Regulations 1940, Amendment No. 17, 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 1st day of February 1965.

2. The principal regulations are hereby amended by revoking regulation 5, and substituting the following heading and regulation:

“REGULATION 5—TESTS FOR DRIVERS OF MOTOR VEHICLES

“(1) The tests to be passed by an applicant for a motor-driver’s licence shall be conducted by testing officers who are employed full-time as traffic officers and are approved for that purpose by the Minister, and shall include the following:

“(a) Eyesight and hearing tests; and

“(b) Tests in knowledge of traffic law; and

“(c) Practical-driving tests; and

“(d) The principles of safe and efficient operation of motor vehicles.

“(2) The eyesight and hearing tests shall not be required from any applicant who furnishes to the local authority from a registered medical practitioner a certificate in or to the effect of clauses 1, 2, and 3 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: (Revoked by S.R. 1963/81)

Amendment No. 13: S.R. 1958/74

Amendment No. 14: S.R. 1959/156

Amendment No. 15: S.R. 1962/159

Amendment No. 16: S.R. 1963/81

form No. 3 in the Schedule hereto, and the eyesight test shall not be required from any applicant who furnishes to the local authority from a registered medical practitioner or registered optician a certificate in or to the effect of form No. 3A in the Schedule hereto.

“(3) The eyesight and hearing tests shall be conducted as follows:

“(a) A test card shall be used consisting of lines of type equal in size to Snellen’s distance test type:

“(b) The combination of letters in the test type shall be varied by the testing officer from time to time:

“(c) The applicant (who may wear glasses during the test) shall be placed at a distance of 20 ft from the test type (or an equivalent distance when it is viewed through the use of a mirror), and the test type should be well illuminated:

“(d) If the applicant has the use of only one eye while driving, that eye should be equal to or better than six-ninths standard:

“(e) If the applicant has the use of both eyes while driving and if neither eye is equal to or better than the six-ninths standard, then each eye singly must be equal to or better than the six-eighteenth standard, and both eyes together must be equal to or better than the six-twelfths standard:

“(f) The applicant shall be capable of hearing each word uttered in an ordinary conversational voice at a distance of 10 ft.

“(4) No licence shall be issued to any applicant who fails to pass the tests prescribed by subclause (3) of this regulation, unless he furnishes to the local authority from a registered medical practitioner or registered optician the certificate or certificates referred to in subclause (2) of this regulation:

“Provided that no such certificate shall be available under this subclause unless it refers to a personal examination conducted on a date subsequent to that of the tests conducted by the testing officer.

“(5) The tests in knowledge of traffic law (as prescribed by the Minister pursuant to subclause (6) of this regulation) shall consist of—

“(a) Questions from sections 15, 52, 54 to 60, and 64 to 67 of the Act (or from any provisions passed in amendment thereof or in substitution therefor), and from any of the regulations for the time being in force relating to the driving, parking, or use of motor vehicles on the road; and

“(b) Evidence of familiarity with the correct driving signals under those regulations; and

“(c) Evidence of familiarity with the duties of motor drivers at railway level-crossings.

“(6) The tests in traffic law and the principles of safe and efficient operation of motor vehicles shall be prescribed from time to time by the Minister, by notice in the *Gazette*. The Minister may prescribe different tests with respect to different classes of motor vehicles or with respect to the same class of motor vehicles in different circumstances.

“(7) A licence shall not be granted to an applicant, unless he passes the prescribed tests at a standard prescribed by the Minister, by notice in the *Gazette*. The Minister may prescribe different standards with respect to different classes of motor vehicles or with respect to the same class of motor vehicles in different circumstances.

“(8) The practical driving test shall be conducted in a vehicle of the class in respect of which the licence is sought.

“(9) Upon the completion of the said tests, the testing officer shall make and sign and deliver to the local authority a certificate in form No. 4 in the Schedule hereto.”

3. The principal regulations are hereby further amended by inserting, after regulation 5A (as inserted by regulation 3 (1) of the Motor Drivers Regulations 1940, Amendment No. 16), the following heading and regulation:

“REGULATION 5B—EYESIGHT TEST FOR DRIVERS OF PUBLIC PASSENGER
VEHICLES

“Notwithstanding anything to the contrary in these regulations, a local authority may grant a licence to drive a motor vehicle of any of the following classes, namely, a taxicab, a motor omnibus, a trackless tram, or a passenger-service vehicle to an applicant who has the use of only one eye, where—

“(a) The applicant has at any time before the date of his application been the holder of a licence to drive a motor vehicle in any one or more of those classes; and

“(b) The applicant furnishes to the local authority a recent certificate from a registered medical practitioner showing that—

“(i) The usable eye is of six-sixths standard with or without glasses and is not less than six-sixtieths standard without glasses; and

“(ii) The applicant’s field of vision is normal for one eye; and

“(iii) In the opinion of the medical practitioner he is physically capable of driving safely a motor vehicle of any one or more of those classes.”

4. The Schedule to the principal regulations is hereby amended by revoking forms Nos. 3, 4, and 5 and substituting the forms Nos. 3, 3A, 4, and 5 in the Schedule to these regulations.

5. (1) The principal regulations are hereby further amended—

(a) By inserting in subclause (3) of regulation 3, and also in subclause (4), after the words “form numbered 3”, the words “or form numbered 3A”:

(b) By omitting from subclause (1) of regulation 4, and also from subparagraph (iv) of paragraph (b) of subclause (12), the words “is classified as ‘Good’ in tests in the knowledge of traffic law as set out in subclause (5) of”, and substituting in each case the words “passes the tests in the knowledge of traffic law and the principles of safe and efficient operation of motor vehicles prescribed pursuant to”:

(2) The following regulations are hereby revoked:

(a) Regulation 7 and paragraphs (c) and (d) of regulation 11 of the Motor Drivers Regulations 1940, Amendment No. 3:

(b) The Motor Drivers Regulations 1940, Amendment No. 4:

(c) Regulation 3 (2) of the Motor Drivers Regulations 1940, Amendment No. 16.

SCHEDULE

Reg. 5 (2)

"Form 3

The Transport Act 1962

MEDICAL CERTIFICATE (TO ACCOMPANY APPLICATION FOR A MOTOR-DRIVER'S LICENCE WHEN APPLICANT IS OVER 70 YEARS, OR IF THE ISSUING AUTHORITY SO REQUIRES, OR IN THE APPLICANT'S OPTION: NOT AVAILABLE ON APPLICATION FOR LICENCE TO DRIVE A TAXICAB, A MOTOR OMNIBUS, A TRACKLESS TRAM, OR A PASSENGER-SERVICE VEHICLE)

I HAVE on this day personally examined [*Name of applicant*] knowing (him) (her) to be an applicant for a motor-driver's licence under the above Act for a vehicle other than a taxicab, a motor omnibus, a trackless tram, or a passenger-service vehicle, and I hereby certify as follows:

1. Eyesight: I have recorded the following results of my examination:

Eyesight of applicant without glasses: R..... L.....
Both.....

Eyesight of applicant with glasses: R..... L.....
Both.....

The applicant has (has not) the use of both eyes.

2. Hearing: The applicant is capable of hearing each word uttered in an ordinary conversational voice at 10 ft.

[Alternative to be crossed out where not applicable]

The applicant, although not able to comply with the foregoing standard of hearing, is nevertheless, having consideration to general mental and physical condition, a fit and proper person to be granted a motor-driver's licence for a vehicle other than a taxicab, a motor omnibus, a trackless tram, or a passenger-service vehicle.

3. The respiration (is) (is not) natural, and the respiratory sounds and the resonance of the chest are (normal) (abnormal).

4. The pulsations of the heart (are) (are not) natural in rhythm and force, and its sounds (are) (are not) those of health.

5. The applicant is free from any disease or any physical defect that would, in my opinion, interfere with (his) (her) capabilities as a motor driver within the licensing year ending on 30 June 19....

6. In my opinion, having all proper regard to the safety of passengers and of the public generally, the applicant is a fit and proper person to be granted a motor-driver's licence for a vehicle other than a taxicab, a motor omnibus, a trackless tram, or a passenger-service vehicle, and I recommend that any motor-driver's licence granted to the applicant be endorsed (not endorsed) as valid only while the applicant is wearing the glasses which the applicant used in my examination or glasses of the same prescription.

.....
Registered Medical Practitioner.

Date:

SCHEDULE—continued

“Form 3A

Reg. 5 (2)

The Transport Act 1962

EYESIGHT CERTIFICATE TO ACCOMPANY APPLICATION FOR
MOTOR-DRIVER’S LICENCE

I HAVE on this date personally examined [*Name of applicant*], knowing (him) (her) to be an applicant for a motor-driver’s licence under the above Act for a vehicle other than a passenger-service vehicle, a motor omnibus, a trackless tram, or a taxicab, and I hereby certify as follows:

1. I have recorded the following results of my examination:
 Eyesight of applicant without glasses: R..... L.....
 Both.....
 Eyesight of applicant with glasses: R..... L.....
 Both.....
 The applicant has (has not) the use of both eyes.

2. The applicant is, in my opinion, visually fit (unfit) in terms of the standards laid down in the Motor Drivers Regulations 1940.

3. I recommend that any motor-driver’s licence granted to the applicant be endorsed (not endorsed) as valid only while the applicant is wearing the glasses which the applicant used in my examination or glasses of the same prescription.

Date:.....

Signed:.....

Registered Medical Practitioner
(or, Registered Optician, as the case may be).

“Form 4

Reg. 5 (9)

Motor Drivers Regulations 1940

TESTING OFFICER’S REPORT

(NOTE—*This is not a driver’s licence*)

(1) Particulars of person tested:

Mr
Surname Mrs.....
Miss
Forenames:.....
Address:.....
Signature:.....

(2) To the Clerk:..... Council.

I certify that on/...../19..... the person described above passed the appropriate tests as prescribed by the Motor Drivers Regulations 1940 for a motor-driver’s licence of the following class(es)
.....
.....

Any licence issued should be endorsed (not endorsed) WITH GLASSES: SPECIALLY DESIGNED VEHICLE [*cross out items not applicable*].

.....
Approved Testing Officer.

...../...../.....
Date.

SCHEDULE—continued

Reg. 3 (4)

"Form 5

The Transport Act 1962

MEDICAL CERTIFICATE (TO ACCOMPANY APPLICATION FOR A LICENCE TO DRIVE A TAXICAB, A MOTOR OMNIBUS, A TRACKLESS TRAM, OR A PASSENGER-SERVICE VEHICLE)

I HAVE on this date personally examined [*Name of applicant*], knowing (him) (her) to be an applicant for a licence under the above Act to drive a taxicab (motor omnibus) (trolley omnibus) (passenger-service vehicle), and I hereby certify as follows:

1. Eyesight: I have recorded the following results of my examination:

Eyesight of applicant without glasses: R..... L.....

Both:.....

Eyesight of applicant with glasses: R..... L.....

Both:.....

[NOTE—If the applicant has the use of only one eye while driving he is disqualified by regulation 5B of the Motor Drivers Regulations 1940 from being granted a licence of any of the classes to which this form relates unless the conditions imposed by that regulation have been satisfied.]

2. Colour vision: The applicant is aware of any defects in colour perception.

3. Hearing: The applicant is capable of hearing words uttered in an ordinary conversational voice at 10 ft.

4. The respiration (is) (is not) natural, and the respiratory sounds and the resonance of the chest (normal) (abnormal).

5. The pulsations of the heart (are) (are not) natural in rhythm and force and its sounds (are) (are not) those of health.

6. The applicant is free from disease and from any physical defect that would in my opinion interfere with the proper carrying out of (his) (her) duties.

7. In my opinion, having all proper regard to the safety of passengers and of the public generally, the applicant is mentally and physically a fit and proper person to be licensed as the driver of a taxicab (motor omnibus) (trackless tram) (passenger-service vehicle) and I recommend that any motor driver's licence granted to the applicant be endorsed (not endorsed) as valid only while the applicant is wearing the glasses the applicant used in my examination or glasses of the same prescription.

.....
Registered Medical Practitioner."

Date:.....

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.

These regulations, which will come into force on 1 February 1965, make provision for new standard tests for applicants for motor-drivers' licences to be prescribed, and enable different tests to be prescribed for different classes of vehicles. New forms of medical and eyesight certificates are prescribed.

New provision is also made as to the circumstances in which an applicant who has the use of only one eye may obtain a licence to drive a public passenger vehicle.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 17 December 1964.

These regulations are administered in the Transport Department.