

Serial Number 1939/247.



**THE PEDESTRIAN-CROSSING AND SAFETY-ZONE
REGULATIONS 1939.**

GALWAY, Governor-General.

ORDER IN COUNCIL.

At the Government Buildings at Wellington, this 22nd day of
November, 1939.

Present :

THE HON. W. NASH PRESIDING IN COUNCIL.

PURSUANT to the Motor-vehicles Act, 1924, His Excellency the Governor-General, acting by and with the advice of the Executive Council, doth hereby make the following regulations.

PART I.—GENERAL.

REGULATION 1.—PRELIMINARY.

(1) These regulations may be cited as the Pedestrian-crossing and Safety-zone Regulations 1939.

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

(3) In these regulations—

“ Authorized pedestrian-crossing ” means a way marked on a roadway by or under authority of a controlling authority in accordance with the provisions of these regulations for the use of pedestrians in crossing a roadway :

“ Authorized safety-zone ” means an area for the time being constructed or marked within or adjoining a roadway in accordance with the provisions of these regulations for the purpose of excluding from the area traffic other than pedestrian traffic and invalid chairs :

“ Roadway ” means any part of a public street or road which has not been determined to be a footway only under the authority of section 175 of the Municipal Corporations Act, 1933, or section 121 of the Public Works Act, 1928, and includes a public cycle-track constructed under the authority of section 181 of the Municipal Corporations Act, 1933.

* See end note.

(4) Subject to the last preceding clause and unless inconsistent with the context, the terms defined by Regulation 2 of the Traffic Regulations 1936 shall have the same meaning in these regulations.

(5) An authorized pedestrian-crossing and an authorized safety-zone under these regulations shall be deemed to be an authorized pedestrian crossing and a safety-zone respectively for the purposes of the Traffic Regulations 1936.

REGULATION 2.—OFFENCES.

Every controlling authority or other person who—

- (a) Fails to comply with any condition, duty, or obligation imposed by these regulations; or
- (b) Offends against or fails to comply with any of these regulations—

shall be deemed to have committed a breach of these regulations and shall be liable to a fine of £50.

PART II.—PEDESTRIAN-CROSSINGS.

REGULATION 3.—AUTHORITY FOR MARKING OF PEDESTRIAN-CROSSINGS.

(1) Subject to the provisions of the next succeeding clause, any controlling authority, but no other body or person, may mark or cause to be marked on any roadway under its control an authorized pedestrian-crossing of the design, type, and character described in the next succeeding regulation.

(2) Save with the prior approval in writing of the Minister, an authorized pedestrian-crossing shall not be marked on—

- (a) A roadway which is outside a borough or town district; or
- (b) A roadway within a borough or town district which has been excluded by the Minister, in terms of section 3 of the Motor-vehicles Amendment Act, 1936, from the limitation as to speed imposed by the said section 3.

(3) The Minister may at any time require the controlling authority to abolish any authorized or other pedestrian-crossing, or to alter any pedestrian-crossing so that it conforms to the construction, markings, dimensions, or other requirements of an authorized pedestrian-crossing.

REGULATION 4.—TYPES OF AUTHORIZED PEDESTRIAN-CROSSINGS.

(1) For the purpose of these regulations and the Traffic Regulations 1936 an authorized pedestrian-crossing shall conform in construction and marking with one of the types hereinafter mentioned, or shall be of such type, construction, or marking as may be approved in writing by the Minister.

(2) Crossings on roadways whereon vehicular traffic is permitted to move in either direction shall be of the type and measurements described in diagram No. 1 or in diagram No. 3 set out in the Schedule hereto.

(3) Crossings on roadways whereon vehicular traffic is permitted to move in only the one direction shall be of the type and measurements described in diagram No. 2 or in diagram No. 3 set out in the Schedule hereto, with omission of the centre cross-line shown in the last-mentioned diagram.

(4) The marking-lines of the crossing shall be continuous and of a colour to contrast with the colour of the adjacent roadway. The area between the lines of the crossing described in diagram No. 3 shall be of a colour to contrast both with the colour of the said lines and with the colour of the adjacent roadway.

(5) An authorized pedestrian-crossing may be interrupted by or may be terminated at an authorized safety-zone, or safety-zones, as described in diagram No. 4 set out in the Schedule hereto or in Part II hereto.

(6) An authorized pedestrian-crossing shall, so far as practicable, be constructed or placed either at right angles to the middle-line of the roadway, or so that it provides the shortest available route across the roadway.

(7) Where the street or road on which an authorized pedestrian-crossing is placed is intersected by another road or street at a right angle or a more acute angle, or changes its direction by a right angle or a more acute angle, then the crossing shall be so placed that no part thereof lies within 2 ft. of the angle made by the kerb of the footpaths of the two streets or road or, as the case may be, of the footpaths of the two portions of such street or road, or, if such kerbs do not meet at an angle, then within 2 ft. of the point where the nearest straight portions thereof would meet if produced as indicated on the said diagrams No. 1, No. 2, and No. 3.

REGULATION 5.—VISIBILITY AND INDICATORS OF AUTHORIZED
PEDESTRIAN-CROSSINGS.

(1) Every authorized pedestrian-crossing shall be so located, and the controlling authority shall cause every authorized pedestrian-crossing to be so marked and maintained, and during the hours of darkness to be so illuminated, that under normal atmospheric conditions the crossing will be clearly visible at a distance of 100 ft. to a motor-vehicle driver of normal vision who is approaching the crossing in either direction over the roadway in which the crossing is situated or, as the case may be, in the direction in which vehicular traffic is permitted to move.

(2) The presence and position of every authorized pedestrian-crossing shall, unless written approval to the contrary is obtained from the Minister, be indicated as follows:—

(a) In the case of a crossing approved by the Minister in terms of clause (2) of Regulation 3 hereof, the controlling authority shall erect and maintain on a post or pole conforming with the description in the next succeeding paragraph such signs of Class C (as described in the Traffic Sign Regulations 1937) at such places and containing such wording as may be directed by the Minister:

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(b) In the case of any other authorized pedestrian-crossing the controlling authority shall erect or utilize a post or pole not less than 3 in. in diameter or cross-section, and not less than 7 ft. in height situated at each end of the crossing within 6 ft. from some part thereof, and shall paint and shall clearly maintain thereon alternate parallel bands of black and of white, each having a width of approximately 12 in.

(3) Subject to the prior approval in writing of the Minister, the controlling authority may also mark or provide such additional indication as it thinks fit of the presence and position of the crossing.

REGULATION 6.—AMENDMENTS TO TRAFFIC REGULATIONS 1936 AND TRAFFIC SIGN REGULATIONS 1937.

(1) The Traffic Regulations 1936* are amended as follows :—

(a) By revoking clause (3) of Regulation 4 :

(b) By adding to paragraph (c) of clause (7) of Regulation 4 the following words : “ or within 20 ft. before the nearer side of an authorized pedestrian-crossing.”

(2) The Traffic Sign Regulations 1937† are amended by revoking clause (9) of Regulation 4 and the diagram No. 10 described in the Schedule.

PART III.—AUTHORIZED SAFETY-ZONES.

REGULATION 7.—PROVISION OF AUTHORIZED SAFETY-ZONES.

(1) Any controlling authority, but no other body or person, may construct or mark an authorized safety-zone on any roadway under its control.

(2) The Minister may at any time require the controlling authority to abolish any authorized or other safety-zone or to alter any safety-zone so that it conforms to the construction, markings, dimensions, or other requirements of an authorized safety-zone.

REGULATION 8.—CONSTRUCTION, MARKING, OR PLACEMENT OF AUTHORIZED SAFETY-ZONES.

(1) Subject to the provisions of Regulation 10 hereof, an authorized safety-zone—

(a) Shall not be constructed or marked in any roadway where the roadway is less than 44 ft. in width :

(b) Shall be so constructed or marked that the nearer side of the roadway is not less than 20 ft. distant from any part of the safety-zone :

(c) Shall have a minimum width, measured transversely to the direction of the roadway, of 4 ft. :

(d) Shall have a minimum length measured longitudinally to the direction of the roadway either of 5 ft. or, when the safety-zone interrupts a pedestrian-crossing, so that the safety-zone runs at least the full width of the crossing.

* Statutory Regulations 1936-7, Serial number 1936/86, page 319.

† Statutory Regulations 1936-7, Serial number 1937/159, page 583.

- (2) The position of an authorized safety-zone shall be marked—
- (a) Where used in conjunction with an authorized pedestrian-crossing, as described in diagram No. 4 set out in the Schedule hereto, by lines of similar colour and width to those used for marking the crossing; or
 - (b) By raising the level of the whole safety-zone above the adjoining roadway, and in such case the boundaries of the safety-zone shall be defined by means of a kerbing.

REGULATION 9.—VISIBILITY AND PROTECTIVE GUARDS OF SAFETY-ZONES.

(1) During the hours of darkness the controlling authority shall cause every authorized safety-zone to be so illuminated that it is clearly visible under normal atmospheric conditions to a person of normal vision at a distance of not less than 100 ft.

(2) In addition to the requirements of the last preceding clause, at each end of every authorized safety-zone when considered longitudinally to the direction of the roadway the controlling authority shall cause to be erected a standard or bollard or protective wall which during the hours of darkness is so illuminated or marked out by a light or reflectors of sufficient brilliance and efficiency as to be visible under normal atmospheric conditions for a distance of at least 300 ft. to a driver of normal vision of a motor-vehicle which is approaching the safety-zone with lights in a dipped position as that position is described in Regulation 7 of the Traffic Regulations 1936 (as amended by the Traffic Regulations 1936, Amendment No. 1).

REGULATION 10.—SAFETY-ZONES NOT TO STANDARD TYPE.

(1) Subject to the provisions of clause (2) of Regulation 7 hereof, any safety-zone of a permanent type of construction shall, if constructed before the date of notification of these regulations in the *Gazette*, be deemed to be an authorized safety-zone for the purpose of these regulations, unless the controlling authority is directed otherwise by the Minister.

(2) The Minister may, upon the application of a controlling authority, give written permission for the construction of an authorized safety-zone which does not comply in all respects with the requirements of these regulations.

REGULATION 11.—DUTIES OF MOTORISTS IN RELATION TO AUTHORIZED SAFETY-ZONES.

No person shall drive a motor-vehicle so as to permit the vehicle or its load, or any part of the vehicle or load, to encroach on the area of an authorized safety-zone. It shall be a defence to any proceedings for a breach of this regulation if the defendant proves that the requirements of Regulation 9 hereof were not complied with by the controlling authority at the time of the alleged offence.

SCHEDULE.

DESIGN AND DIMENSIONS OF AUTHORISED PEDESTRIAN CROSSING.

Diagram No. 1

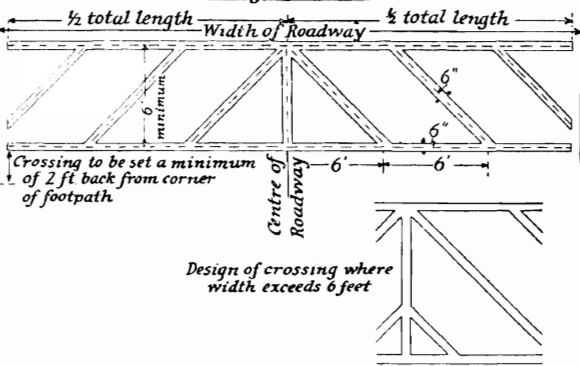


Diagram No. 2

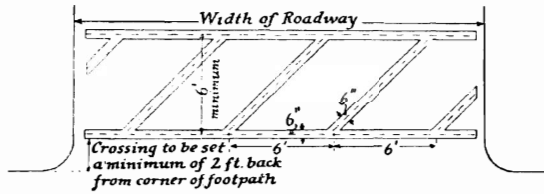


Diagram No. 3

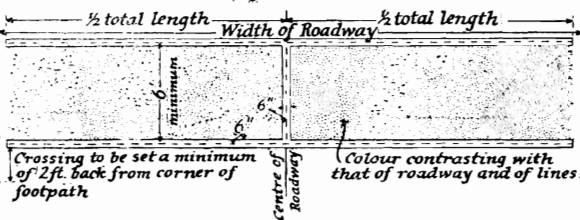
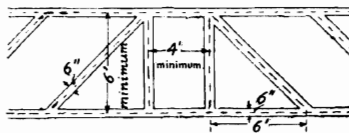


Diagram No. 4



C. A. JEFFERY,
Clerk of the Executive Council.

Issued under the authority of the Regulations Act, 1936.
Date of notification in *Gazette*: 23rd day of November, 1939.
These regulations are administered by the Transport Department.

(TT. 9/2.)