



**TRAFFIC AMENDMENT REGULATIONS (NO. 3) 1999**

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MICHAEL HARDIE BOYS, Governor-General

**ORDER IN COUNCIL**

At Wellington this 26th day of July 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to sections 167 and 218 of the Land Transport Act 1998, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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ANALYSIS

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|------------------------------------------------------------|---------------------------------------------------------------------|
| 1. Title and commencement                                  | 6. Restrictions on towing of trailers by passenger service vehicles |
| 2. Interpretation                                          | 7. Windscreens and other glazing                                    |
| 3. Interpretation                                          | 8. Sun visors                                                       |
| 4. Restrictions affecting vehicles                         | 9. Television in motor vehicles                                     |
| 5. Restrictions affecting heavy passenger service vehicles | 10. Revocation                                                      |
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## REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Traffic Amendment Regulations (No. 3) 1999, and are part of the Traffic Regulations 1976\* (“the principal regulations”).

(2) These regulations come into force on 1 September 1999.

**2. Interpretation**—(1) Regulation 2 of the principal regulations is amended by inserting, after the definition of the term “goods-service vehicle”, the following definition:

“‘Gross vehicle mass’, in relation to any vehicle, means the greatest of the following masses:

“(a) The mass specified as the gross vehicle mass by the manufacturer of the vehicle:

“(b) The mass specified as the gross vehicle mass of the vehicle, or of a vehicle of that kind, by the Director by notice in writing to the owner:

“(c) The mass of the vehicle, together with the load that the vehicle is for the time being carrying, including any equipment and accessories.”.

(2) Regulation 2 of the principal regulations is amended by revoking paragraph (c) of the definition of the term “school bus”, and substituting the following paragraph:

“(c) A passenger service vehicle whose gross laden weight is 3500 kg or more, and that is for the time being in use for either of the purposes specified in regulation 127 (1).”

**3. Interpretation**—Regulation 48A of the principal regulations is amended by revoking the definition of the term “bus”, and inserting, after the definition of the term “full trailer”, the following definitions:

“‘Heavy passenger service vehicle’ means a passenger service vehicle whose gross laden weight is 3500 kg or more:

\*S.R. 1976/227

Amendment No. 1: S.R. 1978/72

Amendment No. 2: (*Revoked by S.R. 1984/169*)

Amendment No. 3: (*Revoked by S.R. 1980/115*)

Amendment No. 4: S.R. 1980/31

Amendment No. 5: S.R. 1980/115

Amendment No. 6: S.R. 1981/158

Amendment No. 7: S.R. 1981/311

Amendment No. 8: S.R. 1982/93

Amendment No. 9: S.R. 1983/282

Amendment No. 10: S.R. 1984/31

Amendment No. 11: S.R. 1984/169

Amendment No. 12: S.R. 1985/70

Amendment No. 13: S.R. 1985/144

Amendment No. 14: S.R. 1985/289

Amendment No. 15: S.R. 1987/213

Amendment No. 16: S.R. 1988/171

Amendment No. 17: S.R. 1988/187

Amendment No. 18: S.R. 1988/326

Amendment No. 19: S.R. (*Revoked by S.R. 1990/333*)

Amendment No. 20: S.R. 1989/312

Amendment No. 21: S.R. 1990/159

Amendment No. 22: S.R. 1990/333

Amendment No. 23: S.R. 1992/184

Amendment No. 24: S.R. 1993/176

Amendment No. 25: S.R. 1993/295

Amendment No. 26: S.R. 1994/31

Amendment No. 27: S.R. 1994/312

Amendment No. 28: S.R. 1996/43

Amendment No. 29: S.R. 1996/338

Amendment 1997: S.R. 1997/143

Amendment (No. 2) 1997: S.R. 1997/341

Amendment 1998: S.R. 1998/45

Amendment (No. 2) 1998: S.R. 1998/222

Amendment (No. 3) 1998: S.R. 1998/449

Amendment 1999: S.R. 1999/29

Amendment (No. 2) 1999: S.R. 1999/83

“‘Light passenger service vehicle’ means a passenger service vehicle whose gross laden weight is less than 3500 kg.”.

**4. Restrictions affecting vehicles**—Regulation 48B of the principal regulations is amended by—

- (a) Omitting the word “bus” from subclauses (1) (e), (1) (f), and (1) (m), and substituting in each case the words “heavy passenger service vehicle”; and
- (b) Omitting the word “buses” from subclause (4), and substituting the words “heavy passenger service vehicles”.

**5. Restrictions affecting heavy passenger service vehicles**—The principal regulations are amended by revoking regulation 48C, and substituting the following regulation:

- “48C. No person may operate a heavy passenger service vehicle if—
- “(a) The forward distance is greater than the sum of 8.3 m and any distance by which its overall length is greater than 11.4 m; or
  - “(b) Its overall length is greater than 12.6 m; or
  - “(c) The ground clearance at any point along it (not being a point on a wheel, tyre, flexible mudflap, or device designed to discharge static electricity) is not greater than 6% of the distance from that point to the nearest axle, and is not greater than 100 mm.”

**6. Restrictions on towing of trailers by passenger service vehicles**—The principal regulations are amended by inserting, after regulation 48F, the following regulation:

“48G. (1) No person may operate a passenger service vehicle towing a trailer carrying passengers.

“(2) No person may operate a heavy passenger service vehicle towing a trailer whose gross vehicle mass is 3500 kg or more.

“(3) No person may operate a light passenger service vehicle towing a trailer whose gross vehicle mass is 2000 kg or more.

“(4) No person may operate a passenger service vehicle towing a trailer unless—

“(a) The vehicle—

“(i) Is less than 11 m long; and

“(ii) Has a forward distance of less than 8.5 m; and

“(iii) Complies with clause 3.3.2 and Appendix D of New Zealand Standard 5467.1993 (whatever the weight of the trailer); and

“(b) The trailer—

“(i) Is less than 11 m long, and—

“(ii) Has a forward distance of less than 8.5 m; and

“(iii) Has a rear overhang of less than 4 m; and

“(iii) Bears on its left side, in lettering not less than 30 mm high, its tare weight (following the words ‘tare weight’) and its gross vehicle mass (following the words ‘gross vehicle mass’), each expressed, in kilograms, correct to the nearest 50 kg; and

“(iv) Complies with clause 3.3.2 and Appendix D of New Zealand Standard 5467.1993 (whatever its weight); and

“(c) The vehicle and trailer are less than 19 m long when coupled.”

**7. Windscreens and other glazing**—Regulation 73 of the principal regulations is amended by inserting, after subclause (2), the following subclause:

“(2A) No person may operate any passenger service vehicle unless it has 2 efficient mechanically operated windscreen wipers (not being windscreen wipers of the vacuum type, operated from the induction manifold)—

“(a) Fitted 1 on each side of the centre-line of the windscreen; and

“(b) So located and designed as to be able to ensure the driver adequate clear vision in adverse conditions.”

**8. Sun visors**—The principal regulations are amended by revoking regulation 75, and substituting the following regulation:

“75. No person may operate any motor vehicle unless—

“(a) It is fitted with an efficient sun visor for the use of the driver; or

“(b) It is not a passenger service vehicle, and is so constructed that the fitting of such a visor is not reasonably practicable.”

**9. Television in motor vehicles**—The principal regulations are amended by revoking regulation 79, and substituting the following regulation:

“79. (1) Except as provided in this regulation, no person may operate any motor vehicle while a television set in it is operating.

“(2) A person may operate a motor vehicle while a television set in it whose screen is visible to the driver is operating—

“(a) If the screen is installed and placed in the vehicle only to enable the driver to reverse safely by showing a clear picture of the area directly behind the vehicle; or

“(b) If—

“(i) The vehicle is a passenger service vehicle (or a passenger service vehicle of a particular kind); and

“(ii) The position and operation of the screen, the things that can be shown on it, and the purposes for which it is used, comply with rules under Part 11 of the Land Transport Act 1998 expressly permitting the operation of a passenger service vehicle (or a passenger service vehicle of that kind) while a television set in it whose screen is visible to the driver is operating.

“(3) A person may operate a motor vehicle while a television set in it whose screen is not visible to the driver is operating.”

**10. Revocation**—Regulation 6 of the Traffic Regulations 1976, Amendment No. 18 is consequentially revoked.

MARIE SHROFF,  
Clerk of the Executive Council.

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## EXPLANATORY NOTE

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

These regulations, which come into force on 1 September 1999, make miscellaneous amendments to the Traffic Regulations 1976 consequential on rules under Part 11 of the Land Transport Act 1998 ("land transport rules") relating to passenger service vehicles that are to come into force on that day.

Restrictions on the towing of trailers by passenger service vehicles are eased. It will be unlawful to carry passengers in a trailer; and there will be restrictions on the gross vehicle mass of trailers (3500 kg in the case of heavy passenger service vehicles, and 2000 kg in the case of light passenger service vehicles). But otherwise a passenger service vehicle may tow a trailer if—

- The vehicle is less than 11 m long, has a forward distance of less than 8.5 m, and (whatever the weight of the trailer) meets the stability requirements of the New Zealand Standard relating to the towing of light trailers; and
- The trailer is less than 11 m long, has a forward distance of less than 8.5 m and a rear overhang of less than 4 m and, displays its tare weight, and (whatever its weight) complies with the New Zealand Standard relating to light trailers; and
- The vehicle and trailer are less than 19 m long when coupled.

A requirement for efficient mechanically operated windscreen wipers in passenger service vehicles, which is at present contained in the Passenger Service Vehicle Construction Regulations 1978, is inserted in regulation 73.

Regulation 75 is redrafted so that the requirement to have a sun visor, which is at present optional for motor vehicles whose construction makes the fitting of such a visor not reasonably practicable, becomes mandatory for passenger service vehicles.

Regulation 79 is redrafted so that a passenger service vehicle may be operated while a television set in it is in use, if the operation of the set complies with rules under Part 11 of the Land Transport Act 1998. At present, a motor vehicle may not be operated while a television set in it is in use unless it is not visible to the driver, or it is used only to enable the driver to reverse safely.

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These regulations are administered in the Ministry of Transport.