



**THE TRAFFIC (ROAD-CROSSING) REGULATIONS 1944**

C. L. N. NEWALL, Governor-General

**ORDER IN COUNCIL**

At the Government House at Wellington, this 20th day of  
December, 1944

Present :

**HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL**

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

**REGULATIONS**

**PART I.—PRELIMINARY**

1. These regulations may be cited as the Traffic (Road-crossing) Regulations 1944.
2. These regulations shall come into force on the twenty-eighth day following their notification in the *Gazette*.
3. In these regulations, unless inconsistent with the context,—  
“Controlling authority,” in reference to any public street or road, means the authority, body, or person or persons having control of the street or road :  
“Roadway” means any part of a public street or road which has not been determined to be a footway only or laid out or constructed to be a safety area for pedestrians under the authority of section 175 of the Municipal Corporations Act, 1933, or determined to be a footpath only under 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.
4. Subject to the last preceding regulation and unless inconsistent with the context, terms used herein and defined by Regulation 2 of the Traffic Regulations 1936\* shall have the same meaning as in those regulations.
5. The Pedestrian-crossing and Safety-zone Regulations 1939† are revoked.

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

† Statutory Regulations 1939, Serial number 1939/247, page 991.

6. All approvals, and generally all acts of authority and all other matters, acts, and things which originated or had effect under the regulations hereby revoked and are of continuing effect at the time of coming into force of these regulations shall enure for the purposes of the regulations as if they had originated under these regulations, and shall, where necessary, be deemed to have so originated.

## PART II.—PEDESTRIAN-CROSSINGS

### *Creation, Maintenance, and Marking of Crossings*

7. (1) Every authorized pedestrian-crossing shall be marked either with boundary-lines and cross-lines of the arrangement described in Diagram No. 1 (hereinafter called No. 1 type), or Diagram No. 2 (hereinafter called No. 2 type) set out in the Schedule hereto, or with boundary-lines of the arrangement described in Diagram No. 3 set out in the said Schedule (hereinafter called No. 3 type).

(2) All the marking-lines of a crossing of No. 1 type and No. 2 type and the boundary-lines of a crossing of No. 3 type shall be continuous and of a colour to contrast with the colour of the adjacent roadway.

(3) The area between the boundary-lines of a crossing of No. 3 type shall be of a colour to contrast both with the colour of the boundary-lines and the colour of the adjacent roadway, but this requirement shall not apply to any part of the area used to support tram-lines.

8. Every area of roadway for the time being marked in one of the ways hereinbefore described shall, notwithstanding non-compliance with any of the requirements of Regulations 9 to 19 hereof (both inclusive), be an authorized pedestrian-crossing within the meaning of these regulations.

9. No person other than the controlling authority of a road shall in any part of such road mark out or maintain, or cause or permit or suffer to be marked out or maintained, any area so as substantially to appear to be an authorized pedestrian-crossing.

10. No controlling authority shall in any road mark out or maintain, or cause or permit or suffer to be marked out or maintained, any area so as substantially to appear to be an authorized pedestrian-crossing unless such area when so marked out becomes an authorized pedestrian-crossing within the meaning of these regulations.

11. Except with the written consent of the Minister, which by written notice to the controlling authority the Minister may at any time withdraw, no controlling authority shall in any road mark out or maintain, or cause or permit or suffer to be marked out or maintained, any authorized pedestrian-crossing that does not conform in arrangement and dimensions with the requirements of Regulation 7 and Regulations 12 to 16 hereof (both inclusive).

12. (1) A crossing over which vehicular traffic is permitted to move in either direction shall be of the type and dimensions described in the said Diagram No. 1 or in the said Diagram No. 3.

(2) A crossing over which vehicular traffic is permitted to move in only one direction shall be of the type and dimensions described in the said Diagram No. 2 or, but with the omission of the central cross-line, of the type and dimensions set out in the said Diagram No. 3.

(3) Nevertheless, a crossing of any one of the types described in Diagrams No. 1, No. 2, and No. 3 may, in the manner described in Diagram No. 4 set out in the Schedule hereto, be interrupted by or be terminated at a safety-zone maintained under Part III of these regulations.

**13.** A crossing shall, so far as practicable, be placed either at right angles to the middle-line of the roadway or so that it provides the most convenient route across the roadway.

**14.** Where the road on which a crossing is placed is intersected by another road 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 placed so that no part thereof lies within 2 ft. of the meeting of the kerbs of the footpaths of the two roads or, as the case may be, of the footpaths of the two portions of the 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 in the said Diagrams No. 1, No. 2, and No. 3.

**15.** Every crossing shall be so located that at a distance of 100 ft. from the crossing none of its length is obstructed by any permanent growth, construction, or physical feature from the view of a motor-vehicle driver who is approaching the crossing over the roadway in which the crossing is situated in any of the directions in which vehicular traffic is permitted to move over the crossing.

**16.** The controlling authority shall cause the prescribed markings of every authorized pedestrian-crossing to be clearly maintained.

**17.** Except with the prior written approval of the Minister, no controlling authority shall mark out or maintain, or cause or permit or suffer to be marked out or maintained, any authorized pedestrian-crossing—

(a) Outside a borough or town district ; or

(b) On a roadway within a borough or town district which is for the time being excluded by the Minister from the limitation as to speed imposed by section 3 of the Motor-vehicles Amendment Act, 1936.

#### *Indicators*

**18.** The controlling authority shall cause the presence and position of every authorized pedestrian-crossing to be indicated by erecting and maintaining at each end of the crossing and within 6 ft. from some part thereof a post or pole not less than 3 in. in diameter or cross-section and not less than 7 ft. in height clearly painted with alternate parallel bands of black and of white, each having a width of approximately 12 in.

**19.** In the case of a crossing approved by the Minister in terms of Regulation 17 hereof, the controlling authority shall, in addition to the post or pole aforesaid, erect and maintain such signs of Class B (as described in the Traffic Sign Regulations 1937\*) at such places and containing such wording as may be directed by the Minister.

**20.** Subject to the prior written approval of the Minister, the controlling authority may also mark or provide additional indications of the presence and position of a crossing.

\* Statutory Regulations 1937, Serial number 1937/159, page 588.

*Removal of Pedestrian-crossings and Indications thereof*

**21.** (1) The Minister may at any time by notice in writing to a controlling authority require the controlling authority—

- (a) To abolish any authorized pedestrian-crossing (including a crossing approved under Regulation 17 hereof); or
- (b) To abolish or refrain from providing any additional indication of the presence or position of a crossing, whether or not approved under Regulation 20 hereof.

(2) On receipt of any such notice the controlling authority shall thereupon forthwith remove from the area of the crossing all markings, indicators, and other indications whereby the area is likely to appear to be an authorized pedestrian-crossing, or (as the case may require) forthwith remove and not at any time thereafter provide or permit to be provided the additional indications referred to in the notice.

*Prohibition of Pedestrian-crossings*

**22.** The Minister may at any time by notice in writing to a controlling authority forbid the creation of an authorized pedestrian-crossing in any described area, and no controlling authority shall, until the notice is by further notice in writing withdrawn, create an authorized pedestrian-crossing within the area so described.

## PART III.—SAFETY-ZONES

**23.** (1) Every safety-zone when it is maintained in conjunction with an authorized pedestrian-crossing shall have its boundaries marked either—

- (a) By clear marking-lines similar in colour and width to those of the pedestrian-crossing and set out as described in the said Diagram No. 4; or
- (b) By a substantial kerbing raised above the level of the surrounding roadway.

(2) Every other safety-zone shall have its boundaries marked either—

- (a) By a substantial kerbing raised above the level of the surrounding roadway; or
- (b) In a manner approved in writing by the Minister.

**24.** Every area of land forming part of and surrounded on all sides by a road and for the time being having its boundaries marked in one of the ways hereinbefore prescribed shall, notwithstanding non-compliance with any of the requirements of Regulations 25 to 34 hereof (both inclusive), be a safety-zone within the meaning of these regulations.

**25.** No controlling authority shall lay out so as to be a safety-zone within the meaning of these regulations any area of land if forming part of a public street save after the said area has been determined to be a footway only within the meaning of section 175 of the Municipal Corporations Act, 1933, or, if forming part of a public road, save after the said area has been determined to be a footpath only within the meaning of section 121 of the Public Works Act, 1928.

**26.** No person, other than the controlling authority of a road, shall in any part of such road, whether or not surrounded on all sides by such road, lay out a safety-zone or construct, mark, or maintain any area, or cause or permit or suffer any safety-zone or area to be laid out, constructed, marked, or maintained, so as substantially to appear to be a safety-zone.

27. No controlling authority shall in any road, whether or not surrounded on all sides by such road, lay out, construct, mark, or maintain, or cause or permit or suffer to be laid out, constructed, marked, or maintained, any area so as substantially to appear to be a safety-zone unless such area when so laid out or constructed or marked becomes a safety-zone within the meaning of these regulations.

28. No controlling authority shall lay out a safety-zone—

- (a) In any public street or road in a place where the transverse width of the portions of the street or road forming the roadway measured together with the safety-zone is less than 44 ft. ;
- (b) Having any part thereof less than 20 ft. distant from any part of the nearer side of the roadway ;
- (c) Having a width measured transversely to the direction of the roadway of less than 4 ft. ;
- (d) If maintained in conjunction with an authorized pedestrian-crossing, then of a length less than the width of the crossing ;  
or
- (e) If not so maintained, then of a length measured in the direction of the roadway of less than 5 ft.

29. At each end (considered longitudinally to the direction of the roadway) of every safety-zone the boundaries of which are marked by a raised kerbing the controlling authority shall erect and maintain a substantial standard bollard or protective wall.

#### *Lighting of Safety-zones*

30. The controlling authority shall cause every safety-zone to be kept so illuminated during hours of darkness that it is clearly visible under normal atmospheric conditions to a person of normal vision at a distance of 100 ft.

31. In addition to the requirements of the last preceding regulation, the controlling authority shall cause every standard or bollard or protective wall of a safety-zone to be kept so illuminated or marked out during hours of darkness by a light or reflecting surface of sufficient brilliance and efficiency to be visible under normal atmospheric conditions for a distance of 300 ft. to a driver of normal vision of a motor-vehicle which is approaching the safety-zone with lights in the dipped position described in Regulation 7 of the Traffic Regulations 1936\* (as amended by the Traffic Regulations 1936, Amendment No. 1†).

#### *Removal of Safety-zones*

32. The Minister may at any time by notice in writing to a controlling authority require it to abolish any safety-zone, and the controlling authority shall thereupon forthwith remove from the area of the safety-zone all markings and constructions whereby the area is likely to appear to be a safety-zone.

#### *Prohibition of Safety-zones*

33. The Minister may at any time by notice in writing to a controlling authority forbid the creation of a safety-zone in any described area, and no controlling authority shall, until the notice is by further notice in writing withdrawn, create a safety-zone within the area so described.

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

† Statutory Regulations 1939, Serial number 1939/76, page 306.

*Non-conforming Safety-zones*

**34.** The Minister may by notice in writing to a controlling authority permit the construction and maintenance of a safety-zone not complying in all respects with the requirements of Regulations 28 to 31 hereof (both inclusive), subject to such substituted requirements, if any, as the notice may prescribe, and such notice shall be sufficient authority for the construction and maintenance of a safety-zone constructed and maintained so as to conform to such requirements as by the effect of the notice may attach to the safety-zone :

Provided that any such notice may by further like notice in writing be withdrawn.

**35.** An area in a public street or road constructed in a permanent manner prior to the coming into force of the Pedestrian-crossing and Safety-zone Regulations 1939\*, and thereafter continuously maintained and, notwithstanding that it may not comply with the requirements of these regulations but appears to be a safety-zone, may continue to be maintained by the controlling authority, but shall be subject to Regulation 32 hereof.

*Duty of Motor-drivers*

**36.** No person shall drive a motor-vehicle so as to permit the vehicle or its load or any part of the vehicle or its load to encroach on the area comprised in a safety-zone :

Provided that it shall be a defence to any person charged with an offence against this regulation if he proves that the act complained of took place during hours of darkness and when the safety-zone was not illuminated as required by Regulation 30 hereof.

## PART IV.—SCHOOL PATROLS

**37.** A controlling authority may from time to time, by permission in writing given to the head teacher of any school, authorize the head teacher for the time being of that school from time to time to appoint pupils of the school to act as school patrols for the purpose of these regulations at such authorized pedestrian-crossings as may be specified in the permission.

**38.** Such permission shall not authorize any person to establish or act as a school patrol at any crossing or place not specified in the permission, and such permission may at any time be withdrawn by the controlling authority by written notice given to the head teacher for the time being.

**39.** For the purpose of assisting, directing, and supervising on their way to or from school the children attending any school in respect of which such permission is in force the head teacher may from time to time appoint two or more pupils of the school to act as school patrols in charge of a crossing specified in the permission.

**40.** It shall be the duty of the patrol not to direct persons to enter the crossing except when the patrol sign hereinafter mentioned is extended into the roadway so as to display its wording clearly to the driver of any vehicle approaching the crossing and not so to extend the sign except at a pause in the flow of traffic having regard to the number of vehicles approaching the crossing :

Provided that failure by a patrol to comply with the injunctions of this regulation shall not be treated as an offence for the purposes of Regulation 52 hereof.

\* Statutory Regulations 1939, Serial number 1939/247, page 991.

**41.** The head teacher shall take all proper steps for the responsible and effective custody of every patrol sign at all times when it is not in use for the purposes of these regulations.

**42.** Every driver of a vehicle (including a horse-drawn vehicle and including the rider of a bicycle) when a patrol sign is extended at a crossing shall stop and thereby yield the right of way to school-children and other persons using or about to use the crossing, irrespective of what part of the crossing the persons are on at the time.

**43.** A patrol sign shall be in the form of Diagram No. 5 in the Schedule hereto—that is to say, a disk 12 in. in diameter coloured red and bearing on each side in letters approximately  $4\frac{1}{2}$  in. high coloured white the word “Stop” and in letters approximately  $1\frac{1}{2}$  in. high coloured white the words “School Patrol.” The sign shall be borne on a staff approximately 1 in. in diameter or cross-section and not less than 5 ft. in length.

**44.** A patrol sign provided by an automobile association may bear on the sign proper or the staff or both a monogram of the letters “A A” only, of a size containable within a circle 2 in. in diameter.

**45.** A patrol when on duty at a crossing may wear a uniform insignia or badge of office, and if so the uniform, insignia, and badge shall be of a type approved by the Minister.

**46.** The controlling authority shall cause patrols when on duty at a crossing to be inspected by a traffic inspector at least once during each school term of every year. Such further inspection as the head teacher deems advisable may be carried out by an officer of the Transport Department, by a traffic inspector, or by an officer of an automobile association.

**47.** Nothing in these regulations shall be deemed to limit or affect the jurisdiction of a teacher over his pupils or to require a pupil to assume or retain the functions of a school patrol.

**48.** The Minister may at any time by notice in writing to the controlling authority require that a permission granted under Regulation 37 hereof be withdrawn, and upon notification to the head teacher for the time being given, whether by the Minister or by the controlling authority of such notice by the Minister, the permission shall cease to have effect.

**49.** Except when authorized by the head teacher of a school acting by permission given under Regulation 37 hereof, no person shall use any patrol sign or so conduct himself as to appear to be exercising the functions of a school patrol under these regulations.

**50.** No person shall at any pedestrian-crossing use or display in a manner likely to cause it to be taken for a patrol sign any sign or article not being a patrol sign conforming with the requirements of Regulations 43 and 44 hereof.

#### PART V.—AMENDMENT OF THE TRAFFIC REGULATIONS 1936\*

**51.** The Traffic Regulations 1936 are amended as follows:—

(a) By revoking the definition of “authorized pedestrian-crossing” contained in Regulation 2 thereof, and substituting the following:—

“ ‘Authorized pedestrian-crossing’ means a pedestrian-crossing marked on a roadway in accordance with the provisions of any regulations in force under the said Act relating to the protection of pedestrians on highways ”:

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

- (b) By revoking the definition of "Safety-zone" contained in Regulation 2 thereof, and substituting the following:—  
 " 'Safety-zone' means any area of land that is for the time being a safety-zone within the meaning of any regulations in force under the said Act relating to the protection of pedestrians on highways " :
- (c) By inserting in clause (6) of Regulation 4, after the words " for traffic control ", the words " at an intersection " :
- (d) By inserting in Regulation 4, next following clause (6) thereof, the following additional clauses:—  
 " (6A) Whenever traffic at an authorized pedestrian-crossing, not being at an intersection, is controlled by signals in the form of coloured lights every person (including pedestrians) entering or about to enter the crossing shall comply with the directions deemed to be given by such lights as are set out in the next succeeding clause hereof.  
 " (6B) The following are the signals deemed to be given by coloured lights for traffic control at an authorized pedestrian-crossing not being at an intersection:—  
 " *While Green Light shows* : Traffic facing the light may proceed straight ahead.  
 " *While Red, Yellow, or Amber Light shows* : Traffic facing the light shall stop before entering the crossing and shall remain stopped while the respective light is showing.  
 " The yellow or amber light will indicate that the red or green light is about to change to green or red, as the case may be.  
 " (6C) If at any time the traffic at any intersection or authorized pedestrian-crossing appears to be controlled by a police officer or traffic inspector his directions shall be deemed to override any signals that may be given by any coloured light or other mechanical traffic-control signal or traffic-sign."
- (e) 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 ".

#### PART VI.—OFFENCES AND PENALTY

52. Every controlling authority and every other person who—

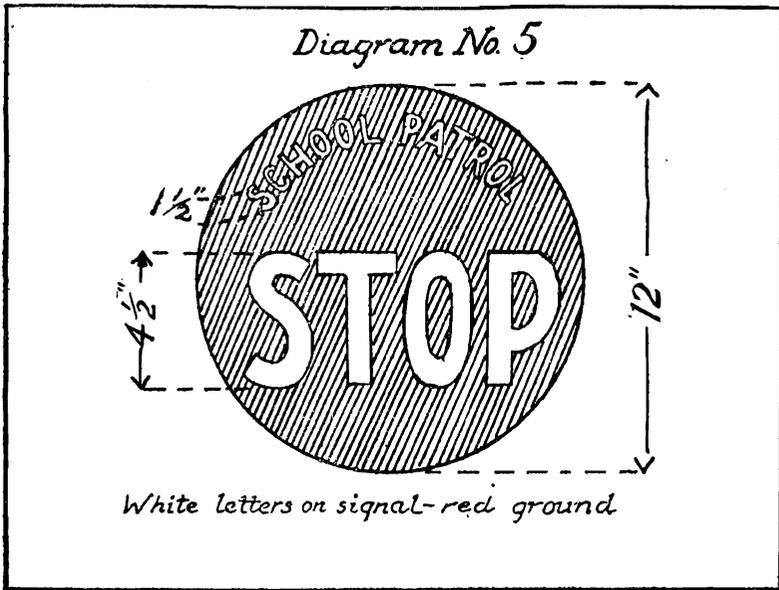
- (a) Offends against or fails to comply with any of these regulations; or  
 (b) Fails to comply with any condition, duty, or obligation imposed by or under these regulations—

commits a breach of these regulations.

53. Every person committing a breach of these regulations is liable to a fine not exceeding £50.



## SCHEDULE—continued



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

Issued under the authority of the Regulations Act, 1936.

Date of notification in *Gazette*: 21st day of December, 1944.

These regulations are administered in the Transport Department.

(TT. 9/2/16.)