

1964/85



THE TRAFFIC REGULATIONS 1956, AMENDMENT NO. 10

BERNARD FERGUSSON, Governor-General

ORDER IN COUNCIL

At the Government Buildings at Wellington this 8th day of June 1964

Present:

THE RIGHT HON. KEITH HOLYOAKE, C.H., PRESIDING 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 Traffic Regulations 1956, Amendment No. 10, and shall be read together with and deemed part of the Traffic Regulations 1956* (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) The principal regulations are hereby amended by revoking regulation 7 (as amended by regulation 5 (4) of the Traffic Regulations 1956, Amendment No. 7), and substituting the following regulation:

“Overtaking of Vehicles Generally

“7. (1) Save at controlled intersections when otherwise directed by a traffic officer or police officer, and subject to the provisions of regulations 10 and 10A hereof, no driver shall, when overtaking a vehicle other than a tram, pass on the left of the overtaken vehicle unless the portion of roadway available for vehicles travelling in the same direction as the driver is divided into two or more lanes by solid or intermittent lines, in which case a driver may overtake and pass on the left of the overtaken vehicle provided the movement can be made with safety and is made with due consideration for other persons using the road.

“(2) No driver of a vehicle when overtaking another vehicle shall move into the line of passage of that vehicle until safely clear.”

(2) Regulation 5 (4) of the Traffic Regulations 1956, Amendment No. 7, is hereby consequentially revoked.

3. (1) The principal regulations are hereby further amended by revoking regulation 8 (as amended by regulation 2 of the Traffic Regulations 1956, Amendment No. 7), and substituting the following regulation:

“Overtaking at Places Where ‘No-overtaking’ Lines Marked

“8. (1) No driver at or approaching any portion of roadway where the controlling authority has marked longitudinal lines for the guidance of traffic in the manner specified in diagram No. 1 or diagram No. 2 in the First Schedule hereto shall pass or attempt to pass any vehicle (other than a bicycle) moving in the same direction within the area of roadway upon which such lines are marked until he reaches the further end of the continuous line which is nearest to his left of the roadway, unless the roadway is marked out in two or more lanes on the driver’s left of that continuous line, in which case a driver may, notwithstanding the provisions of regulation 9 (1) (b) hereof, pass any vehicle moving in the same direction if throughout the passing movement he keeps his vehicle to the left of those lines.

“(2) The provisions of section 32 of the said Act shall apply with respect to every offence against subclause (1) of this regulation.”

(2) Regulation 2 of the Traffic Regulations 1956, Amendment No. 7, is hereby consequentially revoked.

4. Regulation 10 of the principal regulations is hereby amended by omitting from subclause (1) (f) the words “which has turned or is turning to the right”.

5. Regulation 18 of the principal regulations is hereby amended by revoking subclause (3), and substituting the following subclause:

“(3) The following are the signals deemed to be given by lights for traffic control:

“(a) While green light shows,—

“(i) Vehicular traffic facing the light may proceed straight ahead or may turn to the left or to the right at an intersection unless a sign prohibits that turn:

“(ii) All such vehicular traffic, including vehicles turning left or right, shall proceed with due regard to the safety of other users of the road, and drivers of vehicles making a turn shall always yield the right of way to approaching vehicles not making a turn and shall yield the right of way to pedestrians lawfully crossing the roadway:

“(iii) Unless a special signal for pedestrians indicates ‘Don’t Cross’, pedestrians facing the signal may proceed across the roadway:

“(b) While red light without any auxiliary green arrow shows,—

“(i) Vehicular traffic facing the light shall stop before entering the intersection or any authorised pedestrian crossing or other controlled area, and shall remain stopped while the light is showing:

“(ii) Unless a special signal for pedestrians indicates ‘Cross’, pedestrians facing the signal shall not enter the roadway:

“(c) While yellow or amber light without any auxiliary green arrow shows,—

“(i) Except in the case of any vehicle which when the light first appears is so close to the stop line, or, if there is no such line, so close to the intersection or authorised crossing or other controlled area, that it cannot safely be stopped before passing the line or entering the intersection or authorised crossing or other controlled area, as the case may be, vehicular traffic facing the light shall stop before entering the intersection or any authorised crossing or other controlled area, and shall remain stopped while the light is showing:

“(ii) Unless a special signal for pedestrians indicates ‘Cross’, pedestrians facing the light shall not enter the roadway:

“(d) While red light shows with an auxiliary green arrow which indicates that traffic may at an intersection move in the direction indicated by the arrow,—

“(i) Vehicular traffic facing the light may enter the intersection only to make the movement indicated by the arrow and with due regard to the safety of other users of the road, and shall yield the right of way to pedestrians lawfully crossing the roadway:

“(ii) Unless a special signal for pedestrians indicates ‘Cross’, pedestrians facing the light shall not enter the roadway:

“(e) While yellow or amber light shows with an auxiliary green arrow which indicates that traffic may at an intersection move in the direction indicated by the arrow,—

“(i) Except in the case of any vehicle, which when the light first appears is so close to the stop line, or, if there is no such line, so close to the intersection, that it cannot safely be stopped before passing the line or entering the intersection, as the case may be, vehicular traffic may enter the intersection only to make the movement indicated by the arrow, and the driver of any vehicle entering the intersection shall proceed with due regard to the safety of other users of the road and shall yield the right of way to pedestrians lawfully crossing the roadway:

“(ii) Unless a special signal for pedestrians indicates ‘Cross’, pedestrians facing the light shall not enter the roadway:

“(f) While a special signal for pedestrians indicates ‘Don’t Cross’, pedestrians facing the signal shall not enter the roadway.”

6. Regulation 19 of the principal regulations is hereby amended by inserting in subclause (2) (e) after the words “maintained on”, the words “or adjacent to”.

7. (1) The principal regulations are hereby further amended by revoking regulation 29 (as amended by regulation 6 (1) of the Traffic Regulations 1956, Amendment No. 5), and substituting the following regulation:

“Motor Cyclists and Riders of Power Cycles With Pillion Passengers or Without Safety Helmet

“29. (1) No person shall drive a motor cycle or a power cycle on any road, with or without a sidecar, at a speed exceeding 45 miles an hour if that person is carrying any other person on the vehicle otherwise than in a sidecar.

“(2) No person shall drive a motor cycle or a power cycle on any road at a speed exceeding 30 miles an hour, unless the driver and every other person carried (not being a person carried in a sidecar) are each wearing a safety helmet of an approved type.

“(3) For the purpose of subclause (2) of this regulation a safety helmet bearing a standard mark as defined in section 2 of the Standards Act 1941 shall be deemed to be a safety helmet of an approved type.”

(2) Regulation 6 of the Traffic Regulations 1956, Amendment No. 5, is hereby consequentially revoked.

8. Regulation 39 of the principal regulations (as substituted by regulation 12 (1) of the Traffic Regulations 1956, Amendment No. 7) is hereby amended by revoking subclause (1), and substituting the following subclause:

“(1) A fire engine may be fitted with—

“(a) Two simultaneously-flashing red lights at the front of and shining directly ahead of the vehicle; or

“(b) One flashing or revolving red light on top of the vehicle and visible in all directions,—

for use while on urgent fire-brigade service.”

9. (1) Regulation 40 of the principal regulations is hereby amended by revoking subclause (1) (as amended by regulation 10 of the Traffic Regulations 1956, Amendment No. 2), and substituting the following subclause:

“(1) Every trailer which exceeds, or with its load exceeds, 6 ft in width or extends, or with its load extends, on the right side more than 3 ft from the longitudinal centre line of the vehicle shall be equipped with sidelights, facing forward and placed so as to give a reasonable indication of its width.”

(2) Regulation 40 of the principal regulations is hereby further amended by omitting from subclause (2) the words “(including a trailer)”, and substituting the words “(other than a trailer)”.

(3) Regulation 10 of the Traffic Regulations 1956, Amendment No. 2, is hereby consequentially revoked.

10. (1) The principal regulations are hereby further amended by inserting, after regulation 40, the following heading and regulation:

“Warning Devices for Disabled Vehicles

“40A. (1) Notwithstanding anything to the contrary in these regulations, a motor vehicle which is fitted with a directional-signalling device approved in terms of regulation 17 of these regulations and consisting of four flashing lights, two of which are located at the front of the vehicle and two at the rear of the vehicle, may be fitted with a switch for the purpose of causing all four of those lights to flash simultaneously, in order to indicate that the vehicle has met with a mishap.

“(2) The driver of any such motor vehicle may operate all four of those lights simultaneously only when the vehicle is immobilised by mishap during the hours of darkness.

“(3) The driver of a motor vehicle which has been immobilised by mishap may place on the roadway directly ahead of the vehicle and to the rear of the vehicle, and so placed as to be visible to approaching traffic, signs in the form of diagram No. 18A in the Fourth Schedule hereto.”

(2) Regulation 2 of the principal regulations is hereby amended by inserting, after the reference to regulation 40, the following words:

“40A. Warning Devices for Disabled Vehicles.”

11. (1) Regulation 43 of the principal regulations is hereby amended by inserting, after subclause (4), the following subclause:

“(4A) Every motorcar for use by a Chief Fire Officer for attendance at fires may, in addition to the warning device referred to in subclause (1) of this regulation, be fitted with a siren for use only on urgent occasions:

“Provided that at all times while the siren is being used the driver shall display an approved identification sign.”

(2) Regulation 43 of the principal regulations is hereby further amended by inserting, after the words “subclause (4)”, the words “or subclause (4A)”.

12. Regulation 44 of the principal regulations is hereby amended by adding to subclause (2) the following paragraph:

“(d) Any vehicle imported into New Zealand for his own use by a person arriving in New Zealand from another country, so long as the vehicle is not used in connection with a transport service.”

13. Regulation 50 of the principal regulations is hereby amended by adding to subclause (2) the following proviso:

“Provided that this subclause shall be deemed not to prohibit the use of any safety device installed during the manufacture of a motor vehicle to prevent the door from being opened from the inside of the motor vehicle.”

14. Regulation 52 of the principal regulations is hereby amended by inserting, after subclause (8), the following subclause:

“(8A) On application by any person to whom a warrant of fitness has been issued, and on proof to the satisfaction of the Council or person by which or by whom the warrant was issued that the warrant has been lost or destroyed, the Council or person issuing the warrant shall, at any time during the currency of the warrant, issue to the applicant a duplicate warrant of fitness free of charge. Every such duplicate shall for the purposes of these regulations have the same effect as the original.”

15. The principal regulations are hereby further amended by revoking regulation 100, and substituting the following regulation:

“Lighting of Pedestrian Crossings

“100. (1) The controlling authority shall cause every pedestrian crossing (other than a pedestrian crossing which in the opinion of the controlling authority will not generally be used at night) to be kept illuminated during hours of darkness when street lights are operating so that the markings of the crossing and pedestrians thereon are clearly visible at a distance of 100 ft under normal atmospheric conditions to a person of normal vision.

“(2) The use of any system of lighting for pedestrian crossings that has been approved by the Commissioner under regulation 49 hereof shall be deemed to be a sufficient compliance with subclause (1) of this regulation.”

16. (1) Regulation 120 of the principal regulations (as amended by regulation 22 of the Traffic Regulations 1956, Amendment No. 2, regulation 11 of the Traffic Regulations 1956, Amendment No. 5, and regulation 24 (1) of the Traffic Regulations 1956, Amendment No. 7) is hereby further amended by adding to subclause (1) the following words: "Class P: Signs conveying information as to destinations, routes, distances, or names of localities."

(2) Regulation 120 of the principal regulations is hereby further amended by adding the following subclause:

"(3) Notwithstanding anything in this Part of these regulations, the Minister may from time to time, by notice in the *Gazette*, prescribe such alternative or additional forms (including dimensions, shapes, colours, symbols, and wording) for any class or classes of signs specified in subclause (1) hereof; and any form of sign so prescribed shall be deemed for the purposes of these regulations to be a sign of such class as the Minister declares in the notice."

17. (1) Regulation 121 of the principal regulations is hereby amended by adding to subclause (15) (as amended by regulation 12 (4) of the Traffic Regulations 1956, Amendment No. 5) the following additional proviso:

"Provided also that if the controlling authority thinks fit a sign of Class H may be in the form of a rectangle 18 in. in height and 12 in. in width, coloured lemon-yellow, and bearing such words as are necessary to convey in general terms the prohibition or restriction or direction."

(2) Regulation 121 of the principal regulations is hereby further amended by adding to subclause (18B) (as inserted by regulation 12 (5) of the Traffic Regulations 1956, Amendment No. 5) the words "or in the form of diagram No. 18A in the Fourth Schedule hereto—that is to say, in the form of a hollow equilateral triangle having sides of not less than 13 in. in length and of such width that the area of the sign shall be not less than 40 square inches".

(3) Regulation 121 of the principal regulations is hereby further amended by inserting, after subclause (18D) (as inserted by regulation 24 (2) of the Traffic Regulations 1956, Amendment No. 7) the following subclause:

"(18E) Signs of Class P shall be in such form (including dimensions, shapes, colours, symbols, and wording) as the Minister prescribes, by notice in the *Gazette*."

18. Regulation 125 of the principal regulations is hereby amended by inserting in subclause (11), after the word "stopping", the words "or standing".

19. Regulation 125 of the principal regulations is hereby further amended by inserting, after subclause (12), the following subclause:

"(12A) Every local authority shall erect a sign of Class H in the form of diagram No. 13A at any place where the turning of vehicles on a roadway from facing or travelling in one direction to facing or travelling in the opposite direction is prohibited."

20. Regulation 125 of the principal regulations is hereby further amended by omitting from paragraph (a) of subclause (13) and also from paragraph (c) of that subclause the words "50 miles an hour", and substituting in each case the words "55 miles an hour".

21. Regulation 125 of the principal regulations is hereby further amended by adding the following subclause:

“(17) Notwithstanding anything to the contrary in these regulations, if in the opinion of the Minister it is impracticable to erect a sign of the appropriate class to give notice of any place where restrictions as to the parking of vehicles have been imposed or where the stopping or standing of vehicles is prohibited, the Minister may, by notice published in the *Gazette*, prescribe the manner in which notice of such restrictions or prohibitions shall be given, and notice given in the manner so prescribed shall have the same effect as a sign of the appropriate class.”

22. (1) The principal regulations are hereby further amended by revoking the First Schedule (as substituted by regulation 30 (1) of the Traffic Regulations 1956, Amendment No. 7), and substituting the First Schedule set out in the First Schedule to these regulations.

(2) Regulation 30 of the Traffic Regulations 1956, Amendment No. 7, and the Second Schedule to those regulations are hereby revoked.

(3) Any road marking in the form prescribed by the First Schedule to the principal regulations that was revoked by regulation 30 (1) of the Traffic Regulations 1956, Amendment No. 7, which was in use at the commencement of that regulation and is in use at the commencement of these regulations may continue to be used until such time as it is replaced, and shall continue in full force and effect as if the said regulation 30 and this regulation had not been made.

23. The Fourth Schedule to the principal regulations is hereby amended—

- (a) By inserting, after diagram No. 13, the diagram No. 13A set out in the Second Schedule to these regulations:
 - (b) By inserting, after diagram No. 18, the diagram No. 18A set out in the Second Schedule to these regulations.
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SCHEDULES

Reg. 22 (1)

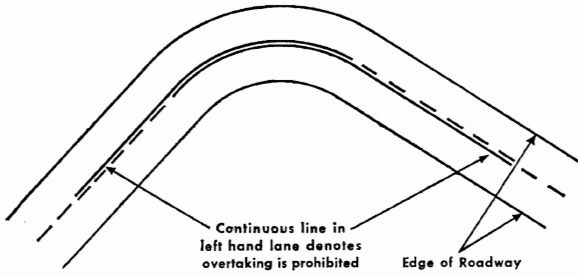
FIRST SCHEDULE

NEW FIRST SCHEDULE TO PRINCIPAL REGULATIONS

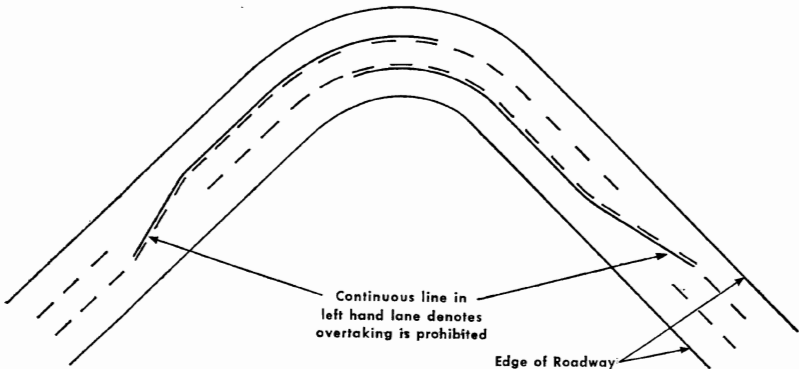
"FIRST SCHEDULE"

Diagram No. 1

METHOD OF MARKING LONGITUDINAL LINES ON ROADWAYS TO INDICATE THAT OVERTAKING IS PROHIBITED

*Diagram No. 2*

METHOD OF MARKING LONGITUDINAL LINES ON THREE-LANE ROADWAYS TO INDICATE THAT OVERTAKING IS PROHIBITED



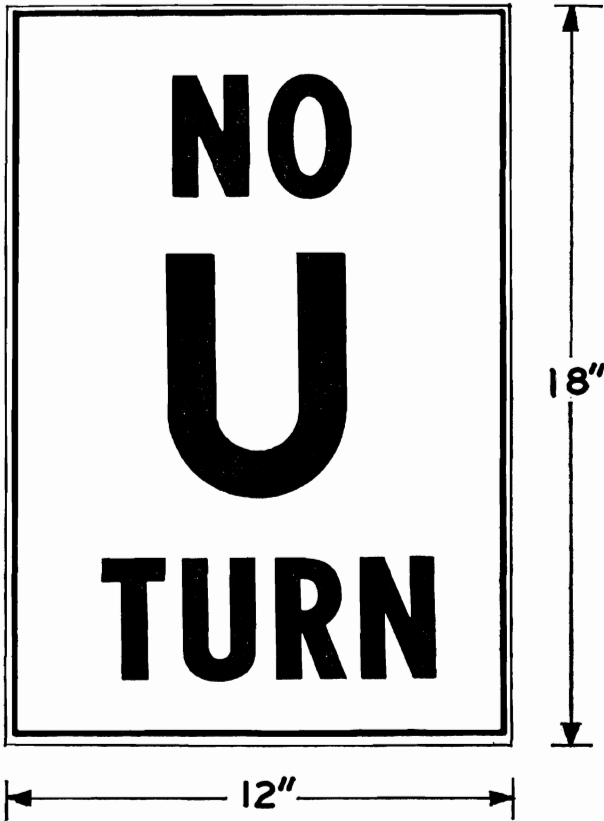
These diagrams specify the method of marking at bends. They will require to be appropriately modified in the case of intersections, slopes, and other portions of roadway."

SECOND SCHEDULE

Reg. 23

“CLASS H

Diagram No. 13A

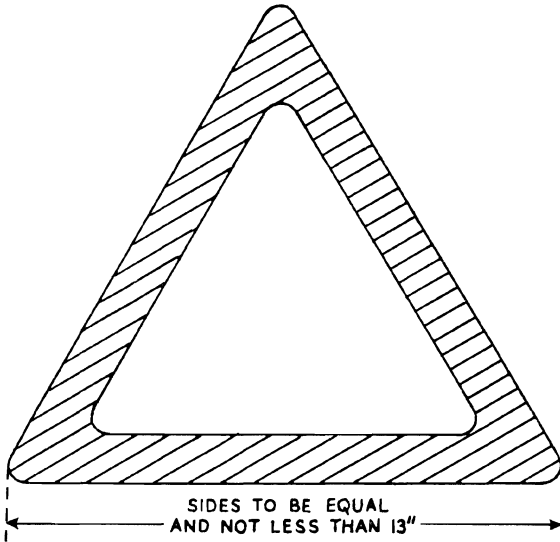


Black letters and lines and a lemon-yellow background. (The corner of the sign may be rounded.)

NOTE—The words 'NO U TURN' are for illustration only, and may be replaced by other appropriate words to convey the prohibition or restriction or direction.

SECOND SCHEDULE—*continued*

"CLASS M

Diagram No. 18A

The shaded area to be coloured red and reflectorised."

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.

Regulation 2 provides that a driver may overtake on the left if the left-hand half of the roadway is divided into two or more lanes and the movement can be made with safety.

Regulation 3 modifies restrictions on drivers where "no-overtaking" lines are marked on multi-lane roads by permitting overtaking provided the driver keeps to the left of his "no-overtaking" lines.

Regulation 4 provides that a driver may overtake on the left when leaving an intersection provided that this can be done with safety.

Regulation 5 amends the existing provisions as to places controlled by lights, and includes a provision that a driver may cross a light-controlled intersection on the amber light if he cannot stop with safety.

Regulation 6 enables parking-restriction signs to be erected adjacent to the roadway. At present they may be erected only on the roadway.

Regulation 7 has the effect of removing the special 20 miles an hour speed limit for power cycles in 30 mile speed-limit areas. Power cycles will be subject to the same provisions as motor cycles.

Regulation 8 amends the existing provisions as to lights on fire engines, and includes a provision that fire engines may be fitted with revolving red lights.

Regulation 9 abolishes the requirement of blue lights on vehicles towing trailers, and requires trailers more than 6 ft in width to be equipped with side lights.

Regulation 10 provides that flashing directional-indicators may be used as warning lights for disabled vehicles and that warning signs may be placed in front of and to the rear of such vehicles.

Regulation 11 provides that motorcars used by Chief Fire Officers may be fitted with sirens.

Regulation 12 permits the use of left-hand drive vehicles imported into New Zealand by persons arriving from overseas.

Regulation 13 permits the use of safety devices to prevent children from opening the doors of vehicles.

Regulation 14 provides for the issue of duplicate warrants of fitness.

Regulation 15 provides that the Commissioner may approve lighting systems for pedestrian crossings.

Regulation 16 provides for a new class of traffic sign to convey information as to destinations and routes.

Regulation 17 amends the provisions relating to Class H signs.

Regulation 18 is consequential on the provisions of Amendment No. 9 to the principal regulations permitting the use on signs of Class G of the words "No Standing" as an alternative to the words "No Stopping".

Regulation 19 provides for the erection of signs indicating that U turns are prohibited.

Regulation 20 is consequential on the provisions of Amendment No. 6 to the principal regulations increasing from 50 miles an hour to 55 miles an hour the speed limit on roads outside closely populated localities.

Regulation 21 enables the Minister to prescribe the manner in which notice of parking restrictions or stopping prohibitions shall be given in cases where it is impracticable to erect a sign of the appropriate class.

Regulation 22 replaces the existing diagram setting out the method of marking roads where overtaking is prohibited. The regulation prescribes a new form of marking to be used on three-lane roads.

Regulation 23 provides an additional form of Class H sign to indicate the prohibition of U turns and also the form of warning device that may be used where vehicles have met with mishap.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 11 June 1964.

These regulations are administered in the Transport Department.