



## **NZ Transport Agency (Traffic Controls on State Highways) Bylaw 2017**

**Made by the Group Manager, Highways and Network Operations,  
under delegated authority of the Transport Agency**

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Pursuant to section 61(3) of the Government Roading Powers Act 1989 the New Zealand Transport Agency makes the following bylaw.

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## 1. Title

This bylaw is the New Zealand Transport Agency (Traffic Controls on State Highways) Bylaw 2017.

## 2. Commencement

This bylaw comes into force on [date] 2017.

## 3. Application

This bylaw applies to the roads or parts of roads, and for the time periods, if any, specified in the Regional Schedules.

### PART 1: PRELIMINARY PROVISIONS

## 4. Purpose

The purpose of this bylaw is to regulate parking, the use of vehicles and traffic on land which is under the control of the Agency.

## 5. Interpretation

5.1 In this bylaw, unless the context otherwise requires:

- (a) **Agency, driver, gross weight, moped, motor vehicle, passenger service vehicle and vehicle** have the same meanings as in section 2(1) of the Land Transport Act 1998
- (b) **bus lane, cycle, cycle lane, cycle path, lane, motorcycle, motorway, special vehicle lane and transit lane** have the same meanings as in clause 1.6 of the Land Transport (Road User) Rule 2004
- (c) an **emergency stopping lane** is an emergency stopping lane within the meaning of clause 2.12(3) of the Land Transport (Road User) Rule 2004
- (d) **engine brakes** means a supplementary braking system in a motor vehicle using engine compression as a retarding medium
- (e) **electric vehicle** means a motor vehicle with motive power wholly or partially derived from an external source of electricity
- (f) **road** includes any one or more of the following which is under the control of the Agency:
  - (i) a street:
  - (ii) a motorway:
  - (iii) a beach:
  - (iv) a place to which the public have access, whether as of right or not:
  - (v) a bridge, culvert, ferry, or ford forming part of a road, a street, a motorway, a beach, or a place referred to in paragraph (iv).

5.2 The Interpretation Act 1999 applies to this bylaw.

## PART 2: VEHICULAR USE OF ROADS

### 6. Limitation on the use of roads

#### 6.1 A person must not:

- (a) stop, stand, or park a vehicle on any road contrary to a specification in Part G, N or O of each Regional Schedule or in any other bylaw;
- (b) drive a vehicle in any direction other than the direction of travel specified for that road in either Part E(a) (in relation to single lane one-way roads) or E(b) (in relation to multi-lane one-way roads) of each Regional Schedule or in any other bylaw;
- (c) turn from facing or travelling in one direction to facing or travelling in the opposite direction on any road or part of a road specified in Part H(a) of each Regional Schedule or in any other bylaw;
- (d) at any intersection, the location of which is specified in Part H(b) of each Regional Schedule, turn to the right from the road listed in the third column of that Schedule into the road listed in the fourth column of that Schedule or in any other bylaw;
- (e) at any intersection, the location of which is specified in Part H(c) of each Regional Schedule, turn to the left from the road listed in the third column of that Part into the road listed in the fourth column of that Part or in any other bylaw;
- (f) cause or permit a vehicle to be driven or parked on any bridge, if:
  - (i) the axle weight of the vehicle exceeds that maximum axle weight specified in Part J of the Regional Schedule or in any other bylaw for that bridge; or
  - (ii) the gross weight of the vehicle exceeds that maximum gross weight specified in Part J of the Regional Schedule or in any other bylaw for that bridge;
- (g) cause or permit a vehicle to be driven or parked on any road or part of a road if the axle weight of the vehicle exceeds that maximum axle weight specified in Part K of the Regional Schedule or in any other bylaw for that road or part of a road; or
  - (i) the length of the vehicle (including any trailer or load) exceeds the maximum length specified in Part L or in any other bylaw for that road or part of a road;
  - (ii) the height of the vehicle (including load) exceeds the maximum height specified in Part M or in any other bylaw for that road or part of a road;
- (h) cause or permit a vehicle to be driven or parked on any road or part of a road contrary to a restriction on the class of vehicle or period of time specified for that road or part of a road, in the following parts of each Regional Schedule or in any other bylaw:
  - (i) Part A (in relation to bus lanes); or
  - (ii) Part B (in relation to cycle lanes); or
  - (iii) Part C (in relation to cycle paths); or
  - (iv) Part D(a) (in relation to special vehicle lanes); or
  - (v) Part D(b) (in relation to emergency stopping lanes).

6.2 Any vehicle left contrary to clause 6.1 may be removed by towing and the reasonable costs of the removal recovered from the owner of the vehicle.

## **7. Stock**

7.1 A person must not cause or permit stock to be driven along a road specified in Part F(b) of each Regional Schedule or in any other bylaw.

7.2 A person must not cause or permit stock to be driven along a road specified in Part F(a) of each Regional Schedule or in any other bylaw unless:

(a) the stock is being ridden or being led by a rope, rein or other similar means of guidance; or

(b) the stock is driven within the time period specified for that road; or

(c) the person:

(i) has first obtained written permission from the Agency to drive the stock along the road; and

(ii) complies with any conditions imposed by the Agency.

7.3 In clauses 7.1 and 7.2 **drive** means to urge or force an animal to move in a particular direction and includes leading, herding and riding but does not include the transportation of an animal in a motor vehicle, and **driving** and **driven** have a corresponding meaning.

## **8. Engine brakes**

8.1 A person must not use engine brakes:

(a) on any road specified in Part I(a) of each regional schedule or in any other bylaw, at any time;

(b) on any road specified in Part I(b) of each Regional Schedule or in any other bylaw, outside the times specified.

### **PART 3: ENFORCEMENT, EXCEPTIONS AND SAVINGS**

## **9. Offences and penalties**

9.1 Without limiting any provision of any other enactment, a person who breaches this bylaw commits an offence and is liable to a fine not exceeding \$500.

## **10. Exceptions**

10.1 A person is not in breach of this bylaw if the person proves that:

(a) the act or omission was done at the direction of an enforcement officer; or

(b) in the case of an act or omission done by an enforcement officer, was necessary in the execution of the person's duty; or

(c) was done during the course of a public work engagement and was done with due consideration of other road users; or

(d) was done with a vehicle used by an Ambulance Service or the Fire Service, Police or other emergency service in the urgent carrying out of their respective duties.

10.2 A person is not in breach of this bylaw if the person proves that:

- (a) the act or omission that would otherwise constitute a breach took place in response to a situation on a road; and
- (b) that situation was not of the person's own making; and
- (c) the act or omission was taken:
  - (i) to avoid the death or injury of a person; or
  - (ii) if the act or omission did not create a risk of death or injury or greater damage to any property, to avoid damage to any property.

**11. Revocation**

The bylaws in Schedule 1 are revoked.

**12. Existing authorities remain in force**

Any resolution, approval, permit or other act of authority provided for and made under the authority of any of the bylaws referred to in Schedule 1 remains in force in the area to which it applied on the date of signing of this bylaw until specifically and separately revoked by the Agency.

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## **SCHEDULE 1: REVOKED BYLAWS**

Transit New Zealand (One-Way Roads) Bylaw 2001/3

Transit New Zealand Bylaws (Stopping and Parking of Vehicles on Stage Highways) 2002/5, 2002/9, 2003/2, 2003/3, 2003/4, 2003/5, 2003/6

New Zealand Transport Agency Bylaw (Prescribing the Use of the Northern Busway in Auckland) 2008/1

New Zealand Transport Agency (Bus Lanes) Bylaw 2009/13

New Zealand Transport Agency (Heavy Motor Vehicles on State Highways) Bylaw 2010

New Zealand Transport Agency (Right Turn Ban State Highway 3 To and From Mangatai Road) Bylaw 2010/NP1

New Zealand Transport Agency (Traffic Controls on State Highways in Region 11) Bylaw 2012/R11/1

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**REGIONAL SCHEDULE: AUCKLAND**

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**REGIONAL SCHEDULE: CENTRAL OTAGO**

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**REGIONAL SCHEDULE: NORTHLAND**

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**REGIONAL SCHEDULE: PALMERSTON NORTH**

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**REGIONAL SCHEDULE: SOUTHLAND**

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