

Bylaw 1996/20 Concerning the Christchurch-Lyttelton Motorway Tunnel

Pursuant to section 61 (3) of the Transit New Zealand Act 1989, Transit New Zealand hereby makes the following bylaw:

Bylaw

1. Title and commencement

This bylaw may be cited as the Transit New Zealand Bylaw 1996/20, and shall come into force 28 days after the date of its publication in the New Zealand Gazette.

2. Interpretation

In this bylaw unless the context otherwise requires

“Bicycle” means a pedal cycle propelled by human power and/or by a “clip-on” engine.

“Special traffic” means any vehicle

- (a) Carrying class 3(b) dangerous goods as that term is defined in the Dangerous Goods Act 1974 and the Hazardous Substances and New Organisms Act 1996;
- (b) Carrying corrosive acids, chemicals or other substances of a dangerous nature;
- (c) Carrying compressed gases (whether permanent or liquefied) except
 - (i) Compressed gases contained in a cylinder fitted to the vehicle for the normal means of propulsion; and
 - (ii) Liquefied petroleum gas (LPG) in approved cylinders of which the total quantity in each cylinder does not exceed 45 kg;
- (d) Holding an exemption from the restrictions on loading, dimensions and towing contained in the Traffic Regulations 1976.

“Transit” means Transit New Zealand.

“Tunnel” means the Christchurch-Lyttelton Motorway Tunnel constructed under the authority of the Christchurch-Lyttelton Road Tunnel Act 1956.

“Tunnel control officer” means any officer, agent or contractor of Transit who is appointed by the Minister of Police under section 6 of the Transport Act 1962 as an enforcement officer for the tunnel.

“Tunnel proper” means that portion of the tunnel being between the Heathcote Underpass Bridge and the roundabout at the Lyttelton Portal of the tunnel.

3. Transit to erect signs

Transit shall erect signs at each access to the tunnel to notify traffic that it is on or within the tunnel and of any restrictions of the classes of traffic which may use the tunnel.

4. Classes of traffic prohibited

- (1) The following classes of traffic are prohibited from entering or remaining on or within the tunnel unless classified as special traffic in accordance with clauses 5 of this bylaw
 - (a) Any vehicle carrying any explosive as that term is defined in the Hazardous Substances and New Organisms Act 1996;
 - (b) Any vehicle transporting any class 3(a) dangerous goods as that term is defined in the Dangerous Goods Act 1974 and the Hazardous Substances and New Organisms Act 1996, other than any vehicle carrying class 3(a) dangerous goods normally carried for the means of propelling such vehicle and contained in the tank provided on the vehicle for such purpose;
 - (c) Bicycles except on or within that part of the tunnel between the Heathcote River Bridge and the on and off ramps of the Port Hills Interchange;
 - (d) Persons on foot except in accordance with subclause (2) of this clause;
 - (e) Animals of any kind whether led, herded, driven or ridden;
 - (f) Baby carriages push carts and wheel barrows;
 - (g) Any vehicle drawn by an animal or animals;
 - (h) Any vehicle which in the opinion of the tunnel control officer in charge is likely to endanger persons or property.
- (2) Persons on foot may
 - (a) Enter on or within the tunnel with the consent of a tunnel control officer when officially engaged on Transit business;
 - (c) Enter and remain in and around the tunnel administration building when engaged on business with the tunnel administration;
 - (d) Proceed to and from a vehicle to a fire extinguisher and telephone in accordance with clause 11 of this bylaw.

5. Special traffic requires consent

- (1) Any special traffic as defined in clause 2 may proceed through, on or within the tunnel with the consent of a tunnel control officer and must comply with any conditions to ensure the safety of any persons or property imposed by a tunnel control officer.
- (2) Any other traffic prohibited from entering the tunnel in accordance with clause 4 of this bylaw may be declared in writing to be special traffic by a tunnel control officer.

6. Safety precautions for special traffic

Where a tunnel control officer considers it necessary to ensure the safety of persons or property the tunnel control officer may (a) Require special traffic to be escorted through the tunnel proper by a tunnel control officer; and (b) Stop other traffic at or near either end of the tunnel proper while any special traffic is passing through the tunnel proper.

7. Traffic to be controlled

Traffic on or within the tunnel shall be under the control of and subject to the direction of Transit and the tunnel control officers, provided that this provision shall not detract from any power or authority conferred by law on any police officer.

8. Traffic movement restrictions

- (1) No person shall, while operating a vehicle in the tunnel proper
 - (a) Cross the continuous lines separating the traffic travelling in opposite directions:
 - (b) Overtake any other vehicle:
 - (c) Make or attempt to make a U turn unless directed to do so by a tunnel control officer or a police officer.
- (2) No person shall stop a vehicle or permit a vehicle to remain stationary in or on any part of the tunnel unless directed to do so by a police officer or tunnel control officer or compelled to stop by an accident or other unavoidable cause.

9. Vehicles to use lights

- (1) All vehicles except motorcycles shall drive through the tunnel proper showing side lamps, as defined in regulation 59 of the Traffic Regulations 1976.
- (2) All motorcycles shall drive through the tunnel proper showing dipped headlamps.

10. Activity within tunnel regulated

No person shall, in the tunnel proper, without the consent of a tunnel control officer or a police officer

- (a) Tow any vehicle other than a trailer:
- (b) Propel any vehicle by pushing it with another vehicle:
- (c) Change any tyre or wheel on a vehicle:
- (d) Repair any vehicle:
- (e) Fuel any vehicle:
- (f) Alight from any vehicle except as provided in clause 11 of this bylaw or unless it is necessary for personal safety to do so.

11. Accident procedures

Where any vehicle in the tunnel proper catches fire, injures any property or person, is unable to move under its own power, or has a flat tyre, the person in charge of the vehicle shall

- (a) Stop the vehicle:
- (b) Attempt to extinguish any fire:
- (c) Go to the nearest telephone booth on the side of the tunnel along which he or she is travelling and notify the tunnel administration building of the event:

(d) Remain at the telephone booth or return near the vehicle and stand in a safe place.

12. Behaviour in tunnel restricted

No person shall

- (a) Remain in the tunnel proper after being requested to leave by a tunnel control officer or a police officer:
- (b) Leave any vehicle unattended in the tunnel proper unless acting in accordance with clause 11 of this bylaw:
- (c) Allow any animal to stray in or on the tunnel proper:
- (d) Climb on any part of the tunnel proper:
- (e) Paint, stick on or write any placard, bill, advertisement or other matter on any post, fence, gate, wall, building or structure in or on the tunnel:
- (f) Move any traffic control equipment in or on the tunnel:
- (g) Extinguish or interfere with any light or traffic signal in the tunnel proper.
- (h) Deposit any glass, dirt, rubbish or matter in or on the tunnel.

13. Low speeds prohibited

No person shall drive or ride any vehicle in or on the tunnel at a speed so low as to block or impede the normal and reasonable movement of traffic except where speed is so reduced upon instructions from a tunnel control officer.

14. Revocation of Christchurch-Lyttelton Road Tunnel Bylaw 1986/1

The National Roads Board Bylaw 1986/1 is hereby revoked.

This bylaw was made by resolution passed at a meeting of Transit New Zealand held in Wellington on the 2nd day of October 1996.

Dated at Wellington this 10th day of October 1996.

Signed on behalf of Transit New Zealand by:

J. H. van BARNEVELD, National State Highway Manager, Transit New Zealand.