

## New Zealand.



### ANALYSIS.

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1927, No. 68.

**Title.**

AN ACT to amend the Motor-vehicles Act, 1924.

[5th December, 1927.]

BE IT ENACTED by the General Assembly of New Zealand in Parliament assembled, and by the authority of the same, as follows :—

**Short Title.**

1. This Act may be cited as the Motor-vehicles Amendment Act, 1927, and shall be read together with and deemed part of the Motor-vehicles Act, 1924 (hereinafter referred to as the principal Act).

**Amendment of definitions.**

2. Section two of the principal Act is hereby amended as follows :—
- (a) By inserting, after the words "and any other vehicle" in the definition of the term "motor-vehicle," the words "or locomotive" :
  - (b) By omitting from the definition of the term "public motor-car" the word "plied," and substituting the words "licensed by any competent authority to ply" :
  - (c) By inserting, after the word "drawn" in the definition of the term "trailer," the words "or propelled" ; and by adding to that definition the words "but does not include a side-car attached to a motor-cycle."

3. Section three of the principal Act is hereby amended, as from the first day of April, nineteen hundred and twenty-eight, by omitting from subsection four the words "motor-vehicle (other than a motor-car or a motor-cycle)," and substituting the words "trailer, or any locomotive used exclusively for drawing a trailer."

Restriction of exemptions under principal Act in favour of Harbour Boards.

4. Section four of the principal Act is hereby amended by omitting from subsection two the words "for each provincial district."

Section 4 of principal Act amended.

5. (1) Section five of the principal Act is hereby amended by omitting from subsection one the words "a Deputy Registrar in the provincial district within which the garage of the motor-vehicle is situate at the time of the application," and substituting the words "any Deputy Registrar."

Application for registration of motor-vehicle or for issue of annual license may be made to any Deputy Registrar.

(2) Section ten of the principal Act is hereby amended by omitting from subsection one the words "within the provincial district in which the garage of the motor-vehicle is situate."

(3) Section sixteen of the principal Act is hereby repealed.

Repeal.

6. (1) If on payment of the annual license fee in respect of any motor-vehicle a new registration-plate is issued, then, notwithstanding anything to the contrary in the principal Act, it shall not be necessary to issue a license in documentary form in respect of that vehicle, and for all the purposes of that Act the issue of a registration-plate appropriate for any year shall be deemed to be the issue of the annual license for that year.

Issue of new registration-plate may take the place of issue of annual license.

(2) The fact that any motor-vehicle is used on any road or street without having affixed thereto in the prescribed manner an appropriate registration-plate for the then current year shall be sufficient evidence, until the contrary is proved, that the annual license fee payable in respect of the motor-vehicle for that year has not been paid.

(3) This section shall be deemed to have been in force as from the commencement of the principal Act.

7. (1) Every license under section ten of the principal Act granted to take effect after the thirty-first day of March, nineteen hundred and twenty-eight, and on or before the thirty-first day of May, nineteen hundred and twenty-eight, shall continue in force until the thirty-first day of May, nineteen hundred and twenty-nine.

Altering date of expiry of annual licenses.

(2) Every such license granted to take effect after the thirty-first day of May, nineteen hundred and twenty-eight, shall continue in force until the next succeeding thirty-first day of May.

(3) Where by virtue of this section a license is continued in force for a period longer than twelve months after the date of the issue thereof the license fee shall be increased by an amount equal to the one-twelfth part of the annual fee (as prescribed at the date of the issue of the license) for every month or part of a month for which the license is in force in excess of twelve months.

(4) Section ten of the principal Act is hereby amended by repealing subsections three and four thereof.

Repeal.

8. (1) Section eleven of the principal Act is hereby amended by repealing the proviso to subsection two, and substituting the following:—

Amending provisions as to payment of annual license fees.

"Provided that in the case of a license applied for and granted for a period less than a year the license fees prescribed by this Act shall be reduced by the one-twelfth part thereof for every complete month by which the term of the license is less than one year :

“ Provided further that if the Registrar is satisfied that any motor-vehicle has by reason of accident been destroyed or become wholly unfit for further use as such, or that any motor-vehicle has been permanently removed from New Zealand, he may, without further appropriation than this section, refund or cause to be refunded out of the Post Office Account such sum as in his discretion he thinks proper, not exceeding the one-twelfth part of the annual license fee for every complete month between the date of the accident or the date of removal from New Zealand, as the case may be, and the end of the period for which the license fee has been paid. Any adjustment as between the Post Office Account and the Main Highways Account that may be rendered necessary by reason of any refund made pursuant to this section may be made without further authority than this section.”

(2) Every motor-vehicle exempted from the payment of annual license fees by virtue of section eleven of the principal Act as amended by this section shall have affixed thereto such general distinguishing mark or marks as may be prescribed in that behalf; and the Registrar shall keep in the prescribed form a special register of all such motor-vehicles.

9. Section twelve of the principal Act is hereby amended as follows:—

(a) By omitting from subsection three the words “ next succeeding subsection,” and substituting the words “ following provisions of this section ”:

(b) By repealing paragraph (c) of subsection four:

(c) By adding the following subsections,—

“(5) A motor-vehicle that is plied for hire shall be subject to such charges as may be lawfully made in respect of motor-vehicles plying for hire by the local authority within whose district the garage of the motor-vehicle is situate.

“(6) Where a motor-vehicle is plied regularly for hire between two terminal points situate within the districts of different local authorities such motor-vehicle shall be subject to such charges as may be lawfully made in respect of motor-vehicles plying for hire by each of the two local authorities within whose respective districts the terminal points are situate.”

10. (1) The registration of any motor-vehicle may be at any time cancelled by the Registrar if an annual license in respect of that vehicle was not issued for the preceding year or for some portion of that year, and if registration was effected before the beginning of that year.

(2) Where the registration of a motor-vehicle has been cancelled pursuant to this section an annual license shall not thereafter be issued in respect of that vehicle unless and until it has been re-registered and the appropriate registration fee as prescribed by section nine of the principal Act has been paid.

11. Section eighteen of the principal Act is hereby amended as follows:—

(a) By adding to subsection one the words “ or for the purposes of his business as a manufacturer of or dealer in motor-vehicles ”:

(b) By omitting from subsection two the word “ five,” and substituting the word “ ten ”; and by omitting from the same

Limiting provisions of section 12 (4) of principal Act relating to charges made by local authorities in respect of motor-vehicles plying for hire.

Registration of motor-vehicle may be cancelled if license not renewed in any year.

Use of unregistered motor-vehicles by manufacturers and dealers.

subsection the words "ten shillings," and substituting the words "two pounds":

- (c) By inserting, after the words "for the purposes of sale" in paragraph (a) of subsection three, the words "or for the purposes of the business of the owner as a manufacturer of or dealer in motor-vehicles."

12. (1) Every motor-driver's license issued under section twenty-one of the principal Act to take effect after the thirty-first day of March, nineteen hundred and twenty-eight, and on or before the thirty-first day of May, nineteen hundred and twenty-eight, shall continue in force until the thirty-first day of May, nineteen hundred and twenty-nine, and shall then expire.

Duration of motor-drivers' licenses.

(2) Every license granted to take effect after the thirty-first day of May, nineteen hundred and twenty-eight, shall continue in force until the next succeeding thirty-first day of May, and shall then expire.

(3) Notwithstanding anything to the contrary in the principal Act, a fee of six shillings shall be charged in respect of every motor-driver's license which by virtue of this section is continued in force for a period longer than twelve months after the date on which it is expressed to take effect.

(4) This section shall be read subject to any provisions of the principal Act as to the cancellation or suspension of motor-drivers' licenses.

(5) Section twenty-one of the principal Act is hereby amended by omitting from subsection two the words "and shall remain in force until the thirty-first day of March next after the date on which it is issued, and shall then expire."

13. Section twenty-five of the principal Act is hereby amended by omitting from subsection two the words "Minister of Internal Affairs," and substituting the words "Minister of Public Works."

Section 25 of principal Act amended.

14. Section thirty-two of the principal Act is hereby amended by inserting, after the words "by any constable" in subsection two, the words "or by any person duly appointed to control or inspect traffic."

Section 32 of principal Act amended.

15. Section thirty-six of the principal Act is hereby amended as follows:—

Extension of power to make regulations.

- (a) By adding to paragraph (e) of subsection one the following words: "and prescribing also the conditions on which duplicates of any registration-plate or of any such certificate, license, permit, or other document may be issued, and the fees to be paid in respect of any such duplicate":

- (b) By omitting from paragraph (s) the word "twenty," and substituting the word "fifty."

16. The Schedule to the principal Act is hereby repealed as from the first day of April, nineteen hundred and twenty-eight, and the Schedule to this Act substituted therefor.

Schedule of annual license fees.

17. (1) The principal Act shall bind the Crown as from the first day of April, nineteen hundred and twenty-eight:

Principal Act to bind the Crown.

Provided that nothing therein shall apply with respect to motor-vehicles the property of the Crown used exclusively for purposes connected with the construction or maintenance of roads.

- (2) Section nineteen of the principal Act is hereby repealed.

Repeal.

Schedule.

## SCHEDULE.

## PART I.

## FEES PAYABLE FOR ANNUAL LICENSES.

	£	s.	d.
(1) For every motor-cycle .. .. .	0	10	0
(2) For every private motor-car .. .. .	2	0	0
(3) For every public motor-car .. .. .	2	0	0
(4) For every motor-coach or motor-omnibus .. .. .	3	0	0
(5) For trade motors—			
(a) For every such vehicle with a carrying-capacity (manu- facturers' rating) not exceeding one ton, with pneumatic tires on all wheels .. .. .	2	0	0
(b) For every such vehicle with a carrying-capacity (manu- facturers' rating) exceeding one ton, with pneumatic tires on all wheels .. .. .	2	0	0
(c) For every such vehicle that is not fitted with pneumatic tires on all wheels .. .. .	3	0	0
(6) For every traction-engine .. .. .	5	0	0
(7) For every trailer with three or more wheels .. .. .	3	0	0
(8) For every other trailer .. .. .	1	0	0
(9) For every other motor-vehicle .. .. .	2	0	0

NOTE.—For the purposes of this Part of this Schedule a tire shall not be regarded as a pneumatic tire,—

- (i) If the air used for inflation of the tire has been introduced in the process of manufacture or otherwise than by pressure applied from time to time; or
- (ii) If when the tire is inflated for use the space occupied by air is less than one-half of the total volume of the tire so inflated.

## PART II.

## EXEMPTIONS FROM ANNUAL LICENSE FEES.

(1) Motor-vehicles owned by a local authority and used exclusively in connection with the construction or maintenance of roads or streets.

(2) Motor-vehicles the property of any person (other than a local authority) which are designed and used exclusively for the aforesaid purposes and which cannot be used or readily adapted for use for any other purpose.