

New Zealand Transport Agency (Mana Clearway) Bylaw 2012/1

Pursuant to section 61(3) of the Government Roading Powers Act 1989 and section 22AB(1)(h) and (m) of the Land Transport Act 1998, the NZ Transport Agency (the Agency) hereby makes the following bylaw.

Bylaw

1. Title and commencement-

This bylaw may be cited as the New Zealand Transport Agency (Mana Bylaw) 2012/1 and will come into force on 1 March 2012.

2. Interpretation-

In this bylaw, unless the context otherwise requires:

Agency, Vehicle and Passenger Service Vehicle have the same meaning as in section 2(1) of the Land Transport Act 1998.

Clearway has the same meaning as in the TCD Rule.

Emergency vehicle has the same meaning as in clause 1.6 of the Road User Rule.

Enactment includes:

- (a) Acts and Regulations.
- (b) Bylaws.

Erection of prescribed sign includes marking a road or part of a road with any road marking which falls within the definition of "prescribed sign" in this bylaw.

Prescribed sign means any sign or road marking which is authorised under subclause 12.2(3) of the TCD Rule.

Public holiday means a day specified as a public holiday in section 44(1) of the Holidays Act 2003.

Road User Rule means the Land Transport (Road User) Rule 2004.

TCD Rule means Land Transport Rule: Traffic Control Devices 2004.

3. Clearway-

Subject to the erection of the prescribed signs, the portion of highway described in:

- (1) Part A of Schedule 1 shall be a clearway from 6.30am until 9.30am, Monday to Friday except public holidays, and from 3.30pm until 6.30pm on Sunday and public holidays.
- (2) Part B of Schedule 1 shall be a clearway from 3.30pm until 6.30pm, Monday to Friday except public holidays, and from 11.30am until 2.30pm on Saturday.

4. Stopping, standing or parking of vehicles-

Subject to the erection of the prescribed signs, between the hours specified in subclauses 3(1) and (2) of this bylaw, the stopping, standing or parking of vehicles on the clearways is prohibited, except for emergency vehicles and for passenger service vehicles picking up or setting down passengers at authorised bus stops or parking bays.

5. The Agency must mark out lanes and erect signs-

The Agency must mark out and indicate a prohibition on stopping by installing "Clearway" signs (with supplementary notices, as appropriate, to define the area and time of application) in accordance with subclause 12.2(3) of the TCD Rule.

6. Removal of vehicles by towing-

In addition to the powers conferred on it by any other enactment, the Agency may remove or cause to be removed, any vehicle or thing using the clearway in breach of this bylaw, and the Agency may recover from the person committing the breach any reasonable costs of such removal.

7. Offence and penalties-

Without limiting any provision of any other enactment, a person who breaches clause 4 of this bylaw commits an offence and is liable on summary conviction to a fine not exceeding \$500.00.

8. General exceptions-

A person is not in breach of this bylaw if the person proves that any act or omission that would otherwise constitute a breach, took place in circumstances provided for in subclauses 1.8(1), 1.8(3) or 1.8(4) of the Road User Rule.

9. Revocation-

The bylaw listed in Schedule 2 of this bylaw is hereby revoked.

10. Savings-

Any resolution, approval, permit or other act of authority made pursuant to the bylaw referred to in Schedule 2 remains in force in the area to which it applied on the date of revocation until revoked by the Agency.

11. Authority to make bylaw-

This bylaw was made by the Group Manager, Highways and Network Operations, under delegated authority of the Agency.

Signed on behalf of the NZ Transport Agency by:
TOMMY PARKER, Acting Group Manager, Highways and Network Operations.

Schedule 1

Part A

The southbound, kerbside lane of State Highway 1 that is at Mana from a point located approximately 68m south of the existing Acheron Road intersection with State Highway 1 (61m south of Route Position Marker 1035/14.00) and continuing for a distance of approximately 1006m to a point located approximately 160m north of the northern abutment of the existing Paremata Bridge (approximately 67m south of Route Position Marker 1035/15.00).

Part B

The northbound, kerbside lane of State Highway 1 that is at Mana from a point located approximately 304m north of the northern abutment of the existing Paremata Bridge (71m north of Route Position Marker 1035/15.000) and continuing for a distance of approximately 421m to a point located approximately 515m south of the existing Acheron Road intersection with State Highway 1 (approximately 508m south of Route Position Marker 1035/14.00).

Schedule 2

Transit New Zealand (Transit Lanes) Bylaw 2005/4.*

Transit New Zealand (Transit Lanes) Bylaw 2005/4 - Amendment No. 1.†

*New Zealand Gazette, 13 October 2005, No. 175, page 4410

†New Zealand Gazette, 15 December 2005, No. 207, page 5277