

1965

Transport

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9/10/57  
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Transport Ordinance 1965, No.30

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**TRANSPORT ORDINANCE 1965**  
1965, No.30

An Ordinance to consolidate and amend various Ordinances relating to the control of vehicles, roads, and road traffic (16 June 1965).

PART I - PRELIMINARY

1. Short Title and Commencement - (1) This Ordinance may be cited as the Niue Island Transport Ordinance 1965.

(2) This Ordinance shall come into force on the first day of July 1965.

2. Arrangement of Ordinance - This Ordinance is arranged as follows:

- Part I - Preliminary. (Sections 1 to 3.)
- Part II - Registration and Annual Licences. (Sections 4 to 18.)
- Part III - Licensing of Motor Vehicles. (Sections 19 to 27.)
- Part IV - Rules of the Road. (Sections 28 to 38.)
- Part V - Reckless or Intoxicated Drivers. (Sections 39 to 45.)
- Part VI - Speed. (Sections 46 to 48.)
- Part VII - Equipment. (Sections 49 to 68.)
- Part VIII - Motor Vehicle Inspection. (Sections 69 to 76.)
- Part IX - Traffic Signs. (Sections 77 to 80.)
- Part X - Public Places to be kept free from obstructions. (Sections 81 to 83.)
- Part XI - Bicycles. (Sections 84 to 94.)
- Part XII - Passenger Services. (Sections 95 to 97.)
- Part XIII - Miscellaneous Provisions. (Sections 98 to 106.)

[This section has been revised. References to introductory notes have now been included in the Analysis.]

3. Interpretation - (1) In this Ordinance unless the text otherwise requires -

"Approved" means approved by the Chief Officer of Police from time to time:

"Bicycle" includes a tricycle driven with pedals:

"Driver" includes the rider of a motor cycle or power cycle or pedal bicycle; and "drive" has a corresponding meaning:

"Goods" means all kinds of movable personal property including animals and mails:

"Government" means the Government of Niue:

"Hours or darkness" means -

- (a) the period of time between half an hour after sunset on any one day and half an hour before sunrise on the next following day;

(b) any other time when there is insufficient daylight to render clearly visible a person or vehicle at a distance of 150 feet:

"In charge of a motor vehicle" means to be seated in the motor vehicle with the intention of driving it or outside the motor vehicle attending to the mechanics or otherwise preparing to drive it:

"Left side" in relation to a vehicle means its side to the left of the driver's seat when facing forward:

"Licensing year" means the year expiring on the thirty-first day of March following the issue of annual licence pursuant to Part II of this Ordinance:

"Motor car" means a motor vehicle other than a motor cycle or power cycle designed exclusively or principally for the carriage of persons not exceeding seven in number inclusive of the driver:

"Motor cycle" means a motor vehicle running on two wheels or not more than three wheels when fitted with a sidecar; but does not include a power cycle:

"Motor vehicle" means a vehicle that is drawn or propelled by mechanical power and includes a trailer and a tractor but does not include a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power:

"Officer of Police" means the Chief Officer of Police and any other officer of police:

"Owner" includes a bailee to whom a motor vehicle is bailed for any period exceeding fourteen days and also includes a person in possession of a motor vehicle pursuant to a Bill of Sale; where there are more owners of a motor vehicle than one, every such owner shall be deemed to be an owner for the purposes of this Ordinance:

"Power cycle" means a pedal bicycle or tricycle that for alternative propulsion is fitted with a motor attachment (whether detachable or not):

"Public place" includes every road, street, footway, thoroughfare or place of public resort or any place to which the public have access whether as of right or not:

"Registrar" means a Registrar of Motor Vehicles appointed under this Ordinance:

"Registration plate" means a registration plate for a motor vehicle issued pursuant to the provisions of Parts II and III of this Ordinance:

"Right of way" means the right of precedence in continuing on a course:

"Right side" in relation to a vehicle its side to the right of the driver's seat when facing forward:

"Taxicab" means a motor vehicle which -  
(a) is designed exclusively or principally for the carriage of persons not exceeding eight in number inclusive of the driver; and

- (b) is used for hire or reward for the carriage of passengers otherwise than on defined routes; and
- (c) is available for hire to any member of the public:

"To operate" means to use or drive or ride or cause or permit to be driven or ridden or permit to be in any public place whether the person operating is present in person or not:

"Tractor" means a motor vehicle that is designed exclusively for the purposes of traction and not for the carriage thereon of passengers (other than the driver) or of goods:

"Trade motor" means any motor vehicle other than a motorcar, motor cycle, power cycle or trailer:

"Trailer" means a vehicle without motive power that is drawn or propelled or is capable of being drawn or propelled by a motor vehicle from which it is readily detachable, but does not include a side car attached to a motor cycle:

"Use" in relation to a vehicle includes driving, drawing or propelling by means of another vehicle and permitting to be in any public place; and "to use" has a corresponding meaning:

"Vehicle" means a contrivance that is equipped with wheels or revolving runners upon which it moves or is moved:

(2) Subject to the provisions of subsection (1) of this section, terms defined in the [Niue Act 1966] have the meaning so defined.

[In subsection (2) the Niue Act 1966, being the corresponding enactment in force at the date of this reprint, has been substituted for the Cook Islands Act 1915 and the Cook Islands Amendment Act 1957.]

#### PART II - REGISTRATION AND ANNUAL LICENCES

4. Use of motor vehicles prohibited unless provisions of Part II complied with - Except as specially provided in this Ordinance, no person shall in any licensing year knowingly use any motor vehicle in any public place, or permit any motor vehicle to be so used unless -
- (a) The motor vehicle is registered in accordance with this Ordinance;
  - (b) A licence to use the motor vehicle for that licensing year has been issued;
  - (c) Registration plates for the motor vehicle have been issued and are affixed thereto in the manner prescribed in this Ordinance.
5. Penalty for contravention - (1) Every person who knowingly uses or permits to be used a motor vehicle in any public place without having it registered and licensed as required by the provisions of this Ordinance or, having it so registered and licensed, without having registration

plates bearing the assigned registration number, duly affixed thereto and every person who wilfully or negligently defaces any registration plate so affixed commits an offence against this Ordinance and shall be liable on conviction to a fine not exceeding fifty pounds (£50).

(2) The fact that any motor vehicle is used in any public place without having registration plates affixed thereto in the prescribed manner shall be sufficient evidence, until the contrary is proved, that the motor vehicle has not been registered and licensed in accordance with this Ordinance.

6. Registrar and Register - (1) There shall from time to time be appointed a Registrar of Motor Vehicles for the purposes of this Ordinance.

(2) The Registrar shall compile and keep up to date at his office a register of all motor vehicles registered and of all registration plates and licences issued and also of the fees received in respect thereof.

7. Application for registration - Application for the registration of any motor vehicle shall be made in the form numbered 1 in the First Schedule hereto or to the effect thereof.

8. Pneumatic tyres and right hand drive required - With the exception of any motor vehicle imported into Niue before the commencement of this Ordinance or except with the written permission of the Resident Commissioner, no motor vehicle shall be registered under the provisions of this Ordinance unless all the wheels thereof are fitted with pneumatic tyres and, where applicable, the motor vehicle has a right hand drive.

9. Procedure for registration - (1) On receipt of an application for registration of any motor vehicle under this Ordinance the Registrar, if satisfied that the application is in order, shall assign a number to the motor vehicle to be shown on the motor vehicle, and shall issue to the applicant a certificate of registration of the motor vehicle in the form numbered 2 in the First Schedule hereto.

(2) The certificate of registration shall in the case of a trade motor specify the number of persons excluding the driver which the trade motor may lawfully carry at any one time, and shall also specify the maximum weight of goods or passengers or both which the trade motor may lawfully carry at any one time.

(3) No person shall drive a trade motor which is carrying at any one time a greater number of persons or a weight exceeding the maximum weight of goods or passengers or both specified in the certificate of registration pursuant to the last preceding subsection.

10. Issue and use of registration plates - (1) On completion of the registration and on the issue of an annual licence as hereinafter provided, the Registrar shall supply

to the owner of the motor vehicle appropriate registration plates on which every letter and figure shall be not less than three inches in height.

(2) Subject to the provisions of subsection (1) of this section, all registration plates shall be of approved designs, colours, and distinguishing marks.

(3) The number assigned to the motor vehicle by the Registration shall be shown on two registration plates so supplied which shall be affixed one on the front and the other on the back of the motor vehicle in an upright position so that every letter and figure on the plate is upright and easily distinguishable:

Provided that in the case of a power cycle or a trailer only one registration plate shall be affixed to the back of that motor vehicle in the manner hereinbefore described.

11. Registration in force subject to cancellation - Save as provided in this Ordinance with respect to the cancellation of registration in special cases, the registration of any motor vehicle shall continue in force without renewal.

12. Registration fees - (1) There shall be payable for the registration of any motor vehicle the fees set out in Part I of the Second Schedule hereto.

(2) Every application for the registration of a motor vehicle shall be accompanied by the amount of the appropriate fee:

Provided that no fee shall be payable for the registration of any motor vehicle owned by the Government.

13. Duty of owner to obtain annual licence - (1) Save with respect to motor vehicles owned by the Government every owner of a motor vehicle shall obtain annually from the Registrar a licence to use the motor vehicle.

(2) Every such licence shall expire on the thirty-first day of March following the issue thereof and application for renewal of any licence so expiring shall be made on or before the date of expiration.

(3) No annual licence shall be issued in respect of any motor vehicle which has not been duly registered under this Ordinance.

14. Application for annual licence - Subject to the provisions of subsection (1) of section 16 of this Ordinance, application for a licence shall be made in the form numbered 3 in the First Schedule hereto or to the effect thereof and the first such application shall be made together with the application for registration.

15. Fees for annual licences - (1) There shall be payable for the issue of every annual licence for any motor vehicle the fees set out in Part II of the Second Schedule hereto:



Provided that in the case of a licence issued for a period less than a year the prescribed licence fee shall be reduced by one-twelfth thereof for every complete month by which that period is less than one year.

(2) Every application for an annual licence shall be accompanied by the amount of the appropriate fee.

16. Issue of annual licence and duty to produce licence on demand - (1) The Registrar shall thereupon issue in the form numbered 4 in the First Schedule hereto a licence to use the motor vehicle:

Provided that with respect to the renewal of any annual licence the Registrar may accept and issue applications and licences in a simplified form approved by the Resident Commissioner.

(2) While any such licence is in force and registration plates are affixed as prescribed the motor vehicle may be used in any public place on Niue during the licensing year for which the licence was issued.

(3) Every person operating any motor vehicle shall produce the annual licence for inspection whenever required so to do by any officer of police.

17. Cancellation of registration - (1) If any registered motor vehicle is destroyed or becomes permanently useless as a motor vehicle or is intended to be removed from Niue the owner shall forthwith give to the Registrar notice of that destruction, condition or removal, as the case may be, and shall deliver to the Registrar the certificate of registration and the licence issued for the then current licensing year and, if practicable, the registration plates issued and the Registrar shall thereupon cancel the registration of the motor vehicle and the annual licence.

(2) On the cancellation of registration and licence as aforesaid the Resident Commissioner may cause to be refunded by the Treasurer of Niue to the owner such sum as in his discretion he thinks proper not exceeding one-twelfth part of the annual licence fee for every complete month between the date of cancellation of the licence and the end of the period for which the licence fee was paid.

(3) When the registration of a motor vehicle is cancelled the Registrar may assign to any other motor vehicle thereafter registered the number of the motor vehicle the registration whereof has been cancelled, if the registration plates assigned to that vehicle have been delivered or the Registrar is satisfied that no confusion is likely to arise from the assignment of the same number.

18. Change of ownership - (1) Within seven days after the sale or other disposal of a motor vehicle the person selling it or otherwise disposing of it shall deliver to the Registrar the certificate of registration and the licence issued for the then current licensing year in respect of that motor vehicle and the Registrar shall endorse on the

certificate and licence a memorandum of the change of ownership, and shall on the payment of a fee of five shillings issue the endorsed certificate and licence to the new owner.

(2) No person who becomes the owner of any motor vehicle pursuant to any sale or other disposal as aforesaid shall use or permit to use the motor vehicle in any public place unless and until he has received the endorsed certificate and licence.

### PART III - LICENSING OF MOTOR DRIVERS

19. Unlicensed persons not to drive motor vehicles - (1) It shall not be lawful for any person to drive a motor vehicle in any public place unless he is the holder of a motor driver's licence issued under this Part of this Ordinance and for the time being in force and no person shall employ any other person so to drive a motor vehicle unless the person so employed is the holder of a driver's licence as aforesaid.

(2) Any person who acts in contravention of this section commits an offence against this Ordinance and shall be liable on conviction to a fine not exceeding fifty pounds (£50):

Provided that a person over the age of sixteen years (not being a person whose licence has for the time being been suspended or who is for the time being disqualified by the provisions of this Ordinance from obtaining a licence) while driving a motor vehicle he is accompanied in the driver's seat by a person who is the holder of a motor driver's licence for that class of motor vehicle and is engaged in teaching the first named person to drive.

20. Application for driver's licence - Subject to the provisions of subsection (2) of section 22 of this Ordinance, application for a motor driver's licence shall be made in the form numbered 5 in the First Schedule hereto or to the effect thereof and every such application shall clearly state the class or classes of motor vehicles in respect of which the licence is applied for.

21. Fees for driver's licence - There shall be payable for the issue of a driver's licence the fees set out in Part III of the Second Schedule hereto and every application for a licence shall be accompanied by the amount of the appropriate fee.

22. Procedure of licensing - (1) On receipt of an application as aforesaid the Registrar shall issue a driver's licence to any applicant who satisfies him:

- (a) That the applicant is over the age of sixteen years; and
- (b) That by practical test and oral examination or by other satisfactory evidence of fitness, the applicant is competent to drive the class or classes of motor vehicles in respect of which the licence is applied for; and

- (c) That, where the applicant is sixty-five or more years of age or where the Registrar considers it advisable, the applicant shall have obtained a certificate of physical fitness from a Medical Officer;
- (d) The Resident Commissioner, acting with the concurrence of the Executive Committee, may exempt any person or class of persons generally otherwise from the requirements of this section.

(2) Every driver's licence shall be issued in the form numbered 6 in the First Schedule hereto:

Provided that with respect to the renewal of any driver's licence the Registrar may accept and issue applications and licences in a simplified form approved by the Resident Commissioner.

23. Fees for driving test - Where any applicant is required pursuant to this Part of this Ordinance to undergo any practical driving test there shall be payable to the Department by which the test is carried out a testing fee of five shillings (5s) and such testing fee shall be payable whether or not a driver's licence is issued to the applicant.

24. Expiration and renewal of licence - (1) If not earlier cancelled or suspended as provided in this Ordinance, every driver's licence shall expire on the thirty-first day of March following the date of issue and application for renewal of any licence so expiring shall be made on or before the date of expiration.

(2) Any motor driver's licence may be cancelled at any time by the Registrar upon receipt of a certificate from a Medical Officer that the holder is no longer physically fit to drive a motor vehicle of the class or classes for which he had obtained a driver's licence.

25. L plates - Every driver of a motor cycle issued with a driver's licence for the first time shall for three months or longer if the examining officer thinks necessary, display on his motor-cycle an L plate (Learner's registration plate) to be supplied by the Registrar, and during this time he shall carry no passengers on his motor-cycle.

26. Charge for registration plates - Except with respect to registration plates issued to the Government, a charge sufficient to cover the cost of any plates issued by the Registrar may be made on the issue thereof.

27. Driver to produce his licence on demand - Every person driving any motor vehicle shall have his driver's licence with him and shall produce the same for inspection whenever required so to do by any officer of police.

#### PART IV - RULES OF THE ROAD

28. Vehicles to keep to the left - Every driver of a vehicle shall keep the vehicle as close as is practicable to the side of the roadway on his left.

29. Driver of vehicle to give audible signal when overtaking - Every driver of a vehicle shall, when overtaking any other vehicle, signal by use of the horn or other sounding device and then pass on his right or off side of the overtaken vehicle, and shall not then move into the line of passage of the other vehicle until clear from it by at least eighteen feet.
30. Overtaking involving risk prohibited - No driver of any vehicle shall overtake or attempt to overtake any other vehicle proceeding in the same direction:
- (a) At any intersection, or within a distance of one hundred feet before an intersection;
  - (b) Unless the driver has a clear view of the road and traffic thereon for a distance of at least three hundred feet in the direction in which he is travelling.
31. Right-hand turn at intersection - Every driver of a vehicle intending to turn at an intersection from any roadway into another roadway to his right, shall when approaching and turning, maintain his position to his left of the centre of the roadway out of which he is turning until he enters the area of the intersection, and shall then turn into the roadway which he is entering as directly and quickly as he can with safety.
32. Driver of vehicle to yield the right of way to vehicle approaching on his right - Every driver of a vehicle, when approaching or crossing any intersection which any other vehicle is approaching or crossing from his right, shall, where there would be a possibility of a collision if both continued on their course, yield the right of way to such other vehicle and allow the same to pass him, and if necessary for that purpose stop his vehicle.
33. Unsafe vehicles - No person shall operate any vehicle in such conditions or so loaded or with a load so unsafely secured as to cause, or to be liable to cause, injury to any person or animal, or annoyance (by reason of noise or other cause) to any person, or damage to any property.
34. Dangerous riding on vehicles - No person shall ride, and the driver shall not permit any person to ride, on any vehicle in a manner or position which may be liable to cause injury to that person or any other person.
35. Motor driver's visible signals - Every driver of a motor vehicle, whenever in view of other traffic and unless prevented by a sudden emergency, shall, before manoeuvring the vehicle in manner hereinafter described, give reasonable notice of his intention so to do as hereinafter provided, namely:
- (a) If he is about to stop or reduce speed:
    - (1) He shall extend the right arm directly outwards from the right or off side of the motor vehicle with the upper arm horizontal and the forearm vertical;
    - or

- (11) If the vehicle is equipped with approved automatic signalling devices at the rear of the vehicle he may indicate his intention by means of such devices;
- (b) If he is about to turn to his right or about to draw out from the roadside towards his right, or about to overtake a vehicle travelling in the same direction:
  - (1) He shall extend the right arm horizontally outwards from the right or off side of the vehicle;
  - (11) If the vehicle is equipped with approved automatic signalling devices capable of giving a signal closely corresponding to the signal described in subclause (1) of this paragraph he may indicate his intention by means of such devices.

36. Parking of motor vehicles - No person shall leave or park any motor vehicle upon any public place unless the motor vehicle is so located or during the hours of darkness so lighted that it is not a danger or a nuisance to any person or vehicle in the public place.

37. Towing of motor vehicles and leading of animals - (1) No person shall operate any power cycle or any motor cycle (other than one to which a side car is attached) for the purpose of towing any trailer.

(2) No person shall operate any motor vehicle for the purpose of towing any other motor vehicle (except a trailer) unless such other motor vehicle is not in working order and is being temporarily towed without the use of its own power for the purpose of being repaired.

(3) No person shall lead or permit to be led any animal by or from any motor vehicle.

38. Number of persons on motor cycles and power cycles and requirements as to safety helmets - (1) No person shall drive a motor cycle in a public place;

- (a) carrying any person upon the motor cycle in front of the driver; or
- (b) without a side car carrying more than two persons inclusive of the driver, or carrying any person seated otherwise than astride and facing forward;
- (c) with a side car carrying more than four persons in all.

(2) No person shall drive a power cycle in a public place while it is carrying any person other than the driver.

(3) No person shall drive a motor cycle or a power cycle in any public place within the boundaries of a village at a speed exceeding twenty miles per hour, or, in any public place other than within the boundaries of a village, at a speed exceeding thirty miles per hour, unless the driver and every other person carried are each wearing a safety helmet of an approved type.

PART V - RECKLESS OR INTOXICATED DRIVERS

39. Penalties for causing death or bodily injury through reckless or negligent driving or through driving while intoxicated - Every person commits an offence against this Ordinance and shall be liable on conviction to imprisonment for a term not exceeding five years or to a fine not exceeding three hundred pounds (£300) who, without being guilty of the crime of manslaughter as defined in [Part V of the Niue Act 1966]:

- (a) Recklessly or negligently drives any motor vehicle and thereby causes bodily injury to or the death of any person; or
- (b) While under the influence of drink or a drug to such an extent as to be incapable of having proper control of the motor vehicle, is in charge of a motor vehicle and by an act or omission in relation thereto causes bodily injury to or the death of any person.

[Part V of the Niue Act 1966, being the corresponding enactment in force at the date of this reprint, has been substituted for Part V of the Cook Islands Act 1915.]

40. Penalties for reckless or negligent driving or driving while intoxicated - (1) Every person commits an offence against this Ordinance and shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds (£50) who:

- (a) Recklessly or negligently drives a motor vehicle in any public place; or
- (b) Drives any motor vehicle at a speed which, having regard to all the circumstances of the case, is or might be dangerous to the public; or
- (c) While under the influence of drink or a drug to such an extent as to be incapable of having proper control of the motor vehicle, drives or attempts to drive any motor vehicle in any public place.

(2) Every person commits an offence against this Ordinance and shall be liable on conviction to a fine not exceeding fifty pounds (£50) who, while under the influence of drink or a drug to such an extent as to be incapable of having proper control of the motor vehicle, is in charge of a motor vehicle in a public place, but not so as to be liable for conviction for an offence under section 39 of this Ordinance or subsection (1) of this section.

(3) Every person commits an offence against this Ordinance and shall be liable on conviction to a fine not exceeding twenty pounds (£20) who drives a motor vehicle in any public place without due care and attention or without reasonable consideration for other persons using that public place.

41. Officer of Police may take steps to prevent incapable person from driving - (1) Any officer of police who believes that any person while for the time being in charge of any motor vehicle is, by reason of physical or mental

condition, however arising, incapable of having proper control of the motor vehicle, may:

- (a) Forbid that person to drive the motor vehicle;
- (b) Require that person to deliver up forthwith all ignition or other keys of the motor vehicle in his possession;
- (c) Take such steps as may be necessary to render the motor vehicle immobile or to remove it to a place of safety.

(2) Every person commits an offence against this Ordinance and shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds (£50) who fails to comply with any direction given to him under subsection (1) of this section or does any act that is for the time being forbidden under that subsection:

Provided that no person shall be deemed to have committed an offence under this section unless the Court is satisfied that the officer of police had reasonable grounds for believing that in all the circumstances of the case the direction or prohibition was necessary in the interests of the defendant or of any other person or of the public.

42. Duties of motor drivers in cases of accident - (1)  
Where an accident arising directly or indirectly from the use of a motor vehicle occurs to any person or to any animal or vehicle in charge of any person, the driver of the motor vehicle shall stop and ascertain whether he has injured any person and in that event it shall be his duty to render all practicable assistance to the injured person.

(2) In the case of any such accident (whether any person has been injured or not) the driver of the motor vehicle shall, if required, give to any officer of police or to any person concerned his name and address and also the name and address of the owner of the motor vehicle and, if any, the numbers to be shown on the registration plates and the annual licence of the vehicle. If the accident involves injury to any person the driver shall report the accident in person at the nearest Police Station or to any officer of police as soon as reasonably practicable, and in any case not later than twenty-four hours after the accident unless the driver is incapable of doing so by reason of injuries sustained by him as a result of the accident.

(3) Every driver who fails to comply with any duty imposed on him by subsection (1) of this section in any case where any other person is injured in the accident commits an offence against this Ordinance and shall be liable on conviction to imprisonment for a term not exceeding one year or to a fine not exceeding one hundred pounds (£100).

(4) Every driver who fails to comply with any duty imposed on him by subsection (1) of this section in any case where no other person is injured in the accident commits an offence against this Ordinance and shall be liable on conviction to imprisonment for a term not exceeding three months or to a fine not exceeding fifty pounds (£50).

(5) Every person who fails to comply with any duty imposed on him by subsection (2) of this section commits an offence against this Ordinance.

(6) In this section the term "injury" includes death and "injured" has a corresponding meaning.

43. Arrest without warrant - (1) Any officer of police who, on reasonable and probable grounds believes that any person has committed or attempted to commit an offence against section forty-one or subsection (1) of section forty-two of this Ordinance or that any person, while under the influence of drink or a drug to such an extent as to be incapable of having proper control of a motor vehicle, has committed an offence against section thirty-nine or subsection (1) or (2) of section forty of this Ordinance may arrest that person without warrant.

(2) Every driver of a motor vehicle shall stop at the request or signal of any officer of police in uniform, and on demand shall give him his name and address, and, if he is not the owner of the motor vehicle, also the name and address of the owner. Any driver who on demand fails to stop, or refuses to give any such name or address, commits an offence against this Ordinance and may be arrested by any officer of police without warrant.

44. Cancellation or suspension of licence or disqualification and endorsement of licence - (1) Where a person is convicted of an offence against sections thirty-nine, forty, forty-one, subsection (1) of section forty-two, or subsection (2) of section forty-three of this Ordinance, the Court may, in addition to or in lieu of any other penalty inflicted:

- (a) If the person convicted holds a motor driver's licence, order that the licence of such person be cancelled or suspended for such time as the Court thinks fit; and may also declare that a person whose licence is so cancelled shall be disqualified from obtaining a motor driver's licence for such time as the Court thinks fit.
- (b) If the person convicted does not hold a motor driver's licence, declare him to be disqualified from obtaining any motor driver's licence or a motor driver's licence for specified classes of motor vehicles for such time as the Court thinks fit.

(2) On any conviction involving cancellation or suspension of a motor driver's licence or disqualification of the driver under this section or pursuant to section forty-eight of this Ordinance the Court shall cause particulars of the conviction and any order of the Court made in connection therewith to be endorsed on the driver's licence.

45. Penalties for driving while licence cancelled or suspended or while disqualified - Where any person whose motor driver's licence is cancelled or suspended pursuant to any provision of this Ordinance or who is disqualified from obtaining a driver's licence, drives a



motor vehicle in any public place while his licence is so cancelled or suspended or while he is so disqualified, he commits an offence against this Ordinance and shall be liable on conviction to a fine not exceeding twenty pounds (£20) and in addition the Court may extend the period of disqualification or suspension for a further period not exceeding twelve months.

#### PART VI - SPEED

46. Chief Officer of Police may impose speed limits outside villages - The Chief Officer of Police may by notice published as he thinks fit, declare any area outside the boundaries of any village to be subject to speed limits for the purposes of this Part of this Ordinance.

47. Speed limits and penalties for exceeding speed limits -

(1) Every person commits an offence who:

- (a) Drives any motor vehicle in any public place within the boundaries of any village or of any other area where speed limits are imposed, at a greater speed than twenty-five miles per hour;
- (b) Drives a motor vehicle (except a truck) in any public place other than aforesaid at a greater speed than thirty-five miles per hour, and a truck at a greater speed than thirty miles per hour;
- (c) Drives a motor vehicle in any public place at a greater speed than fifteen miles per hour when within fifty yards of the entrance to any school, church, meeting house or place of entertainment at a time when people are assembling or leaving:

Provided that nothing in this section shall operate to make lawful in respect of any place for which a lower speed limit than that fixed by this section, is duly fixed by this Ordinance or any other enactment for the time being in force, any speed in excess of that lower limit.

(2) The boundaries of any village shall for the purpose of this section be the boundaries defined by any enactment for the time being in force or, where no such enactment is in force or does not apply, by the Resident Commissioner and shall be clearly marked by suitable signs.

(3) Every person who commits an offence against this section shall be liable on conviction to a fine not exceeding twenty pounds (£20).

(4) It shall be a defence to any person charged with an offence against this section if he was driving a motor vehicle for the purpose of or in connection with:

- (a) The execution of his duties as an officer of police; or
- (b) The necessary attendance at fires; or
- (c) First Aid or other urgent services rendered on behalf of a sick or injured person.

48. Suspension of licence or disqualification for speeding - Where a person is convicted for the third time within a period of two years of an offence against section forty-seven of this Ordinance the Court may, in addition to any other penalty inflicted:

- (a) If the person convicted holds a motor driver's licence, suspend that licence for a period not exceeding twelve months;
- (b) If the person convicted does not hold a motor driver's licence declare him to be disqualified from obtaining a motor driver's licence or a motor driver's licence for specified classes of motor vehicles, for a period not exceeding twelve months.

#### PART VII - EQUIPMENT

49. Lights for vehicles and motor vehicles - No person shall operate any vehicle during the hours of darkness without carrying a conspicuous light upon the vehicle in such a manner that the light shall be distinctly visible to persons meeting or following the vehicle.

50. Headlamps for motor vehicles - No person shall operate a motor vehicle (other than a motor-cycle, power cycle, or trailer) unless it is equipped with two headlamps attached thereto, which shall:

- (a) Be of approximately equal candle power; and
- (b) Display beams of light of sufficient power to enable substantial objects and the nature of the road surface to be clearly visible during the hours of darkness under normal driving and atmospheric conditions to a driver of normal vision at a distance of at least one hundred and fifty feet directly in front of the vehicle.

51. Headlamps for motor-cycles and power-cycles - (1) No person shall operate any motor-cycle or power-cycle unless it is equipped with one headlamp attached thereto which shall conform to the requirements of paragraph (b) of section fifty of this Ordinance:

Provided that the minimum distance specified in paragraph (b) of section fifty of this Ordinance shall be only one hundred feet for power-cycles.

(2) No person shall operate any motor cycle having a side car attached unless the side car is also equipped with a lamp directing a beam of light forward and being attached to the front of the side car on the side thereof farther from the motor-cycle.

52. Dipping of lights - While meeting and passing another vehicle the driver of any motor vehicle shall dip his headlights.

53. Rear lights and rear reflectors - (1) No person shall operate a motor vehicle unless it is equipped with at least one rear lamp attached to the rear of the motor vehicle and showing a red light visible not less than three hundred feet to be rearward.

(2) No person shall operate a motor vehicle (other than a motor-cycle or a power-cycle) unless it is equipped with two red rear reflectors placed at the back of the motor vehicles so as to reflect directly to the rear any light shining towards it from rearward of the vehicle. Such reflectors shall consist of an approved material and shall be fitted so that they are displayed in a position within six inches of the rear extremity at each side of the motor vehicle.

(3) No person shall operate a motor-cycle or power-cycle unless it is equipped with one red rear reflector conforming to the provisions of subsection (2) of this section.

54. Registration plate to be lit up - The registration plate affixed to the rear of every motor vehicle shall be illuminated by a beam of white light either from the rear light or, where there are two rear lights fitted at each side of the motor vehicle from a separate light, and in every case so arranged that every letter and numeral on the registration plate is plainly distinguishable under normal atmospheric conditions from a distance of at least sixty feet.

#### Brakes

55. Two independent brakes - No person shall operate a motor vehicle (other than a motor-cycle, power-cycle, or a trailer), unless it is equipped with two independent brakes, namely:

- (a) A footbrake which is capable of bringing to a standstill the motor vehicle, without assistance from the compression of the engine, within a distance of thirty-five feet from a speed of twenty miles per hour upon a hard, dry, level roadway free of loose material; and
- (b) A handbrake which is capable of bringing the vehicle to a standstill within a distance of seventy feet from a speed of twenty miles per hour upon a hard, dry, level roadway free of loose material and is also capable of holding the vehicle at rest on a grade of one in five.

56. Brakes for heavy trailers - No person shall operate a motor vehicle towing a trailer the weight of which with its load exceeds two tons, unless the trailer is equipped with a brake readily applicable by the driver from his normal driving position and complying with the requirements for a footbrake prescribed in paragraph (a) of section fifty-five of this Ordinance.

57. Brakes for motor-cycles - No person shall operate a motor-cycle, unless it is equipped with a brake acting on the rear which is capable of bringing to a standstill the motor-cycle without assistance from the compression of the engine, within a distance of thirty-five feet from a speed of twenty miles an hour upon a hard, dry, level roadway free of loose material, and which is capable of easy adjustment.

58. Brakes for power-cycles - No person shall operate a power-cycle unless it is equipped with a reliable brake on each road wheel. If the brake on the rear wheel is hand operated, it shall be readily operable with the left hand.

59. All brakes to be properly maintained - All brakes shall be maintained so that at all times they are efficient and in good working order.

#### Warning Devices for Motor Drivers

60. Sounding devices - No person shall operate a motor vehicle (other than a trailer) unless it is equipped with an adequately audible warning device, and a trailer unless it is attached to a motor vehicle so equipped.

61. Bells and sirens prohibited - (1) No person shall operate a motor vehicle equipped with a bell as a warning device:

Provided that a power-cycle may be fitted with a bell of an approved type as its sole warning device.

(2) Except with the written permission of the Resident Commissioner, no person shall operate a motor vehicle equipped with a siren as a sole or additional warning device.

#### Further Requirements

62. Rear vision mirror - No person shall operate any motor vehicle (other than a trailer) unless it is equipped with a mirror fitted in an approved position so as to reflect to the driver a view of the roadway to the rear sufficient for driving requirements.

63. Steering - No person shall operate a motor vehicle unless the steering gear and associated mechanism is in a safe and efficient working condition.

64. Silencer - No person shall operate any motor vehicle (other than a trailer) unless it is equipped with an approved silencer or silencing device through which the exhaust is projected.

65. Windscreen protection - (1) No person shall operate any motor vehicle (other than a motor-cycle, power-cycle, or a trailer) fitted with a windscreen unless it is equipped with an efficient mechanically or electrically operated windscreen wiper to prevent interference with the driver's vision by weather conditions.

(2) No person shall drive any motor vehicle fitted with a windscreen forward of the driver unless such windscreen is at all times kept clean and clear so that the driver's view forward will not be impeded or obstructed.

66. Dangerous fittings - No person shall operate a motor vehicle having affixed thereto any ornament, decoration, or fitting of such a nature and in such a position that it is likely to cause injury to any person with whom the motor vehicle may collide.

67. Speedometer - No person shall operate a motor vehicle (other than a trailer or a power-cycle) unless it is equipped with an efficient speedometer in good working order.

68. Footrests for motor-cycles - No person shall operate a motor-cycle unless it is equipped with adequate footrests for the use of every person carried otherwise than in a side car.

#### PART VIII - MOTOR VEHICLE INSPECTION

69. Testing Authority - There shall be for the purposes of this Part of this Ordinance a testing authority which shall be the Chief Officer of Police or any Government Department or person authorised in that behalf by the Resident Commissioner.

70. Warrant of fitness on half-yearly inspection - (1) No person shall operate a motor vehicle (other than a power cycle) unless there is carried in or on that motor vehicle a warrant of fitness issued in respect of that motor vehicle and disclosing thereon a date of examination not earlier than six months before such operation.

(2) The warrant of fitness shall be in two portions as described in the form numbered 7 in the Second Schedule hereto and shall be issued by the testing authority.

(3) The manner in which the portion of the warrant of fitness issued to the owner shall be affixed to the motor vehicle may be prescribed by the Chief Officer of Police for specified classes of motor vehicles by notice published as the Chief Officer of Police thinks fit.

(4) The owner of any motor vehicle who fails to affix any warrant of fitness issued to him in the manner prescribed as aforesaid or removes any warrant that should be affixed, commits an offence against this Ordinance.

(5) The driver or the person in charge of the motor vehicle shall produce any warrant of fitness not affixed to the motor vehicle, inspection whenever required so to do by any officer of police.

71. Warrant of fitness for day-light driving only - A warrant of fitness may be issued for a motor vehicle not fitted with the lighting equipment required by this Ordinance if such warrant is expressed to be subject to both of the following conditions: namely - first, that no headlamps shall be fitted to the vehicle, and secondly, that the vehicle shall not be operated during the hours of darkness. The existence of such a warrant shall excuse non-compliance with such provisions of sections forty-nine to fifty-one, fifty-three and fifty-four of this Ordinance, as apply to that motor vehicle, but no person shall, if the only warrant of fitness issued in respect of the vehicle is one containing the conditions herein specified, operate that vehicle in breach of either of those conditions.

72. Warrant of fitness for duly equipped motor vehicles only - Except as provided in section seventy-one of this Ordinance no warrant of fitness shall be issued under this Part of this Ordinance unless the motor vehicle for which the warrant is to be issued is equipped as required by this Ordinance.

73. Offence against Part VIII - No person shall knowingly operate a motor vehicle in or on which a warrant of fitness is required to be carried, if the motor vehicle is no longer so equipped as to justify the issue therefor of a warrant of fitness in terms of the warrant so required to be carried:

Provided that it shall be a defence in any proceedings for an offence against this section or subsection (1) of section seventy of this Ordinance if the accused proves that the motor vehicle was being operated solely for the purpose of obtaining a warrant of fitness.

74. Fees for warrants of fitness - There shall be payable to the testing authority for the issue of every warrant of fitness the fees set out in Part IV of the Second Schedule hereto.

75. Warrant of fitness to be delivered on sale of motor vehicle - Any person who sells a motor vehicle shall deliver to the purchaser at the time of delivery of the motor vehicle any current warrant of fitness which is not affixed to the motor vehicle.

76. Inspection of motor vehicles after accidents - The Chief Officer of Police, if in his opinion any motor vehicle which has been damaged in an accident, has thereby been rendered unsafe for use, may by notice in writing given to the owner of the motor vehicle direct that the motor vehicle be not operated until such repairs have been carried out as may be necessary for a fresh warrant to be issued pursuant to this Part of the Ordinance.

#### PART IX - TRAFFIC SIGNS

77. Traffic signs to be erected - The Chief Officer of Police shall cause traffic signs to be erected in any public place where necessary for the operation of this Ordinance.

78. Kind of traffic signs to be determined by Chief Officer of Police - The Chief Officer of Police may determine:

- (a) The classes of traffic signs;
- (b) The language of traffic signs;
- (c) The description of any class of traffic sign;
- (d) The material including reflecting material of traffic signs.

79. Maintenance of traffic signs - The Chief Officer of Police shall be responsible for the proper maintenance of every sign.

80. Offences against Part IX of this Ordinance - Every person who wilfully or negligently removes, defaces or damages any traffic sign erected pursuant to the provisions

of this Part of this Ordinance commits an offence against this Ordinance.

PART X - PUBLIC PLACES TO BE KEPT FREE FROM OBSTRUCTIONS

81. Trimming of hedges and trees on adjacent land - The Chief Officer of Police may request any occupier of land adjacent to any public place to cut or trim hedges, trees or other herbage on such land that he considers dangerous to public safety or which obstruct a clear view of the public place.
82. Weeding on roads - (1) Every owner or occupier of land adjacent to any public road shall keep the part of such road from the boundary of the land to the centre of the road at all times reasonably clean and free from rubbish, weeds, fungoid growths and long grass.
- (2) Every such owner or occupier shall, during the first week of the months of March, June, September and December in each and every year, execute such work as aforesaid.
83. Keeping public places tidy and safe - (1) No person shall deposit or throw on any public place:
- (a) Rubbish of any kind;
  - (b) Glass or any other substance or matter likely to damage the tyres of any vehicle.
- (2) If any slippery substance or any piercing substance or glass falls from any vehicle upon any public place, it shall be the duty of the driver of any vehicle involved to remove or cause to be removed immediately that substance from the public place.

PART XI - BICYCLES

84. Bicycles to comply with special requirements - Without limiting in any way the provisions of this Ordinance relating to vehicles the following additional provisions shall apply with respect to bicycles.

Equipment

85. Headlamps - No person shall ride a bicycle in any public place during the hours of darkness unless it has attached at the front a lamp displaying a light substantially white in colour of sufficient brilliance to be visible under normal atmospheric conditions for at least 300 feet in a forward direction.
86. Rear reflectors - No person shall ride a bicycle in any public place:
- (a) Unless it is fitted with an approved red reflector in a clean and efficient condition or approved reflecting red tape not less than eight square inches in area placed at the back of the bicycle so as to reflect directly to the rear light shining towards it from the rearward of the bicycle; or

- (b) Unless it displays at the rear a white surface of at least twelve square inches (inclusive of the area taken up by an approved reflector) or approved reflecting red tape not less than eight square inches in area maintained in a clean condition at a place where the surface or tape is not likely to be obscured by the rider or his clothes.

87. Prohibited lights - No person shall ride a bicycle in any public place if it is equipped with a lamp that displays towards the rear any light other than a red light or with a lamp or reflecting surface that displays towards the front any red or reddish light.

88. Brakes - No person shall ride a bicycle in any public place unless it is fitted with at least one efficient brake which operates on the rear wheel.

89. Special equipment if infants are taken for a ride - No person shall ride a bicycle in any public place:

- (a) Fitted with a pillion seat; unless adequate foot rests are fitted for any infant carried on the pillion seat; or
- (b) Fitted with any other seat or a container for the carriage of an infant, unless the legs of the infant are adequately protected by guards from coming into contact with the wheels of the bicycle.

#### Riding requirements and Rules of the Road

90. Riding prohibited on footpaths and over cultivated land - No person shall ride a bicycle on any footpath or footway or on any lawn, garden, or other cultivation forming part of a public place.

91. Towing prohibited - No person riding a bicycle in any public place shall permit the bicycle to be towed by any other vehicle.

92. Warning signal before right-hand turn - Every person riding a bicycle when about to turn to his right in view of other traffic shall before doing so give reasonable notice of his intention by extending his full arm horizontally to the right.

93. Riding in batches restricted - Except when heavy traffic conditions make it unreasonable to do otherwise, no person shall ride a bicycle so that:

- (a) More than two bicycles remain abreast; or
- (b) Two bicycles remain abreast while overtaking and passing any other vehicle.

94. Dangerous riding - Every person commits an offence against this Ordinance who rides a bicycle in any public place recklessly or negligently or at a speed or in a manner which is dangerous to any other person, having regard to the nature, condition, and use of the public place and all other circumstances of the case.



PART XII - PASSENGER SERVICES

95. No liquor on public transport - (1) No person shall consume or attempt to consume or cause any other person to consume intoxicating liquor in or on any omnibus or vehicle serving for the time being as an omnibus, taxicab or any other vehicle for the time being designed, used, kept, or being available for the carriage for hire or reward of members of the public.

(2) For the purpose of this section the term "intoxicating liquor" shall have the meaning assigned to that term by [section 621 of the Niue Act 1966].

[In subsection (2) section 621 of the Niue Act 1966, being the corresponding enactment in force at the date of this reprint, has been substituted for section 3 of the Cook Islands Amendment Act 1961.]

96. Speed limit for trucks carrying passengers - Notwithstanding anything to the contrary in this Ordinance no person shall drive a truck carrying passengers, whether for hire or reward or otherwise, under any circumstances (be it within the boundaries of any village or any area declared to be subject to speed limits or outside such boundaries or areas) at a greater speed than twenty-five miles per hour.

97. Regulations - (1) Subject to the provisions of section ninety-six of this Ordinance, the Resident Commissioner may with respect to any of the motor vehicles mentioned in section ninety-five of this Ordinance from time to time make such regulations as he may deem necessary for the safety of the passengers in such motor vehicles and any regulations so made shall be read together with and deemed to form part of this Ordinance.

(2) Any regulations made pursuant to this section shall be laid before the Island Assembly within fourteen (14) days after the date of the making thereof if the Assembly is then in session, or if not, within fourteen (14) days after the commencement of the next ensuing session.

[No regulations under this section made before the date of this reprint.]

PART XIII - MISCELLANEOUS PROVISIONS

98. Approval of equipment for a transition period and exemptions from equipment requirements - (1) The Resident Commissioner may, by notice published as he directs and for any period of time, as he thinks fit:

- (a) Approve of any equipment or type of equipment for use under this Ordinance and the use of any equipment so approved or of a type so approved shall, while it is maintained in good working order and any conditions of the approval are complied with, be deemed to be a sufficient compliance with this Ordinance:

- (b) From time to time grant exemption in respect of any specified class of vehicle from any of the requirements relating to equipment prescribed by this Ordinance, subject to such conditions as he thinks fit to impose.

(2) Any approval so given and any exemption so granted may be at any time withdrawn by the Resident Commissioner by notice as aforesaid.

99. Compensation for conversion - (1) If any person is convicted of the offence of converting any vehicle or part thereof under [section 188 of the Niue Act 1966] the Court may order the person so convicted to pay to the owner of the vehicle destroyed or damaged, by way of compensation for the destruction or damage, a sum not exceeding the amount of loss suffered by him. The making or enforcement of an order as aforesaid shall not affect the right of the owner or any other person to recover by civil proceedings any damages in excess of the sum recovered under the order.

(2) Any order for payment under this section may be enforced in the same manner as a fine.

[In subsection (1) section 188 of the Niue Act 1966, being the corresponding enactment in force at the date of this reprint, has been substituted for section 227 of the Cook Islands Act 1915.]

100. Unlawful interference with vehicle - Every person commits an offence against this Ordinance and shall be liable to imprisonment for a term not exceeding three months or a fine not exceeding fifty pounds (£50) who unlawfully and without colour of right interferes with or gets into or upon or attempts to get into or upon any vehicle.

101. Power of Officers of Police - Every officer of police in uniform shall have power to:

- (a) Direct the driver of any vehicle to stop his vehicle;
- (b) Inspect, test, and examine the brakes or any other part of any vehicle or equipment thereof;
- (c) Move or cause to be moved to any place of safety at the expense of the owner any vehicle if in the opinion of the officer of police it causes an obstruction in any public place or has some mechanical defect likely to impair its safe use in a public place or its removal is necessary for any other reason;
- (d) Generally take all steps necessary for the control of traffic in any public place in accordance with this Ordinance.

102. Offences - Every person commits an offence against this Ordinance who:

- (a) Fails to comply with a direction given pursuant to the provisions of this Ordinance by an officer of police, the Registrar, the Testing Authority, or any other person authorised to give directions pursuant to the provisions of this Ordinance;

- (b) Wilfully obstructs any person in the execution of any duty imposed on that person by the provisions of this Ordinance;
- (c) Fails to comply with any condition, duty, or obligation imposed on him by any provisions of this Ordinance;
- (d) Does or omits, or causes or knowingly permits or suffers to be done or omitted, any act, matter, or thing contrary to the provisions of this Ordinance;
- (e) Offends against or fails to comply with any provisions of this Ordinance;
- (f) Knowingly makes a substantially false statement in any application or notice under this Ordinance or in connection with any information which he is required to furnish under this Ordinance.

103. General Penalties - Every person who commits an offence against this Ordinance for which no penalty is provided in this Ordinance elsewhere than in this section or in the [Niue Act 1966], is liable to a fine not exceeding ten pounds (£10).

[The Niue Act 1966, being the corresponding enactment in force at the date of this reprint, has been substituted for the Cook Islands Act 1915.]

104. Ordinance to bind the Crown - Except as provided in this Ordinance, this Ordinance shall bind the Crown.

105. Repeals and Savings - (1) The following Ordinances are hereby repealed, namely:

The Niue Road-Cleaning Ordinance 1917, No.8  
 The Niue Island Motor Vehicles Ordinance 1950, No.41  
 The Niue Bicycle Traffic Ordinance 1950, No.42  
 The Niue Island Motor Vehicles Amendment Ordinance 1956, No.49  
 The Niue Island Bicycle Traffic Amendment Ordinance 1956, No. 51  
 The Niue Island Motor Vehicles Amendment Ordinance 1959, No.60

(2) Without limiting the provisions of the Acts Interpretation Act 1924, it is hereby declared that:

- (a) All appointments made under any Ordinance hereby repealed and being of continuing effect at the commencement of this Ordinance shall enure for the purposes of this Ordinance as if made under the corresponding provisions of this Ordinance;
- (b) Every registration (including registration plates), annual licence, driver's licence, and warrant of fitness completed or issued under any Ordinance hereby repealed and being of continuing effect at the commencement of this Ordinance shall enure for the purposes of this Ordinance as if completed or issued under the corresponding provisions of this Ordinance;

- (c) All registers, permits, notices, warrants, exemptions, and approvals which originated under any Ordinance hereby repealed and which are of continuing effect at the commencement of this Ordinance shall enure for the purposes of this Ordinance as if they had originated under the corresponding provisions of this Ordinance;
- (d) All matters, things and proceedings which have been commenced under any such Ordinance and which are pending or in progress at the commencement of this Ordinance, may be continued and completed under this Ordinance.

106. Application of fees and fines - All fees, fines and other moneys received pursuant to the provisions of this Ordinance shall form part of the public revenues of Niue and shall be paid into the appropriate account thereof.

SCHEDULES

FIRST SCHEDULE

Section 7

Form No. 1

Niue Island Transport Ordinance 1965

FORM OF APPLICATION FOR REGISTRATION OF MOTOR VEHICLE

To the Registrar of Motor Vehicles:

I HEREBY apply for registration of the motor vehicle, particulars of which are given below:

Name of Owner:  
 Address:  
 Class of motor vehicles:  
 Make of motor vehicle:  
 Engine No:  
 Chassis No:  
 Seating Accommodation: \* persons

Intended for -  
 Private use; or  
 Conveyance of passengers for hire; or  
 Conveyance of goods; or  
 Conveyance of passengers for hire and goods

Gross weight of motor vehicle unladen: \*\* lb  
 Manufacturer's rating of weight carrying capacity: lb  
 Dated this day of 19 ,

..... (Signature of owner)  
 \* Not required for motor or power cycles  
 \*\* Not required for motor cycle, power cycle or private motor cars

1965

Transport

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Section 9

Form No.2

Niue Island Transport Ordinance 1965

CERTIFICATE OF REGISTRATION OF MOTOR VEHICLE

THIS is to certify that the motor vehicle, particulars of which are given below, has been registered under the above Ordinance:

Description of Motor Vehicle

Name of Owner:

Address:

Class of motor vehicle:

Make of motor vehicle:

Engine No:

Chassis No:

Seating Accommodation

persons

Intended for -

- Private use; or
- Conveyance of passengers for hire; or
- Conveyance of passengers for hire and goods:

Gross Weight of motor vehicle unladen: 1b

Manufacturer's rating weight carrying capacity: 1b

Registration No:

(a) Number of persons, excluding the driver, which the vehicle may lawfully carry at any one time;

(b) Maximum weight of goods, or passengers, or both, which the vehicle may lawfully carry.

Dated at

this

day of

19

.....  
Registrar of Motor Vehicles

Niue Island Transport Ordinance 1965

FORM OF APPLICATION FOR ANNUAL LICENCE TO USE MOTOR VEHICLE

To the Registrar of Motor Vehicles:

I HEREBY apply for a licence to use the motor vehicle, particulars of which are given below:

Name of Owner:

Address:

Class of motor vehicle:

Make of motor vehicle:

Engine No:

Chassis No:

Seating accommodation \* persons

Intended for -

- Private use; or
- Conveyance of passengers for hire; or
- Conveyance of goods; or
- Conveyance of passengers for hire and goods

Gross weight of motor vehicle unladen: \*\* lb

Manufacturer's rating of weight carrying capacity: lb

Registration No:

Dated at this day of 19

.....  
Signature of Owner

\* Not required for motor or power cycles  
 \*\* Not required for motor cycles, power cycles, or private motor cars

1965

Transport

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Section 16

Form No. 4

Niue Island Transport Ordinance 1965

ANNUAL LICENCE TO USE MOTOR VEHICLE

The motor vehicle, particulars of which are set out here-  
under, may, in accordance with the above Ordinance, be used  
on any road on Niue while this licence continues in force.

Description of Motor Vehicle

Name of Owner:

Address:

Class of motor vehicle:

Make of motor vehicle:

Engine No:

Chassis No:

Seating accommodation                      persons

Intended for -

- Private use; or
- Conveyance of passengers for hire; or
- Conveyance of goods; or
- Conveyance of passengers for hire and goods

Gross weight of motor vehicle unladen:                      1b  
Manufacturer's rating weight carrying capacity:                      1b

Registration No:

If trade motor -

- (a) Number of persons, excluding the driver, which the vehicle may lawfully carry at any one time;
- (b) Maximum weight of goods, or passengers, or both, which the vehicle may lawfully carry.

Subject to the provisions of the above Ordinance, this licence shall continue in force until 31 March 19

Dated at                      this                      day of                      19

.....  
Registrar of Motor Vehicles

Niue Island Transport Ordinance 1965

APPLICATION FOR A MOTOR DRIVER'S LICENCE

To the Registrar of Motor Vehicles:

I HEREBY apply for the issue to me of a motor driver's licence under the above Ordinance in respect of a motor vehicle of the following class (classes) :

AND I do hereby declare that to the best of my knowledge and belief the particulars hereinafter set forth are true and correct:

Full name of applicant:

Place of residence:

Occupation:

Class or classes of motor vehicles in respect of which a driver's licence is applied for:

Is applicant above the age of sixteen years?

If applicant has been the holder of any licence to drive a motor vehicle give particulars as to:

Name of authority by whom licence issued:

Date of issue:

Remarks:

Has applicant ever been refused a motor driver's licence? If so, give particulars:

Has applicant ever been convicted of any offence arising out of the driving of any motor vehicle?

What is applicant's experience of motor driving?

Dated at

this

day of

19 .

.....  
Signature of Applicant



1965

Transport

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Section 22

Form No.6

Niue Island Transport Ordinance 1965

MOTOR DRIVER'S LICENCE

No. ....

TO BE PRODUCED ON DEMAND

Name of Licensee: m/f Date of Birth:

Address:

Occupation:

This licence applies only to (insert class or classes of motor vehicle)

This licence expires on the day of 19 .

Date of issue:

Signature of Registrar:

Signature of Licensee:

Section 70

Form No.7

Niue Island Transport Ordinance 1965

WARRANT OF FITNESS

To be retained by Testing Authority

To be issued to Owner  
(front)

No. Make:  
Regd No:  
Speedometer reading:

Warrant of Fitness No:  
(Month of issue in letters)  
(Month of expiry in figures)

Name of Owner:

Address:

Date of examination: .../.../...

(Back)

No:

.....  
Signature of Testing Authority

Issued by:

Regd No. and Make:

.....  
Expiry date: .../.../...

SECOND SCHEDULEPART IFEE PAYABLE FOR REGISTRATION (SECTION 12)

	£	s	d
1. For every power cycle			
2. For every motor cycle		7	6
3. For every other motor vehicle	1	-	-
4. For every duplicate where original lost or destroyed	2	-	-
	5	-	-

PART IIFEE PAYABLE FOR ANNUAL LICENCES FOR ANY ONE YEAR (SECTION 15)

1. For every power cycle		5	-
2. For every motor cycle		10	-
3. For every motor car		1	10
4. (a) For every tractor up to 40 h.p.	1	10	-
(b) For every tractor over 40 h.p.	2	-	-
5. For every trade motor -	2	10	-
(a) Of a specified carrying capacity (manufacturer's rating) not exceeding 20 cwt		3	10
(b) Of a specified carrying capacity (manufacturer's rating) exceeding 20 cwt, but not exceeding 60 cwt	5	-	-
(c) Of a specified carrying capacity (manufacturer's rating) exceeding 60 cwt	5	-	-

In respect of every vehicle plying for hire for passengers there shall be added to the prescribed fee an annual fee of (to be calculated from date of annual licence) 2 5 -

For the purposes of section 15 a motor vehicle shall be deemed to be plied for hire if in fact it is used for the carriage of passengers for hire.

6. For every trailer		2	10
7. For every duplicate where original lost or destroyed		5	-

PART IIIFEE PAYABLE FOR DRIVER'S LICENCE (SECTION 21)

1. For every first licence issued		5	-
2. For every renewal for any one year		5	-
3. For every duplicate where original lost or destroyed		2	-

PART IVFEE PAYABLE FOR WARRANTS OF FITNESS (SECTION 74)

1. For every power cycle		2	6
2. For every motor cycle		3	6
3. For every other motor vehicle		5	-