



New Zealand
POLICE
NOR Pirihimana O Aotearoa

Wellington Regional Council
22 JAN 2003

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Referred to	Date
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17 January 2003

The Chief Executive
Wellington Regional Council
P O Box 11646

Wellington

Dear Sir

At the last meeting of the Regional Land Transport Committee I was asked by Councillor Evans to advise what the Police do as far as enforcement of "smokey vehicles".

The Traffic Regulations, Regulation 28 deals with the emission of smoke or vapour. It is reproduced below.

(1) No person may operate a motor vehicle other than a traction engine that, for 10 or more seconds, emits a continuous stream of smoke or vapour that is visible to a person with normal vision.

(2) This regulation does not apply if smoke or vapour is visible solely because of the condensation of water vapour

(3) It is a defence to proceedings for an offence against subclause (1) if the defendant produces documentation that proves that, at the time of the alleged offence, all reasonably practicable steps had been taken within the preceding 6 months to ensure that the motor vehicle could be operated without breaching subclause (1).

Police are involved in the enforcement of these regulations amongst many others. Probably the worst offenders are heavy motor vehicles under load. Action that can be taken includes a warning or the issue of an infringement notice. In 2002, 44 Infringement notices were issued in the Wellington Police District to drivers whose vehicles emitted excessive smoke.

Probably there is a tendency for Police Officers to concentrate on trauma reducing offences, however action is taken against serious offenders.

We do have motorists contact the Police expressing concerns at the amount of smoke being emitted by some vehicles. Usually the owner would be contacted and the complainant's concerns passed on.

Safer Communities Together

WELLINGTON METROPOLITAN DISTRICT HEADQUARTERS
Chr Harris and Victoria Streets Wellington New Zealand P O Box 693
Phone 04-382 4000, Fax 04-472 3943. DX SX11 163

I am aware that in the Auckland area there was a campaign where people could ring in and complain about vehicles making excessive smoke. The owner of the vehicle was then written to. I understand that this was an Auckland Regional Council initiative.

Would you please forward this information to the Regional Land Transport Committee.

Yours sincerely



Dave
Inspector
Strategic Traffic Manager