

1926.

NEW ZEALAND.

MOTOR-OMNIBUS REGULATIONS COMMITTEE

(REPORT OF THE).

(MR. E. P. LEE, CHAIRMAN.)

Presented to the House of Representatives, and ordered to be printed.

ORDERS OF REFERENCE.

Extracts from the Journals of the House of Representatives.

FRIDAY, THE 9TH DAY OF JULY, 1926.

Ordered, "That Standing Order No. 219 be suspended, and that a Select Committee be appointed, consisting of thirteen members, to whom shall be referred for consideration and report the regulations as to the control of motor-omnibuses gazetted in terms of the Board of Trade Act, 1919, and its amendments, together with any petition presented to this House relating to the same; the Committee to have power to call for persons and papers; three to be a quorum: the Committee to consist of Mr. J. S. Dickson, Mr. Fraser, Mr. Forbes, Mr. H. Holland, Mr. Howard, Mr. E. P. Lee, Mr. Macmillan, Mr. Potter, Mr. Savage, Mr. Sidey, Mr. Tapley, the Hon. Mr. Williams, and the mover."—(Right Hon. Mr. COATES.)

WEDNESDAY, THE 14TH DAY OF JULY, 1926.

Ordered, "That the proceedings of the Motor-omnibus Regulations Committee be open to accredited representatives of the Press during the examination of witnesses."—(MR. E. P. LEE.)

TUESDAY, THE 27TH DAY OF JULY, 1926.

Ordered, "That the petition of E. A. M. Leaver and others be referred direct to the Motor-omnibus Regulations Committee."—(MR. SULLIVAN.)

R E P O R T S.

Petitions of K. FROUDE and 71,487 Others; W. G. McDONALD and 11 Others; E. A. M. LEAVER and 202 Others; and A. E. B. JOHNSON and 14,124 Others.

THE Motor-omnibus Regulations Committee, to which were referred the above petitions, has the honour to report that the Committee has heard the evidence of thirty witnesses in connection with the above-mentioned petitions, namely:—

From Dunedin—on behalf of the City Tramways.

From Christchurch—on behalf of the City Tramways and Canterbury bus-proprietors.

From Wellington—on behalf of Suburban Motor-bus Company; motor-bus employers; Tramway Employees' Federation; Civic League; motor-body builders; Wellington Coach and Motor Builders' Association; Wellington City Council; Public Works Department; Eastbourne Municipal Borough; Eastbourne omnibus-proprietor.

From Auckland—on behalf of Royal Motor-bus Company; Motor-body Builders' Association; Omnibus-proprietors' Association; a citizen; Auckland City Council; Auckland Tramways; Mount Eden Borough Council.

From Takapuna—Mr. A. Harris, M.P.; motor-bus service; Takapuna Borough Council; Takapuna Tramways and Ferry Company; Devonport Borough Council.

From Wanganui—Wanganui Tramways.

From Palmerston North—Municipal omnibuses.

After careful consideration of the very lengthy evidence, the Committee recommends—

- (1.) That, in order to obviate certain legal difficulties and to simplify procedure, the regulations as they stand be revoked, and a statute be enacted dealing with the matter, to come into force forthwith.
- (2.) That such statute should provide for the establishment of licensing districts as constituted by the regulations.
- (3.) That power should be reserved for the Governor-General in Council to constitute new districts and alter existing districts.
- (4.) That the statute should confer on motor-omnibus owners in business at the coming into force of the regulations and competing with tramway undertakings a right within a given time to require the delegated or public tramway authority to acquire their undertaking, and to pay therefor the value at the time of acquisition. In arriving at such value, goodwill should not be taken into account. The like power should be conferred on a motor-omnibus proprietor licensed under the statute, where a renewal of the license is subsequently refused on account of the municipal transport authority deciding to establish a service.

- (5.) That the most convenient tribunal to assess such value, if the same is not settled by agreement, would be a Compensation Court constituted under the existing provisions of the Public Works Act, save that a Magistrate's Court should have jurisdiction up to £2,000.
- (6.) That transport authorities requiring funds to complete and purchase under the foregoing provisions should have full statutory power to make all necessary arrangements for this purpose.
- (7.) That the following matters, now provided for by the Order in Council of the 6th May, 1926, should be provided for by Order in Council under powers conferred by the statute :—
- (a.) The appointment of licensing authorities and other matters mentioned in Regulation No. 3 :
 - (b.) The creation of a right of appeal in connection with the issue of licenses and the conditions attached thereto, and other matters within the jurisdiction of a licensing authority :
 - (c.) The creation of Transport Appeal Boards, and the regulation of appeals :
 - (d.) Notice of accidents to be given to the Minister, now provided for in Regulation No. 11 :
 - (e.) An additional motor-omnibus fare for a licensed motor-omnibus, now provided for by Regulation No. 10 :
 - (f.) Motor-omnibus licenses in accordance with Regulation No. 5 :
 - (g.) Condition of motor-omnibuses in accordance with Regulation No. 8 :
 - (h.) For insuring against accident in accordance with Regulation No. 9, subsections (1) and (2) ; subsections (3) to (13) to be referred to the Government for consideration.
- (8.) That the statute should confer on the licensing authority power to make by-laws or regulations for the following purposes : The issue and terms of license, applications for licenses, and revocation of same as regards both vehicles and drivers, with power to impose licensing and inspection fees.
- (9.) That, in order to secure a measure of co-ordination, by-laws made should be subject to the condition of requiring Ministerial approval.
- (10.) That the licensing authority should be under obligation to see that adequate transport service, either by tram or motor-omnibus, is provided, and suggest that if 10 per cent. of the inhabitants in any district desiring a service present a petition to a licensing authority requesting such authority to see that such service is supplied, then in default of the supply of the service there should be an inquiry made as to the reasonableness of the application. The finding arrived at as the result of the inquiry should be given effect to.
- (11.) That consideration should be given by the Government to the question of establishing a Metropolitan Board of Control for the Auckland District, the Board to have power to take over the tramway and bus undertaking of the City of Auckland at a price to be assessed by some appointed authority, and power given to the Metropolitan Board to arrange the necessary finance and rating security over such metropolitan district.
- (12.) That consideration should be given by the Government to the possibility that the institution of municipally-owned omnibuses for privately-owned omnibuses may result in depriving certain local bodies of part of their present share in motor-lorry license fees, and that if this is so the present rights of such local bodies should be protected.

The minutes of evidence taken by your Committee are attached hereto [not printed].
31st August, 1926.

SPECIAL REPORT.

I HAVE the honour to report that the Motor-omnibus Regulations Committee desires to place on record its high appreciation of the ability and impartiality with which the Chairman, Mr. E. P. Lee, has conducted his duties and presided over its deliberations, and thanks him for the unremitting industry and attention which he gave to every aspect of the complex problem with which the Committee had to deal. It also desires that this resolution be recorded in the minutes of the Committee and be reported to the House.

31st August, 1926.

P. FRASER,
A member of the Committee.

SPECIAL REPORT.

I HAVE the honour to report that the Motor-omnibus Regulations Committee desires to place on record its high appreciation of the courtesy, attention, and services rendered by the Clerk, Mr. J. J. Smith, during the session. It also desires that this resolution be recorded in the minutes of the Committee and be reported to the House.

31st August, 1926.

SPECIAL REPORT.

I HAVE the honour to report that the Motor-omnibus Regulations Committee desires to place on record its high appreciation of the reporting carried out by the Committee reporters, Messrs. Harrison and Mitchell, and the general accuracy of their reports. It also desires that this resolution be recorded in the minutes and reported to the House.

31st August, 1926.

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