

OVERVIEW OF PROPOSED AMENDMENTS TO LAND TRANSPORT RULES OMNIBUS AMENDMENT

JULY 2016

PROPOSAL NO.	LAND TRANSPORT RULE	CURRENT CLAUSE OF SCHEDULE	OA RULE REFERENCE	PROPOSED CHANGE	ISSUE/REASON FOR CHANGE
DOOR RETENTION SYSTEMS (SECTION 2 OF THE OMNIBUS AMENDMENT RULE 2016 (OA RULE))					
1	Door Retention Systems 2001	Clause 2.2 (4)	2.1(2)	Add requirement that all doors on a vehicle can be opened from outside the vehicle.	Corrects an oversight. Currently the Rule only specifies a door must be operable from inside the vehicle. The driver's door and passenger doors should be able to be opened from the outside also.
HEAVY-VEHICLE BRAKES (SECTION 3 OF THE OMNIBUS AMENDMENT RULE 2016)					
2	Heavy-vehicles Brakes 2006	Definitions	3.1(2)	Amend the definition of 'twin-steer axle set' to remove reference to 'tandem axle' and make spacing consistent with international manufacturers' practice.	This amendment would align the definition of 'twin-steer axle set' in the Heavy Vehicles Rule 2004 with the definition in the Vehicle Dimensions and Mass Rule 2002 (VDAM). The definition was changed in 2008 in the VDAM Rule but was not similarly changed in the Heavy-vehicle Brakes and Heavy Vehicles Rules.
HEAVY VEHICLES (SECTION 4 OF THE OMNIBUS AMENDMENT RULE 2016)					
2	Heavy Vehicles 2004	Definitions	4.1(2)	Amend the definition of 'twin-steer axle set' to remove reference to 'tandem axle' and make spacing consistent with international manufacturers' practice.	Refer to proposal 2 above.
PASSENGER SERVICE VEHICLES 1999 (SECTION 5 OF THE OMNIBUS AMENDMENT RULE 2016)					
3	Passenger Service Vehicles 1999	Clause 6.5(2)	5.1(2)	To update how the Rule refers to the qualifications of persons who conduct inspections of certain electric-powered vehicles.	Sections 75 and 77 of the Electricity Act 1992 formerly listed the qualifications required for registration as an electrician or electrical inspector. These sections were repealed and substituted on 1 April 2010 by section 13 of the Electricity Amendment Act 2006 which imposes restrictions on doing or assisting with electrical work. This change will update the current reference to registered electrician and provide for appropriately trained or qualified electricians or inspectors, such as vehicle manufacturer trained inspectors to conduct inspections on hybrid electric, battery power electric or fuel cell powered electric vehicles.
ROAD USER RULE (SECTION 6 OF THE OMNIBUS AMENDMENT RULE 2016)					
4	Road User Rule 2004	Clause 1.6 Interpretation	6.1(2)	Extend the definition of defence force emergency vehicle to include a counter-terrorism response vehicle operated by the NZ Defence Force.	This change would assist the NZ Defence Force to support the NZ Police in counter-terrorist operations. See also the same amendment for consistency in the Vehicle Lighting Rule and the Vehicle Equipment Rule.

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5	Road User Rule 2004	Clause 1.6	6.1(3)	Expand the definition of "Intersection" to include a place where a cycle path or a shared path crosses a roadway.	To legally control either the movement of cyclists or road users where a separated path crosses a road way. The definition of "Intersection" needs to include a place where a cycle path or shared path crosses a roadway.
6	Road User Rule 2004	Clause 2.7	6.1(4)	Permit drivers to encroach onto a flush median when overtaking cyclists.	Drivers who strictly observe the current rule may attempt to execute unsafe passing manoeuvres around cyclists even when safer passing distances would be available by using the flush median. Drivers undertaking this manoeuvre would still be required to comply with Clause 2.6 of the Rule. <i>We welcome comment on whether this rule change should be extended to include passing manoeuvres to overtake pedestrians, horses, carts and mobility scooters?</i>
7	Road User Rule 2004	Clause 4.1	6.1(5)	For intersections where a cycle path or shared path crosses a road way, require cyclists or pedestrians on a cycle path or a separated path or drivers on a roadway to stop or give way where either group is controlled by a stop sign or a give way sign.	To legally control either the movement of path users or road users where a cycle path or shared path crosses a roadway. This is because it is sometimes desirable to require drivers on a roadway to give way to cyclists or pedestrians crossing from a path. Most drivers already comply with give way or stop signs at such intersections but this will ensure that compliance is required.
8	Road User Rule 2004	Clause 4.5	6.1(6)	Clarify that a driver approaching an intersection must not enter a cycle lane if the driver's intended passage or exit is blocked by stationary traffic and a vehicle would obstruct the cycle lane.	To maintain the free flow of designated cycle lanes, particularly near left turn lanes and reduce the risk of cyclists executing unsafe manoeuvres.
9	Road User Rule 2004	Clause 5.8	6.1(7)	Remove prescription by amending the Rule to refer to a range of circumstances indicated by a warning sign in which a 20km/h speed limit applies.	Currently, the Rule refers to a sign for 'accident', 'breakdown' or 'emergency'. These three words equate to three signs that are listed in the Traffic Control Devices Rule. However, there is also a "Fire" sign and recently, a "Crash" sign was added to that Rule. The proposal is to refer to the types of circumstances indicated by a warning sign, rather than listing specific signs.

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10	Road User Rule 2004	Clause 6.6	6.1(8)	Allow a bus to enter and leave a cycle lane and to stand at a bus stop in a cycle lane for the purposes of passenger boarding and alighting.	To provide for the ongoing design and construction of cycle lanes with occasional bus stops included. Without a rule change, a cycle lane has to be terminated by a marking or a sign, a bus stop marked and a cycle lane recommenced past the bus stop. While appropriate for busier roads, it is excessive for local roads and lesser used stops.
11	Road User Rule 2004	Clause 11.12	6.1(9) and 6.1(10)	Extend the time period during which lighting and reflector requirements apply to pedal cycles and power assisted pedal cycles.	To improve cyclist visibility by extending the period during which forward and rearward facing cycle lamps and reflectors are required to be used from 30 minutes after sunset and 30 minutes before sunrise to between the times of sunset and sunrise. This change would also apply to the requirement that a cycle must either have pedal reflectors or the person must wear reflective material.

SEATBELTS AND SEATBELT ANCHORAGES (SECTION 7 OF THE OMNIBUS AMENDMENT RULE 2016)

12	Seatbelts and Seatbelt Anchorages 2002	Clause 3.2(3) (b)	7.1(2) and 7.1(3)	Clarify that seatbelts fitted in the rear of motor homes may be either lap seat belts or lap and diagonal seatbelts.	Class MB vehicles, as specified in Table 2.4, are not allowed lap belts in rear outer seating positions. However, clause 3.2(3) (b) allows either type of seatbelt in motorhomes. This proposal would clarify that, despite Table 2.4, lap belts may be substituted for lap and diagonal seatbelts in motorhomes.
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SETTING OF SPEED LIMITS (SECTION 8 OF THE OMNIBUS AMENDMENT RULE 2016)

13	Setting of Speed Limits 2003	Clause 2.3(3) (b)	8.1(2)	Clarify that the rural speed limit is the default speed limit on all motorways, not just those in rural areas.	The current clause can be misinterpreted as meaning that the rural speed limit applies to motorways in rural areas, but not to motorways in urban areas.
14	Setting of Speed Limits 2003	Clauses 5.2(2)(b) and 5.3(2)(b)	8.1(3) and 8.1(4)	Allow temporary speed limits to be 10 km/h less than the permanent speed limit in areas where the permanent speed limit is 50 km/h or less.	Temporary speed limits must be at least 20 km/h less than the permanent speed limit. This reduction is reasonable in rural areas but, for example, in urban areas with 40 km/h permanent speed limits, a 10 km/h reduction to 30 km/h would be adequate for safe traffic management.
15	Setting of Speed Limits 2003	Clause 6.1(2) (a)	8.1(5)	Clarify that variable speed limits may be set for safe or efficient traffic management.	To clarify that the Rule allows a variable speed limit to be set to manage congested roads. There may also be a future need to provide for variable speed limits to control emissions.

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16	Setting of Speed Limits 2003	Clause 8.1	8.1(6) and 8.1(7)	Allow a speed limit sign to be placed more than 20 metres from the point a speed limit changes.	The current requirement is that speed limit signs must be placed within 20 metres of the point the speed limit changes; typically at an intersection. This change would enable some flexibility to place signs elsewhere in clear and safe locations that would make it easier for road users to see or react to the sign.
17	Setting of Speed Limits 2003	Clause 8.5	8.1(8)	Allow a Road Controlling Authority to mark the speed limit on the road surface at places other than alongside a speed limit sign.	It is often useful to place regulatory markings elsewhere, not just alongside signs. The change would clarify that speed limit road markings may be installed where the RCA considers appropriate and not be limited to placement beside a speed limit sign.
STEERING SYSTEMS (SECTION 9 OF THE OMNIBUS AMENDMENT RULE 2016)					
18	Steering Systems 2001	Clause 2.5	9.1(2)	Replace reference to "Schedule 1" with "Schedule".	There is no Schedule 1; there being only one "Schedule" referred to in Part 3 of the Rule.
19	Steering Systems 2001	Definitions	9.1(3)	Update the definition of New Zealand resident by referring to the Immigration Act 2009.	This would update the Rule by replacing the reference to the Immigration Act 1987 as the Rule has not been updated since new Immigration legislation was enacted.
TRAFFIC CONTROL DEVICES (SECTION 10 OF THE OMNIBUS AMENDMENT RULE 2016)					
20	Traffic Control Devices 2004	Clause 4.4(4)	10.1(2)	Allow the Agency, by notice in the Gazette, to make minor variations to aspects of traffic signs specified in Schedule 1.	This change would provide the Agency with the ability to allow for technical innovation and road safety improvements by making minor and technical variations to the colour, shape, dimensions, words, letters, numerals, symbols, number of elements, background, border or legend of traffic signs.
21	Traffic Control Devices 2004	Clause 5.4(1)	10.1(3)	Allow the Agency, by notice in the Gazette, to make minor variations to the colour, shape, dimensions, words, letters, numerals or symbols of markings specified in Schedule 2.	The Agency may make changes to signs by notice in the Gazette but it cannot make similar changes to road markings. The change would align both clauses by enabling the Agency to approve changes to road markings in addition to changes to traffic signs.
22	Traffic Control Devices 2004	5.4(6) Schedule 1	10.1(4) and 10.1(5)	Allow the use of blue flashing reflective pavement markers (RRPMs) as ice warning markers.	To authorise the general use of blue RRPMs as ice-warning markers following a trial of blue, flashing, ice-warning, pavement markers. Also to remove requirement for these to be raised so that markers that are flush with the pavement may be used.

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23	Traffic Control Devices 2004	6.2(1A)(c)	10.1(6)	Remove the requirement for flashing red signals to have a supplementary signal display.	The Rule currently requires all traffic signals, other than temporary signals to have a primary and secondary display. However, flashing red traffic signals at, for example, railway level crossings and emergency vehicle accesses, don't have secondary displays, so the Rule needs to be changed to accommodate this.
5	Traffic Control Devices 2004	Part 2, Definitions	10.1(7) and 10.1(8)	Change to the definition of "Intersection" to align with the new proposed definition of "Intersection" in the Road User Rule	See proposal (5) above. Consequential change to align definitions in the Road User Rule and the Traffic Control Devices Rule.
24	Traffic Control Devices 2004	Schedule 1	10.1(9)	Add new warning signs into Schedule 1 of the Rule.	The new warning signs alert drivers to keep left or drive on the left. A new frost marker sign warns drivers to slow down for frost.
25	Traffic Control Devices 2004	Schedule 2	10.1(10)	Add the road marking for "sharrows" into Schedule 2 of the Rule.	Sharrow road markings are used to indicate that a lane is to be shared between cycles and general traffic. The effectiveness of sharrow trials has been demonstrated throughout New Zealand. This proposal would approve the marking for general use.
26	Traffic Control Devices 2004	Schedule 3, diagram S4-10.1, S4-10.2 and S4-10.3	10.1(11)	Replace the special vehicle display signals diagrams shown in Schedule 3 of the Rule.	To correct omissions for the traffic signal diagrams. The special vehicle signal display diagrams S4-10.1, S4-10.2 and S4-10.3 in Schedule 3 are missing some aspects, e.g. the left-turn yellow arrow. Correct diagrams are being substituted.
TYRES AND WHEELS (SECTION 11 OF THE OMNIBUS AMENDMENT RULE 2016)					
27	Tyres and Wheels 2001	Clause 2.7(8).	11.1(2)	To correct a typographical error.	Clarifies the wording of the Clause and improves readability.
VEHICLE DIMENSIONS AND MASS (SECTION 12 OF THE OMNIBUS AMENDMENT RULE 2016)					
28	Vehicle Dimensions and Mass 2002	Table 4.1 Dimension requirements for vehicles and vehicle combinations.	12.1(2)	Allow a maximum width requirement of 1.1 metres for all two wheeled vehicles of Classes AA (pedal cycle), AB (power assisted pedal cycle), LA (mopeds) and LC (motorcycles).	Motorcycle handlebar widths are currently specified to be no more than 50cm either side of the centre of the motorcycle although some manufacturers are making motorcycles with handlebars at 55cm either side of the centre of the motorcycle.

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VEHICLE EQUIPMENT (SECTION 13 OF THE OMNIBUS AMENDMENT RULE 2016)					
4	Vehicle Equipment 2004	Definitions	13.1(2)	Extend the definition of defence force emergency vehicle to include: (d) a counter-terrorism response vehicle operated by the NZ Defence Force.	See also proposal 4 above. A consequential change to the definition of "defence force emergency vehicle" in the Road User Rule.
VEHICLE EXHAUST EMISSIONS (SECTION 14 OF THE OMNIBUS AMENDMENT RULE 2016)					
29	Vehicle Exhaust Emissions 2007	Table 2.2 and Table 2.4.	14.1(2) and 14.1(3)	Add vehicle emissions standard 'Japan 05' for all vehicles manufactured after 1 January 2014 so that vehicles may comply with the 'Japan 05' or 'Japan 09' emissions standard.	To correct an error identified in the Vehicle Exhaust Emissions Rule (2007). This error may be preventing new light petrol vehicles, manufactured to meet Japanese vehicle emissions standards, from entering the New Zealand fleet. Information sourced from the Japanese Ministry for Land, Infrastructure, Tourism and Transport confirms that the 'Japan 09' standard only applies to vehicles with a specific and rare engine configuration.
19	Vehicle Exhaust Emissions 2007	Schedule 4	14.1(4)	Update Schedule 4 by replacing reference to the Immigration Act 1987 with reference to the Immigration Act 2009.	See also proposal 19 above to update references to the Immigration Act 2009.
VEHICLE LIGHTING (SECTION 15 OF THE OMNIBUS AMENDMENT RULE 2016)					
30	Vehicle Lighting 2004	Clauses 2.1(7), 2.1(7A) and 2.1(8)	15.1(2) and 15.1(3)	Allow for the deactivation of optional lighting equipment rather than requiring removal if the equipment does not meet the applicable safety requirements.	To provide vehicle owners with an alternative to completely removing a non-functioning accessory lamp (e.g. fog lamp) from the vehicle if the lamp is not a required piece of equipment.
31	Vehicle Lighting 2004	Clauses 3.3 and 7.4	15.1(4) and 15.1(6)	Require pedal cycle and power assisted pedal cycle front and rear lights to be visible from a distance of 200m between the times of sunrise and sunset or at any other time when a person or vehicle is not clearly at 100m.	Cycle lights that are too dim are a regular factor contributing to crashes involving motor vehicles. The change would improve cyclist visibility by increasing the distance from which front and rear lights for cycles and power assisted pedal cycles are required to be visible (currently 100m). See also proposal 11 regarding extending the times during which lighting and reflector requirements apply.

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32	Vehicle Lighting 2004	Clause 5.3(2)	15.1(5)	Remove an unnecessary requirement to fit high mounted stop lamps to vehicles registered before 1/1/1990.	Currently the Rule says that vehicles first registered in NZ on or after 1/1/1990 must have high-mounted stop lamps fitted. Older vehicles were never manufactured with these lights, requiring modification of the vehicle to fit them. This is undesirable, particularly with collectable or classic cars and there is unlikely to be any safety benefit to requiring high mounted stop lamps to be fitted to these vehicles.
33	Vehicle Lighting 2004	Clauses 7.6(1A)(a), 7.6(4) and 7.6(5)	15.1(7), 15.1(8) and 15.1(9)	Remove duplication by revoking 7.6(4) because the same requirement is in 7.6(8). Consequentially amend 7.6(1A)(a) and 7.6(5).	Clause 7.6(8) makes clause 7.6(4) unnecessary. Because clause 7.6(4) is being revoked, the relevant range of sub-clauses specified in 7.6 need to be consequentially amended.
4	Vehicle Lighting 2004	Definitions	15.1(10)	Extend the definition of defence force emergency vehicle to include: (d) a counter-terrorism response vehicle operated by the NZ Defence Force.	See proposal 4 above. A consequential change to the definition of "defence force emergency vehicle" in the Road User Rule.
34	Vehicle Lighting 2004	Schedule 3,(f) (iii)	15.1(11)	Correct an error by inserting "taken" before "from one part of a farm to another...".	Correction of a typographical error to ensure that the clause makes sense.

VEHICLE STANDARDS COMPLIANCE (SECTION 16 OF THE OMNIBUS AMENDMENT RULE 2016)

35	Vehicle Standards Compliance 2002	Clause 2.5(2) (b)(ii)	16.1(2)	Replace the word "civil" with "public" so that the clause reads "the applicant's arrangements for public liability insurance and professional indemnity insurance;"	'Civil liability' has the same meaning as 'professional indemnity'. The change ensures that the clause covers both public liability insurance and professional indemnity insurance.
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