

**DRAFT**

# **Land Transport Rule Omnibus Amendment 2016**

## **Rule 10012**

*Land Transport Rules are law produced by the NZ Transport Agency for the Minister of Transport. This is the public consultation (yellow) draft of **Land Transport Rule: Omnibus Amendment 2016**.*

*If you wish to comment on this draft Rule, please see the information about making a submission in the accompanying explanatory material. The deadline for submissions is **Friday 12 August 2016**.*



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# Land Transport Rule

## Omnibus Amendment 2016

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## **Section 1    Preliminary**

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### **1.1            Title**

This Rule is the *Land Transport Rule: Omnibus Amendment 2016*.

### **1.2            Principal rules amended**

This Rule amends the following Land Transport Rules:

- (a) Door Retention Systems 2001;
- (b) Heavy-vehicle Brakes 2006;
- (c) Heavy Vehicles 2004;
- (d) Passenger Service Vehicles 1999;
- (e) Road User 2004;
- (f) Seatbelts and Seatbelt Anchorages 2002;
- (g) Setting of Speed Limits 2003;
- (h) Steering Systems 2001;
- (i) Traffic Control Devices 2004;
- (j) Tyres and Wheels 2001;
- (k) Vehicle Dimensions and Mass 2002;
- (l) Vehicle Equipment 2004;
- (m) Vehicle Exhaust Emissions 2007;
- (n) Vehicle Lighting 2004;
- (o) Vehicle Standards Compliance 2002.

### **1.3            Commencement**

This Rule comes into force on [1 November 2016].

## **Section 2 Door Retention Systems**

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### **2.1 Amendment to Land Transport Rule: Door Retention Systems 2001**

2.1(1) This section amends *Land Transport Rule: Door Retention Systems 2001*.

2.1(2) Replace *clause 2.2(4)* with:

2.2(4) A door must be operable:

- (a) from outside the vehicle; and
- (b) by any occupant seated by the door, from inside a motor vehicle, except as specified in 2.2(6).

## **Section 3 Heavy-vehicle Brakes**

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### **3.1 Amendment to Land Transport Rule: Heavy-vehicle Brakes 2006**

3.1(1) This section amends *Land Transport Rule: Heavy-vehicle Brakes 2006*.

3.1(2) In *Part 2, Definitions*, the definition of “**Twin-steer axle set**”, replace “a tandem axle set” with “an axle set of two axles”.

## **Section 4 Heavy Vehicles**

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### **4.1 Amendment to Land Transport Rule: Heavy Vehicles 2004**

4.1(1) This section amends *Land Transport Rule: Heavy Vehicles 2004*.

4.1(2) In *Part 2, Definitions*, the definition of “**Twin-steer axle set**”, replace “a tandem axle set” with “an axle set of two axles”.

## Section 5    **Passenger Service Vehicles**

### **5.1**            **Amendment to Land Transport Rule: Passenger Service Vehicles 1999**

5.1(1)           This section amends *Land Transport Rule: Passenger Service Vehicles 1999*

5.1(2)           Replace *clause 6.5(2)* with:

6.5(2)    Inspections must be carried out by an electrician or electrical inspector registered under the Electricity Act 1992 unless:

- (a)        the vehicle is a hybrid electric- or a battery- or a fuel cell –powered electric passenger service vehicle; and
- (b)        the inspector has been trained by the vehicle manufacturer or has an equivalent qualification for safely working with high voltage vehicles.

## Section 6    **Road User Rule**

### **6.1**            **Amendments to Land Transport (Road User) Rule 2004**

6.1(1)           This section amends *Land Transport (Road User) Rule 2004*.

6.1(2)           In *clause 1.6*, the definition of ‘**defence force emergency vehicle**’—

- (a)        in *paragraph (b)*, after “vehicle” insert “operated by the New Zealand Defence Force”; and
- (b)        in *paragraph (c)*, replace “Force” with “Force; or”; and
- (c)        after *paragraph (c)*, insert:
  - (d)        a counter-terrorism response vehicle operated by the New Zealand Defence Force.

6.1(3)           In *clause 1.6*, the definition of ‘**Intersection**’—

- (a)        in *paragraph (a)*, replace “but” with “and”; and
- (b)        after *paragraph (a)* insert:
  - (ab)       in relation to the intersection or meeting of a roadway and a cycle path or shared path means the area contained within the

prolongation or connection of the lateral boundary lines of the roadway and the cycle path or shared path; and

6.1(4) After *clause 2.7(b)(iii)*, insert:

(iv) is passing a cyclist and encroaches on the flush median for the minimum distance necessary to complete the manoeuvre safely.

6.1(5) After *clause 4.1(3)*, insert:

- 4.1(4) A driver, cyclist, or pedestrian approaching or entering a section of roadway, cycle path or shared path controlled by a stop sign, installed where the cycle path or shared path crosses the roadway, must—
- (a) stop before entering the path of any possible vehicle or pedestrian flow at such a position as to be able to ascertain whether the way is clear to proceed; and
  - (b) give way to any vehicles or pedestrians that are not controlled by a stop sign and that are approaching or crossing the intersection.
- 4.1(5) A driver, cyclist, or pedestrian approaching or entering a section of roadway, cycle path, or shared path controlled by a give way sign, installed where the cycle path or shared path crosses the roadway, must give way to any vehicles or pedestrians that are approaching or crossing the intersection and are not controlled by a stop sign or give way sign.

6.1(6) After *clause 4.5(2)*, insert:

- (3) Despite 2.3(4) or anything in *Part 3*, a driver approaching an intersection or an area controlled by traffic signals must not enter a cycle lane if the driver's intended passage or exit from that cycle lane is blocked by stationary traffic.
- (4) *Subclause (3)* does not apply to a cyclist or a driver of an emergency vehicle being used in an emergency.

6.1(7) Replace *clause 5.8* with:

**5.8 Speed limit where warning sign advises of incident**  
A driver must not exceed 20 km per hour after passing a warning sign advising of an incident, such as a breakdown, crash or emergency, and before arriving at a point clear of the incident for which the sign was installed.

6.1(8) After *clause 6.6(b)*, insert:

- (c) the vehicle is a bus and the special vehicle lane is a cycle lane and the bus stops at a bus stop to allow passengers to board or alight.

6.1(9) Replace *clause 11.12(1)* with:

- (1) A person riding a cycle on a road must use a headlamp, reflector, and rearward-facing position lamp—
  - (a) between the times of sunset and the following sunrise; and
  - (b) at any time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m.

6.1(10) In *clause 11.12(2)*, replace “the hours of darkness” with “the times in (1)(a) and (b)”:

## **Section 7    Seatbelts and Seatbelt Anchorages**

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### **7.1            Amendments to Land Transport Rule: Seatbelts and Seatbelt Anchorages 2002**

7.1(1) This section amends *Land Transport Rule: Seatbelts and Seatbelt Anchorages 2002*.

7.1(2) Replace *clause 3.2(3)(b)* with:

- (b) seatbelts that comply with *3.2(4)* in at least as many rear seating positions as the number of sleeping berths exceeds the number of front seating positions; and

7.1(3) After *clause 3.2(3)*, insert:

- 3.2(4) Seatbelts fitted in rear seating positions must comply with the requirements for Class MB vehicles in *Table 2.4* except that the type of seatbelt in rear-outer and rear-middle seating positions may be either a lap seatbelt or a lap-and-diagonal seatbelt with emergency-locking retractor.

## **Section 8    Setting of Speed Limits**

### **8.1            Amendments to Land Transport Rule: Setting of Speed Limits 2003**

8.1(1)            This section amends *Land Transport Rule: Setting of Speed Limits 2003*.

8.1(2)            Replace *clause 2.3(3)(b)* with:

(b)            the rural speed limit applies to roads in rural areas (which are generally all areas that are not urban traffic areas) and motorways.

8.1(3)            Replace *clause 5.2(2)(b)* with:

(b)            if the permanent speed limit or the prevailing holiday speed limit is—

(i)            greater than 50 km/h, at least 20 km/h less than that speed limit; or

(ii)           50 km/h or less, at least 10 km/h less than that speed limit.

8.1(4)            Replace *clause 5.3(2)(b)* with:

(b)            if the permanent speed limit or the prevailing holiday speed limit is—

(i)            greater than 50 km/h, at least 20 km/h less than that speed limit; or

(ii)           50 km/h or less, at least 10 km/h less than that speed limit.”

8.1(5)            Replace *clause 6.1(2)(a)* with:

(a)            particular situations or environments for which the safe speed limit may need to vary—

(i)            for different numbers and types of road users; or

(ii)           to manage the effects of changing traffic volumes, including to ease congestion or to control vehicle emissions; or

(iii)           for emergency or temporary traffic management.

8.1(6)            In *clause 8.1(1)*, after “8.1(3)” insert “and 8.1(4)”.

8.1(7) After *clause 8.1(3)*, insert:

8.1(4) Despite *8.1(1)* and *8.1(2)(a)*, a road controlling authority may install a speed limit sign more than 20 m from the point on the road where a speed limit changes if a road user may not easily see, or readily react to, a sign that is installed within 20 m of that point.

8.1(8) Replace *clause 8.5* with:

A road controlling authority may mark on the road surface the applicable speed limit in numerals, in accordance with *Land Transport Rule: Traffic Control Devices 2004*.

## **Section 9    Steering Systems**

### **9.1            Amendments to Land Transport Rule: Steering Systems 2001**

9.1(1) This section amends *Land Transport Rule: Steering Systems 2001*.

9.1(2) In *clause 2.5(a)*, replace “*Schedule 1*” with “*the Schedule*”.

9.1(3) In *Part 2, Definitions*, the definition of ‘**New Zealand resident**’, replace “*Immigration Act 1987*” with “*Immigration Act 2009*”.

## **Section 10    Traffic Control Devices**

### **10.1           Amendments to Land Transport Rule: Traffic Control Devices 2004**

10.1(1) This section amends *Land Transport Rule: Traffic Control Devices 2004*.

10.1(2) In *clause 4.4(4)*, replace “does not comply with this rule” with “varies from the colour, shape, dimensions, words, numerals, symbols, number of elements, background, border or legend specified in *Schedule 1*”.

10.1(3) After *clause 5.4(1)*, insert:

5.4(1A) Despite *5.4(1)* and *5.4(2)*, the Agency may, by notice in the *Gazette*, authorise the installation and maintenance of a marking that varies from the colour, shape, dimensions, letters, words, numerals or symbols specified in *Schedule 2*.

- 10.1(4) In *clause 5.4(6)*, delete “raised”.
- 10.1(5) Replace *clause 5.4(6)(a)* with:
- (a) blue and is installed on, or just to the left of, the centre-line of the roadway and is—

(i) a non-flashing pavement marker used only to mark the presence of a fire hydrant or other water source used for firefighting; or

(ii) a flashing, illuminated pavement marker used to indicate that the road may be slippery due to frost, ice or snow; or
- 10.1(6) In *clause 6.2(1A)(c)*, after “temporary traffic signals” insert “and flashing red traffic signals”.
- 10.1(7) In *Part 2 Definitions*, the definition of ‘**Intersection**’, *paragraph (a)*, replace “; but” with “; and”.
- 10.1(8) In *Part 2 Definitions*, the definition of ‘**Intersection**’, after *paragraph (a)* insert:
- (ab) in relation to the intersection or meeting of a roadway and a cycle path or shared path means the area contained within the prolongation or connection of the lateral boundary lines of the roadway and the cycle path or shared path; and
- 10.1(9) In *Schedule 1, Signs*, after item *W14-10.1*, insert the three items set out in *Schedule 1* to this Rule.
- 10.1(10) In *Schedule 2, Markings*, after *M2-3A*, insert the item set out in *Schedule 2* to this Rule.
- 10.1(11) In *Schedule 3, Traffic Signals, S4-10 Special Vehicle Displays*, replace diagrams *S4-10.1*, *S4-10.2*, and *S4-10.3* with the diagrams in *Schedule 3* to this Rule.

## **Section 11 Tyres and Wheels**

### **11.1 Amendments to Land Transport Rule: Tyres and Wheels 2001**

- 11.1(1) This section amends *Land Transport Rule: Tyres and Wheels 2001*.
- 11.1(2) In *clause 2.7(8)*, delete “to that standard”.

## Section 12 Vehicle Dimensions and Mass

### 12.1 Amendments to Land Transport Rule: Vehicle Dimensions and Mass 2002

12.1(1) This section amends *Land Transport Rule: Vehicle Dimensions and Mass 2002*.

12.1(2) In 4.1(3A), Table 4.1, replace the row relating to “Width” with:

<b>Width<sup>2</sup></b>	
Width of two wheeled vehicles of classes AA, AB, LA, and LC	1.1 metres
All vehicles	2.5, or 1.25 from each side of the longitudinal centre-line of the vehicle

## Section 13 Vehicle Equipment

### 13.1 Amendments to Land Transport Rule: Vehicle Equipment 2004

13.1(1) This section amends *Land Transport Rule: Vehicle Equipment 2004*.

13.1(2) In Part 2, *Definitions*, the definition of ‘**defence force emergency vehicle**’—

- (a) in *paragraph (b)*, after “vehicle” insert “operated by the New Zealand Defence Force”; and
- (b) in *paragraph (c)*, replace “Force” with “Force; or”; and
- (c) after *paragraph (c)*, insert:
  - (d) a counter-terrorism response vehicle operated by the New Zealand Defence Force.

## **Section 14 Vehicle Exhaust Emissions**

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### **14.1 Amendments to Land Transport Rule: Vehicle Exhaust Emissions 2007**

- 14.1(1) This section amends *Land Transport Rule: Vehicle Exhaust Emissions 2007*.
- 14.1(2) In *Part 3, Schedule 1, Table 2.2 – Vehicle exhaust emissions requirements for new petrol, LPG and CNG vehicles*, replace “Japan 09” with “Japan 05; Japan 09” in all ten instances.
- 14.1(3) In *Part 3, Schedule 1, Table 2.4 – Vehicle exhaust emissions requirements for new diesel vehicles*, replace “Japan 09” with “Japan 05; Japan 09” in all ten instances.
- 14.1(4) In *Schedule 4, Immigrants’ vehicles, clause 2(a)*, replace “*Immigration Act 1987*” with “*Immigration Act 2009*”.

## **Section 15 Vehicle Lighting**

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### **15.1 Amendments to Land Transport Rule: Vehicle Lighting 2004**

- 15.1(1) This section amends *Land Transport Rule: Vehicle Lighting 2004*.
- 15.1(2) Delete *clauses 2.1(7) and 2.1(7A)*.
- 15.1(3) In *clause 2.1(8)*, delete “or 2.1(7),”.
- 15.1(4) Replace *clause 3.3(2)(b)* with:
- (b) must be fitted with one or two headlamps that emit light that is visible from a distance of 200 m when the vehicle is operated—

  - (i) between the times of sunset and the following sunrise; and
  - (ii) at any time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m.
- 15.1(5) In *clause 5.3(2)*, delete “in New Zealand”.
- 15.1(6) Replace *clause 7.4(2)(b)* with:

- (b) must be fitted with one or more rearward-facing position lamp that emits steady or flashing light that is visible from a distance of 200 m when the vehicle is operated—
  - (i) between the times of sunset and the following sunrise; and
  - (ii) at any time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m.

- 15.1(7) In *clause 7.6(1A)(a)*, replace “to 7.6(4)” with “and 7.6(3)”.
- 15.1(8) Delete *clause 7.6(4)*.
- 15.1(9) In *clause 7.6(5)*, delete “7.6(4)”.
- 15.1(10) In *Part 2, Definitions*, the definition of ‘**defence force emergency vehicle**’—
- (a) in *paragraph (b)*, after “vehicle” insert “operated by the New Zealand Defence Force”; and
  - (b) in *paragraph (c)*, replace “Force” with “Force; or”; and
  - (c) after *paragraph (c)*, insert:
    - (d) a counter-terrorism response vehicle operated by the New Zealand Defence Force.
- 15.1(11) In *Schedule 3(f)(iii)*, insert “taken” before “from one part of a farm to another part of that farm”.

## **Section 16 Vehicle Standards Compliance**

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### **16.1 Amendments to Land Transport Rule: Vehicle Standards Compliance 2002**

- 16.1(1) This section amends *Land Transport Rule: Vehicle Standards Compliance 2002*.
- 16.1(2) In *clause 2.5(2)(b)(ii)*, replace “civil” with “public”.

## Schedule 1 Signs

[Reference 10.1(8)]

[Note: graphic depictions of signs are not included in the final Rule but are included in this consultation draft to assist interpretation]

<b>W14-11 Keep left</b>			
<i>Combination diamond-shaped warning sign above a supplementary message sign to remind drivers to keep to the left side of the road.</i>			
<b>Warning sign</b>			
<b>Shape and size</b>	diamond 600 mm square		
<b>Background</b>	yellow (R)		
<b>Border</b>	black 15 mm		
<b>Legend</b>	<b>Description</b>	<b>Colour</b>	<b>Size</b>
	"Symbol depicting two cars travelling in opposite directions, separated by a centreline"	black	400 x 600 mm
<b>Supplementary sign</b>			
<b>Shape and size</b>	rectangle 600 x 400 mm		
<b>Background</b>	yellow (R)		
<b>Border</b>	black 15 mm		
<b>Legend</b>	<b>Description</b>	<b>Colour</b>	<b>Size</b>
	"KEEP" "LEFT"	black	100/15.5

Example:  
Keep left sign



<b>W14-11.1 Drive on left – when turning</b>			
<i>Combination diamond-shaped warning sign above a supplementary message sign to remind drivers who are turning at an intersection or driveway to drive on the left side of the road.</i>			
<b>Warning sign</b>			
<b>Shape and size</b>	diamond 600 mm square		
<b>Background</b>	yellow (R)		
<b>Border</b>	black 15 mm		
<b>Legend</b>	<b>Description</b>	<b>Colour</b>	<b>Size</b>
	“Two-headed arrow showing a left and right turn onto the correct side of a road with a centre line”	black	620 x 480 mm
<b>Supplementary sign</b>			
<b>Shape and size</b>	rectangle 600 x 400 mm		
<b>Background</b>	yellow (R)		
<b>Border</b>	black 15 mm		
<b>Legend</b>	<b>Description</b>	<b>Colour</b>	<b>Size</b>
	“DRIVE” “ON LEFT”	black	100/14

**Example:**  
Drive on left  
when turning sign



**Blue Frost Markers**

<b>W14-12 Slow for blue frost markers</b>			
<i>Slow down when the blue, frost-warning, pavement markers are flashing.</i>			
<b>Shape and size</b>	rectangle 750 x 750 mm		
<b>Background</b>	yellow (R)		
<b>Border</b>	Black 20 mm		
<b>Legend</b>	<b>Description</b>	<b>Colour</b>	<b>Size</b>
	"SLOW FOR" "BLUE FROST" "MARKERS"	black	100/14

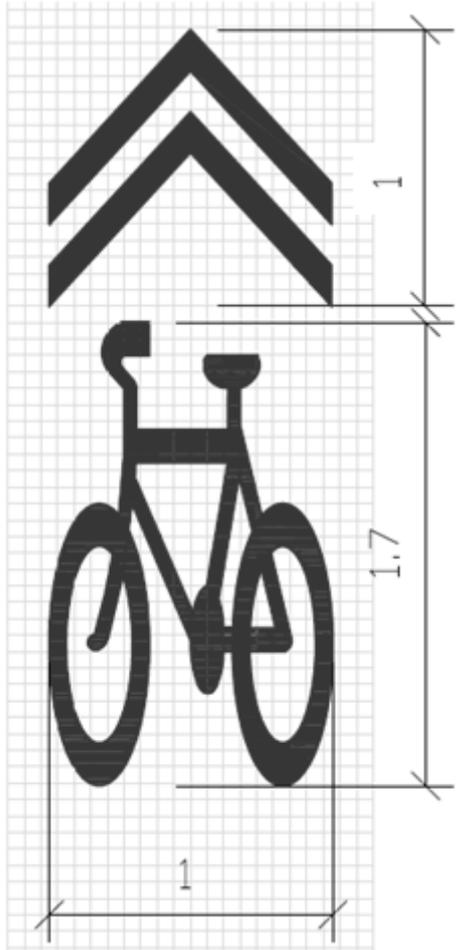
**Example:  
Blue Frost  
Markers sign**



## Schedule 2      Markings

[Reference 10.1(9)]

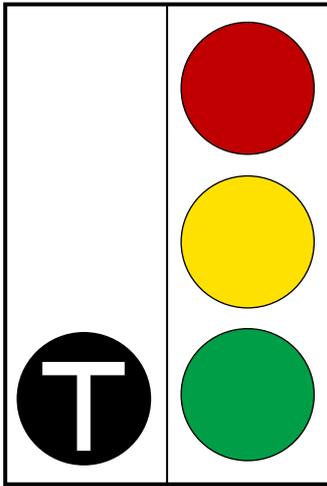
M2-3B – Sharrow symbol



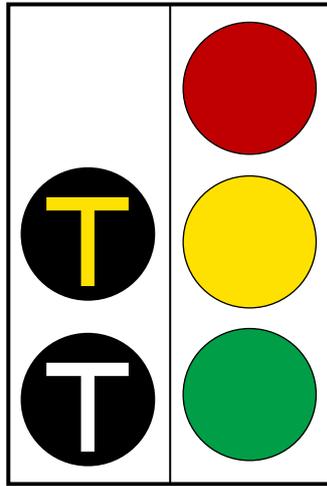
### Schedule 3 Traffic Signals

[Reference 10.1(10)]

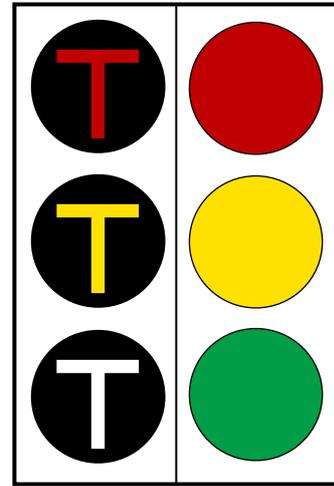
#### S4- 10 - Special vehicle displays



S4- 10.1



S4- 10.2



S4- 10.3