

Land Transport Rule: Vehicle Lighting 2004 (Bicycle Racks on Urban Buses) Class Exemption Notice 2025

Pursuant to section 168D of the Land Transport Act 1998, the Director of Land Transport, after being satisfied of the matters set out in section 168D(3) of that Act, gives the following notice.

1 Title

This notice is the **Land Transport Rule: Vehicle Lighting 2004 (Bicycle Racks on Urban Buses) Class Exemption Notice 2025**.

2 Commencement

This notice comes into force on Monday 14 April 2025.

3 Expiry

This notice expires at the close of Friday 6 February 2026.

4 Application

This notice applies to any public transport service bus-

- (a) of class MD3, MD4, or ME as specified and described in *Table A – Vehicle classes* in Part 2 of the Rule; and
- (b) which is fitted with a bicycle rack that extends beyond the front of the body of the public transport service bus; and
- (c) which would, if the bicycle rack were not fitted, comply with all legal requirements applicable to that public transport service bus, including any requirements in any other exemption or class exemption currently in force.

5 Interpretation

- (1) In this notice-

Act means the Land Transport Act 1998

Daylight hours means any time between 30 minutes before dawn and 30 minutes after sunset

Forward-facing lamp means mandatory lighting equipment as viewed from the front of the vehicle, including headlamps and direction-indicator lamps

Public transport service bus means a passenger service vehicle that is operating in a public transport service that is identified in or under a regional public transport plan as defined in the Land Transport Management Act 2003

Rule means the Land Transport Rule: Vehicle Lighting 2004

- (2) Any term or expression that is defined in the Act, the Land Transport Management Act 2003, or the Rule and used, but not defined, in this notice has the same meaning as in the respective Act or the Rule.

6 Class exemption

(1) Subject to clauses 6(2) to 6(4) and during daylight hours only, a vehicle described in clause 4 of this notice is exempt from:

- clause 2.1(11) of the Rule [which requires that lamps not be obscured]; and
- clause 3.3(6)(a) of the Rule [which requires that headlamps must illuminate the road in front of the vehicle for 50 metres],

to the extent only that the bike rack, or bicycles on the bike rack, may obscure the vehicle's forward-facing lamps, including by casting a shadow on the roadway ahead.

(2) The exemption from clause 3.3(6)(a) of the Rule relates to the forward illumination requirement only. The requirement for the vehicle to be fitted with one pair of dipped-beam headlamps continues to apply.

(3) The exemption in subclause (1) is subject to the conditions specified in clause 7 of this notice.

(4) Nothing in this notice affects the application of all other general and specific legal requirements applicable to the vehicle.

7 Conditions applying to vehicles being operated in reliance on this class exemption

- This exemption applies to forward-facing lamps only. All other vehicle lighting equipment must continue to fully comply with the Rule.
- If, during daylight hours, a vehicle described in clause 4 which is carrying bicycles on a bike rack is required to pass through a tunnel which is not fitted with an artificial light source that illuminates the road in front of the vehicle for at least 50 metres, the vehicle's speed within that tunnel must not exceed 20km/h.

Signed at Wellington on the 8th day of April 2025



Brent Alderton

Director of Land Transport

Explanatory Note

This note is not part of the notice. This note indicates the notice's general effect and the reasons for it being given.

This notice comes into force on Monday 14 April 2025. It expires at the close of Friday 6 February 2026 and may be amended, replaced, or revoked in accordance with section 168E(2) of the Act.

General effect of the class exemption

The notice grants a temporary class exemption with the effect of allowing public transport service buses fitted with bicycle racks to carry bicycles during daylight hours despite the possibility that they may partially obscure the buses' forward facing lamps and affect illumination of the road 50 metres ahead.

In deciding to grant this exemption the Director of Land Transport has considered the matters set out in section 168D(3) of the Act. The Director is satisfied that the exemption is appropriate considering the Agency's objective, the need to maintain or improve land transport safety, and other relevant and

appropriate matters. The Director is also satisfied that the exemption is no broader than is reasonably necessary to address the matters that gave rise to it.

Reasons for giving the class exemption

Bicycle racks fitted to the front of buses can in some cases partially obscure forward facing headlamps. Current legislation prohibiting the obstruction of vehicle lighting is open to varying legal interpretations, including an interpretation that the prohibition applies even during full daylight hours when the headlamps are not required to be working.

The Director is satisfied in the circumstances of this particular case that there is no material safety risk caused by forward facing headlamps being partially obscured by bicycles and bike racks on buses during daylight hours and is satisfied that the statutory criteria for this class exemption are met.

This class exemption is temporary and is intended to allow the resumption of carriage of bicycles on urban bus bike racks during daylight hours only for a period during which an enduring resolution will be established.