



Ministry of **Transport**  
TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 158(b)(vii) of the Land Transport Act 1998

I, **Steven Joyce**, Minister of Transport,

HEREBY make the following ordinary rule:

Land Transport Rule: Operator Safety Rating Amendment

SIGNED AT Wellington

This *15<sup>th</sup>* day of *APRIL* 2009

Steven Joyce  
Minister of Transport

## Land Transport Rule Operator Safety Rating Amendment 2009

Rule 81002/1

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**Land Transport Rule**  
**Operator Safety Rating Amendment 2009**  
**Rule 81002/1**



# Contents

Objective of the Rule		vi
Extent of consultation		vi
<b>Section 1</b>	<b>Application</b>	<b>1</b>
1.1	Title	1
1.2	Date when Rule comes into force	1
<b>Section 2</b>	<b>Amendments to Rule requirements</b>	<b>1</b>
2.1	Operator safety ratings	1
2.2	Composition of review panel	1

## Objective of the Rule

**Land Transport Rule: Operator Safety Rating Amendment 2009** amends *Land Transport Rule: Operator Safety Rating 2008* (the Rule), which sets out the key aspects of the operator rating system. The rating of operators provides a basis upon which the NZ Transport Agency (NZTA) compliance units and Police enforcement can focus on operators of vehicles covered by the Rule.

The objectives of this amendment Rule are:

- to add 'unrated' as a category for an operator with insufficient event information to enable one of the other ratings to be assigned (for example, a new operator); and
- to remove the limits on the review panel pool size, allowing the NZTA to appoint as many pool members as are required, particularly in the first year of operation of the system.

## Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Operator Safety Rating 2008* and eleven other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2008* (the Omnibus Amendment Rule).

On 19 August 2008, the NZTA sent details of the amendment proposals by letter or email to approximately 1500 groups and individuals who had registered an interest in the Rules to be amended. The draft Omnibus Amendment Rule was made available through the NZTA Contact Centre and, together with Questions and Answers, was also available on the NZTA website. The availability of the draft for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*. The NZTA received 24 submissions on the draft Omnibus Amendment Rule, of which six indicated support for the proposed requirements in this Rule.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into 12 separate amendment Rules, including this Rule. The submissions that were received were taken into account in drafting this amendment Rule before it was submitted to the Minister of Transport for signing.



## **Section 1**                      **Application**

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### **1.1**

#### **Title**

#### 1.1(1)

This Rule is *Land Transport Rule: Operator Safety Rating Amendment 2009*.

#### 1.1(2)

This Rule amends *Land Transport Rule: Operator Safety Rating 2008*.

### **1.2**

#### **Date when Rule comes into force**

This Rule comes into force on a date to be notified in the *Gazette* by the Minister in accordance with *section 160(3)* of the Act.

## **Section 2**                      **Amendments to Rule requirements**

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### **2.1**

#### **Operator safety ratings**

#### 2.1(1)

*Subclause 2.1(2)* is amended by inserting the following paragraph:

“(f) ‘unrated’ indicating insufficient event information from which a rating in (a) to (e) can be calculated using the approved methodology”.

#### 2.1(2)

*Subclause 2.1(3)* is amended by inserting the words “in 2.1(2)(a) to (e)” after the words “A rating”.

### **2.2**

#### **Composition of review panel**

#### 2.2(1)

*Paragraph 5.2(3)(a)* is amended by inserting the words “at least” before the word “seven”.

#### 2.2(2)

*Paragraph 5.2(3)(c)* is amended by inserting the words “at least” before the word “three”.