

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155 (a) and (b) of the Land Transport Act 1998

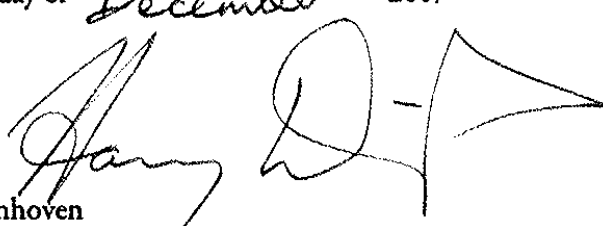
I, Harry James Duynhoven, Minister for Transport Safety,

HEREBY make the following ordinary rule:

Land Transport Rule: Vehicle Lighting Amendment

SIGNED AT Wellington

This *11th* day of *December* 2007


Harry James Duynhoven
Minister for Transport Safety

Land Transport Rule
Vehicle Lighting Amendment (No 2) 2007

Rule 32005/3

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Land Transport Rule
Vehicle Lighting Amendment (No 2)
2007

Rule 32005/3

Contents

Objective of the Rule		vi
Extent of consultation		vi
Section 1	Application	1
1.1	Title	1
1.2	Date when Rule comes into force	1
Section 2	Amendments relating to vehicle lighting	1
2.1	General safety requirements	1
2.2	Fitting and performance requirements for stop lamps	2
2.3	Fitting and performance requirements for direction-indicator lamps	2
2.4	Fitting and performance requirements for rearward-facing position lamps	3
2.5	Fitting and performance requirements for end-outline marker lamps	4
2.6	Optional lamps	4
Section 3	Amendment to definitions	
3.1	Insertion of new definition	4

Objective of the Rule

Land Transport Rule: Vehicle Lighting Amendment (No 2) 2007 amends *Land Transport Rule: Vehicle Lighting 2004* (the Rule), which sets out safety requirements and standards for lighting equipment that is fitted to a vehicle. The requirements are aimed at ensuring that vehicles can be operated safely under all driving conditions, and not endanger the safety of other road users.

The objective of this amendment Rule is:

- to address issues raised by the heavy vehicle transport industry about the cost of complying with the requirement to remove forward-facing position and cosmetic lamps that exceed the maximum number allowed for Class NC vehicles (heavy goods vehicles) first registered before the Rule came into force;
- to make changes to the requirements relating to the fitting of stop lamps, direction-indicator lamps and position lamps on heavy motor vehicles and emergency vehicles;
- to resolve issues related to cab units of some types of heavy vehicle that are fitted with lights ex factory and are subsequently fitted with bodies that have additional lights; and
- to allow Class NB vehicles (goods vehicles with a gross vehicle mass exceeding 3.5 tonnes but not exceeding 12 tonnes) with an overall width of 1.8 m or more (which have not been allowed to have end-outline marker lamps) to have up to six forward-facing, end-outline marker lamps.

Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Vehicle*

Lighting 2004 and nine other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2007* (the Omnibus Amendment Rule).

On 3 August 2007, Land Transport New Zealand sent details of the amendment proposals by letter or email to approximately 2500 groups and individuals who had registered an interest in the Rules to be amended, seeking submissions. The draft Omnibus Amendment Rule was made available through the Land Transport NZ Help Desk and, together with Questions and Answers, was also available on the Land Transport NZ 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*. Land Transport NZ received 35 submissions on the draft Omnibus Amendment Rule, of which five commented on the proposed amendments in this Rule.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into 10 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 for Transport Safety for signing.

Section 1 Application

1.1 Title

1.1(1) This Rule is *Land Transport Rule: Vehicle Lighting Amendment (No 2) 2007*.

1.1(2) This Rule amends *Land Transport Rule: Vehicle Lighting 2004*.

1.2 Date when Rule comes into force

This Rule comes into force on 17 January 2008.

Section 2 Amendments relating to vehicle lighting

2.1 General safety requirements

2.1(1) *Subclause 2.1(7)* is amended by substituting “Except as provided in 2.1(7A), a forward-facing lamp” for “A forward-facing lamp”.

2.1(2) *Clause 2.1* is amended by inserting the following subclause:

“2.1(7A) A Class NC vehicle first registered in New Zealand before 27 February 2005 may be fitted with a forward-facing position or cosmetic lamp that is not maintained in accordance with 2.1(7) provided the lamp does not emit light when turned on.”

2.2 **Fitting and performance requirements for stop lamps**

Clause 4.3 is amended by inserting the following subclause:

“4.3(8A) Despite 4.3(8), in the case of a heavy motor vehicle or an emergency vehicle, the lamps in 4.3(5), 4.3(6) and 4.3(7) may be fitted as follows:

“(a) one lamp or one pair:

“(i) at a height not exceeding 1.5 m from the ground; or

“(ii) at a height not exceeding 2.1 m from the ground, if the shape of the bodywork of the vehicle makes it impracticable to comply with the 1.5-m height restriction; and

“(b) a second pair at a height not exceeding 2.1 m from the ground.”

2.3 **Fitting and performance requirements for direction-indicator lamps**

Clause 6.3 is amended by inserting the following subclause:

“6.3(9A) Despite 6.3(9), in the case of a heavy motor vehicle or an emergency vehicle, the lamps in 6.3(3)(b) or 6.3(4) may be fitted as follows:

“(a) one pair:

“(i) at a height not exceeding 1.5 m from the ground; or

“(ii) at a height not exceeding 2.1 m from the ground, if the shape of the bodywork of the vehicle makes it impracticable to comply with the 1.5-m height restriction; and

“(b) a second pair at a height not exceeding 2.1 m from the ground.”

2.4

Fitting and performance requirements for rearward-facing position lamps

Clause 7.4 is amended by inserting the following subclause:

“7.4(6A) Despite 7.4(6), in the case of a heavy motor vehicle or an emergency vehicle, the lamps in 7.4(4) or 7.4(5) may be fitted as follows:

“(a) one lamp or one pair:

“(i) at a height not exceeding 1.5 m from the ground; or

“(ii) at a height not exceeding 2.1 m from the ground, if the shape of the bodywork of the vehicle makes it impracticable to comply with the 1.5-m height restriction; and

“(b) a second pair at a height not exceeding 2.1 m from the ground.”

2.5 Fitting and performance requirements for end-outline marker lamps

2.5(1) *Subclause 7.6(3)* is amended by:

- (a) substituting “twelve” for “six”; and
- (b) substituting “six” for “four”.

2.5(2) *Clause 7.6* is amended by substituting the following subclauses for *subclause 7.6(4)*:

“7.6(4) Subject to 7.6(2) and 7.6(3), a motor vehicle of Class NB that is 1.8 m or more in overall width may be fitted with up to six forward-facing end-outline marker lamps.

“7.6(5) A vehicle, other than one specified in 7.6(2), 7.6(3) or 7.6(4), must not be fitted with any end-outline marker lamps.”

2.6 Optional lamps

Clause 10.9 is amended by substituting “cosmetic lamps” for “lamps that are not otherwise specified in this Rule”.

Section 3 Amendment to definitions

3.1 Insertion of new definition

Part 2 is amended by inserting the following definition in the appropriate place:

“**cosmetic lamp** means a lamp that is not a headlamp, stop lamp, direction-indicator lamp, position lamp, rear registration plate illumination

lamp, reflector, fog lamp, daytime running lamp, cornering lamp, reversing lamp, reflective material, interior lamp, work lamp, flashing or revolving beacon or illuminated vehicle-mounted sign.”