

DISALLOWABLE INSTRUMENT



WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155(b) of the Land Transport Act 1998, and after having had regard to the criteria specified in section 164(2) of that Act

I, Craig Foss, Associate Minister of Transport, make the following ordinary Rule:

Land Transport Rule: Vehicle Lighting Amendment 2016

SIGNED AT Wellington

This 13th day of Nov. 2016



Hon Craig Foss

Associate Minister of Transport

Land Transport Rule
Vehicle Lighting Amendment 2016

Rule 32005/11

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Land Transport Rule
Vehicle Lighting Amendment 2016
Rule 32005/11

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Objective of the Rule

Land Transport Rule: Vehicle Lighting Amendment 2016 (the amendment Rule) amends *Land Transport Rule: Vehicle Lighting 2004* (the Vehicle Lighting Rule). The Vehicle Lighting Rule covers standards and safety requirements for lighting equipment that is fitted to a vehicle, to allow the vehicle to be operated safely under all driving conditions and so as not to endanger the safety of other road users.

The objective of the amendment Rule is to—

- allow for the deactivation of optional lighting equipment rather than requiring removal if the equipment does not meet the applicable safety requirements:
- improve cyclist visibility by increasing the distance that pedal or power assisted cycle front and rear lights must be visible from 100 m to 200 m between the hours of sunset and sunrise, or at any other time when another person or vehicle is not clearly visible at 100 m:
- remove an unnecessary requirement to fit high-mounted stop lamps to vehicles registered or manufactured before 1 January 1990:
- remove clause 7.6(4), which covers the same requirement in 7.6(8):
- extend the definition of **defence force emergency vehicle**:
- correct a grammatical error.

Extent of consultation

For the purposes of consultation, amendments proposed to the Vehicle Lighting Rule and 14 other Land Transport Rules were combined into a single

Rule, *Land Transport Rule: Omnibus Amendment 2016* (the Omnibus Amendment Rule). Following consultation, the provisions in the Omnibus Amendment Rule were split into separate amendment Rules.

The NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 3170 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus Amendment Rule was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also available on the NZ Transport Agency's website. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*.

The NZ Transport Agency received 35 submissions on the Omnibus Amendment Rule, of which 27 commented on the proposed amendments to the Vehicle Lighting Rule.

The submissions received were taken into account in finalising the draft Rule following which it was submitted to the Associate Minister of Transport for signing.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Vehicle Lighting Amendment 2016*.

1.2 Commencement

This Rule comes into force on 1 December 2016.

1.3 Principal Rule amended

This Rule amends *Land Transport Rule: Vehicle Lighting 2004*.

Section 2 Amendments to Rule requirements

2.1 Amendments to clause 2.1

2.1(1) Delete *clauses 2.1(7) and 2.1(7A)*.

2.1(2) In *clause 2.1(8)*, delete “or 2.1(7)”.

2.2 Replacement clause 3.3(2)(b)

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) in the time between sunset and the following sunrise; and
 - (ii) at any other time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m.

2.3 Amendment to clause 5.3

In *clause 5.3(2)*, replace “registered in New Zealand” with “registered or manufactured”.

2.4 Replacement clause 7.4(2)(b)

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) in the time between sunset and the following sunrise; and
 - (ii) at any other time when there is not sufficient daylight to render clearly visible a person or vehicle at a distance of 100 m.

2.5 Amendments to clause 7.6

2.5(1) In *clause 7.6(1A)(a)*, replace “to 7.6(4)” with “and 7.6(3)”.

2.5(2) Delete *clause 7.6(4)*.

2.5(3) In *clause 7.6(5)*, delete “7.6(4)”.

2.6 Amendments to Part 2

2.6(1) 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.

2.6(2) In *Part 2, Definitions*, the definition of ‘**Headlamp**’, *paragraph (b)(ii)*, replace “100 m” with “200 m”.

2.7

Amendment to Schedule 3

2.7(1)

In *Schedule 3(f)(iii)*, insert “taken” before “from one part of a farm to another part of that farm”.