



Ministry of **Transport**
TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

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

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

HEREBY make the following ordinary rule:

Land Transport Rule: Work Time and Logbooks Amendment

SIGNED AT Wellington

This 1st day of APRIL 2009


Steven Joyce

Minister of Transport

Land Transport Rule Work Time and Logbooks Amendment 2009

Rule 62001/1

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Land Transport Rule

Work Time and Logbooks Amendment 2009

Rule 62001/1

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Objective of the Rule

Land Transport Rule: Work Time and Logbooks Amendment 2009 amends *Land Transport Rule: Work Time and Logbooks 2007* (the Rule), which sets out the requirements for administering the limits prescribed by the *Land Transport Act 1998* in relation to the work-time hours for drivers, operators and others with a responsibility to manage driving hours.

The objectives of this amendment to *Land Transport Rule: Work Time and Logbooks 2007* are:

- to remove the requirement for logbooks to be maintained by mobile crane drivers; and
- for the purpose of *subclause 4.5(1)* of the Rule, to delete the definition of ‘goods vehicle’ and to correct an anomaly in the Rule by providing that vehicles, with a gross laden weight between 4501 kg and 5999 kg that are used to carry goods, are covered by the logbook exemption in *subclause 4.5(1)*.

Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Work Time and Logbooks 2007* 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 NZ Transport Agency (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 11 commented on 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**

1.1

Title

1.1(1)

This Rule is *Land Transport Rule: Work Time and Logbooks Amendment 2009*.

1.1(2)

This Rule amends *Land Transport Rule: Work Time and Logbooks 2007*.

1.2

Date when Rule comes into force

This Rule comes into force on 7 May 2009.

Section 2 **Amendments to Rule requirements**

2.1

Exemptions by vehicle type

Clause 4.4 is amended by inserting the following subclause:

“4.4(9) The driver of a mobile crane does not have to maintain a logbook.

“[**Note:** ‘Mobile crane’ is a defined term.]”

2.2

Exemptions by vehicle service

Subclause 4.5(1) is amended by substituting the words “goods service vehicle, or a heavy motor vehicle used to carry goods,” for the words “goods vehicle”.

Section 3 **Amendments to definitions**

3.1

Amendments to definitions

3.1(1)

Part 2 is amended by inserting the following definitions in the appropriate places:

“**Heavy motor vehicle** has the same meaning as it has in *section 2(1)* of the Act.”

“Mobile crane

- “(a) means a self-propelled vehicle that:
 - “(i) is designed solely or principally for lifting objects using a boom with lifting gear; and
 - “(ii) does not carry any load except that which is necessary for its own propulsion or equipment; and
- “(b) does not include:
 - “(i) a truck mounted with crane apparatus;
or
 - “(ii) a vehicle recovery service vehicle.”

3.1(2)

The definition of ‘goods vehicle’ is revoked.