



Land Transport (Road User) Amendment Rule 2012

Pursuant to sections 152 and 153 of the Land Transport Act 1998, the Associate Minister of Transport makes the following ordinary rule.

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Rule

- 1 **Title**
This rule is the Land Transport (Road User) Amendment Rule 2012.

- 2 **Commencement**
This rule comes into force on 1 November 2012.

3 Principal rule

This rule amends the Land Transport (Road User) Rule 2004 (the **principal rule**).

4 Objective

A statement of the objective of this rule is set out in Schedule 1.

5 Consultation

A statement of the extent of the consultation carried out in relation to this rule under section 161(2) of the Land Transport Act 1998 is set out in Schedule 2.

6 Clause 1.6 amended (Interpretation)

- (1) In clause 1.6, replace the definition of **defence force emergency vehicle** with:

“**defence force emergency vehicle** means a vehicle that is—

“(a) operated by the Royal New Zealand Navy Naval Police, the New Zealand Army Military Police, or the Force Protection Branch of the Royal New Zealand Air Force; or

“(b) an improvised explosive device disposal (**IEDD**) response vehicle; or

“(c) a medical response vehicle operated by the New Zealand Defence Force”.

- (2) In clause 1.6, definition of **moped**, replace “section 233(1)” with “section 2(1)”.

- (3) In clause 1.6, definition of **motor vehicle**, after “Part 5”, insert “of this rule”.

- (4) In clause 1.6, definition of **safety chain**, paragraph (b), replace “link” with “coupling”.

7 Clause 3.2 amended (Traffic signals in form of disc)

In clause 3.2(2), replace “proceed across” with “enter”.

8 Clause 4.2 amended (Giving way where vehicles are controlled by same type of sign or in absence of signs)

Replace clause 4.2(5) with:

- “(5) In subclause (4),—

“**continuing road** means—

- “(a) the 2 sections of road that meet at a T-intersection and are connected by a marked centre line to indicate the normal flow of traffic; or
- “(b) if no centre line is marked through a T-intersection, the 2 sections of road that continue generally in the same direction

“**T-intersection**—

- “(a) means the intersection of 3 sections of road where 2 of those sections of road form the continuing road and the other road is the terminating road; and
- “(b) does not include the point at which the exit from a slip lane joins a road

“**terminating road** means the section of road at a T-intersection that does not form part of a continuing road.”

9 Clause 11.8 amended (Safety helmets for cyclists)

- (1) In clause 11.8(2)(a), replace “Pedal cycle” with “Bicycle”.
- (2) Replace clause 11.8(2)(b) with:
 - “(b) EN 1078, Helmets for pedal cyclists and for users of skateboards and roller skates; or”.
- (3) Replace clause 11.8(2)(c) with:
 - “(c) AS 2063.2, Lightweight protective helmets (for use in pedal cycling, horse riding and other activities requiring similar protection)—Helmets for pedal cyclists; or”.

Schedule 1

cl 4

Objective of rule

The objective of this rule is to amend the Land Transport (Road User) Rule 2004 (the **principal rule**) in the following ways:

- (a) to change the definition of defence force emergency vehicle by adding the current name of the Force Protection Branch of the Royal New Zealand Air Force and by including medical response vehicles operated by the New Zealand Defence Force, so those vehicles can operate as emergency vehicles and have beacons and sirens fitted:

- (b) to replace, in the definition of moped, the reference to the repealed definition of moped in section 233(1) of the Land Transport Act 1998 (the **Act**) with a reference to section 2(1) of the Act:
- (c) to clarify that the definition of motor vehicle includes “light rail vehicle” in Part 5 of the principal rule (not in Part 5 of the Act):
- (d) to change the definition of safety chain to remove uncertainty that has arisen about the meaning of the word “link” in paragraph (b) of the definition:
- (e) to clarify that pedestrians who have already entered a roadway in accordance with a green traffic signal may complete their crossing when a flashing red human figure is displayed:
- (f) to amend the definitions of continuing road, terminating road, and T-intersection to clarify the rules applying where a marked centre line extends through an intersection, and, conversely, where there is no centre line marked through the intersection:
- (g) to update vehicle standards incorporated by reference in the principal rule.

Schedule 2

Consultation carried out under section 161(2) of Act

cl 5

For the purposes of consultation, amendments proposed to the Land Transport (Road User) Rule 2004 (the **principal rule**) and 9 other Land Transport Rules were combined into a single rule, Land Transport Rule: Omnibus Amendment 2012 (the **Omnibus Amendment Rule**).

In May 2012, the New Zealand Transport Agency (the **Agency**) sent details of the amendment proposals by letter or email to about 2 500 groups and individuals who had registered an interest in the rules to be amended. The Omnibus Amendment Rule was made available through the Agency’s contact centre and, together with questions and answers, was available on the Agency’s Internet site. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch, and Dunedin and in the *Gazette*. The Agency received 27 submissions

on the Omnibus Amendment Rule, of which 13 commented on the proposed amendments to the principal rule.

Following consultation, the provisions in the Omnibus Amendment Rule were split into 10 separate amendment rules, including this rule. The submissions that were received were taken into account in finalising this rule before it was submitted to the Associate Minister of Transport for signing.

Dated at Wellington this 25th day of September 2012.

Simon Bridges,
Associate Minister of Transport.

Explanatory note

This note is not part of the rule, but is intended to indicate its general effect.

This rule, which comes into force on 1 November 2012, amends the Land Transport (Road User) Rule 2004 in the ways described in *Schedule 1*. In summary, this rule makes changes to the definitions of defence force emergency vehicle, moped, motor vehicle, and safety chain to either make the relevant definition current or to resolve uncertainty that has arisen in connection with the definition. This rule also amends definitions relating to T-intersections to clarify the rules that apply where a marked centre line extends through an intersection and where there is no centre line marked. This rule clarifies that pedestrians who have entered a roadway in accordance with a green traffic signal may complete their crossing when a flashing red human figure is displayed. Finally, this rule updates references to vehicle standards for bicycle helmets.

**Land Transport (Road User) Amendment
Rule 2012**

2012/303

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This rule is administered by the Ministry of Transport.
