



Land Transport (Road User) Amendment Rule 2022

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

- (a) after having complied with the requirements of section 161(2) of that Act; and
- (b) after having had regard to the criteria specified in section 164(2) of that Act.

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Rules

- 1 Title**
This rule is the Land Transport (Road User) Amendment Rule 2022.
- 2 Commencement**
This rule comes into force on 19 May 2022.
- 3 Principal rule**
This rule amends the Land Transport (Road User) Rule 2004.
- 4 Objective**
A statement of the objective of this rule is set out in Schedule 1.

5 Consultation

A statement of the extent of any 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 5.1 amended (Drivers must not exceed speed limits)

(1) Replace clause 5.1(1) with:

(1) A driver must not drive a vehicle at a speed exceeding the applicable speed limit.

(2) After clause 5.1(3), insert:

(4) In this clause, **applicable speed limit** means—

- (a) the applicable speed limit for the road according to clause 2.1 of the Land Transport Rule: Setting of Speed Limits 2022; or
- (b) any other speed limit (for example, the limit applying because a load is being towed or the limit applying to the particular vehicle being driven).

Schedule 1

Objective of rule

cl 4

The objective of this amendment rule is to update the meaning of applicable speed limit in the Land Transport (Road User) Rule 2004 (the **principal rule**).

This is desirable because a new rule is being made, which is called the Land Transport Rule: Setting of Speed Limits 2022 (the **new speed limit rule**).

Schedule 2

Consultation carried out under section 161(2) of Land Transport Act 1998

cl 5

The principal rule establishes the rules under which traffic operates on roads.

This rule makes only a consequential change to the principal rule, because of the new speed limit rule. The New Zealand Transport Agency (**Waka Kotahi**) published a draft of the new speed limit rule along with explanatory material on its website for public consultation on 23 April 2021. Notice of the availability of the consultation draft for comment was sent by email to approximately 1570 groups and individuals who had registered an interest in land transport rules, and a notice was also published in the *Gazette* on 23 April 2021. Consultation was open for submissions until 25 June 2021. As part of the public consultation process, Waka Kotahi ran 14 workshops across New Zealand. Waka Kotahi received 325 submissions on the consultation draft, which were taken into account when finalising the draft of the new speed limit rule.

Waka Kotahi also presented at regional transport committee meetings, the Road Controlling Authority Forum, and met with key industry stakeholders. And Waka Kotahi met with the Transport Special Interest Group (consisting of regional council representatives) and road controlling authorities.

Dated at Wellington this 13th day of April 2022.

Hon Michael Wood,
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 19 May 2022, amends the Land Transport (Road User) Rule 2004 (the **Road User Rule**).

This rule makes a consequential amendment to the Road User Rule in order to update it. The aim is to make it more cohesive, comprehensive, and comprehensible.

Since the Road User Rule was made, there have been amendments to how speed limits are set. Those amendments mean that the phrase applicable speed limit in the Road User Rule needs updating.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 21 April 2022.

This rule is administered by the Ministry of Transport.