



# Land Transport (Traction Engine Safety) Regulations 2006

Anand Satyanand, Governor-General

## Order in Council

At Wellington this 18th day of December 2006

Present:

His Excellency the Governor-General in Council

Pursuant to section 216 of the Land Transport Act 1998, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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### Regulations

- 1 Title**  
These regulations are the Land Transport (Traction Engine Safety) Regulations 2006.

## 2 Commencement

These regulations come into force on the 28th day after the date of their notification in the *Gazette*.

## 3 Interpretation

In these regulations, unless the context otherwise requires,—

**1950 Act** means the Boilers, Lifts, and Cranes Act 1950

**1999 regulations** means the Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999

**certificate of inspection** has the meaning given to it in Schedule 1 of the 1999 regulations, subject to regulation 5 of these regulations

**pressure equipment** has the meaning given to it in Schedule 1 of the 1999 regulations

**unit standard** means a New Zealand Qualifications Authority unit standard.

## 4 Requirements when using traction engine in public place

- (1) A person who is using a traction engine in a public place must—
  - (a) hold a class 2 driver licence or an overseas equivalent; and
  - (b) comply with subclause (2) or (3), or both, as the case requires; and
  - (c) have, on the traction engine, a copy of the current certificate of inspection of the traction engine's pressure equipment.
- (2) A person who is steering a traction engine must hold either or both of the following:
  - (a) a unit standard relating to steam driven vehicles (11157 or other equivalent unit standard);
  - (b) a qualification issued, or certificate of competency granted, under the 1950 Act that was current immediately before 16 January 2006 allowing the person to steer a traction engine.
- (3) A person who is firing or operating a traction engine's pressure equipment must hold either or both of the following:

- (a) a unit standard relating to steam driven vehicles (21754, 21755, or other equivalent unit standard):
- (b) a qualification issued, or certificate of competency granted, under the 1950 Act that was current immediately before 16 January 2006 allowing the person to fire or operate a traction engine's pressure equipment.

## **5 Certificate of inspection of traction engine's pressure equipment**

- (1) A certificate of inspection of a traction engine's pressure equipment may be issued only by an inspection body in accordance with the 1999 regulations.
- (2) Despite regulation 33(1)(a), (2), and (3) of the 1999 regulations, a certificate of inspection expires 2 years after it is issued and may not be extended.
- (3) The inspection body must provide a copy of the certificate of inspection to the Director of Land Transport within 14 days after the certificate is issued.

Rebecca Kitteridge,  
for Clerk of the Executive Council.

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### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations are the Land Transport (Traction Engine Safety) Regulations 2006. They come into force on the 28th day after the date of their notification in the *Gazette*.

The regulations set out requirements relating to the safe operation of traction engines.

The requirements for a person using a traction engine in a public place are as follows:

- the person must hold a class 2 driver licence or overseas equivalent:
- the person must hold one of the qualifications described in the regulations, if he or she is steering the traction engine:

- the person must hold one of the qualifications described in the regulations, if he or she is firing or operating the pressure equipment;
- a copy of the current certificate of inspection of the traction engine's pressure equipment must be carried on the traction engine.

Inspections of a traction engine's pressure equipment are to be undertaken by inspection bodies in accordance with the Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999. Certificates issued under those regulations will expire after 2 years and cannot be extended.

It is an offence under section 36B of the Land Transport Act 1998 to (amongst other things) use a traction engine in a public place without—

- holding the driver licence and other qualifications required in these regulations; and
- having a current certificate of inspection of the traction engine's pressure equipment as required by these regulations.

The maximum penalty is a fine of \$5,000.

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Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 21 December 2006.

These regulations are administered by the Ministry of Transport.

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