



Land Transport (Road User) Amendment Rule 2017

Patsy Reddy, Governor-General

Order in Council

At Wellington this 31st day of July 2017

Present:

Her Excellency the Governor-General in Council

This rule is made under sections 152, 152A, 153, and 157 of the Land Transport Act 1998—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Transport made in accordance with section 152A(2) of that Act.

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Rule

1 Title

This rule is the Land Transport (Road User) Amendment Rule 2017.

2 Commencement

This rule comes into force on 1 September 2017.

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 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 1.6 amended (Interpretation)

(1) In clause 1.6, insert in its appropriate alphabetical order:

electric vehicle means a motor vehicle with motive power wholly or partly derived from an external source of electricity

(2) In clause 1.6, definition of **bus lane**, paragraph (b), after “sign”, insert “; and”.

(3) In clause 1.6, definition of **bus lane**, after paragraph (b), insert:

(c) electric vehicles (if specifically included by the marking or sign)

(4) In clause 1.6, replace the definition of **transit lane** with:

transit lane means a lane reserved for the use of—

(a) the following (unless specifically excluded by a sign installed at the start of the lane):

(i) passenger service vehicles:

(ii) motor vehicles carrying not less than the number of persons (including the driver) specified on the sign:

(iii) cycles:

(iv) motorcycles:

(v) mopeds; and

(b) electric vehicles (if specifically included by a sign installed at the start of the lane)

7 Clause 3.6 amended (Traffic signals in form of T or B)

Replace clause 3.6(5) with:

- (5) If any of the following persons are lawfully using a bus lane, this clause applies to the person in the same way that it applies to the driver of a bus:
- (a) the rider of a cycle, moped, or motorcycle:
 - (b) the driver of an electric vehicle.

Schedule 1

Objective of rule

cl 4

This Land Transport (Road User) Amendment Rule 2017 (the **amendment rule**) amends the Land Transport (Road User) Rule 2004 (the **principal rule**). The principal rule establishes the rules under which traffic operates on roads.

The objective of the amendment rule is to amend the principal rule to—

- insert a definition of electric vehicle:
- amend the definitions of bus lane and transit lane to include a reference to electric vehicles using those lanes:
- amend clause 3.6(5) to apply the rules relating to traffic signals in the form of B to drivers of electric vehicles who are lawfully using bus lanes.

Schedule 2

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

cl 5

No consultation under section 161(2) of the Land Transport Act 1998 (the **Act**) is required in relation to this amendment rule (*see* section 152A(3) of the Act).

However, during the Select Committee stage of the Energy Innovation (Electric Vehicles and Other Matters) Amendment Act 2017, submissions were received on the proposal to clarify that road controlling authorities may make bylaws prescribing that electric vehicles can use special vehicle lanes.

Additionally, the Ministry of Transport sent details of the proposed changes to the principal rule to about 1 600 groups and individuals who had registered an interest in the principal rule.

Michael Webster,
Clerk of the Executive Council.

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 September 2017, amends the Land Transport (Road User) Rule 2004 (the **principal rule**) to—

- insert a definition of electric vehicle:
- amend the definitions of bus lane and transit lane to include a reference to electric vehicles using those lanes:
- amend clause 3.6(5) to apply the rules relating to traffic signals in the form of B to drivers of electric vehicles who are lawfully using bus lanes.

This amendments made by this rule are related to the Energy Innovation (Electric Vehicles and Other Matters) Amendment Act 2017 (the **Act**). The Act clarifies that road controlling authorities may make bylaws prescribing that electric vehicles can use special vehicle lanes. This rule amends the principal rule in relation to bus lanes and transit lanes so that, if a road controlling authority makes a bylaw allowing electric vehicles to use bus lanes or transit lanes, the principal rule will apply to drivers of electric vehicles in the same way as it applies to other users of those lanes.

Issued under the authority of the Legislation Act 2012.

Date of notification in *Gazette*: 3 August 2017.

This rule is administered by the Ministry of Transport.