



## Land Transport (Road User) Amendment Rule (No 2) 2007

Pursuant to sections 152, 153, and 157 of the Land Transport Act 1998, the Minister for Transport Safety makes the following ordinary rule.

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### Rules

- 1 Title**  
This rule is the Land Transport (Road User) Amendment Rule (No 2) 2007.

**2 Commencement**

This rule comes into force on 17 January 2008.

**3 Principal rule amended**

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 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 Interpretation**

Clause 1.6 is amended by inserting the following definitions in their appropriate alphabetical order:

“**approved disabled person’s parking permit** means a disabled person’s parking permit or mobility parking permit—

“(a) issued by CCS Disability Action Incorporated or Somerville Centre for Special Needs Wanganui Incorporated; or

“(b) approved by the territorial authority having control of the parking area

“**territorial authority** has the same meaning as in section 5 of the Local Government Act 2002”.

**7 Use of lanes**

Clause 2.3 is amended by omitting subclause (1)(f) and substituting the following paragraph:

“(f) a special vehicle lane reserved for a specific class or classes of vehicle unless—

“(i) the vehicle is one of the class or classes of vehicle for which the lane is reserved; or

“(ii) the vehicle is an emergency vehicle being used in an emergency.”

**8 Parking contrary to notice, traffic sign, or marking**

Clause 6.4 is amended by inserting the following subclause after subclause (1):

- “(1A) Without limiting subclause (1), a driver or person in charge of a vehicle must not stop, stand, or park the vehicle in any parking area reserved for disabled persons unless—
- “(a) the driver or any passenger is disabled; and
  - “(b) an approved disabled person’s parking permit is prominently displayed in the vehicle.”

**9 New clause 6.6 substituted**

Clause 6.6 is revoked and the following clause substituted:

**“6.6 Parking in special vehicle lane**

A driver or person in charge of a vehicle must not stop, stand, or park the vehicle in any special vehicle lane unless—

- “(a) the vehicle belongs to a class of vehicle for which use of the lane is reserved, and stopping, standing, or parking of the vehicle is permitted at that place by signs or markings; or
- “(b) the vehicle is an emergency vehicle that is being used in an emergency and is operating a red beacon or red and blue beacons.”

**10 Towing**

Clause 7.18 is amended by inserting the following subclause after subclause (4):

- “(4A) A driver must not, during the hours of darkness, tow a trailer fitted with a position lamp or lamps unless the lamp or lamps are displayed.”

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**Schedule 1**  
**Objective of rule**

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The objective of this rule is to amend the principal rule by—

- (a) inserting definitions of approved disabled person’s parking permit and territorial authority; and
- (b) clarifying that, in an emergency, emergency service vehicles may use special vehicle lanes; and

- (c) prohibiting unauthorised parking in bays marked for disabled persons; and
  - (d) requiring drivers towing trailers fitted with position lamps to display those lamps during the hours of darkness.
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## Schedule 2

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

- 1 Consultation on this rule began on 3 August 2007 with the release of the draft Land Transport Rule: Omnibus Amendment 2007 (the **draft Omnibus Amendment Rule**) for public comment. The draft Omnibus Amendment Rule contained proposed amendments to 10 Land Transport Rules, including the Land Transport (Road User) Rule 2004 (the **Road User Rule**).
- 2 Letters and emails outlining the proposed amendments were sent to approximately 2 500 organisations and individuals who had expressed an interest in the rules to be amended. The availability of the draft Omnibus Amendment Rule was publicised in the 5 metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch, and Dunedin and in the *Gazette*. The draft and associated information were made available through Land Transport New Zealand's Help Desk and on its website. Thirty-five submissions were received on the draft, of which 13 commented on the proposed amendments to the Road User Rule.
- 3 Following consultation, the provisions in the draft Omnibus Amendment Rule were divided into 10 separate amendment rules, including this rule. Issues identified in submissions were taken into account in redrafting this rule before it was submitted to the Minister for Transport Safety for signature.

Dated at Wellington this 11th day of December 2007.

Harry Duynhoven,  
Minister for Transport Safety.

### **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 17 January 2008, amends the Land Transport (Road User) Rule 2004 by—

- inserting definitions of approved disabled person's parking permit and territorial authority; and
- clarifying that, in an emergency, emergency service vehicles may use special vehicle lanes; and
- prohibiting unauthorised parking in any parking area reserved for disabled persons; and
- requiring drivers towing trailers fitted with position lamps to display those lamps during the hours of darkness.

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Date of notification in *Gazette*: 10 January 2008.

This rule is administered by the Ministry of Transport.

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