



Land Transport (Road User) Amendment Rule (No 3) 2013

Pursuant to sections 152, 153, and 157 of the Land Transport Act 1998, and having had regard to the criteria specified in section 164(2) of that Act, 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 (No 3) 2013.

- 2 Commencement**
This rule comes into force on 1 January 2014.

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, definition of **school bus**, paragraph (b)(ii), after “loading”, insert “; and”.
- (2) In clause 1.6, definition of **school bus**, after paragraph (b)(ii), insert:
“(iii) is not displaying a school bus sign”.

Schedule 1
Objective of rule

cl 4

The objective of this amendment rule is to enable the operator of a charter bus on a school trip, with all passengers seated, to have the choice of operating the vehicle as a school bus and to be able to fit signs in accordance with the restrictions that apply to school buses.

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

cl 5

For the purposes of consultation, amendments proposed to the Land Transport (Road User) Rule 2004 and 8 other Land Transport Rules were combined into a single rule, *Land Transport Rule: Omnibus Amendment 2013* (the **Omnibus Amendment Rule**). Following

consultation, the provisions in the Omnibus Amendment Rule were split into 9 separate amendment rules, including this rule.

The New Zealand Transport Agency (the **Agency**) sent details of the amendment proposals by letter or email to approximately 2 400 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 also made 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 on 3 July 2013 and in the *New Zealand Gazette* on 4 July 2013. The deadline for submissions was specified as 29 July 2013.

The Agency received 22 submissions on the Omnibus Amendment Rule, of which 6 commented on this amendment rule.

The submissions received were taken into account in finalising this amendment rule before it was submitted to the Associate Minister of Transport for signing.

Dated at Wellington this 13th day of November 2013.

Michael Woodhouse,
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 January 2014, amends the Land Transport (Road User) Rule 2004 (the **principal rule**).

This rule changes the definition of school bus, so that a bus is not a school bus if it is not displaying a school bus sign (and meets other criteria already in the principal rule). If a bus is not a school bus, it does not have to comply with the 80 km per hour speed limit in clause 5.6(2) of the principal rule. However, by displaying a sign,

the bus can travel as a school bus, which means complying with that speed limit. Displaying a sign would also mean that other drivers, when meeting or overtaking a school bus, would have to meet the obligations in clause 5.6(1A) of the principal rule to—

- drive with due care for the safety of the children; and
- drive at a speed not exceeding 20 km per hour while passing any part of the school bus when it is stopped.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 21 November 2013.
This rule is administered by the Ministry of Transport.
