



Land Transport (Road User) Amendment Rule 2005

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

- (1) This rule is the Land Transport (Road User) Amendment Rule 2005.
- (2) In this rule, the Land Transport (Road User) Rule 2004¹ is called “the principal rule”.

¹ SR 2004/427

2 Commencement

This rule comes into force on 15 September 2005.

3 Objective

A statement of the objective of this rule is set out in Schedule 1.

4 Consultation

A statement of the extent of consultation that has been carried out in relation to this rule under section 161(2) of the Land Transport Act 1998 is set out in Schedule 2.

5 Interpretation

(1) Clause 1.6 of the principal rule is amended by revoking paragraph (b) of the definition of **bus lane**, and substituting the following paragraph:

“(b) cycles, mopeds, and motorcycles (unless one or more are specifically excluded by the sign)”.

(2) Clause 1.6 of the principal rule is amended by adding to the definition of **transit lane**, the following paragraph:

“(e) mopeds”.

6 Stopping and following distances

Clause 5.9(4) of the principal rule is amended by revoking paragraph (e), and substituting the following paragraphs:

“(e) 32 m, if his or her speed is 80 km an hour or more but less than 90 km an hour; or

“(f) 36 m, if his or her speed is 90 km an hour or more.”

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Schedule 1
Objective of rule

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

- (a) including a reference to mopeds in the definitions of **bus lane** and **transit lane**, so that mopeds may be used in those lanes; and
- (b) adding a new, 36 m, following distance requirement that applies to any driver driving at a speed of 90 km an hour or more.

Schedule 2

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

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- 1 The consultation process began on 1 April 2005 with the release of the draft Land Transport Rule: Omnibus Amendment (**yellow draft**) for public comment. It contained proposed amendments to 13 Land Transport Rules, including the Land Transport (Road User) Rule 2004 (**Road User Rule**).
- 2 A letter outlining the proposed amendments was sent to approximately 2 200 organisations and individuals who had expressed an interest in, or who were considered likely to be interested in, the rules to be amended. The Minister publicised his intention to make the rule in the 5 metropolitan newspapers, the *Gazette*, and *Te Karere National News*. The yellow draft and associated material were accessible on Land Transport New Zealand's website. Thirty-three submissions were received on the yellow draft. Six of those submissions commented on the proposed amendments to the Road User Rule.
- 3 Following consultation, the provisions in the yellow draft were divided into separate amendment rules, including the Road User Rule. Issues identified in submissions were taken into account in redrafting the amendment rules before the rules were submitted to the Minister for Transport Safety for signature. The redrafted Road User Rule included a new amendment to clause 5.9(4), which was a consequence of a submission on the proposed amendments to Land Transport Rule 54001: Setting of Speed Limits 2003.

Dated at Wellington this 8th day of August 2005.

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 15 September 2005, amends the Land Transport (Road User) Rule 2004 by—

- including a reference to mopeds in the definitions of **bus lane** and **transit lane**, so that mopeds may be used in those lanes; and
- adding a new, 36 m, following distance requirement to clause 5.9(4) that applies to any driver driving at a speed of 90 km an hour or more.

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

Date of notification in *Gazette*: 11 August 2005.

This rule is administered in the Ministry of Transport.
