



**PASSENGER SERVICE VEHICLE CONSTRUCTION AMENDMENT
REGULATIONS 1999**

MICHAEL HARDIE BOYS, Governor-General

ORDER IN COUNCIL

At Wellington this 26th day of July 1999

Present:

THE RIGHT HON JENNY SHIPLEY PRESIDING IN COUNCIL

PURSUANT to sections 167 and 218 of the Land Transport Act 1998, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Passenger Service Vehicle Construction Amendment Regulations 1999, and are part of the Passenger Service Vehicle Construction Regulations 1978* (“the principal regulations”).

(2) These regulations come into force on 1 September 1999.

2. Interpretation—(1) Regulation 2 (1) of the principal regulations is amended by revoking the definition of the term “the Act”, and substituting the following definition:

“‘The Act’ means the Land Transport Act 1998.”

(2) Regulation 2 (1) of the principal regulations is amended by inserting, after the definition of the term “service coach”, the following definition:

“‘Vehicle inspector’ means a person authorised by the Director to act as a vehicle compliance certifier.”

3. New provisions substituted—The principal regulations are amended by revoking Parts I to VIII, and substituting the following heading and regulations:

“Brakes

“5. Approval of brakes—(1) A passenger-service vehicle must be fitted with brakes approved by the Director either individually or for the type of vehicle to which they are to be fitted.

(2) The stopping ability of the footbrake, measured as provided in regulation 68 of the Traffic Regulations 1976†, must be such as to bring the vehicle to a standstill within 7 metres from 30 kilometres per hour, with the vehicle unladen.

Cf. S.R. 1978/15, reg. 6 (1)

“6. Use of compressed air—An air-braked vehicle must be equipped with—

“(a) Air compressors or other sources of compressed air; and

“(b) Air receivers or other means of storing compressed air; and

“(c) Gauges and audible warning devices.

Cf. S.R. 1978/15, reg. 6 (2)

“7. Warning devices—An air-braked vehicle must be fitted with a warning device readily audible to the driver which will give continuous warning of pressures, if—

“(a) The pressures in the brake reservoirs to which gauges are required to be fitted under regulation 10 are below the minimum safe operating pressure recommended by the manufacturer; or

“(b) The pressures in the brake reservoirs to which gauges are required to be fitted under regulation 10 are below 50% of the compressor-governor cut-out pressure, if no minimum safe operating pressure is recommended by the manufacturer.

Cf. S.R. 1978/15, reg. 6 (2) (a)

*S.R. 1978/15

Amendment No. 1: (*Revoked by S.R. 1982/94*)

Amendment No. 2: (*Revoked by S.R. 1987/204*)

Amendment No. 3: (*Revoked by S.R. 1988/172*)

Amendment No. 4: (*Revoked by S.R. 1990/332*)

Amendment No. 5: (*Revoked by S.R. 1990/332*)

Amendment No. 6: 1990/332

Amendment No. 7: 1996/341

†S.R. 1976/227

“8. **Reservoir capacity**—(1) In the case of an air-braked vehicle, the reservoir capacity of the braking system of that vehicle must be such that the reserve of stored energy of the braking system can provide a minimum of 5 full service-brake applications with full release of the brakes after each application before the low pressure warning operates, and 2 of those applications afterwards, when—

“(a) The air pressure in the braking system is at its maximum specified operational setting; and

“(b) The compressor is stopped.

“(2) For the purposes of subclause (1), a full service-brake application is made when all the brake activators on the vehicle are operated to apply their associated brakes in an effective manner.

Cf. S.R. 1978/15, reg. 6 (2) (b)

“9. **Compressor capacity**—(1) In the case of an air-braked vehicle, the compressor capacity of the braking system must be such that it is capable of raising the pressure in the braking system to the point where the compressor unloads in not more than 90 seconds at either—

“(a) The maximum governed speed of the motor; or

“(b) A motor speed determined by the automotive surveyor, if the motor is not governed.

“(2) The measurement of compressor capacity of the braking system for the purposes of subclause (1) is undertaken by starting from the pressure at which the brake system falls from the maximum specified operating pressure as a result of 5 full service-brake applications made in accordance with regulation 8.

Cf. S.R. 1978/15, reg. 6 (2) (c)

“10. **Receivers**—(1) In the case of an air-braked vehicle, the receiver or receivers from which the service-brake system draws its supply of energy in the form of compressed air must be fitted with a calibrated gauge, readily visible to the driver at all times in the driver’s normal driving position, to indicate to the driver the pressure in the receivers.

“(2) In a brake system which is split, each receiver must be fitted with such a gauge.

“(3) For the purposes of subclause (2), a brake system is split if each part of the system relies on separate receivers for its stored air and the loss of air from such a receiver would incapacitate that part of the system.

Cf. S.R. 1978/15, reg. 6 (2) (d)

“11. **Energy for braking system**—(1) A braking system must have first call on the supply and store of energy provided for it.

“(2) A brake receiver must have first call on the supply of energy from the compressor.

Cf. S.R. 1978/15, reg. 6 (2) (e)

“12. **Auxiliary air-operated devices**—No auxiliary air-operated device may be connected to the air braking system unless—

“(a) The brake system is so protected that the operation or failure of the auxiliaries cannot lower the pressure in any line or receiver supplying the brakes below two-thirds of its maximum operational setting; and

“(b) If the operation of the auxiliary device depends on the same supply or source of compressed air as the brakes, the supply to the

auxiliary device is drawn from a receiver separate from the receiver supplying the brakes; and

“(c) The system has the approval of the vehicle manufacturer or, if this is unobtainable, the approval of the Director.

Cf. S.R. 1978/15, reg. 6 (3)

“13. **Pump-generated hydraulic pressure**—When the brakes of a passenger-service vehicle are operated by pump-generated hydraulic pressure, the following devices must be fitted to ensure that the driver may at all times become aware immediately that the minimum hydraulic pressure for safe vehicle operation is reached:

“(a) An audible warning system; and

“(b) Either—

(i) A visible warning system; or

(ii) A suitable pressure gauge that is able to record both the maximum and minimum pressures being used.

Cf. S.R. 1978/15, reg. 6 (4)

“14. **Use of vacuum**—(1) A passenger-service vehicle using a vacuum for application of the vehicle’s brakes, or as a means of boosting the energy supplied by the driver to apply the brakes, must be equipped with an audible warning device that will give continuous warning at any time the vacuum in the vehicle’s reservoir has less than 200 mm of mercury or its equivalent.

“(2) A vehicle to which subclause (1) applies must be equipped with a vacuum gauge that will indicate to the driver at all times the vacuum in millimetres of mercury, or its equivalent, available for braking.

“(3) Subclause (2) does not apply to any passenger-service vehicle designed to carry no more than 11 passengers, or to any school vehicle.

Cf. S.R. 1978/15, reg. 6 (5)

“15. **Tandem or dual master-cylinders required**—(1) The service-brake system of every passenger-service vehicle fitted with both a parking brake acting solely through the transmission gear of the vehicle and a service-brake operated by hydraulic pressure, must incorporate approved tandem or dual master-cylinders in such a manner that 1 of those cylinders actuates the brakes on the front wheels of the vehicle and the other cylinder actuates the brakes on the rear wheels of the vehicle.

“(2) Subclause (1) does not apply to any—

“(a) Taxicab, rental car, or school vehicle; or

“(b) Other passenger-service vehicle that is a motorcar; or

“(c) Passenger truck that is not designed to carry more than 2 passengers in the cab.

Cf. S.R. 1978/15, reg. 7

“16. **Tyres and rims**—(1) Each tyre of a passenger-service vehicle must be—

“(a) Pneumatic and of good quality and construction throughout; and

“(b) Maintained in a safe and satisfactory condition.

“(2) A passenger-service vehicle must be equipped with matched tyres and rims that, in the opinion of the Director, are of sufficient load capacity to meet reasonable requirements of service.

“(3) In determining the tyres and sizes of the tyres required for the purposes of subclause (2), the Director may apply, with any variation that he or she considers reasonable, 1 or more of the following:

“(a) The load tables and data published from time to time by the manufacturer:

“(b) Any tables and data provided by the British Standards Institute:

“(c) Any tables and data provided by the European Tyre and Rim Technical Organisation:

“(d) Any tables and data provided by the Tyre and Rim Association of the United States of America:

“(e) Any tables and data provided by the Tyre and Rim Association of Australia.

“(4) The appropriate inflation pressure for each tyre of a passenger-service vehicle is that recommended for the tyre and the service by the manufacturer of the tyre or vehicle, subject to any inflation pressure limits imposed by the Heavy Motor Vehicle Regulations 1974*.

Cf. S.R. 1978/15, reg. 13

“Repairs

“17. **Alterations or replacements**—(1) No alterations may be made to the design or construction of the tyres, rims, or brakes for passenger-service vehicles without the prior written approval of a vehicle inspector.

“(2) Subclause (1) does not apply to minor necessary maintenance requirements in respect of a passenger-service vehicle.

“(3) No bulky equipment or fittings may be added to a passenger-service vehicle without the prior written approval of a vehicle inspector.

“(4) Any alteration or substantial replacement to which subclauses (1) and (3) apply must comply, so far as is considered reasonable by the Director, with any applicable requirements of these regulations.

Cf. S.R. 1978/15, reg. 27

“18. **Reconditioned components**—If any reconditioned component is fitted to a passenger-service vehicle and the mechanical safety of the vehicle could be affected, the onus of proof to satisfy the Director of the safety of the reclamation process is on the operator of the vehicle.

Cf. S.R. 1978/15, reg. 28

“Inspection

“19. **Inspection of vehicles**—A passenger-service vehicle must be inspected by a vehicle inspector to ascertain whether it complies with the requirements of these regulations—

“(a) Prior to the first occasion on which the vehicle is used as a passenger-service vehicle; and

“(b) Whenever the vehicle is required to be inspected under the provisions of the Act or regulations or rules made under the Act.”

4. Revocations—(1) Regulations 74 and 75 of the principal regulations are revoked.

(2) The following regulations are consequentially revoked:

(a) The Passenger Service Vehicle Construction Regulations 1978, Amendment No. 6 (S.R. 1990/332):

(b) The Passenger Service Vehicle Construction Regulations 1978, Amendment No. 7 (S.R. 1996/341).

5. Offences—Regulation 76 of the principal regulations is amended by revoking paragraph (c), and substituting the following paragraph:

“(c) Uses as a passenger-service vehicle any motor vehicle that does not comply with the requirements of these regulations.”

MARIE SHROFF,
Clerk of the Executive Council.

EXPLANATORY NOTE

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

These regulations, which come into force on 1 September 1999, amend the Passenger Service Vehicle Construction Regulations 1978 by removing provisions that are replaced by Land Transport Rule: Passenger Service Vehicles 1999. That rule, which is made under the Land Transport Act 1998, also comes into force on 1 September 1999. The amendment also updates several regulations in the principal regulations that are still required.

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