

Land Transport (Road User) Rule

**Consolidated Rule
with amendments incorporated
as at
1 September 2017**

The consolidation of the Rule and its amendments is intended to provide up-to-date details of the current requirements. It is not the official version of the Rule.

Preface

The consolidated Rule brings together the requirements relating to road user behaviour in the principal Rule and its amendments. These Rules were produced, under an agreement with the Secretary for Transport, by the NZ Transport Agency (NZTA) or its predecessor land transport Crown entities. They were signed into law by the Minister of Transport or his or her delegate under the *Land Transport Act 1998*.

The principal Rule

Land Transport (Road User) Rule (the Rule), which came into force on 27 February 2005, governs the behaviour of all Road Users, whether they are drivers, riders, passengers, pedestrians, or leading or droving animals.

Amendment 1

Following public consultation, the Rule was amended with effect from 15 September 2005 to include a reference to mopeds in the definitions of bus lane and transit lane, so that mopeds may be used in those lanes. It also added a new, 36 m following distance requirement that applies to any driver driving at a speed of 90 km an hour or more.

Amendment 2

With effect from 1 October 2007, the Rule was changed by amending the definition of stop lamp, inserting the definition of service brake to clarify its meaning, specifies the requirements for giving way, omitting the words ‘‘dipped beam’’ and amending clauses governing the use of park lights or dipped headlamps by a driver whose vehicle is standing or has stopped on a road for a temporary purpose.

Amendment 3

On 17 January 2008 a further amendment came into force which inserted definitions of an approved disabled person’s parking permit and a territorial authority, clarified that, in an emergency, emergency service vehicles may use special vehicle lanes, prohibited unauthorised parking in bays marked for disabled persons and required drivers towing trailers fitted with position lamps to display those lamps during the hours of darkness.

Amendment 4

The Rule was amended, with effect from 1 November 2009, to:

- (a) restrict the distance that a driver may travel in a lane that is otherwise unavailable to him or her;
- (b) allow cyclists to make hook turns;
- (c) allow a person to ride a moped or motorcycle on a footpath for the purpose of delivering printed matter if that use is authorised by a road controlling authority;
- (d) prescribe the privileges and duties of riders of mobility devices and wheeled recreational devices;
- (e) provide an exception for cyclists from giving arm signals at roundabouts, if it is impracticable for them to do so;
- (f) require drivers approaching a section of road at which only one direction of traffic may pass at a time to give way at a one-way give-way sign;
- (g) clarify provisions relating to intersections not controlled by traffic signals;
- (h) restrict vehicles to a speed of 50 km an hour if they are using a non-rigid towing system to tow vehicles normally powered by mechanical power;
- (i) prevent motor vehicles parking on grassed verges;
- (j) clarify provisions relating to parking contrary to notices or signs or markings, parking near bus stops, and parking on stopping places and stands;
- (k) ban the use of hand-held mobile phones while driving a vehicle;
- (l) require seatbelts to be worn correctly and properly and clarifying for drivers of buses the requirements relating to seatbelts;
- (m) align provisions relating to the towing of trailers with *Land Transport Rule: Light-vehicle Brakes 2002* and *Land Transport Rule: Heavy Vehicles 2004*;
- (n) allow small passenger service vehicles to be fitted with child safety locks provided that the vehicles display an approved sign and the locks are used only on request;

- (o) require mopeds and motorcycles to use headlamps or daytime running lamps during the day;
- (p) allow vehicles to display blue beacons when operated by officials with powers to stop other drivers;
- (q) amend provisions relating to level crossings;
- (r) require drivers to stop at pedestrian crossings for pedestrians who are obviously waiting to cross;
- (s) prescribe requirements for paths shared by pedestrians, cyclists, riders of mobility devices, and riders of wheeled recreational devices.

Amendment 5

The Rule was amended, with effect from 11 December 2009, to allow a driver to use a mobile phone for any purpose, other than text message, video message, email, or similar communication, while driving. The phone has to be secured in a mounting that is fixed to the vehicle and the driver is allowed to manipulate and look at the phone only infrequently and briefly. A driver will also still be able to use a hands-free mobile phone.

Amendment 6

Following consultation on proposed changes, the Rule was amended with effect from 1 October 2011.

The amendment amended the Rule:

- (a) to change the definition of ‘school bus’ to exclude certain buses being used for school functions so that those buses are not subject to the requirements that apply to a school bus;
- (b) to extend the provisions about ‘B’ signals (which apply to a bus driver) to also apply to the rider of a cycle, moped, or motorcycle, who is lawfully using a bus lane;
- (c) to require the driver of a vehicle turning right in certain situations to give way to oncoming vehicles turning left (reversing the current requirement);
- (d) to require the driver of a vehicle on a terminating road who is at a T-intersection to give way to a vehicle on the continuing road, including a vehicle turning right into the terminating road;
- (e) to provide that the rules for giving way to a driver not making

a turn or on a continuing road at a T-intersection prevail over the rule for giving way to a vehicle on the driver's right at an intersection;

- (f) to require a driver entering or exiting a driveway to give way to a road user on a cycle path or shared path (in addition to a footpath);
- (g) to require the driver of a vehicle exiting a driveway to give way to a vehicle on a roadway, including a vehicle turning right into the driveway;
- (h) to require that a school bus that is stopped to pick up or drop off school children must also be displaying a school bus sign in order for specified requirements to apply to a driver near the school bus;
- (i) to extend the requirements on a driver near a school bus to also apply when the bus is stopped and is displaying a specified school bus sign on which the lights are flashing;
- (j) to restrict the driver of a school bus to using the flashing lights only while the school bus is stopped to pick up or drop off school children and within 20 seconds before and 20 seconds after that;
- (k) to extend an exception to the prohibition on double-parking, and a right to use a hazard warning, to cover all small passenger service vehicles (not just taxis);
- (l) to require that if a medical certificate is produced to an enforcement officer to exempt a person from certain requirements for using a seatbelt or child restraint, and the certificate was issued on or after 1 October 2011, it must expire on or after the day on which it was required to be produced;
- (m) to exclude the driver of a bus from the requirement to ensure that a child under 5 years' old uses a child restraint on the bus;
- (n) to exclude certain requirements from applying to a driver when pedestrians and certain others are waiting to cross a pedestrian crossing but are behind a school patrol sign;
- (o) to make certain other minor changes or corrections.

Amendment 7

Following consultation on amendment proposals in *Land Transport Rule: Omnibus Amendment 2012*, the Rule was amended, with effect from 1 November 2012:

- (a) to change the definition of defence force emergency vehicle by adding the current name of the Force Protection Branch of the Royal New Zealand Air Force and by including medical response vehicles operated by the New Zealand Defence Force, so those vehicles can operate as emergency vehicles and have beacons and sirens fitted;
- (b) to replace, in the definition of moped, the reference to the repealed definition of moped in section 233(1) of the *Land Transport Act 1998* (the Act) with a reference to section 2(1) of the Act;
- (c) to clarify that the definition of motor vehicle includes “light rail vehicle” in Part 5 of the principal rule (not in Part 5 of the Act);
- (d) to change the definition of safety chain to remove uncertainty that has arisen about the meaning of the word “link” in paragraph (b) of the definition;
- (e) to clarify that pedestrians who have already entered a roadway in accordance with a green traffic signal may complete their crossing when a flashing red human figure is displayed;
- (f) to amend the definitions of continuing road, terminating road, and T-intersection to clarify the rules applying where a marked centre line extends through an intersection, and, conversely, where there is no centre line marked through the intersection;
- (g) to update vehicle standards incorporated by reference in the Rule.

Amendment 8

Following consultation on amendment proposals in *Land Transport Rule: Agricultural Vehicles Omnibus 2012*, the Rule was amended, with effect from 1 June 2013:

- (a) by removing the requirement for drivers and passengers of all-terrain vehicles to wear safety helmets if the all-terrain vehicle is fitted with a roll bar and each rider of the all-terrain vehicle is wearing a seatbelt;
- (b) by requiring agricultural vehicles to display and operate an amber beacon that is visible from the front and rear at distances of at least 100 metres.

Amendment 9

Following consultation on amendment proposals in *Land Transport (Road User) Amendment Rule (No 2) 2013*, the Rule was amended, with effect from 1 November 2013 by:

- (a) updating the definition of ‘approved’ by replacing a reference to the *Traffic Regulations 1976* (now mostly revoked) with a reference to the relevant Land Transport Rules;
- (b) inserting a definition of ‘child restraint’;
- (c) extending the mandatory use of child restraints from children under the age of 5 years to children under 7 years;
- (d) making a consequential amendment to retain the requirement that a 7-year-old passenger must be restrained in an approved child restraint, if one is available, or if an approved child restraint is not available, must be restrained by any child restraint or seatbelt that is available;
- (e) extending the exception from using a child restraint for medical reasons to children under 5 years;
- (f) removing the provision that currently allows the driver of a goods vehicle that has an unladen weight exceeding 2000 kg in which seatbelts are not available to carry a passenger under 5 years without the passenger being properly restrained by an appropriate, approved child restraint.

Amendment 10

The Rule was amended with effect from 1 January 2014 to make a change that was consulted on in *Land Transport Rule: Omnibus Amendment 2013*. The change enables 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.

Amendment 11

The Rule was amended with effect from 1 September 2017 to make changes 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. Consultation on this proposal was undertaken during the Select Committee stage of the Act. The principal rule was amended by Order in Council 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.