

Land Transport Rule: Regulatory Stewardship (Omnibus) Amendment 2018

Questions and answers

Updated 31 July 2018

What is Land Transport Rule: Regulatory Stewardship (Omnibus) Amendment 2018?

Land Transport Rule: Regulatory Stewardship (Omnibus) Amendment 2018 ('the Omnibus Amendment Rule') is a document prepared for public consultation that contains proposals to change requirements in a number of existing Land Transport Rules. Annual Omnibus Amendment Rules provide a means for consulting on relatively straightforward, small and discrete Rule changes that are mainly of a technical or editorial nature, or that originate, for example, from the need to reflect current industry best practice or changes to other legislation.

What is the legal basis for the Rule?

Sections 152 to 158 (inclusive) of the *Land Transport Act 1998* allow the Minister of Transport to make Land Transport Rules relating to a wide variety of issues, including those covered by the proposed Rule changes – road user behaviour, vehicles, driver and operator licensing and roads (traffic control devices).

Why has this Amendment Rule been drafted?

The Omnibus Amendment Rule allows us to consult on a range of relatively minor changes to several Land Transport Rules, all at once.

The changes are necessary for a range of reasons. These include:

- clarifying or modifying current requirements to support understanding and enforcement
- amending requirements or removing unnecessary or unintended requirements to reduce the burden of compliance (without lessening safety standards)
- amending requirements to be consistent with current practices and technology
- correcting errors in cross-references, descriptions and technical specifications in current Rules

Which Land Transport Rules do the proposed changes relate to?

Changes are proposed for the following Land Transport Rules:

- Land Transport Rule: Driver Licensing 1999
- Land Transport Rule: Fuel Consumption Information 2008
- Land Transport Rule: Heavy-vehicle Brakes 2006
- Land Transport Rule: Heavy Vehicles 2004
- Land Transport Rule: Light-vehicle Brakes 2002
- Land Transport Rule: Operator Licensing 2017
- Land Transport Rule: Passenger Service Vehicles 1999
- Land Transport Rule: Road User 2004
- Land Transport Rule: Setting of Speed Limits 2017
- Land Transport Rule: Traffic Control Devices 2004
- Land Transport Rule: Tyres and Wheels 2001
- Land Transport Rule: Vehicle Dimensions and Mass 2016
- Land Transport Rule: Vehicle Equipment 2004
- Land Transport Rule: Vehicle Lighting 2004
- Land Transport Rule: Vehicle Standards Compliance 2002

Why are the proposed changes in one Omnibus Amendment Rule rather than in separate ones?

The Omnibus Amendment Rule brings together proposed changes for 15 Land Transport Rules. It's more efficient to consult on the proposed changes in this way, instead of producing separate Amendment Rules. Following consultation, the provisions in the Omnibus Amendment Rule will be split into separate Amendment Rules for approval and publication.

What changes are being proposed?

The proposed changes to each Land Transport Rule are summarised in the Summary of proposals (the Overview) <https://www.nzta.govt.nz/assets/consultation/regulatory-stewardship-omnibus-amendment-2018/regulatory-stewardship-omnibus-amendment-2018-summary.pdf>

Making a submission

What is the consultation process for the proposed changes outlined in the Omnibus Amendment Rule?

The yellow draft consultation document has been released for comment. The opportunity to comment is being advertised in daily newspapers in the five main centres and in the *New Zealand Gazette*. Groups and individuals who have registered their interest in Land Transport Rules will be directly advised of the availability of the yellow draft for comment. They will be provided with a link to the consultation material on the Transport Agency's website and invited to make a submission.

How can I obtain a physical copy of the consultation document?

To obtain a physical copy of the consultation document or if you have any queries about it after reading the consultation material, telephone the Transport Agency Contact Centre on 0800 699 000.

Does the draft Amendment Rule give me all the information I need to fully understand what changes are proposed to the principal Rules?

This is an Amendment Rule, and, therefore, contains only the proposed amending provisions. The Overview in the consultation document provides information about the amendments and why they are being proposed. The draft Amendment Rule should be read in conjunction with the consolidated version of the principal Rule available on the Transport Agency's website.

The consultation material provides a link between the proposed amendments and the existing Rules on the Transport Agency website. This is intended to help put the proposed changes into context.

Where can I get a copy of the current Rules?

The Rules are available from selected bookshops that sell legislation. Most are available direct from the printers, Wickliffe New Zealand, PO Box 932, Dunedin 9054 (telephone 06 353 2700). The Driver Licensing and Road User Rules (and amendments) are available from Legislation Direct (telephone (04) 568 0005). Land Transport Rules are also available on the Transport Agency's website at www.nzta.govt.nz/resources/rules/about

How can I make a submission?

You can send your submission by email to rules@nzta.govt.nz and, if you wish, follow it up with a signed paper copy to:

Regulatory Stewardship (Omnibus) Amendment Rule
Rules Team
NZ Transport Agency
Private Bag 6995
WELLINGTON 6141

Alternatively, you can submit your comments on the online submission <https://www.nzta.govt.nz/about-us/consultations/land-transport-rule-regulatory-stewardship->



[omnibus-amendment-2018/making-a-submission/submission-form/](#) or post them to us at the above address.

Submissions close at 5pm on **Friday 24 August 2018**.

What will happen after the consultation process?

The submissions received during the consultation period will be analysed and taken into account in preparing the final drafts of the Amendment Rules. The final draft Rules will then be submitted to the Associate Minister of Transport for approval and signing.

Questions raised during consultation

Some correspondents seek further clarification on the proposed Rule changes to assist them to compose their submission.

Requests for further clarification on the Omnibus Amendment Rule and the respective Agency responses, are captured in the table to ensure all potential respondents can access this additional information.

Proposal	Request for clarification raised	Clarification
<p>24 - Allow for higher pressure inflation of heavy vehicle tyres if the manufacturer has specified a higher pressure</p> <p><i>Tyres and Wheels 2001, clauses 2.4(2) & 2.4(3)</i></p> <p>[See Omnibus Amendment 2018, clause 12.3]</p>	<p>Is this amendment as a result of the high productivity motor vehicles <i>higher mass</i> limits? What impact, (if any) is there on road surface degradation as a result of maximum inflation pressure from 825 kPa (120 psi) to 900 kPa (130.5 psi)?</p>	<p>The answer is no, the amendment was not raised as a result of HPMV. The main reasons for this proposed change and the impacts are:</p> <ol style="list-style-type: none"> 1. To allow for required (higher) inflation pressure to meet axle load requirements over the front axle of some trucks (i.e. there is an engine/transmission tare weight issue) – the weight over the front axle is determined by the factory-set vehicle cab-chassis design and the higher pressure is needed for some truck and tyre combinations. 2. Despite the requirement in the Rule, the vast majority of operators follow tyre manufacturer recommended inflation pressures anyway (for safety and fuel efficiency), so the impacts on the pavement surface are already happening. 3. There is no negative impact of subsurface pavement condition.