

## **Bylaw 2002/19 Bylaw Prescribing Traffic Lane for Use by a Timetabled Public Passenger Service Vehicle in Auckland**

Pursuant to section 61 (3) of the Transit New Zealand Act 1989, and section 72 (1) (j) of the Transport Act 1962, Transit New Zealand makes the following bylaw.

### **Bylaw**

1. This bylaw may be cited as the Transit New Zealand Bylaw 2002/19.
2. This bylaw shall come into force 28 days after its publication in the New Zealand Gazette.
3. In this bylaw, unless a contrary intention appears:
  - 3.1 "Accident" means an unintentional or unexpected act causing a vehicle to become immobile or practically immobile for the purposes of travelling safely on the motorway;
  - 3.2 "Breakdown" means an unexpected defect in the machinery of a vehicle causing that vehicle to become immobile or practically immobile for the purposes of travelling safely on the motorway;
  - 3.3 "Breakdown vehicle" has the same meaning as that phrase as defined in the Traffic Regulations 1976;
  - 3.4 "Bus Lane" means:
    - 3.4.1 That part of the shoulder of the motorway set out below:
      - (a) The bus lane on the southbound shoulder of the Auckland Northern Motorway section of State Highway No. 1 between the Greville Road southbound on-ramp and the Esmonde Road Interchange;
      - (b) the bus lane on the shoulder of the Esmonde Road southbound on-ramp and the Auckland Northern Motorway section of State Highway No. 1 between Esmonde Road southbound on-ramp and the Auckland Harbour Bridge;
      - (c) the bus lane on the southbound shoulder of the Auckland Northern Motorway section of State Highway No. 1 from a point approximately 150 metres south-east of the Shelly Beach Road Underpass to Fanshawe Street; and
      - (d) the bus lane on the south-eastbound shoulder of the Auckland North-western Motorway section of State Highway No. 16 between the Selwood Road southbound on-ramp and the Patiki Road off-ramp.

For avoidance of doubt, the bus lanes set out above in (a), (c) and (d) shall commence at the point marked by the traffic signs set out in Schedule B appended hereto and shall end at the point marked by the traffic signs set out in Schedule D appended hereto. The bus lanes set out above in (b) shall commence at the point marked by the traffic signs set out in Schedule H appended hereto and shall end at the point marked by the traffic signs set out in Schedule D appended hereto. The traffic signs set out in Schedule C appended hereto shall be displayed at intervals of not more than 400 metres along the extension of the respective bus lanes between the traffic signs set

out in Schedule B and Schedule D appended hereto. The traffic signs set out in Schedule J appended hereto shall be displayed at intervals of not more than 400 metres along the extension of the respective bus lanes between the traffic signs set out in Schedule H and Schedule D appended hereto. The traffic signs set out in Schedule A appended hereto shall, where practicable, be displayed approximately 100 metres before the commencement of the bus lane as marked by the signs shown in Schedule B and Schedule H.

3.4.2 That part of the Auckland Northern Motorway section of State Highway No. 1 comprising Lane 1 (outside or verge lane) from the Shelly Beach off-ramp near the southern abutment of the Auckland Harbour Bridge for a distance of approximately 600 metres until that lane merges with the general motorway at a point approximately 150 metres south-east of the Shelly Beach Road Underpass.

For avoidance of doubt, the bus lane described immediately above shall be defined by the signs set out in Schedules A to D appended hereto as required. In addition, other signs as set out in Schedules E to G appended hereto shall be placed over Lane 1 on the Auckland Harbour Bridge preceding the bus lane. The signs in Schedules E to G shall only be displayed during the hours described in paragraph 4 (a) of this bylaw or at other times where, due to emergency conditions, it is necessary in the interests of safety to restrict the use of the Lane 1 Bus Way as described above for bus use only.

- 3.5 "Motorway" has the same meaning as that phrase as defined in the Transit New Zealand Act 1989;
- 3.6 "Passenger service" has the same meaning as that phrase as defined in the Transport Services Licensing Act 1989;
- 3.7 "Enforcement Officer" has the same meaning as that phrase as defined in the Land Transport Act 1998;
- 3.8 "Public passenger service" means a passenger service used or available for use by the community at large and servicing the public without restriction or limitation to any particular class of the community;
- 3.9 "Shoulder" means that sealed area on the extreme left hand side of a motorway, such sealed area being physically defined on both sides by a continuous white line;
- 3.10 "Timetabled public passenger service" means a public passenger service, the routes, areas of operation, operating hours, fares and other details of which have been notified in compliance with section 48 of the Transport Services Licensing Act 1989 and such notified public passenger service has been registered pursuant to section 49 of that Act;
- 3.11 "Timetabled public passenger service vehicle" means a motor vehicle within the meaning of the Transport Act 1962 while it is used in fulfilling, conducting and performing a timetabled public passenger service;
- 3.12 "Use" has the same meaning as that phrase as defined in the Traffic Regulations 1976;
- 3.13 "Vehicle" has the same meaning as that phrase as defined in the Traffic Regulations 1976.

4. No person, being the driver of a vehicle or person in charge of a vehicle, shall use, drive, stop, stand or park that vehicle on or along any part of a bus lane whether that vehicle is attended or unattended:
- (a) between the hours of 6.30 a.m. and 9.30 a.m., Monday to Friday (inclusive) for those sections of bus lane described in paragraphs 3.4.1 (a), (b), (c) and (d), paragraph 3.4.2; and
  - (b) between the hours of 3.00 p.m. and 7.00 p.m., Monday to Friday (inclusive) for that section of bus lane described in paragraph 3.4.1 (b) of this bylaw unless:
    - 4.1 that person is driving or is in charge of a timetabled public passenger service vehicle and that vehicle is fulfilling a timetabled public passenger service at the time of travelling along the bus lane; or
    - 4.2 that person is driving or in charge of a vehicle which has suffered an accident or a breakdown on the motorway, such accident or breakdown occurring within 10 metres of any part of the bus lane and it is not reasonably practicable in the interests of road safety to use, stop, stand or park that vehicle in any other location while that vehicle is immobilised; or
    - 4.3 that person is driving or in charge of a breakdown vehicle which is required by an enforcement officer to attend to an accident or breakdown of a vehicle. Any reference in this bylaw to any Statute or Regulation is deemed to include all amendments and revisions made from time to time to that Statute or Regulation.

#### Revocation

Transit New Zealand Bylaw 2002/18 which was published in New Zealand Gazette, 1 August 2002, No. 90, page 2439, is hereby revoked.

This bylaw was made by resolution passed by the Transit New Zealand Authority at a meeting held in Wellington on 11 September 2002.

Dated at Wellington this 4th day of December 2002.

Signed on behalf of Transit New Zealand by:

J. H. VAN BARNEVELD, National Highway Manager, Transit New Zealand.

Schedule A



Schedule B



Schedule C



Schedule D



Schedule E



Schedule F



Schedule G



Schedule H



Schedule J



## **Amendment to Transit New Zealand Bylaw 2002/19: Bylaw Prescribing Traffic Lane for Use by a Timetabled Public Passenger Service Vehicle in Auckland**

Pursuant to section 61 (3) of the Transit New Zealand Act 1989 and section 72 (1) (j) of the Transport Act 1962, Transit New Zealand hereby amends the above bylaw as follows.

### **A m e n d m e n t**

1. This amendment shall come into force 28 days after its publication in the New Zealand Gazette.
2. In the Schedule after clause 3.4.2, insert:
  - 3.4.3 Buses shall be permitted to use the bus lane on the southbound shoulder of the Auckland Northern Motorway section of State Highway No. 1:
    - (a) between Greville Road southbound on-ramp and the Esmonde Road Interchange on weekdays between 3.00 p.m. and 7.00 p.m.; and
    - (b) from a point approximately 150 metres south-east of the Shelly Beach Road Underpass to Fanshawe Street on weekdays between 3.00 p.m. and 7.00 p.m.

This amendment is made by delegated authority from the Transit New Zealand Board.

Dated at Wellington this 21st day of June 2005.

Signed on behalf of Transit New Zealand by:

G. B. TAYLOR, Acting National Highway Manager, Transit New Zealand.