

Land Transport Rule Dangerous Goods

**Consolidated Rule
with amendments incorporated
as at
1 October 2016**

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 the transport of dangerous goods 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 Rule: Dangerous Goods 2005 (the Rule), which came into force on 27 June 2005, revoked and replaced *Land Transport Rule: Dangerous Goods 1999*, which came into force on 3 May 1999. The Rule set in place a workable regime whose objective was to enable dangerous goods to be transported safely and, thereby, minimise the risk to people, to property and to the environment. The changes to the 1999 Rule are mainly of a minor technical nature, but are intended to ensure that uniformity is maintained with international maritime and aviation codes for the transport of dangerous goods.

Amendment 1

Following public consultation, the Rule was amended with effect from 1 April 2010 to further align the Rule with international recommendations and local requirements relating to hazardous substances.

In seeking to meet its objective, the amendment Rule:

- takes account of the inclusion in the *United Nations Recommendations for the Transport of Dangerous Goods – Model Regulations* (UNRTDG) of provisions for substances that are toxic to the aquatic environment, resulting from the United Nations decision to promote a sustainable environment;
- ensures that the Dangerous Goods Rule is consistent with current requirements in the UNRTDG and the New Zealand *Hazardous Substances and New Organisms Act 1996*;
- includes provision for dangerous goods in excepted quantities as introduced in the 15th revised edition of the UNRTDG;
- clarifies or modifies existing provisions in the Dangerous Goods Rule for the purpose of aiding compliance.

Amendment 2

The Rule was further amended from 1 October 2011 to bring into effect amendment proposals consulted on in the *Land Transport Rule: Omnibus Amendment 2011*.

The changes in the amendment Rule were made:

- to distinguish between class labels on standard packages of dangerous goods and the new Dangerous Goods in Limited Quantities (DGLQ) mark on packages of DGLQ;
- to remove reference to *New Zealand Standard 5433 Transport of Dangerous Goods on Land* from a number of provisions of the Rule because packaging performance standards will be removed from the next edition and manufacturers of dangerous goods packaging in New Zealand prefer to use the United Nations Recommendations on the Transport of Dangerous Goods for these standards;
- to restructure *paragraph 3.2(6)(b)* for consistency with related provisions of the Rule;
- to rectify an omission from the Rule by extending the exception in *subclause 3.2(8)* that applies to the packaging of routine diagnostic specimens and low risk biological products to also apply to DGLQ, Small Packages and dangerous goods in excepted quantities;
- to rectify an omission by specifying that the DGLQ mark must be displayed on the outside of a unit load that includes DGLQ and to clarify the term 'markings' as used in *subclause 4.1(9)*;
- to add an exclusion to the placarding requirements for dangerous goods in excepted quantities to ensure that the requirements do not conflict with other provisions in the Rule;
- to add an explanatory note after *subclause 7.2(13)* to clarify the marking requirements for Intermediate Bulk Containers;
- to clarify the application of the dispensation from having a D (dangerous goods) endorsement for persons who drive a vehicle or vehicle combination that is transporting dangerous goods in excepted quantities or excepted packages of radioactive material;
- to add definitions of 'class label' and 'class placard';
- to clarify in *Schedule 1, Class 6.2* that portable toilets are classified as infectious substances, category B; and
- to update the proper shipping names of two Class 9 dangerous goods.

Amendment 3

The Rule was further amended from 1 October 2016 to bring into effect an amendment that enabled the introduction of increased penalties for breaches of prohibitions or restrictions relating to the transportation of dangerous goods on high-risk routes.

The changes in the amendment Rule:

- require a driver or operator of a vehicle carrying dangerous goods that is required to display placards to comply with signs which indicate a prohibition or restriction on the transport of dangerous goods imposed by a road controlling authority on a specified road by bylaw;
- require road controlling authorities to install signs indicating the existence of such a restriction.

