



Ministry of **Transport**

TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155(a) and (b) of the Land Transport Act 1998

I, **Steven Joyce**, Minister of Transport,

HEREBY make the following ordinary rule:

Land Transport Rule: Passenger Service Vehicles Amendment

SIGNED AT Wellington

This *1st* day of *APRIL* 2009

Steven Joyce
Minister of Transport

Land Transport Rule

Passenger Service Vehicles Amendment 2009

Rule 31001/4

ISSN 1173-1559

Published by:

NZ Transport Agency
Private Bag 6995
Wellington 6141
New Zealand

Email: info@nzta.govt.nz

Freephone: 0800 699 000



Printed and distributed by
Wickliffe Limited
PO Box 932, Dunedin, New Zealand

Land Transport Rule

Passenger Service Vehicles Amendment 2009

Rule 31001/4

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Objective of the Rule

Land Transport Rule: Passenger Service Vehicles Amendment 2009 amends *Land Transport Rule: Passenger Service Vehicles 1999* (the Rule), which specifies requirements for the design and construction of all passenger service vehicles in New Zealand.

The objectives of this amendment to *Land Transport Rule: Passenger Service Vehicles 1999* are:

- to allow small passenger service vehicles to retain ‘child safety locks’ provided that a sign, approved by the Agency, is displayed at the outer door handle;
- to correct the wording of the provision relating to seat spacing and include alternative requirements relating to backrests;
- to amend the dimension requirements for the passenger doors of stretch limousines and serial production vehicles;
- to relax the existing height requirement for the floor/door sill of a heavy stretch limousine;
- to specify that the aisle height in a stretch limousine must be equal to or greater than the height of the doorway(s) serviced by that aisle;
- to relax emergency exit requirements for stretch limousines; and
- to align the Rule with the definition of ‘chassis rating’ in *Land Transport Rule: Heavy Vehicles 2004*.

Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Passenger Service Vehicles 1999* and eleven other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2008* (the Omnibus Amendment Rule).

On 19 August 2008, the NZ Transport Agency (NZTA) sent details of the amendment proposals by letter or email to approximately 1500 groups and individuals who had registered an interest in the

Rules to be amended. The draft Omnibus Amendment Rule was made available through the NZTA Contact Centre and, together with Questions and Answers, was also available on the NZTA website. The availability of the draft for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*. The NZTA received 24 submissions on the draft Omnibus Amendment Rule, of which eight commented on the proposed requirements in this Rule.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into 12 separate amendment Rules, including this Rule. The submissions that were received were taken into account in drafting this amendment Rule before it was submitted to the Minister of Transport for signing.

Section 1 Application

- 1.1 Title**
- 1.1(1) This Rule is *Land Transport Rule: Passenger Service Vehicles Amendment 2009*.
- 1.1(2) This Rule amends *Land Transport Rule: Passenger Service Vehicles 1999*.
- 1.2 Date when Rule comes into force**
- This Rule comes into force on 7 May 2009.

Section 2 Amendments to Rule requirements

- 2.1 Clause 2.1 Doorways**
- 2.1(1) *Subclause 2.1(7)(a)* is amended by inserting “, 2.1(9), 2.1(10)” after “2.1(8)”.
- 2.1(2) *Clause 2.1* is amended by inserting the following subclauses:
- “2.1(9) There are no specific dimension requirements for the doorways of stretch limousines, but the doorways must allow easy entry and exit.
- “2.1(10) The minimum height of the doorway above the sill is 1650 mm for a passenger service vehicle that:
- “(a) is one of a series of identical vehicles produced in quantities of 1000 or more; and
- “(b) does not have more than 25 passenger seats; and
- “(c) is not allowed to carry standing passengers; and
- “(d) has a gross vehicle mass not exceeding 7000 kg.”

2.2 **Clause 2.2 Doors and their operation**

Clause 2.2 is amended by inserting the following subclause:

“2.2(8) Despite 2.2(1)(b), child safety locks do not need to be removed from, or permanently deactivated in, a small passenger service vehicle provided that a sign, approved by the Agency, is displayed at the outer door handle.”

2.3 **Clause 2.4 Heavy passenger service vehicles**

Subclause 2.4(5) is amended by substituting the words “Except for a stretch limousine, if the floor” for the words “If the floor”.

2.4 **Clause 3.4 Vehicles not allowed standing passengers**

2.4(1) *Subclause 3.4(3)* is amended by inserting “3.4(6) or” before “8.3(1)”.

2.4(2) *Clause 3.4* is amended by inserting the following subclause:

“3.4(6) In a stretch limousine, the aisle height must be equal to or greater than the height of the doorway(s) servicing that aisle.”

2.5 **Clause 4.1 Seating**

2.5(1) *Clause 4.1* is amended by substituting the following subclauses for *subclause 4.1(5)*:

“4.1(5) For non-reclinable seats, forward- or rearward-facing seats, which face in the same direction, must comply with the following:

- “(a) the seat spacing must be measured horizontally, immediately above the seat cushion, or 150 mm above the seat cushion and between:
 - “(i) the backrest of the seat and the rear of the seat, if any, immediately in front of it; or
 - “(ii) the backrest of the seat and the rear surface of the partitioning or protecting device, if any, in front of the seat; and
 - “(b) the seat spacing must be at least 650 mm.
- “4.1(5A) For reclinable seats, the seat spacing of forward- or rearward-facing seats, which face in the same direction, must be:
- “(a) at least 650 mm when measured:
 - “(i) with the seat in the upright position; and
 - “(ii) horizontally, immediately above the seat cushion, or 150 mm above the seat cushion; and
 - “(iii) between the backrest of the seat and the rear surface of the partitioning or protecting device, if any, in front of the seat; or
 - “(b) at least 650 mm when measured:
 - “(i) with the rear seat in the upright position and the front seat reclined to its maximum angle or by 30 degrees from the vertical, whichever is the smaller angle; and
 - “(ii) horizontally at the height of the rearmost point of the front seat; and
 - “(iii) between the backrest of the rear seat and the rear of the front seat; or
 - “(c) at least 660 mm when measured:

- “(i) horizontally, 610 mm above the floor; and
- “(ii) with the front seat reclined to the maximum angle and the rear seat in an upright position; and
- “(iii) between the backrest of the rear seat and the rear of the front seat; or
- “(d) at least 760 mm when measured:
 - “(i) with both the front and rear seat backrests in an upright position; and
 - “(ii) horizontally at the height of the rearmost point of the front seat; and
 - “(iii) between the backrest of the rear seat and the rear of the front seat.”

2.5(2) *Subclause 4.1(6)* is amended by inserting “or 4.1(5A)” after “4.1(5)”.

2.6 **Clause 5.5 Size of dedicated emergency exits**

Paragraph 5.5(1)(a) is amended by inserting the words “unless the vehicle is a stretch limousine” after the word “high”.

2.7 **Clause 9.1 Certificate of Loading**

Subclause 9.1(1) is amended by substituting the following paragraph for *paragraph (a)*:

- “(a) for a vehicle with more than nine seating positions, the maximum axle and/or axle-set masses if available;”.

2.8 **Clause 9.2 Deemed mass of occupants**

Subclause 9.2(3) is amended by substituting the words “Where specified on the Certificate of Loading, the axle rating(s)” for the words “The axle rating allowed in the Certificate of Loading”.

Section 3 **Amendments to definitions**

3.1 **Amendments to definitions**

3.1(1) *Part 2* is amended by inserting in the definition of ‘chassis rating’ the words “(if available)” after the word “loads”.

3.1(2) *Part 2* is amended by inserting the following definitions in the appropriate place:

“**Child safety lock** means a safety device installed during the manufacture of the vehicle to prevent a door from being opened from the inside of the vehicle.”

“**Small passenger service vehicle** means a vehicle, used or available for use in a passenger service for the carriage of passengers, that is designed or adapted to carry 12 or fewer persons (including the driver).”