



Ministry of **Transport**
TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

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

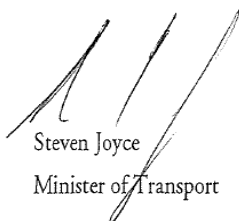
I, **Steven Joyce**, Minister of Transport,

HEREBY make the following ordinary rule:

Land Transport Rule: Passenger Service Vehicles Amendment

SIGNED AT Wellington

This *22nd* day of *February* 2010



Steven Joyce
Minister of Transport

Land Transport Rule
Passenger Service Vehicles Amendment 2010

Rule 31001/5

ISSN 1173-1559

Published by:

NZ Transport Agency
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Wellington 6141
New Zealand

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Printed and distributed by:

Wickliffe Limited

PO Box 932, Dunedin, New Zealand

Land Transport Rule

Passenger Service Vehicles Amendment 2010

Rule 31001/5

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Objective of the Rule

Land Transport Rule: Passenger Service Vehicles Amendment 2010 amends *Land Transport Rule: Passenger Service Vehicles 1999* (the Rule), which specifies the requirements for the design and construction of passenger service vehicles in New Zealand.

The objective is to amend the Rule to provide alternative standards to UN/ECE Regulations Nos 36 and 52 to enable imported new vehicles to be certified for compliance with the technical requirements in the Rule. The proposed amendment is necessary because Regulations Nos 36 and 52 have been cancelled by the UN and alternative standards have not yet been legally adopted by New Zealand.

Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Passenger Service Vehicles 1999* and eight other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2009* (the Omnibus Amendment Rule).

On 13 November 2009, the NZ Transport Agency sent details of the amendment proposals by letter or email to about 1800 groups and individuals who had registered an interest in the Rules to be amended. The draft Omnibus Amendment Rule was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also available on the NZ Transport Agency website. The availability of the draft for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin, selected regional daily newspapers and in the *New Zealand Gazette*.

The NZ Transport Agency received 257 submissions on the draft Omnibus Amendment

Rule, of which eight commented on the proposed requirements in this amendment Rule.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into nine 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 2010*.

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 1 April 2010.

Section 2 Amendments relating to passenger service vehicles

2.1 Scope of the Rule

Subclause 1.2(2) is amended by substituting the following paragraph for *paragraph 1.2(2)(c)*:

- “(c) on or after 1 September 1999 must comply, according to the vehicle class, with either:
- “(i) all requirements of this Rule; or
 - “(ii) all the requirements of *UN/ECE Regulation No. 36* and *UN/ECE Regulation No. 66*, or *UN/ECE Regulation 52*, whichever is relevant to the vehicle and whichever version is in force at the time when the vehicle enters service as a passenger service vehicle in New Zealand, and with *sections 1, 6, 8, 9 and 10*, and *7.1, 7.2, 7.3 and 7.4* of this Rule; or
 - “(iii) all the requirements of *UN/ECE Regulation No. 107* and *UN/ECE Regulation No. 66*, or *Directive 2001/85/EC*, whichever is relevant to the vehicle and whichever version is in force at the time when the vehicle enters service as a passenger service vehicle in New Zealand, and

with sections 1, 6, 8, 9 and 10, and 7.1, 7.2, 7.3 and 7.4 of this Rule.”

2.2 Entry and exit steps and ramps

2.2(1) Subclause 2.3(4) is amended by inserting “or *UNECE Regulation No. 107* or *Directive 2001/85/EC*” after “*UNECE Regulation No. 52*”.

2.2(2) Subclause 2.4(5)(d) is amended by inserting “or *UNECE Regulation No. 107* or *Directive 2001/85/EC*” after “*UNECE Regulation No. 36*”.

Section 3 Amendments to Schedule

3.1 Amendments to Schedule

The *Schedule* in *Part 3* is amended by inserting the following items after item 14:

- (a) “*UNECE Regulation No. 107, 02 Series of Amendments (UNECE Regulation No. 107, Uniform provisions concerning the approval of categories M2 or M3 Vehicles with regard to their general construction (E/ECE324-E/ECE/TRANS/505/Rev.2/Add 106/Rev.1/Amend 1)*”;
- (b) “*Directive 2001/85/EC of the European Parliament and of the Council of 20 November 2001 relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver’s seat, and amending Directives 70/156/EEC and 97/27/EC*”.