



WELLINGTON, NEW ZEALAND

PURSUANT to *sections 152 and 155(a) and (b)* of the Land Transport Act 1998, and after having had regard to the criteria specified in *section 164(2)* of that Act

I, Julie Anne Genter, Associate Minister of Transport,

make the following ordinary Rule:

Land Transport Rule: Passenger Service Vehicles Amendment 2019

SIGNED AT Wellington

This 10th day of April 2019

Hon Julie Anne Genter

Associate Minister of Transport

Land Transport Rule
Passenger Service Vehicles Amendment 2019
Rule 31001/1999/9

Land Transport Rule
Passenger Service Vehicles Amendment 2019
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Objective of the Rule

Land Transport Rule: Passenger Service Vehicles Amendment 2019 (the amendment Rule) amends *Land Transport Rule: Passenger Service Vehicles 1999* (the Passenger Service Vehicles Rule). The Passenger Service Vehicles Rule specifies the legal requirements for the design and construction of all passenger service vehicles in New Zealand.

The objectives of the amendment Rule are to—

- update a cross-reference in *clause 1.6(a)* to refer to *clause 6.1* of *Land Transport Rule: Operator Licensing 2017* rather than its equivalent clause in *Land Transport Rule: Operator Licensing 2007*;
- allow for a modesty screen between a seat and a stairwell in a heavy passenger service vehicle to have a small gap at the base of the screen, provided that the gap could not create a hazard;
- provide that two seats facing each other do not have to comply with *clause 4.1(8)(b)* of the Rule (relating to footroom) if the seating position complies with the standard *UN/ECE 107*;
- allow for the front passenger seat windows to open wider than 125mm if that seat is alongside the driver's seat in a heavy passenger service vehicle;
- update the definition of **low volume vehicle** to align with all other Land Transport Rules.

Extent of consultation

For the purposes of consultation, amendments proposed to the Passenger Service Vehicles Rule and 14 other Land Transport Rules were combined into a single Rule, *Land Transport Rule: Regulatory Stewardship (Omnibus) Amendment 2018* (the Omnibus Amendment Rule). Following consultation, the provisions in the Omnibus Amendment Rule were split into separate amendment Rules.

The NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 2544 groups and individuals who had registered an interest in the Rules to be amended. The 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's website. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin. It was also notified in the *New Zealand Gazette* on 23 July 2018.

The NZ Transport Agency received 41 submissions on the Omnibus Amendment Rule, of which 12 commented on the proposed amendments to the Passenger Service Vehicles Rule.

The submissions received were taken into account in finalising the draft Rule following which it was submitted to the Associate Minister of Transport for signing.

Part 1

Rule requirements

Section 1 Preliminary provisions

1.1 Title

This Rule is *Land Transport Rule: Passenger Service Vehicles Amendment 2019*.

1.2 Commencement

This Rule comes into force on 1 June 2019.

1.3 Principal Rule amended

This Rule amends *Land Transport Rule: Passenger Service Vehicles 1999*.

Section 2 Amendments to principal Rule

2.1 Clause 1.6 amended (Exceptions)

In *clause 1.6(a)*, replace “*section 12 of Land Transport Rule: Operator Licensing 2007*” with “*clause 6.1 of Land Transport Rule: Operator Licensing 2017*”.

2.2 Clause 2.4 amended (Additional provisions for heavy passenger service vehicles)

In *clause 2.4(5)(b)*, after “nearby stairwell or ramp”, insert “in such a way as to create a hazard”.

2.3 Clause 4.1 amended (Passenger seats)

After *clause 4.1(8)*, insert:

4.1(8A) A passenger seating position that complies with *UN/ECE Regulation No. 107* does not have to comply with *4.1(8)(b)*.

2.4 Clause 6.15 amended (Additional provisions for heavy passenger service vehicles)

2.4(1) In *clause 6.15(2)(a)*, delete “, if there is a seat other than the driver’s seat next to that window”.

2.4(2) After *clause 6.15(2)*, insert:

6.15(2A) *6.15(2)* does not apply to a window next to—

(a) the driver; or

- (b) a passenger seating position alongside and to the left of the driver.

2.5

Part 2 amended (Definitions)

In *Part 2*, replace the definition of **Low volume vehicle** with:

Low volume vehicle means a make and model of a vehicle, of a class specified in *Table A: Vehicle classes* in *Part 2* of *Land Transport Rule: Vehicle Standards Compliance 2002*, other than Class MD3, MD4, ME, NB, NC, TC, or TD, that is:

- (a) manufactured, assembled, or scratch-built in quantities of 500 or less in any one year, and where the construction of the vehicle may directly or indirectly affect compliance of the vehicle with any of the vehicle standards prescribed by New Zealand law; or
- (b) modified uniquely, or in quantities of 500 or less in any one year, in such a way that compliance of the vehicle, its structure, systems, components, or equipment with a legal requirement relating to safety performance applicable at the time of the modification may be affected