

Date	January 2011
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No. of pages	3

Land Transport (Road User) Rule 2004 – Information

Purpose

This traffic note is revised to inform readers of amendments to the Land Transport (Road User) Rule 2004 (the Road User Rule) and to provide an outline of the contents of these amendments.

Access to the rule

The Road User Rule can be found at

<http://www.nzta.govt.nz/resources/rules/road-user-2004-index.html>

That webpage provides access to the original 2004 rule and each of the subsequent amendments (the URL for each of these is shown in the text below) but also provides access to a 'consolidation' where the original rule has all amendments incorporated. Every effort is made to update the consolidation as quickly as possible after an amendment is promulgated. Careful note, however, should be made of the opening statement in the consolidation to ensure the most recent amendment is included.

2009 amendments

The Land Transport (Road User) Rule 2004 (the rule) was amended by the Land Transport (Road User) Amendment Rule 2009 with effect from 1 November 2009 and the Land Transport (Road User) Amendment Rule (No 2) 2009 with effect from 11 December 2009. These were the changes (in the first amendment rule unless stated otherwise):

- add definitions for: **child safety lock, daytime running lamp, large passenger service vehicle, mobile phone, safety chain, small passenger service vehicle, special signal for pedestrians and towing connection**
- replace the definition of: **headlamp** as it relates to cycles (now only to be visible for at least 100 metres when illuminated)
- replace the definition of **motor vehicle** so that it includes light rail vehicles in relation to speed limits
- clarify that drivers of other types of vehicles must cross a special vehicle lane within 50 metres
- allow cyclists to turn right at intersections by doing a hook turn (i.e. keeping to the left side of the roadway) unless there are signs prohibiting this manoeuvre
- allow a road controlling authority (RCA) to authorise moped and motorcycle riders to deliver newspaper, postal or other printed material to letterboxes by riding on a footpath
- clarify that the rules and rights of riders of mobility devices and wheeled recreational devices at traffic signals are the same as those of pedestrians
- allow cyclists not to use arm signals at roundabouts if this is not practical

- clarify that drivers must give way at one-way give way signs to vehicles on one-way roads
- limit the speed at which a motor car, ute, etc can be towed by means of a tow rope to a maximum of 50km/h
- clarify that, unless the RCA has indicated by signs or markings or bylaw that a different rule applies, drivers should park vehicles on the road margin but only if they do not damage ornamental grass plots, shrubs or flower beds laid out or planted there
- clarify that buses can stop at bus stops
- clarify that RCAs must indicate stopping places and stands for particular classes of vehicles by appropriate traffic signs, and must mark these areas by appropriate lines on the roadway if it is practicable to do so
- prohibit the use of handheld mobile phones by drivers while driving except in genuine emergencies (the 2009 No 2 Amendment Rule clarifies that prohibited mobile phone use includes telephone calls, text messages, emails, video messages or any other method of communication or use)
- clarify that safety belts must be worn correctly so as to restrain a passenger sitting in a seat
- clarify that bus drivers are not responsible for ensuring that most passengers wear safety belts
- clarify that if a light trailer is fitted with a safety chain, the safety chain must be connected to the towing vehicle before the tow commences
- clarify the requirements relating to child safety locks in taxis
- require moped and motorcycle riders to have their headlamps on during daylight hours
- allow customs, fisheries and marine reserve officers to display blue beacons when, as part of their statutory powers, they require other drivers to stop
- remove the need for buses to stop at those railway level crossings which are controlled by traffic signals when there are no steady red or flashing red lights showing
- require drivers to give way to pedestrians who are obviously waiting to cross a pedestrian (zebra) crossing
- clarify the responsibilities of pedestrians, mobility device riders, wheeled recreational device riders and cyclists when using shared paths (not being part of a roadway).

The Land Transport (Road User) Amendment Rule 2009 and Amendment Rule (No 2) are available at:

<http://www.nzta.govt.nz/resources/rules/docs/road-user-amendment-2009.pdf>

<http://www.nzta.govt.nz/resources/rules/docs/road-user-amendment-2009-2.pdf>

2008 amendments

The Land Transport (Road User) Rule 2004 (the rule) was amended by the Land Transport (Road User) Amendment Rule (No 2) 2007 with effect from 17 January 2008. These were the changes:

- Add definitions for: **approved disabled person's parking permit** and **territorial authority**.
- Clarify that, in an emergency, emergency service vehicles may use special vehicle lanes.
- Prohibit unauthorised parking in bays marked for disabled persons.
- Require drivers towing trailers fitted with position lamps to display those lamps during the hours of darkness.

The Land Transport (Road User) Amendment Rule (No 2) 2007 is available at:

<http://www.nzta.govt.nz/resources/rules/docs/road-user-amendment-2007-2.pdf>

2007 amendments

The rule was amended by the Land Transport (Road User) Amendment Rule 2007 with effect from 1 October 2007. The changes were as follows:

- A definition for **service brake** has been added and the definition of **stop lamp** has been amended.
- Clause 4.2 **Giving way where vehicles are controlled by same type of sign or in absence of signs** has been amended (in subclause 1) so that it applies to locations other than at intersections (such as when a driver makes a u-turn or turns left or right at any location).
Subclause 2 has been replaced by new subclauses 2 and 2A which clarify the rules for drivers when turning or changing lanes to give way to vehicles which are not turning; and for left turning drivers to give way to right turning vehicles coming from the opposing direction.
- The use of dipped headlamps [subclause 8.5(2)] and park lights [subclause 8.7(3)] have been clarified.

The Land Transport (Road User) Amendment Rule 2007 is available at:

<http://www.nzta.govt.nz/resources/rules/docs/road-user-amendment-2007.pdf>

2005 amendments

The rule was amended by the Land Transport Amendment Act 2005 with effect from 21 June 2005 and by the Land Transport (Road User) Amendment Rule 2005 with effect from 15 September 2005.

These amendments to the rule primarily affected definitions including:

- **bus lane** and **transit lane** to provide for use by mopeds
- **mobility device** to provide for the Director of Land Transport (Director) to declare a device as mobility device
- **motor vehicle** to exclude mobility devices and provide for the Director to exclude a vehicle from the definition of motor vehicle
- **power assisted cycle** and **wheeled recreational device** to raise the combined power output of any motor or motors from 200 W to 300 W.

The Land Transport (Road User) Amendment Rule 2005 is available at:

<http://www.nzta.govt.nz/resources/rules/docs/road-user-amendment-2005.pdf>

Land Transport (Road User) Rule 2004

The rule defines the responsibilities of all road users including pedestrians and drivers or riders of all types of vehicles, ranging from heavy trucks to skateboards and mobility scooters. More information and a summary of provisions within the Road User Rule is available at:

<http://www.nzta.govt.nz/resources/rules/docs/road-user-2004.pdf>

Printed versions are available to the general public and to one-off purchasers from booksellers that stock legislation.

For authorised retail stockists and rule subscribers, an order form is available from Wickliffe Limited. If you would like to register your interest in having a standing order for rules, contact:

Wickliffe Help Desk: freephone 0800 226 440. Orders: fax 0800 802 126.

The rule is supported by the Land Transport Rule: Traffic Control Devices 2004. For more information on that rule see *Traffic note 36*.