2009/290

Land Transport (Offences and Penalties) Amendment Regulations 2009

Rt Hon Sir Peter Blanchard, Administrator of the Government

Order in Council

At Wellington this 28th day of September 2009

Present:
His Excellency the Administrator of the Government in Council

Pursuant to section 167 of the Land Transport Act 1998, His Excellency the Administrator of the Government, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Regulations

1 Title

These regulations are the Land Transport (Offences and Penalties) Amendment Regulations 2009.

2 Commencement

These regulations come into force on 1 November 2009.

3 Principal regulations amended

These regulations amend the Land Transport (Offences and Penalties) Regulations 1999.

4 Schedule 1 amended

Schedule 1 is amended in the manner set out in Schedule 1 of these regulations.

5 Schedule 2 amended

Schedule 2 is amended in the manner set out in Schedule 2 of these regulations.

Schedule 1 r 4
Amendments to Schedule 1

Amendments to items under heading *Land Transport (Road User) Rule 2004 (61001)*

3.2(1)(b)(ii): insert ", riders of mobility devices, and riders of wheeled recreational devices" after "pedestrians".

Amendments to items under heading *Land Transport (Road User) Rule 2004 (61001)*—*continued*

After 3.2(1)(c), insert:

3.2(2)	Pedestrian, rider of mobility device, or rider of wheeled recreational device proceeds across roadway when special signal is red	10	—	—	—

3.2(4)(b): insert ", rider of mobility device, or rider of wheeled recreational device" after "Pedestrian".

3.2(5)(b): insert ", rider of mobility device, or rider of wheeled recreational device" after "Pedestrian".

3.3(1)(b): insert ", rider of mobility device, or rider of wheeled recreational device" after "Pedestrian".

3.3(2)(b): insert ", rider of mobility device, or rider of wheeled recreational device" after "Pedestrian".

3.3(3)(b): insert ", rider of mobility device, or rider of wheeled recreational device" after "Pedestrian".

After 4.1(2), insert:

4.1(3)	Driver fails to give way at give-way sign controlling a one-way section of road	1,000	—	100	—

5.4(1): add ", using a rigid towing connection, vehicle other than a motorcycle or all terrain vehicle".

After 5.4(1), insert:

5.4(2)	Driver exceeds 50 km/h when towing, using a non-rigid towing connection, vehicle other than a motorcycle or all terrain vehicle	1,000	—	as per scale set out in Schedule 1B	—

5.4(3): omit "Driver of cycle, moped, motorcycle, or all terrain vehicle exceeds 40 km/h when towing" and substitute "Driver exceeds 30 km/h when towing mechanically disabled motorcycle or all terrain vehicle".

5.4(4): omit "exceeds 30 km/h when towing mechanically disabled motorcycle or all terrain vehicle" and substitute "of vehicle other

Amendments to items under heading *Land Transport (Road User) Rule 2004 (61001)*—*continued*

than cycle, moped, motorcycle, or all terrain vehicle exceeds 90 km/h when towing trailer".

After 5.4(4), insert

5.4(5)	Driver of cycle, moped, motorcycle, or all terrain vehicle exceeds 40 km/h when towing trailer	1,000	—	as per scale set out in Schedule 1B	—

5.5(2): omit "50% of permitted speed" and substitute "45 km/h".

After 7.3(5), insert:

7.3A	Driver uses mobile phone while driving a vehicle	1,000	—	80	—

7.10: add "and keep it fastened".

After 7.22, insert:

7.23(2)	Driver drives small passenger service vehicle without displaying approved sign about child safety locks	2,000	10,000	400	2,000
7.23(3)	Driver drives small passenger service vehicle with child safety lock operated without request	2,000	10,000	400	2,000

After 8.3(4), insert:

8.3(5)	Driver of a moped or motorcycle manufactured on or after 1 January 1980 fails to use headlamps or daytime running lamps at times other than hours of darkness	1,000	—	100	—

Amendments to items under heading *Land Transport (Road User) Rule 2004 (61001)*—*continued*

11.1(6): add "or a moped or motorcycle permitted to use the footpath".

After 11.1(6), insert:

11.1A(2)	Person uses a shared path without care or consideration or in a hazardous manner	35	—	—	—
11.1A(3)	Rider of cycle, mobility device, or wheeled recreational device operates cycle or device on a shared path at a hazardous speed	1,000	—	100	—
11.1A(4)	Failure to give priority on a shared path	35	—	—	—

Amendments to items under heading *Operator Licensing 2007 (81001)*

2.6: omit "2.6" and substitute "2.6(1)".

2.6(1): insert "and any associated transport service licence card" after "licence".

After 2.6(1), insert:

2.6(2)	Failure to surrender a transport service licence card on demand to an enforcement officer	2,000	10,000	400	2,000
2.8	Use special interest vehicle in a transport service	2,000	10,000	400	2,000

3.2(1): insert ", except for an ambulance operated by an ambulance service," after "vehicle".

After 3.5(7), insert:

4.1(2)	Holder of a passenger service licence operating a taxi service without being a member of an approved taxi organisation	2,000	10,000	400	2,000

Amendments to items under heading *Operator Licensing 2007 (81001)*—*continued*

4.2(2): omit "number in specified manner on outside of taxi" and substitute "card in prescribed manner on taxi".

5.2(2): omit "number is displayed in specified manner on outside of shuttle" and substitute "card is displayed in prescribed manner on shuttle".

6.1(4): omit "pre-booked" and substitute "booked in advance".

10.1(2): omit "specified information is displayed on outside of vehicle" and substitute "transport service licence card is displayed in prescribed manner on vehicle".

11.1(1): omit "11.1(1)" and substitute "11.1".

11.1: omit "specified information is displayed on outside of front doors of vehicle" and substitute "transport service licence card is displayed in prescribed manner on vehicle".

11.2(1): omit "specified information is displayed on outside of vehicle" and substitute "transport service licence card is displayed in prescribed manner on vehicle".

Schedule 2 r 5
Amendments to Schedule 2

Amendments to item 2. Land Transport (Road User) Rule 2004 (61001)

After 4.1(2), insert:

4.1(3)	Driver fails to give way at give-way sign controlling a one-way section of road	25

After 7.1(2), insert:

7.3A	Driver uses mobile phone while driving a vehicle	20

Michael Webster,
for Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations update land transport offences, penalties, and demerit points as a consequence of the Land Transport (Road User) Amendment Rule 2009 and the Land Transport Rule: Operator Licensing Amendment Rule 2008. The regulations come into force on 1 November 2009.

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These regulations are administered by the Ministry of Transport.

Wellington, New Zealand:
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