Land Transport (Offences and Penalties) Amendment Regulations 2010

Anand Satyanand, Governor-General

Order in Council

At Wellington this 1st day of March 2010

Present:
His Excellency the Governor-General in Council

Pursuant to section 167 of the Land Transport Act 1998, His Excellency the Governor-General, 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 2010.

2 Commencement

These regulations come into force on 1 April 2010.

3 Principal regulations amended

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

4 Certain proceedings not permitted

(1) Regulation 4A(b) is amended by omitting "rule." and substituting "rule:".

(2) Regulation 4A is amended by adding the following paragraph:

"(c) clause 3.1 or 4.1 of Land Transport Rule: Traction Engines 2010 if that person is, with respect to the same facts, being proceeded against for a breach of section 31(1)(a) or (c) of the Act."

5 Schedule 1 amended

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

Schedule

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Amendments to Schedule 1

New items inserted under heading *Land Transport Act 1998*

Insert after the item relating to 31(1)(b):

36B(1)(a)	Person uses traction engine in a public place without appropriate qualification	−	−	400	−
36B(1)(c)	Person uses traction engine in public place without displaying current certificate of inspection	−	−	200	200

New items inserted under heading *Dangerous Goods 2005 (45001/1)*

Insert after the item relating to 10.4(d)(ii):

10.4(da)	Driver or operator of road vehicle transporting dangerous goods must ensure driver is supervised by a person who holds a current dangerous goods endorsement on his or her driver licence	1,000	1,000	400	400

Insert after the item relating to 10.6:

10.7(a)	Supervisor must hold a current dangerous goods endorsement on supervisor's driver licence	1,000	1,000	400	400
10.7(b)	Supervisor must ensure driver complies with responsibilities	2,500	10,000	500	1,000

Items omitted under heading *Operator Licensing 2007 (81001)*

Item relating to 2.4(1): omit.

Item relating to 2.4(3): omit.

Item relating to 2.4(4): omit.

New item inserted under heading *Steering Systems 2001 (32003/1)*

Insert after the item relating to 4.5:

4.6	Responsibilities in relation to declarations	2,000	2,000	−	−

New heading and items inserted

Insert above the heading *Traffic Control Devices 2004 (54002)*:

Traction Engines 2010 (63001)

3.1	Engine driver or steerer of traction engine in public place fails to hold class 1 full driver licence	1,000	−	400	−

New heading and items inserted—*continued*

4.1	User of traction engine in public place fails to carry and produce appropriate driver licence on demand by enforcement officer	1,000	−	55	−
4.1	User of traction engine in public place fails to carry and produce copy of prescribed qualification on demand by enforcement officer	1,000	−	55	−

Rebecca Kitteridge,
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, which come into force on 1 April 2010, amend the Land Transport (Offences and Penalties) Regulations 1999. The amendments specify new penalties with respect to section 36B of the Land Transport Act 1998, and various provisions in Land Transport Rule: Dangerous Goods 2005, Land Transport Rule: Operator Licensing 2007, Land Transport Rule: Steering Systems 2001, and Land Transport Rule: Traction Engines 2010.

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These regulations are administered by the Ministry of Transport.

Wellington, New Zealand:
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