

DRAFT

Land Transport Rule Traction Engines [2008]

Rule 63001

Draft for public comment

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*This is the yellow (public consultation) draft of **Land Transport Rule: Traction Engines [2008]** (Rule 63001). If you wish to comment on this draft Rule, please see the page headed 'Making a submission'. The deadline for submissions is **23 May 2008**.*

Land Transport Rule

Traction Engines [2008]

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Part 1 Rule requirements

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Traction Engines [2008]*.

1.2 Date when Rule comes into force

This Rule comes into force on [Date].

1.3 Scope of Rule

This Rule applies to traction engines operated in a public place.

Section 2 General responsibilities

2.1 General responsibilities

Every person who uses a traction engine in a public place, or causes or permits a traction engine to be used in a public place (whether or not that person is present), must ensure compliance with this Rule.

Section 3 Person in charge of traction engine

3.1 Licence and qualifications

There must, at all times, be a person in charge of a traction engine who has:

- (a) a full Class 1 New Zealand driver licence;¹ and
- (b) an approved engine driver or steerer qualification.

¹ Note: Clause 88 of *Land Transport (Driver Licensing) Rule 1999* provides that a person with a valid and current overseas driver licence is deemed to hold an equivalent class of New Zealand driver licence, and may drive on the overseas licence until:

- (a) the person has been in New Zealand for a continuous period of 12 months;
- (b) the overseas licence expires, is suspended or is revoked;
- (c) the holder is disqualified from driving in New Zealand or overseas; or
- (d) the person obtains a New Zealand driver licence of any class.

3.2 Engine driver or steerer may be in charge of a traction engine

To avoid doubt, the engine driver or the steerer may be the person in charge of a traction engine.

Section 4 Vehicle in motion or under power

4.1 Licence and qualifications

When a traction engine is in motion or under power:

- (a) the engine driver must hold a full New Zealand Class 1 driver licence and an approved engine driver qualification; and
- (b) the steerer must hold a full New Zealand Class 1 driver licence and an approved steerer qualification.

4.2 Person under supervision

Despite 4.1, a person who holds a New Zealand driver licence (of any class) may drive or steer a traction engine if he or she is supervised by a person who holds:

- (a) a full New Zealand Class 1 driver licence; and
- (b) an approved engine driver qualification; and
- (c) an approved steerer qualification,

provided that not more than one person may be supervised on any traction engine at any given time.

Section 5 Production of licence, qualification(s)

5.1 Production of licence, qualification(s)

Every person who uses a traction engine must:

- (a) carry the licence, and a copy of the qualification(s), prescribed in this Rule; and
- (b) produce them, on demand, to an enforcement officer.

Section 6 Inspection requirements

- 6.1 Inspection requirements**
- 6.1(1) Every traction engine must:
- (a) be fit for purpose; and
 - (b) have a valid certificate of inspection of a traction engine's pressure equipment issued, within the previous two years, in accordance with the *Health and Safety in Employment (Pressure Equipment, Cranes, and Passenger Ropeways) Regulations 1999*.
- 6.1(2) A copy of the certificate of inspection must be prominently displayed on the vehicle.
- 6.1(3) The inspection body that issues the certificate must, within 14 days of issue, send a copy of that certificate to the Director.

Part 2 Definitions

Act means the *Land Transport Act 1998*.

Approved engine driver qualification

means:

- (a) NZQA unit standard 21754, 21755 relating to steam driven vehicles, or an equivalent unit standard; or
- (b) a qualification issued, or certificate of competency granted, under the *Boilers, Lifts, and Cranes Act 1950* that:
 - (i) was current immediately before 16 January 2006; and
 - (ii) allowed the holder to fire or operate a traction engine's pressure equipment; or
- (c) an equivalent foreign qualification recognised in writing by the Director.

Approved steerer qualification

means:

- (a) NZQA unit standard 11157 relating to steam driven vehicles, or an equivalent unit standard; or
- (b) a qualification issued, or certificate of competency granted, under the *Boilers, Lifts, and Cranes Act 1950* that:
 - (i) was current immediately before 16 January 2006; and
 - (ii) allowed the holder to steer a traction engine; or
- (c) an equivalent foreign qualification recognised in writing by the Director.

Director means the Director of Land Transport appointed under *section 186* of the Act.

Engine driver

means any person who:

- (a) fires or operates a traction engine's pressure equipment;
- (b) manages a traction engine's steam pressure levels.

- Heavy vehicle** means a vehicle that is either:
- (a) of Class MD3, MD4, ME, NB, NC, TC or TD; or
 - (b) a vehicle (not of a class specified in *Table A: Vehicle classes*) with a gross vehicle mass that exceeds 3500 kg.
- NZQA** means the New Zealand Qualifications Authority.
- Public place** means:
- (a) a place that is open to, or is being used by, the public, whether or not there is a charge for admission; and
 - (b) includes a road or any part of a public place.
- Rail vehicle**
- (a) means any vehicle that runs on, or uses, a railway line; and
 - (b) includes:
 - (i) a locomotive, rail carriage, rail wagon, railcar, light rail vehicle, rail maintenance vehicle (whether or not self-propelled), and any other vehicle prescribed as a rail vehicle by regulations; and
 - (ii) a vehicle designed to operate both on rails and off rails, but only when that vehicle is running on rails.
- Steam vehicle** means a vehicle propelled by steam power that is not a rail vehicle.
- Steerer** means a person who steers or directs a traction engine.
- Traction engine** means a steam vehicle that is:
- (a) not designed for the carriage of goods, or persons other than persons involved in its operation; or
 - (b) a heavy vehicle that is:
 - (i) designed for the carriage of goods, or persons not involved in its operation; but
 - (ii) not designed to exceed 30 km/h.

Table A Vehicle classes

Class	Description
AA (Pedal cycle)	A vehicle designed to be propelled through a mechanism solely by human power.
AB (Power-assisted pedal cycle)	A pedal cycle to which is attached one or more auxiliary propulsion motors having a combined maximum power output not exceeding 200 watts.
LA (Moped with two wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: (a) has two wheels; and (b) either: (i) has an engine cylinder capacity not exceeding 50 ml and a maximum speed not exceeding 50 km/h; or (ii) has a power source other than a piston engine and a maximum speed not exceeding 50 km/h.
LB (Moped with three wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: (a) has three wheels; and (b) either: (i) has an engine cylinder capacity not exceeding 50 ml and a maximum speed not exceeding 50 km/h; or (ii) has a power source other than a piston engine and a maximum speed not exceeding 50 km/h.
LB 1	A Class LB motor vehicle that has one wheel at the front and two wheels at the rear.
LB 2	A Class LB motor vehicle that has two wheels at the front and one wheel at the rear.
LC (Motor cycle)	A motor vehicle that: (a) has two wheels; and (b) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
LD (Motor cycle and side-car)	A motor vehicle that: (a) has three wheels asymmetrically arranged in relation to the longitudinal median axis; and (b) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.

Table A Vehicle classes (continued)

Side-car	A car, box, or other receptacle attached to the side of a motor cycle and supported by a wheel.
LE (Motor tri-cycle)	A motor vehicle that: (a) has three wheels symmetrically arranged in relation to the longitudinal median axis; and (b) has a gross vehicle mass not exceeding one tonne; and (c) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
LE 1	A Class LE motor vehicle that has one wheel at the front and two wheels at the rear.
LE 2	A Class LE motor vehicle that has two wheels at the front and one wheel at the rear.
Passenger vehicle	A motor vehicle that: (a) is constructed primarily for the carriage of passengers; and (b) either: (i) has at least four wheels; or (ii) has three wheels and a gross vehicle mass exceeding one tonne.
MA (Passenger car)	A passenger vehicle (other than a Class MB or Class MC vehicle) that has not more than nine seating positions (including the driver's seating position).

Table A Vehicle classes (continued)

Class	Description
MB (Forward control passenger vehicle)	A passenger vehicle (other than a Class MC vehicle): (a) that has not more than nine seating positions (including the driver's seating position); and (b) in which the centre of the steering wheel is in the forward quarter of the vehicle's total length.
MC (Off-road passenger vehicle)	A passenger vehicle, designed with special features for off-road operation, that has not more than nine seating positions (including the driver's seating position), and that: (a) has four-wheel drive; and (b) has at least four of the following characteristics when the vehicle is unladen on a level surface and the front wheels are parallel to the vehicle's longitudinal centre-line and the tyres are inflated to the vehicle manufacturer's recommended pressure: (i) an approach angle of not less than 28 degrees; (ii) a breakover angle of not less than 14 degrees; (iii) a departure angle of not less than 20 degrees; (iv) a running clearance of not less than 200 mm; (v) a front-axle clearance, rear-axle clearance, or suspension clearance of not less than 175 mm.
Omnibus	A passenger vehicle that has more than nine seating positions (including the driver's seating position). An omnibus comprising two or more non-separable but articulated units shall be considered as a single vehicle.
MD (Light omnibus)	An omnibus that has a gross vehicle mass not exceeding 5 tonnes.
MD 1	An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and not more than 12 seats.
MD 2	An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and more than 12 seats.
MD 3	An omnibus that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 4.5 tonnes.
MD 4	An omnibus that has a gross vehicle mass exceeding 4.5 tonnes but not exceeding 5 tonnes.

Table A **Vehicle classes (continued)**

ME (Heavy omnibus)	An omnibus that has a gross vehicle mass exceeding 5 tonnes.
Goods vehicle	<p>A motor vehicle that:</p> <p>(a) is constructed primarily for the carriage of goods; and</p> <p>(b) either:</p> <p>(i) has at least four wheels; or</p> <p>(ii) has three wheels and a gross vehicle mass exceeding one tonne.</p> <p>For the purpose of this description:</p> <p>(a) a vehicle that is constructed for both the carriage of goods and passengers shall be considered primarily for the carriage of goods if the number of seating positions multiplied by 68 kg is less than 50% of the difference between the gross vehicle mass and the unladen mass;</p> <p>(b) the equipment and installations carried on special purpose vehicles not designed for the carriage of passengers shall be considered to be goods;</p> <p>(c) a goods vehicle that has two or more non-separable but articulated units shall be considered to be a single vehicle.</p>
NA (Light goods vehicle)	A goods vehicle that has a gross vehicle mass not exceeding 3.5 tonnes.
NB (Medium goods vehicle)	A goods vehicle that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 12 tonnes.
NC (Heavy goods vehicle)	A goods vehicle that has a gross vehicle mass exceeding 12 tonnes.

Table A Vehicle classes (continued)

Class	Description
Trailer	A vehicle without motive power that is constructed for the purpose of being drawn behind a motor vehicle.
TA (Very light trailer)	A single-axled trailer that has a gross vehicle mass not exceeding 0.75 tonnes.
TB (Light trailer)	A trailer (other than a Class TA trailer) that has a gross vehicle mass not exceeding 3.5 tonnes.
TC (Medium trailer)	A trailer that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 10 tonnes.
TD (Heavy trailer)	A trailer that has a gross vehicle mass exceeding 10 tonnes.