

DRAFT FOR CONSULTATION

Land Transport (Vehicles Responding to Electrical Emergency) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The purpose of this Members Bill is to amend the Land Transport Act to allow vehicles which are responding to electrical emergencies to be able to display lights which require general traffic to pull over and let the vehicle through. This Bill achieves this aims through relatively minor, targeted changes.

This Bill is required for a number of reasons:

- Increased congestion is causing an increase in the amount of time that it takes to respond to an electrical emergency.
- There are more people who rely on electricity for health reasons, and therefore power outages can put people at risk.
- Often other emergency services have to wait for electricity technicians to turn the power off before they can take action. For example a car which has driven into a power pole.

Whilst few other countries currently allow for this, there are a variety of rules which give vehicles responding to electrical or gas emergencies some priority.

- Sweden requires drivers to make way for vehicles responding a lifesaving situation or protecting some vital system of society.
- France requires drivers to 'facilitate the passage' of vehicles which are responding to electrical or gas emergencies when their blue lights are flashing.
- In New Zealand Auckland Transport recently allowed these vehicles to utilise bus lanes in their network, however NZTA doesn't allow them to use their network, such as the Northern Busway.

This Bill achieves its aims by:

Amending the Land Transport Act 1998 by inserting a new section 153A following section 153, and a new section 164A following section 164. New section 153A enables the Minister to make rules concerning electrical emergency vehicles. New section 164A requires the Minister to allow electrical emergency vehicles to use beacons which require other drivers to give way to the emergency vehicles. Section 164A is repealed 6 months after the commencement of the Bill.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 is the commencement clause and provides for this Bill to come into force on the day after the date on which it receives the Royal assent.

Clause 3 identifies the Land Transport Act 1998 (the **principal Act**) as the Act being amended.

Clause 4 inserts new section 153A allowing the minister to make rules setting out standards and requirements concerning vehicles responding to electrical emergencies.

Clause 5 inserts new section 164A requiring that the Minister makes rules prescribing the beacons that a vehicle responding to an electrical emergency may attach in order to indicate that drivers must give way.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Land Transport (Vehicles Responding to Electrical Emergency) Amendment Act **2020**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent.

3 Principal Act

This Act amends the Land Transport Act 1998 (the **principal Act**).

4 New section 153A inserted (Rules concerning vehicles responding to electrical emergencies)

After section 153, insert:

153A Rules concerning vehicles responding to electrical emergencies

- (1) Without limiting the general power to make rules under section 152, the Minister may make ordinary rules setting out standards and requirements concerning vehicles responding to electrical emergencies.
- (2) For the purposes of this section, **electrical emergency** means a situation that—
 - (a) is the result of damage to the electricity network; and
 - (b) poses a risk to public safety.

5 New section 164A inserted (Requirements for making rules concerning vehicles responding to electrical emergencies)

After section 164, insert:

164A Requirements for making rules concerning vehicles responding to electrical emergencies

- (1) The Minister must make rules under **section 153A** for the purpose of—
 - (a) prescribing the beacons that a vehicle responding to an electrical emergency may attach; and
 - (b) requiring that drivers give way to vehicles responding to electrical emergencies when operating prescribed beacons.
- (2) The Minister must make the rules as soon as practicable after the commencement of this section, but no later than 6 months after its commencement.
- (3) The requirements of this section continue to apply even if the deadline in **subsection (2)** has passed or this section has been repealed by **subsection (4)**.
- (4) This section is repealed 6 months after its commencement.