



17 JUN 2019

Jacob

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Tēnā koe Jacob

Thank you for your email to Hon Phil Twyford, Minister of Transport asking—

“regarding the road user rule, specifically section 1.8 and the line

A person is not in breach of this rule if that person proves that the act or omission complained of—

(a) took place in compliance with the directions of an enforcement officer, a parking warden, a traffic signal, or a traffic sign; or

(b) in the case of an act or omission done by an enforcement officer or a parking warden, was necessary in the execution of the person’s duty.

To your knowledge, why were parking wardens included in this section?”

I am replying to your request for official information as the Land Transport (Road User) Rule 2004 is part of my responsibility as Associate Minister of Transport.

The road user rule was made in 2004 by the then Minister for Transport Safety and I do not have any direct knowledge about why parking wardens were included in clause 1.8.

I understand that parking wardens were included because section 128E of the Land Transport Act 1998 gives parking wardens limited powers to direct a driver or person in charge of a vehicle to move a vehicle that is causing an obstruction or where it is desirable to move it in the interests of road safety or for the convenience or in the interests of the public. Section 128E also allows a parking warden to move or authorise someone else to move a vehicle in those circumstances to any place where it does not constitute a traffic hazard.

Including parking wardens in clause 1.8 makes it clear that a driver obeying a direction of a parking warden will not commit an offence, even if they would otherwise not be complying with something in the rule.

Nāku noa, nā

A handwritten signature in black ink, appearing to read 'Julie A Genter'.

Hon Julie Anne Genter
Associate Minister of Transport