

REPORT 5
(12/15/52/IM)

REPORT BACK ON CONSULTATION ON THE TRAFFIC BYLAW AND TAXIS USING PAY AND DISPLAY AREAS

1. Purpose of report

The Council agreed on 29 August 2012 that consultation would be undertaken on part 7 of the Wellington City Consolidated Bylaw 2008 (the Bylaw) to include changes that would impose a restriction on the use of pay and display parks by taxis. This was considered an issue in the following streets – The Terrace, Bond Street, Featherston Street, Pipitea Street, and Waring Taylor Street.

This paper reports back on the public consultation and recommends that the Bylaw changes detailed in Appendix 2 are implemented by the Council.

2. Executive summary

In order to better manage taxi's use of parking areas in Wellington, some changes to the Bylaw are recommended. The change to the Bylaw introduces a definition for a 'taxi' into the Part 7 of the Bylaw, based on the definition in the Land Transport Act 1998.

A further clause is recommended to be added to clause 4.1 of the Bylaw stating that a Taxi (as defined) cannot use Pay and Display parking in nominated areas. These are areas where their use of parking is a particular issue.

A public consultation process has been undertaken and a summary of the public submissions is attached. There were 20 submissions, the majority of which were in favour of the changes.

The committee requested that officers work with the industry stakeholders on wider parking management strategies to assist in managing taxi parking. This aspect of the work is ongoing. A number of practical points have been raised in submissions and officers will continue to work with the industry on these issues.

3. Recommendations

Officers recommend that the Strategy and Policy Committee:

- 1. Receive the information.*
- 2. Agree to the amendments to Part 7 of the Bylaw, introducing restrictions on taxis use of metered parking.*
- 3. Recommend to Council that it adopt the amendments to Part 7 of the Bylaw as attached in Appendix 2.*

4. *Note that following agreement to the changes in part 7 of the Bylaw, officers will be able to prepare traffic resolutions for Council to consider that will set specific areas that have restrictions on taxi parking.*
5. *Note that officers will continue to work with stakeholders on wider parking management strategies to assist in managing taxi parking.*

4. Background

The issue for Council to consider is how to balance the competing demands for parking space between different road users. In this case, the use of P&D parking spaces by taxis in the central city is causing concern for the public and also for parking wardens.

As a result of this issue, on 15 December 2011 SPC resolved

THAT the Strategy and Policy Committee ... Agree that officers prepare a proposal under part 7 of the Wellington City Consolidated Bylaw 2008 to impose a restriction on the use of pay and display parks by taxis, for consideration of the Strategy and Policy Committee in early 2012.

A paper was presented to SPC on 10 May 2012 setting out options for changing the Bylaw, but recommending no change be made at that time in the Bylaw. The Committee moved an amendment to the recommendations

THAT officers will report back to Strategy and Policy Committee on 3 August 2012 with a proposal under part 7 of the Wellington City Consolidated Bylaw 2008 to review the Bylaw including to impose a restriction on the use of pay and display parks by taxis in the following streets – The Terrace, Bond St, Featherston St, Pipitea St, and Waring Taylor St.

This paper was presented to the Committee on August 16 and the proposed amendments to Part 7 of the Bylaw, introducing restrictions on taxis use of metered parking were agreed. It was agreed that the proposed changes would undergo public consultation in accordance with section 22AD of the Land Transport Act 1998. On August 29, the Council agreed to adopt the Statement of Proposal and to initiate the special consultative procedure under Section 83 of the Local Government Act 2002.

This paper reports back on this consultation.

5. Summary of Public Submissions

There were 20 submissions received by the Council on this issue and of this two submission was received orally. The written submissions are summarised in Appendix 1 and copies of the written submissions have been provided to Councillors.

The Statement of Proposal including a questionnaire was mailed to taxi firms registered in Wellington that the Council had contact details for. A public notice was placed in the Our Wellington Page in the Dominion Post, and the Statement of Proposal, questionnaire and summary information was available at the

Customer Service Centre, Central Library and online. The consultation period ran for six weeks from the 11 September to the 19 October 2012.

In general the submitters agree that the use of Pay and Display Parking by taxis needs to be addressed and support the proposed approach.

One oral submitter discussed the continued deregulation of the industry and requested the Council's support to engage with the Government on this issue.

5.1 Ongoing engagement with industry stakeholders

Other options that could be considered over time are to work with the industry to manage access to taxi parking. The previous paper noted that this could include feeder areas within the city, and permits or licences for the use of taxi ranks.

Where the respondents were industry players they have raised a range of issues and useful suggestions that will need to be discussed in more detail with the taxi industry by the Council transport planning officers. This includes reviewing the utilisation of the current taxi ranks across the city, considering different configurations of the taxi ranks, and looking at different charging mechanisms for taxis using public parks.

6. Part 7 of the Consolidated Bylaw

A copy of Part 7 of the Bylaw is attached as Appendix 2. The amendments are highlighted within it. To bring these amendments into force will require Council to also pass a resolution to define the taxi restricted parking areas. Officers will draft this resolution following the adoption of the changes to the Bylaw.

6.1 Financial considerations

The financial impact arising from the changes to the Bylaw includes:

- the requirement for new signage in restricted parking areas; and
- notifying the taxi industry of the change in Bylaw.

6.2 Climate change impacts and considerations

There are no climate change impacts or considerations.

6.3 Long-term plan considerations

There are no LTP considerations.

7. Conclusion

This paper provides the Council with a method to address the situation where taxis are parking in Metered Parking areas through changes to the Bylaw.

This introduces a definition of taxis into the Bylaw and restricts taxis parking in metered areas.

If changes to the Bylaw are agreed, the officers will then be a position to bring forward specific traffic resolutions for the Committee to consider. The original paper discussed the areas of The Terrace, Bond Street, Featherston Street,

Pipitea Street, and Waring Taylor Street. A decision to relocate the taxi rank from Bond Street to Mercer Street may change this issue and officers will consider this in any traffic resolution that needs to be made to implement these powers.

Contact Officer: *Colleen Thessman, Manager Parking Services, and Geoff Lawson, Principal Programme Advisor.*

SUPPORTING INFORMATION

1) Strategic fit / Strategic outcome

The change in Bylaw supports the Council's overall vision of a Dynamic Central City which is accessible and liveable. The change supports Council's role as regulator of street spaces to ensure that as many people as possible can access parking spaces within the city and without road obstruction.

2) LTP/Annual Plan reference and long term financial impact

Operational expenditure is required to cover public consultation and any additional signage if required.

3) Treaty of Waitangi considerations

There are no Treaty of Waitangi implications

4) Decision-making

This is not a significant decision. The report recommends that Council introduces additional controls and how these control might be applied.

5) Consultation

a) General consultation

Council has undertaken public consultation on this matter.

b) Consultation with Maori

Council has undertaken public consultation on this matter.

6) Legal implications

Council's lawyers have been consulted during the development of this report.

7) Consistency with existing policy

This report recommends certain measures which clarify existing WCC parking policy.

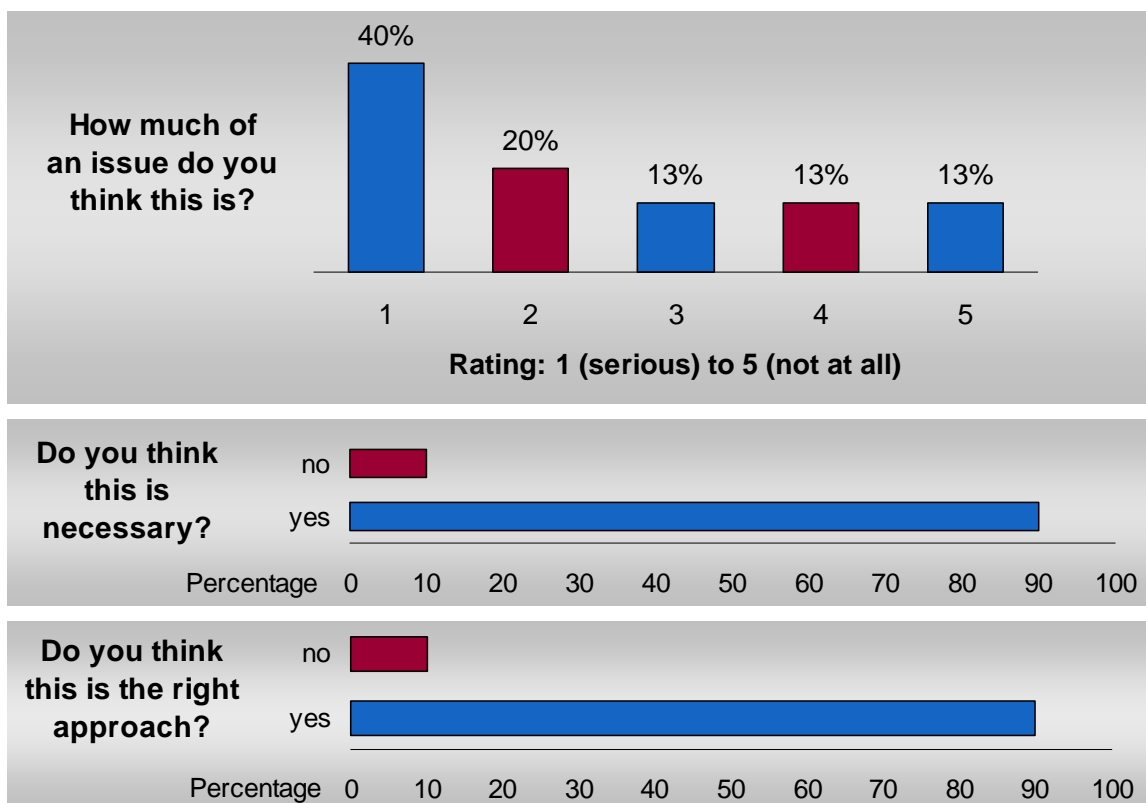
Summary of Submissions

A total of 20 submissions were received, including 19 written submissions. Of the 19 written submissions, four were emails and 15 responding to a questionnaire. Two people requested the opportunity to present their submission to Councillors orally.

Eleven submissions were from members of the public who use pay and display parking. Two questionnaire responses were from individual taxi drivers, one email was on behalf of Corporate Cab's 75 owner-operators and one oral submission was from the Taxi Federation. An overview of the questionnaire responses and responses from the taxi industry follows. A summary of all submissions is presented in Table 1.

Overview

The questionnaire asked respondents to rate the issue from one (serious) to five (not at all serious). The majority of responses to the questionnaire rated the issue with a 1, 2 or 3 (73%). The vast majority of questionnaire respondents agreed the proposed changes were necessary and were the right approach (90%).



Responses from the Taxi Industry

These submitters generally recognised that there is a problem in specific areas, but think the proposed Bylaw change will just shift the issue elsewhere. There was a concern expressed that addressing this in the CBD will increase pressure on parking in neighbouring areas such as Newtown. They make a number of practical suggestions that warrant further investigation and officers will review these and continue to work with industry stakeholders on the issue.

Table 1. Summary of Submissions

#	Name and perspective	Submission Summary and Comments	Officer Comments
1	Markus Lang, individual (ind.) P&D parking user	Frustrated by mis-use of P&D parks by taxis and supports a 'ban' on such behaviour. "I like to come into an available carpark and park, not be hindered from a taxi parking free".	Submitter supports the current proposal.
2	Alex Corban, ind. P&D parking user	Supports proposal and suggests inclusion of Featherston Street.	Submitter supports the current proposal. Featherston Street is included in the proposal.
3	Maire Smith, ind. P&D parking user	Frustrated by mis-use of P&D parks by taxis particularly Bond Street. "It's really annoying particularly Bond Street."	Submitter supports the current proposal. Supports the proposal for Bond Street.
4	Robert Bell, ind. P&D parking user	Supports proposal, considers issue to be serious. "They should pay to park as they are stopping others from using the parking space."	Submitter supports the current proposal.
5	Joel George, ind. P&D parking user	Agrees but doesn't see as a serious issue. "Provide extra spaces in busy areas, charge a fee, let taxis pass on the cost."	Submitter supports the current proposal. Providing extra taxi spaces in busy areas will disadvantage other drivers. The Council provides sufficient taxi spaces in both number and location to serve the public.
6	Glen McTavish, ind. P&D parking user	Agrees, sees as a serious issue. Suggests more taxi parks and that taxis pay to use these. Notes taxis flouting other restrictions – bus stops, broken yellow lines,	Submitter supports the current proposal.

		loading zones. “Taxis should only be allowed in Taxi stands, if they wait on pay and display areas, they should pay like everyone else.”	Taxis currently have spaces which only they can use. If they are allowed to use adjacent public parking in high demand areas, then that will disadvantage other motorists who need to park in these spaces.
7	Cordelia Chen, ind. P&D parking user	Agrees, sees as a serious issue – shoppers need convenient parking. Suggests there are too many taxis, also suggests taxis pay a daily parking coupon at a higher rate. “I believe there shouldn't be any freeloading off public car parks, and all public car parks should be taxi restricted. Unless there was a way to better monitor and enforce taxis to pay the charge whilst they are waiting for customers.”	Submitter supports the current proposal. There are many who would agree that there are too many taxis, however successive governments have made it clear they have no intention of reverting to any regulation of taxi numbers other than through qualitative standards. The over supply of taxis therefore remains a matter for local government to manage pragmatically.
8	Shane Crowe, ind. other	Agrees, sees as a serious issue, particularly Bond St. Suggests inclusion of a range additional vehicle features to define taxis, eg taxi meter, vehicle reasonably appears to be available for service. “Taxis blatantly occupy public parks, double parking, vehicle crossings and being obstructive.”	Submitter supports the current proposal. The officers believe the current proposal will allow for successful enforcement of the suggested Bylaw changes.
9	Ian Apperly, ind. P&D parking user	Agrees, rates issue as a 3. “Agree right approach, agree necessary in areas mentioned, not necessary elsewhere.”	Submitter supports the current proposal.
10	Peter Hartstonge, ind.	Doesn't view as serious, or right approach. Does agree an issue in Bond St, Waring Taylor Street and The Terrace. Suggests more taxi parks needed in	Submitter appears to support some aspects of the proposed Bylaw

	Taxi Driver	<p>Pipitea Street, Featherston Street and The Terrace to meet customer demand. Also suggests additional P5 and P10 to pick up and set down passengers.</p> <p>“Ticket vehicles without Pay & Display tickets unless picking up or dropping off passengers or <u>proof</u> by print out of booking or taxi meter display of booking”</p> <p>“Bond Street beyond Taxi rank -yes. Pipitea Street - No. Make a Taxi rank there for demand. Warring Taylor Street - yes, beyond taxi rank. The Terrace, near aurora terrace – yes.”</p> <p>“There is need for more taxi ranks in the city eg Pipitea Street, Northern Featherston Wtreet (outside Rydges Hotel), The Terrace, to meet customer demand.”</p> <p>“There needs to be more spaces in the CBD for P5 & P10 brief legal parking spaces for vehicle with a drive to safely/legally pick up and set down passengers by private and commercial vehicles.”</p>	<p>changes.</p> <p>Providing extra taxi spaces in busy areas will disadvantage other drivers. The Council provides sufficient taxi spaces in both number and location to serve the public. The Council is open to suggestions from the taxi industry for improving the location of taxi stands. However to increase the overall number of taxi spaces will require the industry to show that this would be of clear benefit to the public.</p> <p>On the matter of providing more pick up and set down spaces these would again reduce the space available for the public to park, and taxis can legally double park to pick up and set down passengers.</p>
11	Guido Stevens, ind. P&D parking user	<p>Agrees, sees as a serious issue, particularly in proximity to taxi stands. Mr Stevens services office equipment and competes with taxis for parking. Suggest taxis be restricted to the taxi stand when in proximity to a taxi stand throughout CBD. Suggest too many taxis and numbers need to be regulated.</p> <p>“I have on numerous occasions called the council regarding taxi's parked in parking spaces on The Terrace, Waring Taylor street and Pipitea Street.”</p> <p>“It is a problem everywhere in smaller scales than those areas listed, but basically anywhere there is a taxi stand, parks on either side of that stand will be taken up by taxis.”</p>	Submitter supports the current proposal.
12	James Taylor, ind. P&D parking user	<p>Agrees, sees as a serious issue, Mr Taylor uses P&D parking on a daily basis. Suggests including Grey Street, outside the Intercontinental. Thinks proposal might just move problem elsewhere – perhaps extend throughout CBD.</p>	Submitter supports the current proposal. If the Bylaw changes are approved, then the situation will be

		<p>“Unfortunately, when & if this is implemented, the taxis will just move on somewhere else, more than likely the next street over. My hope would be that the Bylaw is extended through out the CBD to completely eliminate the problem.”</p>	<p>monitored to identify the extent to which the problem migrates into other areas if at all. The Bylaw will allow further taxi stands to be regulated if required.</p>
13	Harriet Margolis, ind. other	<p>Agrees, rates issue a 3. Experienced issue in Bond Street and The Terrace. Suggests addition of High Street Newtown.</p> <p>“Bond Street and The Terrace are places where taxis have made it difficult for me to manoeuvre around, either as a driver or as a pedestrian.”</p>	<p>Submitter supports the current proposal</p>
14	Grant Jones, ind. P&D parking user	<p>Agrees, sees as a serious issue, proposal should apply to all of CBD during business hours, and taxis be restricted to taxi stands. Notes Molesworth Street near Pipitea Street, Featherston Street, Railway Station, The Terrace business area, Lambton Quay as particular problem spots. Thinks allowing taxis to use P&D to pick up passengers creates a loophole.</p> <p>“Restrict taxis in CBD to Taxi stands.” “There is a serious loop hole where taxis can park in restricted areas if waiting for a hire. How will this be enforced and validated?”</p>	<p>Submitter supports the current proposal. It is agreed that inappropriate use of local pay and display parks can be an issue at many taxi stand sites. However the current proposal limits attention to the five worst areas and additional taxi stand can be added later if found to be necessary.</p>
15	Ian Douglas, Village Goldsmith, central city business	<p>Agrees, sees as a very serious issue. Considers cab drivers lounging about in Bond Street discourages shoppers, doesn't want to see this shift to Mercer Street (very concerned). Thinks taxis should be restricted to designated ranks. Requests taxis be prohibited from southern side of Mercer Street.</p> <p>“The current situation with taxis double parking, hogging metered space and idle cab drivers lounging over their vehicles whilst waiting for a fare, creates an image of intimidation and reluctance by the public to engage with the retail in the street. The last thing I want is to see that same situation transferred in to Mercer Street!”</p> <p>“I understand taxis are a vital part of how our city needs to work and space is necessary to accommodate their presence, but it has to be achieved with a fair balance to the business's whose livelihood relies on customers being able to find</p>	<p>Submitter supports the current proposal. However this submitter has a business in Mercer Street and is opposed to taxis being located on the south side of Mercer.</p> <p>(It should be noted that the current proposals to close Bond Street at the Willis Street end and relocated taxis in to Mercer Street would not impact on the south side of Mercer Street).</p>

		<p>a parking space, and one that is not occupied by a taxi who can't find a space on the official rank.”</p> <p>“It is imperative that taxis are restricted solely to the designated rank. I formally request the public car parking and loading zone on the southern side of Mercer Street be clearly signposted as being only for the public, and that taxis are prohibited from using these. This is essential to the continuing success of retail in this area.”</p> <p>“Most importantly, having a street where customers are given space to park, without being intimidated by surly taxi operators who illegally occupy space. I believe this is essential, and will be seriously disappointed if strenuous measures are not put in place to ensure it does not occur.”</p>	
16	Name not supplied, ind. other	Agrees but only rates issue a 4. Also notes use of bus stops in Courtney Place by taxis.	Submitter supports the current proposal.
17	Muniratnam Kumar, Harbour City Taxis, taxi driver	<p>Does not view as serious, or right approach – will shift problem elsewhere. Proposed streets are the prime areas of taxi business – no sense waiting where people are not concentrated. Suggests the Council increase number of designated taxi parks.</p> <p>“These are prime areas from where we do business as the places have heavy human traffic flow. No sense waiting at Hutt Rd, Thorndon Quay or Tinakori.”</p> <p>“To earn a living in a taxi business - you need to be at a place where there is demand for taxi by the public. For the general public, coming to the city for business and shopping or visiting a lawyer etc etc, they can very conveniently park in any one of the short term or long term car park providers in the city. Whereas you cannot expect a Taxi driver on duty to be in a parking building.”</p> <p>“The number of cabs/taxis in the city will remain the same, by proposing restricted taxi areas or zones in the city, the council is definitely creating bigger problems to those business people and shoppers and other road users when majority of the taxis will be parked outside their business premises.”</p>	<p>Submitter does <u>not</u> support the current proposal.</p> <p>Providing extra taxi spaces in busy areas will disadvantage other drivers. The Council provides sufficient taxi spaces in number and location to serve the public.</p>
18	Tom Law, ind. other	Agrees, sees as a serious issue. Noted taxis congregating in Riddiford Street,	Submitter supports the current

		<p>suggests moving taxis from proposed streets will shift issue elsewhere.</p> <p>“Moving from Bond Street, Pipitea Street, Waring Taylor Street, The Terrace, but Aurora Terrace, and parts of Featherston Street may create problems in other areas and prompt action may be required.”</p>	<p>proposal.</p> <p>If as this submitter suggests, the problems will move elsewhere, then the Council will need to address any such problems as they arise and on a case by case basis.</p>
19	Colin Sampson, Corporate Cabs, other	<p>Submission made on behalf of firm’s 75 owner-drivers in Wellington. Acknowledge use of pay and display parking by taxis creates a shortage for other users. Predicts that restrictions in selected areas will push problem elsewhere.</p> <p>Makes the following suggestions instead:</p> <ul style="list-style-type: none"> • more designated taxi parks • better placement of taxi ranks • formalising arrangements to use some of the larger loading zones • one P&D park in each street could be a designated taxi park • provide a more practical means of payment to use P&D parks – eg a fixed daily rate. <p>“By restricting taxi parking in the handful of selected areas identified in the proposed Bylaw, the problem will just be pushed out to other streets where the rules don’t apply. Specific areas where we see these issues arising from the suggested changes are: Grey Street, Featherston Street (outside Rydges Hotel and between Ibis Hotel & Grey Street), Te Aro (outside Te Papa, Copthorne Hotel and the Michael Fowler Centre). Corporate cabs feels the restrictions will place even more pressure on these areas.”</p> <p>“Some of our owner-drivers who operate in the central Wellington area have identified that some taxi ranks are not in very productive areas (for example Whitmore Street).”</p> <p>“The Council could consider turning one pay and display space in each central city street into a designated taxi-specific parking space, which would offer a</p>	<p>Submitter does <u>not</u> support the current proposal.</p> <p>Providing extra taxi spaces in busy areas will disadvantage other drivers.</p> <p>The Council provides sufficient taxi spaces in number and location to serve the public. The Council is open to suggestions from the industry for improving the location of taxi stands. To increase the overall number of taxi spaces will require the industry to show that this would be of clear benefit to the public.</p> <p>On the matter of providing one P&D park in each street, this would reduce the space available for the public to park unless there was a transfer of taxi rank spaces. Taxis can legally double park to pick up and set down passengers. It might also be expected that creating single vehicle taxi stands would result in greater localised congestion.</p> <p>Where a taxi needs to use a P & D parking space and this is permitted</p>

	<p>positive solution for customers and spread the available taxis over a wider area.”</p> <p>“The Council could look at implementing a specific method for charging taxis to use pay and display spaces around the central city while they are waiting for customers.”</p> <p>A specific charging method would need to take into account that many taxis are often not stopped in a particular place for a long period”.</p> <p>“One solution could be a fixed daily rate similar to the fixed daily rate similar to the city fringe all day parking tickets currently available.”</p>	<p>under the Bylaw, there are existing payment options.</p> <p>The Council’s preference is to provide taxi ranks for taxis and to leave P&D car parks for the public to use.</p>
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Wellington City Consolidated Bylaw 2008

Part 7: Traffic

Purpose

The purpose of this Part of the Bylaw is to set the requirements for parking and control of vehicle traffic on any road in Wellington City, excluding State Highways controlled by the New Zealand Transport Agency.

This Part of the Bylaw is made pursuant to section 22AB of the Land Transport Act 1998. In addition, traffic and parking issues are also regulated and controlled by other Acts and Regulations, including the Land Transport (Road User) Rule 2004, which should be referred to in conjunction with this Bylaw.

1. Definitions and Interpretation

1.1 In this Part of the Bylaw, unless the context otherwise requires:

Authorised Officer means any person appointed or authorised by the Council to act on its behalf and includes any Parking Warden appointed under section 128D of the Land Transport Act 1998 or Police Officer.

Coupon Parking Space means a space in a coupon parking area which is suitable for the accommodation of a motor vehicle.

Coupon Parking Area is a "zone parking" control under the Land Transport Rule: Traffic Control Devices 2004 and means any area of land or building belonging to or under the control of the Council which is authorised by resolution of the Council pursuant to clause 11 of this Bylaw as a place where vehicles may be parked using parking coupons.

Parking Coupon or Coupon means a coupon issued by or on behalf of the Council to any person authorising the parking of a vehicle in a coupon parking space in accordance with these Bylaws.

Driver of a vehicle includes any person in charge of the vehicle.

Footway or Footpath means as much of any road or public place that is laid out or constructed by the authority of the Council for pedestrian use.

Metered Area means a road, area of land or building owned or controlled by the Council which is authorised by resolution of the Council to be used as a parking place and at which parking meters or multiple parking meters are installed and maintained, but does not include any Multiple Parking Meter area as defined herein.

Multiple Parking Meter means a parking meter which functions in respect of more than one parking space and includes pay and display parking meters.

Parking means:

- a. in relation to any road where parking is governed by the location of parking meters or multiple parking meters placed pursuant to this Bylaw, the stopping or standing of a vehicle on that portion of the road for any period exceeding 5 minutes; and
- b. in relation to any other road, the stopping or standing of a vehicle on a portion of the road.

Parking Meter means a device, in relation to the time for which a vehicle may be parked in a parking space or in accordance with this Bylaw, designed to either:

- a. measure and indicate the period of time paid for and which remains to be used; or
- b. issue a receipt showing the period of time paid for and accordingly which remains to be used; and includes single, multiple and pay and display parking meters and any other

device that is used to collect payment in exchange for parking a vehicle in a particular place for a limited time.

Parking Meter Area means a road, area of land or building owned or controlled by Council which is authorised by resolution of council to be used as a parking place and at which parking meters are installed and maintained.

Parking Space means a space or section in a parking meter area indicated by and lying within markings made by the Council for the accommodation of a vehicle, and "metered space" and "metered parking space" have a corresponding meaning.

Pay and Display Parking Meter means a parking meter designed for the purpose of issuing a receipt indicating the date and time of payment of a fee, amount of fee paid and time until which a vehicle may be parked within a parking meter area controlled by that pay and display parking meter.

Permit means a permit to park a vehicle on a road supplied by the Council, under this Bylaw.

Prescribed Fee means New Zealand coin, or token, card, prepaid parking device, or other system of payment prescribed by resolution of Council pursuant to this Bylaw as the fee payable for parking at a parking meter area.

Reserve shall have the same meaning as in the Reserves Act 1977.

Resident, in respect of a particular road the subject of a Residents Parking Scheme Resolution under this Bylaw, means a person whose only or principal residential accommodation is a dwelling or other building which has its only or principal legal access from that particular road, or which has such access in the vicinity of that road.

Residents' Parking Scheme means the provision by the Council of parking places for residents pursuant to a Resolution passed under this Bylaw which may be in conjunction with any ancillary parking or loading resolutions for all vehicles used by non-residents.

Road shall have the same meaning as in section 315 of the Local Government Act 1974 and shall where the context requires include a street (excluding State Highways) and any place the public has access to, whether as of right or not.

Single Parking Meter means a parking meter designed for the purpose of measuring and indicating the time for which a vehicle may be parked in a particular parking space.

Taxi means a motor vehicle that is:

- a. a small passenger service vehicle; and
- b. fitted with a sign on its roof displaying the word 'taxi' and any other signs required by law.

Taxi Restricted Parking Area means the area or areas of Road identified as such by Council resolution from time to time.

1.2 Notwithstanding anything in Part 1 of this Bylaw, but subject to clause 1.1, any words, phrases or expressions used in this Part of this Bylaw which have meanings assigned to them by the Local Government Act 1974, the Land Transport Act 1998, and Rules made under the Land Transport Act 1998 or any amendments thereof, shall have the meanings as are respectively assigned in those Acts/Rules, unless those meanings would be repugnant to, or inconsistent with, the context in which such words, phrases or expressions, occur.

2. Creation of Parking Meter Areas

2.1 The Council may from time to time pass a resolution to:

- a. Declare that any road or land controlled by the Council is a parking meter area.
- b. Declare the times and for how long vehicles may park in parking spaces.

- c. Fix the fees that must be paid for the parking of vehicles within parking spaces.
 - d. Provide for and regulate the operation, maintenance, control, protection, use or discontinuance of parking spaces and parking meters.
- 2.2 In accordance with any resolution under clause 2.1:
- a. The Council shall mark out parking spaces in parking meter areas.
 - b. Single parking meters (except multiple parking meters) shall be placed on and firmly fastened to the kerb or footway adjoining each parking space and each parking meter shall clearly display the period of time for which a vehicle may be parked in that parking space and the prescribed fee required to activate the meter.
 - c. Multiple parking meters shall be located within the parking meter area which they are to control. A multiple parking meter shall be erected in a position where it is clearly visible. Details of the period of time for which a vehicle may park within the area and the prescribed fee required to activate the meter shall be clearly indicated on the meter.
 - d. The limits of parking meter areas controlled by single parking meters shall be indicated by white markings painted on the street or area by the Council. The limits of parking meter areas controlled by multiple parking meters shall be indicated by signs.

3. When Parking by Meter Applies

- 3.1 A parking meter shall apply during the hours set by resolution of the Council and shown on the meter.
- 3.2 Subject to any parking time limits and restrictions, any metered parking space may be occupied without charge on any days, hours, or in any locations where there are specific exceptions made by resolution of the Council.
- 3.3 If any conflict arises between a resolution regarding the application of any parking meter (as it may be shown on the meter) and any other resolution regarding traffic control (as may be shown on any sign erected) then the provisions of the latter resolution shown on such signs shall apply.

4. Parking at Parking Meters

- 4.1 In respect of areas controlled by parking meters:
 - a. No driver of a vehicle shall park:
 - i. a vehicle on or over any marking indicating the limits of the parking space, or
 - ii. so that the vehicle is not entirely within the markings which indicate the limits of the parking space.

However, where a vehicle has a trailer attached, the driver of it may park the vehicle and trailer in two adjacent parking spaces which are in the same alignment, paying the fees as are required for both spaces.

- b. In an angle park, the front or the rear of the vehicle (as the case may be) shall be as near as is practical to the kerb.
- c. No driver of a vehicle shall park it in a parking space which is already occupied by another vehicle, provided that more than one motor cycle may be parked in a parking space.
- d. Where more than one motorcycle occupies a parking space only one parking fee for any authorised period shall be required. However, no motorcycle shall remain parked in the

parking space while the parking meter placed at that parking space shows the authorised period has expired, or for a time in excess of the maximum authorised period.

- e. Subject to paragraph (f) of this clause, if the parking space is parallel to the kerb or footpath, the driver of any vehicle (except a motorcycle) shall park the vehicle so that it is headed in the general direction of the movement of the traffic on the side of the street on which it is parked.
- f. A motorcycle may be parked otherwise than parallel to the kerb or footpath provided that during the hours of darkness it shall be sufficiently illuminated so as to be visible from at least 50 metres.
- g. A Taxi may not stop, stand or park in any Metered Area in the Taxi Restricted Parking Area, unless it is on a designated stand as defined in the Land Transport Rule: Operator Licensing 2007 or it is waiting for a hirer who has already hired the vehicle.

5. Payment of Fees

5.1 When any vehicle is parked in a parking space the driver of that vehicle shall immediately:

- a. insert in the parking meter installed at that space, the prescribed fee so that the meter mechanism is activated, or
- b. activate a prepaid parking or other payment device approved by Council.

Any vehicle may be lawfully parked in a parking space during the period which has been paid for.

5.2 It shall be lawful for the driver of a vehicle during, or when the period which has been paid for expires, to insert another prescribed fee in the parking meter and set the parking meter in operation for a further period. However, where a maximum authorised period has been declared by resolution of the Council and is indicated on the parking meter, it is an offence for the driver of the vehicle to occupy the parking space in that area for a time in excess of the maximum authorised period.

6. Parking at Multiple Parking Meters

6.1 No driver of a vehicle shall park that vehicle in a parking meter area controlled by a multiple parking meter without complying with the directions and requirements indicated by any multiple parking meter and relevant notices installed at the area. Compliance will include paying the prescribed fee to cover the period of parking, receiving and displaying a ticket from the multiple parking meter in respect of that payment, or activating a prepaid parking or other payment device approved by Council as the case may be.

6.2 The driver of a vehicle shall:

- a. park that vehicle so that it is contained wholly within a parking space.
- b. place the ticket authorising the vehicle to be parked at the multiple parking meter, on the inside of the vehicle's windscreen closest to the kerb, so that the information is visible to inspection from outside the vehicle, or in the case of other payment devices approved by Council, as directed in that approval.
- c. not display an obsolete ticket.

6.3 In a parking meter area controlled by a multiple parking meter, an Authorised Officer may exercise all of the powers conferred under section 68BA of the Transport Act 1962 and any of the relevant powers under section 113 and section 139 of the Land Transport Act 1998.

6.4 No person shall park any vehicle in any aisle, entry or exit lane of any parking meter area controlled by a multiple parking meter.

- 6.5 No person shall park a motorcycle in any parking meter area controlled by a multiple parking meter, other than in any part specifically set aside for motorcycles
- 6.6 The Council may from time to time set aside any parking space in a parking meter area controlled by a multiple parking meter for reserved parking upon payment of a fee. This fee shall be set by resolution of the Council and is payable as specified in that resolution.

7. Residents' Parking Schemes

- 7.1 Every resolution under clause 11 setting aside an area for a Residents Parking Scheme may specify:
- a. The roads, or parts of road, subject to the scheme.
 - b. A form of vehicle sticker to identify the vehicles of residents holding a permit to park in terms of the scheme and where the sticker shall be fixed to the windscreen.
 - c. The hours and days of the week during which the scheme shall operate (which may be expressed to differ on different parts of a road, and which may apply all the time).
 - d. The fees it will charge to cover the reasonable cost to the Council of the service involved in granting a permit to park, instituting and maintaining and policing the scheme, erecting traffic signs and placing road-markings, and otherwise in relation to the reserving of the parking places.
 - e. The form or declaration to be used by residents applying for a permit, together with the evidence required to support the application.
 - f. That parking on a road is limited only to the vehicles of residents. All other vehicles, or specified classes or types of vehicles, shall be subject to the parking or loading restrictions, in respect of that road.
 - g. The number of residents in any one building, or in specified sizes or types of buildings, that may be entitled to a permit.
 - h. Any other matters that the Council considers relevant.
- 7.2 Residents permits act as an exemption permit to the coupon parking charges within the areas to which they apply and holders are able to park in:
- a. Residents parking areas; and
 - b. Coupon parking areas.
- 7.3 No permit is capable of being assigned or transferred to any person or vehicle, unless specifically issued by the Council for that purpose.
- 7.4 A permit holder shall immediately destroy the permit on ceasing to own the subject vehicle, or on ceasing to be a resident.
- 7.5 If a resident obtains a different vehicle from the subject of a current permit, he or she upon making a new application, shall be supplied with a new permit for that different vehicle for the balance of the permit period without paying a further fee.
- 7.6 A permit shall not be construed to mean that:
- a. A resident is assured of a parking place by the Council; or
 - b. The Council is liable for any loss of, or damage to, a vehicle or its contents merely because it is parked pursuant to that permit.

- 7.7 Property owners not residing on the property and requiring unrestricted access who may apply for an annual residents parking permit which also gives them the right to use a residents parking space for the maintenance of property and related activities.
- 7.8 Exemptions from residents parking may be granted by Council as follows:
- a. The Council may issue, on application, a permit exempting a vehicle from the requirements of the Residents Parking Scheme.
 - b. The fee for the residents parking exemption permit will be set by resolution under clause 11. The fee will be calculated taking into account the cost of processing an application, issuing the exemption and the cost of policing the scheme.
 - c. Exemptions to residents parking can be made in the case of Tradespeople/Service Authorities carrying out work, and needing to park in one of these areas to undertake the work. The owner of the vehicle must apply for a Trade Coupon from the Council and pay any fee set by the Council by resolution. The Trade Coupon must be displayed on the vehicle in a location readily visible from the kerbside when the vehicle is parked in a residents parking area.

8. Coupon Parking

- 8.1 The Council may by resolution specify:
- a. The roads, or parts of road, designated as a coupon parking area.
 - b. A form of coupon to identify that a vehicle is parking lawfully in the coupon parking area.
 - c. Where the coupon shall be displayed on the vehicle.
 - d. Fees payable for parking vehicles in any coupon parking area.
 - e. The operation, maintenance, control, protection, use or discontinuance of coupon parking areas.
 - f. A form of vehicle windscreen sticker to identify the vehicles of residents holding a permit to park pursuant to a parking scheme and which will exempt vehicles from coupon parking.
 - g. The hours and days of the week during which coupon parking shall operate (which may be expressed to differ on different parts of a road, and which may apply at all times).
 - h. The free period a vehicle may park or remain parked without displaying a coupon or a valid permit.
 - i. When and how coupons may be used in parking meter areas.
 - j. Any other matters that Council considers relevant.
- 8.2 [repealed]
- 8.3 Where a coupon parking space is also a metered space, the driver or person in charge of any vehicle may park that vehicle in that space in accordance with the provisions of this Bylaw if, pursuant to a Council resolution under clause 11, the meter is marked indicating that coupons are acceptable.
- 8.4 The provisions of this clause shall apply to any coupon parking area, except during the hours which the Council has resolved, under clause 8.1(g) of this Bylaw, to be the hours during which parking by coupon applies in that coupon parking area.
- a. When a vehicle is parked in a coupon parking area, the driver of that vehicle shall also comply with any other restriction identified as applying to that area.

- b. When a vehicle is parked in a coupon parking area, the driver of that vehicle shall display on that vehicle a valid parking coupon, if the vehicle is to be parked for more than the duration of the free parking period approved by Council in accordance with clause 8.1(h). The coupon is to be displayed on that vehicle at all times the vehicle remains parked in the coupon parking area and in accordance with the instructions printed on the coupon or on the booklet from which the coupon has been detached.
 - c. A parking coupon shall only be valid if:
 - i. The coupon is not torn, defaced or mutilated to such extent that any indicator, figure or other particular is not legible; and
 - ii. The coupon has no alteration, erasure or other irregularity; and
 - iii. The coupon has been activated in accordance with clause 8.6 of this Bylaw; and
 - iv. The coupon is not for any other reason invalid.
- 8.5 Subject to clause 8.3 no driver of any vehicle shall cause, allow, permit or suffer such vehicle to be parked or remain parked in a coupon parking area without a valid parking coupon being displayed on that vehicle in accordance with the provisions of this Bylaw.
- 8.6 A parking coupon, shall be activated by indicating on the coupon, in accordance with the instructions printed on the coupon or the booklet in which the coupon is attached, the date of the commencement of parking the vehicle on which the coupon is to be displayed in the parking coupon area.
- 8.7 The Council, or any Authorised Officer, may issue parking coupons on payment of the appropriate fees which shall from time to time be fixed by the Council in accordance with clause 8.1(d).
- 8.8 All parking coupons shall be issued with printed instructions as to the display and activation of such coupons.
- 8.9 No refund shall be allowed for any unused coupons, except in such circumstances as the Council may allow and only then if the coupons are not defaced, mutilated or in any other manner rendered invalid.
- 8.10 Any Authorised Officer may, for the purposes of this Bylaw, require the driver of any motor vehicle parked in any coupon parking area, to produce for his inspection any parking coupon displayed on such motor vehicle and that Authorised Officer may retain any such parking coupon.
- 8.11 A coupon may not be construed to mean that:
- a. A driver is assured of a parking space by the Council; or
 - b. That the Council is liable for any loss of, or damage to, a vehicle or its contents merely because it is parked pursuant to that coupon.
- 8.12 Exemptions from coupon parking may be granted by Council as follows:
- a. The Council may issue, on application, a permit exempting a vehicle from the requirements of the coupon parking. The coupon exemption allows a person living in a coupon parking area to be exempt from displaying a coupon.
 - b. The coupon exemption permit must be displayed on the windscreen of the vehicle when the vehicle is parked in a coupon parking area.
 - c. The fee for the coupon parking exemption permit will be set by resolution under clause 11. The fee will be calculated taking into account the cost of processing an application, issuing the exemption and the cost of policing the scheme.
 - d. A coupon parking exemption does not allow the permit holder to park in a residents parking area.

- e. Exemptions to coupon parking can be made in the case of:
 - i. Businesses with no off-street parking located outside the metered Central District time restricted area. One free exemption permit may be granted on application.
 - ii. Schools with no off-street parking which require vehicles to overcome any proven operational difficulties enabling the school to function free from coupon parking. Five free exemption permits may be granted on application.
 - iii. Registered Community Service Groups with no off-street parking which can demonstrate a need for a vehicle to carry out community work. One free exemption permit may be granted on application.
 - iv. Tradespeople/Service Authorities carrying out work, and needing to park in one of these areas to undertake the work. The owner of the vehicle must apply for a Trade coupon from the Council and pay any fee set by the Council by resolution. The Trade coupon must be displayed on the vehicle in a location readily visible from the kerbside when the vehicle is parked in a coupon parking area.
- f. The Council may withhold exemptions in the case of those persons or organisations with possible alternative options open to them, as in the case of shift workers. Such options would include:
 - i. Car pooling one way and public transport the other way.
 - ii. Workers or employees are able to purchase a common coupon, making it available on a rotation basis.

9. Vehicle Removal

- 9.1 Any vehicle, which is parked in a parking space, building, transport station, on a road or on a footpath in any manner not in conformity with this Bylaw or resolutions passed under this Bylaw, may be removed at the request of an Authorised Officer. Such a removal will be to a nearby lawful place for vehicle parking, or to any Council vehicle pound, or to any yard in the city occupied by any company engaged by the Council to remove such vehicles, as he or she thinks fit. All charges relating to the removal of the vehicle or bulk bin or container shall be met by the owner.
- 9.2 Vehicles may also be removed by the Council or their appointed agents from a parking space, building, transport station or road where these facilities require resealing or any other type of repair or maintenance. The removal of vehicles will be undertaken where the vehicle obstructs such activity or by its position, prevents the activity from taking place.
- 9.3 If Council is to remove vehicles under clause 9.2, they must give notice at least 48 hours prior to the resealing, repair or maintenance indicating Council's intention to undertake the activity. Notice of the activity may be provided either through residential post boxes or on vehicles parked in the street in which the activity is to take place or through notices in a local newspaper or any combination of these. The notices will request that vehicles be removed from the road, parking space, building or transport station to allow the resealing, repair or maintenance activity to occur. After issuing a notice, the Council will not be obliged to make any further contact with the owners of the vehicles prior to their removal.
- 9.4 Any vehicle may be detained at the place to which it has been removed by the Council or its appointed agents, until the reasonable costs of the removal and of any subsequent daily storage are paid by any person requesting the possession of that vehicle.
- 9.5 The Council may authorise the removal of any cycle left in a parking space, or any motor-cycle or power-cycle left leaning against a parking meter, in contravention of this clause. The owner of the motor-cycle, power-cycle or cycle may be required to pay to the Council any cost of removal.

- 9.6 Owners of vehicles removed or impounded in terms of clause 9.1 may obtain access to storage premises for the purposes of recovering their vehicles once the costs of removal and storage of the vehicles have been met.
- 9.7 The minimum hours during which the owners of impounded vehicles, or their appointed agents, have access to storage premises to recover their vehicle are those set out in Regulation 7(b) of the Land Transport (Requirements for Storage and Towage of Impounded Vehicles) Regulations 1999.
- 9.8 Access to storage premises may also be obtained outside of these times provided any such arrangement is mutually agreed between the parties concerned. The tow company / storage provider is entitled to charge for allowing access to vehicles after these hours. The tow company / storage provider involved must make known their access hours as well any additional charges for access after the hours for access by owners to vehicles.
- 9.9 Any bulk bin or container, which is on a road or private road, in breach of this bylaw may be removed in accordance with clause 9.1.
- 9.10 Council may declare by resolution any private road to be a no parking area. In order that a no parking area may be declared, Council must:
- a. Obtain written consent of all adjoining landowners of the area concerned; and
 - b. Erect signage as required under the Land Transport Rules
- 9.11 The powers that may be exercised under this clause are in addition to those provided in section 128E of the Land Transport Act 1998 and sections 348 and 356 of the Local Government Act 1974.

10. Temporary Discontinuance of a Parking Place

- 10.1 If an Authorised Officer is of the opinion that any parking place should be temporarily discontinued as a parking space the Authorised Officer may cause a sign / signs or meter-hoods to be placed or erected which indicate "No Stopping". It shall be unlawful for any person to stop or park a vehicle at the parking space affected while any sign/signs or meter-hoods are placed or erected.
- 10.2 If the Authorised Officer is of the opinion that any parking place should be temporarily discontinued, except for the use of a trade vehicle (as defined by the Council from time to time by resolution) or other specified vehicle, the Authorised Officer may place or erect or cause to be placed or erected a sign or signs, temporary barricades, or meter-hoods sufficiently indicating "Reserved Parking" for a specific trade or other specified vehicle and it shall be unlawful for any person other than a person specifically authorised by the Authorised Officer to stop or park a vehicle at the parking space affected while any sign / signs or meter-hoods are placed or erected or to remove any sign or signs, temporary barricades or meter-hoods so placed or erected.
- 10.3 The Council may from time to time by resolution fix fees payable for users or classes of users authorised by an Authorised Officer to parking spaces reserved in the manner prescribed by clause 10.2 hereof.

11. Provision for Resolutions

- 11.1 The Council may by resolution impose such prohibitions, restrictions, controls, or directions concerning the use by traffic or otherwise of any road or other area or building controlled by the Council unless the restriction / control / prohibition or direction is already provided for in a relevant enactment or Land Transport Rule (in which case a Council resolution is not required).
- 11.2 Any resolution may:
- a. Be made in respect of a specified class, type or description of vehicle, and may be revoked or amended by the Council.

- b. Be expressed or limited to apply only on specified days, or between specified times, or in respect of specified events or classes of events, or be limited to specified maximum periods of time.
- c. Also, where appropriate, prescribe, abolish or amend fees, whether annual, hourly or otherwise, as the Council may reasonably require for any parking space, building, transport station, or residents coupon parking scheme; and may prescribe the methods of displaying appropriate receipts for payments, or other authority to use or park in such spaces buildings or areas.
- d. In respect of any resolution made in terms of this Bylaw, specify a minimum number of occupants in any private motor vehicle.
- e. Be made in respect of any defined part of a road, including, any defined footpath, carriageway or lane.

12. Public Notification

- 12.1 Any resolution proposed under this Part shall be placed on the Council's website at least 14 days before the Council considers it. Any person may provide comments, in writing, on the proposed resolution and those comments will be considered by the Council before it makes a resolution. Any person who has made written comments may request to be heard by the Council and it is at Council's sole discretion whether to allow that request.

13. Offences

- 13.1 The provisions of Part 1 of this Bylaw notwithstanding, every person commits an offence against this Bylaw who:
- a. Fails to comply in all respects with any prohibition or restriction or direction or requirement indicated by the lines, domes, areas, markings, parking meters, multiple parking meters, traffic signs, or other signs and notices, laid down, placed, or made, or erected, in or on any road, building, or other area controlled by the Council, pursuant to any provision of this Bylaw, or of any resolutions made thereunder.
 - b. Fails to comply with any resolution made under this Bylaw or fails to comply with any duty, obligation, or condition imposed by this Bylaw.
 - c. Drives a vehicle on any street in a manner which interferes with or obstructs any funeral or civic or State or authorised procession.
 - d. Drives any vehicle over any hose in use in connection with an outbreak or alarm of fire provided that it shall not be an offence under this clause so to drive if hose bridges are provided or the driver is directed by a traffic officer, police officer or New Zealand Fire Service officer.
 - e. Drives or parks a vehicle so as to hinder or obstruct any member of the New Zealand Fire Service engaged in connection with any outbreak or alarm of fire, the Police, Ambulance Service, or other emergency services in carrying out their respective duties.
 - f. [repealed]
 - g. [repealed]
 - h. [repealed]
 - i. [repealed]

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- j. Drives or parks any vehicle on a street where it is in such a condition that an undue quantity of oil, grease or fuel drops from such vehicle.
- k. Unloads any vehicle so as to cause or, be likely to cause, damage to the pavement or any footpath.
- l. Drives any motor vehicle onto any property of the Council other than a road or permits the vehicle to stand or remain standing on any such property, without the consent of the Council.
- m. Drives or parks a vehicle on any grassed or cultivated area under the control of Council.
- n. Leaves in or on any road or private road within the City for a period exceeding 7 days, any vehicle having no effective motive power in or attached to it, or in such a state that it cannot be safely driven, or so disabled or damaged that it cannot be driven.
It shall not be a defence to a charge under this paragraph that the vehicle is under repair, if that repair exceeds 7 days.
For the purposes of this paragraph "vehicle" also includes caravans, trailers, boats, and the shell or hulk of a vehicle.
- o. Parks in a road in front of any property in the Residential Area under the Council's District Plan, where the size of the vehicle parked, or the continual nature of the parking, unreasonably prevents occupants from parking outside their property, excluding commercial vehicles parked on the road temporarily for business purposes.
- p. In relation to residents parking:
 - i. Makes a false application or supplies false details in an application;
 - ii. Places a permit on a vehicle for which it was not issued;
 - iii. Places or maintains a permit, or allows a permit to be placed or maintained, on a vehicle which is no longer being used by a resident;
 - iv. Parks a vehicle in a place that is the subject of a Residents Parking Scheme without a current windscreen sticker for the Residents Parking Scheme being displayed on the vehicle; or
 - v. Parks a vehicle in a place that is subject to the Residents Parking Scheme, without displaying a current exemption permit on the vehicle.
- q. In relation to coupon parking:
 - i. Parks within the coupon parking area for longer than the free period without displaying a clearly validated coupon on the vehicle; or
 - ii. Displays a coupon on the vehicle for a date other than the date indicated; or
 - iii. Parks in excess of any other time restriction or contrary to any other parking restriction in place within the coupon parking area; or
 - iv. Parks within the coupon parking area, without displaying a current exemption permit on the vehicle.
- r. Fails to produce a coupon on demand pursuant to clause 8.10.
- s. Causes, allows or permits any vehicle to be parked in any parking space except in accordance with, or pursuant to, the provision of this Bylaw and of any resolutions.
- t. Causes, allows or permits any vehicle to remain parked in a parking space for more than 24 hours where no other maximum authorised period is specified in a Council resolution or on a parking meter or signs in its vicinity.

- u. Causes to be inserted in any parking meter anything other than the prescribed coin or coins or does not comply with any other card or token system prescribed by resolution of the Council as a method of making payment of the parking fee.
- v. Fails to activate an approved parking device while parked in a parking space, adjusts the tariff to make it different from that required at that space, or displays the tariff incorrectly so that it cannot be read for enforcement purposes.
- w. Places or leans a motor-cycle or power-cycle on or against a parking meter.
- x. Places or leaves a cycle on any parking space.
- y. Misuses any parking meter.
- z. Interferes or tampers with the working or operation of any parking meter or pay and display machine.
- aa. Without due authority from the Council affixes any placard, advertisement, notice, list, document, board or thing on, or paint, or writes upon any parking meter.
- bb. Wilfully damages any traffic control sign or parking meter.
- cc. Parks a motor-cycle or power-cycle between parking spaces.
- dd. Operates or attempts to operate any parking meter by any means other than as prescribed by this Bylaw.

14. Parking Defences

- 14.1 It shall be a defence to any person who is the driver, or is in charge of any vehicle and who is charged under this Bylaw with a breach of any condition imposed by this part of this Bylaw relating to any parking space if such person proves that the act complained of was done:
- a. in compliance with the directions of a police officer or traffic officer, or that the vehicle was engaged on a public work and was being used on the road with due consideration for other road users; or
 - b. with a vehicle used by an Ambulance Service or the Fire Service, Police or other emergency service in the urgent carrying out of their respective duties.