

16 April 2020

Phil Pennington
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OIA-6487

Dear Phil

Request made under the Official Information Act 1982

Thank you for your email of 3 March 2020 requesting the following information:

- *Detailing what safety risk ratings TA has been assigning when it reviews the certifications eg 'high', 'medium' etc*
- *The number of certifications the review has found that are non-compliant, in total, since review began; pls break this down by time period – per month or per quarter – since review began*
- *How many of the highest risk rating (high?) have been assigned in total*
- *Provide a breakdown of what has occurred in the case of each of those highest risk rating certifications including:*
 - *How many immediately revoked*
 - *How many required any other type of intervention, and what exactly*
 - *How many interventions have been appealed against by an HVSC or anyone issuing an SODC*
- *What the review has found is the most common component that is non-compliant eg drawbar, beam, chassis*
 - *And common reasons for noncompliance*
- *TA budgeted loosely to spend about \$8m on this; pls provide an update on budget and costs*

Your request has been considered under the provisions of the Official Information Act 1982 (the Act) and I have addressed each of your questions in turn below.

Detailing what safety risk ratings TA has been assigning when it reviews the certifications eg 'high', 'medium' etc

The review process consists of several stages. All files go through one or more desk top reviews, and may then undergo physical inspection, an in-house technical review and management approval. The first part requires a desktop certification file review by an expert. The certification is assigned one of the following four potential risk categories;

High - Reason to believe vehicle is unsafe because there is a known risk e.g. incorrect calculations meaning the calculations will need to be rechecked to confirm the status of the vehicle, or key information is unknown because it is missing from the file (an agreed list of key information is used by all reviewers).

Medium - Required information is missing from the file and the expert reviewers will use their judgement to determine if the file is medium risk. They will typically consider the amount and type of missing information (an agreed list of required information is used by all reviewers).

Low - Required information is missing from the file and the expert reviewers will use their judgement to determine if the file is low risk. They will typically consider the amount and type of missing information

No risk - None or only minor errors and omissions resulting in no risk to safety evident.

The number of certifications the review has found that are non-compliant, in total, since review began; pls break this down by time period – per month or per quarter – since review began

There are many different forms of non-compliance, ranging from administrative non-compliance (i.e. an incomplete aspect of a file) to non-compliance resulting in safety concerns with a vehicle.

I have interpreted your question to be non-compliance causing a safety concern that has resulted in a certification being revoked and have therefore provided figures for vehicles where the relevant Heavy Vehicle Specialist Certificate (LT400) has been revoked.

Due to each file going through several different stages of review, we are unable to quantify which period the non-compliance was identified in. For example, there could be a delay between the vehicle being flagged as requiring an inspection, because there was not enough information on the file, and the component being revoked.

Therefore, provided are the totals to date.

- 19 certifications revoked from expert file review
- 24 certifications revoked following the physical inspection
- 43 revocations in total to date.

How many of the highest risk rating (high?) have been assigned in total

Of those reviews completed to date, a high risk rating has been assigned to 81 vehicles.

However, this risk rating can change as the vehicle moves through the review process, i.e. following the physical inspection the identified concern/s may be reduced or raised resulting in a change in risk category.

A risk rating may be reduced if more information becomes available. This could be, for example, because a Heavy Vehicle Specialist (HVSC) has supplied it or because missing information (such as vehicle dimensions necessary to undertake key calculations) was obtained during the vehicle inspection, meaning that the NZ Transport Agency could at that stage undertake the complete calculations and satisfy itself that the vehicle was within safe tolerance.

Provide a breakdown of what has occurred in the case of each of those highest risk rating certifications including:

- **How many immediately revoked**

33 LT400's have been immediately revoked.

Please note that the risk rating is assigned during the desktop review stage. Following the physical inspection of the vehicle, more information becomes available and some of those potentially perceived risks will subside. Equally, files identified as medium or low risk, may in

fact require revocation following physical inspection. Therefore, this figure relates only to the files ranked as 'high risk' during the desktop review and is different to the figure for the total number revoked.

- **How many required any other type of intervention, and what exactly**

Two required other intervention. Both of these vehicles were ban flagged following inspection. A ban flag prevents a new inspection being issued until repairs have been completed and certified. This means that although a safety concern was identified, the technical team deemed it would be safe for these components to remain in use for a short period (i.e. until the vehicles' next Certificate of Fitness (CoF) – typically a 6-month period or less), but not for the full life of the certification. The vehicle owners have been notified, and understand what remedial work is required prior to obtaining a new CoF.

- **How many interventions have been appealed against by an HVSC or anyone issuing an SODC**

To date we have had no appeals to the District Court.

We have had some HVSCs question the decisions the Transport Agency has made, however following a discussion with our technical team, the HVSCs in question typically understand the Transport Agency's reasoning for revocation or other remedial action.

What the review has found is the most common component that is non-compliant eg drawbar, beam, chassis

- **And common reasons for noncompliance**

As previously stated, for the purpose of answering these questions, non-compliance relates to the revocation of a LT400 certification.

Based on current outcomes from this review, towing components (HVETs) are the most non-compliant and represent 22 of the revocations to date (i.e. 51%). Within this category the most common component to be revoked is tow bars.

This number does not represent the 'true' figure because the review is still underway. Also, different numbers of each component types have and will be reviewed. This is because HVSCs hold different authorities, e.g. a larger proportion can issue towing connections (HVETs), than those able to issue log bolsters (HVELs). Our sample therefore would consist of more HVETs than HVELs, meaning the numbers aren't always proportionate.

Each revocation is specific to the certification/vehicle; however, our technical team have suggested a common cause for the non-compliance is calculation error, for example the component is overstressed and often does not meet the rule or design standard required.

TA budgeted loosely to spend about \$8m on this; pls provide an update on budget and costs

As at 29 Feb 2020 \$5.91m has been spent to carry out HVSC related inspections, case reviews and recertifications. These are direct costs and exclude consultants and contractors engaged in the wider rectification project.

If you would like to discuss this reply with the Transport Agency, please contact Andy Knackstedt, Senior Media Manager by email to andrew.knackstedt@nzta.govt.nz.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Neil Adams', is positioned above the printed name.

Neil Adams
Senior Manager Safer Vehicles