



WELLINGTON, NEW ZEALAND

PURSUANT to *section 152* of the Land Transport Act 1998

I, *Mark Gosche*, Minister of Transport,

HEREBY make the following ordinary Rule:

Land Transport Rule: Frontal Impact 2001

SIGNED AT Wellington

This 12th day of December 2001

Hon Mark Gosche

Minister of Transport

Land Transport Rule

Frontal Impact 2001

Rule 32006/2001

As at 1 May 2021

Land Transport Rule

Frontal Impact 2001

As at 1 May 2021

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Compilation notes

1 General

This is a compilation of *Land Transport Rule: Frontal Impact 2001* that incorporates all the amendments to that Rule as at the date of the last amendment to it.

2 Format changes

Format changes to compilations are made so that the format of the compilation is consistent with current drafting practice, including:

- changes to the setting out of provisions, tables, and schedules:
- the repositioning of headings or notes:
- changes to typeface and type size:
- the addition or removal of boldface, italics, and similar textual attributes:
- the addition or removal of quote marks and rules:
- changes to the case of letters or words:
- addition of history and editorial notes.

3 Amendments incorporated in this reprint

Land Transport Rule: Frontal Impact Amendment 2021

Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021

Land Transport Rule: Vehicle Standards Compliance Amendment 2019

Land Transport Rule: Vehicle Standards Compliance Amendment (No 3) 2013

Land Transport Rule: Frontal Impact Amendment 2011

Land Transport Rule: Vehicle Standards Compliance Amendment 2011

Immigration Act 2009

Land Transport Rule: Vehicle Standards Compliance Amendment 2010

Land Transport Rule: Frontal Impact Amendment 2010

Land Transport Management Amendment Act 2008

Land Transport Rule: Frontal Impact Amendment 2008

Land Transport Rule: Frontal Impact Amendment 2005

Land Transport Amendment Act 2005

Part 1

Rule requirements

Section 1 Application

1.1 Title

This rule is *Land Transport Rule: Frontal Impact 2001*.

1.2 Scope of the rule

1.2(1) This rule applies to all motor vehicles except vehicles of Classes AB, TA, TB, TC and TD in *Table A* in *Part 2*.

1.2(2) This rule specifies frontal impact protection requirements:

- (a) with which a motor vehicle must comply so as to be operated on a road; and
- (b) that are, for the purposes of *Land Transport Rule: Vehicle Standards Compliance 2002*, the applicable requirements for frontal impact protection systems.

Clause 1.2(2)(b): amended, on 8 May 2008, by *clause 2.1* of *Land Transport Rule: Frontal Impact Amendment 2008*.

1.3 Date when rule comes into force

1.3(1) This rule revokes and replaces *Land Transport Rule: Frontal Impact 1997*, which came into force on 1 January 1998.

1.3(2) This rule comes into force on 1 April 2002.

1.4 Application of rule provisions

1.4(1) If there is a conflict between a provision of this rule and the corresponding provision of a document incorporated by reference in the rule, the provision of the rule applies.

1.4(2) If there is a conflict between a provision of this rule and a provision of *Land Transport Rule: Vehicle Standards Compliance 2002*, the provision of *Land Transport Rule: Vehicle Standards Compliance 2002* applies.

1.4(3) If there is a conflict between a provision of this Rule and a provision of *Land Transport Rule: Seatbelts and Seatbelt Anchorages 2002*, the provision of *Land Transport Rule: Seatbelts and Seatbelt Anchorages 2002* applies.

Clause 1.4(2): amended, on 8 May 2008, by *clause 2.2* of *Land Transport Rule: Frontal Impact Amendment 2008*.

Clause 1.4(3): inserted, on 1 April 2010, by *clause 2.1(2)* of *Land Transport Rule: Frontal Impact Amendment 2010*.

Section 2 Vehicle standards and other safety requirements

2.1 Application of requirements

2.1(1) A motor vehicle must comply with the relevant requirements in *Table 2.1* or *Table 2.2*.

2.1(2) *Subclause 2.1(3)* applies to motor vehicles first certified for entry into service in New Zealand before 1 April 2002, or first certified for entry into service in New Zealand on or after 1 April 2002 but inspected at the border before 1 February 2002.

2.1(3) A vehicle of Class MA manufactured on or after 1 March 1999 must comply with a version of an approved vehicle standard, unless:

- (a) the vehicle is manufactured before the phase-in date for the model, or model variant, of that vehicle in the relevant standard-setting jurisdiction or as specified in the standard; or
- (b) the model, or model variant, of that vehicle is not required by that standard itself to comply fully with that standard.

Table 2.1—Requirements for motor vehicles that are not low volume vehicles

Class	Motor vehicles first certified for entry into service in New Zealand before 1 April 2002, or first certified for entry into service in New Zealand on or after 1 April 2002 but inspected at the border before 1 February 2002		Motor vehicles first certified for entry into service in New Zealand on or after 1 April 2002 and inspected at the border on or after 1 February 2002
	Manufactured before 1 March 1999	Manufactured on or after 1 March 1999	
MA	General safety requirements	General safety requirements and approved vehicle standard ¹	General safety requirements and approved vehicle standard ^{2,3}
MB, MC	General safety requirements	General safety requirements	General safety requirements and, if manufactured on or after 1 October 2003, an approved vehicle standard ²

LA, LB1, LB2, LD, LE1, MD1, MD2, MD3, MD4, ME, NA, NB, NC	General safety requirements	General safety requirements	General safety requirements
Motor vehicles not in Table A	General safety requirements	General safety requirements	General safety requirements

Note: ¹ Except for vehicles that do not have to comply with an approved vehicle standard because 2.1(3)(a) or (b) applies.

² For vehicles that do not have to comply with an approved vehicle standard, see 2.1(7).

³ [Revoked]

Table 2.2—Requirements for low volume vehicles¹

Class	Light motor vehicle last modified on or after 1 January 1992 and certified as a low volume vehicle
Low volume vehicle	General safety requirements and <i>Low Volume Vehicle Code</i>

Note: ¹ The concept of low volume vehicles and hence certification for such vehicles was not initiated until after 1991. A motor vehicle last modified before 1 January 1992 does not have to comply with the *Low Volume Vehicle Code*, provided the vehicle has been continuously registered in New Zealand. It must, however, comply with the general safety requirements in 2.2.

- 2.1(4) *Subclauses 2.1(5) and 2.1(6) apply to motor vehicles first certified for entry into service in New Zealand on or after 1 April 2002 and inspected at the border on or after 1 February 2002.*
- 2.1(5) A vehicle of Class MA in 2.1(4) must comply with a version of an approved vehicle standard in 2.3(2).
- 2.1(6) A vehicle of Class MB or Class MC first manufactured on or after 1 October 2003 must comply with a version of an approved vehicle standard, as specified in 2.3.
- 2.1(7) *Subclauses 2.1(5) and 2.1(6) do not apply to:*
- (a) a motor vehicle first registered outside New Zealand 20 years or more before its date of first certification for entry into service in New Zealand; or
 - (b) a motor vehicle that has been certified as a low volume vehicle; or
 - (c) a motor vehicle of Class MA, MB or MC whose gross vehicle mass exceeds 2500 kg; or

- (d) a motor sport vehicle; or
- (e) an immigrant's vehicle; or
- (f) a special interest vehicle that is:
 - (i) not operated in a transport service; and
 - (ii) in the case of a vehicle registered in New Zealand for less than four years, registered in the name of the person who obtained the initial special interest vehicle permit for that vehicle, or their lawful successor or successors.

Note: 'Motor sport vehicle', 'immigrant's vehicle' and 'special interest vehicle' are defined terms.

Clause 2.1, Table 2.1, footnote 2: replaced, on 8 May 2008, by *clause 2.4 of Land Transport Rule: Frontal Impact Amendment 2008.*

Clause 2.1, Table 2.1, footnote 3: revoked, on 15 September 2005, by *clause 2.1(1) of Land Transport Rule: Frontal Impact Amendment 2005.*

Clause 2.1(5): amended, on 15 September 2005, by *clause 2.1(2) of Land Transport Rule: Frontal Impact Amendment 2005.*

Clause 2.1(7), paragraph (b): amended, on 8 May 2008, by *clause 2.3 of Land Transport Rule: Frontal Impact Amendment 2008.*

Clause 2.1(7), paragraph (c): inserted, on 8 May 2008, by *clause 2.3 of Land Transport Rule: Frontal Impact Amendment 2008.*

Clause 2.1(7), paragraph (d): inserted, on 8 May 2008, by *clause 2.3 of Land Transport Rule: Frontal Impact Amendment 2008.*

Clause 2.1(7), paragraph (e): inserted, on 8 May 2008, by *clause 2.3 of Land Transport Rule: Frontal Impact Amendment 2008.*

Clause 2.1(7), paragraph (f): inserted, on 8 May 2008, by *clause 2.3 of Land Transport Rule: Frontal Impact Amendment 2008.*

Note after *Clause 2.1(7):* inserted, on 8 May 2008, by *clause 2.3 of Land Transport Rule: Frontal Impact Amendment 2008.*

2.2 General safety requirements

- 2.2(1) Subject to 2.4(3), 2.4(4) and 2.4(5), the performance of a motor vehicle in relation to protecting occupants in a frontal impact collision must not be reduced below a safe tolerance of its state when manufactured or modified, by any factors, including corrosion, structural damage, material degradation, inadequate repair, the fitting of additional equipment, or the removal of equipment.
- 2.2(2) In assessing whether the general safety requirements in 2.2(1) have been complied with, a person specified in *section 4* may take into account:

- (a) the function of the additional equipment fitted to the motor vehicle after manufacture, and the measures taken to minimise the risk of injury from the equipment;
- (b) evidence that the motor vehicle is within the manufacturer's operating limits.

2.3 Approved vehicle standards

- 2.3(1) A frontal impact protection system must comply, if specified in *Table 2.1*, with a version, as specified in 2.3(4), of one of the approved vehicle standards in 2.3(2).
- 2.3(2) The approved vehicle standards for frontal impact protection systems are:
- (a) *Directive 96/79/EC of the European Parliament and of the Council of 16 December 1996 on the protection of occupants of motor vehicles in the event of a frontal impact [which, for the purpose of occupant protection in the event of a frontal impact, amends the Council Directive of 6 February 1970 on the approximation of the laws of the Member States relating to the type-approval of motor vehicles and their trailers (70/156/EEC)];*
 - (b) *UN/ECE Regulation No. 94, Uniform provisions concerning the approval of vehicles with regard to the protection of the occupants in the event of a frontal collision (E/ECE/324-E/ECE/TRANS/505/Rev.1/Add.93);*
 - (c) *Federal Motor Vehicle Safety Standard No. 208, Occupant Crash Protection in Passenger Cars, Multipurpose Passenger Vehicles, Trucks and Buses;*
 - (d) *Australian Design Rule 69, Full Frontal Impact Occupant Protection;*
 - (e) *Australian Design Rule 73, Offset Frontal Impact Protection;*
 - (f) *Technical Standard for Occupant Protection in Frontal Collision (Japan).*
- Approved vehicle standards include amendments to standards*
- 2.3(3) An approved vehicle standard in 2.3(2) includes all amendments to that standard, some of which may apply to classes of vehicle additional to those covered by the original standard.

Version of vehicle standards

- 2.3(4) A frontal impact protection system must comply with the version of an approved vehicle standard that is:
- (a) applicable in the relevant standard-setting jurisdiction to the date of manufacture of the motor vehicle or as specified in the standard; or
 - (b) a more recent version of that standard if the safety performance of the vehicle is not adversely affected.

Compliance with vehicle standards

- 2.3(5) A frontal impact protection system complies for the purpose of this rule with an applicable approved vehicle standard or the *Low Volume Vehicle Code* if:
- (a) it complied with that standard or the *Code* when manufactured or modified; and
 - (b) it is currently within safe tolerance of its state when manufactured or modified.

- 2.3(6) A frontal impact protection system in a low volume vehicle must comply, as specified in *Table 2.2*, with the requirements of the *Low Volume Vehicle Code* that are applicable to the date of certification or recertification of the motor vehicle as a low volume vehicle.

2.4 Airbags

- 2.4(1) This clause applies only to airbags designed to protect occupants in the event of a frontal impact crash.
- 2.4(2) Except as otherwise provided in this clause, an airbag and its operating system must not be removed from a motor vehicle or rendered inoperable.
- 2.4(3) An airbag may be removed temporarily for the purpose of repair (either to the airbag or to another part of the motor vehicle to which it is attached) or replacement.
- 2.4(4) If the retention of an airbag could pose a risk of serious injury if the airbag is deployed, the airbag and its operating system may be rendered inoperable in, or removed from, a motor vehicle:
- (a) that has been modified to accommodate the needs of a person with a disability; or
 - (b) that has had extensive modifications made to its frontal impact structure, for specialist use.

- 2.4(5) An airbag may be rendered inoperable in, or removed from, a motor vehicle 14 years or more after the date on which the vehicle was first registered in any country, provided that the vehicle is then certified in accordance with 2.4(6) or 2.4(7) (as applicable).
- 2.4(6) A light motor vehicle whose airbag and airbag operating system have been removed or rendered inoperable under 2.4(4) or 2.4(5) must be certified in accordance with the *Low Volume Vehicle Code*.
- 2.4(7) A heavy motor vehicle whose airbag and airbag operating system have been removed or rendered inoperable under 2.4(4) or 2.4(5) must be certified by a specialist certifier in accordance with *Land Transport Rule: Vehicle Standards Compliance 2002*.
- 2.4(8) A switch may be installed in a motor vehicle to render an airbag temporarily inoperable, and the switch may be activated in circumstances where the deployment of an airbag could pose a risk of serious injury, provided that the switch:
- (a) was installed as original equipment by the vehicle manufacturer; or
 - (b) is retrofitted and certified in accordance with the *Low Volume Vehicle Code*.
- 2.4(9) A motor vehicle must not have a sign, light or other device that indicates it is fitted with an airbag, if it is not fitted with an airbag.
- 2.4(10) If a device specified in 2.4(9) is not able to be readily removed, a label that indicates an airbag has been removed must be permanently attached in a prominent location where it is clearly visible to any occupant in the seating position previously protected by the airbag.
- 2.4(11) A motor vehicle must not have a light or other device indicating an airbag operating system is operable if it is inoperable.
- 2.4(12) An airbag warning-light system, if fitted by a vehicle manufacturer, must remain operational.

Clause 2.4(7): amended, on 8 May 2008, by clause 2.5 of Land Transport Rule: Frontal Impact Amendment 2008.

2.5 Replacement components for vehicle repair

A replacement component of a frontal impact protection system that is manufactured, stocked or offered for sale for fitting to a motor vehicle to be operated on a New Zealand road must not prevent a motor vehicle from complying with this rule.

Section 3 Modification and repair

3.1 Modification

A modification to a motor vehicle that affects its frontal impact performance:

- (a) must not prevent the vehicle from complying with this rule; and
- (b) must be certified as specified in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Clause 3.1(b): amended, on 8 May 2008, by *clause 2.6 of Land Transport Rule: Frontal Impact Amendment 2008*.

3.2 Repair

A repair to a component or a group of components that affects a motor vehicle's frontal impact performance must comply with *Land Transport Rule: Vehicle Repair 1998* and must not prevent the vehicle from complying with this rule.

Section 4 Responsibilities

4.1 Responsibilities of operators

A person who operates a motor vehicle must ensure that the vehicle complies with this rule.

4.2 Responsibilities of repairers

A person who repairs a motor vehicle so as to affect its frontal impact performance must ensure that the repair:

- (a) does not prevent the vehicle from complying with this rule; and
- (b) complies with *Land Transport Rule: Vehicle Repair 1998*.

4.3 Responsibilities of modifiers

A person who modifies a motor vehicle so as to affect its frontal impact performance must:

- (a) ensure that the modification does not prevent the vehicle from complying with this rule; and
- (b) notify the operator if the vehicle must be inspected and, if necessary, certified, because there is reason to believe it is:
 - (i) a light motor vehicle that has been modified to become a low volume vehicle; or
 - (ii) a heavy motor vehicle that has been modified so as to adversely affect its safety performance or compliance with this rule.

4.4 Responsibilities of vehicle inspectors and inspecting organisations

A vehicle inspector or inspecting organisation must not certify a motor vehicle under *Land Transport Rule: Vehicle Standards Compliance 2002* if they have reason to believe that the vehicle does not comply with this Rule.

Clause 4.4: replaced, on 8 May 2008, by clause 2.7 of Land Transport Rule: Frontal Impact 2008.

4.5 Responsibilities of manufacturers and retailers

A person may manufacture, stock or offer for sale a component intended for fitting to a motor vehicle to be operated on a New Zealand road, only if the component:

- (a) complies with this rule; and
- (b) if used to repair a vehicle, does not prevent a vehicle, its structure, systems, components or equipment from complying with this rule; and
- (c) if of a type specified in 4.6, complies with any requirements specified in accordance with 4.6(2).

4.6 Functions and powers of the Director

4.6(1) The Director may, by notice in the *Gazette*, specify types of replacement components of frontal impact protection systems for the purposes of this clause, if the Director is satisfied that this is necessary to ensure that the components comply with 2.5.

4.6(2) In a notice given under 4.6(1), the Director may specify any of the following requirements that are to apply to those types of component:

- (a) if the component is new, that the component be made by a manufacturer approved by the Director;

- (b) if the component is second-hand, that:
 - (i) the salvaged component be from a motor vehicle that was registered in a jurisdiction named in the notice; and
 - (ii) the component be approved for the purposes of repair of a motor vehicle by a person appointed by the Director;
 - (c) that a person in 4.5 provide a label or supply information specifying the vehicle make and model to which the component may be fitted.
- 4.6(3) The Director may direct a person in 4.5 to recall replacement components, if the Director is satisfied that the components do not comply with 2.5, and direct that that person bear the costs associated with the recall.
- 4.6(4) The Director may, by notice in the *Gazette*, appoint an organisation or organisations having expertise in requirements for vehicles used in motor sport competition, to issue motor sport authority cards for the purpose of this Rule.
- 4.6(5) The Director may, by notice in the *Gazette*, appoint an organisation or organisations to process applications for specific motor vehicles to be identified as immigrant's vehicles for the purposes of 2.1(7)(e).
- 4.6(6) The Agency may not grant exemptions, under *section 166* of the Act, from the requirements of *Schedule 1* or *Schedule 2*.

Heading to *clause 4.6*: amended, on 1 August 2008, by *Part 2* of *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Heading to *clause 4.6*: amended, on 1 April 2021, by *clause 5.2(1)* of *Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021*.

Clause 4.6(1): amended, on 1 August 2008, by *Part 2* of *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 4.6(1): amended, on 1 April 2021, by *clause 5.2(2)* of *Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021*.

Clause 4.6(2): amended, on 1 August 2008, by *Part 2* of *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 4.6(2): amended, on 1 April 2021, by *clause 5.2(3)* of *Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021*.

Clause 4.6(3): amended, on 1 August 2008, by *Part 2* of *Schedule 3* of the *Land Transport Management Amendment Act 2008*.

Clause 4.6(3): amended, on 1 April 2021, by *clause 5.2(4)* of *Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021*.

Clause 4.6(4): inserted, on 8 May 2008, by clause 2.8 of Land Transport Rule: Frontal Impact Amendment 2008.

Clause 4.6(4): amended, on 1 April 2010, by clause 2.1(1)(b) of Land Transport Rule: Frontal Impact Amendment 2010.

Clause 4.6(4): amended, on 1 April 2021, by clause 5.2(5) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021.

Clause 4.6(5): inserted, on 8 May 2008, by clause 2.8 of Land Transport Rule: Frontal Impact Amendment 2008.

Clause 4.6(5): amended, on 1 April 2010, by clause 2.1(1)(b) of Land Transport Rule: Frontal Impact Amendment 2010.

Clause 4.6(5): amended, on 1 April 2021, by clause 5.2(6) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021.

Clause 4.6(6): inserted, on 8 May 2008, by clause 2.8 of Land Transport Rule: Frontal Impact Amendment 2008.

Clause 4.6(6): amended, on 1 April 2010, by clause 2.1(1)(b) of Land Transport Rule: Frontal Impact Amendment 2010.

4.7

Responsibilities in relation to declarations

No person may knowingly make a false declaration for the purposes of:

- (a) *paragraph 2 of Schedule 1;*
- (b) *paragraph 2 of Schedule 2.*

Clause 4.7: inserted, on 8 May 2008, by clause 2.9 of Land Transport Rule: Frontal Impact Amendment 2008.

Note: A breach of a responsibility in this section is an offence, as provided in the *Land Transport (Offences and Penalties) Regulations 1999*, and is subject to a penalty as specified in those regulations.

Part 2

Definitions

Act means the *Land Transport Act 1998*.

Agency means the New Zealand Transport Agency established under *section 93* of the *Land Transport Management Act 2003*

Approved vehicle standard means a vehicle standard in *2.3(2)*.

Certify has the same meaning as in *Part 2* of *Land Transport Rule: Vehicle Standards Compliance 2002*.

Class in relation to vehicles, means a category of vehicle of one of the Groups A, L, M, N and T, as specified in *Table A—Vehicle classes*.

Company car means a vehicle that is:

- (a) made available to an employee by reason of his or her employment; and
- (b) is available for his or her private use.

EEC, EC are abbreviations for directives of the European Economic Community and, later, the European Communities.

Federal Motor Vehicle Safety Standard is a vehicle standard of the United States of America.

Frontal impact protection system means a set of associated parts, components, and systems incorporated in a motor vehicle to protect occupants in a frontal impact collision.

Gross vehicle mass has the same meaning as in *section 2(1)* of the *Land Transport Act 1998*.

Heavy motor vehicle means a motor vehicle that is either:

- (a) of Class MD3, MD4, ME, NB, NC, TC or TD; or
- (b) a vehicle (not of a class in *Table A—Vehicle classes*) with a gross vehicle mass that exceeds 3500 kg.

Historic value means having great and lasting importance.

Immigrant's vehicle means a Class MA, MB, or MC motor vehicle that is—

- (a) imported into New Zealand by a New Zealand citizen, or a New Zealand resident, who has lived outside New Zealand for a period of not less than 21 months before the date of his or her arrival in or return to New Zealand; and
- (b) identified in writing and in accordance with *Schedule 1* by the Director, or by an organisation appointed by the Director under *4.6(5)*, as being an immigrant's vehicle.

Inspecting organisation has the same meaning as in *Part 2 of Land Transport Rule: Vehicle Standards Compliance 2002*.

Light motor vehicle means a motor vehicle of any class except one defined as a ‘heavy motor vehicle’.

Low volume vehicle has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Low Volume Vehicle Code means the code of the Low Volume Vehicle Technical Association Incorporated.

Manufacturer’s operating limits means:

- (a) in relation to a motor vehicle, the allowance provided by the vehicle manufacturer in terms of performance capability and dimensions, relative to deterioration, malfunction or damage beyond which the safe performance of the vehicle, as defined by the vehicle manufacturer, is compromised; and
- (b) in relation to a system, component or item of equipment, incorporated in or attached to a vehicle, the allowance provided by the system, component or equipment manufacturer in terms of performance capability and dimensions, relative to the deterioration, malfunction or damage, beyond which the safe performance of the system, component or item of equipment (and consequently the vehicle) is compromised.

Mobility device means—

- (a) a vehicle that—
 - (i) is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and
 - (ii) is powered solely by a motor that has a maximum power output not exceeding 1 500 W; or
- (b) a vehicle that the Agency has declared under *section 168A(1)* of the Act to be a mobility device.

Modify in relation to a motor vehicle, means to change the vehicle from its original state by altering, substituting, adding or removing any structure, system, component or equipment; but does not include repair.

Motor sport vehicle means a Class MA or Class MC motor vehicle that is:

- (a) used in motor sport competition; and
- (b) operated in accordance with the conditions of a valid motor sport authority card issued to that vehicle by an organisation in *4.6(4)*.

Motor vehicle means a vehicle drawn or propelled by mechanical power; and includes a trailer; but does not include:

- (a) a vehicle running on rails;
- (b) [*Revoked*];
- (c) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force;
- (d) a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres;
- (e) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles;
- (f) a pedestrian-controlled machine;
- (g) a vehicle that the Agency has declared is not a motor vehicle under *section 168A* of the Act;
- (h) a mobility device.

New Zealand resident means a person who holds a residence class visa under the *Immigration Act 2009*.

Operate in relation to a vehicle, means to drive or use the vehicle on a road, or to cause or permit the vehicle to be on a road, or to be driven on a road, whether or not the person is present with the vehicle.

Original equipment means equipment fitted by the motor vehicle manufacturer when the vehicle is manufactured.

Phase-in date means the date specified in an approved vehicle standard from which a model, or model variant, of a vehicle must comply with that standard or part of that standard.

Repair means to restore a damaged or worn motor vehicle, its structure, systems, components or equipment; and includes the replacement of damaged or worn structures, systems, components or equipment with equivalent undamaged or new structures, systems, components or equipment.

Safe tolerance means the tolerance within which the safe performance of the vehicle, its structure, systems, components or equipment is not compromised, having regard to any manufacturer's operating limits.

Special interest vehicle means a Class MA vehicle with a valid special interest permit issued in accordance with *Schedule 2*.

Technical Standard means a Japanese domestic vehicle standard issued by the Japanese Ministry of Land, Infrastructure and Transport and translated into, and published in, English by the Japan Automobile Standards Internationalization Center (JASIC) in the *Automobile Type Approval Handbook for Japanese Certification*.

Transport service has the same meaning as in *section 2(1)* of the Act.

UN/ECE is an abbreviation for a regulation of the United Nations Economic Commission for Europe.

Vehicle identification number or **VIN** means a group of letters and numbers, consisting of 17 characters, that is affixed to the vehicle and that complies with the requirements of one of the following:

- (a) *ISO 3779*; or
- (b) *Australian Design Rule 61/01*; or
- (c) *Chapter 565 of the Code of Federal Regulations 49*.

Vehicle inspector has the same meaning as in *Part 2 of Land Transport Rule: Vehicle Standards Compliance 2002*.

Vehicle standard means a technical specification with which a motor vehicle, its structure, systems, components or equipment must comply, and which is adopted by:

- (a) the New Zealand Standards Council; or
- (b) any international, national or regional organisation with functions similar to the New Zealand Standards Council.

Part 2, Definitions, Act: inserted, on 8 May 2008, by *clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008*.

Part 2, Definitions, Agency: inserted, on 1 August 2008, by *Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008*.

Part 2, Definitions, Certifier: revoked, on 8 May 2008, by *clause 3.4 of Land Transport Rule: Frontal Impact Amendment 2008*.

Part 2, Definitions, Certify: replaced, on 8 May 2008, by *clause 3.2(1) of Land Transport Rule: Frontal Impact Amendment 2008*.

Part 2, Definitions, Company car: inserted, on 8 May 2008, by *clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008*.

Part 2, Definitions, Director: revoked, on 1 August 2008, by *Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008*.

Part 2, Definitions, gross vehicle mass: replaced, on 1 June 2019, by *clause 2.2 of Land Transport Rule: Vehicle Standards Compliance Amendment 2019*.

Part 2, Definitions, Historic value: inserted, on 8 May 2008, by *clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008*.

Part 2, Definitions, Immigrant's vehicle: inserted, on 8 May 2008, by *clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008*.

Part 2, Definitions, Immigrant's vehicle: replaced, on 1 April 2010, by *clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2010*.

Part 2, Definitions, Immigrant's vehicle: replaced, on 29 November 2010, by *Schedule 4 of the Immigration Act 2009*.

*Part 2, Definitions, **Inspecting organisation**: inserted, on 8 May 2008, by clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **Low volume vehicle**: replaced, on 1 April 2011, by clause 3.1 of Land Transport Rule: Vehicle Standards Compliance Amendment 2011.*

*Part 2, Definitions, **Low volume vehicle**: replaced, on 1 May 2021, by clause 2.1 of Land Transport Rule: Frontal Impact Amendment 2021.*

*Part 2, Definitions, **mobility device**: inserted, on 22 June 2005, by Part 6 of the Schedule to the Land Transport Amendment Act 2005.*

*Part 2, Definitions, **mobility device**, paragraph (b): amended, on 8 May 2008, by clause 3.3(2) of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **mobility device**, paragraph (b): amended, on 1 August 2008, by Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008.*

*Part 2, Definitions, **Motor sport vehicle**: inserted, on 8 May 2008, by clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **motor vehicle**, paragraph (b): revoked, on 22 June 2005, by Part 6 of the Schedule to the Land Transport Amendment Act 2005.*

*Part 2, Definitions, **motor vehicle**, paragraph (g): inserted, on 22 June 2005, by Part 6 of the Schedule to the Land Transport Amendment Act 2005.*

*Part 2, Definitions, **motor vehicle**, paragraph (g): amended, on 8 May 2008, by clause 3.3(1) of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **motor vehicle**, paragraph (g): amended, on 1 August 2008, by Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008.*

*Part 2, Definitions, **motor vehicle**, paragraph (h): inserted, on 22 June 2005, by Part 6 of the Schedule to the Land Transport Amendment Act 2005.*

*Part 2, Definitions, **New Zealand resident**: inserted, on 8 May 2008, by clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **New Zealand resident**: replaced, on 29 November 2010, by Schedule 4 of the Immigration Act 2009.*

*Part 2, Definitions, **Scratch-built vehicle**: revoked, on 1 January 2014, by clause 3.1 of Land Transport Rule: Vehicle Standards Compliance Amendment (No 3) 2013.*

*Part 2, Definitions, **Special interest vehicle**: inserted, on 8 May 2008, by clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **Transport service**: inserted, on 8 May 2008, by clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **Vehicle identification number**: inserted, on 8 May 2008, by clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

*Part 2, Definitions, **Vehicle inspector**: inserted, on 8 May 2008, by clause 3.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

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 300 watts.
LA (Moped with two wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: <ul style="list-style-type: none"> (a) has two wheels; and (b) either: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) has three wheels; and (b) either: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) has two wheels; and (b) either: <ul style="list-style-type: none"> (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: <ul style="list-style-type: none"> (a) has three wheels asymmetrically arranged in relation to the longitudinal median axis; and (b) either: <ul style="list-style-type: none"> (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
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: <ul style="list-style-type: none"> (a) has three wheels symmetrically arranged in relation to the

Class	Description
	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).
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 nonseparable 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.

Class	Description
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.
ME (Heavy omnibus)	An omnibus that has a gross vehicle mass exceeding 5 tonnes.
Goods vehicle	<p>A motor vehicle that:</p> <ul style="list-style-type: none"> (a) is constructed primarily for the carriage of goods; and (b) either: <ul style="list-style-type: none"> (i) has at least four wheels; or (ii) has three wheels and a gross vehicle mass exceeding one tonne. <p>For the purpose of this description:</p> <ul style="list-style-type: none"> (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; (b) the equipment and installations carried on special purpose vehicles not designed for the carriage of passengers shall be considered to be goods; (c) a goods vehicle that has two or more non-separable but articulated units shall be considered to be a single vehicle.
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.
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.

Class	Description
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.

Part 2, Table A – vehicle classes, Class AB (power-assisted pedal cycle): amended, on 1 April 2010, by clause 3.1 of Land Transport Rule: Vehicle Standards Compliance Amendment 2010.

Part 3 Schedules

Schedule 1 Immigrants' vehicles

Application for identification of vehicle as immigrant's vehicle

1. To have a vehicle identified as an immigrant's vehicle, an applicant must:
 - (a) apply to the Director, or to an organisation appointed by the Director under 4.6(5), before the vehicle is certified for entry into service in New Zealand; and
 - (b) pay the appropriate fee or fees (if any) specified in accordance with regulations made under the Act.
2. The applicant must:
 - (a) be a New Zealand citizen or a New Zealand resident; and
 - (b) have lived outside New Zealand for a period of not less than 21 months before the date of his or her arrival in or return to New Zealand; and
 - (c) apply within 18 months of the applicant's arrival in or return to New Zealand; and
 - (d) personally own the vehicle; and
 - (e) have personally owned and registered the vehicle for personal use in a country outside New Zealand for a period of at least one year before the applicant's arrival in or return to New Zealand; and
 - (f) never had any other vehicle identified as an immigrant's vehicle; and
 - (g) not have imported or be importing the vehicle on behalf of, or for, a third party; and
 - (h) make a declaration declaring that:
 - (i) the applicant has resided outside New Zealand for a period of not less than 21 months before the applicant's arrival in or return to New Zealand; and
 - (ii) the applicant has personally owned the vehicle, and has registered it for personal use in a country outside New Zealand, for a period of at least one year before the applicant's arrival in or return to New Zealand; and
 - (iii) the applicant has never had any other vehicle identified as an immigrant's vehicle; and

- (iv) the applicant has not imported the vehicle on behalf of, or for, a third party; and
- (v) the applicant will not sell or lease the vehicle to a third party for at least a year after the date on which the vehicle is first registered in New Zealand; and
- (vi) the applicant will not operate the vehicle in a transport service.

Identification of immigrant's vehicle

3. The Director, or an organisation appointed by the Director under 4.6(5), may identify a vehicle in writing as an immigrant's vehicle if the vehicle is a Class MA, MB or MC motor vehicle and the applicant:
 - (a) be a New Zealand citizen or a New Zealand resident; and
 - (b) has never had any other vehicle identified as an immigrant's vehicle; and
 - (c) makes a declaration in accordance with *paragraph 2(h)*; and
 - (d) has paid the appropriate fee or fees (if any) specified in accordance with regulations made under the Act.

Conditions of use

4. The vehicle must be registered in New Zealand in the applicant's name for at least one year after the date on which the vehicle is first registered in New Zealand (although additional names may also appear on the registration documents).
5. The applicant may not operate the vehicle in a transport service.

Transitional and savings

6. A New Zealand citizen or New Zealand resident may apply for identification of a vehicle as an immigrant's vehicle if:
 - (a) the vehicle was border inspected:
 - (i) on or after 1 April 2002; and
 - (ii) before 8 May 2008; and
 - (b) but for *paragraph 2(c)*, the vehicle would be identified as an immigrant's vehicle.

Interpretation

7. To avoid doubt, in this *Schedule*, "arrival in or return to New Zealand" means arrival in or return to New Zealand after having lived outside New Zealand for a period of not less than 21 months.

Part 3, Schedule 1, Immigrant's vehicles: inserted, on 8 May 2008, by *clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2008*.

Part 3, Schedule 1, clause 1(a): amended, on 1 April 2010, by *clause 4.1 of Land Transport Rule Frontal Impact Amendment 2010*.

Part 3, Schedule 1, clause 1(a): amended, on 1 April 2021, by *clause 5.3(1) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021*.

Part 3, Schedule 1, clause 2(a): replaced, on 29 November 2010, by *Schedule 4 of the Immigration Act 2009*.

Part 3, Schedule 1, clause 3: amended, on 1 April 2010, by *clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2010*.

Part 3, Schedule 1, clause 3: amended, on 1 April 2021, by *clause 5.3(2) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021*.

Part 3, Schedule 1, clause 3(a): replaced, on 29 November 2010, by *Schedule 4 of the Immigration Act 2009*.

Schedule 2

Special interest vehicle permits

Application for special interest vehicle permit

1. To obtain a special interest vehicle permit, an applicant must:
 - (a) apply to the Director before the vehicle is certified for entry into service in New Zealand; and
 - (b) pay the appropriate fee or fees (if any) specified in accordance with regulations made under the Act.
2. An application for a special interest vehicle permit must:
 - (a) include the vehicle's VIN or chassis number; and
 - (b) include a declaration made by the applicant declaring that:
 - (i) the applicant is a New Zealand citizen or New Zealand resident; and
 - (ii) the vehicle will be registered in the applicant's name; and
 - (iii) the vehicle will be used for personal purposes and will not be operated on the road for commercial purposes or for hire and reward; and
 - (iv) the applicant will not sell or lease the vehicle to a third party within four years of the vehicle's first registration in New Zealand; and
 - (v) the vehicle will not be operated in a transport service; and
 - (vi) the applicant has not been granted a special interest vehicle permit in the last two years; and
 - (c) contain such other information as the Director considers necessary to support the application.

Issue of special interest vehicle permit

3. Subject to *paragraph 5*, the Director may issue a special interest vehicle permit in respect of a Class MA motor vehicle if:
 - (a) the Director considers that the vehicle will be owned as a collector's item and:
 - (i) is of historic value; or
 - (ii) meets three of the four requirements set out in *paragraph 4*; and
 - (b) the applicant:
 - (i) is a New Zealand citizen or a New Zealand resident; and

- (ii) has another vehicle for primary use that is a Class MA, MB, MC or NA vehicle that is registered in the applicant's name, is leased by the applicant or is a company car; and
 - (iii) has not been issued with a special interest vehicle permit in the last two years; and
 - (iv) does not have any other special interest vehicle registered in his or her name; and
 - (v) has made an application in accordance with *paragraphs 1 and 2*; and
 - (vi) has paid the appropriate fee or fees (if any) specified in accordance with regulations made under the Act.
4. For the purpose of *paragraph 3(a)(ii)*, the Director must consider that the vehicle meets three of the following four requirements:
- (a) the vehicle (or its make, model and submodel) is identified as being a collector's item in one of following magazines (or its respective website):¹
 - (i) Australian Classic Car Magazine;
 - (ii) Car and Driver Magazine (US);
 - (iii) Automobile Magazine (US);
 - (iv) MOTOR Magazine (Australia);
 - (v) Motor Trend Magazine (US);
 - (vi) New Zealand Autocar Magazine;
 - (vii) New Zealand Classic Car Magazine;
 - (viii) Road and Track Magazine (US);
 - (ix) Top Gear Magazine (UK);
 - (x) Top Gear NZ Magazine;
 - (xi) Unique Cars Magazine (Australia);
 - (xii) WHEELS Magazine (Australia);
 - (b) the vehicle's make, model and sub-model has been (or was) manufactured in annual volumes of 20,000 units or less;
 - (c) the vehicle is, and was manufactured as:
 - (i) a two-door coupe; or
 - (ii) a convertible;
 - (d) the vehicle is, and was manufactured as, a high performance vehicle.

5. The Director may not issue more than 200 special interest vehicle permits in any calendar year.
6. A special interest vehicle permit ceases to be valid if the vehicle is not inspected at the border or certified for entry within six months after the date of issue.
7. To avoid doubt, a special interest vehicle permit that ceases to be valid in the calendar year in which it was issued shall not be counted for the purposes of *paragraph 5*.

¹ This is not intended to be an exhaustive list of magazines in which special interest vehicles are featured but rather it is a list of magazines in which any genuine special interest vehicle is expected to feature.

*Part 3, Schedule 2, **Special interest vehicle permits**: inserted, on 8 May 2008, by clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2008.*

Part 3, Schedule 2, clause 1(a): amended, on 1 April 2010, by clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2010.

Part 3, Schedule 2, clause 1(a): amended, on 1 April 2021, by clause 5.4(1) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021.

Part 3, Schedule 2, clause 2(c): amended, on 1 April 2010, by clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2010.

Part 3, Schedule 2, clause 2(c): amended, on 1 April 2021, by clause 5.4(2) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021.

Part 3, Schedule 2, clause 3: amended, on 1 April 2010, by clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2010.

Part 3, Schedule 2, clause 3(a): amended, on 1 April 2010, by clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2010.

Part 3, Schedule 2, clause 3: amended, on 1 April 2021, by clause 5.4(3) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021.

Part 3, Schedule 2, clause 4: amended, on 1 April 2010, by clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2010.

Part 3, Schedule 2, clause 4: amended, on 1 April 2021, by clause 5.4(4) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021.

Part 3, Schedule 2, clause 4(b): amended, on 1 October 2011, by clause 2.1 of Land Transport Rule: Frontal Impact Amendment 2011.

Part 3, Schedule 2, clause 5: amended, on 1 April 2010, by clause 4.1 of Land Transport Rule: Frontal Impact Amendment 2010.

Part 3, Schedule 2, clause 5: amended, on 1 April 2021, by clause 5.4(5) of Land Transport Rule: Agency to Director (Consequential Changes) Amendment 2021.