



Ministry of **Transport**

TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155(a) and (b) of the Land Transport Act 1998

I, **Steven Joyce**, Minister of Transport,

HEREBY make the following ordinary rule:

Land Transport Rule: Heavy-vehicle Brakes Amendment

SIGNED AT Wellington

This *1st* day of *APRIL* 2009

Steven Joyce
Minister of Transport

Land Transport Rule Heavy-vehicle Brakes Amendment 2009

Rule 32015/2

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Land Transport Rule

Heavy-vehicle Brakes Amendment 2009

Rule 32015/2

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Objective of the Rule

Land Transport Rule: Heavy-vehicle Brakes Amendment 2009 amends *Land Transport Rule: Heavy-vehicle Brakes 2006* (the Rule), which specifies requirements to ensure that heavy vehicles and heavy-vehicle combinations can brake safely, with balanced brake performance, at any load condition that is legal on a road.

The objectives of this amendment Rule are:

- to simplify and clarify the wording in the principal Rule;
- to better align the New Zealand requirements with overseas standards;
- to define the terms ‘dedicated combination’ and ‘vehicle identification number (VIN)’;
- to allow the parking brake control of heavy trailers in dedicated combinations (other than those with air brakes) to be on the trailer;
- to allow greater operational flexibility for connecting the brake hose between semi-trailers and vehicles towing semi-trailers; and
- to exclude specified modifications from specialist certification requirements.

Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Heavy-vehicle Brakes 2006* and eleven other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2008* (the Omnibus Amendment Rule).

On 19 August 2008, the NZ Transport Agency (NZTA) sent details of the amendment proposals by letter or email to approximately 1500 groups and individuals who had registered an interest in the Rules to be amended. The draft Omnibus Amendment Rule was made available through the NZTA Contact Centre and, together with Questions and Answers, was also made available on the NZTA website. The availability of the draft for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin.

and in the *New Zealand Gazette*. The NZTA received 24 submissions on the draft Omnibus Amendment Rule, of which 11 commented on the proposed requirements for this Rule.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into 12 separate amendment Rules, including this Rule. The submissions that were received were taken into account in drafting this amendment Rule before it was submitted to the Minister of Transport for signing.

Section 1 Application

- 1.1 Title**
- 1.1(1) This Rule is *Land Transport Rule: Heavy-vehicle Brakes Amendment 2009*.
- 1.1(2) This Rule amends *Land Transport Rule: Heavy-vehicle Brakes 2006*.
- 1.2 Date when Rule comes into force**
- This Rule comes into force on 7 May 2009.

Section 2 Amendments to Rule requirements

- 2.1 Scope of the Rule**
- Clause 1.2* is amended by substituting the following subclause for *subclause 1.2(4)*:
- “1.2(4) The applicable provisions in this Rule, for the purposes of specialist inspection and certification of heavy-vehicle brakes under *Land Transport Rule: Vehicle Standards Compliance 2002*, are in:
- “(a) 2.3(9A); and
 - “(b) 6.1(2)(a); and
 - “(c) 7.1(3)(a), 7.1(3)(b), 7.2(3), 7.4(2)(b) and 7.5; and
 - “(d) 8.1 except as provided in 8.2.”
- 2.2 Requirements for different types of brake**
- Clause 2.3* is amended by inserting the following subclause:
- “2.3(9A) Despite 2.3(9), the parking brake control of a Class TC vehicle may be fitted to the vehicle if:
- “(a) the vehicle is part of a dedicated combination and does not have

an air brake or a brake that is operated with the assistance of compressed air; and

- “(b) the vehicle is fitted with a device that complies with 5.3(1); and
- “(c) the control is fitted in a readily accessible position; and
- “(d) the towing vehicle complies with 5.3(3).”

2.3

Pressure warning devices

Clause 3.4 is amended by substituting the following subclause for *subclause 3.4(1)*:

- “3.4(1) A powered vehicle to which 3.5 applies, other than a passenger service vehicle first registered in New Zealand before 10 February 1978, must be fitted with a device that provides a continuous signal that is clearly visible or audible from the driver’s normal driving position if any service brake reservoir is below the minimum safe operating pressure.

“[Note: ‘Minimum safe operating pressure’ is defined in 3.8 below.]”

2.4

Pressure gauges

Clause 3.5 is amended by substituting:

- (a) the following subclause for *subclause 3.5(1)*:

“3.5(1) A passenger service vehicle first registered in New Zealand on or after 10 February 1978 must be fitted with at least one gauge that:

- “(a) is readily visible to the driver at all times from the driver’s normal driving position; and
- “(b) indicates, to the driver, the pressure in at least one service brake reservoir.”;

- (b) the following subclause for *subclause 3.5(3)*:

- “3.5(3) A powered vehicle, other than a passenger service vehicle, must be fitted with at least one gauge that:
- “(a) is readily visible to the driver at all times from the driver’s normal driving position; and
 - “(b) indicates, to the driver, the pressure in at least one service brake reservoir.”

2.5

Reservoir capacity

Clause 3.6 is amended by inserting the following subclause:

- “3.6(1A) The requirement for at least five full service-brake applications in *3.6(1)(a)* may be reduced to four for a vehicle that complies with the approved standard in *2.5(2)(a)* or *(b)*.”

2.6

Priority and protection of air brakes

2.6(1)

Paragraph 3.7(3)(a) is amended by substituting the words “any service brake or parking brake reservoir(s)” for the words “any brake reservoir”.

2.6(2)

Paragraph 3.7(3)(b) is amended by substituting the words “the service brake or parking brake reservoir(s)” for the words “the reservoir”.

2.6(3)

Subclause 3.7(4) is amended by substituting the words “the service brake or parking brake reservoir(s)” for the words “the brake reservoir”.

2.6(4)

Clause 3.7 is amended by substituting the following subclause for *subclause 3.7(5)*:

- “3.7(5) If a vehicle to which *3.4* applies has more than one compressed-air service or parking brake circuit, a failure in any service or parking brake circuit that lowers the pressure in any service or parking brake reservoir, below the minimum safe operating pressure, must not reduce the pressure in any other service or parking

brake reservoir below the minimum safe operating pressure.”

2.7 **Minimum safe operating pressure**

Section 3 is amended by inserting the following clause:

“3.8 **Minimum safe operating pressure**

“In this section, ‘minimum safe operating pressure’ means:

- “(a) the minimum safe operating pressure specified by the vehicle manufacturer or brake manufacturer; or
- “(b) if no minimum safe operating pressure is specified by the vehicle manufacturer or brake manufacturer, 50% of the correctly adjusted cut-out pressure for the compressor-governor.”

2.8 **Additional requirements for towing vehicles**

Subclause 7.1(8) is amended by substituting the words “between 55 and 80 kPa (inclusive)” for the words “not exceeding 80 kPa”.

2.9 **Additional requirements for trailers**

Subclause 7.2(5) is amended by substituting the words “between 55 and 80 kPa (inclusive)” for the words “not exceeding 80 kPa”.

2.10 **Requirements for the connection of the air brake of vehicles in a combination vehicle**

Clause 7.3 is amended by substituting the following subclause for *subclause 7.3(3)*:

- “7.3(3) For vehicles towing semi-trailers and for semi-trailers, the hoses connecting the towed and towing vehicles are to be considered as part of the towing or towed vehicle or to be detachable at both ends.”

2.11 Modifications that do not require specialist certification

Section 8 is amended by inserting the following clause:

“8.2 Modifications that do not require specialist certification

“The following modifications do not require specialist certification:

- “(a) an adjustment of the brake system for the purpose of complying with 7.1(8) or 7.2(5);
- “(b) the replacement of an air brake coupling device on a powered vehicle for the purpose of complying with 7.3;
- “(c) the fitting of an air brake coupling device to a powered vehicle that is carried out:
 - “(i) for the purpose of complying with 7.3; and
 - “(ii) in accordance with the manufacturer’s recommendations;
- “(d) the fitting of a valve to a powered vehicle to allow the parking brake of any towed trailer(s) to operate.”

Section 3 Amendments to definitions

3.1 Amendments to definitions

Part 2 is amended by inserting the following definitions in the appropriate places:

“**Dedicated combination** means a combination of vehicles certified for use in combination where both vehicles are affixed with a plate clearly and indelibly marked with the VIN or chassis number of the other vehicle.”

“**Vehicle identification number (VIN)** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.”

Section 4 **Amendments to Schedules**

4.1 **Amendments to Schedule**

Part 3, Schedule 5 is amended by deleting:

- (a) *paragraph 8.4(a)*; and
- (b) *paragraph 9.4(a)*.