

DISALLOWABLE INSTRUMENT



WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155(b) of the Land Transport Act 1998, and after having had regard to the criteria specified in section 164(2) of that Act

I, Michael Woodhouse, Associate Minister of Transport, make the following ordinary Rule:

Land Transport Rule: Light-vehicle Brakes Amendment 2014

SIGNED AT Wellington

This *24th* day of *June* 2014



Michael Woodhouse

Associate Minister of Transport

Land Transport Rule
Light-vehicle Brakes Amendment 2014

Rule 32014/4

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Land Transport Rule
Light-vehicle Brakes Amendment 2014
Rule 32014/4

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Objective of the Rule

Land Transport Rule: Light-vehicle Brakes Amendment 2014 (the amendment Rule) amends *Land Transport Rule: Light-vehicle Brakes 2002* (Light-vehicle Brakes Rule (the principal rule)). The Light-vehicle Brakes Rule specifies the types of brake that must be fitted in most types of light vehicle, and the requirements for those brakes.

The objective of the amendment Rule is to:

- specify the classes of light motor vehicles entering the New Zealand fleet that must be fitted with electronic stability control (ESC), and to provide some exceptions to this requirement;
- set out the attributes that an ESC system must have;
- require that an ESC system fitted to a light motor vehicle must be maintained in good working order and not be removed.

Extent of consultation

Formal consultation on the draft amendment Rule began with the release of the draft for public consultation (yellow draft) in March 2014. The NZ Transport Agency sent details of the Rule proposals by letter or email to approximately 845 groups and individuals who had registered an interest in the Light-vehicle Brakes Rule.

The yellow draft was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also available on the NZ Transport Agency's website. The availability of the yellow draft for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*.

The NZ Transport Agency received 30 submissions on the draft amendment Rule. The submissions received were taken into account in finalising the

draft Rule following which it was submitted to the Associate Minister of Transport for signing.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

1.2 Commencement

This Rule comes into force on 1 July 2015.

1.3 Principal rule amended

This Rule amends *Land Transport Rule: Light-vehicle Brakes 2002*.

Section 2 Amendments to Rule requirements

2.1 Scope of the Rule

2.1(1)

Replace *clause 1.2(1)* with:

“1.2(1) This Rule applies to:

“(a) brakes and electronic stability control systems in light motor vehicles; and

“(b) brakes in vehicles of Class AA in *Table A in Part 2*.”

2.1(2)

In *clause 1.2(2)*, after “braking”, insert “and electronic stability control system”.

2.1(3)

In *clause 1.2(2)(b)*, after “brakes”, insert “and electronic stability control systems”.

2.2 Application of requirements

After *Table 2.4*, insert:

“Electronic stability control system

“2.1(3) The following motor vehicles must be fitted with an electronic stability control

system unless the vehicle is specified in 2.1(4):

- “(a) a new motor vehicle of Class MA, MB, MC or NA that is first certified for entry into service in New Zealand on or after 1 July 2015;
- “(b) a used motor vehicle of Class MC that is inspected at the border for the purposes of *section 4* of *Land Transport Rule: Vehicle Standards Compliance 2002* on or after 1 March 2016;
- “(c) a used motor vehicle of Class MA with an engine cylinder capacity exceeding 2000 cc that is inspected at the border for the purposes of *section 4* of *Land Transport Rule: Vehicle Standards Compliance 2002* on or after 1 March 2018;
- “(d) a used motor vehicle of Class NA, MB, or MA other than a vehicle in (c), that is inspected at the border for the purposes of *section 4* of *Land Transport Rule: Vehicle Standards Compliance 2002* on or after 1 March 2020.

“[**Note:** ‘new’ and ‘used’ are defined terms.]

“2.1(4) The requirements in 2.1(3) do not apply to:

- “(a) an immigrant’s vehicle; or
- “(b) a special interest vehicle; or
- “(c) a motorsport vehicle that is operated in accordance with the conditions of a valid low volume vehicle authority card issued for the vehicle in accordance with the *Low Volume Vehicle Code*; or

“(d) a vehicle specified in *paragraph (a)* of the definition of ‘low volume vehicle’ that was not originally fitted with an electronic stability control system and is certified in accordance with the *Low Volume Vehicle Code*; or

“(e) a motor vehicle manufactured, or first registered outside of New Zealand, twenty years or more before the date of its first certification for entry into service in New Zealand.

“[**Note:** ‘immigrant’s vehicle’ and ‘special interest vehicle’ are defined terms.]

“2.1(5) A light motor vehicle that is fitted with an electronic stability control system must comply with 2.6.”

2.3

General safety requirements

In the heading to *clause 2.2*, after “requirements”, insert “for brakes”.

2.4

General safety requirements for electronic stability control systems

After *clause 2.5*, insert:

“2.6 General safety requirements for electronic stability control systems

“2.6(1) An electronic stability control system, including all components of that system fitted in a motor vehicle, must:

“(a) be maintained in good working order; and

“(b) not be removed from the vehicle.

“2.6(2) If a motor vehicle is fitted with a warning system that is part of, or associated with, an electronic stability

control system, that warning system must function correctly.”.

2.5 Modification and repair

2.5(1) In *clause 3.1*, after “performance”, insert:

“or the proper functioning of its electronic stability control system”.

2.5(2) Replace *clause 3.2* with:

“A repair to a brake, to an electronic stability control system, or to any other component of a vehicle that affects its braking performance or the functioning of the electronic stability control system, must:

“(a) not prevent the vehicle from complying with this Rule; and

“(b) comply with *Land Transport Rule: Vehicle Repair 1998*.”.

2.5(3) In *clause 3.3(1)*, after “performance”, insert “or the functioning of an electronic stability control system”.

2.6 Responsibilities

2.6(1) In *clause 4.2*, after “brake”, insert “or electronic stability control system”.

2.6(2) In *clause 4.3*, after “performance”, insert “or the functioning of an electronic stability control system”.

2.6(3) In *clause 4.5*, after “components,” insert “or a component of an electronic stability control system,”.

Section 3 Amendments to Definitions

3.1 New definitions inserted

In *Part 2, Definitions*, insert in the appropriate alphabetical places:

“**Electronic stability control system** means a system that electronically regulates the stability of a

motor vehicle and, as a minimum, has the following attributes:

- “(a) improves vehicle directional stability by at least having the ability to automatically control individually the braking torques of the left and right wheels on each axle, or an axle of each axle group, to induce a correcting yaw moment based on the evaluation of actual vehicle behaviour in comparison with a determination of vehicle behaviour demanded by the driver; and
- “(b) is computer-controlled, with the computer using a closed-loop algorithm to limit vehicle oversteer and to limit vehicle understeer based on the evaluation of actual vehicle behaviour in comparison with a determination of vehicle behaviour demanded by the driver; and
- “(c) has a means to determine directly the value of the vehicle’s yaw rate and to estimate its side slip or side slip derivative with respect to time; and
- “(d) has a means to monitor driver steering inputs.

“**Immigrant’s vehicle** has the meaning given to it in *Land Transport Rule: Frontal Impact 2001*.

“**New** in relation to a vehicle, means a vehicle that:

- “(a) has not been registered and operated in New Zealand or any other country; and
- “(b) has not been operated on a road in New Zealand or any other country as a demonstration or courtesy vehicle; and
- “(c) has not been used for training or testing purposes; and
- “(d) is not a low volume vehicle that contains components that have been fitted in a vehicle that has been operated on the road in New Zealand or in any other country.

“**Special interest vehicle** has the meaning given to it in *Land Transport Rule: Frontal Impact 2001*.

“**Used** in relation to a vehicle, means a vehicle, including a vehicle that has been used for the purpose of demonstration in connection with the sale of a similar vehicle, that, at any time before being offered or displayed for sale, has been:

- “(a) registered in New Zealand or in any other country; or
- “(b) used for a purpose not connected with its manufacture or sale.”.