



Ministry of **Transport**
TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155(f)(ii) of the Land Transport Act 1998


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

HEREBY make the following ordinary rule:

Land Transport Rule: Vehicle Standards Compliance Amendment

SIGNED AT Wellington

This *18th* day of *APRIL* 2009



Steven Joyce

Minister of Transport

Land Transport Rule
Vehicle Standards Compliance Amendment (No 2) 2009

Rule 35001/6

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Land Transport Rule
Vehicle Standards Compliance
Amendment (No 2) 2009

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Contents

Objective of the Rule		vi
Extent of consultation		vi
Section 1	Application	1
1.1	Title	1
1.2	Date when Rule comes into force	1
Section 2	Amendments to Rule requirements	1
2.1	Inspection and certification of vehicles for operation in service	1
2.2	Verification of loading and weight limits	1
2.3	Surrender of evidence of vehicle inspection, conditional permits and certificate of loading	1
2.4	Additional powers of the Agency	2

Objective of the Rule

Land Transport Rule: Vehicle Standards Compliance Amendment (No 2) 2009 amends *Land Transport Rule: Vehicle Standards Compliance 2002* (the Rule), which sets out requirements for controlling the entry and in-service inspection and certification processes for vehicles operating on New Zealand roads.

The objectives of this amendment to *Land Transport Rule: Vehicle Standards Compliance 2002* are:

- to correct an anomaly created by the Rule that resulted in more-stringent in-service inspection and certification requirements than necessary being applied to some tractors;
- to remove an unnecessary requirement in the Rule by excepting trailers designed solely for agricultural purposes from compliance with in-service inspection and certification requirements, when being delivered to a farmer or contractor;
- to align the requirement relating to determining the weight limits for axle ratings for Class MD1 and Class MD2 vehicles with the amended definition of ‘chassis rating’; and
- to clarify the Rule, in relation to the powers of the NZ Transport Agency to revoke specialist certificates, or to direct a specialist certifier to revoke his or her certificate (record of determination).

Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Vehicle Standards Compliance 2002* 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, and sought their submissions. The draft Omnibus Amendment Rule was made available through the NZTA Contact Centre and, together with Questions and Answers, was also 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 nine 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: Vehicle Standards Compliance Amendment (No 2) 2009*.
- 1.1(2) This Rule amends *Land Transport Rule: Vehicle Standards Compliance 2002*.
- 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 Inspection and certification of vehicles for operation in service**
- 2.1(1) *Paragraph 7.1(1)(g)* is amended by substituting the words “a tractor, or a machine” for the words “a tractor or machine”.
- 2.1(2) *Paragraph 7.1(1)(h)* is amended by inserting the following subparagraph:
- “or
- “(v) delivered from a manufacturer or manufacturer's agent to a farm or an agricultural contractor;”.
- 2.2 Verification of loading and weight limits**
- Subparagraphs 8.3(3)(c)(i) and (ii)* are amended by inserting the words “(if available)” after the word “ratings” where it appears.
- 2.3 Surrender of evidence of vehicle inspection, conditional permits and certificate of loading**
- Clause 10.7* is amended by substituting the words “, a certificate of loading or a record of determination” for the words “or a certificate of loading”.

2.4 Additional powers of the Agency

2.4(1) *Subclause 11.3(1)* is amended:

- (a) by inserting the words “or a record of determination” after the words “or a conditional permit”; and
- (b) in *paragraph 11.3(1)(b)*, by inserting the words “or record of determination” after the words “or permit”.

2.4(2) *Clause 11.4* is amended:

- (a) by substituting the words “, a certificate of loading or a record of determination” for the words “or a certificate of loading”;
- (b) in *paragraph 11.4(b)*, by inserting the words “, record of determination” after the word “permit”.