Land Transport Rule: Vehicle Dimensions and Mass 2016

Questions & Answers

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What is the Vehicle Dimensions and Mass Rule 2016?

The Land Transport Rule: Vehicle Dimensions and Mass 2016 (the VDAM Rule) replaces the previous 2002 VDAM Rule. It sets vehicle size and weight limits, and vehicle configuration requirements, with a focus on heavy vehicles, and is intended to strike a reasonable balance between the risks that heavy vehicles present to public safety, and the efficient operation of the heavy vehicle fleet within the constraints imposed by the road network.

Why was the VDAM Rule 2016 created?

The VDAM Rule 2016 was created as the result of a review of the VDAM Rule 2002. The primary reason for the review was to deliver productivity improvements, greater regulatory efficiency and reduced compliance costs without compromising the road transport system and road user safety.

The previous Rule had been amended 12 times and the review offered an opportunity to revise the Rule to ensure that it remains fit for purpose. This took account of technological advances and projected increases in freight and passenger transport. The new rule also clarifies roles and responsibilities, and aligns the rule with Government's *Safer Journeys* commitment to improvements in road safety.

When does the rule come into effect?

The VDAM Rule 2016 comes into effect on 1 February 2017.

Was the public consulted on the revised rule?

Yes. A consultation draft of the revised rule, together with explanatory material, was published on the NZ Transport Agency's website on 8 July 2016 and advertised in the five major daily newspapers. A notice of the consultation was sent to over 3170 groups and individuals, who have registered an interest in the VDAM Rule, inviting comments. The Transport Agency received 65 submissions on the proposed changes, which were taken into consideration in finalising the revised rule.

Earlier, a discussion document was consulted on from December 2015 to February 2016. Submissions from this consultation helped inform the yellow draft.

A further proposal to amend the maximum width of two wheeled vehicles was consulted on separately as part of *Land Transport Rule: Omnibus Amendment 2016*. The NZ Transport Agency released a draft Omnibus Amendment Rule (yellow draft) for this proposal, along with 34 other proposals for minor or technical amendments to various Land Transport Rules, on 15 July 2016. Notice of the rule proposals were sent by letter or email to approximately 3170 groups and individuals who had registered an interest in the rules to be amended.

Separate feedback was also sought on a proposal to allow 2-axle buses to operate on designated public transport routes without permit up to rear axle weights of 9,000kg.

How can I obtain a copy of the revised rule?

Prior to the effective date of 1 February 2017, the VDAM Rule is available on the NZ Transport Agency website at www.nzta.govt.nz/vdamrule2016. Once the rule takes effect, it will be available at http://www.nzta.govt.nz/resources/rules/. Rules can be read, free of charge, at the National Office and regional offices of the Transport Agency.

A copy of the VDAM Rule 2016 is also available for purchase from selected bookshops that sell legislation or from Wickliffe NZ Ltd (telephone (06) 358 8231).

Does the VDAM Rule 2016 give me all the information I need to understand the changes?

The VDAM Rule 2016 is a principal rule. It incorporates prior amendments made to the VDAM Rule 2002.

In addition, supporting information is available at www.nzta.govt.nz/vdamrule2016. However, this information is not definitive and should be read in conjunction with the rule.

How can I find out what has changed?

Visit www.nzta.govt.nz/vdamrule2016 to view the rule and supporting information that helps to explain the changes. This information is available prior to the in-force date so you can familiarise yourself with the details of the revised rule.

How does the revised rule help make better use of the roading network and increase efficiencies?

By making small adjustments to the rules covering height, width and weight limits, a range of trucks and buses will be able to carry more in fewer trips, thus increasing efficiency.

How will the changes help road safety?

Allowing more to be carried on heavy vehicles helps reduce the number of vehicles required to manage the increasing freight and passenger transport tasks. In some contexts, fewer trips result in a lower safety risk.

The changes to vehicle dimensions will mean that New Zealand operators will be able to access a wider range of vehicles from overseas, many of which have more modern safety features.

How would the changes improve compliance?

Changes arising out of the VDAM Rule review, combined with proposed amendments to the Land Transport Act 1998 (the Act), will help to improve compliance. For example, the reduction in weighing tolerance makes it possible to provide additional mass to compliant operators.

Can people begin making changes to how they operate once the rule is signed, and prior to 1 February 2017?

No. Operators may start planning for the changes. However, no vehicles can operate under the provisions of the new rule until 1 February 2017. The VDAM Rule 2002 remains in force until that time.

Are vehicles that are legal to use under the VDAM 2002 Rule still legal under the 2016 rule?

Yes. If a vehicle is legal before 1 February 2017, it continues to be legal for operation following the new rule taking effect.

Are permits issued before 1 February 2017 still valid?

Yes. Any permit issued under the VDAM Rule 2002 remains valid until it expires or ceases.

Bulk permitting and performance based standards are not included in the rule. Why is this?

Performance based standards (PBS) are complex and require peer and industry review. This is being completed and any proposal to refer to PBS in the rule will need to be part of a future amendment to the rule.

Changes to gross mass limits for general access

What are the new gross mass limits and when do they apply?

- 45,000kg for 7-axle combinations with a minimum wheelbase of 16.8m.
- 46,000kg for 8-axle combinations with a minimum wheelbase of 17.4m.
- For other vehicles, the limit remains 44,000kg; however, for vehicles that operate under a permit for exceeding these limits, some increases in the permitted limits have been made.

There is a two-stage process in place for applying the new changes:

From 1 February 2017 until 30 November 2017, vehicles operating at the new gross mass limits will be able to use routes specified on the 45/46 tonne map without requiring permits. Local roads not included on the map will required a permit.

From 1 December 2017, vehicles operating at the new limits will be deemed general access (that is able to access all roads, except those subject to specific restrictions such as posted bridges), and will not require permits.

The two-stage approach gives road controlling authorities (RCAs) time to complete bridge inspections to identify any route restrictions required at 1 December 2017.

Are simple trailers being given an increase in gross mass?

Yes. An additional 4,000kg gross mass is only available to simple trailers meeting specified performance and design standards (e.g. roll-coupled hitch and additional length). These standards mean they can safely carry the additional loads without significant impact on road infrastructure.

The current 36,000kg limit will remain for simple trailers not meeting the performance criteria.

Why do I require a minimum length to make use of the additional gross mass limits above 44,000kg?

The minimum length ensures the additional weight of the vehicle is distributed sufficiently to ensure the load does not create safety risks when crossing bridges. This is consistent with the approach taken in the previous rule, and with the general approach taken to setting maximum total mass (see table 2.1 of Schedule 3).

Will any vehicles be required to reduce their maximum load as a result of the changes?

Vehicles loaded within the current limits will not need to make any reductions.

Do the increases in mass limits apply to High Productivity Motor Vehicles (HPMVs)?

No. Gains in productivity for HPMVs were provided for in changes made to the rule in 2010. There is considerable flexibility within the HPMV limits for operators to carry additional weight under permits.

Will permits still be required for 50MAX vehicles?

Yes. Some parts of the road network are not suitable for 50MAX vehicles. Permits help ensure 50MAX operators know where the vehicles can go and create incentives to stay within the 50MAX network.

Does the rule allow the use of mega-tyred axles on trucks and trailers in a 50MAX combination?

No, mega-tyres will not be an option for 50MAX vehicles. This is because 50MAX was developed on the basis of no increase in pavement wear. Increased pavement wear for mega tyres is estimated at 60% compared to dual tyres.

What impacts will the increased general access gross mass limits have on road infrastructure?

Increases in pavement maintenance costs are not expected to be significant. Bridge inspections are being done to identify any restrictions that will be required after 1 December 2017, when the new gross mass limits above 44,000kg are deemed general access.

Will heavier and larger vehicles have any impact on road safety?

The small increases in dimensions and mass limits will not produce noticeably bigger trucks or buses and are therefore unlikely to pose a significantly higher safety risk. The changes are expected to support safety outcomes because operators will be able to carry more with fewer trips, reducing the exposure of other road users to heavy vehicles for some freight tasks

The revised rule also enables the use of close-proximity monitoring systems without counting against the width limits. These systems increase drivers' awareness of other road users, and can help improve the safety of cyclists and pedestrians around large vehicles. In addition, operators still need to comply with current safety performance standards for braking, load security, reducing rollover risk, and vehicle stability.

Will the proposed changes in mass mean an increase in road user charges?

There are no changes to the current road user charges. However, new temporary road user charges will be set for specialist vehicles operating on increased axle-limit permits. This will only apply to vehicles not covered by existing road user charges type definitions.

Will RCAs be able to decline permits for the new limits on local roads?

Yes. If an RCA assesses that the load will affect the durability of roads or bridges on the proposed route, or will impose risks to the safety of road users or the safety of the vehicle, it may decline a permit. This already applies under the current rule for overweight permits.

Changes to weighing tolerances and loading limits

What changes are being made to weighing tolerances and why?

Weighing tolerances for HPMVs have been removed from the VDAM Rule and are instead set out in the updated Land Transport (Offences and Penalties) Regulations 1999 along with the tolerances applying to other vehicles.

It is important that operators are aware of the revised tolerances to ensure they remain compliant and help maintain safety on the road:

- The weighing tolerances will reduce to 500kg for gross mass (compared to up to 1,500kg currently), 500kg for individual axles or steer axle sets, and 1,000kg for other axle sets.

This better reflects the level of accuracy of current weighing methods and is intended to discourage operators from regularly overloading their vehicles.

What else is being done to encourage operators to stay within the loading limits specified in the rule?

Proposed changes to the Land Transport Act (currently being considered by Parliament) include replacing the current 10% limit on the maximum extent of overloading before a vehicle must offload with a 2,000kg limit. This means vehicles with gross mass limits over 20,000kg have a lower overloading tolerance before being required to off-load.

These changes, if enacted, would also enable the Police to redirect vehicles for up to 10 kilometres in order to be weighed (currently they may redirect up to 5 kilometres). This will help reduce the ability of operators to deliberately take alternative routes to avoid weighing.

These changes will not take effect until the proposals currently before Parliament become law, which is expected to be sometime in 2017.

How will the changes in the revised VDAM Rule be enforced?

All Police CVIU enforcement officers will have undertaken training in the provisions of the revised VDAM Rule 2016 when it comes into force.

As the rule relates to the safe and efficient use of roads and the protection of the roading infrastructure, Police will monitor compliance and will be prepared to take enforcement action from the date the rule comes into force. Industry should be prepared to comply with the new rules from this date.

There may be some expectation amongst industry that there could be an amnesty period, as applied for the Road User Charges (RUC) Act 2012. However, it is important to note that the RUC Act changes were not directly related to road safety and a settling-in period was prudent to allow operators to adjust their business models. This is not the case with the VDAM Rule 2016.

Changes to dimensions – width and height

What are the changes in width and height?

The maximum width is changing from 2.5m plus an extra width of 25mm each side for load securing devices, to 2.55m all inclusive. This means all operators can work to the same maximum width.

The maximum height is changing from 4.25m plus extra height of 25mm for load securing devices, to 4.30m all inclusive. This means all operators can work to the same maximum height.

This means there are no changes for operators already using the full width and height. Operators with enclosed vehicles may make use of the additional width and height allowed under the rule, allowing them to load more into their vehicle, increasing productivity by carrying more in fewer trips.

There is an exception for close-proximity monitoring systems (which increase safety for other road users).

Please refer to the rule for full details regarding changes to dimensions.

How will these changes help operators?

The changes to height and width are relatively small however the gain in space means that some operators may be able to load vehicles differently to maximise space and reduce the number of trips required. For example, refrigerated trailers will be able to load pallets side-by-side, potentially increasing capacity by 10 percent.

Does this mean there will be wider trucks on the road?

No. The total maximum width remains unchanged, with more vehicles now able to make use of that maximum width.

How will the proposed width and height changes affect local RCA infrastructure?

No changes are required to the width of local roads as the effective maximum width of vehicles has not been increased.

In respect of height, there are existing structures lower than the current 4.275m limit or between the current limit and proposed 4.3m limit. All of these structures should already be clearly sign-posted.

Will the proposed changes in dimension limits have any impact on road safety?

The additional height is not expected to increase risks to other road users as vehicles will still have to meet the stability requirement set out in the Rule (i.e. the static roll threshold).

The total maximum width has not increased, however more vehicles will now be able to use the available maximum width. The ability for vehicles to use close-proximity monitoring systems in addition to the width limit will help increase driver awareness of cyclists and people around them. Crash data cites lack of vision as the main cause of side-impact crashes.

Specialist vehicles

What are specialist vehicles?

The VDAM Rule 2016 lists specialist vehicles as:

- passenger service vehicle (generally referred to as 'bus')
- concrete mixer
- ground-spreader truck
- rubbish truck with a compactor.

Why have specialist vehicles been added to the VDAM Rule 2016?

Specialist vehicles typically have heavy rear axle loads that cannot easily be redistributed. Buses, for example, have passengers moving themselves to where they want to sit or stand, which makes it difficult for the bus operator to control the distribution of the load on the bus. Because of this, special provisions were made for buses in the VDAM 2002 Rule. It makes sense to extend the provision applying to buses to include other vehicles that have similar gross mass distribution issues.

The rule provides for permits for these vehicles to carry higher axle mass. This gives RCAs more flexibility to permit these vehicles on routes where additional weights may be acceptable.

Does this mean specialist vehicles now need permits?

If operators of specialist vehicles want to access axle mass limits higher than the general access limits, they will need a permit. We encourage operators to talk with RCAs prior to making any changes to loads or vehicles. It is up to each RCA to decide whether the roads are capable of taking the increased load. A RCA may decide to issue a permit at an axle limit less than the maximum provided in the Rule (but above general access limits).

Specialist vehicles operating at permitted weights are not allowed to tow heavy trailers. General access mass limits apply if towing such trailers.

How do operators of specialist vehicles go about obtaining a permit?

The specialist vehicle permit process will be available on our website for 1 February 2017 when the VDAM Rule 2016 comes into effect.

Does the permit restrict where a specialist vehicle can drive?

Yes. Permits for specialist vehicles are route specific. When operating under the permit, vehicles exceeding general axle mass limits are allowed to travel only on the route specified on the permit.

Under specialist vehicles, why does the rule contain provisions for public transport buses to use heavier rear axle weights without permits on public transport routes?

Not requiring permits on urban public transport routes may help make the urban bus system easier to operate so potentially promote greater use of public transport.

When does the general access provision for 2-axle buses operating on defined public transport routes come into effect?

The provision takes effect from 1 December 2018. The lead-in time will give road controlling authorities the opportunity to assess the relevant bridges and culverts on their public transport networks and undertake necessary strengthening work or to restrict the use of specific bridges by buses carrying higher weights.

Will public buses be able to carry more passengers?

Public transport buses operating on public transport routes (defined in regional transport plans) may be approved to operate at an increased rear axle weight. This means that more passengers can be taken on a bus so operators can help to manage the passenger traffic at peak times.

Do specialist vehicles need to display a 'H' sign?

No. Specialist vehicles operating under a permit are not required to display an 'H' sign. This is only required for high productivity motor vehicles (HPMV).

What is the operator safety check?

It is important that operators using overweight or overdimension vehicles make road safety a priority. The operator safety check conducted by NZ Transport Agency looks at traffic offence history, particularly in relation to offences relating to permits issued under the rule (including the VDAM 2002 rule). Declining or placing conditions on a permit based on operator compliance history is at the Permit Issuing Officer's discretion.

What if an operator is concerned about their traffic offence history and wants help?

Operators can contact their regional Transport Agency office and speak to a member of the Commercial Transport team for advice on compliance and safety.

Are bus permits issued before 1 February 2017 still valid?

Yes. Permits for buses issued before 1 February 2017 continue to be valid for the duration of the permit period, unless revoked or replaced.

This applies to permits for 'high capacity urban buses' issued before 15 April 2016, and to permits for 'passenger service vehicles' issued before 1 February 2017.

Will RCAs be able to decline permits for the new limits on local roads?

Yes. If an RCA assesses that the load will affect the durability of roads or bridges on the proposed route, or will impose risks to the safety of road users or the safety of the vehicle, it may decline a permit. This already applies under the current rule.

How were the selected specialist vehicles identified as being able to carry extra weight?

The vehicles identified as specialist vehicles are those that, like buses, often carry heavier loads on their rear axles and the load cannot be easily redistributed. The permitting process allows such vehicles to be operated on routes that can safely accommodate the heavier axle mass.

Will specialist vehicles operating on permits be required to pay extra road user charges?

Yes. All vehicles operating under an increased axle mass permit are required to carry RUC licences covering the extra weight allowed (and reflecting impact to the road network). This ensures there is a level playing field for everyone in terms of weight limits and use of New Zealand roads.

My vehicle can only be used for a specific purpose – can I get a permit for it as a specialist vehicle?

The rule specifically limits specialist vehicles to passenger service vehicles, rubbish trucks (with compactors), concrete mixers, and ground-spreader trucks.

Similarly specialist overdimension motor vehicles are not the same as specialty vehicles, and are separately defined in the rule.

Do High Capacity Urban Buses (HCUB) still need to display the 'H' plate?

No. Under section 5.10(2) of the new VDAM Rule, only high productivity motor vehicles (HPMV) can display 'H' plates. Existing HCUB permit holders must remove 'H' plates by 1 February. Permits remain valid until they expire and at that point you must apply for a specialist vehicle permit.

Road user charges for specialist vehicles

Why are separate RUC rates needed for specialist vehicles?

Section 12 of the Road User Charges Act 2012 requires operators to purchase a RUC licence appropriate to the permit weight.

The RUC regulations do not include RUC rates for all vehicle weights enabled by the specialist vehicle permitting regime included in the new Vehicle Dimensions and Mass 2016 Rule (the new VDAM rule). The new VDAM Rule comes into force on 1 February 2017, which is in advance of the next opportunity to amend the RUC regulations. This means temporary RUC rates need to be set.

As the RUC collector, the NZ Transport Agency has the responsibility to set the RUC rates in this situation.

How were the rates determined for specialist vehicles?

Under section 90A(3) of the Road User Charges Act 2012 the RUC collector must use the same methodology used for setting the regulated RUC rates (the usual way road user charges are specified) when setting temporary RUC rates. The NZ Transport Agency therefore used the current cost allocation model maintained by the Ministry of Transport.

The model is designed to reflect the costs vehicles generate. For heavy vehicles like the ones provided for by the specialist vehicle permitting regime, the differences in rates between RUC

weight bands is driven by costs relating to road wear and impacts on road structures like bridges. As with other overweight permitted vehicle types the rate calculation includes an assumption that the vehicles are unladen half the time.

Why is there only one rate set for 3-axle passenger service vehicles but two rates for 3-axle non-passenger service vehicles?

There currently exists a RUC rate for 3-axle buses which was set for use by the double decker 3-axle buses being used in Auckland. At the time the rate was set it was expected these buses would be limited to 23 tonne gross mass but the band provided scope for future flexibility. By contrast there may be demand for non-passenger specialist vehicles operating at higher gross mass and accordingly two RUC bands have been provided for these vehicles.

What happens to my existing RUC that I have paid?

Your existing RUC can be used as part payment for the new RUC rate.

What incentive is there to make use of the higher mass permits?

The purpose of the specialist vehicle permitting regime is to provide more opportunities to local and national government transport planners and road controlling authorities. This will allow them to optimise their investment in and use of road networks, and for transport operators to optimise business operations. For example:

- Transport planners may decide to invest in stronger roads and structures on specific routes to facilitate industry or community function – e.g. to enable the use of larger capacity public transport buses to carry more people or electric buses to reduce noise and other pollutants.
- A transport operator's interest in making use of the permit regime will depend on the nature and scale of activities they undertake. For some operators using particular routes there will be practical or productivity benefits from making use of the higher weight allowances, for example by being able to make fewer trips for the task they have.

Use of the higher axle weights is subject to receiving a permit from the road controlling authorities responsible for the routes being travelled on.

When do these new rates apply?

The new rates will apply to specialist vehicle permits issued from 1 February 2017, when the new VDAM rule comes into force.

Overdimension vehicles

Are changes being proposed to the management of overdimension loads?

Yes. While the rate of crashes involving overdimension loads or vehicles is very low, there are still opportunities for improvements, especially for very large loads.

There are a number of changes that impact the permit process and the Permit Manual and permit application form are being updated to reflect these. In particular, operators should be aware of the following changes which are designed to highlight safety:

- For Category 4 vehicles, permit applications must include a statement that the route has been assessed and the load can be safely managed by piloting and other risk management measures as stated. Loads that exceed 11m in width are also required to undertake an engineering assessment.
- An on-road Supervisor (new role) needs to be appointed for each movement of an overdimension load that requires more than one pilot vehicle. The on-road Supervisor has responsibility for ensuring the pilots and driver are briefed, the vehicle is operated in compliance with the rule, and notice is given where the Rule requires it.

- Changes to travel zones for category 4 vehicles/loads, restricted travel areas and travel time restrictions should be noted in terms of detailing the movement of overdimension loads. For example when ANZAC day falls on a Saturday, travel is restricted on that Saturday.
- Inclusion of discretionary operator safety checks which look at traffic offence history and the operator's history of compliance with previous permits.
- Crane booms can be disassembled to be stacked to 3.1m wide and 4.5m high (within Category 1 parameters). This significantly reduces the number of heavy vehicle trips needed to move the crane components.

What are the critical conditions operators need to know?

The new critical conditions will be listed on all overdimension permits and are:

(a) the vehicle or its load must not exceed the lesser of –
  (i) the dimension limits for its category stated in the permit, or
  (ii) if the permit states the maximum width, a width of that maximum plus 0.5m
(b) the operator must ensure pilots as specified on the permit are provided or, if not specified on the permit, as required by this rule.

How do operators know what they are responsible for?

The VDAM Rule 2016 (clauses 6.30, 6.31 and 6.32) clarifies the roles and responsibilities of operators, the on-road supervisor and pilots, including ensuring conditions of the permit are met, and safe management of the overdimension load. Operators should familiarise themselves with the revised details in the Rule.

Are there any operational changes for the actual movement of overdimension loads?

Yes. There are a number of changes to signage and lighting that take into account new technologies now available.

Lighting is now specified by effect i.e. being visible at 200m rather than using watts. This allows the use of energy efficient LED lighting. The rule also standardises the current practice by some pilots of using sound warning devices to alert on-coming traffic. The Transport Agency will also be able to approve the use of variable message signs.

Operators and pilot drivers should read the Rule for details, as well as the updated Load Pilot Driver Code.

Are there any changes for pilot vehicles helping to move the load?

No. However pilots need to be aware of the changes in the Rule for moving the load, including signage and lighting, travel restrictions and critical conditions placed on a permit.

Are there any changes to limit the width of houses and buildings being moved?

No. Permits will continue to be managed on a case-by-case basis. There is a range of circumstances facing each load, making it difficult to apply an appropriate fixed width limit. In some circumstances, transporting a house or building in separate parts may be the most appropriate and safest method and may be a condition of receiving a permit.