



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, **Harry James Duynhoven**, Minister for Transport Safety,

HEREBY make the following ordinary rule:

Land Transport Rule: Heavy Vehicles Amendment

SIGNED AT Wellington

This *13th* day of *March* 2008

Harry James Duynhoven
Minister for Transport Safety

Land Transport Rule
Heavy Vehicles Amendment 2008

Rule 31002/3

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Land Transport Rule
Heavy Vehicles Amendment 2008

Rule 31002/3

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Objective of the Rule

Land Transport Rule: Heavy Vehicles Amendment 2008 amends *Land Transport Rule: Heavy Vehicles 2004* (the Rule), which sets safety requirements and standards for vehicles with a gross vehicle mass of more than 3500 kg.

The objective of this amendment Rule is to:

- include the joint *Australian/New Zealand Standard 1554, Structural steel welding* as an acceptable alternative qualification for welders;
- update references in the Rule to *New Zealand Standard 5446* (Heavy vehicle towing connections) as a consequence of the updating of the standard;
- insert a savings provision for vehicles with towing connections certified to *New Zealand Standard 5446:1987*;
- make provision in the Rule for dedicated combination vehicles to use ball and socket couplings complying with *New Zealand Standard 5446*;
- expressly prohibit the dangerous practice of using packers (temporary fifth wheels placed on top of permanent fifth wheels to allow the towing vehicle to take a higher kingpin);
- ensure that the manufacturer's load rating for a curtain-sided body is displayed on each curtain;
- remove the requirement for the marking of the expiry date for the safe working life of a curtain, as this can be monitored through certificate of fitness inspections;
- amend the definition of 'chassis rating' to take into account that Japanese vehicles are not given axle-set ratings; but that 'application GVM' will ensure that axle-sets are not overloaded; and
- insert definitions of 'dedicated combination' and 'vehicle identification number'.

Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Heavy Vehicles 2004* and nine other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2007* (the Omnibus Amendment Rule).

On 3 August 2007, Land Transport New Zealand sent details of the amendment proposals by letter or email to about 2500 groups and individuals who had registered an interest in the Rules to be amended, seeking submissions. The draft Omnibus Amendment Rule was made available through the Land Transport NZ Help Desk and, together with Questions and Answers, was also available on the Land Transport NZ 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*. Land Transport NZ received 35 submissions on the draft Omnibus Amendment Rule, of which seven commented on the proposed amendments in this Rule.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into 10 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 for Transport Safety for signing.

Section 1 Application

1.1 Title

1.1(1) This Rule is *Land Transport Rule: Heavy Vehicles Amendment 2008*.

1.1(2) This Rule amends *Land Transport Rule: Heavy Vehicles 2004*.

1.2 Date when Rule comes into force

This Rule comes into force on 28 April 2008.

Section 2 Amendments relating to heavy vehicles

2.1 Scope of the Rule

Subclause 1.2(4) is amended by:

- (a) inserting “4.7(1)(c),” before “4.7(2)”; and
- (b) inserting “4.8(1)(a)(iii),” before “4.8(2)”.

2.2 Vehicle standards

Section 2 is amended by inserting the following clause:

“2.2 Vehicle standards include alternatives

For the purposes of this Rule,
“*Australian/New Zealand Standard: 1554, Structural steel welding* is an

alternative to “*New Zealand Standard: 4711, Qualification tests for metal-arc welders*” wherever it is referenced in an approved standard.”

2.3 Towing connections

The Rule is amended by omitting the words “*New Zealand Standard 5446:1987, Code of Practice for Heavy Motor Vehicle Towing Connections: Drawbar Trailers*” and substituting the words “*NZS 5446*” in the following provisions:

- (a) 4.3(2), 4.3(3);
- (b) 4.4(1), 4.4(3);
- (c) 4.5(1), 4.5(5);
- (d) 4.6(3).

2.4 Fifth wheel assemblies

Clause 4.7 is amended by:

- (a) substituting the following subclause for *subclause 4.7(1)*:

“4.7(1) A vehicle that is constructed to tow a semi-trailer must be fitted with:

- “(a) a 50 mm diameter fifth wheel that complies with 4.7(2); or
- “(b) a 90 mm diameter fifth wheel that complies with 4.7(3) and, if applicable, 4.7(3A); or

“(c) if the vehicle is certified for use in a dedicated combination, a tow ball that complies with *NZS 5446*.”

(b) inserting the following subclause:

“4.7(6) A vehicle may not be towed using a fifth wheel coupled to another fifth wheel.”

2.5

Skid plates and kingpins

Paragraph 4.8(1)(a) is amended by inserting the following paragraph:

“; or

“(iii) if the vehicle is certified for use in a dedicated combination, a socket that complies with *NZS 5446*;”

2.6

Curtain-sided bodies

Clause 5.4 is amended by substituting the following subclause for *subclause 5.4(1)*:

“5.4(1) If a vehicle has a curtain-sided body that is constructed to secure a load on a vehicle, each curtain and curtain anchorage system must:

“(a) have a manufacturer’s load rating appropriate for all conditions of loading and operation of the vehicle; and

“(b) be clearly marked, with the manufacturer’s load rating in kilograms per metre, in a position

on the curtain that is readily accessible for inspection purposes.”

2.7

Transitional and savings provisions

Section 9 is amended by inserting the following subclause:

“9.1(5) A towing connection that was certified, in accordance with this Rule, to *New Zealand Standard 5446:1987* (superseded) before 30 November 2007 may continue to comply with and be certified to that standard until the towing connection is modified.”

Section 3 Amendments to definitions

3.1 Amendment to existing definition

The definition of “chassis rating” in *Part 2* is amended by inserting in *paragraph (b)* the words “(if available)” after the words “axle-set masses”.

3.2 Insertion of new definitions

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

“**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)** 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.*”