

DISALLOWABLE INSTRUMENT



WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155(a) and (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: Heavy Vehicles Amendment

SIGNED AT Wellington

This *12th* day of *AUGUST* 2014

Michael Woodhouse

Associate Minister of Transport



Land Transport Rule
Heavy Vehicles Amendment 2014
Rule 31002/7

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Land Transport Rule
Heavy Vehicles Amendment 2014

Rule 31002/7

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Objective of the Rule

Land Transport Rule: Heavy Vehicles Amendment 2014 (the amendment Rule) amends *Land Transport Rule: Heavy Vehicles 2004* (the Heavy Vehicles Rule). The Heavy Vehicles Rule sets out requirements and standards for heavy vehicle safety. It applies to vehicles with a gross vehicle mass of more than 3,500 kilograms.

The objective of the amendment Rule is to:

- allow fifth wheels on imported, powered vehicles to be accepted for entry into New Zealand where the manufacturer has stated that the fifth wheel meets the relevant sections of UN/ECE Regulation 55; and
- ensure that where fifth wheels that comply with the relevant sections of UN/ECE Regulation 55 are repaired or modified, they are repaired or modified to the relevant Australian/New Zealand standards; and
- extend the applicable requirements for specialist inspection and certification of heavy motor vehicles to include requirements for a 90 mm diameter fifth wheel.

Extent of consultation

For the purposes of consultation, amendments proposed to the Heavy Vehicles Rule and ten other Land Transport Rules were combined into a single Rule, *Land Transport Rule: Omnibus Amendment 2014* (the Omnibus Amendment Rule). Following consultation, the provisions in the Omnibus Amendment Rule were split into eleven separate amendment Rules, including this Rule.

The NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 2,400 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus Amendment Rule was made available through the NZ Transport Agency's Contact Centre

and, together with Questions and Answers, was also made available on the NZ Transport Agency's website. The availability of the amendment proposals 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 25 submissions on the Omnibus Amendment Rule, of which 4 commented on the proposed amendments to the Heavy Vehicles Rule. The submissions received were taken into account in finalising this amendment 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: Heavy Vehicles Amendment 2014*.

1.2

Commencement

This Rule comes into force on 1 November 2014.

1.3

Principal rule amended

This Rule amends *Land Transport Rule: Heavy Vehicles 2004*.

Section 2 Amendments to Rule requirements

2.1 Scope of the rule

- 2.1(1) In *clause 1.2(4)*, after “4.7(2),” insert “4.7(2B),”.
- 2.1(2) In *clause 1.2(4)*, after “4.7(3),” insert “4.7(3A),”.

2.2 Fifth wheel assemblies

- 2.2(1) In *clause 4.7(1)(a)*, after “4.7(2)” insert “or 4.7(2A)”.
- 2.2(2) In *clause 4.7(1)(b)*, replace “4.7(3) and, if applicable,” with “4.7(3) or”.
- 2.2(3) Replace *clause 4.7(2)* with:
- “4.7(2) A 50 mm diameter fifth wheel that is fitted to a vehicle must comply with:
- “(a) *New Zealand Standard 5450: 1989, Coupling Devices for Articulated Vehicles — Fifth Wheel Assemblies*; or
- “(b) all of the following:
- “(i) *Australian/New Zealand Standard 4968.1-2003: Heavy-road vehicles — Mechanical coupling between articulated vehicle combinations — Design criteria and selection requirements for fifth wheel, kingpin and associated equipment*; and
- “(ii) *Australian/New Zealand Standard 4968.2-2003: Heavy-road vehicles — Mechanical coupling between articulated vehicle combinations — Testing and installation of fifth wheel and associated equipment*; and
- “(iii) *Australian Standard 2174-2006: Articulated Vehicles — Mechanical coupling between prime movers and semitrailers — Interchangeability requirements.*”.

2.2(4)

After *clause 4.7(2)* insert:

- “4.7(2A) Despite 4.7(2), an imported, powered vehicle that is constructed to tow a semi-trailer may, instead of complying with 4.7(2), be fitted with a 50 mm diameter fifth wheel that complies with *UN/ECE Regulation 55: Uniform Provisions Concerning the Approval of Mechanical Coupling Components of Combinations of Vehicles E/ECE/324 Rev.1/Add.54/Rev.1 E/ECE/TRANS/505*.
- “4.7(2B) For the avoidance of doubt, any modification or repair to a 50 mm diameter fifth wheel that complies with 4.7(2A) must comply with 4.7(2).”.