



WELLINGTON, NEW ZEALAND

PURSUANT to *section 152* of the Land Transport Act 1998

I, *Mark Gosche*, Minister of Transport,

HEREBY make the following ordinary rule:

Land Transport Rule: Light-vehicle Brakes 2002

SIGNED AT Wellington

This 25th day of February 2002

Mark Gosche

Minister of Transport

Land Transport Rule
Light-vehicle Brakes 2002

Rule 32014/2002

As at 1 November 2019

Land Transport Rule

Light-vehicle Brakes 2002

As at 1 November 2019

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Compilation notes

1 General

This is a compilation of *Land Transport Rule: Light-vehicle Brakes 2002* that incorporates all the amendments to that Rule as at the date of the last amendment to it.

2 Format changes

Format changes to compilations are made so that the format of the compilation is consistent with current drafting practice, including:

- changes to the setting out of provisions, tables, and schedules:
- the repositioning of headings or notes:
- changes to typeface and type size:
- the addition or removal of boldface, italics, and similar textual attributes:
- the addition or removal of quote marks and rules:
- changes to the case of letters or words:
- addition of history and editorial notes.

3 Amendments incorporated in this reprint

Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019

Land Transport Rule: Light-vehicle Brakes Amendment 2019

Land Transport Rule: Light-vehicle Brakes Amendment 2014

Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2014

Land Transport Rule: Light-vehicle Brakes Amendment 2013

Land Transport Rule: Light-vehicle Brakes Amendment 2011

Land Transport Rule: Vehicle Standards Compliance Amendment 2011

Land Transport Rule: Vehicle Standards Compliance Amendment 2010

Land Transport Management Amendment Act 2008

Land Transport Rule: Light-vehicle Brakes Amendment 2007

Land Transport Amendment Act 2005

Part 1

Rule requirements

Section 1 Application

1.1 Title

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

1.2 Scope of the rule

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*.

1.2(2) This rule specifies braking and electronic stability control system requirements:

- (a) with which a vehicle must comply so as to be operated on a road; and
- (b) that are, for the purposes of *Land Transport Rule: Vehicle Standards Compliance 2002*, the applicable requirements for brakes and electronic stability control systems.

1.2(3) In this rule, every reference to a vehicle inspector or inspecting organisation is a reference to a certifier for the purposes of the *Land Transport (Offences and Penalties) Regulations 1999* and the *Land Transport (Certification and Other Fees) Regulations 1999*.

Clause 1.2(1): replaced, on 1 July 2015, by *clause 2.1(1)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

Clause 1.2(2): amended, on 1 July 2015, by *clause 2.1(2)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

Clause 1.2(2)(b): amended, on 1 July 2015, by *clause 2.1(3)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

1.3 Date when rule comes into force

This rule comes into force on 1 April 2002.

1.4 Application of rule provisions

1.4(1) If there is a conflict between a provision of this rule and the corresponding provision of a document incorporated by reference in the rule, the provision of the rule applies.

- 1.4(2) If there is a conflict between a provision of this rule and a provision of *Land Transport Rule: Vehicle Standards Compliance 2002*, the provision of *Land Transport Rule: Vehicle Standards Compliance 2002* applies.

Section 2 Vehicle standards and other safety requirements

2.1 Application of requirements

- 2.1(1) A brake on a vehicle must:
- (a) comply with 2.2;
 - (b) be of a type in 2.3 or 2.4 as specified in *Table 2.1* or *Table 2.2*;
 - (c) comply with the requirements in 2.3 or 2.4, as applicable;
 - (d) if specified in *Table 2.3*, comply with an approved vehicle standard in 2.5.
- 2.1(2) The following vehicles must comply, as specified in *Table 2.4* and 3.1, with the requirements of the *Low Volume Vehicle Code* that are applicable at the date of certification or recertification of the vehicles as low volume vehicles:
- (a) low volume vehicles that have been modified in such a way that the braking performance may be affected;
 - (b) vehicles of Class MA modified so as to affect their braking performance on or after 1 January 1992;
 - (c) vehicles of Classes MB, MC and NA modified so as to affect their braking performance on or after 1 January 1993;
 - (d) vehicles of Group L, Class MD1 and Class MD2 modified so as to affect their braking performance on or after 1 March 1999.
- 2.1(2A) In addition to 2.1(1) and 2.1(2) a vehicle in Class LC, LD, or LE must comply with applicable requirements in 2.7.

Table 2.1—Brakes required on vehicles that are not of Class TA or Class TB

Class ¹	Service brake	Parking brake
AA, AB	Required: See 2.3(2) and 2.3(3)	Not required
LA, LB	Required: At least one brake acting on each wheel is required, see 2.3(4)	Not required

Class ¹	Service brake	Parking brake
LC	Required: See 2.3(6); and, if first registered ² before 1 February 1977, see 2.3(8)(a)	Not required
LD	Required: See 2.3(5); and, if first registered ² before 1 February 1977, see 2.3(8)(a)	Not required
LE	Required: See 2.3(6); and, if first registered ² before 1 February 1977, see 2.3(8)(b)	Required: See 2.3(12) to 2.3(15) except for a vehicle in 2.3(12A).
MA, MB, MC, MD1, MD2, NA	Required: See 2.3(6); and, if first registered ² before 1 February 1977, see 2.3(8)(c)	Required: See 2.3(12) to 2.3(15)
Light motor vehicles not in Table A ³	Required: See 2.3(6)	Required: See 2.3(12) to 2.3(14)
	<i>Forklifts:</i> Required: See 2.3(9)	Required: See 2.3(16)
	<i>Tractors:</i> Required: See 2.3(6), 2.3(10) and 2.3(11)	Required: See 2.3(12) to 2.3(14)

Notes:

¹For a vehicle manufactured before 31 December 1918, see 2.3(7).

²'First registered' means first registered in any country. (See definition in *Part 2*).

³For a vehicle propelled by steam power or fitted with self-laying tracks, see 2.3(17).

Table 2.2—Brakes required on Class TA and Class TB vehicles¹

Type of brake	Trailers of Class TA or Class TB with a laden weight of 2000 kg or less	Trailers of Class TB with a laden weight of more than 2000 kg but less than 2500 kg	Trailers of Class TB with a laden weight of 2500 kg or more
Service brake	Not required: See 2.4(6) if fitted	Required: May be either direct or indirect, see 2.4(2).	Required: may be either direct or indirect. See 2.4(2).
Parking brake	Not required	Not required	Required: See 2.4(5).
Breakaway brake	Required: unless fitted with safety chain. See 2.4(1B).	Required: unless fitted with safety chains. See 2.4(4).	Required: unless fitted with safety chains. See 2.4(4).
Safety chain(s)	Required: unless fitted with a breakaway brake. See 2.4(1B).	Required: unless fitted with a breakaway brake. See 2.4(4).	Required: unless fitted with a breakaway brake. See 2.4(4).
Adequate tow coupling	Required	Required	Required

Note:

¹For agricultural trailers, see 2.4(8) and 2.4(9)

Table 2.3—Brake requirements for vehicles that are not low volume vehicles

Class	Vehicle manufactured before 1 January 1992	Vehicle manufactured on or after 1 January 1992 and before 1 January 1996	Vehicle manufactured on or after 1 January 1996 and before 1 October 2002	Vehicle manufactured on or after 1 October 2002
AA, AB, TA, TB	General safety requirements	General safety requirements	General safety requirements	General safety requirements
LA, LB, LC, LD, LE, ME1, ME2	General safety requirements	General safety requirements	General safety requirements	General safety requirements and an approved vehicle standard
MA	General safety requirements	General safety requirements and an approved vehicle standard	General safety requirements and an approved vehicle standard	General safety requirements and an approved vehicle standard
MB, MC, NA	General safety requirements	General safety requirements	General safety requirements and an approved vehicle standard	General safety requirements and an approved vehicle standard
Light motor vehicles not in Table A	General safety requirements	General safety requirements	General safety requirements	General safety requirements

Table 2.4—Requirements for low volume vehicles¹

Class	Light motor vehicle last modified on or after 1 January 1992 and certified as a low volume vehicle
Low volume vehicle ²	General safety requirements and <i>Low Volume Vehicle Code</i>

Notes:

¹The concept of low volume vehicles and hence certification for such vehicles, was not initiated until after 1991. A motor vehicle last modified before 1 January 1992 does not have to comply with the *Low Volume Vehicle Code*, provided the vehicle has been continuously registered in New Zealand. It must, however, comply with the general safety requirements in 2.2.

²See 2.1(2).

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.

Clause 2.1(2)(a): replaced, on 1 January 2014, by *clause 2.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2013*.

Clause 2.1(2A): inserted, on 1 November 2019, by *clause 2.1 of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Clause 2.1, Table 2.1, row relating to Class LE: amended, on 1 November 2019, by clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.

Clause 2.1, Table 2.2: replaced, on 29 June 2007, by clause 2.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2007.

Clause 2.1, Table 2.2: amended, on 1 October 2011, by clause 2.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2011.

Clause 2.1, Table 2.2: replaced, on 1 June 2019, by clause 2.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2019.

Heading above clause 2.1(3): inserted, on 1 July 2015, by clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2014.

Clause 2.1(3): inserted, on 1 July 2015, by clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2014.

Clause 2.1(4): inserted, on 1 July 2015, by clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2014.

Clause 2.1(5): inserted, on 1 July 2015, by clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2014.

2.2 General safety requirements for brakes

- 2.2(1) A service brake must be able to be applied in a controlled and progressive manner.
- 2.2(2) A brake must be easily adjustable to compensate for wear and must be maintained in good condition and efficient working order.
- 2.2(3) The friction surfaces of a brake must be within safe tolerance of their state when manufactured and must not be scored, damaged or weakened to the extent that the safety performance of the brake is adversely affected.
- 2.2(4) The ovality and diameter of a brake drum must be within the service limits set by the vehicle manufacturer or the brake manufacturer.
- 2.2(5) The runout and thickness of a brake disc must be within the service limits set by the vehicle manufacturer or the brake manufacturer, and if these are not known, the thickness must not be less than 90% of the original thickness.
- 2.2(6) An engine brake or a driveline retarder, if fitted in a vehicle, must be designed and constructed so that its use does not cause the drive axle wheels of the vehicle to lock.
- 2.2(7) A demonstration to determine whether a vehicle or a vehicle and its trailer complies with the requirements in 2.3 or 2.4, which relate to the capacity of a vehicle or a vehicle combination to stop within specified distances from specified speeds, must be

carried out when the vehicle or the vehicle combination is operated:

- (a) on a hard, dry, level surface that is free of loose material; and
- (b) without assistance from the compression of the vehicle's engine or other retarders that are not part of the vehicle's service brake system.

2.2(8) When a vehicle's brake is applied:

- (a) the vehicle or its controls must not vibrate to the extent that control of the vehicle is adversely affected; and
- (b) the braking effort on each braked wheel of the vehicle must provide stable and efficient braking without adverse effect on the directional control of the vehicle; and
- (c) if the vehicle is equipped with an anti-lock braking system, the vehicle's wheels must not lock, other than when the speed of the vehicle falls below the anti-lock braking system activation parameters of the vehicle manufacturer.

2.2(9) Subject to 2.2(10), if a vehicle is fitted with a warning system that is part of, or associated with, the use of a brake component or system, that warning system must function correctly.

2.2(10) *Subclause 2.2(9)* does not apply to a brake pad wear-warning system if the brake pads fitted to the vehicle, although complying with an approved vehicle standard for brakes, cannot practically ensure correct functioning of the wear-warning system.

2.2(11) In assessing whether 2.2, 2.3 or 2.4 are complied with, a person in *section 4* may take into account:

- (a) evidence that the brake is within the vehicle or brake manufacturer's operating limits; and
- (b) if the vehicle is a low volume vehicle, evidence that the brake complies with the requirements of the *Low Volume Vehicle Code* that are applicable to the date of certification or recertification of the vehicle as a low volume vehicle; and
- (c) a measurement calculated from a brake test made with a device approved under 4.6(1), and subject to any condition placed on the use of the device.

Heading to *clause 2.2*: amended, on 1 July 2015, by *clause 2.3* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

2.3 Types of brake

2.3(1) A vehicle that is not of Class TA or Class TB must have brakes as specified in *Table 2.1*.

Service brakes

2.3(2) A vehicle of Class AA or Class AB manufactured before 1 January 1988 must have at least one service brake acting on the rear wheel.

2.3(3) A vehicle of Class AA or Class AB manufactured on or after 1 January 1988 must have at least one service brake acting on each wheel.

2.3(4) A vehicle of Class LA or Class LB must have at least one service brake acting on each wheel.

2.3(5) Subject to 2.3(8)(a), a vehicle of Class LD must have a service brake acting on both wheels of the motorcycle.

2.3(6) A vehicle, except for one specified in 2.3(2) to 2.3(5), and 2.3(7) to 2.3(11), must have a service brake that:

- (a) acts on each wheel; and
- (b) is capable of stopping it within a distance of 7 m from a speed of 30 km/h.

2.3(7) A vehicle that was manufactured before 31 December 1918 and is not capable of exceeding a speed of 30 km/h under any condition of use, must have a service brake that:

- (a) is capable of stopping the vehicle within a distance of 20 m from a speed of 30 km/h; or
- (b) has a braking efficiency equivalent to that required in 2.3(7)(a).

2.3(8) Unless the vehicle is a towing vehicle and 2.4(7) applies, the service brake in the following vehicles must be capable of stopping the vehicle within a distance of 9 m from a speed of 30 km/h:

- (a) a vehicle of Class LC or Class LD first registered before 1 February 1977, designed with a service brake acting on the rear wheel only; and
- (b) a vehicle of Class LE first registered before 1 February 1977, designed with a service brake acting on less than three wheels; and

- (c) a vehicle of Class MA, MB, MC, MD1, MD2 or NA first registered before 1 February 1977, designed with a service brake acting on less than four wheels.
- 2.3(9) A forklift must have a service brake that is capable of stopping it within a distance of:
- (a) 10 m when fully laden, or 9 m when unladen, from a speed of 30 km/h; or
 - (b) 6 m when fully laden, or 4 m when unladen, from a speed of 20 km/h, if the forklift has a maximum speed of less than 30 km/h; or
 - (c) 6 m when fully laden, or 4 m when unladen, from the vehicle's maximum speed, if the forklift has a maximum speed of less than 20 km/h.
- 2.3(10) A tractor manufactured before 1 January 1990 must have a service brake provided by the manufacturer that is maintained at all times within safe tolerance of its state when manufactured.
- 2.3(11) A tractor manufactured on or after 1 January 1990 that has a maximum speed of less than 40 km/h must have a service brake that:
- (a) acts on the wheels that are intended to provide traction; and
 - (b) is capable of stopping it within a distance of 7 m from a speed of 30 km/h; or
 - (c) has a braking efficiency equivalent to that required in 2.3(11)(b), for a vehicle that is not capable of exceeding a speed of 30 km/h.

Parking brakes

- 2.3(12) *Subclauses 2.3(13) and 2.3(14) apply to:*
- (a) a vehicle in one of the following classes, including a vehicle that has been modified as described in 2.1(2):
 - (i) Class LE except for a vehicle described in 2.3(12A);
 - (ii) Class MA;
 - (iii) Class MB;
 - (iv) Class MC;
 - (v) Class MD1;
 - (vi) Class MD2;

- (vii) Class NA;
 - (b) a motor vehicle not in *Table A*, except a forklift.
- 2.3(12A) *Subclauses 2.3(13) and 2.3(14) do not apply to a vehicle of Class LE that has twinned wheels and is not fitted with a device that locks the tilt function at low speed operation.*
- 2.3(13) A vehicle in 2.3(12) must have a parking brake that:
- (a) acts on at least one complete axle; or
 - (b) if the vehicle has dual wheels (also called twin wheels) on an axle, acts on that axle.
- 2.3(14) A parking brake on a vehicle in 2.3(12) must be capable of:
- (a) stopping the vehicle within a distance of 18 m from a speed of 30 km/h; or
 - (b) holding the vehicle at rest on a slope of 1 in 5.
- 2.3(15) If a vehicle in 2.3(12)(a) that was first registered in New Zealand on or after 1 November 1990 does not have a dual circuit service brake, it must have a parking brake that is capable of bringing the vehicle to a controlled stop if the service brake fails.
- 2.3(16) A forklift must have a parking brake that is capable of holding the forklift at rest when:
- (a) fully laden on a slope of 1 in 10; or
 - (b) unladen on a slope of 1 in 6.
- Vehicles propelled by steam power or fitted with self-laying tracks*
- 2.3(17) A vehicle propelled by steam power manufactured before 1 April 2002, or fitted with self-laying tracks, must be equipped with some means able to be activated by the driver that is adequate to:
- (a) control the vehicle's movement safely; and
 - (b) stop and hold the vehicle at rest under normal conditions of use.

Clause 2.3(12)(a): replaced, on 1 November 2019, by clause 2.3(1) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.

Clause 2.3(12A): inserted, on 1 November 2019, by clause 2.3(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.

2.4 Brakes on light trailers

- 2.4(1) A vehicle of Class TA or Class TB must have brakes as specified in *Table 2.2*.
- 2.4(1A) A vehicle of Class TA or Class TB must be fitted with a tow coupling that is fit for purpose and in sound condition.
- 2.4(1B) A vehicle of Class TA or Class TB with a laden weight of 2000 kg or less must be fitted with either:
- (a) a securely attached chain or cable coupling, each being in itself of sufficient strength to hold the trailer secure under all conditions of road use; or
 - (b) a breakaway brake.
- 2.4(2) Subject to 2.4(8), a vehicle of Class TB with a laden weight of more than 2000 kg must have either a direct service brake or an indirect service brake that—
- (a) acts on each wheel of at least one axle, and does not transfer the load to an unbraked axle during braking; and
 - (b) is, in conjunction with the towing vehicle's service brake, capable of stopping the combination of towing and towed vehicles within a distance of 7 m from a speed of 30 km/h.
- 2.4(3) An indirect service brake on a vehicle of Class TB with a laden weight of 2500 kg or more must comply with *UN/ECE Regulation No. 13, Uniform provisions concerning the approval of vehicles of categories M, N and O with regard to braking (E/ECE324-E/ECE/TRANS/505/Rev.1/Add.12)*.
- 2.4(4) A vehicle of Class TB with a laden weight of more than 2000 kg must be fitted with one or both of the following:
- (a) a coupling system that—
 - (i) has a manufacturer's load rating equal to or greater than the laden weight of the trailer; and
 - (ii) is equipped with two safety chains that conform to the technical requirements of *Australian Design Rule 62 Determination 2 of 1995, Mechanical Connections Between Vehicles*, and that cross each other when connected:
 - (b) a breakaway brake.
- 2.4(5) A vehicle of Class TB with a laden weight of 2500 kg or more must, in addition to the requirements of 2.4(2) and 2.4(4), be

fitted with a parking brake, acting on at least one complete axle, that is capable of—

- (a) stopping the vehicle within a distance of 18 m from a speed of 30 km/h; or
- (b) holding the vehicle at rest on a slope of 1 in 5.

2.4(6) A vehicle of Class TA or Class TB with a laden weight of 2000 kg or less is not required to be fitted with a brake, but if a service brake is fitted it must comply with 2.2 and must:

- (a) act on each wheel of at least one axle, and not transfer the load to an unbraked axle during braking; and
- (b) in conjunction with the towing vehicle's service brake, be capable of stopping the combination of towing and towed vehicles within a distance of 7 m from a speed of 30 km/h.

2.4(7) If a vehicle of Class TA or Class TB is being towed, the brakes of the towing vehicle and of the trailer, if fitted, must, unless 2.3(10) applies, be capable of stopping the vehicle combination within a distance of 7 m from a speed of 30 km/h, without damage to, or permanent deformation of, either the coupling system or the structure of either vehicle.

Brakes on agricultural trailers

2.4(8) A vehicle of Class TB with a laden weight of more than 2000 kg that is used exclusively for agricultural or land management purposes may comply with 2.4(9) instead of 2.4(2), if it is not operated on a road except:

- (a) during delivery from a manufacturer to the manufacturer's representative; or
- (b) while being delivered to or from an agricultural show for display or demonstration purposes; or
- (c) while being taken to or from a farm, or from one part of a farm to another part of that farm.

2.4(9) A vehicle in 2.4(8) that does not comply with 2.4(2) must have a safety chain that:

- (a) has a breaking strength of at least the gross mass towed; and
- (b) has its breaking strength identified; and
- (c) is attached to the trailer by means other than by welding of the chain itself; and
- (d) is adjustable in length to eliminate a tight or loose chain.

Clause 2.4(1A): inserted, on 29 June 2007, by *clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2007.*

Clause 2.4(1A): replaced, on 1 November 2014, by *clause 2.1(1) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2014.*

Clause 2.4(1B): inserted, on 29 June 2007, by *clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2007.*

Clause 2.4(1B): replaced, on 1 October 2011, by *clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2011.*

Clause 2.4(2): replaced, on 1 June 2019, by *clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2019.*

Clause 2.4(3): replaced, on 1 June 2019, by *clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2019.*

Clause 2.4(4): replaced, on 1 June 2019, by *clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2019.*

Clause 2.4(5): replaced, on 1 June 2019, by *clause 2.2 of Land Transport Rule: Light-vehicle Brakes Amendment 2019.*

Clause 2.4(9): replaced, on 1 November 2014, by *clause 2.1(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2014.*

2.5 Approved vehicle standards for brakes

2.5(1) A brake must comply, if specified in *Table 2.3*, with a version, as specified in 2.5(3), of an approved vehicle standard for brakes in 2.5(2).

2.5(2) The approved vehicle standards for brakes are:

- (a) *Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their trailers (71/320/EEC);*
- (b) *Council Directive of 5 April 1993 on the braking of two or three-wheel motor vehicles (93/14/EEC);*
- (c) *UN/ECE Regulation No. 13, Uniform provisions concerning the approval of vehicles of categories M, N and O with regard to braking (E/ECE324-E/ECE/TRANS/505/Rev.1/Add.12);*
- (d) *UN/ECE Regulation No. 13-H, Uniform provisions concerning the approval of passenger cars with regard to braking (E/ECE324-E/ECE/TRANS/505/Rev.2/Add.12H);*
- (e) *UN/ECE Regulation No. 78, Uniform provisions concerning the approval of vehicles of category L with regard to braking (E/ECE/324-E/ECE/TRANS/505/Rev.1/Add.77);*

- (f) *Federal Motor Vehicle Safety Standard No. 105, Hydraulic Brake Systems;*
- (g) *Federal Motor Vehicle Safety Standard No. 122, Motorcycle Brake Systems;*
- (h) *Federal Motor Vehicle Safety Standard No. 135, Passenger Car Brake Systems;*
- (i) *Australian Design Rule 31, Hydraulic Brake Systems for Passenger Cars;*
- (j) *Australian Design Rule 33, Brake Systems for Motorcycles and Mopeds;*
- (ja) *Australian Design Rule 33/01 – Brake Systems for Motorcycles and Mopeds;*
- (k) *Australian Design Rule 35, Commercial Vehicle Brake Systems;*
- (l) *Technical Standard for Passenger Motor Vehicle Braking Systems (Japan);*
- (m) *Technical Standard for Two Wheeled Vehicle Brake Systems (Japan);*
- (n) *Technical Standard for Brake Systems of Trucks and Buses (Japan).*

Version of vehicle standards for brakes

2.5(3) A brake must comply with the version of an approved vehicle standard that is:

- (a) applicable in the relevant standard-setting jurisdiction to the date of manufacture of the motor vehicle or as specified in the standard; or
- (b) a more recent version of that standard if the safety performance of the vehicle is not adversely affected.

Approved vehicle standards for vacuum brake hoses

2.5(4) A vacuum brake hose must comply, as specified in 2.5(6), with a version of an approved vehicle standard in 2.5(5), or with the original equipment specifications of the vehicle manufacturer.

2.5(5) Approved vehicle standards for vacuum brake hoses are:

- (a) *Society of Automotive Engineers, SAE 40 R3L (light duty);*
- (b) *Society of Automotive Engineers, SAE 40 R3H (heavy duty);*

- (c) *Society of Automotive Engineers, SAE 40 M (heavy duty oil resistant);*
- (d) *Society of Automotive Engineers, SAE J1403 (vacuum brake hose);*
- (e) *British Standard BSAU 109;*
- (f) *Federal Motor Vehicle Safety Standard No. 106, Brake Hoses;*
- (g) *Japan Industrial Standard D2607.*

Version of vehicle standards for vacuum brake hoses

- 2.5(6) A vacuum brake hose must comply with the version of an approved vehicle standard that is:
- (a) applicable in the relevant standard-setting jurisdiction to the date of manufacture of the vacuum brake hose or as specified in the standard; or
 - (b) a more recent version of that standard if the safety performance of the motor vehicle is not adversely affected.

Approved vehicle standards include amendments to standards

- 2.5(7) An approved vehicle standard in 2.4(3), 2.4(4), 2.4(9), 2.5(2), 2.5(5) and 3.3(3) includes all amendments to that standard, some of which may apply to classes of vehicle additional to those covered by the original standard.

Compliance with vehicle standards

- 2.5(8) A motor vehicle must comply with an approved vehicle standard in this rule unless:
- (a) that vehicle was manufactured before the phase-in date for the model, or model variant, of that vehicle in the relevant standard-setting jurisdiction or as specified in the standard; or
 - (b) the model, or model variant, of that vehicle is not required by the standard itself to comply fully with that standard.
- 2.5(9) A vehicle, its structure, systems, components or equipment comply for the purposes of this rule with an applicable approved vehicle standard if they:
- (a) complied with that standard when manufactured or modified; and

- (b) are currently within safe tolerance of the state of the vehicle, its structure, systems, components or equipment when manufactured or modified.

Clause 2.5(2)(ja): inserted, on 1 November 2019, by clause 2.4 of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.

Clause 2.5(2)(n): inserted, on 29 June 2007, by clause 2.3 of Land Transport Rule: Light-vehicle Brakes Amendment 2007.

Clause 2.5(7): amended, on 1 June 2019, by clause 2.3 of Land Transport Rule: Light-vehicle Brakes Amendment 2019.

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.

Clause 2.6: inserted, on 1 July 2015, by clause 2.4 of Land Transport Rule: Light-vehicle Brakes Amendment 2014.

2.7 Advanced brake systems for motorcycles

2.7(1) This clause applies to vehicles of Classes LC, LD, and LE.

2.7(2) A vehicle that is first certified for entry into service in New Zealand on or after 1 April 2020 and before 1 November 2021 must be fitted with an antilock brake system if—

- (a) it is a new vehicle; and
- (b) it is of a model or sub-model that was first manufactured on or after 1 April 2020; and
- (c) it is powered by either—
 - (i) a combustion engine of capacity greater than 125 cubic centimetres; or
 - (ii) an electric powered motor having net power output of greater than 11 kW and a power to weight ratio of greater than 0.1 kW/kg.

2.7(3) A vehicle that is first certified for entry into service in New Zealand on or after 1 November 2021 must be fitted with an antilock brake system if it is powered by either—

- (a) a combustion engine of capacity greater than 125 cubic centimetres; or
 - (b) an electrically powered motor having net power output of greater than 11 kW and a power to weight ratio of greater than 0.1 kW/kg.
- 2.7(4) A vehicle that is first certified for entry into service in New Zealand on or after 1 April 2020 and before 1 November 2021 must be fitted with either an antilock brake system or a combined brake system if—
 - (a) it is a new vehicle; and
 - (b) it is of a model or sub-model that was first manufactured on or after 1 April 2020; and
 - (c) it is powered by either—
 - (i) a combustion engine of capacity greater than 50 cubic centimetres up to and including 125 cubic centimetres; or
 - (ii) an electrically powered motor having net power output of greater than 4 kW up to and including 11 kW.
- 2.7(5) A vehicle that is first certified for entry into service in New Zealand on or after 1 November 2021 must be fitted with either an antilock brake system or a combined brake system if it is powered by either—
 - (a) a combustion engine of capacity greater than 50 cubic centimetres up to and including 125 cubic centimetres; or
 - (b) an electrically powered motor having net power output of greater than 4 kW up to and including 11 kW.
- 2.7(6) A motorcycle that is fitted with an antilock brake system must not have a means of disabling that system unless the motorcycle was originally manufactured with that means of disabling the system.
- 2.7(7) 2.7(2), 2.7(3), 2.7(4), and 2.7(5) do not apply to—
 - (a) an enduro motorcycle; or
 - (b) a trial motorcycle; or
 - (c) a motorcycle that was first registered in any country before 1 January 1990; or
 - (d) an immigrant's vehicle; or

- (e) a vehicle specified in *paragraph (a)* of the definition of ‘low volume vehicle’ that—
 - (i) was not originally fitted with an antilock brake system or a combined brake system; and
 - (ii) has been certified as a low volume vehicle; or
 - (f) a motorcycle for which a special interest motorcycle permit has been granted; or
 - (g) a farm motorcycle.
- 2.7(8) An enduro motorcycle or trial motorcycle may only be used on a road without an antilock braking system or combined braking system that would otherwise be required by 2.7(2), 2.7(3), 2.7(4), or 2.7(5) for the purposes of a sanctioned competition.
- 2.7(9) A farm motorcycle may only be used on a road without an antilock braking system or combined braking system that would otherwise be required by 2.7(2), 2.7(3), 2.7(4), or 2.7(5) if licensed as, and operating on the conditions applying to, a Class B or Class X vehicle within the meaning of *Schedule 1* of the *Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011*.

Clause 2.7: inserted, on 1 November 2019, by *clause 2.5* of *Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Section 3 Modification and repair

3.1 Modification

A modification to a brake or to a vehicle that affects its braking performance or the proper functioning of its electronic stability control system:

- (a) must not prevent the vehicle from complying with this rule; and
- (b) must, if the vehicle is a motor vehicle that is not of Class TA or Class TB, be certified as specified in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Clause 3.1: amended, on 1 July 2015, by *clause 2.5(1)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

3.2 Repair

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*.

Clause 3.2: replaced, on 1 July 2015, by *clause 2.5(2)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

3.3 Replacement components for vehicle repair

3.3(1) *Subclauses 3.3(2) and 3.3(3)* apply to any component that will affect the braking performance or the functioning of an electronic stability control system of a vehicle, and that is:

- (a) manufactured, stocked or offered for sale in New Zealand; and
- (b) supplied for fitting to a vehicle to be operated on a New Zealand road.

3.3(2) A component used in a repair must not prevent a vehicle from complying with this rule.

3.3(3) A brake lining assembly used as a replacement component complies with this rule if it complies with *UN/ECE Regulation No. 90, Uniform Provisions concerning the approval of replacement brake lining assemblies for power-driven vehicles and their trailers (E/ECE/324-E/ECE/TRANS/505/Rev.1/Add.89)*.

Clause 3.3(1): amended, on 1 July 2015, by *clause 2.5(3)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

Section 4 Responsibilities

4.1 Responsibilities of operators

A person who operates a vehicle must ensure that the vehicle complies with this rule.

4.2 Responsibilities of repairers

A person who repairs or adjusts a brake or electronic stability control system must ensure that the repair or adjustment:

- (a) does not prevent the vehicle from complying with this rule; and
- (b) complies with *Land Transport Rule: Vehicle Repair 1998*.

Clause 4.2: amended, on 1 July 2015, by *clause 2.6(1)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

4.3 Responsibilities of modifiers

A person who modifies a vehicle so as to affect the braking performance or the functioning of an electronic stability control system of the vehicle, must:

- (a) ensure that the modification does not prevent the vehicle from complying with this rule; and
- (b) if the vehicle is a motor vehicle, notify the operator if the vehicle must be inspected and, if necessary, certified, because there is reason to believe it has been modified to become a low volume vehicle.

Clause 4.3: amended, on 1 July 2015, by *clause 2.6(2)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

4.4 Responsibilities of vehicle inspectors and inspecting organisations

A vehicle inspector or inspecting organisation must not certify a motor vehicle under *Land Transport Rule: Vehicle Standards Compliance 2002* if they have reason to believe that the vehicle does not comply with this rule.

4.5 Responsibilities of manufacturers and retailers

A person may manufacture, stock, or offer for sale a brake or its components, or a component of an electronic stability control system, intended for fitting to a vehicle to be used on a New Zealand road, only if that brake or component:

- (a) complies with this rule; and
- (b) does not prevent a repair to a vehicle, its structure, systems, components and equipment from complying with this rule.

Clause 4.5: amended, on 1 July 2015, by *clause 2.6(3)* of *Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

4.6 Functions and powers of the Agency

- 4.6(1) The Agency may, by notice in the *Gazette*, approve devices for the purpose of measuring brake performance and may place conditions on the use of those devices.
- 4.6(2) The Agency may, by notice in the *Gazette*, specify a method, by which it can be determined that replacement brake friction material complies with this rule.
- 4.6(3) The Agency may direct a person in 4.5 to recall a replacement component, if the Agency is satisfied on reasonable grounds that the component does not comply with this rule, and may direct that that person bear the costs associated with the recall.
- [Note: A breach of a responsibility in this section is an offence, as provided in the *Land Transport (Offences and Penalties) Regulations 1999*, and is subject to a penalty as specified in those regulations.]
- 4.6(4) The Agency may, by notice in the *Gazette*, appoint an organisation or organisations to process applications for specific motor vehicles to be identified as immigrant's vehicles for the purposes of clauses 2.1(4)(a) and 2.7(7)(d).
- 4.6(5) The Agency may not grant exemptions, under section 166 of the Act, from the requirements of *Schedule 1* or *Schedule 2*.

Heading to clause 4.6: amended, on 1 August 2008, by Part 2 of Schedule 3 of the *Land Transport Management Amendment Act 2008*.

Clause 4.6(1): amended, on 1 August 2008, by Part 2 of Schedule 3 of the *Land Transport Management Amendment Act 2008*.

Clause 4.6(2): amended, on 1 August 2008, by Part 2 of Schedule 3 of the *Land Transport Management Amendment Act 2008*.

Clause 4.6(3): amended, on 1 August 2008, by Part 2 of Schedule 3 of the *Land Transport Management Amendment Act 2008*.

Clause 4.6(4): inserted, on 1 November 2019, by clause 2.6 of *Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Clause 4.6(5): inserted, on 1 November 2019, by clause 2.6 of *Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

4.7 Responsibilities in relation to declarations

No person may knowingly make a false declaration for the purposes of:

- (a) paragraph 1.2(h) of *Schedule 1*;
- (b) paragraph 1.2(b) of *Schedule 2*.

Clause 4.7: inserted, on 1 November 2019, by clause 2.7 of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.

Part 2

Definitions

Agency means the New Zealand Transport Agency established under *section 93* of the *Land Transport Management Act 2003*

Agricultural in relation to purposes or operations, means connected directly with the operation or management of a farm.

Agricultural purpose has the same meaning as in *clause 1.6* of the *Land Transport (Road User) Rule 2004*.

Antilock brake system (ABS) means a system that senses wheel slip and automatically modulates the pressure producing the braking forces at the wheel or wheels to limit the degree of wheel slip.

Approved vehicle standard means a vehicle standard in *2.4(3)*, *2.4(4)*, *2.4(9)*, *2.5(2)*, *2.5(5)* and *3.3(3)*.

Axle means a transverse shaft or housing on which a vehicle's wheels are mounted.

Brake means a system to reduce the speed of a vehicle, to stop the vehicle or to keep the vehicle stationary.

Brake friction material means a brake component having a friction surface that is designed to be preferentially sacrificed.

Breakaway brake means a service brake or parking brake fitted to a trailer that ensures, under all conditions of use, that, if the trailer is unintentionally disconnected from its towing vehicle, the brake will automatically and immediately apply and will remain applied for at least 15 minutes.

Certify has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Class in relation to vehicles, means a category of vehicle of one of the Groups A, L, M, N and T, as specified in *Table A: Vehicle classes*.

Combined brake system (CBS) means—

- (a) for vehicle classes LA and LC, a service brake system where at least two brakes on different wheels are operated by the actuation of a single control:
- (b) for vehicle classes LB and LE, a service brake system where the brakes on all wheels are operated by the actuation of a single control:
- (c) for vehicle class LD, a service brake system where the brakes on at least the front and rear wheels are operated by the actuation of a single control. If the rear wheel and sidecar wheel are braked by the same brake system, this is regarded as the rear brake.

Direct trailer service brake means a service brake fitted to a trailer that allows the driver of a towing vehicle, by operating the service brake of the towing vehicle, to directly and progressively regulate the trailer brake effort.

EEC, EC are abbreviations for directives of the European Economic Community and, later, the European Communities.

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.

Enduro motorcycle means a motor vehicle of class LC that has the following properties—

- (a) seat height greater than or equal to 900 mm:
- (b) ground clearance equal to or greater than 310 mm:
- (c) overall gear ratio in highest gear (primary gear ratio x secondary gear ratio in the highest speed x final drive ratio) equal to or greater than 6.0:
- (d) unladen weight less than or equal to 150 kg:
- (e) no seating position for a passenger.

Engine brake is a modification to a diesel engine used to increase the retardation force provided by the engine on deceleration.

Farm motorcycle means a motor vehicle of class LC that is designed and constructed, and not merely adapted, for agricultural purposes and which has the following properties—

- (a) either—
 - (i) an engine capacity less than or equal to 250 cubic centimetres; or
 - (ii) motive power wholly derived from an external source of electricity:
- (b) ground clearance equal to or greater than 220 mm:

- (c) overall gear ratio in highest gear (primary gear ratio x secondary gear ratio in the highest speed x final drive ratio) equal to or greater than 6.0:
- (d) unladen weight less than or equal to 150 kg:
- (e) front wheel outer rim diameter equal to or greater than 482 mm (nominally 19 inches) and larger than rear wheel outer rim diameter.

Federal Motor Vehicle Safety Standard is a vehicle standard of the United States of America.

First registered means first registered in any country.

Forklift means a motor vehicle (not fitted with self-laying tracks) designed principally for lifting, carrying and stacking goods by means of one or more tines, platens or clamps.

Friction surface means any surface of a brake component that is designed to convert kinetic energy to heat.

Gross vehicle mass means either:

- (a) the maximum permitted mass of a vehicle, which includes the mass of the accessories, the crew, the passengers and load, and is, unless (b) applies, the gross vehicle mass specified (subsequent to the latest modification, if any) by the manufacturer of the vehicle; or
- (b) if a person approved for the purpose by the Agency determines that the gross vehicle mass should differ from that specified by the manufacturer, taking into account evidence on the capability of the systems and components of the vehicle, or the effects of any modification, that mass determined by that person.

Heavy motor vehicle means a motor vehicle that is either:

- (a) of Class MD3, MD4, ME, NB, NC, TC or TD; or
- (b) a vehicle (not of a class specified in *Table A: Vehicle classes*) with a gross vehicle mass that exceeds 3500 kg.

Immigrant's vehicle means a motor vehicle that has been identified as being an immigrant's vehicle in writing under *Land Transport Rule: Frontal Impact 2001*, *Land Transport Rule: Vehicle Exhaust Emissions 2007*, or in accordance with *Schedule 1* by the Agency or by an organisation appointed by the Agency under 4.6(4).

Indirect trailer service brake means a service brake fitted to a trailer where the action of the driver of a towing vehicle applying the brakes of that vehicle results in a reaction by the trailer that is used to progressively regulate the trailer brake effort.

Laden weight means the weight of the vehicle and its load for the time being carried.

Light motor vehicle means a motor vehicle of any class except one defined as a ‘heavy motor vehicle’.

Low volume vehicle means a make and model of a vehicle, of a class specified in *Table A: Vehicle classes*, other than Class MD3, MD4, ME, NB, NC, TC or TD, that is:

- (a) manufactured, assembled or scratch-built in quantities of 500 or less in any one year, and where the construction of the vehicle may directly or indirectly affect compliance of the vehicle with any of the vehicle standards prescribed by New Zealand law; or
- (b) modified uniquely, or in quantities of 500 or less in any one year, in such a way that compliance of the vehicle, its structure, systems, components or equipment with a legal requirement relating to safety performance applicable at the time of the modification may be affected.

Low Volume Vehicle Code means the code of the Low Volume Vehicle Technical Association Incorporated.

Manufacturer’s operating limits means:

- (a) in relation to a motor vehicle, the allowance provided by the vehicle manufacturer in terms of performance capability and dimensions, relative to deterioration, malfunction or damage beyond which the safe performance of the vehicle, as defined by the vehicle manufacturer, is compromised; and
- (b) in relation to a system, component or item of equipment, incorporated in or attached to a vehicle, the allowance provided by the system, component or equipment manufacturer in terms of performance capability and dimensions, relative to the deterioration, malfunction or damage, beyond which the safe performance of the system, component or item of equipment (and consequently the vehicle) is compromised.

mobility device means—

- (a) a vehicle that—
 - (i) is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and
 - (ii) is powered solely by a motor that has a maximum power output not exceeding 1 500 W; or
- (b) a vehicle that the Agency has declared under *section 168A(1)* of the *Land Transport Act 1998* to be a mobility device.

Modify in relation to a vehicle, means to change the vehicle from its original state by altering, substituting, adding or removing any structure, system, component or equipment; but does not include repair.

Motor vehicle means a vehicle drawn or propelled by mechanical power; and includes a trailer; but does not include:

- (a) a vehicle running on rails;
- (b) [*Revoked*]
- (c) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force;
- (d) a trailer running on one wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres;
- (e) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles;
- (f) a pedestrian-controlled machine;
- (g) a vehicle that the Director has declared is not a motor vehicle under *section 168A* of the *Land Transport Act 1998*;
- (h) a mobility device.

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.

New Zealand resident means a person who holds a residence class visa under the *Immigration Act 2009*.

Operate in relation to a vehicle, means to drive or use the vehicle on a road, or to cause or permit the vehicle to be on a road or to be driven on a road, whether or not the person is present with the vehicle.

Parking brake means a brake readily applicable and capable of remaining applied for an indefinite period without further attention.

Phase-in date means the date specified in an approved vehicle standard from which a model, or model variant, of a vehicle must comply with that standard or part of that standard.

Repair means to restore a damaged or worn vehicle, its structure, systems, components or equipment; and includes the replacement of damaged or worn

structures, systems, components or equipment with equivalent undamaged or new structures, systems, components or equipment.

Safe tolerance means the tolerance within which the safe performance of the vehicle, its structure, systems, components or equipment is not compromised, having regard to any manufacturer's operating limits.

Sanctioned competition means a motorcycling competition sanctioned by the Fédération Internationale de Motocyclisme or its New Zealand affiliate, Motorcycling New Zealand.

Service brake means a brake for intermittent use that is normally used to slow down and stop a vehicle.

Special interest motorcycle means a vehicle of class LC, LD, or LE—

- (a) for which a valid special interest motorcycle permit has been issued in accordance with *Schedule 2*; and
- (b) that has been certified for entry on the basis of a special interest motorcycle permit.

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

Technical standard means a Japanese domestic vehicle standard issued by the Japanese Ministry of Land, Infrastructure and Transport and translated into, and published in, English by the Japan Automobile Standards Internationalization Center (JASIC) in the *Automobile Type Approval Handbook for Japanese Certification*.

Tractor means a motor vehicle designed principally for traction at speeds not exceeding 50 km/h except for a motor vehicle fitted with self-laying tracks or a traction engine.

Trial motorcycle means a motor vehicle of class LC that has the following properties—

- (a) seat height less than or equal to 700 mm:
- (b) ground clearance equal to or greater than 280 mm:
- (c) fuel tank capacity less than or equal to 4 litres:
- (d) overall gear ratio in highest gear (primary gear ratio x secondary gear ratio in the highest speed x final drive ratio) equal to or greater than 7.5:
- (e) unladen weight less than or equal to 100 kg:
- (f) no seating position for a passenger.

Twinned wheels means two wheels mounted on the same axle where the distance between the centres of their areas of contact with the ground is equal to or less than 460 mm.

UN/ECE is an abbreviation for a regulation of the United Nations Economic Commission for Europe.

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.

Vehicle means a contrivance equipped with wheels, tracks or revolving runners upon which it moves or is moved; and includes a hovercraft, a skateboard, in-line skates, and roller skates; but does not include:

- (a) a perambulator or pushchair;
- (b) a shopping or sporting trundler not propelled by mechanical power;
- (c) a wheelbarrow or hand-trolley;
- (d) [*Revoked*]
- (e) a pedestrian-controlled lawnmower;
- (f) a pedestrian-controlled agricultural machine not propelled by mechanical power;
- (g) an article of furniture;
- (h) an invalid wheelchair not propelled by mechanical power;
- (i) any other contrivance specified by any other rule not to be a vehicle for the purposes of this definition.

Vehicle inspector or **inspecting organisation** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.

Vehicle standard means a technical specification with which a motor vehicle, its structure, systems, components or equipment must comply, and which is adopted by:

- (a) the New Zealand Standards Council; or
- (b) any international, national or regional organisation with functions similar to the New Zealand Standards Council.

Wheel means a rotating load-carrying member between the tyre and the hub, which usually consists of two major parts, the rim and the wheel disc, which may be manufactured as one part, or permanently attached to each other, or detachable from each other; and includes the tyre fitted to the rim.

Part 2, Definitions, Agency: inserted, on 1 August 2008, by *Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008*.

Part 2, Definitions, Agricultural purpose: inserted, on 1 November 2019, by *clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Part 2, Definitions, **antilock brake system**: inserted, on 1 November 2019, by *clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Part 2, Definitions, **approved vehicle standard**: amended, on 1 June 2019, by *clause 2.4 of Land Transport Rule: Light-vehicle Brakes Amendment 2019*.

Part 2, Definitions, **direct trailer service brake**: replaced, on 1 October 2011, by *clause 2.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2011*.

Part 2, Definitions, **Director**: revoked, on 1 August 2008, by *Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008*.

Part 2, Definitions, **electronic stability control system**: inserted, on 1 July 2015, by *clause 3.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

Part 2, Definitions, **Enduro motorcycle**: inserted, on 1 November 2019, by *clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Part 2, Definitions, **farm motorcycle**: inserted, on 1 November 2019, by *clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Part 2, Definitions, **gross vehicle mass, paragraph (b)**: amended, on 1 August 2008, by *Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008*.

Part 2, Definitions, **immigrant's vehicle**: inserted, on 1 July 2015, by *clause 3.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

Part 2, Definitions, **immigrant's vehicle**: replaced, on 1 November 2019, by *clause 2.8(1) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Part 2, Definitions, **low volume vehicle**: replaced, on 1 April 2011, by *clause 3.1 of Land Transport Rule: Vehicles Standards Compliance Amendment 2011*.

Part 2, Definitions, **mobility device**: inserted, on 22 June 2005, by *Part 6 of the Schedule to the Land Transport Amendment Act 2005*.

Part 2, Definitions, **mobility device**: amended, on 1 August 2008, by *Part 2 of Schedule 3 of the Land Transport Management Amendment Act 2008*.

Part 2, Definitions, **motor vehicle, paragraph (b)**: revoked, on 22 June 2005, by *Part 6 of the Schedule to the Land Transport Amendment Act 2005*.

Part 2, Definitions, **motor vehicle, paragraph (g)**: inserted, on 22 June 2005, by *Part 6 of the Schedule to the Land Transport Amendment Act 2005*.

Part 2, Definitions, **motor vehicle, paragraph (h)**: inserted, on 22 June 2005, by *Part 6 of the Schedule to the Land Transport Amendment Act 2005*.

Part 2, Definitions, **new**: inserted, on 1 July 2015, by *clause 3.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2014*.

Part 2, Definitions, **New Zealand resident**: inserted, on 1 November 2019, by *clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Part 2, Definitions, **Sanctioned competition**: inserted, on 1 November 2019, by *clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

Part 2, Definitions, **scratch-built vehicle**: revoked, on 1 January 2014, by *clause 3.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2013*.

Part 2, Definitions, **special interest motorcycle**: inserted, on 1 November 2019, by *clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019*.

*Part 2, Definitions, **special interest vehicle**: inserted, on 1 July 2015, by clause 3.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2014.*

*Part 2, Definitions, **trial motorcycle**: inserted, on 1 November 2019, by clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.*

*Part 2, Definitions, **twinned wheels**: inserted, on 1 November 2019, by clause 2.8(2) of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.*

*Part 2, Definitions, **used**: inserted, on 1 July 2015, by clause 3.1 of Land Transport Rule: Light-vehicle Brakes Amendment 2014.*

*Part 2, Definitions, **vehicle**, paragraph (d): revoked, on 22 June 2005, by Part 6 of the Schedule to the Land Transport Amendment Act 2005.*

Table A—Vehicle classes

Class	Description
AA (Pedal cycle)	A vehicle designed to be propelled through a mechanism solely by human power.
AB (Power-assisted pedal cycle)	A pedal cycle to which is attached one or more auxiliary propulsion motors having a combined maximum power output not exceeding 300 watts.
LA (Moped with two wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: <ul style="list-style-type: none"> (a) has two wheels; and (b) either: <ul style="list-style-type: none"> (i) has an engine cylinder capacity not exceeding 50 ml and a maximum speed not exceeding 50 km/h; or (ii) has a power source other than a piston engine and a maximum speed not exceeding 50 km/h.
LB (Moped with three wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: <ul style="list-style-type: none"> (a) has three wheels; and (b) either: <ul style="list-style-type: none"> (i) has an engine cylinder capacity not exceeding 50 ml and a maximum speed not exceeding 50 km/h; or (ii) has a power source other than a piston engine and a maximum speed not exceeding 50 km/h.
LB 1	A Class LB motor vehicle that has one wheel at the front and two wheels at the rear.
LB 2	A Class LB motor vehicle that has two wheels at the front and one wheel at the rear.
LC (Motor cycle)	A motor vehicle that: <ul style="list-style-type: none"> (a) has two wheels; and (b) either: <ul style="list-style-type: none"> (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
LD (Motor cycle and side-car)	A motor vehicle that: <ul style="list-style-type: none"> (a) has three wheels asymmetrically arranged in relation to the longitudinal median axis; and (b) either: <ul style="list-style-type: none"> (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
Side-car	A car, box, or other receptacle attached to the side of a motor cycle and supported by a wheel.
LE (Motor tri-cycle)	A motor vehicle that: <ul style="list-style-type: none"> (a) has three wheels symmetrically arranged in relation to the longitudinal median axis; and (b) has a gross vehicle mass not exceeding one tonne; and

Class	Description
	(c) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.
LE 1	A Class LE motor vehicle that has one wheel at the front and two wheels at the rear.
LE 2	A Class LE motor vehicle that has two wheels at the front and one wheel at the rear.
Passenger vehicle	A motor vehicle that: (a) is constructed primarily for the carriage of passengers; and (b) either: (i) has at least four wheels; or (ii) has three wheels and a gross vehicle mass exceeding one tonne.
MA (Passenger car)	A passenger vehicle (other than a Class MB or Class MC vehicle) that has not more than nine seating positions (including the driver's seating position).
MB (Forward control passenger vehicle)	A passenger vehicle (other than a Class MC vehicle): (a) that has not more than nine seating positions (including the driver's seating position); and (b) in which the centre of the steering wheel is in the forward quarter of the vehicle's total length.
MC (Off-road passenger vehicle)	A passenger vehicle, designed with special features for off-road operation, that has not more than nine seating positions (including the driver's seating position), and that: (a) has four-wheel drive; and (b) has at least four of the following characteristics when the vehicle is unladen on a level surface and the front wheels are parallel to the vehicle's longitudinal centre-line and the tyres are inflated to the vehicle manufacturer's recommended pressure: (i) an approach angle of not less than 28 degrees; (ii) a breakover angle of not less than 14 degrees; (iii) a departure angle of not less than 20 degrees; (iv) a running clearance of not less than 200 mm; (v) a front axle clearance, rear axle clearance, or suspension clearance of not less than 175 mm.
Omnibus	A passenger vehicle that has more than nine seating positions (including the driver's seating position). An omnibus comprising two or more non-separable but articulated units shall be considered as a single vehicle.
MD (Light omnibus)	An omnibus that has a gross vehicle mass not exceeding 5 tonnes.
MD 1	An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and not more than 12 seats.

Class	Description
MD 2	An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and more than 12 seats.
MD 3	An omnibus that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 4.5 tonnes.
MD 4	An omnibus that has a gross vehicle mass exceeding 4.5 tonnes but not exceeding 5 tonnes.
ME (Heavy omnibus)	An omnibus that has a gross vehicle mass exceeding 5 tonnes.
Goods vehicle	<p>A motor vehicle that:</p> <p>(a) is constructed primarily for the carriage of goods; and</p> <p>(b) either:</p> <p>(i) has at least four wheels; or</p> <p>(ii) has three wheels and a gross vehicle mass exceeding one tonne.</p> <p>For the purpose of this description:</p> <p>(a) a vehicle that is constructed for both the carriage of goods and passengers shall be considered primarily for the carriage of goods if the number of seating positions multiplied by 68 kg is less than 50% of the difference between the gross vehicle mass and the unladen mass;</p> <p>(b) the equipment and installations carried on special purpose vehicles not designed for the carriage of passengers shall be considered to be goods;</p> <p>(c) a goods vehicle that has two or more non-separable but articulated units shall be considered to be a single vehicle.</p>
NA (Light goods vehicle)	A goods vehicle that has a gross vehicle mass not exceeding 3.5 tonnes.
NB (Medium goods vehicle)	A goods vehicle that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 12 tonnes.
NC (Heavy goods vehicle)	A goods vehicle that has a gross vehicle mass exceeding 12 tonnes.
Trailer	A vehicle without motive power that is constructed for the purpose of being drawn behind a motor vehicle.
TA (Very light trailer)	A single-axled trailer that has a gross vehicle mass not exceeding 0.75 tonnes.
TB (Light trailer)	A trailer (other than a Class TA trailer) that has a gross vehicle mass not exceeding 3.5 tonnes.
TC (Medium trailer)	A trailer that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 10 tonnes.

Class	Description
TD (Heavy trailer)	A trailer that has a gross vehicle mass exceeding 10 tonnes.

*Part 2, Table A, item relating to **Class AB (power-assisted pedal cycle)**: amended, on 1 April 2010, by clause 3.1 of *Land Transport Rule: Vehicle Standards Compliance Amendment 2010*.*

Part 3 Schedules

Schedule 1 Immigrant's vehicle

- 1 Application for identification of vehicle as an immigrant's vehicle**
- 1.1 An application to have a vehicle identified as an immigrant's vehicle must—
- (a) be made to the Agency, or to an organisation appointed by the Agency under 4.6(4), before the vehicle is certified for entry into service in New Zealand; and
 - (b) be accompanied by the appropriate fee or fees (if any) specified in regulations made under the Act.
- 1.2 The applicant must—
- (a) be a New Zealand citizen or a New Zealand resident; and
 - (b) have lived outside New Zealand for a period of not less than 21 months before the date of his or her arrival in or return to New Zealand; and
 - (c) apply within 18 months of the applicant's arrival in or return to New Zealand; and
 - (d) personally own the vehicle; and
 - (e) have personally owned and registered the vehicle for personal use in a country outside New Zealand for a period of at least one year before the applicant's arrival in or return to New Zealand; and
 - (f) never have had any other vehicle identified as an immigrant's vehicle; and
 - (g) not have imported or be importing the vehicle on behalf of, or for, a third party; and
 - (h) make a declaration that—
 - (i) the applicant has resided outside New Zealand for a period of not less than 21 months before the applicant's arrival in or return to New Zealand; and
 - (ii) the applicant has personally owned the vehicle, and has registered it for personal use in a country outside New Zealand, for a period of at least one year before the applicant's arrival in or return to New Zealand; and

- (iii) the applicant has never had any other vehicle identified as an immigrant's vehicle; and
- (iv) the applicant has not imported the vehicle on behalf of, or for, a third party; and
- (v) the applicant will not sell or lease the vehicle to a third party within one year after the date on which the vehicle is first registered in New Zealand; and
- (vi) the applicant will not operate the vehicle in a transport service.

2 Identification of vehicle as immigrant's vehicle

The Agency, or an organisation appointed by the Agency under 4.6(4), may identify a vehicle in writing as an immigrant's vehicle if the vehicle is a Class LC, LD, LE, MA, MB, MC, or NA motor vehicle and the applicant—

- (a) is a New Zealand citizen or a New Zealand resident; and
- (b) has never had any other vehicle identified as an immigrant's vehicle; and
- (c) makes a declaration in accordance with *paragraph 1.2(h)*; and
- (d) has paid the appropriate fee or fees (if any) specified in regulations made under the Act.

3 Conditions of use

- (a) the vehicle must be registered in New Zealand in the applicant's name for at least one year after the date on which the vehicle is first registered in New Zealand;
- (b) the applicant may not operate the vehicle in a transport service.

4 Meaning of "arrival in or return to New Zealand"

In this Schedule, "arrival in or return to New Zealand" means the applicant's arrival in or return to New Zealand after having lived outside New Zealand for a period of not less than 21 months.

Schedule 1: inserted, on 1 November 2019, by clause 2.9 of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.

Schedule 2

Special interest motorcycle permit

1 Application for special interest motorcycle permit

- 1.1 An applicant for a special interest motorcycle permit must—
- (a) apply to the Agency before the vehicle is certified for entry into service in New Zealand; and
 - (b) pay the appropriate fee (if any) specified in regulations made under the Act.
- 1.2 An application for a special interest motorcycle permit must—
- (a) include the vehicle's VIN or chassis number; and
 - (b) include a declaration made by the applicant that—
 - (i) the applicant is a New Zealand citizen or New Zealand resident; and
 - (ii) the vehicle will be registered in the applicant's name; and
 - (iii) the vehicle will be used for personal purposes and will not be operated on the road for commercial purposes or for hire or reward; and
 - (iv) the applicant will not sell or lease the vehicle to a third party within four years of the date of the vehicle's first registration in New Zealand; and
 - (v) the vehicle will not be operated in a transport service; and
 - (vi) a special interest motorcycle permit has not been issued to the applicant in the two years preceding the application; and
 - (c) contain such other information as the Agency considers necessary to support the application.

2 Issue of special interest motorcycle permit

- 2.1 The Agency may issue a special interest motorcycle permit in respect of a Class LC, LD, or LE motor vehicle if—
- (a) the Agency considers that the vehicle will be owned as a collector's item; and
 - (b) either—
 - (i) the vehicle has historic value; or

- (ii) the motorcycle is a model that was manufactured in an annual volume of not more than 20,000 units and was not manufactured with either an antilock brake system or a combined brake system.

2.2 The Agency must not issue a special interest motorcycle permit under this Schedule unless, at the time of making the application, the applicant—

- (a) is a New Zealand citizen or a New Zealand resident; and
- (b) has another vehicle for primary use that is a Class LC, LD, LE, MA, MB, MC, or NA vehicle that is registered in the applicant's name, is leased by the applicant, or is a company vehicle; and
- (c) has not been issued with a special interest motorcycle permit in the last two years; and
- (d) does not have any other special interest motorcycle registered in the applicant's name; and
- (e) has made an application in accordance with this Schedule; and
- (f) has paid the appropriate fee or fees (if any) specified in regulations made under the Act.

2.3 The Agency must not issue more than 100 special interest motorcycle permits in any one calendar year.

3 Validity of special interest motorcycle permit

A special interest motorcycle permit ceases to be valid if the vehicle is not inspected at the border or certified for entry into service in New Zealand within six months after the date on which the permit is issued.

Schedule 2: inserted, on 1 November 2019, by clause 2.9 of Land Transport Rule: Light-vehicle Brakes Amendment (No 2) 2019.