

Land Transport Rule Vehicle Exhaust Emissions 2007

**Consolidated Rule
with amendments incorporated
as at
1 December 2016**

The consolidation of the Rule and its amendments is intended to provide up-to-date details of the current requirements. It is not the official version of the Rule.

Preface

The consolidated Rule brings together the requirements relating to vehicle exhaust emissions in the principal Rule and its amendments. These Rules were produced, under an agreement with the Secretary for Transport, by the NZ Transport Agency (NZTA) or its predecessor land transport Crown entities. They were signed into law by the Minister of Transport or his or her delegate under the *Land Transport Act 1998*.

The principal Rule

Land Transport Rule: Vehicle Exhaust Emissions 2007 (the Rule), revoked and replaced *Land Transport Rule: Vehicle Exhaust Emissions 2006* from 3 January 2008 (except as provided in *subclause 1.3(3)*). The aim of the revised Rule is to progressively improve the emissions standards of vehicles entering the New Zealand fleet by requiring newly imported vehicles to have been manufactured to progressively-increasing new emissions standards.

As provided in *1.3(3)*, the following provisions came into force on 1 May 2008:

- (a) *paragraph 2.1(2)(c)*;
- (b) *paragraphs 2.2(3)(a) and (b)*;
- (c) *clause 2.3*;
- (d) *paragraph 3.1(2)(c)*.

Amendment 1

Following public consultation, the Rule was amended with effect from 7 May 2009 to align it with provisions in *Land Transport Rule: Frontal Impact 2001* relating to 'special interest vehicles', to update and correct various definitions of standards; and to allow testing agents to use an opacimeter test as an alternative to the filter paper test, for testing vehicle emissions.

Amendment 2

The Rule was amended with effect from 1 April 2010;

- to allow vehicles that do not comply with New Zealand vehicle exhaust emissions standards, but that meet the criteria to be categorised as an 'immigrant's vehicle', to be certified for use on the road;

- to replicate the provisions relating to immigrants' vehicles in *Land Transport Rule: Frontal Impact 2001* to provide for a regime under the Rule for processing applications for, and identifying, vehicles of that category;
- to update the Rule by inserting the vehicle emissions standard *Euro 5*; and
- to amend the definition of 'immigrant's vehicle' to bring the Rule into line with the definition of this term used in *Land Transport Rule: Frontal Impact 2001*.

Amendment 3

The Rule was amended with effect from 1 October 2011 to include changes consulted in *Land Transport Rule: Omnibus Amendment 2011*.

The amendment Rule replaced the definition of 'low volume production vehicle' in the Rule with the definition of 'low volume vehicle' used in other vehicle standards Rules while retaining an exception for certain vehicles within this definition from the requirement to comply with an approved vehicle exhaust emissions standard.

Amendment 4

Following consultation, the Rule was amended with effect from 1 January 2013 to:

- require used vehicles certified from 1 January 2013 to be built to the current recognised exhaust emissions standards;
- incorporate in the Rule new Australian Design Rules (ADRs) and equivalent Euro standards for new light vehicles from 1 November 2013;
- incorporate proposed implementation dates for the US 2007 and Japan 09 emissions standards for new vehicles;
- remove the definition of US 2008 from the Rule because this standard is not referred to in the table of standards and the Rule already explicitly provides for compliance with a "higher standard";
- remove the requirement for diesel vehicles certified to the Euro 5 equivalent standard ADR 80/03 or ADR 79/03 to comply also with *ADR 30/01–Smoke Emission Control for Diesel Engines* given that diesel vehicles built to a standard higher than Euro IV/4 should not produce any smoke under the specified test conditions;
- clarify the means by which a vehicle may be assessed as complying with an approved emissions standard;

- extend the exception to the Rule for vehicles manufactured before 1990 to all vehicles manufactured or first registered outside New Zealand 20 years or more before their entry into service in New Zealand;
- correct the current citation of Euro heavy vehicle emissions standards;
- update the definition of Euro 5 standard.

Amendment 5

The Rule was amended with effect from 1 January 2014 to make changes consulted on in *Land Transport Rule: Omnibus Amendment 2013* that:

- clarify that low volume vehicles that contain previously used parts are not new vehicles for the purposes of *clause 2.3(b)* and must pass a metered test before entry into service;
- revoke the definition of ‘scratch-built vehicle’.

Amendment 6

The Rule was amended with effect from 1 December 2016 to make changes consulted on in *Land Transport Rule: Omnibus Amendment 2016* that—

- add vehicle emissions standard “Japan 05” for all vehicles manufactured on or after 1 January 2014, so that vehicles may comply with “Japan 05” or “Japan 09” emissions standard; and
- replace a reference to the *Immigration Act 1987* with a reference to the *Immigration Act 2009*.