

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152, 155(a) and (e) and 158(a)(i) of
the Land Transport Act 1998

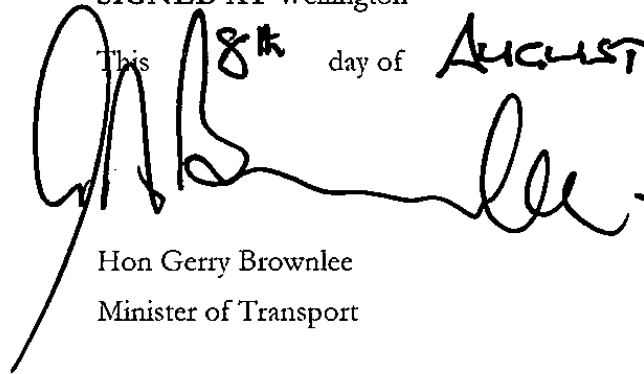
I, Gerry Brownlee, Minister of Transport,

HEREBY make the following ordinary Rule:

Land Transport Rule: Vehicle Standards Compliance
Amendment (No 2) 2013

SIGNED AT Wellington

This **8th** day of **AUGUST** 2013



Hon Gerry Brownlee
Minister of Transport

Land Transport Rule
Vehicle Standards Compliance Amendment (No 2) 2013
Rule 35001/11

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Land Transport Rule

**Vehicle Standards Compliance
Amendment (No 2) 2013**

Rule 35001/11

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Objective of the Rule

Land Transport Rule: Vehicle Standards Compliance Amendment (No 2) 2013 (the amendment Rule) amends *Land Transport Rule: Vehicle Standards Compliance 2002* (the Vehicle Standards Compliance Rule). The Vehicle Standards Compliance Rule sets out requirements for controlling the entry of vehicles into, and operation of vehicles in, the land transport system.

The objective of this amendment Rule is to make changes to the frequency of in-service inspections (that is, warrant of fitness and certificate of fitness inspections) for motor vehicles operated on New Zealand's roads.

Warrant of Fitness

Light motor vehicles (other than agricultural motor vehicles)

The amendment Rule makes a number of changes to vehicles' inspection frequencies, based on a vehicle's date of first registration in New Zealand or overseas. The inspection regime will provide for the following:

- after an initial inspection, no further inspection for light motor vehicles is required until the third anniversary of the date of their first registration, or 12 months after the date on which the vehicle was issued with a warrant of fitness, whichever is later;
- annual inspections for light motor vehicles more than three years old, first registered on or after 1 January 2000;
- six-monthly inspections for light motor vehicles first registered before 1 January 2000.

New Zealand's vehicle inspection frequency is one of the highest among OECD countries. The changes to the warrant of fitness inspection frequencies are intended to reduce the cost of this to motorists without increasing the risk to safety.

In order to reduce the impact of the changes on the vehicle inspection industry, by providing for a more even distribution of demand for vehicle inspections, the changes will be phased in from 1 January 2014 for vehicles first registered from 2004 to 2008, with the changes applying to all vehicles from 1 July 2014.

Certificate of Fitness

The amendment Rule extends the variable certificate of fitness inspection frequency from 3-9 months to 3-12 months. By allowing a wider range of inspection frequencies that can be applied to heavy and commercial vehicles, the change is intended to provide an increased incentive for transport operators to maintain their vehicles to a high safety standard.

Extent of consultation

The changes in the amendment Rule resulted from the Vehicle Licensing Reform project, which involved engagement with stakeholder groups and the release of a public consultation document on 19 September 2012. In January 2013, the Government decided on the nature of changes to be made to the frequency of vehicle inspections.

Consultation on the legislative changes required to implement the new inspection frequencies began with the release on 23 April 2013 of the public consultation (yellow) draft of the amendment Rule. The NZ Transport Agency sent details of the proposed Rule changes by letter or email to approximately 1200 groups and individuals who had registered an interest in the Vehicle Standards Compliance Rule.

The amendment Rule was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also 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 179 submissions on the draft amendment Rule. The submissions were taken into account in finalising the amendment Rule before it was submitted to the Minister of Transport for signing.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Vehicle Standards Compliance Amendment (No 2) 2013*.

1.2 Commencement

1.2(1) *Clause 2.1(4)* comes into force on 1 July 2014.

1.2(2) The rest of this Rule comes into force on 1 January 2014.

1.3 Scope

This Rule amends *Land Transport Rule: Vehicle Standards Compliance 2002*.

1.4 Application

1.4(1) *Clause 3.1(1)* and *Part 1* of *Schedule 1* apply during the period beginning on 1 January 2014 and ending with the close of 30 June 2014.

1.4(2) *Clause 3.1(2)* and *Part 2* of *Schedule 1* apply on and after 1 July 2014.

1.4(3) *Clause 3.1(3)* and *Schedule 2* apply on and after 1 January 2014.

Section 2 Amendments to Rule requirements

2.1 Evidence of vehicle inspection

2.1(1) In *clause 9.1(a)*, replace “and 7.9(a), (b) and (c)” with “, 7.9(a), (b) and (c) and 11.4(b)”.

2.1(2) Replace *clause 9.5* with:

“9.5 Expiry dates for warrants of fitness and certificates of fitness

“9.5(1) In this clause and in 9.8 and *Schedules 4 and 5*, **reference date** means the date on which a warrant of fitness or certificate of fitness is issued unless 9.5(6) applies.

“9.5(2) Unless 9.5(3) applies, the expiry date for a certificate of fitness issued for a vehicle is six months after the reference date, or an alternative number of months after that date if specified by the Agency under 9.8.

“9.5(3) The expiry date for the first certificate of fitness issued for a Class MA rental service vehicle that was new when first registered in New Zealand as a rental service vehicle is 12 months after the reference date, and six months after that date for subsequent certificates.

“9.5(4) The expiry date for a warrant of fitness is the date specified in:

“(a) *Schedule 4* for a light vehicle; or

“(b) *Schedule 5* for a heavy vehicle.

“9.5(5) If the reference date is one of the following dates: 29 February; 31 March; 31 May; 29, 30 or 31 August; 31 October; or 31 December, the expiry date for a certificate of fitness or warrant of fitness is the last day of the relevant month.

“9.5(6) If a warrant of fitness or certificate of fitness is current at the date of inspection under *section 7*, the reference date is:

- “(a) for a warrant of fitness:
 - “(i) 14 days after the date of issue of the new warrant, if the expiry date of the current warrant is more than 14 days after the date of issue;
 - “(ii) the date of expiry of the current warrant, if the expiry date of the current warrant is 14 days or less after the date of issue of the new warrant;
- “(b) for a certificate of fitness:
 - “(i) 28 days after the date of issue of the new certificate, if the expiry date of the current certificate is more than 28 days after the date of issue;
 - “(ii) the date of expiry of the current certificate, if the expiry date is 28 days or less after the date of issue of the new certificate.”.

- 2.1(3) Replace *clause 9.8(1)*, with:
 - “9.8(1) The Agency may specify a number of months between the reference date and the expiry date of a vehicle’s certificate of fitness specified in 9.5(2) from a minimum of three months to a maximum of nine months.”.
- 2.1(4) In *clause 9.8(1)*, replace “nine months” with “12 months”.
- 2.1(5) Delete *clauses 12.6* and *12.7*.

Section 3 Amendments to Schedules

3.1 New Schedules inserted

- 3.1(1) *After Schedule 3 insert, as Schedule 4, Part 1 of Schedule 1 to this Rule.*
- 3.1(2) *Replace Schedule 4, with Part 2 of Schedule 1 to this Rule.*
- 3.1(3) *After Schedule 4 insert, as Schedule 5, Schedule 2 to this Rule.*

Section 4 Schedules

4.1 Schedule 1 New Schedule 4 inserted

Part 1 [Ref. 3.1(1)]

Schedule 4 Expiry date for warrant of fitness for light vehicles applying during the period beginning on 1 January 2014 and ending on 30 June 2014 [Ref. 9.5(4)(a)]

WoF issued to	Expiry date
Vehicle (other than an agricultural motor vehicle) not previously registered in New Zealand or any other country	12 months after the reference date
Vehicle first registered in New Zealand or any other country on or after 1 January 2004	12 months after the reference date
Vehicle (other than an agricultural motor vehicle) first registered in New Zealand or any other country before 1 January 2004	6 months after the reference date
Agricultural motor vehicle that is operated at a speed exceeding 40 km/h and that is issued a warrant of fitness in accordance with 7.9(c)	12 months after the reference date

Part 2

[Ref. 3.1(2)]

Schedule 4 Expiry date for warrant of fitness for light vehicles applying on and after 1 July 2014 [Ref. 9.5(4)(a)]

WoF issued to	Expiry date
Vehicle (other than an agricultural motor vehicle) not previously registered in New Zealand or any other country	Three years after the reference date
Vehicle (other than an agricultural motor vehicle) before the third anniversary of the date of its first registration in New Zealand or any other country	The later date of: <ul style="list-style-type: none"> (a) date of third anniversary of first registration in New Zealand or any other country; or (b) 12 months after the reference date
Vehicle first registered in New Zealand or any other country on or after 1 January 2000, on or after the third anniversary of the date of its first registration in New Zealand or any other country	12 months after the reference date
Vehicle (other than an agricultural motor vehicle) first registered in New Zealand or any other country before 1 January 2000	6 months after the reference date
Agricultural motor vehicle that is operated at a speed exceeding 40 km/h and that is issued a warrant of fitness in accordance with 7.9(c)	12 months after the reference date

4.2 Schedule 2 New Schedule 5 inserted [Ref. 3.1(3)]

Schedule 5 Expiry date for warrant of fitness for heavy vehicles applying on and after 1 January 2014 [Ref. 9.5(4)(b)]

WoF issued to	Expiry date
Vehicle not previously registered in New Zealand or any other country	12 months after the reference date
Vehicle (other than an agricultural motor vehicle) before the sixth anniversary of the date of its first registration in New Zealand or any other country	12 months after the reference date
Vehicle (other than an agricultural motor vehicle) on or after the sixth anniversary of the date of its first registration in New Zealand or any other country	6 months after the reference date
Agricultural motor vehicle that is operated at a speed exceeding 40 km/h and that is issued a warrant of fitness in accordance with 7.9(c)	12 months after the reference date