

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 155(a) and (b) of the Land Transport Act 1998

I, Michael Woodhouse, Associate Minister of Transport,

HEREBY make the following ordinary Rule:

Land Transport Rule: Vehicle Standards Compliance
Amendment

SIGNED AT Wellington

This *28th* day of *MARCH* 2013



Michael Woodhouse
Associate Minister of Transport

Land Transport Rule
Vehicle Standards Compliance Amendment 2013
Rule 35001/10

ISSN 1173-1559

Published by:

NZ Transport Agency
Private Bag 6995
Wellington 6141
New Zealand

Email: info@nzta.govt.nz

Freephone: 0800 699 000

Printed and distributed by:



Wickliffe Solutions
PO Box 932
Dunedin 9054
New Zealand

Land Transport Rule

**Vehicle Standards Compliance
Amendment 2013**

Rule 35001/10

Contents

Objective of the Rule		vii
Extent of consultation		viii
Section 1	Application	1
1.1	Title	1
1.2	Commencement	1
1.3	Scope of Rule	1
Section 2	Amendments to Rule requirements	2
2.1	Inspection of vehicles at the border	2
2.2	Inspection and certification of vehicles for entry or re-entry into service	2
2.3	Inspection and certification of vehicles for operation in service	2
2.4	Evidence of vehicle inspection	3
2.5	Operation of vehicles	3
Section 3	Amendments to Definitions	4
3.1	Amendments to definitions	4

Objective of the Rule

Land Transport Rule: Vehicle Standards Compliance Amendment 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, and of amendments to seven other Land Transport Rules, is to ensure that legislation that affects the primary production sector is fit for purpose and does not impose unnecessary costs or restrictions, including on the ability of the sector to manage critical operations where time or the weather is a limiting factor.

The amendment Rule provides for:

- the removal of the periodic (warrant of fitness/certificate of fitness (WoF/CoF)) inspection requirement for agricultural motor vehicles that are operated at speeds not exceeding 40 km/h;
- a revised and simplified WoF inspection for agricultural motor vehicles that are operated at speeds exceeding 40 km/h, with no CoF requirement;
- annual vehicle inspections for vehicles that are operated at speeds exceeding 40 km/h, rather than six-monthly;
- the amending of a number of definitions used in Land Transport Rules as a consequence of the changes to the legislation applying to agricultural motor vehicles.

Extent of consultation

For the purposes of consultation, proposed amendments to Land Transport Rules applying to vehicles used for agricultural purposes were combined into a single Rule, *Land Transport Rule: Agricultural Vehicles Omnibus 2012* (the Omnibus Rule). The Rule amendment proposals arose out of a review of agricultural transport legislation in 2012 involving government agencies, key transport and agriculture industry stakeholders and the public.

On 19 October 2012, the NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 2300 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus 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 29 submissions on the Omnibus Rule, of which 20 commented on the proposed amendments to the Vehicle Standards Compliance Rule.

Following consultation, the provisions in the Omnibus Rule were split into separate amendment Rules, including this Rule. The submissions that were received were taken into account in finalising this Rule before it was submitted to the Associate Minister of Transport for signing.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Vehicle Standards Compliance Amendment 2013*.

1.2 Commencement

1.2(1) *Clause 2.4* comes into force on 11 November 2013.

1.2(2) The rest of this Rule comes into force on 1 June 2013.

1.3 Scope of Rule

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

Section 2 Amendments to Rule requirements

2.1 Inspection of vehicles at the border

In *clause 4.1(1)(b)*, replace “(i)” with “(j)”.

2.2 Inspection and certification of vehicles for entry or re-entry into service

2.2(1) In *clause 6.1(e)*, replace “agricultural, land management” with “non-agricultural land management”.

2.2(2) In *clause 6.1(b)*, replace “months.” with “months;”.

2.2(3) In *clause 6.1(i)*, replace “2011.” with “2011;”.

2.2(4) After *clause 6.1(i)*, insert:

“(j) an agricultural motor vehicle.”

2.3 Inspection and certification of vehicles for operation in service

2.3(1) In *clause 7.1(1)(g)*, replace “agricultural, land management” with “non-agricultural land management”.

2.3(2) Delete *clauses 7.1(1)(b)(iii)* and *(iv)*.

2.3(3) In *clause 7.1(1)(j)(iii)*, replace “vehicle.” with “vehicle;”.

2.3(4) After *clause 7.1(1)(j)*, insert:

“(k) an agricultural motor vehicle operated at not more than 40 km/h.”

2.3(5) In *clause 7.1(2)(b)*, replace “7.1(2)(a).” with “7.1(2)(a); or”.

2.3(6) After *clause 7.1(2)(b)* insert:

- 2.3(7) “(c) an agricultural motor vehicle.”.
Replace *clause 7.9(c)*, with:
“(c) issue evidence of vehicle inspection in the form of a warrant of fitness for:
“(i) a tractor or machine used solely in non-agricultural land management or roading operations, whether for traction or otherwise, that is operated at a speed exceeding 30 km/h; or
“(ii) an agricultural motor vehicle”.

2.4 Evidence of vehicle inspection

- 2.4(1) In *clause 9.5(2)(a)*, replace “date;” with “date unless (c) applies;”.
- 2.4(2) In *clause 9.5(2)(b)*, replace “9.8.” with “9.8;”.
- 2.4(3) After *clause 9.5(2)(b)*, insert:
“(c) if the vehicle is an agricultural motor vehicle, the expiry date for a warrant of fitness is the same day of the month as the reference date in 9.5(4) or 9.5(5), 12 months after that date.”.

2.5 Operation of vehicles

- In *clause 10.1*, replace “(j)” with “(k)”.

Section 3 Amendments to Definitions

3.1 Amendments to definitions

3.1(1) In *Part 2 Definitions*, insert in the appropriate alphabetical places:

“Agricultural motor vehicle

- “(a) means a motor vehicle that is designed, constructed, or adapted for agricultural purposes; and
- “(b) includes:
 - “(i) an agricultural trailer; and
 - “(ii) an agricultural tractor; but
- “(c) does not include any vehicle that is:
 - “(i) of a class specified in *Table A* of *Part 2* of *Land Transport Rule: Vehicle Standards Compliance 2002*; and
 - “(ii) designed or constructed for general road use”.

“Agricultural purpose

- “(a) includes:
 - “(i) land cultivation;
 - “(ii) growing and harvesting crops (including horticulture and viticulture);
 - “(iii) rearing livestock;
 - “(iv) any land management operation undertaken in connection with:
 - “(A) the operation or management of a farm;
 - or

“(B) a purpose described in
subparagraphs (i) to (iii);
but

“(b) does not include forestry, or any
land management operation not
referred to in *paragraph (a)(iv)*”.

“**Agricultural tractor** means a vehicle that is
designed and constructed principally for the
purposes of:

“(a) towing an agricultural trailer; or

“(b) drawing, or powering, an implement
ordinarily used for an agricultural
purpose”.

“**Agricultural trailer**

“(a) means a trailer that is used
principally for agricultural
purposes; and

“(b) includes a wheeled agricultural
implement, the wheels of which are
in contact with the road when the
implement is being towed; but

“(c) does not include:

“(i) a trailer that is:

“(A) designed principally
for the carriage of
goods; and

“(B) operated at a speed
exceeding 40 km/h; or

“(ii) a logging trailer”.

3.1(2)

In the definition of ‘All-terrain vehicle’ delete
“special purpose”.