



Ministry of **Transport**

TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

PURSUANT to Sections 152, 155(a) and 155(f)(iii) of the Land Transport Act 1998

I, **Harry James Duynhoven**, Minister for Transport Safety,

HEREBY make the following ordinary rule:

Land Transport Rule: Fuel Consumption Information

SIGNED AT Wellington

This *Fourth* day of *September* 2008

Harry James Duynhoven

Minister for Transport Safety

Land Transport Rule Fuel Consumption Information

Rule 33020

ISSN 1173-1559

Published by:

NZ Transport Agency

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Freephone: 0800 699 000



Printed and distributed by
Wickliffe Limited
PO Box 932, Dunedin, New Zealand

Land Transport Rule

Fuel Consumption Information 2008

Rule 33020

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Objective of the Rule

Land Transport Rule: Fuel Consumption

Information 2008 (the Rule) sets out requirements for the provision of fuel consumption information for light vehicles (vehicles with a gross vehicle mass not exceeding 3.5 tonnes) that enter the New Zealand fleet and are manufactured on or after 1 January 2000. The Rule applies only to vehicles that are subject to the certification requirements in *Land Transport Rule: Vehicle Standards Compliance 2002*. It does not apply to certain special purpose vehicles, special interest vehicles, motor sport vehicles or immigrants' vehicles. In addition, low volume vehicles are excluded from the requirements to provide fuel consumption information.

The purpose of the Rule is to enable robust information to be collected about vehicle fuel consumption. Accurate and reliable fuel consumption information is essential to support government initiatives on climate change, energy efficiency and energy conservation. The Rule will contribute to achieving three policy initiatives in particular, aimed at improving fuel economy and reducing fuel consumption:

- the fuel economy website, which provides fuel consumption information to help vehicle buyers make informed choices for the purchase of fuel-efficient vehicles;
- requirements for the display of fuel economy information in connection with the sale of motor vehicles; and
- a standard for fuel economy.

The previous process for the collection of fuel consumption data for the Motor Vehicle Registrar, under *section 7(1)(e)* of the *Transport (Vehicle and Driver Registration and Licensing) Act 1986*, did not provide specific information about standards or technical requirements relating to the information required. The Rule addresses the risks inherent in the previous requirements, namely, that inaccurate

or unreliable, but nevertheless, lawful information may be supplied, and this, in turn, may undermine the development of effective policies relating to climate change and energy efficiency.

To help ensure the accuracy of fuel consumption information, the Rule provides for the setting-up and maintenance of a database of fuel consumption information, and contains procedures for ensuring that information is entered on the database accurately, and is corrected as necessary. In developing the Rule, consideration has been given to best practice in relevant overseas jurisdictions. While the major benefit of the Rule is in the use of fuel consumption information in the development of government initiatives, the costs of the Rule to vehicle owners are expected to be minimal.

Extent of consultation

The then Land Transport New Zealand consulted on the Rule, with the release in February 2008 of a yellow (public consultation) draft. About 900 organisations and individuals who had indicated their interest in the Rule were advised of the release of the yellow draft, and copies were sent to key industry and other groups. In addition, Land Transport NZ publicised the availability of the yellow draft in metropolitan and selected regional daily newspapers, and in the *New Zealand Gazette*. The draft was also made available, together with Questions and Answers, on the Land Transport NZ website.

Land Transport NZ received nine submissions on the draft Rule. Comments received were taken into account in redrafting the Rule. The Rule was submitted to Cabinet, before being signed by the Minister for Transport Safety.

Part 1 Rule requirements

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Fuel Consumption Information 2008*.

1.2 Date when Rule comes into force

This Rule comes into force on 1 February 2009.

1.3 Scope of Rule

1.3(1) This Rule applies to vehicles of Classes MA, MB, MC, MD1, MD2 and NA in *Table A* in *Part 2* that are:

- (a) petrol, diesel, LPG or CNG vehicles; and
- (b) manufactured on or after 1 January 2000; and
- (c) required by *Land Transport Rule: Vehicle Standards Compliance 2002* to be certified for entry into service.

1.3(2) This Rule does not apply to:

- (a) tractors; or
- (b) special interest vehicles; or
- (c) mobile cranes; or
- (d) motor sport vehicles; or
- (e) immigrants' vehicles.

- 1.3(3) *Section 2* specifies requirements:
- (a) with which a motor vehicle must comply before it may be certified for entry into service in New Zealand under *Land Transport Rule: Vehicle Standards Compliance 2002*; and
 - (b) that are the applicable requirements for the provision of fuel consumption information under *section 6* of *Land Transport Rule: Vehicle Standards Compliance 2002*.
- 1.3(4) *Section 2* does not apply to low volume vehicles.

Section 2 **Provision of fuel consumption information**

2.1 **Requirement to provide fuel consumption information**

For a vehicle to be certified for entry into service, fuel consumption information must be provided in the form and manner prescribed in this section.

2.2 **Form of fuel consumption information**

2.2(1) Fuel consumption information must:

- (a) relate to the vehicle for which it is provided or to vehicles of the same make, model and submodel; and
- (b) be consistent with the test cycle cited in the vehicle's certified emissions standard; and
- (c) be provided:
 - (i) in kilometres per litre, litres per 100 kilometres, miles per US liquid gallon or miles per Imperial gallon; and

- (ii) for the urban, extra-urban and combined cycles.
- 2.2(2) Despite 2.2(1)(c)(ii), if the vehicle's fuel consumption information is consistent with the Japanese 10.15 mode, the Japanese JC08 mode or *ADR 81/01 Fuel Consumption Labelling for Light Vehicles*, information may be provided for the combined cycle only.
- 2.2(3) If a vehicle is manufactured to operate on LPG or CNG, and another fuel type, fuel consumption information must be provided for LPG or CNG (as applicable).
- 2.2(4) To verify a vehicle's fuel consumption information, one or more of the following must be provided:
 - (a) a statement of compliance issued:
 - (i) in a format specified by the Agency; and
 - (ii) by the vehicle's manufacturer or manufacturer's representative, who the Agency is satisfied is capable of providing confirmation of compliance with applicable requirements; or
 - (b) a type approval issued by a relevant authorised certification organisation following a drive cycle test in accordance with the vehicle's certified emissions standard; or
 - (c) if the vehicle is a used vehicle:
 - (i) a fuel consumption statement from the Agency's website together with a statement completed by, or on behalf of, the owner declaring that the relevant information on the statement relates to the vehicle or to the vehicle's make, model and submodel; or
 - (ii) if (i) is not available, evidence from the manufacturer's website, together with

a statement completed by, or on behalf of, the owner declaring that the evidence relates to the vehicle or to the vehicle's make, model and submodel;
or

- (iii) if (i) and (ii) are not available, evidence from one of the following government-administered websites (or from a website that replaces one of the following websites), together with a statement completed by, or on behalf of, the owner declaring that the evidence relates to the vehicle or to the vehicle's make, model and submodel:

- (A) the Australian Green Vehicle website; or
- (B) the US Fuel Economy website;
or
- (C) the UK Fuel Data website.

2.2(5)

A statement of compliance in 2.2(4)(a) may be issued only if the manufacturer or manufacturer's representative is able to support the validity of the statement in accordance with any of the following, as appropriate:

- (a) a summary of evidence or a certificate from tests carried out in accordance with the requirements of the vehicle's certified emissions standard;
- (b) a type approval issued by a relevant authorised certification organisation in accordance with the vehicle's certified emissions standard;
- (c) documents in relation to arrangements for ensuring conformity of production in accordance with the requirements of the vehicle's certified emissions standard;
- (d) documents confirming that a deviation of the vehicle or specific aspect of the vehicle from

the original source design, resulting from changes to components or manufacturing methods, does not have an adverse effect on compliance with the vehicle's certified emissions standard;

- (e) any other document or documents that the Agency considers acceptable to demonstrate that the vehicle's fuel consumption information conforms with the requirements of the vehicle's certified emissions standard.

2.2(6) A vehicle manufacturer or manufacturer's representative must comply, within a reasonable time, with any request from the Agency to provide the information or document(s) listed in 2.2(5)(a) to (e).

2.3 **Prohibition against provision of false or inaccurate information**

A person may not, for the purpose of this Rule, provide fuel consumption information that he or she knows is false or does not believe to be accurate.

Section 3 **Inspection of fuel consumption information**

3.1 **Vehicle inspector or inspecting organisation to inspect documentation**

3.1(1) The inspection and certification of a vehicle, under section 6 of *Land Transport Rule: Vehicle Standards Compliance 2002*, must include inspection of the document(s) in 2.2(4) that verify the vehicle's fuel consumption information.

3.1(2) Except as provided in 3.1(4), a vehicle inspector or inspecting organisation must record and provide to the Agency, or to other persons specified by the

Agency, fuel consumption information provided in accordance with *section 2*.

- 3.1(3) A vehicle inspector or inspecting organisation may accept, record and provide to the Agency, or to other persons specified by the Agency, fuel consumption information that is provided, in the form and manner prescribed in *section 2*, for a vehicle to which this Rule or *section 2* does not apply.
- 3.1(4) A vehicle inspector or inspecting organisation must not accept, record or provide fuel consumption information to the Agency, or to other persons specified by the Agency, if they have reason to believe that the information does not comply with the requirements of *section 2*.
- 3.1(5) If a vehicle is a low volume vehicle or exempt from this Rule under *section 166* of the Act and fuel consumption information is not provided for the vehicle, the vehicle inspector or inspecting organisation must record fuel consumption as 'unknown'.

Section 4 Database of fuel consumption information

- 4.1 **Maintaining the database of fuel consumption information**
- 4.1(1) The Agency must maintain a database of fuel consumption information that must contain, as a minimum, fuel consumption information provided in accordance with this Rule.
- 4.1(2) Fuel consumption information must be entered on the database:
- (a) in litres per 100 kilometres; and
 - (b) for the combined cycle; and

- (c) except as provided in 2.2(2), for the urban and extra-urban cycles.

4.1(3)

Despite 4.1(2), if information is not provided for the vehicle, the Agency must enter fuel consumption as 'unknown' for:

- (a) low volume vehicles; and
- (b) vehicles that are exempt from this Rule under *section 166* of the Act; and
- (c) vehicles whose fuel consumption is recorded as 'unknown' on the Agency's website.

4.2

Agency may provide information

If fuel consumption information has not been entered on the database for a vehicle, the Agency:

- (a) may enter fuel consumption information for that vehicle if it is satisfied that the information is correct; and
- (b) must notify the registered owner by post, at his or her registered address, of any entry made in accordance with *paragraph (a)*.

4.3

Agency may correct the database

4.3(1)

The Agency may correct an entry in the database if it is satisfied that:

- (a) the existing information is incorrect; and
- (b) the new information is correct.

4.3(2)

The Agency must notify the registered owner of any correction made under 4.3(1) by post at the registered owner's registered address.

Part 2	Definitions
Act	means the <i>Land Transport Act 1998</i> .
Agency	means the New Zealand Transport Agency established under <i>section 93</i> of the <i>Land Transport Management Act 2003</i> .
Australian Green Vehicle website	means www.greenvehicleguide.gov.au
Certified emissions standard	means the vehicle emissions standard to which the vehicle was certified.
Compressed natural gas or CNG	means compressed gas consisting of more than 50% methane by volume.
CNG vehicle	means a vehicle that operates, or is designed to operate, on compressed natural gas or a CNG mixture.
Design characteristics	may include weight, fuel type(s), body design, engine, transmission, and accessories that impact on fuel consumption.
Diesel	means a refined petroleum distillate: <ul style="list-style-type: none"> (a) having a viscosity and distillation range that is intermediate between those of kerosene and light lubricating oil, whether or not it contains additives; and (b) that is intended for use as fuel in internal combustion engines ignited by compression.
Diesel vehicle	means a vehicle that operates, or is designed to operate, on diesel or a diesel mixture.
Enter service	in relation to a vehicle, means to begin to be operated in service on the road in New Zealand for the first time in compliance with registration

	requirements of the <i>Transport (Vehicle and Driver Registration and Licensing) Act 1986</i> .
Extra-urban cycle	includes highway cycle.
Fuel consumption information	includes, when verified in accordance with 2.2(4)(c) of this Rule, the value "unknown".
Immigrant's vehicle	has the same meaning as in <i>Land Transport Rule: Frontal Impact 2001</i> .
Japanese 10-15 mode	means the Japan Safety Regulations for Road Vehicles test method for determination of motor vehicle energy efficiency specified by the Minister of Land, Infrastructure and Transport in paragraph 1.1 of Announcement No. 350 of 17 March 2006 as amended by Announcement No. 865 of 2 July 2007.
Japanese JC08 mode	means the Japan Safety Regulations for Road Vehicles test method for determination of motor vehicle energy efficiency specified by the Minister of Land, Infrastructure and Transport in paragraph 1.2 of Announcement No. 350 of 17 March 2006 as amended by Announcement No. 865 of 2 July 2007.
Liquefied petroleum gas or LPG	means propane, propylene, butane, butylene or isobutene; and includes a mixture consisting wholly or principally of any such substance, whether or not the mixture contains any other hydrocarbon.

Low volume vehicle

means 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 200 or less at any one location in any one year, by a manufacturer whose total production of vehicles does not exceed 200 units over the same period, and where the construction of the vehicle directly or indirectly affects compliance of the vehicle with any of the vehicle standards prescribed by New Zealand law; or
- (b) modified uniquely, or in quantities of 200 or less at any one location in any one year, in such a way as to affect 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.

LPG vehicle

means a vehicle that operates, or is designed to operate, on liquefied petroleum gas or an LPG mixture.

Mobile crane

does not include a truck mounted with crane apparatus.

Motor sport vehicle

has the same meaning as in *Land Transport Rule: Frontal Impact 2001*.

Petrol

means a refined petroleum distillate:

- (a) normally boiling within the limits of 30°C to 220°C;
- (b) whether or not it contains additives;
- (c) that is intended for use as a fuel in spark-ignition internal combustion engines.

Petrol vehicle

means a vehicle that operates, or is designed to operate, on petrol or a petrol mixture.

Registered address	means the address recorded in the Register of Motor Vehicles for the registered owner of a vehicle.
Special interest vehicle	has the same meaning as in <i>Land Transport Rule: Frontal Impact 2001</i> .
Submodel	means a group of vehicles of the same make and model that have the same fuel consumption information due to shared design characteristics.
Tractor	means a motor vehicle (other than a traction engine) constructed principally for towing an agricultural trailer or powering agricultural implements.
UK Fuel Data website	means www.vcacarfueldata.org.uk
Urban cycle	includes city cycle.
Used vehicle	<p>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 has, at any time before being offered or displayed for sale, been:</p> <ul style="list-style-type: none"> (a) registered under: <ul style="list-style-type: none"> (i) the <i>Transport Act 1962</i>; or (ii) the <i>Transport (Vehicle and Driver Registration and Licensing Act) 1986</i>; or (iii) any corresponding legislation in any other country; or (b) used for a purpose not connected with its manufacture or sale.
US Fuel Economy website	means www.fueleconomy.gov

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 200 watts.
LA (Moped with two wheels)	A motor vehicle (other than a power-assisted pedal cycle) that: (a) has two wheels; and (b) either: (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: (a) has three wheels; and (b) either: (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: (a) has two wheels; and (b) either: (i) has an engine cylinder capacity exceeding 50 ml; or (ii) has a maximum speed exceeding 50 km/h.

Table A Vehicle classes (continued)

LD (Motor cycle and side-car)	A motor vehicle that: (a) has three wheels asymmetrically arranged in relation to the longitudinal median axis; and (b) either: (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: (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 (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).

Table A Vehicle classes (continued)

Class	Description
MB (Forward control passenger vehicle)	<p>A passenger vehicle (other than a Class MC vehicle):</p> <p>(a) that has not more than nine seating positions (including the driver's seating position); and</p> <p>(b) in which the centre of the steering wheel is in the forward quarter of the vehicle's total length.</p>
MC (Off-road passenger vehicle)	<p>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:</p> <p>(a) has four-wheel drive; and</p> <p>(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:</p> <p>(i) an approach angle of not less than 28 degrees;</p> <p>(ii) a breakover angle of not less than 14 degrees;</p> <p>(iii) a departure angle of not less than 20 degrees;</p> <p>(iv) a running clearance of not less than 200 mm;</p> <p>(v) a front-axle clearance, rear-axle clearance, or suspension clearance of not less than 175 mm.</p>
Omnibus	<p>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.</p>
MD (Light omnibus)	<p>An omnibus that has a gross vehicle mass not exceeding 5 tonnes.</p>
MD 1	<p>An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and not more than 12 seats.</p>
MD 2	<p>An omnibus that has a gross vehicle mass not exceeding 3.5 tonnes and more than 12 seats.</p>
MD 3	<p>An omnibus that has a gross vehicle mass exceeding 3.5 tonnes but not exceeding 4.5 tonnes.</p>

Table A Vehicle classes (continued)

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.

Table A Vehicle classes (continued)

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