



WELLINGTON, NEW ZEALAND

PURSUANT to Section 152 of the Land Transport Act 1998

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

HEREBY make the following ordinary Rule:

Land Transport Rule: Vehicle Standards Compliance Amendment

SIGNED AT Wellington

This *8th* day of *August* 2005

Harry James Duynhoven

Minister for Transport Safety

Land Transport Rule
Vehicle Standards Compliance Amendment 2005
Rule 35001/2

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Land Transport Rule
Vehicle Standards Compliance
Amendment 2005

Rule 35001/2

Contents

Objective of the Rule		vii
Extent of consultation		viii
Section 1	Application	1
1.1	Title	1
1.2	Date when Rule comes into force	1
Section 2	Amendments relating to alternative fuel systems	1
2.1	Application for appointment	1
2.2	Application	1
2.3	When a vehicle must be certified for entry into service	2
2.4	Specialist inspection and certification (specific aspects)	2
2.5	Evidence of vehicle inspection (special aspects)	2
2.6	Vehicles that may not be certified for operation in service	3
2.7	Inspection and certification of vehicles for operation in service	3
2.8	Specialist inspection and certification (in-service)	4
2.9	Evidence of vehicle inspection (in-service)	4
2.10	Expiry dates for alternative fuel inspection certificates	4
2.11	Additional powers of the Director	4
Section 3	Amendments relating to vehicle identification numbers (VINs)	7
3.1	Appointment of vehicle inspectors and inspecting organisations	7
3.2	Requirements and conditions of appointment	7
3.3	Delegations	8
3.4	Application for appointment	8
3.5	Procedures for monitoring and reviewing performance	8
3.6	Action following failure to comply with conditions of appointment or with this rule	9
3.7	Immediate suspension or imposing of conditions	10
3.8	Inspection of vehicles at the border	11
3.9	Inspection and certification of vehicles	12

3.10	Inspection and certification of vehicles for operation in service	13
3.11	Determining compliance of a vehicle	14
3.12	Additional powers of the Director	15
Section 4	Amendments to definitions	15
4.1	Insertion of new definitions	15
4.2	Substitution of definitions	16

Objective of the Rule

Land Transport Rule: Vehicle Standards Compliance Amendment 2005 amends *Land Transport Rule: Vehicle Standards Compliance 2002*, which sets out a legal framework for the inspection and certification of vehicles, covering both the entry of vehicles into the land transport system and their operation in the system.

The objective of this amendment Rule is to transfer from the *Traffic Regulations 1976*, and update, the requirements for the approval, inspection and certification of liquified petroleum gas (LPG) and compressed natural gas (CNG) fuel systems installed in vehicles, and for the assigning and affixing of vehicle identification numbers (VINs) to vehicles.

Alternative fuel systems. The requirement in *regulation 90E* of the *Traffic Regulations 1976* that limited approval to install LPG and CNG fuel systems to engineers holding the required New Zealand trade qualification has been replaced by provision for the qualifications of the installer to be taken into account at the initial fuel system inspection. The prohibition in *regulation 90O* on supplying LPG or CNG for a vehicle fitted with an LPG or CNG fuel system, if the vehicle did not display a current inspection certificate, has been removed. Under the amended Rule, a vehicle that does not have a current alternative fuel inspection certificate will not be issued with a Warrant of Fitness until the fuel system has been granted an inspection certificate.

Vehicle identification numbers (VINs) have to comply with a choice of standards that were set out in *Regulation 90T*. However, the provisions in *regulations 90U* and *90W* requiring vehicle manufacturers to apply for, or to generate, VINs for vehicles, and for vehicles to have VINs assigned and affixed before registration, have been discontinued because this is now done automatically by LANDATA at pre-registration if not already done overseas or by a local manufacturer. The Rule makes provision for ensuring the validity of VINs. The Rule still requires

vehicle importers and manufacturers to provide VIN-decoding information for vehicles that they manufacture or import.

The amendment Rule facilitates the Whole of Vehicle Marking (WOVM) aspect of the Government's Vehicle Crime Reduction Programme launched in January 2005. The Rule enables the Director of Land Transport to require that new or used vehicles less than 15 years old, which are imported after the WOVM regime comes into effect, have multiple copies of their VINs attached to them at border inspection or when they are inspected prior to registration.

The amendment Rule changes the definition of 'vehicle identification number' and, as a consequence, this definition is changed in two other amendment Rules – *Land Transport Rule: Passenger Service Vehicles Amendment 2005* and *Land Transport Rule: Seatbelts and Seatbelt Anchorages Amendment 2005*.

Extent of consultation

For the purposes of consultation, a number of amendments proposed to *Land Transport Rule: Vehicle Standards Compliance 2002* and 12 other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2005* (the Omnibus Amendment Rule). The changes proposed were intended mainly to convert remaining provisions in the *Traffic Regulations 1976* to Rules, to update vehicle standards, to delete redundant provisions and clarify provisions and to correct some errors in Rules.

On 1 April 2005, Land Transport New Zealand (Land Transport NZ) sent a letter containing the Rule amendment proposals to about 2200 groups and individuals who had registered an interest in the Rules to be amended, and sought submissions on the proposed changes. The draft Omnibus Amendment Rule was made available through the Land Transport NZ Help Desk and was available together with Questions and Answers on the

Land Transport NZ website. The availability of the draft was publicised in five metropolitan daily newspapers, *Te Karere National News* and the *New Zealand Gazette*. Land Transport NZ received 33 submissions on the draft Omnibus Amendment Rule, of which five commented on the proposed requirements for alternative fuel systems and 10 commented on VINs.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into separate amendment Rules, including this Rule. The submissions that were received were taken into account in drafting the amendment Rules before the Rules were submitted to the Minister for Transport Safety for signing.

Section 1 **Application**

1.1 **Title**

1.1(1) This Rule is *Land Transport Rule: Vehicle Standards Compliance Amendment 2005*.

1.1(2) In this Rule, *Land Transport Rule: Vehicle Standards Compliance 2002* is called ‘the principal Rule’.

1.2 **Date when Rule comes into force**

This Rule comes into force on 1 April 2006.

Section 2 **Amendments relating to alternative fuel systems**

2.1 **Application for appointment**

Subclause 2.5(3) of the principal Rule is amended by omitting the word “alternative”, and substituting the words “LPG or CNG”.

2.2 **Application**

Clause 5.1 of the principal Rule is amended by revoking *subclause 5.1(2)*, and substituting the following subclause:

“5.1(2) A vehicle fitted with an LPG or CNG fuel system that is in working order must not be given a conditional permit unless a vehicle inspector or inspecting organisation appointed under *2.2(1)(j)* has ensured that the vehicle has:

“(a) an alternative fuel installation certificate or an alternative fuel installation compliance plate; and

“(b) a current alternative fuel inspection certificate.”

2.3 **When a vehicle must be certified for entry into service**

Clause 6.2 of the principal Rule is amended by adding the following subclause:

“6.2(6) An LPG or CNG fuel system and components in such a system installed in a vehicle must be approved by the Director by notice in the *Gazette* before being certified for entry into service.”

2.4 **Specialist inspection and certification (specific aspects)**

2.4(1) *Subclause 6.5(1)* of the principal Rule is amended by omitting from *paragraph (b)* the words “alternative fuel system” in the second place where it occurs, and substituting the words “LPG or CNG fuel system”.

2.4(2) *Clause 6.5* of the principal Rule is amended by adding the following subclauses:

“6.5(7) An LPG or CNG fuel system installed in a vehicle must be inspected and certified by a person appointed under *2.2(1)(j)*.

“6.5(8) An alternative fuel installation compliance plate must be affixed to a vehicle in accordance with the applicable installation standard in *2.6(2)* of *Land Transport Rule: Vehicle Equipment 2004*, before the fuel system is charged.”

2.5 **Evidence of vehicle inspection (special aspects)**

Clause 6.8 of the principal Rule is amended by omitting from *paragraph (c)* the words “alternative

fuel system”, and substituting the words “LPG or CNG fuel system”.

2.6 Vehicles that may not be certified for operation in service

Paragraph 7.2(b) of the principal Rule is amended by revoking *subparagraph (v)*, and substituting the following subparagraph:

“(v) it is a vehicle fitted with an LPG or CNG fuel system that is in working order, but does not have a current alternative fuel inspection certificate; or it is a vehicle that has been modified in a way that affects such a fuel system without having been certified under 7.3; or”.

2.7 Inspection and certification of vehicles for operation in service

2.7(1) Clause 7.3 of the principal Rule is amended by revoking *subclause 7.3(2)*, and by substituting the following subclause:

“7.3(2) Inspection and certification of a vehicle fitted with an LPG or CNG fuel system that is in working order must be carried out by a vehicle inspector or inspecting organisation appointed under 2.2(1)(j), who must ensure that the vehicle has an alternative fuel installation certificate or an alternative fuel installation compliance plate before it is issued with an alternative fuel inspection certificate”.

2.7(2) Subclause 7.3(4) of the principal Rule is amended by omitting the word “alternative”, and substituting the words “LPG and CNG”.

2.8 Specialist inspection and certification (in-service)

Subclause 7.5(1) of the principal Rule is amended by inserting, after *paragraph (b)*, the following paragraph:

“(ba) LPG or CNG fuel system inspection and certification; or”.

2.9 Evidence of vehicle inspection (in-service)

Clause 7.9 of the principal Rule is amended by revoking *paragraph (d)*, and substituting the following paragraph:

“(d) after ensuring that the LPG or CNG fuel system in the vehicle has an alternative fuel installation certificate or alternative fuel installation compliance plate, issue evidence of vehicle inspection in the form of an alternative fuel inspection certificate, for a vehicle fitted with an LPG or CNG fuel system that is in working order.”

2.10 Expiry dates for alternative fuel inspection certificates

Clause 9.11 of the principal Rule is amended by revoking *paragraph (b)*, and substituting the following paragraph:

“(b) the first date that a cylinder forming part of the LPG or CNG fuel system is required to be tested.”

2.11 Additional powers of the Director

Section 11 of the principal Rule is amended by adding the following headings and clauses:

“11.5 Approval of alternative fuel systems

“11.5(1) Subject to *11.5(3)* and *(4)*, the Director may, by notice in the *Gazette*, approve an alternative fuel system or a component of such a system for fitting in a vehicle on any condition the Director thinks fit.

“11.5(2) Without limiting the general power conferred by *11.5(1)*, the Director may impose as a condition of the approval:

“(a) a condition that an alternative fuel system or component of such a system may be fitted only in accordance with a standard issued under the *Standards Act 1988* or any other standard recognised by the Director:

“(b) a condition that any component of an alternative fuel system may be fitted only in the same system as any other specified component or components:

“(c) a condition that any component of an alternative fuel system may not be fitted in the same system as any other specified component or components:

“(d) conditions relating to the testing of any component of an alternative fuel system.

“11.5(3) The Director must not approve an alternative fuel system or any component of such a system under *11.5(1)* unless satisfied that:

“(a) the identity of the manufacturer and the country of origin of the system or component can be established; and

“(b) the system or component is likely to be manufactured in accordance with specifications recognised by the Director as being appropriate for the manufacture of that system or component; and

“(c) quality control procedures recognised by the Director as being appropriate for the manufacture of that system or component are likely to be used in the manufacture of that system or component.

“11.5(4) As a condition of the approval of any component of an alternative fuel system and any application for such an approval, the applicant for the approval must, at any time when requested to do so by the Director, and at the applicant’s own expense, submit to the Director or a nominated testing authority sufficient samples of that component to enable proper testing of that type of component.

“11.5(5) The Director may not make any request under *11.5(4)* except:

“(a) in the course of considering an application for the approval of that component; or

“(b) if the Director has reason to suspect that a component does not comply with any approval granted under *11.5(1)*.

“11.6 Variation or revocation of approval

“11.6(1) The Director may, by notice in the *Gazette*, vary or revoke approval granted under *11.5(1)*.

“11.6(2) When an approval is varied or revoked under *11.6(1)*, the Director must take such steps as the Director considers necessary to ensure that publicity appropriate in the circumstances is given to the variation or revocation.”

Section 3 Amendments relating to vehicle identification numbers (VINs)

3.1 Appointment of vehicle inspectors and inspecting organisations

3.1(1) *Subclause 2.2(1)* of the principal Rule is amended by adding the following paragraphs:

“(l) the assignment of VINs to vehicles;

“(m) the affixing of VINs to vehicles;

“(n) the removal of an affixed VIN on a vehicle (where the vehicle has more than one VIN affixed);

“(o) the attachment of copies of VINs to vehicles.”

3.1(2) *Clause 2.2* of the principal Rule is amended by adding the following subclause:

“(3) The Director may appoint a person, other than a vehicle inspector or inspecting organisation appointed under *2.2(1)(l)*, *2.2(1)(m)* or *2.2(1)(o)*, to assign or affix VINs, or attach copies of VINs, to specified vehicles.”

3.2 Requirements and conditions of appointment

3.2(1) *Subclause 2.3(1)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under *2.2(3)*,”.

3.2(2) *Subclause 2.3(3)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under *2.2(3)*,”.

- 3.2(3) *Subclause 2.3(4)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3)”.

3.3 Delegations

- 3.3(1) *Subclause 2.4(1)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3)”.

- 3.3(2) *Subclause 2.4(2)* of the principal Rule is amended by:

- (a) inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3)”;
- (b) omitting the words “inspector or organisation”, and substituting the words “inspector, organisation or person appointed under 2.2(3)”.

3.4 Application for appointment

Subclause 2.5(4) of the principal Rule is amended by revoking *paragraph (a)*, and substituting the following paragraph:

“(a) an applicant for appointment; or”.

3.5 Procedures for monitoring and reviewing performance

Clause 3.1 of the principal Rule is amended by inserting, after the words “inspecting organisation” in each place where they occur, the words “, or a person appointed under 2.2(3)”.

3.6 Action following failure to comply with conditions of appointment or with this Rule

3.6(1) *Subclause 3.2(1)* of the principal Rule is amended by:

- (a) inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3),”; and
- (b) omitting the words “inspector or organisation”, and substituting the words “inspector, organisation or person appointed under 2.2(3)”.

3.6(2) *Subclause 3.2(2)* of the principal Rule is amended by:

- (a) inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3),”; and
- (b) omitting in *paragraph (a)* the words “inspector or organisation”, and substituting the words “inspector, organisation or the person appointed under 2.2(3),”; and
- (c) omitting in *paragraph (b)* the words “inspector or organisation”, and substituting the words “inspector, organisation or person appointed under 2.2(3),”; and
- (d) omitting in *paragraph (c)* the words “inspector or organisation”, and substituting the words “inspector, organisation or person appointed under 2.2(3)”.

3.6(3) *Subclause 3.2(3)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or the person appointed under 2.2(3),”.

- 3.6(4) *Paragraph 3.2(4)(a)* of the principal Rule is amended by:
- (a) inserting, after the words “inspecting organisation”, the words “or a person appointed under 2.2(3)”; and
 - (b) omitting the words “the operations of that inspector or organisation”, and substituting the words “their operations”.
- 3.6(5) *Subclause 3.2(5)* of the principal Rule is amended by omitting the words “vehicle inspector or inspecting organisation”, and substituting the words “vehicle inspector, inspecting organisation or person appointed under 2.2(3)”.
- 3.6(6) *Paragraph 3.2(6)(b)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3),”.
- 3.6(7) *Subclause 3.2(7)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3),”.
- 3.6(8) *Subclause 3.2(8)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3),”.
- 3.7 Immediate suspension or imposing of conditions**
- 3.7(1) *Subclause 3.3(1)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or a person appointed under 2.2(3),”.
- 3.7(2) *Subclause 3.3(2)* of the principal Rule is amended by:
- (a) inserting, after the words “inspecting organisation”, the words “, or person appointed under 2.2(3),”;

- (b) omitting, in *paragraph (b)*, the words “inspector or organisation” and substituting the words “inspector, organisation or person appointed under 2.2(3)”.

3.7(3) *Subclause 3.3(3)* of the principal Rule is amended by inserting, after the words “inspecting organisation”, the words “, or person appointed under 2.2(3),”.

3.8 Inspection of vehicles at the border

Section 4 of the principal Rule is amended by adding the following heading and clause:

“4.4 Assigning, affixing and attaching a VIN

“4.4(1) If a vehicle to which this section applies does not have a VIN, or has a VIN that is illegible, a vehicle inspector or inspecting organisation appointed under 2.2(1)(l) or 2.2(1)(m), or a person appointed under 2.2(3), must:

“(a) if satisfied as to the identity of the vehicle:

“(i) assign a valid VIN to the vehicle; or

“(ii) confirm the vehicle’s original VIN; and

“(b) affix the VIN to the vehicle in a manner and in a place or places on the vehicle as specified by the Director by notice in the *Gazette*.

“(2) If, in respect of a vehicle to which this section applies, the Director has specified by notice in the *Gazette* the places on the vehicle to which copies of a VIN are to be attached, and the manner in which those copies are to be applied, a vehicle inspector, inspecting organisation, or person appointed under 2.2(3) must attach copies of the VIN in places on the vehicle and in the manner specified in that notice.”

3.9 Inspection and certification of vehicles

3.9(1) *Clause 6.3* of the principal Rule is amended by revoking *subclause (1)*, and substituting the following subclause:

“6.3(1) Before entering or re-entering service:

“(a) a vehicle must be inspected and certified by a vehicle inspector or inspecting organisation appointed under *2.2(1)(d), (e) or (f)*; and

“(b) a vehicle’s VIN must be checked for validity by a vehicle inspector or inspecting organisation appointed under *2.2(1)*.”

3.9(2) *Clause 6.3* of the principal Rule is amended by inserting, after *subclause 6.3(1)*, the following subclauses:

“6.3(1A) If a vehicle does not have a VIN, or has a VIN that is illegible, the vehicle inspector or inspecting organisation appointed under *2.2(1)(l) or 2.2(1)(m)*, or a person appointed under *2.2(3)*, must, before the vehicle enters or re-enters service:

“(a) if satisfied as to the identity of the vehicle:

“(i) assign a valid VIN to the vehicle; or

“(ii) confirm the vehicle’s original VIN; and

“(b) affix the VIN to the vehicle in a manner and in a place or places on the vehicle as specified by the Director by notice in the *Gazette*.

“6.3(1B) If, in respect of a vehicle to which this section applies, the Director has specified by notice in the *Gazette* the places on the vehicle to which copies of a VIN are to be attached, and the manner in which those copies are to be applied, a vehicle inspector, inspecting organisation, or person appointed under *2.2(3)* must attach copies of the

VIN in places on the vehicle and in the manner specified in that notice.”

3.9(3) *Subclause 6.3(2)* of the principal Rule is amended by inserting, after the expression “*6.3(1)*”, the expression “, *6.3(1A)* or *6.3(1B)*”.

3.9(4) *Clause 6.3* of the principal Rule is amended by revoking *subclause (3)*, and substituting the following subclause:

“6.3(3) The inspection and certification of a vehicle under *section 6* must include:

“(a) inspection of associated documents to determine whether or not the vehicle complied with applicable requirements when manufactured; and

“(b) inspection of documents that verify the identity of the vehicle; and

“(c) a determination as to whether the vehicle has a valid VIN assigned and affixed to it.”

3.9(5) *Subclause 6.3(4)* of the principal Rule is amended by inserting, after *paragraph (c)*, the following paragraph:

“(ca) such information from a manufacturer or importer of a vehicle as may be required to decode any VIN assigned by that person, and to locate those numbers on the vehicle;”.

3.10 Inspection and certification of vehicles for operation in service

Clause 7.3 of the principal Rule is amended by adding the following subclauses:

“7.3(5) A vehicle inspector or inspecting organisation inspecting a vehicle in accordance with *7.4* must refer the following vehicles to a person or

persons appointed under *2.2(1)(l)* or *2.2(1)(m)* to have a VIN assigned and affixed to the vehicle:

“(a) a vehicle (other than a vehicle in *6.1*) that has been most recently registered or re-registered in New Zealand on or after 1 April 1994 and that does not have a VIN affixed, or has a VIN affixed that has become illegible;

“(b) a vehicle (other than a vehicle in *6.1*) that has been most recently registered or re-registered in New Zealand before 1 April 1994 and that does not have a frame or chassis number affixed;

“(c) a vehicle that has been most recently registered or re-registered in New Zealand before 1 April 1994 and that does not have a VIN affixed, but has a frame or chassis number that has become illegible.

“7.3(6) A vehicle owner may request a person appointed under *2.2(1)(l)* or *2.2(1)(m)* to have a VIN assigned and affixed to the vehicle, if that vehicle has been most recently registered or re-registered in New Zealand before 1 April 1994 and has only a frame or chassis number affixed.”

3.11

Determining compliance of a vehicle

Subclause 7.4(2) of the principal Rule is amended by adding the following paragraphs:

“(c) is affixed with a VIN for that vehicle, and is most recently registered or re-registered in New Zealand on or after 1 April 1994;

“(d) is affixed with a VIN or a legible frame or chassis number, and is most recently registered in New Zealand before 1 April 1994.”

3.12 Additional powers of the Director

Section 11 of the principal Rule is amended by adding the following clause:

11.7 Vehicle identification numbers

“11.7(1) The Director may, by notice in the *Gazette*, prescribe a standard specifying all or any of the following matters:

“(a) the manner in which VINs assigned in New Zealand are to be affixed to vehicles;

“(b) the place or places where VINs are to be affixed to specified classes of vehicle;

“(c) the structure of VINs generated by low volume vehicle manufacturers;

“(d) the places where and the manner in which copies of the valid VIN are to be attached to vehicles at the border or when first certified for entry into service in New Zealand.”

Section 4 Amendments to definitions

4.1 Insertion of new definitions

Part 2 of the principal Rule is amended by inserting, in their appropriate alphabetical order, the following definitions:

“**Alternative fuel installation compliance plate** has the same meaning as in *AS/NZS 1425 LP Gas for fuel systems for vehicle engines* and *AS/NZS 2739 Natural gas (CNG) fuel systems for vehicle engines*.

“**Affix**, in relation to a VIN, means stamp, emboss, etch, or engrave onto:

“(a) the permanent structure of a motor vehicle; or

“(b) a plate affixed to the permanent structure of a motor vehicle.

“**Assign**, in relation to a VIN, means generate a valid VIN for a particular vehicle and inform the Director in electronic form.

“**Charged**, in relation to any CNG or LPG alternative fuel system, means containing sufficient CNG or LPG to cause a properly fitted and operative fuel gauge for that system to register other than empty.

“**CNG** means compressed natural gas.

“**LPG** means liquefied petroleum gas.

“**Valid**, in relation to a VIN, means capable of being decoded to provide information about the vehicle, from a unique number that has been assigned to the vehicle in the vehicle’s country of origin or by a person appointed by the Director.”

4.2 Substitution of definitions

4.2(1) *Part 2* of the principal Rule is amended by revoking the definition of **alternative fuel inspection certificate**, and substituting the following definition:

“**Alternative fuel inspection certificate** means evidence of vehicle inspection relating to the periodic in-service inspection and certification of an LPG or CNG fuel system.”

4.2(2) *Part 2* of the principal Rule is amended by revoking the definition of **alternative fuel installation certificate**, and substituting the following definition:

“**Alternative fuel installation certificate** means an inspection and certification document relating to the installation of an LPG or CNG fuel system”.

- 4.2(3) *Part 2* of the principal Rule is amended by revoking the definition of **alternative fuel system**, and substituting the following definition:

“**Alternative fuel system** has the same meaning as in the *Land Transport Act 1998*.”

- 4.2(4) *Part 2* of the principal Rule is amended by revoking the definition of **alternative fuel system inspection and certification**, and substituting the following definition:

“**Alternative fuel system inspection and certification** means inspection and certification of an LPG or CNG fuel system comprising either:

“(a) specialist inspection and certification required for the issuing of an alternative fuel installation certificate or an alternative fuel installation compliance plate; or

(b) in-service inspection and certification required for the issuing of an alternative fuel inspection certificate.”

- 4.2(5) *Part 2* of the principal Rule is amended by revoking the definition of **Vehicle identification number (VIN)**, and substituting the following definition:

“Vehicle identification number (VIN) means a group of letters and numbers, consisting of 17 characters, that is affixed to the vehicle and that complies with the requirements of one of the following:

“(a) *ISO 3779*, or

“(b) *Australian Design Rule 61/01*; or

“(c) Chapter 565 of the *Code of Federal Regulations 49*.”