

# All-terrain vehicles

## Registration, licensing and safety

Factsheet

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All-terrain vehicles (ATVs) are vehicles that are principally designed for off-road use.

They have 3 or more wheels, an engine capacity exceeding 50ml and a gross weight of less than 1000 kilograms (which is the greater of the on-road weight with load and accessories OR the gross laden weight set by the manufacturer). ATVs include most quad bikes, smaller 'side by sides' and amphibious vehicles. They do not include 'utes' or light trucks, even if modified for off-road travel - these are originally constructed for road use and are too heavy to meet the definition.

There are more than 100,000 ATVs in New Zealand, mostly used on farms.

### Do ATVs have to be registered and licensed?

Before we look at the options for ATV registration and licensing, we need to be clear about what motor vehicle licensing and registration are.

#### What is registration?

Registration is when a vehicle is added to the Motor Vehicle Register and given registration plates.

#### What is motor vehicle licensing?

Motor vehicle licensing is commonly (but incorrectly) called 'registration'. Motor vehicle licensing is the payment of a fee for using a motor vehicle on the road. When the fee is paid you receive a label showing the licence's expiry date. This label must be displayed on your vehicle.

#### What is a 'road'?

The definition of a road, in transport law, is very broad. It includes not only streets and highways, but any place the public has access to - including bridges, culverts, beaches, riverbeds, reserve lands, public parks, camping grounds and anywhere else the general public have access with any kind of vehicle.

This doesn't mean that you always have a right to use these areas. What it means is that if you do use these areas - whether you're allowed to or not - the rules relating to registration, licensing and general driver behaviour apply.

An ATV used in any of these places must be properly registered and licensed.

### Do ATVs have to be licensed continuously?

No. All vehicles, including ATVs, must be licensed while in use on roads. However, unlike most vehicles, ATVs aren't required to be licensed continuously. Their vehicle licences date from the day the fee is paid, not the date due.

If you don't pay your ATV's licence fee for two years, its registration will be cancelled. If there's any chance you'll want to use the ATV on the road again, we recommend you request an exemption from licensing before this happens. (Getting a vehicle registered again after its registration has been cancelled

is expensive.) See Factsheet 49 *Vehicle licensing* for more information on vehicle licensing.

### Options for registering and licensing ATVs

You should first consider how you will use your ATV. The way you will use it will fall into one of the categories below. Each category has different registration and licensing requirements, and different rules governing the ATV's use.

#### 1. No road use

ATVs that will never be used on any road (under the legal definition of road from this factsheet) don't have to be registered or licensed.

#### 2. Exempt Class A and Exempt Class B (also known as EA and EB)

ATVs used on a road must be registered and licensed.

Most ATVs fit within Exempt Class A. They are exempt from registration fees and the vehicle licence portions of the licensing fee. You still have to pay for other fees such as a (reduced) ACC levy and administration fees for obtaining a licence label.

An ATV used by a farmer can be licensed as Exempt Class B. These vehicles pay a licensing fee but are exempt from the payment of some levies and charges such as ACC levies and can apply for refunds of fuel excise. They are restricted to travel related to a farm or going from one farm to another that is owned and managed by the same person.

For more information on EA and EB vehicles see Factsheet 27 *Exempt vehicles from registration and licensing*.

### Fuel excise duty refunds

ATVs owned by farmers or farm managers are 'exempt vehicles' for the purposes of fuel excise (the tax that is paid for petrol, LPG, and CNG used in vehicles). The NZTA manages the refund system; please see Factsheet 14 *Excise duty: who can get refunds and how*.

### Commercial use

If an ATV is used in a commercial service, either hired out or used to carry passengers for a fee, you may need to obtain a Transport Service Licence. This only applies if that service is provided on a road. If you need further information on transport services, please call our contact centre on 0800 822 422. You can also read Factsheet 47 *Transport service licences* for more information.

### Amphibious ATVs

If you operate amphibious ATVs and intend to use the machines over water, you must also have a safety plan approved by Maritime New Zealand.

A safety plan has a better chance of being approved if it includes a provision for wearing helmets.

## Meeting legal requirements

All ATVs used on a road must be registered and licensed (displaying a current licence label) unless exempted. See Factsheet 27 *Exempt vehicles from registration and licensing*.

ATVs aren't subject to a Warrant of Fitness (WoF) inspection when they are used in the following conditions but must be safe to operate and meet relevant legal technical requirements. You can be prosecuted for operating an unsafe or illegal vehicle.

### Conditions not requiring a WoF:

- in moving from the place you live to a road that is not a public highway when the distance travelled is less than 3km
- in connection with the ATV's servicing or repair, or
- if the ATV is used as an agricultural vehicle for agricultural purposes.

## Driver licensing requirements

You must have an appropriate driver licence to ride or drive an ATV on the road. ATVs can be ridden or driven on a Class 1 (car) or Class 6 (motorcycle) licence.

## ATVs: Riding safely

### Helmets and other safety equipment

About a quarter of all injuries sustained in ATV crashes are to the head, yet very few riders wear helmets. Wearing an approved helmet is the best way to prevent serious head injury.

The Land Transport (Road User) Rule 2004 states that if an ATV is being used on a road and there are no seatbelts fitted (most side by sides have seatbelts and roll over protection), the rider or driver and passengers have to wear an approved helmet. The rule provides an exception to the requirement to wear a helmet for farmers if they're travelling slower than 30km/h, from one part of their farm to another or to an adjoining farm.

For off-road use, there's a design standard specifically for ATV helmets (NZS 8600:2002) and purpose-built ATV helmets are available. An ATV helmet should provide enough protection if you're travelling under 30km/h. If you're going to be riding faster than this, you need a more substantial helmet (eg a motorcycle helmet).

When quad bikes are being used for work purposes (on or off-road), the Health and Safety in Employment Act also applies. The Ministry of Business, Innovation and Employment advises that wearing a helmet is a practicable step under this act.

The Transport Agency also strongly recommends that you wear other safety equipment, such as strong footwear, gloves, protective pants and eye protection.

### ATVs on sealed roads

ATVs behave very differently on sealed roads from other vehicles. They're off-road vehicles, and aren't designed to be ridden on hard surfaces. Most ATVs have wide, low pressure tyres – ideal for minimising damage to crops, but not good for road handling.

Many ATVs are four-wheel-drive vehicles (4WDs). 4WDs have different steering characteristics on and off the road. Unless they undergo major modification, it is strongly recommended that you don't travel faster than 30km/h on sealed roads.

### Rider training

While you can ride an ATV on the road if you have a learner's motorcycle licence, many motorcycle techniques are unsafe when used on an ATV. Most ATV accidents are caused by rider error.

The best way to learn the skills necessary to ride an ATV safely and avoid accidents is to attend a specialised training course. These courses are offered by a number of organisations, including motorcycle clubs.

The Accident Compensation Corporation publishes excellent information on ATVs.

Make sure you read the owner's manual of your ATV before attempting to ride it.

## Children and ATVs

Full size ATVs are heavy, powerful machines and many injuries occur when child riders lose control. Fatal ATV accidents in New Zealand have involved riders as young as six years old.

Full-sized ATVs carry labels from the manufacturer specifying that no one under 16 years of age rides the ATV.

Several factors prevent a child from riding an ATV with the same control as an adult. ATVs demand an active riding technique, where rider movement, strength and weight shifting are necessary to ensure stability and control. Children often lack the strength or weight to effectively handle an ATV. Some have trouble reaching the controls. In addition, children don't have the motor skills, coordination and perception necessary to safely operate an ATV of any size.

## Carrying passengers on ATVs

Some quad bikes are equipped with large seats to allow the rider to shift weight to control the vehicle – not to carry other people. Passengers restrict the rider's mobility and add weight, making it harder to control and more prone to tipping over.

Passengers should only be carried on ATVs that have been specifically designed for this purpose. These ATVs come fitted with a special passenger seat.

## Towing with an ATV

You need to take special care when towing trailers and other equipment with ATVs. Refer to the owner's manual to find the safe ratio between the maximum weight of a load and the unladen weight of the ATV.

## Towing an ATV

You must not tow an ATV unless it is mechanically disabled (unable to be ridden).

The information in this factsheet is a general guide only. It is not the source of the law and should not be used in place of authoritative legal documents. Some factsheets are updated frequently and print versions can quickly become out of date. If the currency of the information you are reading is important, check the factsheet index on our website ([www.nzta.govt.nz/factsheets](http://www.nzta.govt.nz/factsheets)) or call us on 0800 108 809.

### Contact details

- Call our contact centre: 0800 108 809.
- Visit our website: [www.nzta.govt.nz](http://www.nzta.govt.nz).
- Email us: [info@nzta.govt.nz](mailto:info@nzta.govt.nz).
- Write to us: NZ Transport Agency, Private Bag 11777, Palmerston North 4442.