



Ministry of Transport
TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

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

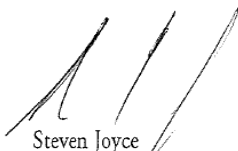
I, **Steven Joyce**, Minister of Transport,

HEREBY make the following ordinary rule:

Land Transport Rule: Steering Systems Amendment

SIGNED AT Wellington

This *22nd* day of *February* 2010



Steven Joyce
Minister of Transport

Land Transport Rule
Steering Systems Amendment 2010
Rule 32003/2

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Land Transport Rule
Steering Systems Amendment 2010

Rule 32003/2

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Objective of the Rule

Land Transport Rule: Steering Systems

Amendment 2010 amends *Land Transport Rule: Steering Systems 2001* (the Rule), which sets out safety requirements and standards covering the design, construction and maintenance of steering systems in motor vehicles.

The objectives of this amendment Rule are to:

- insert into the Rule a restriction on certification and use of left-hand drive vehicles that was previously set out in *regulation 70* of the *Traffic Regulations 1976*; and
- provide for certain exemptions from the restriction, including those exemptions previously set out in the *Left Hand Drive (Exemption from Equipment Requirements) Notice 1998* (Gazette Notice 1851 of 1998) made pursuant to *regulation 90* of the *Traffic Regulations 1976*; and
- revise the requirements for exempt left-hand drive vehicles.

Extent of consultation

In July 2008, the then Land Transport New Zealand sent details of the proposed amendments by letter or email to about 460 groups and individuals who had registered an interest in the Rule. The draft amendment Rule was made available through the Land Transport NZ Contact Centre and, together with Questions and Answers, was also available on the Land Transport NZ website. The availability of the draft for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin, in selected regional daily newspapers, and in the *New Zealand Gazette*.

Twenty-five submissions were received on the draft Rule. The NZ Transport Agency took into account the submissions that were received in finalising the amendment Rule before it was submitted to Cabinet for noting and then to the Minister of Transport for signing.

Part 1 **Rule requirements**

Section 1 **Application**

1.1 **Title**

This Rule is *Land Transport Rule: Steering Systems Amendment 2010*.

1.2 **Date when Rule comes into force**

This Rule comes into force on 1 April 2010.

1.3 **Scope of Rule**

This Rule amends *Land Transport Rule: Steering Systems 2001*.

Section 2 **Amendments to the Objective**

2.1 **Objective**

The Objective of the Rule is amended by:

- (a) substituting “*Land Transport Rule: Vehicle Standards Compliance 2002*” for “*Land Transport Rule: Vehicle Standards Compliance 1998*” where it appears; and
- (b) substituting “inspectors” for “certifiers” where it appears.

Section 3 Amendments to Rule requirements

3.1 Vehicle Standards Compliance Rule

The following provisions of the Rule are amended by substituting “*Land Transport Rule: Vehicle Standards Compliance 2002*” for “*Land Transport Rule: Vehicle Standards Compliance 1998*” where it appears in:

- (a) 1.2(2)(b);
- (b) 1.4(2);
- (c) 3.1(1)(b).

3.2 Left-hand drive vehicles

Section 2 is amended by inserting the following clause:

“2.5 Left-hand drive vehicles

“No left-hand drive vehicle may be certified for entry into service, or operation in service, in New Zealand except:

- “(a) vehicles of the categories specified in *Schedule 1*, subject to the conditions specified in relation to each category; or
- “(b) an individual left-hand drive vehicle that was certified for entry into service in New Zealand before 1 April 2010.”

3.3 Responsibilities

3.3(1) *Section 4* is amended by substituting the following clause for *clause 4.4*:

“4.4 Responsibilities of vehicle inspectors and inspecting organisations

“A vehicle inspector or inspecting organisation must not certify a motor vehicle under *Land Transport Rule*:

Vehicle Standards Compliance 2002 if they have reason to believe that the vehicle does not comply with this Rule.”

3.3(2)

Section 4 is amended by inserting the following clauses (before the note at the end of the section):

“4.6 Responsibilities in relation to declarations

“A person must not knowingly make a false declaration for the purpose of obtaining a Category A Left-hand Drive Vehicle Permit.

“4.7 Functions and powers of the Agency

“The Agency may, by notice in the *Gazette*, appoint an organisation or organisations having expertise in requirements for vehicles used in motor sport competition, to issue motor sport authority cards for the purpose of this Rule.”

Section 4

Amendments to Definitions

4.1

Insertion of definitions

Part 2 is amended by inserting the following definitions in the appropriate places:

“**Agricultural** means connected directly with the operation or management of a farm.”

“**Coupe** means a two-door, fixed-roof, passenger car with two or four seating positions.”

“**Commercially-produced motoring publication**

“(a) includes a website; but

“(b) does not include a publication or website of a club, dealer or trade association.

“[Note: ‘Trade association’ is a defined term.]”

“**Historic value** means having great and lasting importance.”

“**Inspecting organisation** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.”

“**Left-hand drive vehicle**

“(a) means a motor vehicle having the centre of the steering control positioned to the left of the longitudinal centre-line of the body of the vehicle; and

“(b) includes a vehicle with dual controls.”

“**Mobile crane** does not include a truck mounted with crane apparatus.”

“**New Zealand resident** means a person entitled in terms of the *Immigration Act 1987* to reside in New Zealand indefinitely; and includes an Australian citizen in New Zealand.”

“**Trade association** means an organisation formed for the purpose of furthering the trade interests of its members, or of persons represented by its members.”

“**Transport service** has the same meaning as in *section 2(1)* of the Act.”

“**Vehicle identification number (VIN)** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.”

“**Vehicle inspector** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.”

4.2

Amendments to definitions

4.2(1)

Part 2 is amended by substituting the following definition for the definition of **certify**:

“**Certify** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.”

4.2(2)

Part 2 is amended by deleting the definition of **certifier**.

Section 5 **Insertion of Schedule**

5.1

New Part inserted

The Rule is amended by inserting, after *Part 2*, the new *Part 3* set out in the Schedule to this Rule.

Part 2

Schedule

New Part 3 inserted [Ref. 5.1]

“Part 3 Schedule

Schedule Left-hand drive vehicles

[Ref. 2.5]

PART 1

**CATEGORIES OF LEFT-HAND DRIVE VEHICLES
THAT MAY BE CERTIFIED FOR ENTRY INTO, OR
OPERATION IN SERVICE**

Left-hand drive vehicles of the categories specified in this *Part* of this *Schedule* may be certified for entry into, or operation in, service in New Zealand subject to the conditions specified in relation to each category.

Category A: Special interest light vehicles less than 20 years old

A Class MA vehicle that:

- (a) has a Category A Left-hand Drive Vehicle Permit issued in accordance with *Part 2* of this *Schedule*; and
- (b) was manufactured in a country other than New Zealand less than 20 years before the vehicle is certified for entry into service in New Zealand.

Conditions:

- 1 The vehicle is not operated in a transport service or otherwise for commercial purposes or for hire or reward.
- 2 If the vehicle has been registered in New Zealand for less than four years, the vehicle is registered in the name of the person who obtained the initial Category A Left-hand Drive Vehicle Permit for that vehicle, or their lawful successor(s).

Category B: Light vehicles that are 20 years old or more

A Class MA, MB or MC vehicle with a gross vehicle mass not exceeding 3.5 tonnes, or a Class NA vehicle, that was manufactured in a country other than New Zealand 20 years or more before the vehicle is certified for entry into service in New Zealand, excluding vehicles in other categories.

Condition:

The vehicle is not operated in a transport service.

Category C1: Specialist vehicles

Any motor vehicle with dual steering columns and controls.

Conditions:

None.

Category C2: Specialist vehicles

Any vehicle used solely or principally as:

- (a) a mobile crane; or
- (b) a vehicle which operates wholly or partly on self-laying tracks; or
- (c) an agricultural tractor or self-propelled agricultural harvesting machine; or
- (d) an earthmoving machine.

Condition:

The Agency confirms in writing that it is satisfied that:

- (a) the operation of the vehicle requires it to be a left-hand drive vehicle; or
- (b) the vehicle is only available as a left-hand drive vehicle.

Category C3: Specialist vehicles

Any specialist vehicle that the Agency is satisfied has special characteristics, or is equipped for special

operational purposes, such that conversion to right-hand drive is impractical.

Condition:

The Agency confirms in writing that it is satisfied that the vehicle has special characteristics, or is equipped for special operational purposes, such that conversion to right-hand drive is impractical.

Category C4: Specialist vehicles

Any motor vehicle that is a purpose-built hearse.

Condition:

The vehicle is identified as a hearse by the vehicle manufacturer.

Category C5: Specialist vehicles

A Class MA or Class MC motor vehicle that is:

- (a) used in motor sport competition; and
- (b) operated in accordance with the conditions of a valid motor sport authority card issued to that vehicle by an organisation appointed under 4.7.

Conditions:

None.

Category D: Vehicles operated by diplomats

Any vehicle that is to be operated by a person who is, for the time being, entitled to any immunity from jurisdiction by or under:

- (a) the *Diplomatic Privileges and Immunities Act 1968*; or
- (b) the *Consular Privileges and Immunities Act 1971*.

Conditions:

None.

Category E: Vehicles exempt from registration and licensing

Any motor vehicle that is exempt in accordance with *regulation 3* of the *Transport (Vehicle Registration and Licensing) Regulations 1994* to the extent specified in *Part I* of the *First Schedule* of those regulations.

Conditions:

None.

Category F: Former Crown vehicles

Any vehicle that was formerly owned by the Crown.

Conditions:

None.

Category G: Motorcycles with side cars

Any motorcycle with a side car.

Conditions:

None.

PART 2

LEFT-HAND DRIVE VEHICLE PERMITS

Application for Category A Left-hand Drive Vehicle Permit

- 1 To obtain a Category A Left-hand Drive Vehicle Permit, an applicant must:
 - (a) apply to the Agency before the vehicle is certified for entry into service in New Zealand; and
 - (b) pay the appropriate fee or fees (if any) specified in accordance with regulations made under the *Land Transport Act 1998*.
- 2 An application for a Category A Left-hand Drive Vehicle Permit must:
 - (a) include the vehicle's VIN or chassis number; and

- (b) include a declaration made by the applicant declaring that:
 - (i) the applicant is a New Zealand citizen or a New Zealand resident; and
 - (ii) the vehicle will be registered in the applicant's name; and
 - (iii) the vehicle will not be operated on the road for commercial purposes or for hire or reward; and
 - (iv) the applicant will not sell or lease the vehicle to a third party within four years of the vehicle's first registration in New Zealand; and
 - (v) the vehicle will not be operated in a transport service; and
 - (vi) the applicant has not been granted a Category A Left-hand Drive Vehicle Permit in the last two years; and
- (c) contain such other information as the Agency considers necessary to support the application.

Issue of Category A Left-hand Drive Vehicle Permits

- 3 Subject to *paragraph 5*, the Agency may issue a Category A Left-hand Drive Vehicle Permit for a Class MA motor vehicle if:
- (a) the Agency considers that the vehicle is a collector's item and:
 - (i) is of historic value; or
 - (ii) is a model that was not manufactured in right-hand drive form and meets three of the four requirements set out in *paragraph 4*; and
 - (b) the applicant:
 - (i) is a New Zealand citizen or a New Zealand resident; and

- (ii) has not been issued with a Category A Left-hand Drive Vehicle Permit in the last two years; and
 - (iii) has made an application in accordance with *paragraphs 1 and 2* of this Part; and
 - (iv) has paid the appropriate fee or fees (if any) specified in accordance with regulations made under the *Land Transport Act 1998*.
- 4 For the purpose of *paragraph 3(a)(ii)*, the Agency must consider that the vehicle meets three of the following four requirements:
- (a) the vehicle (or its make, model and submodel) is identified as being a collector's item in a commercially-produced motoring publication;
 - (b) the vehicle's make, model and submodel has been (or was) manufactured in annual volumes of 20,000 units or less;
 - (c) the vehicle is, and was manufactured as, a coupe or a convertible;
 - (d) the vehicle is, and was manufactured as, a high performance vehicle.
- 5 The Agency may not issue more than 500 Category A Left-hand Drive Vehicle Permits in any calendar year.
- 6 A Category A Left-hand Drive Vehicle Permit ceases to be valid if the vehicle is not inspected at the border or certified for entry within six months after the date of issue.
- 7 For the avoidance of doubt, a Category A Left-hand Drive Vehicle Permit that ceases to be valid in the calendar year it was issued shall not be counted for the purposes of *paragraph 5*."