

DISALLOWABLE INSTRUMENT



Ministry of **Transport**
TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152, 155(a) and 159 of the Land Transport Act 1998, and after having had regard to the criteria specified in section 164(2) of that Act

I, Michael Woodhouse, Associate Minister of Transport, make the following ordinary Rule:

Land Transport Rule: Vehicle Dimensions and Mass Amendment

SIGNED at Dunedin

This *24th* day of *August* 2014

Michael Woodhouse

Associate Minister of Transport

Land Transport Rule
Vehicle Dimensions and Mass Amendment 2014

Rule 41001/10

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Land Transport Rule

Vehicle Dimensions and Mass Amendment 2014

Rule 41001/10

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Objective of the Rule

Land Transport Rule: Vehicle Dimensions and Mass Amendment 2014 (the amendment Rule) amends *Land Transport Rule: Vehicle Dimensions and Mass 2002* (the Vehicle Dimensions and Mass Rule). The Vehicle Dimensions and Mass Rule provides a regulatory regime, so that heavy vehicles, in particular, truck and trailer combinations, can operate safely.

The objective of the amendment Rule is to:

- create two categories of conditions that apply to permits for overweight and high-productivity motor vehicles (HPMV): critical conditions, which are specified in the Rule, and additional conditions;
- require the permit for an overweight indivisible load to be carried in the vehicle and to be produced on demand to an enforcement officer;
- replace the prescribed permit form with a schedule of requirements for permit forms;
- require that a permit identifies the vehicle it applies to and the operator by whom it may be used and provide that any permit that has been altered without authority is invalid;
- clarify which mass limits apply to a vehicle operating under a HPMV permit;
- allow a vehicle with only one motor-driven axle to be issued with a permit if it varies from a specified dimension limit and the gross mass does not exceed 39,000 kg;
- correct an error in the definition of ‘load-sharing axle set’;
- correct an error in the specifications of hazard warning panels;
- provide weighing tolerances for vehicles operating on overweight or HPMV permits to exceed specified mass limits by small amounts to allow for variables that affect loading accuracy.

Extent of consultation

Formal consultation on the draft amendment Rule began with the release of the public consultation document on 27 February 2014. The NZ Transport Agency sent details of the proposed amendments to the Vehicle Dimensions and Mass Rule by letter or email to approximately 1474 groups and individuals who had registered an interest in the Vehicle Dimensions and Mass Rule.

The consultation document was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also available on the NZ Transport Agency's website. The availability of the consultation document for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*.

The NZ Transport Agency received 16 submissions on the proposals to amend the Rule and the related offences provisions. The submissions received were taken into account in finalising the draft Rule following which it was submitted to the Associate Minister of Transport for signing.

Part 1 Rule Requirements

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Vehicle Dimensions and Mass Amendment 2014*.

1.2 Commencement

This Rule comes into force on a date to be notified in the *Gazette* by the Minister in accordance with *section 160(3)* of the Act.

1.3 Principal rule amended

This Rule amends *Land Transport Rule: Vehicle Dimensions and Mass 2002* (the principal rule).

Section 2 Amendments to Rule requirements

2.1 Transitional provisions affecting application of amendments to this Rule

After *clause 1.4*, insert:

“1.4A Transitional provisions affecting application of amendments to this Rule

“The transitional, savings, and related provisions set out in *Schedule 10* have effect according to their terms.”.

2.2 Axle requirements for heavy motor vehicles

In *clause 4.2(8)*, replace “large single-tyred axle” with “single large-tyred axle”.

2.3 Road mass limits

In *clause 4.5(1A)* replace “in Part B of *Schedule 2*” with “specified on the permit”.

2.4 Permits for overweight vehicles transporting indivisible loads

2.4(1) Replace *clause 5.1(3)*, with:

“5.1(3) A vehicle operating under a permit issued under *5.1* must comply with the following critical conditions:

- “(a) the gross mass of the vehicle must not exceed the maximum gross mass specified in the permit; and
- “(b) the gross mass of the vehicle must not exceed the gross vehicle mass, gross combination mass, maximum towed mass or brake code mass if any of these limits apply to the vehicle; and
- “(c) the vehicle must comply with all bridge restrictions specified in the permit.”.

2.4(2) Replace *clause 5.1(4)*, with:

“5.1(4) A permit issued under *5.1* may specify the following additional conditions:

- “(a) the number of trips the vehicle is allowed to make;
- “(b) restrictions on the vehicle’s speed;
- “(c) restrictions relating to weather conditions;
- “(d) the type and amount of the load transported;
- “(e) the times of the day during which the vehicle may be operated;

“(f) any other conditions under which the vehicle may be operated.”.

2.4(3)

After *clause 5.1(4)*, insert:

“5.1(5) A vehicle operating under a permit issued under *5.1* must comply with the following conditions:

“(a) any individual axle mass, any axle set mass and the mass on any two or more axles must not exceed the limits that are specified in the permit or, if not specified, that are prescribed in the applicable table in *Part A of Schedule 2*; and

“(b) the vehicle must, if required under the *Road User Charges Act 2012*, have a current licence issued under that Act (including any licence required by *section 12* of that Act); and

“(c) any additional condition in *5.1(4)* that is specified in the permit form.

“5.1(6) A permit issued under this clause must:

“(a) be carried in the vehicle for the period of travel covered by the permit; and

“(b) be produced for inspection on demand to an enforcement officer, or an authorised agent of the Agency or a road controlling authority.”.

2.5

Permits for high-productivity motor vehicles

2.5(1)

Replace *clause 5.2(6)(a)* with:

“(a) the permit may specify axle, axle set or gross mass limits of not more than the

weight limits prescribed in *Part B* of *Schedule 2*; and”.

- 2.5(2) Replace *clause 5.2(6)(b)* with:
- “(b) if the permit allows the vehicle to exceed a gross mass of 39,000 kg, the towing vehicle must have two motor-driven axles in a tandem axle or tri-axle set, or three motor-driven axles in a tri-axle set; and”.
- 2.5(3) After *clause 5.2(6)*, insert:
- “5.2(6A) A vehicle operating under a permit issued under *5.2(2)* or *(3)* must comply with the following critical conditions:
- “(a) the gross mass of the vehicle must not exceed the maximum gross mass specified in the permit; and
- “(b) the gross mass of the vehicle must not exceed the gross vehicle mass, gross combination mass, maximum towed mass, or brake code mass if any of these limits apply to the vehicle; and
- “(c) the vehicle must comply with all bridge restrictions specified in the permit.”.
- 2.5(4) Replace *clause 5.2(7)(a)* with:
- “(a) any individual axle mass, any axle set mass, and the maximum sum of mass on any two or more axles must not exceed the limits that are specified in the permit or, if not specified in the permit, the applicable mass limit in *Part A* of *Schedule 2*; and”.
- 2.5(5) Replace *clause 5.2(7)(b)* with:
- “(b) the vehicle must comply with any dimension variation from *Table 4.1* that is specified in the permit, or if not specified in the permit, the dimension requirements in *Table 4.1*; and”.

2.5(6)

Replace *clause 5.4* with:

“5.4 Form of a permit

“5.4(1) A permit issued under 5.1 or 5.2 must:

“(a) include the information specified in *Part 1 of Schedule 3*; and

“(b) include any additional conditions imposed by the Agency or the road controlling authority under 5.1(4), 5.2(5) or 5.2(8); and

“(c) be signed by a duly authorised officer of the road controlling authority.

“5.4(2) A permit may include the information specified in *Part 2 of Schedule 3*.”.

2.5(7)

After *clause 5.4*, insert:

“5.4A Validity of a permit

“5.4A(1) A permit issued under 5.1 or 5.2 is invalid if it is altered without the authority of the Agency or the road controlling authority.

“5.4A(2) A permit only applies to the vehicles identified in the permit.

“5.4A(3) A permit may only be used by the person identified as the operator in the permit.”.

2.5(8)

After *clause 5.7*, insert:

“5.8 Weighing tolerances

“5.8(1) For the purposes of determining compliance with 5.1(3) and 5.2(6A), a vehicle is deemed to comply with a specified gross mass limit if the gross mass of the vehicle recorded or calculated exceeds the mass limit by not more than 500 kg.

“5.8(2) For the purposes of determining compliance with 5.1(3)(c), 5.1(5)(a), 5.2(6A)(c) and 5.2(7)(a), a vehicle is deemed to comply with a specified axle

mass limit if the axle mass of the vehicle recorded or calculated exceeds the specified mass limit by, in the case of:

- “(a) an individual axle, not more than 500 kg; and
- “(b) a twin-steer axle set on a powered vehicle, not more than 500 kg; and
- “(c) any axle set other than one in (b), not more than 1000 kg; and
- “(d) any two or more axles that together do not constitute a single tandem axle set, single tri-axle set or single quad-axle set, not more than 1000 kg.”.

2.6 Hazard warning panels

In *clause 6.10(1C)(a)*, replace “mm” with “cm”.

Section 3 Amendment to Definitions

3.1 Amendment to definition

In the definition of ‘Load-sharing axle set’, *paragraph (b)*, replace “large single-tyred axle” with “single large-tyred axle” in all three places in which it occurs.

Section 4 **Amendments to Schedules**

4.1 ***Schedule 3* replaced**

Replace *Schedule 3* with the Schedule 3 set out in *Schedule 1* of this Rule.

4.2 **New *Schedule 10* inserted**

After *Schedule 9*, insert the Schedule 10 set out in *Schedule 2* of this Rule.

Part 2 Schedules

Schedule 1: *Schedule 3* replaced

[Ref. 4.1]

Schedule 3

Ref. 5.4(1)

Part 1: Mandatory (unless otherwise noted)

Permit identification

Name of Issuing Agency

Purpose of permit

Permit Number

This permit is issued under *section 5* of *Land Transport Rule: Vehicle Dimensions and Mass 2002*.

Identify holder and vehicle(s)

Identity of operator

TSL number *if held*

Identity of vehicle(s)

Description of Vehicle(s) and load

Vehicle configuration

Load description (if permit issued under *clause 5.1*)

Permit limits

Axle and tyre configuration

Axle weights

VAI (if permit issued under *clause 5.1*)

Maximum permitted gross weight

Length (if variation is approved under *clause 5.2(4)*)

Routes

Routes

Bridge Restrictions (if limits placed on specified structures)

Permit type

Permit commences (date) and expires (date)

Critical Conditions

The vehicle must not:

1. exceed the maximum permitted gross weight stated on this permit
2. exceed design limits, such as GVM
3. breach a travel restriction or requirement for a specified bridge or culvert.

Additional Conditions:

Conditions added by the road controlling authority, under *clause 5.1(4)* or *5.2(8)*. For example:

This permit must be accompanied by any secondary documents describing available routes (if applicable).

Requirement to observe permit conditions

A breach of weight limits specified on this form, or any permit condition, is an offence as provided in the *Land Transport (Offences and Penalties) Regulations 1999*.

Permit is invalid if:

1. the vehicle is off-route, unless directed to do so by NZ Police or the road controlling authority
2. the permit is altered without authority
3. the vehicles or persons operating the vehicles are not those described on the permit.

Revocation

This permit can be revoked, under *clause 5.6* of the Rule.

Authorised By:

Position Title
Name
Date
Signature
On behalf of (*Name of road controlling authority*)

Part 2:**Notes other than permit conditions, such as:**

1. If the vehicle is operating overweight, it needs to meet the requirements of *section 6* of the Vehicle Dimensions and Mass Rule, which may require obtaining an additional permit for that purpose.

Part 3: Instructions for permit content

Field	Notes
Name of Issuing Agency	Name OR Logo of Agency or road controlling authority as appropriate.
Purpose of permit	Indivisible overweight, OR HPMV (mass, dimension or both).

Permit Number	Issued by road controlling authority.
Identity of operator	The holder of the permit.
TSL number (Transport Service Licence number)	Must be included if the person holds a transport services licence.
Identity of vehicle(s)	Must use registration no(s) if held, OR VIN no(s) if not yet held (for example, approval of over-length trailer prior to registration).
Vehicle configuration	Brief description: for example, B-train.
Load description	Only required if the permit is issued under <i>clause 5.1</i> (indivisible overweight). This can be either a vehicle description (for example, forage harvester) or load description (for example, large bulldozer).
Axle and tyre configuration	Use a diagram showing arrangement of axles and dimensions for the vehicle(s) AND/OR a table showing details. Must include tyre arrangements (for example, single or dual) and sizes for each axle.
Axle weights	Permitted weights can be described by reference to <i>Part A</i> OR <i>Part B</i> of <i>Schedule 2</i> OR by specifying individual axle limits.
VAI (Vehicle Axle Index)	Must be stated if the permit is issued under <i>clause 5.1</i> ; optional if HPMV mass permit.
Maximum permitted gross weight	Expressed in kg. Must be stated, even if the permit does not exceed the gross mass limits stated in the Rule (for example, 44 tonnes for over-length HPMV).
Length	Expressed in metres. Only required IF Agency has issued approval to exceed standard dimension limits for HPMV.
Routes	EITHER general access OR by specification of routes or operating areas OR by reference to an external source (such as a book of maps) OR by exclusion OR a combination of these descriptions.
Bridge Restrictions	Only required where specified structures require lower load limits or speed/position directions.

Permit type	Continuous (includes area permits) OR single trip OR multiple trip.
Permit dates	Must include start date (usually date of issue) AND an expiry date.

Schedule 2: New *Schedule 10* inserted [Ref. 4.2]

Schedule 10

Ref. 1.4A

Transitional provisions affecting application of amendments to this Rule

Provisions relating to *Land Transport Rule: Vehicle Dimensions and Mass Amendment 2014*

1. Transitional provisions for current permits

- (a) This clause applies to permits issued under *section 5* of the principal rule that are current immediately before the date on which *Land Transport Rule: Vehicle Dimensions and Mass Amendment 2014* came into force.
- (b) A permit in *1(a)* is deemed to comply with *Schedule 3* of the principal rule, as amended by *Land Transport Rule: Vehicle Dimensions and Mass Amendment 2014*, and continues to be valid until it expires unless it is replaced or revoked.
- (c) A condition in a permit in *1(a)* that causes that permit to be void, or of no effect, if any of its conditions are breached is ineffective.
- (d) Any additional conditions specified in a permit in *1(a)* by the issuing road controlling authority are valid additional conditions.
- (e) For the avoidance of doubt, offences and penalties set out in the *Land Transport (Offences and Penalties) Regulations 1999* apply as if the form of a permit in *1(a)* complied with *Schedule 3* of the principal rule as amended by *Land Transport Rule: Vehicle Dimensions and Mass Amendment 2014*.
- (f) For the avoidance of doubt, the conditions in *5.1(3)*, *5.1(5)*, and *5.1(6)* or *5.2(6A)*, *5.2(7)(a)*, *5.2(7)(b)* (as applicable) and *5.4A* of the principal rule, as amended by *Land Transport Rule: Vehicle Dimensions and Mass Amendment 2014*, are deemed to be included in a permit in *1(a)*.