

WELLINGTON, NEW ZEALAND

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

I, Simon Bridges, Associate Minister of Transport,

HEREBY make the following ordinary Rule:

Land Transport Rule: Vehicle Exhaust Emissions
Amendment

SIGNED AT Wellington

This *14th* day of *November* 2012



Simon Bridges

Associate Minister of Transport

Land Transport Rule
Vehicle Exhaust Emissions Amendment 2012
Rule 33001/6

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Land Transport Rule

**Vehicle Exhaust Emissions
Amendment 2012**

Rule 33001/6

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Objective of the Rule

Land Transport Rule: Vehicle Exhaust Emissions Amendment 2012 amends *Land Transport Rule: Vehicle Exhaust Emissions 2007* (“the Rule”). The aim of the Rule is to achieve improvements in air quality by reducing the level of harmful emissions from motor vehicles operating on New Zealand roads.

The main objective of the amendment Rule is to ensure that New Zealand continues to import new vehicles built to the highest available exhaust emissions standards and to allow the current requirements for used vehicles to continue, pending a planned review in 2014 of the need for further standards.

In summary, the amendment Rule:

- requires used vehicles certified from 1 January 2013 to be built to the current recognised exhaust emissions standards;
- incorporates in the Rule new Australian Design Rules (ADRs) and equivalent Euro standards for new light vehicles from 1 November 2013;
- incorporates proposed implementation dates for the US 2007 and Japan 09 emissions standards for new vehicles;
- removes the definition of US 2008 from the Rule because this standard is not referred to in the table of standards and the Rule already explicitly provides for compliance with a “higher standard”;
- removes the requirement for diesel vehicles certified to the Euro 5 equivalent standard ADR 80/03 or ADR 79/03 to comply also with *ADR 30/01—Smoke Emission Control for Diesel Engines* given that diesel vehicles built to a standard higher than Euro IV/4 should not produce any smoke under the specified test conditions;

- clarifies the means by which a vehicle may be assessed as complying with an approved emissions standard;
- extends the exception to the Rule for vehicles manufactured before 1990 to all vehicles manufactured or first registered outside New Zealand 20 years or more before their entry into service in New Zealand;
- corrects the current citation of Euro heavy vehicle emissions standards;
- updates the definition of Euro 5 standard.

Extent of consultation

Formal consultation on the amendment Rule began with the release, for comment, by the NZ Transport Agency, on 29 June 2012, of the public consultation (yellow) draft. The NZ Transport Agency sent a letter or emailed advice about the availability of the yellow draft to about 480 groups and individuals who had registered an interest in the Rule.

The draft was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was available on the NZ Transport Agency's website.

The availability of the draft amendment Rule 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 Rule amendment proposals. The submissions were taken into account in finalising the amendment Rule before it was submitted to Cabinet, and then to the Associate Minister of Transport for signature.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Vehicle Exhaust Emissions Amendment 2012*.

1.2 Commencement

This Rule comes into force on 1 January 2013.

1.3 Scope of Rule

This Rule amends *Land Transport Rule: Vehicle Exhaust Emissions 2007*.

Section 2 Amendments to Rule requirements

- 2.1 Amendments to Rule requirements**
- 2.1(1) Replace *clause 2.1(2)(a)* with:
- “(a) a motor vehicle first registered outside of New Zealand, or manufactured, twenty years or more before its date of certification for entry into service; or”.
- 2.1(2) After *clause 2.2(1)*, insert:
- “2.2(1A) Compliance with *2.2(1)* must be established by production of a declaration, by a person authorised to do so in accordance with the requirements of the relevant standard-setting jurisdiction, that the vehicle:
- “(a) has been tested in accordance with all procedures and testing requirements set out in the approved vehicle emissions standard; and
- “(b) complies with the full standard.
- “2.2(1B) A determination of whether a vehicle has been manufactured or modified to a standard in *2.2(1)* must not be made solely on the result of that vehicle undergoing the metered test prescribed in *Schedule 2*.”
- 2.1(3) Replace *clause 3.1(2)(a)* with:
- “(a) a motor vehicle first registered outside of New Zealand, or manufactured, twenty years or more before its date of certification for entry into service; or”.

Section 3 Amendments to Definitions

3.1 Amendments to definitions

- 3.1(1) After the definition of ‘ADR 79/02’, insert:
“**ADR 79/03** is an abbreviation for *Vehicle Standard (Australian Design Rule 79/03 - Emission Control for Light Vehicles) 2011*.
“**ADR 79/04** is an abbreviation for *Vehicle Standard (Australian Design Rule 79/04 - Emission Control for Light Vehicles) 2011*.”.
- 3.1(2) Replace “**Euro 2**” with “**Euro 2** (or, for heavy vehicles, **Euro II**)”.
- 3.1(3) Replace “**Euro 3**” with “**Euro 3** (or, for heavy vehicles, **Euro III**)”.
- 3.1(4) Replace “**Euro 4**” with “**Euro 4** (or, for heavy vehicles, **Euro IV**)”.
- 3.1(5) Replace the definition of ‘**Euro 5**’ with:
“**Euro 5** (or, for heavy vehicles, **Euro V**) means:
“(a) *Commission Regulation (EC) No. 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, as amended by Commission Regulation (EC) No. 692/2008 of 18 July 2008, as per Euro 5 emissions limits set out in Annex 1; or*
“(b) *UN/ECE Regulation No. 83, uniform provisions concerning the approval of vehicles with regard to the emission of pollutants according to engine fuel requirements (E/ECE/324E/ECE/TRANS/505/Rev.1/Add.82/Rev.4) incorporating the 06 series of amendments; or*

“(c) UN/ECE Regulation No. 49 - uniform provisions concerning the approval of compression-ignition (CI) and natural gas (NG) engines as well as positive-ignition (PI) engines fuelled with liquid petroleum gas (LPG) and vehicles equipped with CI and NG engines and PI engines fuelled with LPG, with regard to the emissions of pollutants by the engine
(E/ECE/324E/ECE/TRANS/505/Rev.1/Add.48/Rev.5) incorporating the 05 series of amendments, as per the limit values in row B2 or C of Table 1 and/or 2 (as appropriate), in section 5.2.1.”.

3.1(6)

After the definition of ‘Japan 05’, insert:

“**Japan 09** means Japan *Safety Regulations for Road Vehicles, Article 31 – Emission Control Device*, as revised by the Ministry of Land Infrastructure and Transport Announcement No. 348 of 2008, as established by the relevant Japan *Safety Regulations for Road Vehicles* test procedures, technical standards and circulars.”

3.1(7)

Delete the definition of ‘US 2008’.

Section 4 Amendments to Schedules

4.1 Amendments to *Schedule 1*

- 4.1(1) In *Table 2.1*, the last row of the first column, delete “and before 1 January 2013”.
- 4.1(2) In *Table 2.1*, the last row of the column relating to ‘Heavy vehicles’, replace “Euro 4” with “Euro IV”.
- 4.1(3) Replace *Table 2.2* with:

“Table 2.2 – Vehicle exhaust emissions requirements for new petrol, LPG and CNG vehicles

Date of manufacture	Approved vehicle emissions standard			
	New petrol, LPG and CNG vehicles			
	Light vehicles		Heavy vehicles	
	New model	Existing model	New model	Existing model
Before 3 January 2008	ADR 79/01; Euro 3; Japan 00/02; or US 2001	ADR 79/01; Euro 3; Japan 00/02; or US 2001	ADR 80/01; Japan 00/02; or US 98P	ADR 80/01; Japan 00/02; or US 98P
On or after 3 January 2008 and before 1 January 2009	Manufactured before 1 July 2008 ADR 79/01; Euro 4; Japan 05; or US 2004. Manufactured on or after 1 July 2008 ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 79/01; Euro 3; Japan 00/02; or US 2001	ADR 80/02; Euro IV; Japan 05; or US 2004	ADR 80/02; Euro IV; Japan 00/02; or US 98P <i>continued</i>

Date of manufacture	New petrol, LPG and CNG vehicles			
	Light vehicles		Heavy vehicles	
	New model	Existing model	New model	Existing model
On or after 1 January 2009 and before 1 January 2010	ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 79/01; Euro 4; Japan 05; or US 2004	ADR 80/02; Euro IV; Japan 05; or US 2004	ADR 80/02; Euro IV; Japan 05; or US 2004
On or after 1 January 2010 and before 1 January 2011	ADR 79/02; Euro 4; Japan 05; or US 2004	Manufactured before 1 July 2010 ADR 79/01; Euro 4; Japan 05; or US 2004 Manufactured on or after 1 July 2010 ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro IV; Japan 05; or US 2004	ADR 80/02; Euro IV; Japan 05; or US 2004
On or after 1 January 2011 and before 1 January 2012	ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2004	ADR 80/03; Euro IV; Japan 05; or US 2004
On or after 1 January 2012 and before 1 November 2013	ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2004
On or after 1 November 2013 and before 1 January 2014	ADR 79/03; Euro 5; Japan 05; or US 2004	ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2004

continued

Date of manufacture	New petrol, LPG and CNG vehicles			
	Light vehicles		Heavy vehicles	
	New model	Existing model	New model	Existing model
On or after 1 January 2014 and before 1 January 2015	ADR 79/03; Euro 5; Japan 09; or US 2007	ADR 79/02; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 05; or US 2004
On or after 1 January 2015 and before 1 November 2016	ADR 79/03; Euro 5; Japan 09; or US 2007	ADR 79/02; Euro 4; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007
On or after 1 November 2016	ADR 79/04; Euro 5; Japan 09; or US 2007	ADR 79/04; Euro 5; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007"

- 4.1(4) In *Table 2.3*, the column relating to ‘heavy vehicles’, replace “Euro 3” with “Euro III” and replace “Euro 4” with “Euro IV”.
- 4.1(5) In *Table 2.3*, the last row of the first column, delete “and before 1 January 2013”.
- 4.1(6) Replace *Table 2.4* with:

Table 2.4 – Vehicle exhaust emissions requirements for new diesel vehicles

Date of manufacture	Approved vehicle emissions standard			
	New diesel vehicles			
	Light vehicles		Heavy vehicles	
	New model	Existing model	New model	Existing model
Before 3 January 2008	ADR 79/01 and ADR 30/01; Euro 4; Japan 02/04; or US 2004	ADR 79/01 and ADR 30/01; Euro 4; Japan 02/04; or US 2004	ADR 80/00 and ADR 30/01; Euro III; Japan 02/04; or US 2004	ADR 80/00 and ADR 30/01; Euro III; Japan 02/04; or US 98D
On or after 3 January 2008 and before 1 January 2009	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 79/01 and ADR 30/01; Euro 4; Japan 02/04; or US 2004	ADR 80/02 and ADR 30/01; Euro IV; Japan 05; or US 2004	ADR 80/00 and ADR 30/01; Euro III; Japan 02/04; or US 2004
On or after 1 January 2009 and before 1 January 2010	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 80/02 and ADR 30/01; Euro IV; Japan 05; or US 2007	ADR 80/02 and ADR 30/01; Euro IV; Japan 02/04; or US 2004
On or after 1 January 2010 and before 1 January 2011	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro IV; Japan 05; or US 2007	ADR 80/02 and ADR 30/01; Euro IV; Japan 05; or US 2004
On or after 1 January 2011 and before 1 January 2012	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2007	ADR 80/03; Euro IV; Japan 05; or US 2004
On or after 1 January 2012 and before 1 November 2013	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2007	ADR 80/03; Euro V; Japan 05; or US 2004

continued

Date of manufacture	New diesel vehicles			
	Light vehicles		Heavy vehicles	
	New model	Existing model	New model	Existing model
On or after 1 November 2013 and before 1 January 2014	ADR 79/03; Euro 5; Japan 05; or US 2004	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 05; or US 2007	ADR 80/03; Euro V; Japan 05; or US 2004
On or after 1 January 2014 and before 1 January 2015	ADR 79/03; Euro 5; Japan 09; or US 2007	ADR 79/01 and ADR 30/01; Euro 4; Japan 05; or US 2004	ADR 80/03; Euro V; Japan 09; or US 2007	Manufactured before 1 July 2014 ADR 80/03; Euro V; Japan 05; or US 2004 Manufactured on or after 1 July 2014 ADR 80/03; Euro V; Japan 05; or US 2007
On or after 1 January 2015 and before 1 November 2016	ADR 79/03; Euro 5; Japan 09; or US 2007	ADR 79/01 and ADR 30/01; Euro 4; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007
On or after 1 November 2016	ADR 79/04; Euro 5; Japan 09; or US 2007	ADR 79/04; Euro 5; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007	ADR 80/03; Euro V; Japan 09; or US 2007"