WELLINGTON, NEW ZEALAND

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

I, Michael Woodhouse, Associate Minister of Transport,

HEREBY make the following ordinary Rule:

Land Transport Rule: Vehicle Standards Compliance Amendment

SIGNED AT Wellington

This 28th day of March 2013

Michael Woodhouse
Associate Minister of Transport

Land Transport Rule
Vehicle Standards Compliance Amendment 2013
Rule 35001/10
ISSN 1173-1559

Published by:

NZ Transport Agency
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Wellington 6141
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Printed and distributed by:

Wickliffe Solutions
PO Box 932
Dunedin 9054
New Zealand
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Objective of the Rule

Land Transport Rule: Vehicle Standards Compliance Amendment 2013 (the amendment Rule) amends Land Transport Rule: Vehicle Standards Compliance 2002 (the Vehicle Standards Compliance Rule). The Vehicle Standards Compliance Rule sets out requirements for controlling the entry of vehicles into, and operation of vehicles in, the land transport system.

The objective of this amendment Rule, and of amendments to seven other Land Transport Rules, is to ensure that legislation that affects the primary production sector is fit for purpose and does not impose unnecessary costs or restrictions, including on the ability of the sector to manage critical operations where time or the weather is a limiting factor.

The amendment Rule provides for:

- the removal of the periodic (warrant of fitness/certificate of fitness (WoF/CoF)) inspection requirement for agricultural motor vehicles that are operated at speeds not exceeding 40 km/h;
- a revised and simplified WoF inspection for agricultural motor vehicles that are operated at speeds exceeding 40 km/h, with no CoF requirement;
- annual vehicle inspections for vehicles that are operated at speeds exceeding 40 km/h, rather than six-monthly;
- the amending of a number of definitions used in Land Transport Rules as a consequence of the changes to the legislation applying to agricultural motor vehicles.
Extent of consultation

For the purposes of consultation, proposed amendments to Land Transport Rules applying to vehicles used for agricultural purposes were combined into a single Rule, *Land Transport Rule: Agricultural Vehicles Omnibus 2012* (the Omnibus Rule). The Rule amendment proposals arose out of a review of agricultural transport legislation in 2012 involving government agencies, key transport and agriculture industry stakeholders and the public.

On 19 October 2012, the NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 2300 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus Rule was made available through the NZ Transport Agency’s Contact Centre and, together with Questions and Answers, was also made available on the NZ Transport Agency’s website. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*.

The NZ Transport Agency received 29 submissions on the Omnibus Rule, of which 20 commented on the proposed amendments to the Vehicle Standards Compliance Rule.

Following consultation, the provisions in the Omnibus Rule were split into separate amendment Rules, including this Rule. The submissions that were received were taken into account in finalising this Rule before it was submitted to the Associate Minister of Transport for signing.
Section 1 Application

1.1 Title
This Rule is *Land Transport Rule: Vehicle Standards Compliance Amendment 2013*.

1.2 Commencement
1.2(1) *Clause 2.4* comes into force on 11 November 2013.

1.2(2) The rest of this Rule comes into force on 1 June 2013.

1.3 Scope of Rule
This Rule amends *Land Transport Rule: Vehicle Standards Compliance 2002*. 
Section 2 Amendments to Rule requirements

2.1 Inspection of vehicles at the border
In clause 4.1(1)(b), replace “(j)” with “(i)”. 

2.2 Inspection and certification of vehicles for entry or re-entry into service
2.2(1) In clause 6.1(e), replace “agricultural, land management” with “non-agricultural land management”.
2.2(2) In clause 6.1(b), replace “months.” with “months;”.
2.2(3) In clause 6.1(i), replace “2011.” with “2011;”.
2.2(4) After clause 6.1(i), insert:
“(j) an agricultural motor vehicle.”

2.3 Inspection and certification of vehicles for operation in service
2.3(1) In clause 7.1(1)(g), replace “agricultural, land management” with “non-agricultural land management”.
2.3(2) Delete clauses 7.1(1)(b)(iii) and (iv).
2.3(3) In clause 7.1(1)(j)(iii), replace “vehicle.” with “vehicle;”.
2.3(4) After clause 7.1(1)(j), insert:
“(k) an agricultural motor vehicle operated at not more than 40 km/h.”.
2.3(5) In clause 7.1(2)(b), replace “7.1(2)(a),” with “7.1(2)(a); or”.
2.3(6) After clause 7.1(2)(b) insert:
“(c) an agricultural motor vehicle.”.

2.3(7) Replace clause 7.9(c), with:

“(c) issue evidence of vehicle inspection in the form of a warrant of fitness for:

“(i) a tractor or machine used solely in non-agricultural land management or roading operations, whether for traction or otherwise, that is operated at a speed exceeding 30 km/h; or

“(ii) an agricultural motor vehicle”.

2.4 Evidence of vehicle inspection

2.4(1) In clause 9.5(2)(a), replace “date;” with “date unless (c) applies;”.

2.4(2) In clause 9.5(2)(b), replace “9.8;” with “9.8;”.

2.4(3) After clause 9.5(2)(b), insert:

“(c) if the vehicle is an agricultural motor vehicle, the expiry date for a warrant of fitness is the same day of the month as the reference date in 9.5(4) or 9.5(5), 12 months after that date.”.

2.5 Operation of vehicles

In clause 10.1, replace “(f)” with “(k)”.
Section 3  Amendments to Definitions

3.1 Amendments to definitions

3.1(1) In Part 2 Definitions, insert in the appropriate alphabetical places:

“Agricultural motor vehicle

“(a) means a motor vehicle that is designed, constructed, or adapted for agricultural purposes; and

“(b) includes:

“(i) an agricultural trailer; and

“(ii) an agricultural tractor; but

“(c) does not include any vehicle that is:

“(i) of a class specified in Table A of Part 2 of Land Transport Rule: Vehicle Standards Compliance 2002; and

“(ii) designed or constructed for general road use”.

“Agricultural purpose

“(a) includes:

“(i) land cultivation;

“(ii) growing and harvesting crops (including horticulture and viticulture);

“(iii) rearing livestock;

“(iv) any land management operation undertaken in connection with:

“(A) the operation or management of a farm; or
“(B) a purpose described in subparagraphs (i) to (iii); but

“(b) does not include forestry, or any land management operation not referred to in paragraph (a)(iv)”.

“**Agricultural tractor** means a vehicle that is designed and constructed principally for the purposes of:

“(a) towing an agricultural trailer; or

“(b) drawing, or powering, an implement ordinarily used for an agricultural purpose”.

“**Agricultural trailer**

“(a) means a trailer that is used principally for agricultural purposes; and

“(b) includes a wheeled agricultural implement, the wheels of which are in contact with the road when the implement is being towed; but

“(c) does not include:

“(i) a trailer that is:

“(A) designed principally for the carriage of goods; and

“(B) operated at a speed exceeding 40 km/h; or

“(ii) a logging trailer”.

3.1(2) In the definition of ‘All-terrain vehicle’ delete “special purpose”. 