



SUBMISSION

To: NZ Transport Agency (NZTA)

Submission: Land Transport Rule: Regulatory Systems Rule Amendment (RSRA) 2025

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Sent to: rules@nzta.govt.nz

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Ia Ara Aotearoa Transporting New Zealand submission to NZ Transport Agency on Land Transport Rule: Regulatory Systems Rule Amendment (RSRA) 2025

Introduction

- 1 NZ Transport Agency (NZTA) is consulting on its proposed Land Transport Rule: Regulatory Systems Rule Amendment (RSRA) 2025. NZTA describe the changes as 41 small or discrete amendments to Land Transport Rules which alone do not warrant a separate rule change project.
- 2 Ia Ara Aotearoa Transporting New Zealand (Transporting New Zealand) welcomes the opportunity to make a submission on NZTA's proposal.
- 3 Transporting New Zealand's comments are primarily focussed on the impacts on the road freight sector.

Transporting New Zealand comments

Land Transport Rule: Glazing, Windscreen Wipe and Wash, and Mirrors 1999 (the Glazing Rule)

Proposal 1: To require LE (motor tricycle) class vehicles with windcreens to maintain their manufacturer fitted wash system.

- 4 This change will not significantly impact our members.
- 5 Transporting New Zealand believes in the principle that unless there is a strong case to justify otherwise, equipment fitted by the original equipment manufacturer (OEM) should be maintained in operational condition for the life of the vehicle. That general principle has been historically applied by NZTA across the New Zealand fleet, and therefore Transporting New Zealand supports Proposal 1.

Land Transport Rule: Heavy-Vehicle Brakes 2006

Proposal 2: To amend clause 1.2(4)(b) to include dynamic testing under 6.1(2) as a means of validating non towing vehicle service brake compliance.

- 6 This change may affect some, but not a large number, of our members. Most of our members' vehicles will be specified and configured by the OEM as towing vehicles at the start of their life whereas vehicles converted to towing are generally in their second or later life cycle and therefore the impact is envisaged to be small.
- 7 Transporting New Zealand supports Proposal 2 as it will bring consistency and ensure the vehicle has appropriate vehicle braking performance in the event it is to be used for towing.

Proposal 3: To amend clause 2.3(1) to permit driver-controlled brake force distribution adjustment (proportioning) between certain prime movers and towed medium weight trailers (TC Class).

- 8 The consultation document refers to TC Class trailers however, the draft rule makes no specific reference to the particular Class of trailers that this new requirement applies to

and therefore this change could be interpreted to apply to all trailers regardless of weight.

- 9 The proposed rule 2.3(1C)(a) requires the adjustable device to be sealed however, this is not always possible, for example America pick-ups with built in controllers, and that is the reason some certifiers currently require exemptions.
- 10 This proposed rule amendment does not reflect the change NZTA has consulted on therefore Transporting New Zealand does not support Proposal 3.

Proposal 4: To update the Heavy Vehicle Brakes Rule by inserting section 2.7 to require anti-lock braking systems (ABS) for heavy vehicles first registered or modified from three months from when the Proposed Amendment Rule comes into effect.

- 11 Transporting New Zealand's main interest is vehicle classes NC, TC and TD. Transporting New Zealand does not know how many vehicles this proposed change will affect.
- 12 NZTA, through its delivery and oversight of vehicle inspection and certification services, is best placed to know how many vehicles will be impacted by this proposed change. Presuming NZTA has this information, Transporting New Zealand is disappointed that NZTA has not provided it in this consultation phase.
- 13 Transporting New Zealand's understanding is that when the Heavy Vehicle Brakes Rule was introduced in 2006 ABS was not mandated for TC or TD Class trailers because the benefit cost requirements were not met. Schedule 5 of that Rule requires load sensing as a minimum. Transporting New Zealand acknowledge that for TD Class trailers to meet that Rule often means ABS is required however, that is different to mandating ABS as a minimum requirement.
- 14 The proposal to mandate ABS on TC Class trailers is a significant change and Transporting New Zealand has been advised it will not be possible for TC Class trailers with electric or hydraulic foundation brakes to meet this requirement without retro-fitting a complete new braking system.
- 15 Given there are over 130,000 heavy vehicles in the fleet and the number of TC and TD trailers is in the order of several tens of thousands, even if only a small percentage of vehicles is impacted, this would place increased strain on an engineering and certification sector that is already struggling to keep pace with industry demands. Therefore, Transporting New Zealand does not support Proposal 4 at this time.
- 16 Transporting New Zealand requests that if NZTA wishes to pursue this change it provides Transporting New Zealand with the risk and impact assessments and the cost-benefit analysis, which will enable a more informed decision to be made.

Proposal 5: To amend clause 7.1(4)(c)(ii) to ensure towing vehicles have ABS functionality.

- 17 For similar thinking and reasons referred in paragraphs 11 to 16 inclusive above, Transporting New Zealand does not support Proposal 5 at this time.

Proposal 6: To amend clause 7.2 to improve inter-vehicle compatibility and performance when vehicles of differing levels of brake technology are used in combination.

NZTA proposed clauses to be added in the rule are:

7.2(6) A vehicle in 7.2(1) fitted with EBS must comply with the requirements of 7.5 when braked with the electric and pneumatic control lines.

7.2(7) A vehicle in 7.2(1) that is fitted with ABS or EBS must have an additional back-up power supply circuit for the ABS or EBS system (as applicable), if that vehicle —

(a) is first registered in New Zealand three months from when this Rule comes into effect; or

(b) is modified in New Zealand three months from when this Rule comes into effect in such a way that may affect compliance with this Rule.

18 Transporting New Zealand supports the principle of having electrical redundancy in the braking system, however it has three concerns with the drafting of this proposal:

- It does not know how many vehicles will be impacted by the proposed change.
- Our understanding from the drafting of NZTA's proposal, in particular 7.2(7)(a) and 7.2(7)(b) is that the requirement for this redundancy would apply only to the relatively small number of heavy vehicles registered or modified in New Zealand three months from when the Rule comes into effect. More specifically, our interpretation of the proposed clause is that the requirement does not appear to apply to vehicles registered or modified less than three months before the rule comes into effect, and nor does the requirement appear to apply to vehicles registered or modified more than three months after the rule comes into effect. Transporting New Zealand does not believe the drafting of this clause reflects NZTA's intent and suggests that NZTA reconsider the wording.
- The impact on the service industry and the costs for any consequential upgrades are not understood. Some ABS and older EBS systems do not have "back-up" power supply functionality. If a trailer fitted with one of those systems is modified then a new system will need to be installed and this will incur significant costs.

19 Given its concerns raised in paragraph 18, at this stage Transporting New Zealand does not support Proposal 6.

20 Transporting New Zealand requests that if NZTA wishes to pursue this change it provides Transporting New Zealand with the risk and impact assessment and the cost-benefit analysis to enable an informed decision to be made.

Proposal 7: To amend clause 7.5 to ensure heavy vehicles have anti-lock braking system (ABS) functionality.

21 For similar reasons to its positions on proposals 4 and 5, at this time Transporting New Zealand does not support Proposal 7.

22 Transporting New Zealand requests that if NZTA wishes to pursue this change it provides Transporting New Zealand with the risk and impact assessment and the benefit cost analysis to enable an informed decision to be made.

Proposal 8: To add the definition of electronically controlled braking system (EBS) in Part 2 of the Rule.

NZTA's proposed clause to be added in Part 2 of the rule is:

EBS means an electronically controlled braking system (EBS) that meets the system and function requirements of an approved vehicle standard in 2.5(2)(a) or (b).

- 23 Transporting New Zealand supports Proposal 8.

Proposal 9: To amend Schedule 5 to improve readability and reduce repetition.

- 24 Transporting New Zealand supports Proposal 9 which replaces each reference to "electronic braking system" in Schedule 5 of the rule with "EBS".

Land Transport Rule: Heavy Vehicles 2004

Proposal 10: To correct an error in the drafting of the Heavy Vehicles Rule by updating clause 1.2(4) to remove references to clauses 4.7(2A) & 4.8(2A) and include references to clauses 4.8(3A), 4.8(4A).

- 25 The proposal will result in what NZTA refers to as "a small number of vehicles" needing inspection and certification of modifications to fifth wheel connections.
- 26 Transporting New Zealand conditionally supports Proposal 10 on the proviso that a period of time is factored into the rule to enable operators to meet the new compliance requirements. Given this error has existed for nearly two decades, Transporting New Zealand recommends NZTA provide a minimum transition period of six months from when the rule takes effect, as this aligns with the Certificate of Fitness frequency for most heavy vehicles. Transporting New Zealand also recommends that NZTA implement a proactive transition programme to avoid affected vehicles being unjustifiably placed out of service.

Land Transport Rule: Light Vehicle Brakes 2002

Proposal 11: To remove the requirement for enduro/or trial motorcycles to have an anti-lock braking system or combined braking systems unless they are being used for sanctioned competition; and remove the definition of sanctioned competition

- 27 This proposal does not have any significant impact on Transporting New Zealand members or the industry we represent, however we believe the proposal is sensible.

Land Transport Rule: Vehicle Dimensions and Mass 2016

Proposal 12: To update the VDM Rule to change the swept path requirements for mobile cranes and include a definition of a power crane.

- 28 Transporting New Zealand agrees with the general intent to remove unnecessary compliance costs.
- 29 Transporting New Zealand acknowledges that most power cranes have met the performance requirements of 6.28(2)(b) however, that may not be the case for all future power cranes. The trend over time appears to be that specialist equipment vehicles are getting larger. Therefore, Transporting New Zealand recommends that a safer and fairer approach is to draft the rule to exempt power cranes from needing inspection and certification, provided they meet the low speed turning performance requirements of 6.28(b). That approach would ensure the crane industry avoids unnecessary compliance costs for the vast majority of its vehicles, while cranes with larger road space requirements are still safely managed.

Proposal 13: To require NZTA to consider additional factors when issuing an overdimension permit. These include the safety of the vehicle, safety of road users and durability of roads and bridges.

- 30 Transporting New Zealand understands that NZTA issues several thousand overdimension permits annually. NZTA issued 2,189 permits from 1 January to 30 April this year.
- 31 Transporting New Zealand has some members that operate overdimension vehicles and it has discussed this proposal with the New Zealand Heavy Haulage Association (NZHHA). NZHHA's members' specialisation and predominant business focus is in this area.
- 32 Withholding a permit from an operator can have a significant impact on the commercial viability of that operator's business. It is therefore critical that the grounds upon which NZTA may withhold a permit from an operator are clearly understood.
- 33 Transporting New Zealand conditionally supports Proposal 13 on the proviso that prior to this requirement being implemented, NZTA collaborates with the NZHHA on the development of a transparent, fair, and high integrity procedure that specifically covers the limitations and constraints for the issuing of permits.

Proposal 14: To align over dimension permit revocations with overweight powers in the VDAM Rule.

- 34 Transporting New Zealand's interest with this proposal are covered in the contextual comments in paragraphs 29 to 31.
- 35 Transporting New Zealand believes vehicles and their loads should not cause unplanned damage to the road network, roadside furniture or associated infrastructure. Such damage can create delays, frustration, and unplanned cost to other road users therefore it is important this risk is managed.
- 36 The practical and operational realities of permit revocation, particularly during a journey are complex and unless carefully thought through there is a risk of perverse and unintended outcomes.
- 37 Transporting New Zealand conditionally supports Proposal 14 on the proviso that prior to this requirement being implemented, NZTA collaborates with the NZHHA on the development of a transparent, fair, and high integrity procedure to manage any permit revocation.

Land Transport Rule: Vehicle Standards Compliance 2002 (VSC Rule)

- 38 *Proposal 15: To update the VSC Rule to require inspecting organisations to notify NZTA of any material change in circumstances, such as changes in address, name, ownership, person in charge.*
- 39 This proposal has no direct impact on our members.
- 40 Transporting New Zealand supports Proposal 15 as it helps maintain the integrity of the inspection system.

Proposal 16: To update the VSC Rule to clarify specialist certification requirements still apply for both light and heavy vehicles even if an in-service certification is mistakenly issued.

- 41 Transporting New Zealand anticipates this proposal to have little if any impact on our members.
- 42 Transporting New Zealand supports Proposal 16 as it helps maintain the integrity of the low volume vehicle certification system.

Proposal 17: To amend clause 9.8 of the VSC Rule to ensure that the information NZTA uses when setting Certificate of Fitness can relate to vehicle safety.

NZTA proposes changing clause 9.8(2) with:

9.8(2) The number of months, in respect of a vehicle specified in 9.8(1), must be based on an assessment of the vehicle's risk to safety.

9.8(3) In assessing the vehicle's risk to safety, regard may be had to any information relevant to the vehicle's risk to safety, including the following information about vehicles operated by the operator of that vehicle—

(a) information from previous inspections of those vehicles; and

(b) the results of audits conducted by the Agency, and roadside inspections conducted by the Police or the Agency, in respect of those vehicles; and

(c) the age of the vehicle.

- 43 Transporting New Zealand supports the power for NZTA to set the frequency of Certificate of Fitness (CoF) assessments.
- 44 Transporting New Zealand supports NZTA's intent to explicitly state the assessment information that these decisions are based on, and it has raised concern with NZTA about the information being used when considering CoF frequency.
- 45 Transporting New Zealand is aware of issues arising when NZTA has requested that operators provide all maintenance and "inspection" records. This request has been problematic because there is no clearly defined scope. Therefore, this lack of clarity exposes the operator to risk of accusations that not all records have been provided. Greater clarity, fairness and transparency are required to ensure the system has integrity.
- 46 Transporting New Zealand New Zealand conditionally supports Proposal 17 on the proviso that the proposed clause 9.8(3)(a) is further defined to information produced during previous inspections while the vehicle has been presented for a CoF over the last two years.
- 47 Transporting New Zealand would welcome further discussion with NZTA on this.

Land Transport Rule: Steering Systems Rule 2001

- 48 *Proposal 18: To update the Steering Rule to reference approved international standards and adding complying with an approved standard as an alternative compliance method, to align with European, American, Japanese and Australian standards.*

- 49 This proposal currently has no direct impact on our members vehicles as their vehicles do not have steer-by-wire systems.
- 50 New Zealand is almost entirely dependent on offshore manufacturers for powered vehicles and therefore it is heavily reliant on the designs and vehicle systems from those four international jurisdictions.
- 51 Transporting New Zealand supports NZTA proactively amending rules to cater for new technology.
- 52 Transporting New Zealand supports Proposal 18.

Land Transport Rule: Driver Licensing Rule 1999

Proposal 19: To update Schedule 9 of the Driver Licensing Rule to replace references to the 'Immigration Act 1987', the 'Department of Labour (Immigration)' and the 'Electoral Enrolment Centre of New Zealand Post Limited' with references to the 'Immigration Act 2009', the 'Ministry of Business, Innovation and Employment' and the 'Electoral Commission'.

- 53 Transporting New Zealand supports Proposal 19.

Part B: Proposed changes to the Traffic Control Devices (TCD) Rule

- 54 Businesses belonging to the members of Transporting New Zealand predominantly involve moving freight by road, therefore changes to/the introduction of new traffic signs and markings does impact our members.
- 55 Transporting New Zealand understands the proposed changes are largely to formalise gazetted signs (for example but not limited to: Proposals 20, 22, 23, 28) or to legitimise current practice (for example but not limited to Proposals 25, 27).
- 56 Transporting New Zealand requests that NZTA take into consideration our comments in paragraphs 57 to 59, otherwise we support all the proposals.



Figure 1: "Goods Vehicle Lane" sign

- 57 Proposal 31 refers to the above sign (*refer Figure 1*) to indicate a Goods Vehicle Lane. The pictorial part of the sign indicates a bus which Transporting New Zealand believes is confusing. Transporting New Zealand requests that NZTA replace the bus silhouette to one of a truck.
- 58 Proposal 36 regards explicitly stating that STOP and GIVE WAY markings be white. As the consultation document outlines, several road controlling authorities have used yellow for these markings. Transporting New Zealand believes consistency in signs and

markings is important. We recommend that NZTA work collaboratively with road controlling authorities to increase the consistency of signs and markings, and that NZTA discourage the authorities that often do not follow convention.

- 59 It appears that over the last decade or so, there has been a proliferation of road signs. However, Transporting New Zealand believes that good traffic design, particularly those designs underpinned by the “self-explaining roads” philosophy should lead to a decrease in the need for signs and markings. Transporting New Zealand recommends that NZTA consider this factor in its future design strategy.

About Ia Ara Aotearoa Transporting New Zealand

Ia Ara Aotearoa Transporting New Zealand is a national membership association representing the road freight transport industry. Our members operate urban, rural and inter-regional commercial freight transport services throughout the country.

As the peak body and authoritative voice of the road freight sector, Transporting New Zealand’s purpose is creating the environment where trucking operators can drive successful, safe, sustainable businesses. Our focus areas for the period 2025 to 2027:

- Advocacy and policy
- Improving infrastructure to improve productivity
- Making our industry and our members businesses stronger and more resilient
- Sustainability
- Transporting New Zealand business performance

New Zealand’s road freight transport industry employs 33,000 people (1.2% of the total workforce), and has a gross annual turnover in the order of \$6 billion. This is part of a wider transport sector that employs 108,000 people and contributes 4.8 percent of New Zealand’s GDP. Road freight transport accounts for 93% of the total tonnage of freight moved in New Zealand (MoT National Freight Demands Study 2018).

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