

DRAFT Vehicle Equipment Amendment Rule [2007]
CONSULTATION SUBMISSION FORM

Complete your personal details and send the completed form by

Email to
info@landtransport.govt.nz

Mail to
Vehicle Equipment Rule Amendment
Rules Team
Land Transport New Zealand
PO Box 2840
Wellington

Or Fax to
04 931 8701

Your personal details:

Title:

Name:

Street:

Postal address:

RD (Rural Delivery):

Town or City:

Email address:

Name of organisation:

Confidential information

Overview

Proposed changes

Specifying the circumstances in which a vehicle is required to undergo an objective noise test

I support the use of an objective test, at the cost of the vehicle owner, for vehicles that have failed the subjective test. The use of an objective test is the best available method of resolving disputes in relation to the noise output of motor vehicles.

Improving the subjective noise test wording for light vehicles

I support the proposed wording of the improved subjective test. The improved subjective test is a practical screening test using a threshold which is complementary to the objectives in the Vehicle Equipment Rule.

Updating the decibel limits for light vehicles

1. *The proposed limits for MA, MB, MC, MD1, MD2 and NA vehicles in Schedule 2 (the drive by test) have not been updated. The proposed level of 81 db(A) is the same level that has applied since their last review in 1985. The proposed level of 81 db(A) does not reflect the improvements in vehicle technology over the last 30 years and the limit should be reduced to 74 db(A) the same as Australia and the European Union.*
2. *The proposed limits for light vehicles MA, MB, MC, MD1, MD2 in Schedule 3 (the stationary test) do not reflect the average noise level of production vehicles which is between 82 and 85 db(A). The proposed levels will permit and encourage the modification of exhausts up to 95 db(A) for all vehicles in the New Zealand fleet prior to 1/1/2010 and 93 db(A) for all vehicles introduced into the New Zealand fleet after that date. These levels are approximately 100% louder than the manufacturer's original equipment. This is not consistent with the proposed subjective test of "less than or similar to the noise output of the vehicles original equipment".*
3. *The proposed levels are too loud and should be reduced as follows:*
 - a. *90 db(A) for new or used vehicles introduced into the fleet after 1 May 2008.*
 - b. *90 db(A) for unmodified vehicles registered in New Zealand on or after 1 January 1985; and*
 - c. *95 db(A) for modified vehicles registered in New Zealand prior to 1 May 2008.*
 - d. *95 db(A) for vehicles manufactured before 1 January 1985.*
4. *There is no need to provide a 93 db(A) limit for vehicles once in service or second-hand vehicles manufactured since 1985. 90 db(A) should be the maximum not 93 db(A). Manufacturers of modified exhaust systems need to manufacture accordingly to keep the noise output within the maximum of 90db(A). This is the maximum level that applies in Australia. The reference in the LTA overview to the 3 db(A) deterioration tolerance in Australia does not apply to this maximum level. It applies to their signature test only.*
5. *There is no need to delay the introduction of the 90 db(A) limit to 2010. This level is readily achievable now and is only exceeded by modified exhausts or some super sports vehicles which are exempt anyway so long as they pass the drive by test.*

Retaining the current decibel limits for mopeds and motorcycles

These levels should reflect the European Union and Australian standards.

Extending objective noise testing to include light omnibus vehicles

I support the extension of the objective noise testing to light omnibus vehicles.

Vehicle inspector discretion

This is essential if testing is to remain quick and cost effective by the use of a tightly prescribed subjective test as proposed.

Vehicle testers already make subjective judgements as to wear and tear of other vehicle components. Their subjective assessment of noise levels is no different in that regard.

Motor sport vehicles

I support the exemption for motor sport vehicles that exceed the maximum permitted noise levels in Schedule 3 so long as they have passed an internationally recognised drive by test at a level equal to or less than the maximum permitted in Schedule 2 and have not since

been modified. If modified then the Schedule 3 levels should apply tested with a stationary test.

Issues addressed by initiatives outside the proposed amendment Rule

I support the training and increase in resources for WOF/COF inspectors and the Police.

I support the review of the objective test methodology to ensure that it is robust and is achieving the desired outcomes.

Other comments on overview

1. *I support 95 db(A) for existing vehicles in service at the date that the rule becomes effective if already modified, but 90 db(A) if they have not been modified.*
2. *I support the proposed 90 db(A) level for new vehicles entering the fleet. However the introduction of this should not be delayed until 1 January 2010. This rule should apply from the date that the new Vehicle Equipment Rule becomes effective in 2008.*
3. *I do not support a 93 db(A) level for new vehicles once they have entered service or for second-hand vehicles entering New Zealand after the commencement of the new rule.*
4. *I support 95 db(A) for pre-1985 vehicles.*
5. *I support the application of internationally recognised drive-by tests as an alternative to the maximum permitted decibel levels so long as the maximum level applying to the drive-by test is reduced to 74 db(A) in line with the current maximum levels in Australia and the European Union.*
6. *I seek a reduction in the drive-by test in Schedule 2 for passenger vehicles from 81 db(A) to 74 db(A) in line with Australia and the European Union.*

Draft Rule

Section 1 Application

- 1.2 *All amended rules should come into force on 1 May 2008. There is no need for any delay as all new and used cars coming into New Zealand are currently subject to the drive by test level of 81 db(A). This means that if they exceed the proposed 90 db(A) maximum stationary test level they will nevertheless be exempt under the international drive by test otherwise they would not be allowed into New Zealand now or after the introduction of the new stationary test levels.*

Section 2 Amendments relating to equipment requirements

2.6(1) to 2.7(3A) agree with the amendments.

2.7(3B) The wording of this subjective test should be the same as that at 2.7(3A)a to maintain consistency of rules and procedures between classes of vehicles.

Section 3 Modification and repair

Clause 3.1(1A) Add the following words at the end of the Rule: "So the exhaust noise output does not exceed the levels specified in Schedule 3".

This prevents the need for cross referencing to another rule.

Section 4 Amendments to definitions

Insert an amended definition of "Exhaust system" at Part 2 Definitions to read

"Exhaust system means a pipe assembly through which the engine exhaust gasses pass to the atmosphere and includes a muffler that effectively reduces the noise from the pipe assembly".

Section 5 Amendments to schedules

5.1 & 5.2: Agree.

Schedule 2: Drive by tests for MA, MB, MC, MD1, MD2 and NA vehicles: Change to 74 db(A) in accordance with Australia and the European Union.

Schedule 3: MA, MD, MC, MD1, MD2 and NA vehicles: Amend schedule as follows:

Date Manufactured/Registered	Maximum Noise Level db(A) on Entry or Re-entry	Maximum Noise Level db(A) in Service
<i>If first registered in New Zealand after 1 January 1985 and before 1 May 2008 and modified prior to that date</i>	95	95
<i>If first registered in New Zealand after 1 January 1985 and before 1 May 2008 and not modified before that date</i>	90	90
<i>If first registered outside New Zealand after 1 January 1985 and first registered in New Zealand after 1 May 2008</i>	90	90
<i>If a new vehicle first registered in New Zealand on or after 1 May 2008</i>	90	90
<i>If first registered inside or outside New Zealand before 1 January 1985.</i>	95	95

Section 5 Other Comments on the Draft Rule

Section 5 General Comments