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## Hon Harry Duynhoven

### Government gets tough on noisy vehicles

New measures to take excessively noisy vehicles off the road have just come into effect. Transport Safety Minister Harry Duynhoven announced today.

From today vehicles will be able to be referred for an objective noise test.

"The objective noise test has been introduced to combat excessively noisy vehicles and is aimed at the small number of New Zealanders who operate those vehicles. We are sending the clear message that we are not going to put up with that behaviour any more," Mr Duynhoven said.

The **objective noise test** is based on the international **ISO 5130 tailpipe noise test** which measures exhaust noise using a microphone placed 0.5 metres away from the tailpipe of the vehicle. The interim test has been tailored specifically for New Zealand conditions and the vehicle fleet. Test providers have been selected, the equipment has arrived from Denmark and transport officials have finalised test sites and conducted appropriate training for testing officers.

"The government has been keen to get the objective noise test implemented as quickly as possible in order to provide a scientific method to measure noise levels. Noisy vehicles are a nuisance and the government will not allow a minority of inconsiderate motorists to impinge on everyone's quality of life," Mr Duynhoven said.

Noise levels for the new interim objective noise test are required to be consistent with the current levels in the Traffic Regulations, which translate to a maximum of 95dBA for light vehicles and a maximum of 100dBA for motorcycles.

"These noise levels will need to be reviewed to reflect changes in vehicle exhaust technology and manufacture that have reduced exhaust noise over the last 30 years. That is why transport officials are progressing an amendment to the **Land Transport Rule: Vehicle Equipment 2004** to allow for the review of noise levels. I expect this Rule will be released for consultation in late 2006," Mr Duynhoven said.

Amending the Vehicle Equipment Rule will also be the means by which the objective noise test is formally brought within the Warrant of Fitness/Certificate of Fitness vehicle inspection regime. Amending the Rule will be the second phase of implementation for the objective noise test.

## Questions and Answers

### 1. What is an objective noise test?

An objective noise test uses scientific methods to measure noise levels. In this case, the proposed objective noise test would scientifically measure vehicle exhaust noise levels against a pre-determined standard.

**2. Who will provide the objective noise test?**

The test will be provided by members of the [Low Volume Vehicle Technical Association](#).

**3. How many objective noise test locations will there be?**

There will be **nine** test locations: North Auckland, South Auckland, Hamilton, Tauranga, Manawatu, Wellington, Nelson, Christchurch, and Dunedin. Each location will have a certified sound level meter to conduct the objective noise test. The test will be provided by members of the Low Volume Vehicle Technical Association.

The test locations have been chosen based on population density, the number of entry certifications and the number of green stickers issued by the Police under [section 115\(1\) of the Land Transport Act 1998](#).

In addition to the nine test locations, a tenth sound level meter will be held Auckland which can be sent out to an additional 18 certified test providers for booked tests when necessary. The additional certified test providers are based all around New Zealand, including Gore, Gisborne, Palmerston North, Napier, Whangarei and Timaru and a number of other places to ensure coverage to all regions.

**4. How is the objective noise test being implemented?**

The objective noise test is being implemented in two stages:

1. The first stage is to implement interim measures to allow the objective noise test to be introduced through the existing legal requirements of the Traffic Regulations 1976 by means of a Gazette notice.
2. The second stage is to amend the Vehicle Equipment Rule to provide for the objective noise test.

The interim measures have allowed the objective noise test to be implemented as quickly as possible using existing regulation – much quicker than rule-making.

**5. Why aren't the noise levels being reduced at the moment?**

While using existing regulation enables the objective noise test to be implemented quicker than rule-making, it does not allow for a review of current noise levels. Noise levels for the objective noise test have to be consistent with the current noise levels in the [Traffic Regulations](#), which translate to a maximum of 95dBA for light vehicles and a maximum of 100dBA for motorcycles.

The noise levels in the Traffic Regulations are 30 years old and may not reflect changes in vehicle exhaust technology and manufacture that have reduced exhaust noise in most modern factory produced vehicles. This is why the Minister for Transport Safety has asked transport officials to amend the Vehicle Equipment Rule to provide for the objective noise test and a review of noise levels. Amending the Vehicle Equipment Rule is the second stage of implementation.

**6. What noise level will be allowed as a result of the review and amendments to the Vehicle Equipment Rule?**

The noise level will be comprehensively reviewed as part of progressing the amendment to the Vehicle Equipment Rule and are not known at this early stage in the process.

**7. What is the role of WOF/COF vehicle inspection in relation to the objective noise test?**

The interim measures enable the objective noise test to apply immediately to current vehicle entry requirements and Police on-road enforcement.

The interim measures do not specifically provide for the objective noise test within the in-service WOF/COF vehicle inspection regime. However, if a customer fails the subjective noise test at WOF/COF, the customer can either fix the exhaust to make it comply or get an objective noise test from one of the approved test providers. In this sense, the objective noise test supplements the subjective noise test.

If the customer selects to get an objective noise test, the customer may provide evidence of the objective noise test to the WOF/COF inspector who can then accept that evidence and on further inspection of the vehicle, issue the WOF/COF. The details of approved objective noise test providers will be supplied and the cost of getting the objective noise test is borne by the

customer.

Amending the Vehicle Equipment Rule will be the means by which the objective noise test is brought formally within the WOF/COF vehicle inspection regime.

**8. What is the role of Police in relation to the objective noise test?**

Under [section 29\(4\) of Traffic Regulations 1976](#), Police can refer a vehicle for an objective noise test and direct that vehicle not be driven until it has passed.

**9. What happens if a vehicle fails the objective noise test?**

Currently, if a vehicle fails the subjective noise test the vehicle is required to be repaired to make it compliant. The same would apply if a vehicle failed the proposed objective noise test – the vehicle would need to be repaired to ensure it is compliant.

**10. Will the current subjective noise test continue?**

Yes. The proposed objective noise test is anticipated to supplement the subjective noise test currently being used by warrant and certificate of fitness testing agents.

**11. How will the objective noise test be monitored for consistency?**

Land Transport New Zealand is responsible for auditing and compliance of warrant and certificate of fitness providers and the testing of vehicles entering New Zealand, and has an ongoing programme to ensure that vehicle compliance rules are applied consistently across New Zealand. Any proposed objective noise testing standard would also meet these conditions.

**12. Where have the sound level meters come from?**

The equipment has been purchased by Land Transport New Zealand from the New Zealand distributor of [Briel & Kjaer sound measurement equipment](#) which is manufactured in Denmark.

**13. When will the objective noise test come into effect?**

The objective noise test came into effect on Wednesday 19 July 2006.

**14. What vehicle noise legislation is in place now?**

Currently, section 7.4 of the Land Transport (Road User) Rule 2004 [provides for on-road enforcement of vehicle noise](#). Under this Rule, a Police officer can issue an instant \$250 infringement offence notice carrying 10 demerit points if a person operates a vehicle that creates noise which, having regard to all the circumstances is excessive. Since February 2005 this has included noise from stereos and "boom boxes".

In addition to roadside enforcement, all vehicles undergo a subjective noise test during warrant and certificate of fitness (WOF/COF) checks. Clause 2.7(3) of the Land Transport Rule: Vehicle Equipment 2004 (previously, regulation 81 of the Traffic Regulations 1976) states that noise from an exhaust system must not be noticeably and significantly louder than it would have been when the motor vehicle was manufactured with its original exhaust system.

Under section 115(1) of the Land Transport Act 1998, a Police officer can also 'green sticker' a vehicle that is seen to breach the noise requirements of the Vehicle Equipment Rule 2004, directing that the vehicle is not to be driven on a road until it has passed a WOF test at an independent testing station.

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