



**ROAD TRANSPORT FORUM NEW ZEALAND INC
SUBMISSION
On
Omnibus Amendment 2015
Rule 10011**

Contact:

Mark Ngatuere
Policy Analyst
Road Transport Forum NZ
P O Box 1778
Wellington

Ph: (04) 471 8285
E-mail: markn@rtfnz.co.nz

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SUBMISSION BY ROAD TRANSPORT FORUM NEW ZEALAND TO THE NEW ZEALAND TRANSPORT AGENCY ON OMNIBUS AMENDMENT RULE 2015

1.0 Comment

1.1 The Omnibus amendment proposes a range of rule changes that do not warrant a response from us. This submission covers aspects of the lighting rule and proposals for heavy vehicle brake inspection practices which are not been covered in the discussion document. These topics are important to the heavy vehicle industry as they seek to address the unnecessary failing of vehicles when undergoing compliance inspections. For the topics we cover deviations from current compliance requirements do not reduce vehicle safety.

2.0 VEHICLE LIGHTING RULE

2.1 Proposal

Amend the Vehicle Lighting Rule so that retro reflective tape is recognised as being similar to retro reflectors if retro reflective tape is of adequate quality, surface area and fitted in a way to delineate the outer edge of a heavy vehicle.

Retro reflective tape

2.2 Section 9 of the vehicle Lighting rule requires that heavy vehicles be fitted with retro reflectors. Transport operators are regularly issued infringement notices and fail periodic safety inspections due to retro reflectors being missing, cracked or obscured on their vehicles. In the majority of cases these vehicles are also fitted with retro reflective tape around the outer periphery at the rear of the vehicle.

2.3 It is inequitable and unacceptable that a vehicle fitted with approved retro reflective tape with a total area that vastly exceeds the required area for a retro reflector can be considered to be non-compliant or unsafe if a retro reflector is missing, cracked or obscured. This is

especially so when considering that retro reflective tape fitted in this manner is significantly more visible than a retro reflector.

- 2.4 The way that retro reflective tape and retro reflectors are defined does not enable retro reflective tape to be considered as a substitute for retro reflectors. Retro reflectors are defined within the rule as:
"A discrete item of lighting equipment that is designed to reflect incident light back towards the light source; but does not include retro reflective material."

Retro reflective tape (or reflective material) is defined as:

"Any material that is designed to reflect incident light back towards a light source or in a specific direction; but does not include a reflector."

- 2.5 An option to enable retro reflective tape to be considered similar to retro reflectors is to amend clause 9.3(4) of the Vehicle Lighting Rule. 9.3(4) of the Vehicle Lighting Rule states;

"A motor vehicle of Group M, N or T or an unclassified motor vehicle (other than a vehicle in Schedule 3) must be fitted with at least one pair of rearward-facing retro reflectors at a height not exceeding 1.5m from the ground, or at a height not exceeding 2.1 m from the ground if the shape of the bodywork of the vehicle makes it impracticable to comply with the 1.5-m height restriction."

- 2.6 While 9.3(4) takes care to provide the requirements for retro reflectors no similar provisions are applied to retro reflective tape. Clause 9.3(4) could be amended as follows to enable this: (Industry proposal underlined)

"A motor vehicle of Group M, N or T or an unclassified motor vehicle (other than a vehicle in Schedule 3) must be fitted with at least one pair of rearward-facing retro reflector; or retro reflective material that is of adequate quality, surface area and fitment similar to that of retro reflectors at a height not exceeding 1.5 m from the ground, or at a height not exceeding 2.1 m from the ground if the shape of the bodywork of the vehicle makes it impracticable to comply with the 1.5-m height restriction."

- 2.7 Amending the definition of retro reflector or reflective tape or amending 9.3(4) as suggested would not reduce safety and would reduce compliance costs.

3.0 HEAVY VEHICLE BRAKE INSPECTION

3.1 Proposal

Amend the inspection criteria for brake imbalance prescribed by the CoF and Entry Certification Brake Test Protocol and Procedure (the heavy vehicle brake protocol) from checking at 400decanewton (daN) force to a much higher value.

3.2 The criterion currently set out in the heavy vehicle brake protocol is to check imbalance at 400 daN of brake force. RTF has for quite some time petitioned to increase that part of the imbalance test to a much higher magnitude of force as we believe that testing at the lower force erroneously fails some vehicles during brake inspections.

3.3 Overseas jurisdictions measure brake imbalance at a point close to wheel lock up (typically at 1500daN). They recognise that the real issue regarding imbalance related brake safety occurs at higher brake forces. Imbalance at 400daN brake force has inconsequential effect on vehicle safety. In December 2013 the Vehicle and Operator Services Agency (VOSA) informed that brake imbalance would be calculated to meet the requirements of Directive 2010/48/EU, using the maximum service brake efforts unless the lowest effort locked the wheel. In that case imbalance would be ignored.

3.4 New Zealand brake compliance rules and regulations are predominately referenced from overseas jurisdictions. So too are brake inspection processes. There is nothing unreasonable in extending referencing made from overseas jurisdictions and incorporated within local legislation and compliance inspections. It is illogical to go that far but not complete the process by incorporating accepted and standard overseas protocols when inspecting for brake imbalance.

3.5 Brake imbalance should be made at forces closer to wheel lock up.