



ROAD TRANSPORT FORUM NEW ZEALAND INC

SUBMISSION ON

NZTA Ordering Vehicles off the Road Feedback Document

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JANUARY 2015

1.0 REPRESENTATION

- 1.1 Road Transport Forum New Zealand (RTFNZ) is made up of several regional trucking associations for which the Forum provides a unified national representation. The membership of the Forum consists of about 3,000 individual road transport companies which in turn operate 16-18,000 trucks involved in road freight transport as well as companies that provide services allied to road freight transport.
- 1.2 The Forum is the authoritative voice of New Zealand's road freight transport industry which employs 22,600 people (3.0% of the workforce), has a gross annual turnover of \$6 billion and carts over 80% of New Zealand's land based freight.

2.0 INTRODUCTION

- 2.1 The Forum members are predominately involved in the operation of commercial vehicles and are obligated to ensuring vehicles are compliant and operated safely and responsibility on the road network. The RTF has supported the liberalisation of the Certificate of Fitness (COF) regime and welcomed the recent changes where repairers can carry out both vehicle safety inspections as well as their normal repair work. We accept this change is not without some risk and have been aware for the potential for conflicts of interest to occur within the scope of the revised delivery of COFs despite the best endeavours of the Agency to inhibit such activity. The feedback document outlines a need to revise a present legislative provision concerning vehicle out of service orders that is no longer compatible with the new COF regime.

3.0 **SUBMISSION**

- 3.1 The Forum supports the proposed changes to the Land Transport (Ordering a Vehicle off the Road) Notice 1999 and also noted the discussion in the feedback document highlighting the inadequacy of the current penalty and sanction provisions within the new COF delivery frame work related to the removal of these notices. The Agency comments the scope of the current penalties and sanctions may not adequately deter errant behaviour within inspecting organisations or by individual inspectors and signals a future review of these will be the subject of consultation later this year. The Forum would support the need for this change and agrees some specific targeting of a penalties associated with the incorrect removal of green and pink stickers is warranted to provide support for the integrity of the COF administrative system.
- 3.2 However, over and above this is another administrative issue that warrants consideration and that is the development of a platform of business rules around the removal of the red and green stickers.
- 3.3 For example, if an inspector has recently issued a COF to a vehicle and it is then subject to a subsequent road side inspection in a relatively short time, (for example within 28 days of the COF being issued) this same inspector should not be allowed to remove any red or green sticker issued to that vehicle as a result of the road side inspection.
- 3.4 It is our view the removal of the red or green sticker and the subsequent re-inspection and re-issue of a new COF should be carried out by another inspector and possibly another inspection organisation. The suggested approach is intended to support the integrity of the COF system by recognising that inspectors, can and do, periodically make errors when inspecting vehicles. We also accept that heavy duty trucks and commercial vehicles can also have a safety or control system fault with the 28 day window which may only be detected at a subsequent road side inspection but this is more likely to be an exception than the norm. It is reasonably well recognised in various literature sources that commercial trucks and transport equipment should still be within manufacturer's safe tolerance for at least one month after any mandated periodic safety inspection.