



ROAD TRANSPORT FORUM NEW ZEALAND INC

SUBMISSION ON

Draft Land Transport Rule: Vehicle Dimensions and Mass Amendment [2015]

March 2015

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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 affiliated 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 AND BACKGROUND

- 2.1 The Forum members are predominately involved in the operation of commercial freight transport services both urban and inter-regional. The RTF was a leading advocate of the mass and dimension review that led to the introduction of HPMVs and 50 MAX combinations. These were introduced as result of studies and investigations that were carried out between 2000 and 2009 under the Heavy Vehicle Limits Project initiative. The component elements of this work focussed primarily on increasing the productive capability of the vehicle fleet to help achieve the objectives of the NZ Transport Strategy 2002 and the government policies of the time.
- 2.2 However during the policy development that led to the 2010 VDAM Amendment single unit vehicles such as and buses and urban delivery trucks were excluded from accessing the HPMV mass and axle limits set out the Part B table of Schedule 2 due to Road Controlling Authority concerns that the additional marginal loadings would accelerate pavement consumption and reduce the life of structures and the like on the secondary road network. This view held where the structural capacity and capability of these roads were less than typical NZTA managed networks particularly the more resilient sections of State Highways.
- 2.3 The HPMV policy therefore was framed around combination vehicles and road access being controlled by administrative permits with vehicle network operation similarly controlled. The exclusion of single unit vehicles such as concrete agitator trucks, rubbish trucks and those operating at high individual vehicle mass in the urban environment was not received particularly well by the operators of these vehicles and in general terms they felt hard done by through the outcomes of the heavy vehicle limits review initiative.

- 2.4 Although the final policy position prohibited single unit vehicles being HPMVs the definition of HPMV in the 2010 VDAM Rule amendment retained a legacy reference to single unit vehicles. E.g. **High-productivity motor vehicle** means; a heavy motor vehicle or heavy combination vehicle that carries a divisible load and with or without a load.
- 2.5 The amendment under discussion seeks turn what had been an ingrained position held by RCAs on its head to facilitate a provision to allow higher axle loadings on specified types of urban bus on specified routes within a public transport network. This is in conflict with the established convention of excluding higher mass single unit vehicles having access to local roads or urban networks.
- 2.6 This is not the first time the bus advocates have sought mass concessions for urban buses. This matter has come up over previous years through NZTAs Axle Weights and Loadings Advisory Group but over weight permitting for urban buses has not been supported.
- 2.7 Conversely and perhaps perversely the 2012 RUC Act amendment created a 'discount rate' for 3 axle buses compared to 3 axle trucks operating in the same mass band based on a proposition that urban buses are seldom loaded to the maximum axle loading and gross loadings set out under the VDAM Rule. However validating this proposition, in terms of vehicle gross mass loadings to the best of our knowledge, never occurred although it was generally accepted that at peak demand and maximum passenger loadings urban buses would be hard pressed to comply with the appropriate mass limits for type. Interestingly amendment 5 and 6 to the VDAM rule provided more dimensional scope for bus design and passenger capacity which would point toward mass compliance remaining a somewhat elusive objective for most typical standard type urban buses. The introduction of rear-engined buses further complicates the problem associated with mass compliance.

3.0 SUBMISSION

3.1 Proposal 1: new definition of urban bus

The newly released proposed Land Transport Rule Amendment 41001/11 provides (under Proposal 1) a new definition for a high capacity bus 60 seating positions or more implying a multi-deck urban bus option thus creating a new single vehicle class of HPMV. This approach contrasts with the HPMV options relating to commercial freight transport vehicles introduced in May 2010 that limited HPMVs to vehicle combinations capable of operating over 44 tonnes GVW discussed in some detail in our introduction. It is worth recording that when the early policy drafts of HPMV proposal were discussed there was an assumption that the final outcome would allow for single unit goods vehicles to also operate at increased weights not unlike the 2015 proposed amendment specific to urban buses. There was also originally proposed only one mass table based on VDAM Schedule 2, Part B limits. Many

operators such as those involved in high mass loads saw merit in the single unit vehicles having access to higher axle and gross weights. Sectors that would have been able to achieved higher payload efficiency from a single unit vehicle HPMV approach would have been the aggregates and concrete delivery sectors along with occasional application in the transport of logs, livestock and unprocessed milk. and used to pick up loads. Such an option might have potentially alleviated the need to re- equip and invest in entirely new combinations such as the 9 axle 50 MAX assuming the bridge strengths were adequate.

- 3.2 However, history records the single unit HPMV opportunity was ruled out by government and by officials as having a too greater impact on the local road infrastructure because it would have brought with it potentially higher rehabilitation costs that would have inevitably fallen on the local body rate payer community given the limited funding availability under the Financial Assistance Rate (FARs) system. Furthermore it was considered somewhat difficult to confine the single unit HPMV vehicles to a specified resilient infrastructure network whether permits were used or not. It is also acknowledged that the enforcement authorities have limited capability and opportunity to carry out comprehensive mass compliance assessments in urban environments.
- 3.3 The Road Transport Forum argues these same conundrums present themselves with the urban bus proposal. The road is totally agnostic to which vehicle might be passing over it whether it be a high capacity passenger bus or a concrete agitator truck so the proposition presented by the 2015 VDAM amendment is a curiosity out of context with past RCA and NZTA aspirations of avoiding additional road expenditure at all costs.
- 3.4 Road wear is typically measured by ESAs (equivalent standard axles) and the assessment of axle loadings is calculated against the 4th power with changes in the attributed costs being based on the changes in ESA impact. This aspect is covered in some detail in the road wear estimate section of the Regulatory Impact Statement (RIS). Any extra costs generated are then carried through to the RUC charges attributed to vehicle types so although the approach to measuring the changes in the pattern of road wear might be considered relatively scientific the setting of RUCs is less so due to the averaging processes of the road cost allocation model used by officials to fund the Land Transport Fund, another point explained in the RIS.
- 3.5 Irrespective of how scientific the approach is the pavement loading and pavement consumption the impact arising from an equivalently loaded single unit truck and bus is much the same. The ability to confine whatever vehicle to a specified urban route is somewhat at risk of ever being successfully achieved without a rigorous programme of monitoring and enforcement. The proposal presented in the draft

rule simply ignores the reality that a large number of urban buses remain outside the new definition and outside the new permitting system will continue to operate overloaded from time to time.

3.6 The RTF could take the negative perspective and submit against the urban bus proposal. However, RTF has taken a more reasonable position given the amount of overloading that already occurs on the bus routes. RTF submits that single unit trucks be allowed the same opportunity to access the permit and route control regime as the urban buses. In other words they should be included in the revised HPMV definition for reasons of equity despite a permit system being inefficient in itself.

3.7 Proposal 2 New HPMV category and provision for RCAs to issue permits

This section is basically the mechanics of the new system setting a “logic framework” around the permits and setting the conditions of the permits. There is nothing out of step here compared with the present process for permits and access to permits for the over 44 tonne HPMVs.

3.8 Proposal 3: inserting new Part C in Schedule 2 permitted mass limits for urban buses

The table created in the draft rule being table Part C confirms that the new urban bus will be granted tandem set axle loads higher than current HPMVs increasing pavement wear by some 60% higher than HPMVs. In fact the pavement wear for the new buses will be significantly higher than any existing HPMV because the multi axle combination vehicles usually have their gross load limit (Gross Combination Mass) moderate their individual axle loads. With buses this situation will not occur as the buses axle sets will tend to loaded to their VDAM limits. This situation is allowed even though the specified tandem axle set and load sharing options set out in the table would be unlikely to be used by commercial single unit trucks. Non-the-less it is another aberration that enforcement will have to manage to ensure compliance. It further reinforces that the objective of equity in the HPMV mass space has now been displaced out of some misguided aspiration to assist bus operations (from a political perspective) and ignore the reality of the mechanics of pavement consumption. This is a departure from the principle of evidenced based decision making.

3.9 In respect of the matter of gross vehicle mass RTF notes there is no reference in the proposed amendment for buses to comply with the gross mass axle spacing table under Part B table 6 the assumption being that compliance with axle weights in the proposed Part C table is sufficient in itself. RTF would support an explicit statement

connecting the bus concession to Part B table 6. It should also be noted that the current large single tyred axle specification in NZ has relatively small contact area but has access to what NZTA considers a generous mass limit. As a consequence the Agency has ruled the use of these tyres out on 50 MAX combinations and there have been signals that the mass limit for these types of axles may be amended under the VDAM reform project. The question then arises whether that change will impact on the axle set mass limit applicable to the urban bus proposal.

3.10 RUC rates for the proposed urban bus

The discussion in both the draft rule and RIS acknowledges the need to set a specific RUC rate to compensate for the additional road wear. The cynical approach to this point is the new rate could be considered somewhat irrelevant in the costing analysis provided in the RIS as urban bus services are subsidised in part by rate payers and by the Land Transport Fund cost allocation model passenger services contribution. If bus travel is to remain attractive to users the end price will have to be manipulated and therefore supported by way of the subsidy regime.

3.11 Concluding comments

There are a number of aspects of the urban bus proposal that raises questions around the rigor of the RIS and whether what is proposed can be considered evidence based policy and decision making as opposed to presenting a solution to meet a hypothetical aspiration. We can't help but compare the approach taken with this proposed change to the introduction of HPMVs where considerable energy was put into moderating the impacts of these vehicles on the national infrastructure and on communities that might result from their introduction. From our observation with respect to the urban bus proposal some strongly held regulatory agency views about pavement and infrastructure impact seem to have given way to expediency.

3.12 Our colleagues in USA American Trucking Association (ATA) have pointed us to the recently released Pew report which comments on evidence based legislative changes.

3.13 An abstract of the report appears below along with some of their comments:

The Pew Trusts, a well regarded organisation of a liberal persuasion in USA has a new report out which Pew describes as "A look at state laws that support data-driven decision-making." The gist of the report is that tight state budgets are requiring legislatures to innovate by actually assessing which state programs seem to be working and which ones don't, and directing their spending accordingly. The report goes on to detail legislation in a number of states that appear to have been driven to such extremes. Some states apparently even go so far as to monitor programs for

effectiveness after they have been established! The ATA commentator states; No, we're not making this up. It is hard to say whether we are more astonished to see a rational approach to legislating treated as an unusual innovation or dismayed to realize that a report of this kind may really be needed. Anyhow, readers might have a look at the report and its examples, and ask their friendly legislators if they too base their own legislative proposals on actual facts and evidence.