

**DRAFT**

*Land Transport Rule*

*Vehicle Equipment (Immobilisers)  
Amendment [2008]*

Rule 32017/3

**Final draft**

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NZ Transport Agency  
Private Bag 6995  
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Email: [info@nzta.govt.nz](mailto:info@nzta.govt.nz)

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## Objective of the Rule

**Land Transport Rule: Vehicle Equipment (Immobilisers) Amendment [2008]** (the amendment Rule) amends *Land Transport Rule: Vehicle Equipment 2004* (the Rule), which sets safety and maintenance requirements for equipment fitted to motor vehicles.

The objective of the amendment Rule is to make immobilisers mandatory for the following light passenger vehicles, as they enter into service for the first time in New Zealand:

- passenger cars (Class MA);
- forward control passenger vehicles (Class MB); and
- off-road passenger vehicles (Class MC).

An immobiliser is an electronic device that interrupts the power supply to the vehicle's engine unless the correct electrical signal is provided to the device.

Under the amended Rule, a light passenger vehicle, which was not first registered outside New Zealand more than eight years before its entry into service in New Zealand, is required to be fitted with an immobiliser device in order to be certified for entry into service. The amendment applies to vehicles entering New Zealand from the coming-into-force date of the amendment Rule.

A vehicle inspector or inspecting organisation is not allowed to certify a vehicle covered by the Rule if it is not fitted with an immobiliser, or if the inspector or inspecting organisation believes the immobiliser is not in working order. Those vehicles are, therefore, not able to be registered for use on New Zealand roads unless they comply with the Rule.

Specific provision is made for vehicles that were manufactured or retrofitted to a recognised immobiliser standard if the vehicle's security system has not been modified. The Rule provides that these vehicles are deemed to comply with the requirement to be fitted with an immobiliser.

The proposal to make immobilisers mandatory for light passenger vehicles was one of six initiatives in the Ministry of Justice's Vehicle Crime Reduction Programme. This programme was initiated as part of the *Government's Crime Reduction Strategy*, which made the reduction of vehicle crime a priority.

This amendment Rule is intended to prevent vehicle theft, which often results in stolen vehicles being driven in an unsafe manner and being involved in crashes. The amendment is also expected to reduce the costs associated with vehicle theft.

The amendment Rule does not apply to:

- motor sport vehicles;
- scratch-built vehicles;
- special interest vehicles as defined in *Land Transport Rule: Frontal Impact 2001*;
- vehicles first registered outside New Zealand more than eight years before their entry into service in New Zealand; or
- vehicles re-entering service in New Zealand.

## Extent of consultation

In May 2007, the Ministry of Transport sent a consultation paper ('blue draft') to approximately 30 motor vehicle industry and vehicle security stakeholders, setting out the proposal and seeking industry input. The issues raised by the industry, and the information provided in submissions, were analysed and referred to the Minister for Transport Safety for consideration.

Formal public consultation on the amendment Rule began in April 2008 when the then Land Transport New Zealand released the yellow (public consultation) draft. Approximately 870 organisations and individuals who had indicated their interest in the Rule were advised of the release of the yellow draft, and copies were sent to key industry and other groups. Land Transport NZ publicised the availability of the draft amendment Rule in metropolitan and selected regional daily newspapers, *Te Karere National News* and the *New Zealand Gazette*. The draft was also made available, together with Questions and Answers, on the Land Transport NZ website.

Land Transport NZ received 19 submissions on the draft amendment Rule. Comments received on the draft Rule were taken into account in re-drafting the Rule.

In August 2008, the New Zealand Transport Agency sent a green (post consultation) information draft to approximately 30 motor vehicle industry and vehicle security stakeholders. Comments received on the green draft were taken into account in finalising the Rule.

The Rule was then submitted to Cabinet, before being signed by the Minister for Transport Safety.



## **Section 1      Application**

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### **1.1                      Title**

This Rule is *Land Transport Rule: Vehicle Equipment (Immobilisers) Amendment [2008]*.

### **1.2                      Date when Rule comes into force**

This Rule comes into force on [1 July 2009].

### **1.3                                      Scope of Rule**

The Rule amends *Land Transport Rule: Vehicle Equipment 2004*.

## **Section 2      Amendments to Rule requirements**

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### **2.1                      Immobilisers**

*Section 2* is amended by inserting the following clause:

#### **“2.10    Immobilisers**

“2.10(1) This clause applies to motor vehicles of Classes MA, MB and MC except:

- “(a)    motor sport vehicles;
- “(b)    scratch-built vehicles;
- “(c)    special interest vehicles;
- “(d)    any vehicle first registered outside New Zealand more than eight years before its entry into service in New Zealand;
- “(e)    any vehicle that is re-entering service in New Zealand.”

“2.10(2) A vehicle that is entering service in New Zealand must be fitted with an immobiliser.

“2.10(3) A vehicle is deemed to comply with 2.10(2) if:

“(a) the vehicle was manufactured so as to comply with one of the following standards and the vehicle’s security system has not been modified:

“(i) *Australian Design Rule 82/00 - Engine Immobilisers*; or

“(ii) *Council Directive 74/61/EEC of 17 December 1973 on the approximation of the laws of the Member States relating to devices to prevent the unauthorized use of motor vehicles*, as amended by *Commission Directive 95/56/EC Euratom of 8 November 1995 adapting to technical progress Council Directive 74/61/EEC relating to devices to prevent the unauthorized use of motor vehicles*; or

“(iii) *Technical Standard for Immobilisers (Japan)*; or

“(iv) *UN/ECE Regulation 18, Uniform provisions concerning the approval of motor vehicles with regard to their protection against unauthorised use*; or

“(v) *UN/ECE Regulation 97, Uniform provisions concerning the approval of vehicle alarm systems and of motor vehicles with regard to their alarm systems, Part 3*; or

“(vi) *UN/ECE Regulation 116, Uniform technical prescriptions concerning the protection of motor vehicles against unauthorized use*; or

“(b) the vehicle was retrofitted so as to comply with one of the following standards and the vehicle’s security system has not since been modified:

“(ii) *AS/NZS 3749.1 2003 Intruder alarm systems - Road vehicles - Performance requirements*:

“(A) Class A or Thatcham Cat 1; or

“(B) Class B; or



“(iii) *AS/NZS 4601:1999A1 Vehicle immobilisers, Amendment 1 (2003)*.

“[Note: Subclause 2.10(3) does not preclude compliance with 2.10(2) by other means.]”

## 2.2 Responsibilities

Clause 4.4 is amended by inserting the following subclause:

“4.4(2) A vehicle inspector or inspecting organisation must not certify a vehicle for entry into service if they have reason to believe that the immobiliser in 2.10(2) or the security system in 2.10(3) is not in working order.”

## Section 3 Amendments to definitions

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Part 2 is amended by inserting the following definitions in the appropriate places:

“**Immobiliser** means an electronic device that interrupts the power supply to a vehicle’s engine, so as to cause the engine not to function, if the correct electronic signal is not provided to the device.”

“**Re-enter service** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.”

“**Scratch-built vehicle** has the same meaning as in *Land Transport Rule: Vehicle Standards Compliance 2002*.”

“**Special interest vehicle** has the same meaning as in *Land Transport Rule: Frontal Impact 2001*.”