

Reforming New Zealand's 3,500 kg Vehicle Threshold: Classification, Inspection and Licensing for Modern Light Commercial Vehicles

1. Introduction

The Imported Motor Vehicle Industry Association (VIA) welcomes the opportunity to provide input on the ongoing development and modernisation of New Zealand's vehicle regulatory framework.

VIA represents a broad cross-section of the automotive import, compliance, and certification sector. Our members work directly with vehicle standards on a daily basis and are well placed to identify where regulatory settings are no longer aligned with modern vehicle design, international practice, or real-world use.

In VIA's view, New Zealand's current 3,500 kg threshold no longer reflects the safety capability, design characteristics, or regulatory treatment of modern light commercial vehicles. This submission therefore proposes **a practical and evidence-based update to vehicle classification, inspection, and driver licensing settings.**

2. Executive Summary

New Zealand's vehicle regulatory framework remains anchored to a 3,500 kg Gross Vehicle Mass (GVM) threshold that was developed for an earlier generation of vehicle design. That threshold is now increasingly out of step with the engineering capability of modern light commercial vehicles, with the way comparable overseas jurisdictions regulate those vehicles, and with the practical demands placed on them by businesses and consumers.

VIA proposes three linked reforms to better align the framework with contemporary vehicle capability and international practice:

- introduce an NB1 category for vehicles from 3,501 kg to 4,500 kg, while retaining NB2 for 4,501 kg to 12,000 kg
- introduce a TC1 category for trailers from 3,501 kg to 4,500 kg, while retaining TC2 for 4,501 kg to 10,000 kg
- align WoF/CoF and Class 1 driver licence thresholds to 4,500 kg

Taken together, these changes would reduce the need for case-by-case exemptions, preserve engineered safety features, simplify compliance pathways, and give New Zealand a framework that is more practical, more coherent, and better aligned with performance-based safety outcomes.

3. Background – The 3,500 kg Threshold

The 3,500 kg threshold was established when there was a clearer functional distinction between lighter vehicles and heavier vehicles. At that time, light vehicles generally lacked advanced braking and stability systems, structural capability above that level was more limited, and heavy vehicle design features were more obviously distinct.

That distinction is now much less reliable as a basis for regulatory separation. In the 3,500–4,500 kg range, many vehicles share important design and safety characteristics with the light vehicle fleet, even though the regulatory framework continues to treat them differently once they cross the historical threshold.

Modern vehicles in this range commonly incorporate electronic stability control (ESC), advanced braking systems, autonomous emergency braking (AEB), integrated trailer brake control systems, and high-strength chassis and suspension systems. These vehicles are engineered internationally to operate safely at higher masses, yet New Zealand’s framework does not consistently recognise that capability.

4. International Alignment

4.1 Australia

Australia provides the most relevant comparator for New Zealand because it regulates a similar vehicle fleet, operates in a comparable market, and faces many of the same practical use cases for utes and light commercial vehicles. Its framework demonstrates that vehicles up to 4,500 kg can sit within light vehicle licensing and inspection settings without creating regulatory incoherence.

Relevant Australian settings include brake and stability standards such as ADR 35/06 for commercial vehicle brake systems, ADR 31/03 for passenger car brake systems, and ADR 88/00 for electronic stability control. Australia also accommodates second-stage manufacture approvals, engineering-certified GVM upgrades, and aftermarket systems certified through recognised pathways.

Vehicles such as the Ford Ranger and Toyota Hilux are routinely operated in Australia at GVMs up to 4,500 kg while remaining within light vehicle licensing frameworks and light vehicle inspection regimes. For New Zealand, the significance of this comparison is not simply that Australia permits these vehicles, but that it provides a workable model for recognising modern vehicle capability without compromising safety oversight.

4.2 UNECE Framework

New Zealand's framework already relies on UNECE regulations covering braking, electronic stability control, autonomous emergency braking, and couplings. These are performance-based standards that focus on how vehicles perform rather than imposing a rigid functional break at 3,500 kg. That matters because it shows the wider regulatory logic already points toward assessing modern vehicle capability on engineering performance, not simply on a legacy mass threshold.

4.3 Engineering Certification (TÜV and Equivalent)

International certification bodies such as TÜV SÜD and TÜV Rheinland provide validated engineering pathways for GVM increases and for related suspension and braking upgrades. These pathways are recognised within EU Whole Vehicle Type Approval systems and are consistent with ILAC-MRA recognised testing and certification principles already used by New Zealand in other contexts.

The relevance for New Zealand is that these systems show there are credible and internationally recognised methods for certifying vehicles above 3,500 kg without defaulting to a heavier regulatory treatment that may not match the vehicle's design or real-world performance.

5. Practical Evidence – Ranger Super Duty and Australian GVM Vehicles

VIA's recent engagement with NZTA regarding the Ford Ranger Super Duty illustrates the broader policy problem. The issue is not that modern vehicles in this range are inherently incapable; it is that the current framework struggles to accommodate vehicles whose engineering capability has moved beyond an outdated regulatory threshold.

5.1 Key Observation

In the case of the Ford Ranger Super Duty, NZTA was required to consider a vehicle-specific exemption to enable 4,500 kg towing capability. That is a strong indication that the central constraint lies in regulatory categorisation rather than in the underlying capability of the vehicle itself.

5.2 Australian GVM-Upgraded Vehicles

The same issue arises with vehicles imported from Australia that already carry OEM-approved GVM increases or engineered aftermarket upgrades such as ARB or Old Man Emu systems. These upgrades are typically certified through recognised engineering

pathways, integrated across suspension, braking, and load-management systems, and supported by Australian compliance frameworks.

5.3 New Zealand Outcome

Under current New Zealand settings, those vehicles may be de-rated to 3,500 kg or below, safety-enhancing modifications may need to be removed, and compliance can become more process-driven than outcome-focused. This creates avoidable cost and administrative burden for importers and operators, while also producing a counterproductive result: vehicles may be modified to be less safe in order to fit the framework.

6. Proposed Reform

6.1 Vehicle Classification

VIA proposes introducing a new intermediate classification to better reflect the characteristics of modern vehicles that sit above the historical light vehicle threshold but do not neatly fit a traditional heavy vehicle model. This would create a more proportionate framework and reduce reliance on workaround decisions or exemptions.

- NB1: 3,501 kg – 4,500 kg
 - NB2: 4,501 kg – 12,000 kg
 - TC1: 3,501 kg – 4,500 kg
 - TC2: 4,501 kg – 10,000 kg
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6.2 Inspection Regime

VIA also proposes moving the WoF/CoF threshold to 4,500 kg. Vehicles in the 3,500–4,500 kg range typically share key design characteristics with light vehicles, commonly use hydraulic braking systems covered by UNECE R13H, and increasingly incorporate modern safety technologies. Bringing the inspection regime into line with those realities would create a more coherent and risk-based approach.

6.3 Driver Licensing

A corresponding change should be made to driver licensing by extending Class 1 licence eligibility to 4,500 kg. This would align more closely with Australian Class C settings and reflect the drivability, braking performance, and safety systems of modern vehicles in this category. It would also reduce unnecessary complexity for operators using vehicles that function more like light commercial vehicles than traditional heavy vehicles.

7. Benefits

7.1 Safety

The proposed changes would improve safety outcomes by allowing vehicles to retain engineered safety systems and by aligning regulation more closely with real-world vehicle performance. A framework that recognises modern design capability is more likely to support safe vehicle configuration than one that incentivises de-rating or the removal of safety-related upgrades.

7.2 Regulatory Efficiency

The reforms would also improve regulatory efficiency by reducing the need for exemptions, simplifying compliance pathways, and making the system easier to apply consistently. That would benefit regulators as well as industry participants by shifting effort away from case-by-case workarounds and toward a clearer standing framework.

7.3 Market Alignment

A further benefit is stronger market alignment. New Zealand sources many vehicles and vehicle systems from jurisdictions that already recognise these configurations, particularly Australia. Better alignment would reduce unnecessary compliance distortion and help ensure that imported vehicles are not forced into specifications that differ from their intended engineering design.

7.4 Future Proofing

Finally, the proposed approach would better future proof the framework. As vehicle technologies continue to evolve, a performance-based and proportionate model will be more durable than one that depends on a threshold established for an earlier generation of vehicle capability.

8. Conclusion

Taken together, the evidence from Australian regulatory practice, UNECE standards, international engineering certification pathways, and real-world vehicle use points in the same direction: New Zealand's current threshold settings no longer provide the best fit for modern vehicle capability.

A shift to a 4,500 kg threshold, supported by NB1/NB2 and TC1/TC2 classifications, would be a practical and proportionate reform. It would improve coherence across classification, inspection, and licensing rules, preserve safety-enhancing vehicle configurations, and better align New Zealand's framework with the vehicles now entering the market.

9. Closing

VIA would welcome the opportunity to engage further with officials on this proposal and to help develop implementation pathways that are practical, robust, and proportionate to the risks involved.

Submission prepared by:

Malcolm Yorston

Technical Advisor

Imported Motor Vehicle Industry Association (VIA)
