



Submission to:

NZTA

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From:

**Imported Motor Vehicle
Industry Association**

**Submission to NZTA on
proposed class
exemption for Ford
Ranger Extra Duty.**

About VIA

The Imported Motor Vehicle Industry Association Incorporated (“VIA”) is the business association that represents the interests of the wider trade involved in importing, preparing, wholesaling, and retailing used vehicles imported from Japan, UK, and other jurisdictions.

Our members include importers, wholesalers, Japanese auction companies and exporters, shipping companies, inspection agencies, KSDPs¹, ports companies, compliance shops and service providers to the trade, as well as retailers.

We provide technical advice to the imported motor vehicle industry, and liaise closely with the relevant government departments, including Waka Kotahi (NZTA), Ministry of Transport, New Zealand Customs Service, Ministry for Primary Industries (MPI), Ministry of Consumer Affairs, Commerce Commission, EECA, MfE etc.

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Official Information Act 1982: VIA has no objection to the release of any part of this statement of support under the Official Information Act 1982.

Privacy Act 1993: VIA has no objection to being identified as the submitter.

¹KSDP - key service delivery partner, organisations that are contracted or appointed by the Transport Agency to delivery regulatory products or services and who have sufficient market share and/or are of sufficient size and standing within an industry segment to be able to represent and influence the customer expectation of that industry segment.

Imported Motor Vehicle Industry Association

10 December 2025

Submission on Land Transport Rule: Heavy Vehicles 2004 & Heavy-vehicle Brakes 2006 – Proposed Class Exemption for the 2026 Ford Ranger Super Duty

Executive Summary

The Imported Motor Vehicle Industry Association (VIA) welcomes the opportunity to comment on NZTA's proposal to grant a class exemption for the Ford Ranger Super Duty to tow trailers up to 4,500 kg.

VIA **does not support** the proposed exemption in its **current, model-specific and brand-specific form**. Our primary position is that:

The correct regulatory pathway is to amend the Land Transport Rules, not to rely on a model-specific class exemption.

We acknowledge that the Ford Ranger Super Duty is likely a capable and well-tested vehicle. Our concern is **not** the technical capability of the vehicle, but **the regulatory method** NZTA is proposing to use.

If NZTA nevertheless proceeds with an exemption, VIA can only support it on a **strictly conditional** basis:

- **Rule amendment is the preferred and primary pathway.** The exemption must be explicitly framed as **transitional**, with a defined and time-bound work programme to amend:
 - *Land Transport Rule: Heavy Vehicles 2004*; and
 - *Land Transport Rule: Heavy-vehicle Brakes 2006*,
so that modern towing capabilities are recognised in a **vehicle-neutral, performance-based framework**.
- **The exemption must be criteria-based in substance, not permanently Ford-specific.** The engineering and safety criteria used for the Ranger Super Duty must be clearly published and available, on equal terms, to any vehicle that can demonstrate equivalent structural, suspension, braking and stability performance – including used imports and re-engineered vehicles.
- **The pathway must be open to both new and used vehicles, and to independent importers.** Technical capability should be demonstrable through **OEM documentation or reputable independent evidence** (e.g. TÜV, accredited UN 1958 technical services, New Zealand engineers), not OEM documentation alone.

- **The exemption must have a tightly defined transition structure.** It should:
 - have a hard end date with **no open-ended extension**;
 - automatically cease once amended Rules come into force;
 - be supported by clear VIRM guidance on in-service treatment; and
 - be explicitly described as **non-precedent-setting** in terms of future model-specific exemptions.

VIA's concern is broader than a single vehicle. We are already seeing:

- modern NB1-type utes and SUVs using uprated suspension systems (including Old Man Emu/Emu configurable suspension) supported by TÜV Germany approvals, with higher GVM and GCM recognised overseas; and
- real-world compliance problems in New Zealand where those same vehicles, especially in the used-import context, encounter barriers because our framework does not clearly recognise this evidence.

For example, a member has experienced difficulties certifying a Hilux fitted with an Emu/TÜV-based uprate and an ADR 62 compliant Tow beam, despite robust overseas documentation. This illustrates a **systemic pattern**, not an isolated anomaly.

Our submission therefore:

- **Opposes** the use of a model-specific class exemption as the primary tool in this case;
- **Supports**, if NZTA proceeds regardless, a tightly constrained, **criteria-based transitional exemption** that is vehicle-neutral in effect and directly linked to Rule change;
- **Calls for a published framework** for exercising the Director's discretion under s 168D (and related powers), including how independent technical evidence will be considered; and
- **Recommends a wider "future-proofing" review** of vehicle requirements to ensure that vehicles and accessories safely used in other mature markets are not arbitrarily locked out of New Zealand.

If NZTA uses this proposal as a **stepping stone** to a modern, vehicle-neutral towing framework, it will be a sensible and pragmatic move. If instead it becomes a template for **brand-specific carve-outs**, it will undermine fairness, transparency and good regulatory practice.

1. Introduction and overall position

The Imported Motor Vehicle Industry Association (VIA) represents businesses across the full supply chain for imported vehicles into New Zealand, including both near-new parallel imports and used vehicles. Our sector supplies a significant proportion of total vehicle imports and a large share of the vehicles ultimately purchased by everyday New Zealanders.

We are increasingly seeing modern utility vehicles (utes) and SUVs that:

- **are engineered for higher Gross Vehicle Mass (GVM), Maximum Towed Mass (MTM) and Gross Combination Mass (GCM);**
- use uprated suspension systems (including Emu configurable suspensions) backed by TÜV Germany approvals that include dynamic testing of the vehicle's chassis at the increased GVM and towed-mass ratings (see attached ARB/Emu TÜV test reports (Appendix A, B & C)); and
- are marketed overseas with towing capacities at or above 3,500 kg.

There is no doubt that some vehicles genuinely can tow 4,500 kg safely when properly engineered and configured. There is also a **genuine productivity and business case** for such vehicles, particularly for SMEs:

- small contractors and tradies who need to tow plant such as diggers;
- fishing and marine operators who move large boats between coasts and fishing grounds;
- small operators who currently must purchase or hire a truck solely to meet a towing need that could be met by a suitably rated ute.

The key point is that this need and capability are **not unique to Ford**. Other utes and light trucks (e.g. Hilux, Land Cruiser, US pick-ups and various NB1 conversions) occupy the same space.

The central question is therefore **not** whether the Ranger Super Duty is technically capable, but **how NZTA chooses to recognise that capability in law**.

VIA's position is:

- **Primary position – Rule amendment preferred:**
 - The correct tool for addressing the towing capabilities of modern NB1-type vehicles is a **Rule amendment**, not a model-specific exemption.
 - Section 168D exemptions should be **exceptional and transitional**, not a substitute for systematic Rule review.
- **Conditional position – if NZTA proceeds with an exemption:**

VIA can only support the proposed exemption if NZTA:

- generalises the underlying criteria so they are **vehicle-neutral and make-agnostic**, not effectively frozen to a single make/model/model-year;
- ensures that other vehicles (including used imports and re-engineered existing-fleet vehicles) that can present equivalent technical evidence – whether OEM or independent – can access the same towing capability; and
- commits to and delivers a Rule amendment programme within the three-year exemption window.

Our submission therefore addresses:

- the specific consultation questions NZTA has posed; and
- the wider systemic concerns this proposal raises about how NZTA uses exemption powers, treats technical evidence, and upholds vehicle-neutral regulation in line with Government Expectations for Good Regulatory Practice and LDAC guidance on exemptions and good law design.

2. Principles guiding VIA's position

Our assessment is anchored in principles that already underpin our wider regulatory engagement.

2.1 Performance-based, vehicle-neutral regulation

Regulation should define **performance thresholds** (structural, braking, stability), not pick winners by naming brands, models or model-years. Any vehicle that meets the criteria – regardless of make, age or import pathway – should be eligible.

2.2 New Zealand's vehicle regulatory settings

New Zealand's overarching system for vehicle approvals has generally served the country well. The pragmatic acceptance of a range of overseas vehicle safety standards (from the US, EU, Australia, Japan and other regions) has created a robust compendium of standards that protect road users **without** imposing unnecessary administrative burden on importers.

This pragmatic approach should be **preserved and modernised**, not eroded by bespoke, model-specific arrangements.

2.3 UN Agreements (WP.29) and technical services

As a contracting party to both the **1958 Agreement** and the **1998 Agreement** under the UN World Forum for Harmonization of Vehicle Regulations (WP.29), New Zealand has committed to an internationally coherent regulatory system.

In this context:

- New Zealand can and should accept **equivalent standards** – ECE Regulations, ADR, FMVSS, JIS and others – **rather than relying on a narrow Euro-centric lens**.
- The 1958 Agreement provides a **recognised list of Designated Technical Services**. Test reports from any such technical service should be acceptable as independent evidence, including where they relate to suspension packages, GVM/GCM uprates and towing systems outside a strict Regulation-by-Regulation context.

VIA's position is that NZTA should explicitly recognise test data from listed UN 1958 technical services (such as TÜV and similar bodies) as suitable evidence for towing capability and GVM/chassis ratings, alongside OEM documentation.

2.4 Fair and consistent treatment across import pathways

Compliance pathways must be **equally accessible** to:

- OEM distributors;
- parallel importers;
- used-vehicle importers; and
- Upgrading of existing NZ fleet vehicles.

If only the local OEM distributor can unlock a towing capability via a bespoke exemption, the system is inherently **structurally biased** and undermines competitive neutrality and consumer choice.

2.5 Exemptions as exceptional, not a substitute for Rule change

Section 168D and similar powers are important tools, but they must be used in line with:

- Government Expectations for Good Regulatory Practice;
- LDAC guidance on exemptions and good law design; and
- NZTA's own regulatory stewardship obligations.

When there is a **trend** (modern NB1 tow-utes) rather than a one-off anomaly, the appropriate response is a **Rule review and amendment**, not a series of model-specific exemptions that gradually become the de facto rulebook.

2.6 Recognition of both OEM and independent engineering evidence

New Zealand's system has long relied on independent certifiers and engineers. Any modern towing framework must:

- allow **independent technical evidence** (e.g. TÜV or equivalent certification, UN 1958 technical service reports, New Zealand engineering analyses) to be used where OEM documentation is absent, incomplete or withheld; and
- recognise that independent importers should not be disadvantaged simply because they cannot obtain bespoke OEM letters.

The fact that NZTA is prepared to rely on evidence for the Ranger Super Duty sufficient to justify a class exemption demonstrates that a performance and safety case can be made. That same standard of evidence should be available to **other vehicles**, not treated as OEM-exclusive.

2.7 Proper use of delegated authority and regulatory stewardship

This proposal itself demonstrates that the Director of Land Transport will use s 168D powers in a technically complex, system-wide context. It is therefore untenable to suggest that similar discretion **cannot** be used when independent importers or certifiers bring forward credible evidence.

VIA considers it essential that NZTA:

- publish a clear framework (Standard Operating Procedures (SOPs)) for when exemptions are appropriate versus when Rule amendment is required; and
- set out how evidence will be evaluated and how decisions will be communicated and applied consistently.

2.8 Future-proofing

Recognising the Ranger Super Duty should be part of a broader move to a **modern towing framework** that can accommodate:

- other capable vehicles (e.g. Hilux, Land Cruiser, US pick-ups, Japanese NB1 vans and light trucks); and
- emerging technologies and accessories,

without repeated, brand-by-brand exemptions.

Recent experience has shown that:

- vehicles and accessories safely used in other mature markets can find themselves designated as non-compliant here;

- Japanese standards and approvals often face higher evidential burdens despite Japan being a major source of our fleet with strong safety and environmental outcomes; and
- new technologies developed under the 1998 Agreement and implemented as ECE Regulations under the 1958 Agreement are arriving in our market faster than our domestic requirements are being updated.

The current proposal highlights the risk that, without active **future-proofing**, New Zealand will “paint itself into a corner” – excluding safe, modern vehicles and accessories simply because our Rules and processes have not kept pace.

3. Assessment of the proposed exemption

3.1 What this exemption actually does

On its face, the proposal is a “class exemption” for the 2026 Ford Ranger Super Duty. In practice, it operates as:

- a **model-specific regulatory regime** tailored to one OEM; and
- a **time-limited alternative rule** for that model’s towing capability.

If the underlying issue is that modern NB1-type vehicles with uprated suspension, TÜV-backed GVM/GCM increases and integrated trailer-brake systems can safely tow more than 3,500 kg, then the regulatory solution should be a **Rule change** that defines that capability in general terms – not an instrument that names “Ford Ranger Super Duty” as the sole holder of that privilege.

We also note that NZTA’s consultation material reportedly describes the Ranger Super Duty as “a heavy vehicle **weighing** 4,500 kg GVM”. That wording is technically incorrect: **GVM is a rating, not a physical weight**. While this may appear minor, it illustrates why VIA is concerned about technical rigour and clarity in the framing of this exemption.

3.1.1 Examples of similar NB1 vehicles (Australian ROVER approvals)

Examples of NB1 vehicles and second-stage manufacturers operating in this space include:

OEM:

- [Toyota Tundra](#)
- [Chevrolet Silverado](#)
- [Dodge Ram](#)

Aftermarket / second-stage manufacturers:

- [IRONMAN 4x4](#) (and others)

These examples demonstrate that the capability class NZTA is engaging with is **significantly broader than a single Ford model**, and that overseas regulators are already managing these vehicles within structured frameworks (e.g. Australia's ROVER system).

3.2 Conditional support – only if the exemption is generalised

If NZTA nonetheless proceeds with an exemption, VIA can only support it if NZTA:

- **Treats the exemption as criteria-based in substance**, even if the instrument still names Ford for legal drafting reasons;
- **Ensures that the same criteria are available** to other makes/models that can show equivalent capability; and
- **Explicitly states** that those criteria can apply to both new and used vehicles, including vehicles re-engineered in New Zealand, where sufficient technical evidence is provided (OEM or independent).

In practical terms, this means that:

If vehicle structural components, suspension, towbar/drawbeam and braking/towing system are demonstrated to meet specified performance standards (e.g. ADR 62/02 and equivalent ECE/FMVS/JIS provisions), then towing capability up to 4,500 kg is permitted for **any vehicle** that meets those criteria – whether that vehicle is a new Ranger, a used Ranger, a Hilux with an Emu/TÜV uprate, or another comparable platform.

Without this commitment, the exemption risks becoming a **brand-locked carve-out** and an invitation for other OEMs to seek similar bespoke treatment.

3.3 Emu suspension, TÜV approvals, Hilux and the used market

VIA's members are already dealing with these issues in the real world:

- Both Ford Ranger and Toyota Hilux (and other utes) are using Emu-type configurable suspension systems to achieve higher GVM and GCM, supported by TÜV Germany documentation.
- Vehicles with these upgrades are now appearing in the **used-import market** and in independent supply channels.
- NZ certifiers and importers face difficulties because the current New Zealand framework does not clearly recognise these uprates, especially where OEMs will not provide tailored documentation for individually imported units.

A recent case involving a Hilux configured on an Emu/TÜV basis illustrates the problem. The overseas GVM/GCM evidence is robust but reconciling it with New Zealand's Rules and NZTA expectations has proven difficult.

This example demonstrates that:

1. The capability in question is **not unique** to the Ranger Super Duty – it is a trend across the light-commercial segment;
2. The problem is **systemic**, affecting both new and used vehicles; and
3. A model-specific exemption for one OEM will not solve, and may worsen, the situation for other comparable vehicles.

If NZTA is prepared to accept Emu/TÜV-based uprates for one OEM via a class exemption, it must also put in place **vehicle-neutral criteria and processes** so that the same evidence can be used for other vehicles.

3.4 Model-year and in-service issues

As drafted, the proposal appears limited to a specific “2026” Ford Ranger Super Duty definition. This raises important questions:

- What if essentially the same platform is sold in 2027 and later years with only minor changes?
- What about earlier model years that share the same chassis and suspension package?
- How are **used imports** of those vehicles to be treated?

VIA’s support is contingent on the exemption **not** being confined to a single model-year where the technical platform is materially the same. If the engineering and test evidence applies across a span of production years, the **engineering specification and evidence**, not the calendar year, should govern.

The three-year window (December 2025 – December 2028) also lacks a clear transition plan. The consultation paper does not say:

- whether NZTA expects to amend the Rules in that period;
- whether vehicles that relied on the exemption will **retain their 4,500 kg towing capability** if Rules are not changed;
- how certifiers, in-service inspectors and enforcement staff should treat these vehicles after expiry; or
- how insurers are expected to view claims involving towing at the higher rating.

From a safety, compliance and insurance perspective, that uncertainty is undesirable.

The cleanest way to avoid long-term confusion is to use the three-year window to **amend the Rules**, so that:

- the capability is embedded in secondary legislation;
- the class exemption clearly **expires once the new framework is operative**; and

- the in-service treatment of vehicles approved under the exemption is explicitly integrated into VIRM guidance.

3.5 Director's discretion and independent evidence

The proposal highlights longstanding concerns within industry about how NZTA and the Director of Land Transport exercise their discretions in technically complex cases.

In particular:

- **Inconsistent and opaque use of discretion**
Decisions on issues such as GVM uprating, chassis ratings and unique configurations can appear ad hoc, with limited visibility of the criteria applied. Similar cases can receive different treatment, and it is often unclear to applicants or certifiers what evidence will be considered sufficient.
- **OEM gatekeeping and over-reliance on manufacturer documentation**
In practice, manufacturer documentation is treated as the primary – and sometimes only – acceptable source of technical evidence. Where an OEM is unwilling or unable to provide tailored documentation for a particular vehicle or market, capable vehicles can be shut out of compliance pathways despite strong overseas testing or approvals (e.g. TÜV-based GVM/GCM upgrades on suspension packages already in wide use).
- **Lack of a clear pathway for independent technical evidence**
Although legislation and Rules allow the Director to consider technical information from other sources, there is no clearly documented process for recognising independent engineering assessments or reputable overseas test reports. This creates uncertainty for parallel and used importers and places unnecessary pressure on certifiers.

The proposed class exemption underscores these concerns. It shows that the Director is prepared to exercise discretion where a safety and performance case is made – but does so in a way that is tied to a **single OEM and model**, without a transparent, general framework for other vehicles.

VIA emphasises three points:

1. **This exemption proves the Director can act.** The argument that discretion “cannot” be used in complex technical matters is untenable once NZTA openly proposes a model-level class exemption.
2. **The same discretion should be equally available** when independent importers present credible technical evidence (e.g. TÜV reports, UN 1958 technical-service data, New Zealand engineering analyses) for Hilux and other vehicles with comparable upgrades.

3. **NZTA should publish a clear framework** for how s 168D and related discretions are exercised, including:
- what types of evidence are acceptable;
 - how independent reports are weighed against OEM data; and
 - how decisions will be communicated, applied consistently and reviewed.

VIA's conditional support for any exemption is tied to NZTA committing to such a published framework.

4. Response to NZTA consultation questions

4.1 Additional conditions

If NZTA proceeds with the exemption, VIA recommends the following additional conditions and clarifications.

(1) Published technical criteria and methodology

- NZTA should publish the **engineering criteria** used to assess the Ranger Super Duty's towing capability, including structural design, load path, suspension, drawbeam/towbar, braking performance, stability control, sway-management and integrated brake-controller behaviour.
- These criteria should be framed in **generic, vehicle-neutral terms**, so that other vehicles can be assessed against the same benchmarks.

(2) Explicit criteria-based pathway for other vehicles and used imports

- The exemption (and associated guidance) should explicitly confirm that other vehicles of similar size and configuration – including used imports and locally re-engineered vehicles – can be recognised on the same evidential footing, whether the evidence is OEM or independent.
- This should **include** vehicles using Emu configurable suspension and TÜV-documented GVM/GCM uprates, such as Hilux and other utes.

(3) Non-model-year-specific application where evidence supports it

- Where the same platform and suspension/brake package spans multiple model-years, NZTA should avoid arbitrary model-year cut-offs and instead focus on the **underlying engineering specification and evidence**.

(4) Linkage to a Rule amendment programme, with milestones

- The exemption should contain an explicit statement that it is a **transitional measure only**, and that NZTA will:

- initiate a Rule amendment process to embed vehicle-neutral, performance-based towing criteria in *Heavy Vehicles 2004* and *Heavy-vehicle Brakes 2006*;
- publish a **work plan with milestones**, including consultation and decision points; and
- report publicly on progress at least twice during the exemption period (for example, at the mid-point and prior to expiry).

(5) Clarified in-service treatment after expiry

- NZTA should issue clear guidance covering:
 - the ongoing legal status of vehicles that relied on the exemption once it expires;
 - how certifiers, in-service inspectors and enforcement staff are to treat these vehicles; and
 - expectations for insurers and owners regarding towing at 4,500 kg beyond the exemption period.

Conditions that simply add labels or purchaser declarations, without addressing these systemic issues, will not resolve the underlying problems.

4.2 Safety risk

VIA agrees that safety is paramount. Allowing any vehicle to tow 4,500 kg requires confidence in:

- structural design and load-path integrity;
- braking performance and thermal capacity at elevated GCM;
- stability, sway-management and control-system behaviour under real-world loading; and
- interaction between the vehicle's systems and New Zealand trailer standards.

VIA does not oppose the proposition that the **Ford Ranger Super Duty** can meet these requirements when engineered and operated as proposed.

However, we note that:

- **ADR 62/02** already requires dynamic and fatigue testing at the nominated ratings (including multi-million-cycle regimes for drawbeams and tow systems);
- equivalent safety outcomes can be demonstrated via **ECE, FMVSS, JIS and other recognised standards**, consistent with New Zealand's WP.29 commitments; and

- NZTA should rely on these established frameworks and technical services rather than layering ad hoc, model-specific additional tests on some vehicles but not others.

From a safety perspective, the best outcome is:

- a **Rule framework** that clearly defines performance thresholds; and
- a **transparent, evidence-based process** that allows any vehicle – including used imports – to demonstrate compliance via acceptable evidence, OEM or independent.

Within that context, VIA can accept a tightly constrained exemption as a **step along the way**, but not as a substitute for Rule change.

4.3 Similar vehicles

Yes – there are similar vehicles now, and more will arrive. These include:

- large-frame utes and SUVs with robust ladder chassis and heavy-duty suspension;
- vehicles with Emu/TÜV-based GVM and GCM uprates;
- US-origin pick-ups; and
- earlier-model vehicles already in the New Zealand fleet, where overseas documentation shows higher tow ratings than New Zealand currently recognises.

VIA's view is that:

- NZTA should **expect** more applications of this type; and
- it is more efficient and fairer to create a **single, vehicle-neutral framework** than to process a queue of brand-specific exemptions.

The proposed Ford Ranger Super Duty exemption is therefore a **signal case**, not an isolated one.

4.4 Issues arising from the exemption

The key issues arising from the proposal are:

- **Model- and OEM-specific framing**, rather than vehicle-neutral criteria;
- **Risk of brand-locked access** to a new capability class if criteria are not generalised;
- **Uneven treatment of international standards and evidence**, particularly where Japanese evidence faces higher barriers than European or Australian evidence despite equivalent real-world safety outcomes;
- **Unclear treatment of used imports**, especially Hilux and other Emu/TÜV-uprated vehicles already generating compliance issues;

- **Uncertain in-service and post-expiry position**, including enforcement and insurance; and
- **Inconsistent use of Director discretion**, where OEM-backed applications gain traction while independent-importer issues struggle to attract equivalent attention or resolution.

All of these point in the same direction: any exemption must be a **bridge to a Rule-based solution**, not the destination.

5. Recommended regulatory response

5.1 Prefer Rule amendment – treat any exemption as strictly transitional

VIA's primary recommendation is that NZTA:

- **does not rely** on a model-specific class exemption as the primary tool; and
- instead **initiates Rule amendments** to *Heavy Vehicles 2004* and *Heavy-vehicle Brakes 2006*.

If an exemption is granted, VIA recommends that:

- it is explicitly framed as a **transitional, criteria-based instrument** that is triggered first by the Ranger Super Duty but not owned by it;
- it **automatically ceases** when amended Rules come into force;
- it has a **hard end date** and is not rolled over;
- VIRM guidance is updated to give practical effect to the transitional arrangements; and
- it is explicitly described as **non-precedent-setting** for future model-specific exemptions.

If these conditions cannot be met, NZTA should revise or withdraw the proposal, as it would otherwise entrench a brand-specific advantage that cannot be justified on safety grounds alone.

5.2 Initiate Rule amendments for vehicle-neutral towing criteria

VIA strongly recommends that NZTA initiate changes to:

- *Land Transport Rule: Heavy Vehicles 2004*; and
- *Land Transport Rule: Heavy-vehicle Brakes 2006*

to:

- define **vehicle-neutral towing performance thresholds**;

- specify **acceptable forms of technical evidence** (including OEM and independent sources, such as UN 1958 technical-service reports and TÜV documentation);
- integrate relevant overseas standards (e.g. ADR, ECE, FMVSS, Japanese standards) through the proper Rule-making process; and
- **revise the definition of “NB” class vehicles**, splitting it into:
 - **NB1** – up to 4,500 kg GVM; and
 - **NB2** – 4,501 kg to 12,000 kg GVM.
to align with practice in other mature markets.
- **revise the definition of “TC” class vehicles**, splitting it into:
 - **TC1** – up to 4,500 kg GVM; and
 - **TC2** – 4,501 kg to 12,000 kg GVM.

This will:

- reduce reliance on exemptions;
- provide clarity for certifiers, importers and owners;
- support **competitive neutrality** between OEM distributors and independent/used importers; and
- better future-proof the system for similar vehicles and emerging technologies.

5.3 Publish a framework for Director discretion and independent evidence

VIA recommends that NZTA publish, and then consistently apply, a framework (e.g. SOPs) that:

- sets out **how s 168D and related discretions are to be used**, including when NZTA will pursue Rule amendment instead of repeated exemptions;
- confirms that **independent engineering evidence** (including TÜV reports, UN 1958 technical-service data and New Zealand engineering analyses) will be considered alongside, or where necessary instead of, OEM documentation;
- affirms that test reports from any **Designated Technical Service listed under the 1958 Agreement** are acceptable sources of evidence; and
- applies equally to all applicants, not just OEM distributors.

This would provide a concrete and durable fix for issues that have affected VIA members for years, including GVM uprating, chassis ratings, and the treatment of used imports with robust overseas approvals.

5.4 Ensure used vehicles and independent importers are not locked out

VIA asks NZTA to confirm, in the final decision and supporting guidance, that:

- the exemption's **criteria and process** are open in principle to both new and used vehicles;
- independent importers can rely on the **same technical evidence base** as OEMs; and
- NZTA will work with industry to resolve existing cases (including Emu/TÜV-based uprates on other platforms) in a way that is consistent with the logic of recognising the Ranger Super Duty's capability.

6. Conclusion

VIA does **not** oppose the capability of the Ford Ranger Super Duty to tow 4,500 kg when properly engineered and configured. Our concern is with the **use of a model-specific class exemption** rather than a **vehicle-neutral Rule framework** that is:

- performance-based;
- competitively neutral; and
- accessible to both new and used vehicles across all import pathways.

We can support an exemption only if it is:

- **criteria-based in substance rather than permanently Ford-specific;**
- not artificially model-year-limited where the platform and engineering basis are the same;
- clearly open in principle to other makes/models, including used imports able to present equivalent technical evidence; and
- explicitly and tightly linked to a **time-bound Rule amendment programme** that embeds those criteria into *Heavy Vehicles 2004* and *Heavy-vehicle Brakes 2006*.

VIA would welcome the opportunity to work with NZTA officials and technical staff on:

- defining vehicle-neutral towing performance criteria;
- designing evidential requirements (including TÜV and UN 1958 technical-service pathways, as well as New Zealand engineering options);
- resolving current used-vehicle cases so that Hilux and other comparable vehicles are treated on the same footing as Ranger where their technical capability is equivalent; and
- in the medium term, reviewing current vehicle-requirements legislation for consistency with other mature markets and for **future-proofing**.

We appreciate the opportunity to comment on this proposal and remain available to discuss our submission further.