



20 March 2019

(19-1745)

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Committee on Technical Barriers to Trade

Original: English

NOTIFICATION

The following notification is being circulated in accordance with Article 10.6

1. Notifying Member: <u>NEW ZEALAND</u> If applicable, name of local government involved (Article 3.2 and 7.2):
2. Agency responsible: Ministry of Transport 318 Lambton Quay P.O. Box: 3175 Wellington 6140 New Zealand Tel.: +64 22 010 2256 Email: m.stone@transport.govt.nz Website: http://www.transport.govt.nz Name and address (including telephone and fax numbers, email and website addresses, if available) of agency or authority designated to handle comments regarding the notification shall be indicated if different from above:
3. Notified under Article 2.9.2 [X], 2.10.1 [], 5.6.2 [], 5.7.1 [], other:
4. Products covered (HS or CCCN where applicable, otherwise national tariff heading. ICS numbers may be provided in addition, where applicable): All countries: New and used motorcycles imported into New Zealand that are to be registered for use on public roads.; Motorcycles and mopeds (ICS 43.140)
5. Title, number of pages and language(s) of the notified document: Draft Land Transport Amendment Rule: Light-vehicle Brakes 2019 and accompanying papers (14 page(s), in English)
6. Description of content: New Zealand Ministry of Transport is revising the 2002 Land Transport Rule: Light-vehicle Brakes. There is a compelling case for mandating Advanced Braking Systems (ABS) as soon as possible because of the safety benefit it brings to motorcyclists. This amendment will incorporate updated minimum standards for new motorcycles, and in particular will introduce a requirement for advanced brake systems for motorcycles meeting internationally recognised standards from Australia, Europe, Japan and the United States entering the fleet. New model new motorcycles will need to comply with one of the four international standards from November 2019. Existing and used motorcycles will need to comply with these standards from November 2021. The reason the rule is proposed to be implemented on these dates is to reduce the risk of New Zealand receiving less safe motorbikes, with Australia bringing in these requirements on the same dates. The revised Rule will require advanced braking systems (anti-lock brakes or a combined braking system) for motorcycles, depending on the powerband. It will continue existing minimum standards for existing models and used vehicles, until 1 November 2021. The proposed new braking standards are applicable in Europe, the United States, Japan and Australia, are internationally recognised and accepted in the international motor manufacturing industry. We do not anticipate that this rule change will produce a significant barrier to trade.

<p>The proposed restrictions relate only to registrations of motorcycles for the use of public roads. Non-compliant motorcycles will still be able to be used off-road.</p> <p>The approved vehicle standards for brakes are:</p> <ol style="list-style-type: none"> (a) Council Directive of 26 July 1971 on the approximation of the laws of the Member States relating to the braking devices of certain categories of motor vehicles and of their trailers (71/320/EEC); (b) Council Directive of 5 April 1993 on the braking of two or three-wheel motor vehicles (93/14/EEC); (c) UN/ECE Regulation No. 13, Uniform provisions concerning the approval of vehicles of categories M, N and O with regard to braking (E/ECE324-E/ECE/TRANS/505/Rev.1/Add.12); (d) UN/ECE Regulation No. 13-H, Uniform provisions concerning the approval of passenger cars with regard to braking (E/ECE324-E/ECE/TRANS/505/Rev.2/Add.12H); (e) UN/ECE Regulation No. 78, Uniform provisions concerning the approval of vehicles of category L with regard to braking (E/ECE/324-E/ECE/TRANS/505/Rev.1/Add.77); (f) Federal Motor Vehicle Safety Standard No. 105, Hydraulic Brake Systems; (g) Federal Motor Vehicle Safety Standard No. 122, Motorcycle Brake Systems; (h) Federal Motor Vehicle Safety Standard No. 135, Passenger Car Brake Systems; (i) Australian Design Rule 31, Hydraulic Brake Systems for Passenger Cars; (j) Australian Design Rule 33, Brake Systems for Motorcycles and Mopeds; (k) Australian Design Rule 35, Commercial Vehicle Brake Systems; (l) Technical Standard for Passenger Motor Vehicle Braking Systems (Japan); (m) Technical Standard for Two Wheeled Vehicle Brake Systems (Japan).
<p>7. Objective and rationale, including the nature of urgent problems where applicable: The purpose of the revised Rule is to reduce the number of deaths and serious injuries for motorcyclists, by providing for improved braking standards on motorcycles entering the New Zealand fleet.; Protection of human health or safety</p>
<p>8. Relevant documents:</p> <ul style="list-style-type: none"> • Existing Land Transport Rule: Light-vehicle Brakes: https://www.nzta.govt.nz/assets/resources/rules/docs/light-vehicle-brakes-as-1-July-2015.pdf
<p>9. Proposed date of adoption: Minister to sign on or before 30 August 2019. These dates are indicative only and may be changed.</p> <p>Proposed date of entry into force: 1 November 2019; These dates are indicative only and may be changed.</p>
<p>10. Final date for comments: 10 May 2019; The domestic consultation period will run from 7 March 2019 until 12 April 2019. However the Ministry will receive comments from WTO members until 10 May 2019.</p>
<p>11. Texts available from: National enquiry point [X] or address, telephone and fax numbers and email and website addresses, if available, of other body:</p> <p>https://www.nzta.govt.nz/about-us/consultations/land-transport-rule-light-vehicle-brakes-2019</p>