

**Land Transport Rule**  
**Vehicle Exhaust Emissions Amendment 2023**  
**DRAFT**  
**9 May 2023, version 2.6**

**PURSUANT** to *section 152 and 155(1)(a) and (b)* of the Land Transport Act  
1998

**Draft for consultation**

Land Transport Rules are law produced by Waka Kotahi NZ Transport Agency for the Minister of Transport. This is the public consultation draft of Land Transport Rule: Vehicle Exhaust Emissions Amendment 2023 for consultation pursuant to section 161(2) of the Land Transport Act 1998.

If you wish to comment on this draft Rule, please see the information about making a submission in the accompanying explanatory material. The deadline for submissions is 5pm on Thursday 22 June 2023.



# Land Transport Rule

## Vehicle Exhaust Emissions Amendment 2023

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## **Section 1 Preliminary provisions**

### **1.1 Title**

This Rule is Land Transport Rule: Vehicle Exhaust Emissions Amendment 2023.

### **1.2 Commencement**

This Rule comes into force on 2 October 2023.

### **1.3 Principal Rule amended**

This Rule amends Land Transport Rule: Vehicle Exhaust Emissions 2007 (the Principal Rule).

### **1.4 Objective**

The objective of this Rule is to amend the Principal Rule to—

- (a) introduce Euro 6/VI and similar standards for the exhaust emissions of light and heavy motor vehicles, to apply at entry certification; and
- (b) introduce exhaust emissions standards for motorcycles, to apply at entry certification.

## **Section 2 Amendments to Principal Rule**

### **2.1 Clause 1.3 amended (Date when Rule comes into force)**

- (1) In clause 1.3(2), replace “Except as provided in 1.3(3), this” with “This”.
- (2) Revoke clause 1.3(3).

### **2.2 Clause 2.1 amended (Scope of *section 2*)**

In clause 2.1(1), —

- (a) after “2.1(2)” insert “and 2.3(2)”; and
- (b) after “Classes” insert “LA, LB, LC, LD, LE, ”.

### **2.3 Clause 2.2 amended (Vehicle emission standards)**

- (1) In clause 2.2(1)(a)(i), —
  - (a) replace “Table 2.1, Table 2.2, Table 2.3 or Table 2.4” with “Table 2A, Table 2B, Table 2C or Table 2D”; and
  - (b) replace “Except as provided in 2.2(2) and 2.2(3)” with “Except as provided in 2.2(3)”.

- (2) Revoke clause 2.2(2).
- (3) In clause 2.2(3)(d), replace “.” with “; or”
- (4) In clause 2.2(3), after paragraph (d), insert—

- (e) military vehicles; or
- (f) enduro motorcycles (as defined in *Land Transport Rule: Light-vehicle Brakes 2002*); or
- (g) farm motorcycles (as defined in *Land Transport Rule: Light-vehicle Brakes 2002*); or
- (h) special interest motorcycles (as defined in *Land Transport Rule: Light-vehicle Brakes 2002*); or
- (i) trial motorcycles (as defined in *Land Transport Rule: Light-vehicle Brakes 2002*).

#### **2.4 Clause 2.3 amended (Used vehicles or modified new vehicles)**

- (1) In clause 2.3, replace “A vehicle” with “Except as provided in 2.3(2), a vehicle”.
  - (2) Re-number clause 2.3 as clause 2.3(1).
  - (3) After clause 2.3(1), insert—
- 2.3(2) This clause does not apply to a vehicle of class LA, LB, LC, LD, or LE.

#### **2.5 Clause 6.1 replaced (Transitional and savings provisions)**

- (1) Revoke clause 6.1.
- (2) Insert new clause 6.1:

A vehicle that was inspected at the border under *Section 4* of the *Land Transport Rule: Vehicle Standards Compliance 2002* before 1 February 2024 is deemed to comply with 2.2(1) if it would have complied with the requirements existing immediately before 1 February 2024 for that vehicle to be certified for entry into service.

#### **2.6 Part 2 amended (Definitions)**

- (1) In Part 2, in the definition of **ADR 30/01**, after “*Emissions*”, insert “2006”.
- (2) In Part 2, in the definition of **ADR 79/02**, after “*Vehicles*”, insert “2005”.
- (3) In Part 2, in the definitions of **ADR 80/02** and **ADR 80/03**, after “*Vehicles*”, insert “2006”.

- (4) In Part 2, in the definition of **Approved vehicle emissions standard**, replace “*Table 2.1, 2.2, 2.3 or 2.4*” with “*Table 2A, Table 2B, Table 2C or Table 2D*”.
- (5) In Part 2, replace the definition of **Higher standard** with—
- Higher standard** means an approved vehicle emissions standard that would have applied to the vehicle if the vehicle was certified for entry into service during a later period.
- (6) In Part 2, in the definition of **Japan 09**, after “circulars”, insert “as evidenced by a Japanese three-character emissions code starting with the letter “L”, “F”, “M”, “R”, or “Q” ”.
- (7) In Part 2, revoke the following definitions:
- (a) ADR 79/00:
  - (b) ADR 80/00:
  - (c) ADR 80/01:
  - (d) Enter service:
  - (e) Euro 2:
  - (f) Euro 3:
  - (g) Japan 98:
  - (h) Japan 98 Idling Standard:
  - (i) Japan 00/02:
  - (j) Japan 02/04:
  - (k) US 98D:
  - (l) US 98P:
  - (m) US 2001:
- (8) In Part 2, insert the following definitions in alphabetical order:
- ADR 80/04** is an abbreviation for *Australian Design Rule 80/04, Emission Control for Heavy Vehicles 2023*.
- Disability vehicle** means a light vehicle that is used for the transportation of a person with a disability and is modified to do either or both of the following:
- (a) enable a person in a wheelchair to safely enter and exit the vehicle and enable the person and the wheelchair to be safely restrained while the vehicle is moving:

- (b) provide a person in a wheelchair or of limited mobility with assistance to enter and exit the vehicle through the use of a swivel or swing-out seat.

**Enter service**, in relation to a vehicle, means to begin to be operated in service on the road in New Zealand for the first time in compliance with registration requirements of *Part 17* of the *Land Transport Act 1998* and **entry into service** has a corresponding meaning.

**Euro 4m** means *Commission Regulation (EC) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles*, and meeting the ‘Euro 4’ pollutant emission limit values and OBD Stage I requirements for the relevant vehicle category described in Annex VI.

**Euro 5m** means *Commission Regulation (EC) No 168/2013 of the European Parliament and of the Council of 15 January 2013 on the approval and market surveillance of two- or three-wheel vehicles and quadricycles*, and meeting the ‘Euro 5’ pollutant emission limit values and OBD Stage II thresholds for the relevant vehicle category described in Annex VI.

**Euro 6b** or **Euro VI Step C** means:

- (a) *Commission Regulation (EC) No 715/2007 of the European Parliament and of the Council of 20 June 2007 on type approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, as amended by Commission Regulation (EC) No 692/2008 of 18 July 2008*, and meeting Euro 6 emissions limits set out in Annex I; or
- (b) *UN/ECE Regulation No. 83, uniform provisions concerning the approval of vehicles with regard to the emission of pollutants according to engine fuel requirements (E/ECE/324E/ECE/TRANS/505/Rev. 1/Add.82/Rev.4) incorporating the 07 series of amendments*; or
- (c) *Commission Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines (with respect to emissions from heavy-duty vehicles and access to vehicle repair and maintenance information), together with the technical requirements of Commission Regulation*

*(EU) No 582/2011 of 25 May 2011, incorporating all amendments up to and including those adopted in Commission Regulation (EU) No 627/2014 of 12 June 2014; or*

- (d) *UN/ECE Regulation No. 49 Uniform provisions concerning the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines and positive ignition engines for use in vehicles, incorporating all amendments up to and including Supplement 4 to the 06 series of amendments.*

**Euro 6d or Euro VI Step E means:**

- (a) *Commission Regulation (EC) No 2017/1151 of the European Parliament and of the Council of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008, and, meeting the requirements of ‘Euro 6d’ meaning ‘RDE testing against final conformity factors, otherwise full Euro 6 emission requirements’; or*
- (b) *the Level 1a or Level 2 requirements of UN/ECE Regulation No. 154 - Worldwide harmonized Light vehicles Test Procedure (WLTP) (E/ECE/TRANS/505/Rev.3/Add.153), together with the Type II Carbon Monoxide at idling, Type III Crankcase emissions, Type VI Low Ambient Temperatures, and In-Service Conformity requirements of UN/ECE Regulation 83 (incorporating the 07 series of amendments) and additionally either:*

- (i) *the requirements of Real Driving Emissions applicable vehicle types approved on or after 1 January 2020 (for M1 and N1 Class I vehicles) or 1 January 2021 (for N1 Class II or III vehicles) as described in Annex IIIA of Commission Regulation (EC) No 2017/1151 of the European Parliament and of the Council of 1 June 2017 supplementing Regulation (EC) No 715/2007 of the European*



*Parliament and of the Council on type-approval of motor vehicles with respect to emissions from light passenger and commercial vehicles (Euro 5 and Euro 6) and on access to vehicle repair and maintenance information, amending Directive 2007/46/EC of the European Parliament and of the Council, Commission Regulation (EC) No 692/2008 and Commission Regulation (EU) No 1230/2012 and repealing Commission Regulation (EC) No 692/2008, and, meeting the requirements of ‘Euro 6d’ meaning ‘RDE testing against final conformity factors, otherwise full Euro 6 emission requirements’; or*

(ii) a UN/ECE Regulation that has equivalent or stricter Real Driving Emissions requirements than the requirements specified in subparagraph (i); or

(c) *Commission Regulation (EC) No 595/2009 of the European Parliament and of the Council of 18 June 2009 on type-approval of motor vehicles and engines (with respect to emissions from heavy-duty vehicles and access to vehicle repair and maintenance information), together with the technical requirements of Commission Regulation (EU) No 582/2011 of 25 May 2011, incorporating all amendments up to and including those adopted in Commission Regulation (EU) No 2019/1939 of 7 November 2019; or*

(d) *UN/ECE Regulation No. 49 Uniform provisions concerning the measures to be taken against the emission of gaseous and particulate pollutants from compression-ignition engines and positive ignition engines for use in vehicles, incorporating all amendments up to and including the 07 series of amendments.*

**Japan 2005 Low Harm** means Japan Safety Regulations for Road Vehicles, Article 31 – Emission Control Device, as revised by the Ministry of Land Infrastructure and Transport Notification No. 1317 of 26 September 2003, as established by the relevant Japan Safety Regulations for Road Vehicles test procedures, technical standards and circulars, as evidenced by the Japanese emissions codes having three characters and starting with the letter ‘D’ and first registered anywhere on or after 1 January 2012.

**Japan 2012m** means *Japan Safety Regulations for Road Vehicles, Article 31 – Emission Control Device, as revised by the Ministry of Land Infrastructure and Transport Notification No. 1213 of 28 October 2010*, as established by the relevant *Japan Safety Regulations for Road Vehicles* test procedures, technical standards and circulars, as evidenced by a Japanese three-character emissions code of JBK, EBL, JBH or EBJ.

**Japan 2016 (heavy vehicle regulation)** means *Japan Safety Regulations for Road Vehicles, Article 31 – Emission Control Device, as revised by the Ministry of Land Infrastructure and Transport Notification No. 826 of 1 July 2015*, as established by the relevant *Japan Safety Regulations for Road Vehicles* test procedures, technical standards and circulars.

**Japan 2016m** means *Japan Safety Regulations for Road Vehicles, Article 31 – Emission Control Device, as revised by the Ministry of Land Infrastructure and Transport Notification No. 826 of 1 July 2015*, as established by the relevant *Japan Safety Regulations for Road Vehicles* test procedures, technical standards and circulars, as evidenced by a Japanese three-character emissions code of 2BK, 2BL, 2BH, or 2BJ.

**Japan 2018** means *Japan Safety Regulations for Road Vehicles, Article 31 – Emission Control Device, as revised by the Ministry of Land Infrastructure and Transport Notification No. 1172 of 31 October 2016*, as established by the relevant *Japan Safety Regulations for Road Vehicles* test procedures, technical standards and circulars as evidenced by a Japanese three-character emissions code starting with the digit 3, 4, 5, 6, or 7.

**Japan 2018 Low Harm** means *Japan Safety Regulations for Road Vehicles, Article 31 – Emission Control Device, as revised by the Ministry of Land Infrastructure and Transport Notification No. 1172 of 31 October 2016*, as established by the relevant *Japan Safety Regulations for Road Vehicles* test procedures, technical standards and circulars, as evidenced by a Japanese three-character emissions code of 6AA, 6BA, 6LA, 5AA, 5BA or 5LA, or is an LPG vehicle or CNG vehicle that complies with Japan 2018.

**Military vehicle** means a vehicle referred to in [regulation 5\(e\)](#) of the Land Transport (Clean Vehicle Standard) Regulations 2022.

**US 2010m** means the *United States Code of Federal Regulations (CFR) Title 40, Part 86, Subpart E, Emission*

*Regulations for 1978 and Later New Motorcycles, General Provisions, and meeting the requirements of a 2010 and later model year vehicle.*

**US Tier 2 means:**

- (a) *United States Code of Federal Regulations (CFR) Title 40, Part 86 – Control of air pollution from new and in-use motor vehicles and new and in-use motor vehicle engines certification and test procedures, Tier 2 requirements as specified by Subpart S 86.1811-04 Emission standards for light-duty vehicles, light-duty trucks and medium-duty passenger vehicles; or.*
- (b) *United States Code of Federal Regulations (CFR) Title 40, Part 86 – Control of air pollution from new and in-use motor vehicles and new and in-use motor vehicle engines certification and test procedures – Subpart A 40 CFR 86.007-11, as supplemented by the requirements of Schedule 3 to this Rule.*

**US Tier 3 means:**

- (a) *United States Code of Federal Regulations (CFR) Title 40, Part 86 – Control of air pollution from new and in-use motor vehicles and new and in-use motor vehicle engines certification and test procedures, Tier 3 requirements as specified by Subpart S 86.1811-17 Exhaust Emission standards for light-duty vehicles, light-duty trucks and medium-duty passenger vehicles; or*
- (b) *United States Code of Federal Regulations (CFR Title 40, Part 86 – Control of air pollution from new and in-use motor vehicles and new and in-use motor vehicle engines certification and test procedures, Subpart A 40 CFR 86.007-11 Emission standards and supplemental requirements for 2007 and later model year diesel heavy-duty engines and vehicles, as supplemented by the requirements of Schedule 3 to this Rule; or*
- (c) *if the document in paragraph (b) is not applicable to the vehicle, United States Code of Federal Regulations (CFR) Title 40, Part 86 – Control of air pollution from new and in-use motor vehicles and new and in-use motor vehicle engines certification and test procedures, Subpart A 40 CFR 86.008-10 Emission standards for 2008 and later model year Otto-cycle heavy-duty engines and vehicles, as*

supplemented by the requirements of *Schedule 3* to this Rule.

**2.7 Schedule 1 replaced (Approved emissions standards for entry certification)**

Replace Schedule 1 with the Schedule to this Rule.

## Schedule New Schedule 1 of the Principal Rule

Ref: clause 2.7

### Schedule 1 Approved emissions standards for entry certification

**Table 2A – vehicle exhaust emissions requirements for vehicles of Class MA, MB, MC, MD1, MD2, ME, and NA (except disability vehicles)**

<b>Vehicles of Class MA, MB, MC, MD1, MD2, ME, and NA (except disability vehicles)</b>				
<b>Certified for entry into service</b>	<b>Used Petrol, CNG/LPG</b>	<b>Used Diesel</b>	<b>New Petrol, CNG/LPG</b>	<b>New Diesel</b>
On or after 2 October 2023 and before 1 February 2024	ADR 79/02; or Euro 4; or Japan 05; or US 2004	ADR 30/01 and ADR 79/01; or Euro 4; or Japan 05; or US 2004	ADR 79/04; or Euro 5; or Japan 05; or Japan 09; or US 2007	ADR 79/04; or Euro 5; or Japan 05; or Japan 09; or US 2007
On or after 1 February 2024 and before 1 February 2025	Euro 5; or US Tier 2; or Japan 2005 Low Harm; or ADR 79/04	Euro 5; or US Tier 2; or Japan 09; or ADR 79/04	Euro 5; or US Tier 2; or Japan 2005 Low Harm; or ADR 79/04	Euro 5; or US Tier 2; or Japan 09; or ADR 79/04
On or after 1 February 2025 and before 1 February 2026	Euro 5; or US Tier 2; or Japan 2005 Low Harm; or ADR 79/04	Euro 5; or US Tier 2; or Japan 09; or ADR 79/04	For existing model vehicles Euro 5; or US Tier 2; or Japan 2005 Low Harm; or ADR 79/04  For new model vehicles Euro 6d; or US Tier 3; or Japan 2018 Low Harm	For existing model vehicles Euro 5; or US Tier 2; or Japan 09; or ADR 79/04  For new model vehicles Euro 6d; or US Tier 3; or Japan 2018

<b>Vehicles of Class MA, MB, MC, MD1, MD2, ME, and NA (except disability vehicles)</b>				
Certified for entry into service	Used Petrol, CNG/LPG	Used Diesel	New Petrol, CNG/LPG	New Diesel
On or after 1 February 2026 and before 1 January 2028	If manufactured on or after 1 January 2025, Euro 6d; or US Tier 3; or Japan 2018 Low Harm  If manufactured before 1 January 2025, Euro 6d; or Japan 2005 Low Harm; or Japan 2018 Low Harm	Euro 6d; or US Tier 3; or Japan 2018	Euro 6d; or US Tier 3; or Japan 2018 Low Harm	Euro 6d; or US Tier 3; or Japan 2018
On or after 1 January 2028	Euro 6d; or US Tier 3; or Japan 2018 Low Harm			

**Table 2B – vehicle exhaust emissions requirements for vehicles of class MD3, MD4, ME, NB, and NC**

<b>Vehicles of class MD3, MD4, ME, NB, and NC</b>		
Certified for entry into service	Used	New
On or after 2 October 2023 and before 1 February 2024	ADR 30/01 and ADR 80/02; or Euro IV; or Japan 05; or US 2004	ADR 80/03; or Euro V; or Japan 05; or Japan 09; or US 2007
On or after 1 February 2024 and before 1 November 2024	Euro V; or Japan 09; or US Tier 2; or ADR 80/03	Euro V; or Japan 09; or US Tier 2; or ADR 80/03
On or after 1 November 2024 and before 1 November 2025	Euro V; or Japan 09; or	For existing model vehicles

	US Tier 2; or ADR 80/03	Euro V; or Japan 09; or US Tier 2; or ADR 80/03 For new model vehicles Euro VI step C; or Japan 2016; or US Tier 3; or ADR 80/04
On or after 1 November 2025 and before 1 November 2026	Euro VI step C; or Japan 2016; or US Tier 3; or ADR 80/04	Euro VI step C; or Japan 2016; or US Tier 3; or ADR 80/04
On or after 1 November 2026	Euro VI step E; or Japan 2016; or US Tier 3	Euro VI step E; or Japan 2016; or US Tier 3

**Table 2C – vehicle exhaust emissions requirements for disability vehicles of class MA, MB, MC, MD1, MD2, ME, and NA**

<b>Disability Vehicles of class MA, MB, MC, MD1, MD2, ME, and NA</b>				
<b>Certified for entry into service</b>	<b>Used Petrol, CNG/LPG</b>	<b>Used Diesel</b>	<b>New Petrol, CNG/LPG</b>	<b>New Diesel</b>
On or after 2 October 2023 and before 1 February 2024	ADR 79/02; or Euro 4; or Japan 05; or US 2004	ADR 30/01 and ADR 79/01; or Euro 4; or Japan 05; or US 2004	ADR 79/04; or Euro 5; or Japan 05; or Japan 09; or US 2007	ADR 79/04; or Euro 5; or Japan 05; or Japan 09; or US 2007
On or after 1 February 2024 and before 1 February 2025	Euro 5; or US Tier 2; or Japan 2005; or ADR 79/04	Euro 5; or US Tier 2; or Japan 2005; or ADR 79/04		
On or after 1 February 2025 and before 1 February 2026			For existing model vehicles ADR 79/04; or Euro 5; or Japan 05; or Japan 09; or	For existing model vehicles ADR 79/04; or Euro 5; or Japan 05; or Japan 09; or

			US 2007 For new model vehicles Euro 6d; or US Tier 3; or Japan 2018 Low Harm	US 2007 For new model vehicles Euro 6d; or US Tier 3; or Japan 2018
On or after 1 February 2026 and before 1 January 2028			Euro 6d; or US Tier 3; or Japan 2018 Low Harm	Euro 6d; or US Tier 3; or Japan 2018
On or after 1 January 2028	Euro 6d; or US Tier 3; or Japan 2018 Low Harm	Euro 6d; or US Tier 3; or Japan 2018		

**Table 2D - vehicle exhaust emissions requirements for vehicles of class LA, LB, LC, LD, and LE**

Vehicles of class LA, LB, LC, LD, and LE		
Certified for entry into service	Used	New
On or after 1 February 2025 and before 1 January 2027	Euro 4m; or US 2010m; or Japan 2012m	Euro 4m; or US 2010m; or Japan 2012m
On or after 1 January 2027	Euro 5m; or US 2010m; or Japan 2016m	Euro 5m; or US 2010m; or Japan 2016m