

### **‘Modified Production’ & ‘Scratch-built’ Low Volume Vehicle Definitions**

#### **INTRODUCTION:**

##### **Purpose of the Information Sheet:**

This LVVTA Information Sheet has two purposes.

Firstly, it has a legal function, which is to support the definitions of a ‘modified production’ low volume vehicle, and a ‘scratch-built’ low volume vehicle, as recorded in the Terms and Definitions section of the Low Volume Vehicle Code, by providing the detail necessary to enable a complete understanding of the (‘modified production’ and ‘scratch-built’) definitions to be gained.

The second purpose of this LVVTA Information Sheet is to provide a plain-language guide to enable a prospective vehicle builder or modifier to determine what classification (‘modified production’ or ‘scratch-built’) a vehicle will fall into, by providing a series of explanations, notes, and examples around ‘modified production’ low volume vehicles, and ‘scratch-built’ low volume vehicles.

Note that this Information Sheet is not applicable to L-class vehicles (motorcycles and trikes). For any clarification on these vehicles contact LVVTA.

##### **Content of the Information Sheet:**

This Information Sheet is split into several sections.

##### **Importance of correctly classifying a low volume vehicle:**

Within this Introductory section, the Information Sheet explains why it is so important to correctly make the distinction between a ‘modified production’ low volume vehicle, and a ‘scratch-built’ low volume vehicle.

##### **Determining if a vehicle is a ‘modified production’ low volume vehicle:**

Because the process of determining whether a vehicle is a ‘modified production’ or a ‘scratch-built’ low volume vehicle is not always straight-forward, a significant proportion of this Information Sheet provides an explanation of the path used to make this determination. Some ‘modified production’ low volume vehicles – depending on the type and extent of modifications – can be assessed as such quite simply, whereas others require a formal ‘pre-classification’ process in order to establish that they are in fact a ‘modified production’ low volume vehicle.

To provide this explanation, there are three sections (Section A, Section B, and Section C) each of which provides information on how the determination is made as to whether or not a low volume vehicle falls into the 'modified production' low volume vehicle category, each with accompanying notes and examples.

- Option 1 (Section A) deals with low volume vehicles that clearly meet the wording contained in the main part [part (a)] of the 'modified production' low volume vehicle definition in the Low Volume Vehicle Code – these are the straight-forward ones.
- Option 2 (Section B) deals with low volume vehicles which don't meet the main part [part (a)] of the 'modified production' low volume vehicle definition, however can still be accepted as a 'modified production' low volume vehicle. An example of such a vehicle is a typical stretched-limousine conversion; - while it is not 'dimensionally-similar' (as required by the main part of the 'modified production' definition), it is still a 'modified production' low volume vehicle.
- Option 3 (Section C) deals with other low volume vehicles which have been modified in a more complex manner, and which, as a result, do not fit within Section A or Section B but can however still be determined to be a 'modified production' low volume vehicle by going through an individual assessment process applied by the NZ Transport Agency and LVVTA.

A copy of the application form which facilitates this process (LVV F010 Statement of Classification) is at the back of this Information Sheet.

#### 'Scratch-built' low volume vehicles:

The next section of this Information Sheet explains the 'scratch-built' low volume vehicle definition, and provides common examples of such vehicles.

#### Historical Information:

At the end of the Information Sheet is a Historical Information section, which explains how and why the 'modified production' and 'scratch-built' low volume vehicle definitions have evolved over the last 25 years to suit the changing market. Some of this information has been taken from *LVVTA Information Sheet # 02-2013 New Scratch-built and Modified Production Definitions*, issued in November 2013.

As a result of the development of this Information Sheet, Information Sheet # 02-2013 *New Scratch-built and Modified Production Definitions* has now been superseded.

#### **Importance of correctly classifying a low volume vehicle:**

##### Which requirements low volume vehicles have to meet:

Because of the many variables involved when building or modifying a light motor vehicle, it can sometimes be difficult to determine whether a given vehicle – because of the nature of its modifications or construction methods, or the use of various components within the vehicle's modification or construction process – is in fact a modified production low volume vehicle or a scratch-built low volume vehicle.

Motor vehicles, when modified or scratch-built, have to meet certain legal requirements. In simplest terms, a 'modified production' low volume vehicle only has to meet those requirements that are applicable to the aspects of the vehicle which are modified, whereas a 'scratch-built' low volume vehicle (in most cases) has to meet all of the LVV requirements.

'Modified production' and 'scratch-built' low volume vehicles are also required to meet certain requirements dependent on the date of manufacture.

These two criteria (above) are intertwined, because a 'scratch-built' low volume vehicle will always be a 'new' vehicle (at the time it is constructed), and will therefore have to meet all of the requirements applicable to that manufacture date.

#### Concessions available to 'modified production' low volume vehicles:

One reason why it is important to correctly classify a low volume vehicle (in regard to whether it is a modified production or scratch-built low volume vehicle) is so that certain concessions can be provided by the requirements to those vehicles which can still reasonably be considered the same vehicle as that from which it originated – in other words a genuine modified production low volume vehicle. Such a vehicle can remain (in certain circumstances) left-hand drive, and also can retain much of its as-manufactured equipment, such as original lighting, non-burst-proof door latches, and in some cases, seatbelts may not need to be fitted.

By contrast, a scratch-built low volume vehicle cannot be afforded such concessions because it is, in fact, a new vehicle, and as such must comply with all of the low volume requirements applicable to a vehicle at the time of its manufacture.

A vehicle which cannot be defined as a 'modified production' low volume vehicle will generally become a 'scratch-built' low volume vehicle, and as such will need to meet more rigorous requirements.

In short, the definitions for 'modified production' and 'scratch-built' low volume vehicles exist so that the most fair and reasonable requirements can be applied to vehicles which are modified or scratch-built.

#### Avoidance of 'birthing' modified production low volume vehicles:

An over-riding principle of the classification process (of the 'modified production' and 'scratch-built' low volume vehicle definitions), and in particular the certification of 'modified production' low volume vehicles, is that one mass-produced vehicle cannot give birth to multiple 'modified production' low volume vehicles as a result of being disassembled, sold in parts, and another vehicle being assembled or built from the parts and claiming to be 'the vehicle'. This has happened many times over the years, and such situations can cause considerable difficulty to one or more vehicle owners.

If a genuine old mass-produced vehicle is separated into parts, only the originating vehicle – with the identifiers and key components (primarily the body) – can be a 'modified production' low volume vehicle. If a low volume vehicle is constructed without the original mass-produced vehicle's body, and identifiers, it is very likely to become a 'scratch-built' low volume vehicle, and as such will have to comply with all of the technical requirements applicable to a 'scratch-built' low volume vehicle.

## Legal definition of a 'modified production' low volume vehicle:

### Definition from the Low Volume Vehicle Code:

For convenience, the legal definition of a 'modified production' low volume vehicle is copied from the Low Volume Vehicle Code, and reproduced below:

#### **Modified production (low volume vehicle)**

means a vehicle that was produced by a recognised mass-produced vehicle manufacturer, has met the New Zealand Transport Agency's requirements which are necessary to enter service as a light vehicle, and has subsequently been modified in such a way that may affect one or more safety-related legal requirements, and either:

- (a) despite its modifications, the vehicle:
  - (i) continues to bear a clear visual resemblance, and is dimensionally similar, to the specific make, model, and year of the originating mass-produced vehicle; and
  - (ii) retains, from the originating mass-produced vehicle, 60% or more of the original or authentically-repaired body, (including panels, but not including external sub-panels), and 60% of the original or authentically-repaired chassis rails (or in the case of a unitary-constructed vehicle 60% of the floor-pan);

or

- (b) is a mass-produced vehicle which features modifications such that it is identified as a modified production low volume vehicle in *Section B of LVVTA Information Sheet # 02-2018 'Modified Production' and 'Scratch-built' LVV Definitions*;

or

- (c) is classified, on a case-by-case basis, in accordance with *Section C of LVVTA Information Sheet # 02-2018 'Modified Production' and 'Scratch-built' LVV Definitions*, as a modified production low volume vehicle and confirmed as such via the issue of an *LVV F010 Statement of Classification*.

A vehicle which does not meet part (a), (b), or (c) of the definition of a 'modified production' low volume vehicle will be treated as a scratch-built low volume vehicle.

### Notes to support the 'modified production' low volume vehicle definition:

The following notes apply to all 'modified production' low volume vehicles, regardless of whether they meet the criteria specified in part (a), part (b), or part (c) of the definition.

**Note 1:**

The modified production low volume vehicle definition reflects that the body of a vehicle – particularly in relation to a body/chassis vehicle (as distinct from a unitary-constructed vehicle) – is the principal component of a low volume vehicle, rather than the chassis or floor.

**Note 2:**

A modified production low volume vehicle must meet all of the New Zealand Transport Agency's normal Entry Compliance requirements, as specified in 2.3(6) of the *Low Volume Vehicle Code*, before it can be processed as a low volume vehicle.

This specifically, and importantly, includes that the vehicle must have its unaltered factory-assigned identifiers, and the owner of the vehicle must have legal entitlement to it.

**Note 3:**

A modified production low volume vehicle which has two different identifiers assigned by recognised mass-produced vehicle manufacturers as a result of having its original body or original chassis replaced or modified, must have the surplus identifier linked to the vehicle's primary identifier, within the transport registry system, by an authorised agent of the New Zealand Transport Agency.

**Note 4:**

The replacement of an old vehicle's timber body framing with steel framing (in order to increase the body's strength and stiffness) will not, on its own, cause the vehicle to become defined as a 'scratch-built' low volume vehicle.

**Note 5:**

The replacement of an original body with another factory or coach-built body that was available for the chassis in question at the time of the chassis' manufacture, does not, on its own, cause the vehicle to become a scratch-built low volume vehicle.

For example, in the case of a 1930 Ford Model-A, the replacement of the factory sedan body to a mass-produced 1930 Ford Model-A coupe or roadster body will not, on its own, cause the vehicle to become defined as a scratch-built low volume vehicle.

**Note 6:**

Except in the case of a vehicle which has been issued with an LVV Authority Card which specifies 'frontal impact protection systems' and 'roll protection':

- a vehicle cannot have its structural and mechanical safety reduced by being retro-fitted with a floor structure or chassis from another vehicle which is older than the vehicle being modified; and
- in the case of a vehicle which is newer than 20 years old, the vehicle cannot be structurally modified in such a way that its compliance with an approved frontal impact standard could be affected. This means that a floor structure from another unitary-constructed vehicle, or aftermarket or custom-built chassis, or chassis from another production vehicle, cannot be fitted to a frontal impact-compliant vehicle.

**Note 7:**

In determining the percentage of original or authentically-repaired body, the reference in part (a)(ii) of the definition to:

- 'body' includes the internal body structure which contributes to the body's overall structural integrity; and
- 'external sub-panels' means any panels including externally-mounted mudguards and running-boards which were fitted as original equipment and can be readily removed with the use of hand-tools.

**Note 8:**

In determining the percentage of original or authentically-repaired body or chassis rails, the reference to 'authentically-repaired' in part (a)(ii) means the replacement of any part of the original body or the original chassis rails which incorporates the same design, material specifications, and construction methods, as used in the manufacture of the original body or of the original chassis rails.

An important point to understand when considering the term 'repair', is that the 'repair' of something can only occur when there is something there to repair in the first place. In other words, only a vehicle which already exists can be 'repaired'. As examples:

- The fitment of some 'Heritage'-brand body panels or a complete 'Heritage' shell to a 1962 MGB roadster can only occur if there is a 1962 MGB roadster (which is so rusty or damaged that it is uneconomic to repair by 'patching') with a known history as a starting point, the identifiers are transferred across to the new shell (in accordance with the requirements of the NZ Transport Agency) and the rusty or damaged shell is known to have been destroyed or rendered unfit for road use. This process can be a 'repair', and it is in-line with world-practice in relation to historic vehicles. (In such cases, invoices and receipts relating to the purchase of replacement parts for the repairs should be made available.)
- It is not a 'repair', however, when a replica 1965 Ford Mustang is built from some 'Dynacorn'-brand body panels or a complete 'Dynacorn' shell without the existence of a mass-produced 1965 Ford Mustang with a Ford Motor Company-assigned identifier and a known history as a starting point. This is a 'scratch-built' low volume vehicle.

In the case of a genuine 'repair', such as the example above of a standard MGB roadster having been rebodied with Heritage body panels or a complete Heritage shell, then (provided no other modifications have been made to the vehicle) the MGB roadster would remain a standard unmodified MGB roadster and as such would not need to be LVV certified.

## **SECTION A:**

### **'Definition (a)' modified production low volume vehicles (LVV Certifier-assessed):**

#### Overview of a 'Definition (a)' modified production low volume vehicle:

Most modified production low volume vehicles fall into the criteria specified in part (a) of the modified production low volume vehicle definition.

A typical 'Definition (a)' modified production low volume vehicle is – simply put – a mass-produced vehicle which still looks like the original vehicle, is dimensionally-similar to the original vehicle, and still incorporates most of the vehicle's original body and most of the vehicle's original chassis.

#### Common examples of likely 'Definition (a)' modified production low volume vehicles:

The vehicles in the table below clearly meet the criteria specified in part (a) of the modified production low volume vehicle definition, and can therefore (provided that all applicable notes 1-8 are met) be considered 'Definition (a)' modified production low volume vehicles.

(Note that an assumption is made that all of the example vehicles are modified to such an extent that LVV certification is required).

<b>Vehicle</b>	<b>Classification</b>
<ul style="list-style-type: none"> <li>▪ OE 1934 Chevrolet body with the wooden body framing replaced by steel framing, on OE 1934 Chevrolet chassis</li> </ul>	'Definition (a)' Mod Prod 1934 Chevrolet
<ul style="list-style-type: none"> <li>▪ OE 1956 Chevrolet body on OE 1956 Chevrolet chassis</li> </ul>	'Definition (a)' Mod Prod 1956 Chevrolet
<ul style="list-style-type: none"> <li>▪ OE Ford Falcon with engine and transmission conversion</li> </ul>	'Definition (a)' Mod Prod Ford Falcon
<ul style="list-style-type: none"> <li>▪ OE Mercedes Sprinter van with additional seating</li> </ul>	'Definition (a)' Mod Prod Mercedes Sprinter
<ul style="list-style-type: none"> <li>▪ OE Toyota Levin with modified suspension &amp; braking</li> </ul>	'Definition (a)' Mod Prod Toyota Levin
<ul style="list-style-type: none"> <li>▪ OE Nissan Laurel with addition of turbocharger</li> </ul>	'Definition (a)' Mod Prod Nissan Laurel
<ul style="list-style-type: none"> <li>▪ OE Toyota AE85 with 4AGE engine fitted</li> </ul>	'Definition (a)' Mod Prod Toyota AE85
<ul style="list-style-type: none"> <li>▪ OE Ford Transit van with adaptive hand controls</li> </ul>	'Definition (a)' Mod Prod Ford Transit van
<ul style="list-style-type: none"> <li>▪ OE 1959 Chevrolet Apache pick-up with Chevrolet Camaro front chassis/suspension section</li> </ul>	'Definition (a)' Mod Prod 1959 Chevrolet Apache
<ul style="list-style-type: none"> <li>▪ OE Mitsubishi Lancer body on OE Mitsubishi Lancer floor and sub-frames</li> </ul>	'Definition (a)' Mod Prod Mitsubishi Lancer
<ul style="list-style-type: none"> <li>▪ OE Series 1 Land Rover body on Series 1 Land Rover chassis</li> </ul>	'Definition (a)' Mod Prod Series 1 Land Rover

Note that the above list is only indicative of some common examples of 'Definition (a)' modified production low volume vehicles and is intended to provide a guide toward the definitions. Where any doubt exists as to how a particular vehicle should be defined, LVVTA technical staff should be consulted for guidance at the earliest opportunity to ensure that the vehicle is correctly categorised.

Assessment responsibility for 'Definition (a)' modified production low volume vehicles:

An appropriately-authorized LVV Certifier is responsible for the correct assessment of the classification of a 'Definition (a)' modified production low volume vehicle.

'Definition (a)' summary:

In summary, if a subject vehicle is a mass-produced vehicle, meets the conditions specified in notes 1 to 8, and is aligned with the types of vehicles detailed in the examples table above, then the vehicle can be accepted as a modified production low volume vehicle, and no further action is required by a vehicle owner or LVV Certifier.

If a vehicle does not meet the criteria specified for a 'Definition (a)' modified production low volume vehicle, it may still be classified as a modified production low volume vehicle if it meets the criteria specified in part (b) or part (c) of the modified production low volume vehicle definition set out further on in this Information Sheet.

## **SECTION B:**

### **'Definition (b)' modified production low volume vehicles (LVV Certifier-assessed):**

#### Overview of a 'Definition (b)' modified production low volume vehicle:

Many modified production low volume vehicles which don't meet the criteria for a 'Definition (a)' low volume vehicle fall into the criteria specified in part (b) of the modified production low volume vehicle definition.

Many 'Definition (b)' modified production low volume vehicles are mass-produced vehicles which:

- do not look like the original vehicle; or
- are not dimensionally-similar to the original vehicle; or
- do not retain more than 60% of the original body or original chassis.

A station-wagon may not 'continue to bear a clear visual resemblance to the make and model of the originating mass-produced vehicle' (a station-wagon) after it has been converted into a flat-deck utility, however this kind of modification can be accommodated as a 'Definition (b)' modified production low volume vehicle.

In the same way, a sedan may not 'continue to be dimensionally-similar to the make and model of the originating mass-produced vehicle' (a sedan) after it has been converted into a stretched-limousine, however this kind of modification can be accommodated as a 'Definition (b)' modified production low volume vehicle.

While a modified production low volume vehicle must still incorporate most of its original body, the 60% rule (of the body) which applies to a 'Definition (a)' modified production low volume vehicle can be varied slightly in certain circumstances to accommodate situations such as a van having been converted to a box-body motor-home. These can be provided for as a 'Definition (b)' modified production low volume vehicle.

Similarly, a 'Definition (b)' modified production low volume vehicle can remain a modified production low volume vehicle despite no longer retaining any of the original chassis. Provided that the vehicle in question was originally a body/chassis vehicle when manufactured, it can, in certain circumstances, have a full chassis replacement – such as in the case of an aftermarket 'Art Morrison' or 'Alston'-brand chassis fitted to a 1955 Chevrolet.

#### Criteria for a vehicle to be a 'Definition (b)' modified production low volume vehicle:

In certain cases, where a vehicle loses more than 40% of its original body surface area, including panels, as a result of being converted from a sedan or a station wagon to a flat-deck utility, or a similar style of body conversion, the vehicle may still be defined as a 'Definition (b)' modified production low volume vehicle.



In certain cases, where a vehicle has a body section and/or a chassis section added to increase the occupant or cargo space, such as a sedan to stretched limousine conversion, or a similar style of body and/or chassis conversion, the vehicle may still be defined as a 'Definition (b)' modified production low volume vehicle.

In certain cases, where the modifications cause a vehicle to no longer maintain a clear visual resemblance to the original vehicle, or to no longer remain dimensionally-similar to the original vehicle, the vehicle may still be defined as a 'Definition (b)' modified production low volume vehicle.

**Note 9:**

In such cases, the mass-produced vehicle which the modified vehicle most closely resembles will be recorded on the NZTA's Landata vehicle attributes screen in the 'Model' field, followed by the word 'replica'.

A 'Definition (b)' modified production low volume vehicle may, provided that it was originally manufactured as a body/chassis vehicle, incorporate a partial or complete replacement chassis, which either:

- is from the same mass-produced vehicle manufacturer, and uses materials and design principles that are appropriate to the style and era of the originating mass-produced vehicle; or
- incorporates an aftermarket chassis which was intended by the chassis manufacturer for fitment to the originating mass-produced vehicle, which uses materials and design principles that are appropriate to the style and era of the originating mass-produced vehicle.

**Note 10:**

The reference to:

- 'materials' means, for example, if the original chassis was manufactured from mild steel, then the replacement chassis should also be manufactured from mild steel (as opposed to chrome-moly or composite material); and
- 'design principles' means, for example, if the original chassis was made from 'box-section' or 'C-section' style steel construction, then the new chassis must also be made from 'box-section' or 'C-section' style steel construction (as opposed to a tubular space-frame or monocoque tub).

Where a traditionally-styled 'box-section' style steel chassis has been fitted to a vehicle which was originally fitted with a 'C-section' style steel chassis, the vehicle may still be defined as a 'Definition (b)' modified production low volume vehicle.

Common examples of likely 'Definition (b)' modified production low volume vehicles:

The vehicles in the table below can be accepted as meeting the criteria specified in part (b) of the modified production low volume vehicle definition, and can therefore (provided that all applicable notes 1-10 are met) be considered 'Definition (b)' modified production low volume vehicles.

<b>Vehicle</b>	<b>Classification</b>
▪ OE 1930 Ford Coupe body on OE 1930 Ford Sedan chassis	'Definition (b)' Mod Prod 1930 Ford
▪ OE 1930 Ford Coupe body on reproduction 1930 Ford chassis	'Definition (b)' Mod Prod 1930 Ford Coupe
▪ OE 1928 Ford Roadster body on OE 1932 Ford chassis	'Definition (b)' Mod Prod 1928 Ford Roadster
▪ OE 1928 Ford Roadster body on reproduction 1932 Ford chassis	'Definition (b)' Mod Prod 1928 Ford Roadster
▪ OE 1955 Chevrolet Belair body on reproduction box-section Art Morrison chassis (designed for 1955 Chevrolet)	'Definition (b)' Mod Prod 1955 Chevrolet Belair
▪ OE 1928 Rolls Royce hearse converted to 4-door sedan (seating positions added)	'Definition (b)' Mod Production 1928 Rolls Royce
▪ 1995 Toyota Hilux body on same or later model/series Toyota chassis	'Definition (b)' Mod Prod 1995 Toyota Hilux
▪ Mercedes Sprinter cab & chassis converted to box-body camper	'Definition (b)' Mod Prod Mercedes Sprinter
▪ Ford Falcon 6-seat sedan converted to 8-seat stretched limousine	'Definition (b)' Mod Prod Ford Falcon
▪ HQ Holden station wagon converted to well-side utility	'Definition (b)' Mod Prod HQ Holden
▪ Suzuki Jimny station wagon converted to flat-deck utility	'Definition (b)' Mod Prod Suzuki Jimny
▪ Ford Transit van cut behind front-row seating with fibre-glass camper body joined in	'Definition (b)' Mod Prod Ford Transit
▪ 1980 Land Rover Series 2 body on Land Rover Defender chassis	'Definition (b)' Mod Prod 1980 Land Rover Series 2
▪ 1980 Land Rover 110 body on same or later Range Rover chassis	'Definition (b)' Mod Prod 1980 Land Rover 110

Note that the above list is only indicative of some common examples of 'Definition (b)' 'modified production' low volume vehicles and is intended to provide a guide toward the definitions. Where any doubt exists as to how a particular vehicle should be defined, LVVTA technical staff should be consulted for guidance at the earliest opportunity to ensure that the vehicle is correctly categorised.

Assessment responsibility for 'Definition (b)' modified production low volume vehicles:

An appropriately-authorized LVV Certifier is responsible for the correct assessment of the classification of a 'Definition (b)' modified production low volume vehicle.

### 'Definition (b)' summary:

In summary, if a subject vehicle is a mass-produced vehicle, meets the conditions specified in notes 1-10, and is aligned with the types of vehicles detailed in the examples table above, then the vehicle can be accepted as a 'modified production' low volume vehicle, and no further action is required by a vehicle owner or LVV Certifier.

If a vehicle does not meet the criteria specified for a 'Definition (b)' modified production low volume vehicle, it may still be classified as a modified production low volume vehicle if it meets the criteria specified in part (c) of the modified production low volume vehicle definition set out further on in this Information Sheet.

## **SECTION C:**

### **'Definition (c)' modified production low volume vehicles (LVVTA-assessed):**

#### Overview of a 'Definition (c)' modified production low volume vehicle:

There are cases when a vehicle, which by reason of technicality of design or component selection, falls outside the criteria specified for a 'Definition (a)' or a 'Definition (b)' modified production low volume vehicle, however which may still meet the spirit and intent of the modified production low volume vehicle definition. These vehicles always have unusual characteristics and are modified in very small numbers. In some such cases, the vehicle may not look like the vehicle as it was originally manufactured, may not be dimensionally similar, and may feature extensive and complex modifications.

However, for such a vehicle to be classified as a 'Definition (c)' modified production low volume vehicle, the determination must be made in a different manner than that which applies for a 'Definition (a)' or 'Definition (b)' modified production low volume vehicle. (See assessment responsibility for 'Definition (c)' modified production low volume vehicles) further on in this section.

#### Criteria for a vehicle to be a 'Definition (c)' modified production low volume vehicle:

In certain cases, a vehicle may be determined, on a case-by-case basis, to be defined as a 'Definition (c)' modified production low volume vehicle, where the vehicle either:

- does not incorporate a predominance of key components, or which incorporates key components which are from dissimilar eras; or
- is a unitary-constructed vehicle that has been converted to a body/chassis vehicle, or a unitary-constructed vehicle that has had a complete floor and mechanical conversion; or
- has had a complete custom or after-market chassis fitted which uses materials and design principles that are not appropriate to the style and era of the originating mass-produced vehicle.

Common examples of likely 'Definition (c)' modified production low volume vehicles:

The vehicles in the table below may be accepted as meeting the criteria specified in part (c) of the modified production low volume vehicle definition, and may therefore (provided that all applicable notes 1-10 are met) be considered 'Definition (c)' modified production low volume vehicles:

<b>Vehicle</b>	<b>Classification</b>
<ul style="list-style-type: none"><li>OE 1969 (unibody) Ford Mustang on box-section reproduction Art Morrison chassis (designed for 1969 Mustang)</li></ul>	'Definition (c)' Mod Prod Ford – subject to issue of validated LVV F010
<ul style="list-style-type: none"><li>FWD Mitsubishi Lancer fitted with 4WD Mitsubishi Lancer floor-pan &amp; sub-frames</li></ul>	'Definition (c)' Mod Prod Mitsi – subject to issue of validated LVV F010
<ul style="list-style-type: none"><li>Ferrari replica body panels (intended for fitment to Toyota MR2) fitted to a Toyota MR2</li></ul>	'Definition (c)' Mod Prod Toyota MR2 'replica Ferrari' – subject to issue of validated LVV F010
<ul style="list-style-type: none"><li>Toyota Hilux body on Toyota Crown (perimeter) chassis</li></ul>	'Definition (c)' Mod Prod Toyota Hilux – subject to issue of validated LVV F010
<ul style="list-style-type: none"><li>XY Ford Falcon body on EA Ford Falcon floor-pan &amp; sub-frames</li></ul>	'Definition (c)' Mod Prod XY Ford Falcon – subject to issue of validated LVV F010
<ul style="list-style-type: none"><li>1965 Ford Mustang body on EA Ford Falcon floor-pan &amp; sub-frames</li></ul>	'Definition (c)' Mod Prod 1965 Ford Mustang – subject to issue of validated LVV F010

Note that the above list is only indicative of some examples of 'Definition (c)' modified production low volume vehicles and is intended to provide a guide toward the definitions. Where any doubt exists as to how a particular vehicle should be defined, LVVTA technical staff should be consulted for guidance at the earliest opportunity to ensure that the vehicle is correctly categorised.

Assessment responsibility for 'Definition (c)' modified production low volume vehicles:

In such cases where consideration is given to a vehicle in order to determine whether or not it may be classified as a 'Definition (c)' modified production low volume vehicle (rather than a 'scratch-built' low volume vehicle), it must be assessed on a case-by-case basis by the joint NZTA-LVVTA Technical Working Group (as detailed in sub-section 4.12 of the LVV Operating Requirements Schedule of the LVVTA), and where appropriate, be validated by the Technical Working Group as a 'Definition (c)' modified production low volume vehicle, via the issue of a F010 Application for Statement of Classification.

The assessment process of a 'Definition (c)' modified production low volume vehicle will take into account the criteria specified in this section.

In order to facilitate this assessment process, the LVV Certifier involved in the LVV certification of the vehicle in question must provide the F010 Application for Statement of Classification to LVVTA, which must be filled out by the vehicle owner and the LVV Certifier as required, together with a copy of all required supporting evidence.

A copy of the F010 Application for Statement of Classification is attached at the back of this Information Sheet.

'Definition (c)' summary:

If a subject vehicle is a mass-produced vehicle, however does not meet the criteria specified for a 'Definition (a)' or 'Definition (b)' modified production low volume vehicle, LVVTA must, where appropriate, be contacted for the application of the assessment process by the NZTA-LVVTA Technical Working Group. If the Technical Working Group is satisfied that the vehicle meets the criteria specified for a 'Definition (c)' modified production low volume vehicle, an LVV F010 Application for Statement of Classification will be issued.

If the NZTA-LVVTA Technical Working Group determines that the vehicle cannot be classified as a modified production low volume vehicle, an LVV F010 Application for Statement of Classification will not be issued for the vehicle, and the vehicle will be classified as a scratch-built low volume vehicle, as defined further on in this Information Sheet.

## **SECTION D:**

### **Legal definition of a 'scratch-built' low volume vehicle:**

Definition from the Low Volume Vehicle Code:

For convenience, the definition of a scratch-built low volume vehicle is copied from the Low Volume Vehicle Code and reproduced below:

<b>Scratch-built (low volume vehicle)</b>	means a low volume vehicle that is not a 'modified production' low volume vehicle.
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Notes to support the scratch-built low volume vehicle definition:

The following notes should assist a prospective builder or modifier, or LVV Certifier, in determining which classification (modified production or scratch-built) a low volume vehicle will fall into.

**Note 11:**

A scratch-built low volume vehicle that is a replica of a mass-produced vehicle must have its 'make' recorded as 'LVV', and its 'model' recorded as 'replica', whilst the year, make, and model of the mass-produced vehicle which it most closely resembles should be recorded in the sub-model field in the Landata system.

(Because the LVV Form-sets do not incorporate a 'Sub-model' field, this information will be adjoined to the 'Model' field).

A scratch-built low volume vehicle that is not a replica of a mass-produced vehicle must have its 'make' recorded as 'LVV', and its 'model' recorded as whatever the vehicle owner wishes to call it.

**Note 12:**

Where any clarification or confirmation is required in relation to any part of this definition, this shall be provided by the LVVTA, in consultation with the NZTA-LVVTA Technical Working Group.

**Note 13:**

A scratch-built low volume vehicle must meet all of the New Zealand Transport Agency's applicable entry compliance requirements before it can be processed as a low volume vehicle.

**Note 14:**

A scratch-built low volume vehicle may be further broken down into scratch-built sub-categories, which are detailed within *Section 7, 'Low Volume Vehicle Classification and Categories'*, of the *LVV Operating Requirements Schedule* of the LVVTA. This information (which can be down-loaded free of charge from the LVVTA's website [www.lvvta.org.nz](http://www.lvvta.org.nz)) should be reviewed and considered when assessing the status of a scratch-built low volume vehicle.

### Overview of a 'scratch-built' low volume vehicle:

A 'scratch-built' low volume vehicle is, in general terms, a vehicle that has been built from scratch without using a mass-produced vehicle as a starting point, or, a vehicle which uses a mass-produced vehicle as a starting point but which has been modified to such an extent that the finished vehicle can no longer reasonably be considered the same vehicle.

In most cases, a vehicle will be classified as a 'scratch-built' low volume vehicle if the vehicle:

- has a reproduction body; or
- has a chassis that is entirely unrelated to the body in terms of make or era; or
- is assembled from a conglomeration of entirely unrelated parts; or
- has no history or identifiers to show that the vehicle is or was a mass-produced vehicle.

### Criteria for a vehicle to be a 'scratch-built' low volume vehicle:

A low volume vehicle which cannot be determined to be a 'modified production' low volume vehicle in Section A or Section B, and cannot be issued with an LVV F010 Application for Statement of Classification under Section C which confirms the vehicle's classification as a 'modified production' low volume vehicle, will be classified as a 'scratch-built' low volume vehicle.

A vehicle which incorporates a fibre-glass reproduction body that replaces an OEM steel body will always be classified as a 'scratch-built' low volume vehicle.

### Common examples of likely 'scratch-built' low volume vehicles:

The vehicles in the table below are examples of vehicles which typically meet the scratch-built low volume vehicle definition.

<b>Vehicle</b>	<b>Category</b>
▪ OE 1930 Ford Coupe body on custom tubular space-frame chassis	Scratch-built
▪ Fibreglass reproduction 1932 Ford Coupe body on any (OE, repro, or custom) chassis	Scratch-built
▪ XE Ford Falcon sedan body fitted to Nissan Patrol chassis	Scratch-built
▪ FWD Mazda 323 changed to RWD Mazda RX7 floor and mechanicals	Scratch-built
▪ Volkswagen floor-pan with fibreglass beach buggy body	Scratch-built
▪ Fibreglass reproduction MGTF body on any (Triumph Herald or custom) chassis	Scratch-built
▪ Fibreglass reproduction C-type Jaguar body on Mk5 Jaguar chassis	Scratch-built
▪ Aluminium reproduction C-type Jaguar body on reproduction tubular space-frame chassis	Scratch-built
▪ Replica Lotus 7 built from mild steel tubing and sheet aluminium	Scratch-built
▪ 'Pursang' Type 35 Bugatti replica	Scratch-built
▪ Ariel Atom low volume factory sports car	Scratch-built
▪ Dynacorn-brand Ford Mustang replica body & subframes with no donor 1965 Ford Mustang or known history	Scratch-built
▪ Volkswagen Polo body on Mitsubishi Evo 10 floor-pan and sub-frames (rally car)	Scratch-built
▪ Caterham Series 1 Lotus 7; factory-built in low volumes without meeting NZ Land Transport rules	Scratch-built

The above list is only indicative of some common examples of scratch-built low volume vehicles and is intended to provide a guide toward the definitions. Where any doubt exists as to how a particular vehicle should be defined, LVVTA technical staff should be consulted for guidance at the earliest opportunity to ensure that the vehicle is correctly categorised.

Assessment responsibility for 'scratch-built' low volume vehicles:

An appropriately-authorized LVV Certifier is responsible for the correct assessment of the classification of a 'scratch-built' low volume vehicle.

'Scratch-built' low volume vehicle summary:

In summary, if a subject vehicle falls into the 'scratch-built' low volume vehicle criteria, and is aligned with the types of vehicles detailed in the examples table above, then the vehicle should be considered a 'scratch-built' low volume vehicle, and be treated as such.

## SECTION E:

This section provides some historical information about the early versions of the scratch-built and modified production definitions, why new definitions were developed in 2013 and have been amended since, and why these latest versions have been written.

### Background

#### Original intention of the scratch-built definition

The development of the low volume vehicle certification system and the original Low Volume Vehicle Code (LVV Code) for light hobbyist motor vehicles was carried out by the five founding member associations that formed the LVVTA, and the Ministry of Transport, between 1989 and 1991. The original 1990 version of the LVV Code took effect in 1992.

An important part of that system's development was the establishment of a set of definitions designed to identify differing types of modified, home-built, and kit-type light vehicles so as to apply the most appropriate certification processes and registration categories for them. As with many such processes when new, the original definitions were too complicated and numerous, and as a result, quite clumsy. The definitions have progressively evolved and been refined throughout the development of the 1992, 1993, and then 1996 LVV Codes, into fewer categories (eventually to distinguish between just 'modified production' and 'scratch-built'), which began to work well.

#### Problems along the way

Unfortunately, during the mid-1990s there were attempts made by unscrupulous car dealers (some successfully) to exploit the LVV Code to provide a back-door method of getting vehicles on the road that did not meet the Government's normal entry compliance requirements.

Whilst we tried hard to resist this, legal challenges won out, and as a result of that, changes and additions were made by (the then) Land Transport Safety Authority to the definitions in the LVV Code and the Land Transport Compliance Rule during the mid to late 1990s to prevent further abuse of the LVV system.

Additionally, (the then) Land Transport Safety Authority used the same scratch-built definition that was developed for light vehicles to resolve a problem that they had at the time with heavy vehicles, by amending the definition further to cater for the needs of heavy vehicles. This is why the wording '*...for light vehicles...*' appeared at the start of an early scratch-built definition.

These changes provided the desired results of successfully closing the doors to the abuse of the LVV Code, and helping the heavy vehicle situation, however, unfortunately, the changes also had the effect of creating significant difficulties for the light hobbyist motor vehicle enthusiasts – the very group of people who the LVV Code and the definitions were originally established to help.

Consequently, for many years prior to 2013, motor vehicle enthusiasts with safe, well-engineered vehicles, have experienced serious difficulties in getting their modified vehicles through the LVV Certification and Entry Compliance processes, due to the way in which the definition of scratch-built had been worded and applied within the Land Transport Compliance Rule 35001/1, and the various individual equipment rules.



## **Application problems with the (then) existing definition**

### Inconsistency in its application

The pre-2014 definition became very poorly worded and structured, and contained a high degree of complexity. Consequently, the definition was very difficult to understand and apply, so much so that it was regularly misunderstood and incorrectly applied by Transport Service Delivery (TSD) agents, different people within New Zealand Transport Agency, and LVV Certifiers.

One example that illustrated the confusion well, cropped up in 2004. The case was an XE Ford Falcon body fitted to a Nissan Patrol four-wheel drive chassis, and clarification was sought by a TSD agent to the New Zealand Transport Agency as to how the vehicle should be processed for re-entry back into the fleet. During the ensuing discussions, different people in the Agency involved in the decision-making process of what the vehicle should be declared as were unable to reach any clear consensus; - some determined that it should be a scratch-built LVV, whereas others regarded the vehicle as a modified production Ford Falcon, and others regarded it as a modified production Nissan Patrol.

This confusion is not a reflection on anyone's knowledge or skills, but simply a reflection on how, with amendment after amendment made in an effort to resolve problem after problem, the scratch-built definition became poorly-worded and overly-difficult to understand and consistently apply.

### Time delays experienced

Because of the problems experienced with providing consistent interpretations, disputes commonly arose, and it was not uncommon for motor vehicle enthusiasts to have to wait for over a year before being able to get their vehicle registered for road use.

For an organisation like LVVTA that was established to represent the needs of its enthusiast members, this was an untenable situation.

### Different wording between different Rules

The problems were further complicated by the fact that when the 1998 version of the Land Transport Compliance Rule 35001 was amended in 2002 (to create 35001/1), a wording change mysteriously occurred which involved the substitution of the word 'or' with 'and' between two sub-paragraphs within the scratch-built definition. This change had a profound effect on the outcome of the definition and caused the definition contained within Land Transport Compliance Rule 35001 to be in conflict with the definition contained within NZTA's individual equipment rules.

## **Outcome problems with the definition**

### Problems for hot rod builders and classic vehicle modifiers

Hot rod builders and classic vehicle modifiers are the groups most commonly affected by the problem with the scratch-built definition as it has been worded, because of the common practice for hot rod builders and classic vehicle modifiers to replace the chassis in their vehicles.

The reason for this is that their vehicles of choice – predominantly 1920s to 1960s vehicles – have a simple ladder chassis that, because of the rough and pot-holed roads prevalent at the time of the manufacture of these vehicles, were designed to allow a substantial amount of torsional (diagonal) flex.

With smooth modern roads and higher open-road speeds of today, the performance requirements from such vehicles have changed, and a more rigid platform is ideal. To achieve this, hot rod enthusiasts typically stiffen their chassis' with cross-member systems that run throughout every plane to create a chassis that is rigid in both bending and torsion. Due to the condition of the 70 and 80-year old chassis' that these enthusiasts start with however, it is often more advantageous from the points of view of economy and overall long-term safety, to reproduce the chassis from new material, incorporating new chassis rails that replicate the originals but which incorporate torsionally-stiff cross-member systems.

Under the old wording, a new chassis being built for a genuine old steel 1932 Ford Coupe would cause the vehicle to become a scratch-built low volume vehicle, and would consequently have to meet many additional regulations such as not being able to remain left-hand drive (in the case of an imported car), and could not keep it's original lighting, door latches, dash-board, and many other features that are important to retain in a car such as this.

LVVTA has promoted the position that motor vehicle enthusiasts should not be penalised for wishing to increase the level of safety in any area within the vehicles they restore, rebuild, or modify.

Then there was the problem of the vehicle losing its identifiers, causing it to be unable to be registered. When chassis reproduction occurs, there is concern from some quarters about the loss of the original identifiers. However, in many cases the chassis numbers do not in fact become 'lost', because many of these old vehicles never had a chassis number to begin with. Many such separate body/chassis vehicles only ever had body numbers or engine numbers affixed. The Model-A Ford for example – one of the most popular vehicle types amongst hot rod enthusiasts – had a body number stamped on the floor frame of the body and had nothing anywhere in the way of an identifier on the chassis itself. In fact, the Ford Motor Company didn't use an identifier on the chassis of their vehicles until 1933. Many other vehicle manufacturers didn't affix an identifier to their chassis until much later than this.

In other cases, the part of the vehicle's chassis that carried the chassis number has rusted out and been replaced, often without the owner or repairer even knowing the number ever existed in that part of the vehicle structure being replaced.

### Body repairs and replacement

It must also be recognised that some of these subject vehicles are 70 years old, and that nothing man-made lasts forever, particularly things manufactured from sheet-steel. It is common-place for the rebuilding of such vehicles (whether restoring or modifying) to require extensive body restoration due to 80 years of corrosion. Replacement of floors, lower panels, sills, firewalls, and even body framing is required more often than not – which all represents a massive labour of love. New reproduction panels are available for popular models of old vehicles and are identical to the original parts.

Debate used to crop up as to whether the repaired body sections form part of the 'original' body surface area, because the situation was not clearly spelt out within the old definitions.

Also, if an enthusiast elected to replace his 1932 sedan body with a different factory or coach-built body that was available for the chassis in question at the time of its manufacture, such as a coupe body, debate often crops up as to whether the changed body style caused the vehicle to become a scratch-built LVV, because again, the situation was not clearly defined.

## **New 'clean sheet' set of definitions required**

### Proposal of new definitions

To resolve these issues, LVVTA proposed to NZTA a new definition regime to replace the pre-1 January 2014 scratch-built definition, with a completely new modified production low volume vehicle definition added in. A 'clean sheet approach' was proposed, in order to develop a new set of definitions that will meet the needs of everyone concerned, without opening up any opportunity for abuse of the system.

The intention of the proposal was to set down some lines in the sand, so to speak, that clearly, logically, and fairly establish whether a vehicle is in fact still the original old vehicle, albeit modified, or if the vehicle has been modified to such an extent that its identity as an old vehicle has been lost.

It is important to note that there are very few scratch-built vehicles entering the New Zealand vehicle fleet each year. Generally, the average number of scratch-built vehicles entering the fleet per year is less than 100. Scratch-built low volume vehicles account for something in the order of .06 % of the vehicle fleet.

LVVTA began down the path of finding a solution to our local problems in this area by looking at how overseas regulatory jurisdictions deal with the problem of defining different types of low volume vehicles.

The way in which overseas systems that LVVTA studied deal with defining such vehicles are summarised as follows:

### United Kingdom

England, Ireland, Scotland and Wales all operate under the system prescribed under the Driver Vehicle and Licensing Agency (DVLA), in conjunction with the Single Vehicle Approval system (SVA) – which is similar to our LVV Code. This system is hugely and unnecessarily complicated, and for all of its complexity it provides some illogical outcomes. For example, under a points allocation system a home-built vehicle can retain a high-volume vehicle manufacturer's original registration status as long as it can score 8 points – but 8 points can be achieved without having either the OE body or the OE chassis.

Similarly flawed is the fact that a kit vehicle over there does not have to bear any visual resemblance whatsoever to that mass-produced vehicle which it can remain registered as.

### Europe

From the information that we have been able to find, it would appear that many, if not most, European countries apply the UK's DVLA and SVA systems for their individually constructed and small-volume vehicles.

## Australia

The whole low volume vehicle equivalent system in Australia is immensely complicated because the Federal Government makes the job of dealing with modified and home-built vehicles the responsibility of each individual State Government. The outcomes within the various states in Australia therefore range from 'do whatever you like' in the Northern Territories, to unreasonably restrictive requirements in New South Wales and Queensland.

One of the reasons the LVV system was developed as an entirely new and unique system in New Zealand was because of the lack of sound technical requirements encompassed within the Australian systems.

## United States of America

The USA has the same individual state-responsibility regime as Australia, so variation is high, while any actual enforcement of their regimes is very low because regular road-worthiness inspections don't exist.

What most states have adopted is the very simplistic philosophy of allowing a custom-built/home-built/scratch-built/individually constructed vehicle to be registered as that mass-produced vehicle which it visually most closely resembles. Interestingly, they are applying this concept for modern legislation such as noise emissions and air quality emissions also.

While that regime is, in principle, ideal in terms of simplicity and ease of application, it is probably not a viable option as written because of the potential liability issues that the LVV Certifier, LVVTA, and New Zealand Transport Agency could be subjected to through a home-built particular make and model replica vehicle being misrepresented as a high-value mass-produced vehicle, such as the AC Cobra, Type-35 Bugatti, or Lamborghini Diablo – all of which are commonly replicated.

## The New Zealand solution

LVVTA's view was that with a 'clean-sheet' review of what has existed, but staying along similar lines, if done well, will provide the best outcome for the motor vehicle enthusiasts, the compliance industry, and New Zealand Transport Agency, from both safety and registration view-points.

With no overseas models that we could find that were fair, clear, sensible, and logical, a new set of modified production and scratch-built definitions were developed by LVVTA and agreed by NZTA.

## **Objectives of the new definitions**

### Clarity and ease of application

The intention was to write the new definitions in such a way that they can be read and understood by anyone involved in the entry compliance industry, and the risk of misinterpretation of any part of the definitions is minimised as much as possible.

### Avoidance of conflicting definitions

It was also proposed to position the new definitions just once within the Low Volume Vehicle Code and include an incorporation of the definitions by reference to the LVV Code within each Rule to (a) ensure

that there is no conflict of the wording within the definition spread throughout the many Land Transport Rules; and (b) to enable the quickest possible means of amending the definitions if new circumstances necessitate changes sometime in the future.

This ‘incorporation by reference’ methodology for the LVV system has been used extensively over the past 25 years within all of the individual equipment rules, the LVV Certifiers’ Deeds of Appointment, and the NZTA Performance Review System documentation. This process is favoured because, aside from preventing ‘version disease’, it enables a much speedier process for making amendments and improvements if they are required. The LVV Code can be amended within weeks if necessary through mutual agreement and sign-off between LVVTA and New Zealand Transport Agency, rather than the lengthy time-frames that the Rules amendment process involves.

Such methodology has been a great bonus to the regulatory regime over the years – many times new technology or changes in the way the industry does things has necessitated a safety-related technical requirement change to an LVV standard, which LVVTA and New Zealand Transport Agency have been able to jointly achieve within weeks of identifying the problem.

#### Resolution of delays

With the clarity and ease of application expected of the new definitions, the time delays in getting affected vehicles through the LVV certification and entry compliance processes would become a thing of the past.

#### Resolution of hot rod builders’ and classic car’ modifiers problems

The new definitions were written in such a way that the problems outlined under ‘outcome problems with the definition’ for hot rod builders and classic car modifiers who have had the entry compliance process made unreasonably difficult as a result of the way in which the current definitions have been interpreted and applied, were resolved. Specifically, these include:

#### Chassis reproduction

The new definitions allowed motor vehicle enthusiasts to build reproduction chassis rails that are of a similar design, material specification, and construction method for their vehicles, without being deemed by the definition to become a scratch-built vehicle, and therefore be subjected to some of the technical requirements that are not appropriate for the style of vehicle being built.

A person rebuilding and modifying an original 1932 Ford, for example, can fit a complete reproduction 1932 Ford chassis, such as a ‘Kiwi Konnection chassis, and the vehicle still remained a modified 1932 Ford (rather than becoming a new scratch-built vehicle). Similarly, a person rebuilding and modifying a 1956 Chevrolet may elect to install a complete 1956 Chevrolet reproduction chassis, such as those supplied by ‘Art Morrison Enterprises’ (in order to take advantage of power steering, disc brakes, and many other upgrades), and the vehicle will remain a modified 1956 Chevrolet (rather than becoming a new scratch-built vehicle).

The wording provides a degree of scope for using a chassis from a similar period, so that common same-era swaps, such as installing a 1932 Ford chassis under a 1928-31 Ford Model-A body, will not cause the vehicle to become a new scratch-built vehicle.

Where there is no predominance of manufacturer between body and chassis, or the body and chassis are out of period – such as a Mitsubishi L300 chassis under a 1941 Willys coupe, or an HQ Holden ute chassis under a 1946 Chevrolet pick-up – such a vehicle immediately became a scratch-built low volume vehicle.

There was no reference to cross-members in the new definitions, so builders and modifiers were free to construct whatever style of cross-members they deem fit in the interests of safety.

It is important to note that in every such case where the vehicle is deemed to remain a modified production low volume vehicle, the LVV certification system still applies, and the LVV inspection process for such vehicles ensures that all important safety aspects of the vehicle such as steering, suspension, braking, steering system collapsibility, chassis engineering, seats, seatbelts, seat and seatbelt anchorages, etc all meet the same level of safety requirements as for a scratch-built vehicle.

The concessions that a modified production vehicle might have over a scratch-built vehicle is in relation to the use of some of its original equipment such as lighting equipment or door retention systems within the vehicle's original body. And, of course, being able to remain left-hand drive if originally built that way.

#### Body repairs and replacement

The new definitions recognised that the replacement of any part of an old vehicle body with identical direct replacement parts was in fact a repair, and not a modification.

In the same way as that which applies to a vintage vehicle, if a hot rod builder chooses to replace a sedan body with a factory or coach-built body that was available for the chassis in question at the time of its manufacture, this will not, on its own, cause the vehicle to become a scratch-built. A common example of this might be the replacement of a sedan body with a same make and model coupe or roadster body.

#### Prevention of abuse of LVV Code

The new definitions were written in such a way as to prevent people using the LVV Code as a back-door means of registering production vehicles for road use that do not meet the New Zealand Transport Agency's normal entry compliance requirements. This was already spelt out clearly in the LVV Code, however the new modified production and scratch-built definitions helped to ensure that such vehicles could not be incorrectly processed as scratch-built low volume vehicles.

#### Correct description of vehicles

The new definitions were intended to ensure that no home-built, individually-constructed, or low volume kit-type vehicle can become certified and registered as something that it is not. Neither the LVV certifier, nor LVVTA, nor the New Zealand Transport Agency should be put in a position of being a party to a case of misrepresentation. A vehicle that looks like an AC Cobra for example, must not be described under its 'make' field as an AC Cobra, unless it actually is one.

#### Alignment between description and appearance

The new definitions will help to ensure that a vehicle looks like what the Land Transport Registry system describes it as. If the vehicle looks like a 1946 Chevrolet Pick-up for example, then, despite the body being fitted to a 1980 Holden Utility chassis as opposed to its original chassis, there should be a clear reference

to the 1946 Chevrolet Pick-up on the registry system, even if only under the 'Model' field, being preceded by the word 'replica'.

This is an important factor for many reasons, not the least of which being from the NZ Police's point of view; - if they are calling for assistance in relation to a specific vehicle, then the make and model and sub-model should be representative of what the vehicle actually looks like.

### Registration fees

The new definitions helped to prevent a vehicle that is not genuinely an old vehicle to receive the cheaper registration fees available to genuine old vehicles, until after 40 years from the date it was put on the road.

## **The ongoing challenge**

### The 2014 definitions were a big step forward

The definitions that were implemented in 2014 were a big step forward and resolved many problems. Sometimes however, when rules and definitions are written, future trends can go unseen or unanticipated.

When the new definitions were introduced in 2014, we resolved the problem for the 1955 Chevrolet Belair owner who wanted to put an Art Morrison chassis under it but have the car still regarded as a modified production low volume vehicle, rather than become a scratch-built – which of course would mean that the vehicle would need to be converted to right-hand drive. Ditto for the 1932 Ford hot rod owner who wanted to replace their tired old chassis with a brand new 'repro' chassis from 'Kiwi Konnection' or the like.

What we didn't see coming then (remembering that with the time it takes to have new rules agreed and incorporated within the Land Transport Regulatory System, the definitions introduced in 2014 were written during the 2010-2012 period) was the new wave of aftermarket chassis being manufactured by the likes of Alston and Art Morrison for unitary-constructed vehicles like 1960s Mustangs and Camaros. The conversion of a unitary-construction vehicle to a body-chassis vehicle caused these builds to be left out in the cold, and so in more recent years LVVTA has had another look at how the definitions apply to vehicles built within the current aftermarket environment.

Like the 1955 Chevy, the old unibody Mustangs and Camaros only benefit from a good modern chassis grafted into them, and it would be inappropriate to require such vehicles to be converted to right-hand drive and have to change some of their other as-manufactured equipment.

### More 'tuning' of the definitions in 2017 and 2018

During 2017-2018 LVVTA has reviewed the definitions again, looked at current and emerging trends, and the various risks that potentially exist, and has, during 2017, revised the definitions for a modified production low volume vehicle and a scratch-built low volume vehicle. The details have been removed from the scratch-built vehicle definition, and now, instead, the modified production low volume vehicle definition includes the details.

The primary challenge continues to be to ring-fence those vehicles whose modifications are limited to such an extent that the vehicle can still reasonably be considered the same vehicle as that from which it originated – in other words a modified production low volume vehicle, which can remain left-hand drive if

manufactured that way, and keep much of it's as-manufactured equipment.

We are hopeful that these revised definitions, together with their explanatory notes, will help car modifiers and builders into the future, and ensure that an environment exists in which car enthusiasts can continue to modify and build their vehicles in a safe and innovative way.

Please feel free to talk to a member of the Technical Team at the LVVTA office if you have any questions on this subject.

Tony Johnson

Chief Executive Officer

**Low Volume Vehicle Technical Association**





# FORM # F010 APPLICATION FOR STATEMENT OF CLASSIFICATION

This F010 Application for Statement of Classification is to be applied in accordance with the *'modified production' low volume vehicle definition* in the *Low Volume Vehicle Code*, or where for some other reason it is necessary for a determination to be made as to whether a vehicle is a *'modified production' low volume vehicle*, or a *'scratch-built' low volume vehicle*.

Photos of the vehicle and any applicable identifiers must be supplied with this document, and where applicable, graphic illustration may also be provided as an additional resource.

*To be valid, this F010 Form must be stamped by the Low Volume Vehicle Technical Association on the reverse side.*

## Vehicle owner information

Owner name:	Contact name:
Phone:	E-mail:
Date of application:	I accept there is an application fee of \$85 to be paid: <input type="checkbox"/>

## Vehicle Body information

Body Make or Manufacturer:	Body Model:
Body Sub Model:	Body Type:
Body previously registered in New Zealand: Yes <input type="checkbox"/> / No <input type="checkbox"/>	Registration number if previously registered:
Body modifications if applicable:	

Percentage of original body remaining:

Details of origin of body:

Vin/Body number if applicable (photographs required):

Vehicle photos attached (required): Yes

## Vehicle chassis information

Chassis Make or Manufacturer:	Chassis Model:
Chassis Number:	Chassis material if not OEM:
Chassis design if not OEM:	
Chassis modifications if applicable:	

Details of origin of chassis:

Build/chassis photos or illustrations attached (required): Yes

## Engine information

Model of engine:	Origin of engine:
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## Vehicle information

Country of previous registration if imported:

Date of vehicle modification, construction, or previous registration date:

Vehicle modified/built by (name): \_\_\_\_\_ Business name if applicable: \_\_\_\_\_

## Legal Requirements

NZTA have linked vehicle identifiers if more than one identifier is present: Yes  / No

Proof of body ownership provided: Yes  / No

Proof of chassis ownership provided: Yes  / No

Applicable additional information around ownership (if required):

**I confirm that the information provided on the previous page is accurate to the best of my knowledge**

Vehicle Owner (name): \_\_\_\_\_ Signed: \_\_\_\_\_ Date: \_\_\_\_\_

**CERTIFIER USE ONLY**

**I confirm that I have inspected the vehicle described above, and that the information provided to me, above, appears to match the vehicle**

LVV Certifier (signature): \_\_\_\_\_ Certifier ID: \_\_\_\_\_ Date: \_\_\_\_\_

Certifier Notes/Comments:

**LVVTA USE ONLY**

Validation by NZTA-LVVTA Technical Working Group

Application fee received: Yes  / No

Date Received:

Technical Working Group member details (as defined in section 4.12[3] of the LVV 'Operating Requirements Schedule')

LVVTA Name 1:

NZTA Name 1:

LVVTA Name 2:

NZTA Name 2:

Confirmed Vehicle Status:

Modified Production:

Scratch-built:

Classification Date:

Vehicle to be legally registered as (Year, make, model, sub-model):

Classification Number:

Notes/Comments:

**Official Stamp**  
of the  
Low Volume Vehicle Technical Association Incorporated:



**TSDA/ ENTRY COMPLIANCE INFORMATION (owner to present to TSDA)**

To whom it may concern:

The vehicle detailed above should be entered into the Landata system using the below descriptors. If any further information is required, please contact a member of the LVVTA Technical Team on tech@lvvta.org.nz or 04 238 4343

Vehicle Year:

Vehicle Make:

Vehicle Model:

Vehicle Sub-model: