

Class-change Situation for Modified MC Vehicles

Background:

From time to time the question is raised as to whether a modification to a 4WD MC-class vehicle, such as significantly lowered suspension, can, if the definition of an MC-class vehicle is no longer met, cause the vehicle to require a class change to MA-class.

Class MC Definition:

The legal definition of an MC-class vehicle (from the definition section of the Land Transport Vehicle Standards Compliance Rule 35001) is as follows:

A passenger vehicle, designed with special features for off-road operation, that has not more than nine seating positions (including the driver's seating position), and that:

- (a) *has four-wheel drive; and*
- (b) *has at least four of the following characteristics when the vehicle is un-laden on a level surface and the front wheels are parallel to the vehicle's longitudinal centre-line and the tyres are inflated to the vehicle manufacturer's recommended pressure:*
 - (i) *an approach angle of not less than 28 degrees;*
 - (ii) *a break-over angle of not less than 14 degrees;*
 - (iii) *a departure angle of not less than 20 degrees;*
 - (iv) *a running clearance of not less than 200 mm;*
 - (v) *a front-axle clearance, rear-axle clearance, or suspension clearance of not less than 175 mm.*

Modifications to Class MC Vehicles:

With the increase in interest in lowered 4WD vehicles in recent years, MC-class vehicles are often being presented to LVV Certifiers with modifications that cause the vehicle to no longer meet the above definition.

Common examples of modifications include: because of lowering the suspension there is no longer 175 mm of ground clearance, or the approach, break-over, or departure angles fall outside the definition; or the removal of 4WD components so that the vehicle becomes 2WD only.

Agreed position:

LVVTA has discussed this matter with NZTA, and the following position applies:

Under section 6.3(3) of the Land Transport Vehicle Standards Compliance Rule, a vehicle must have complied with a set of standards applicable to its class at the time of its manufacture, and the intention of the Rule is to prevent class-changing as a means of avoiding compliance with standards.

This effectively means that a vehicle's original registration class as at its time of manufacture remains. Modifications that result in a loss of characteristics which originally qualified the vehicle for a particular class at its time of manufacture (such as the loss of approach/departure/break-over angles when a 4WD MC-class vehicle is lowered), does not result in a change of class.

A lowered 4WD therefore, which, as a result of the lowering or removal of 4WD equipment no longer meets its original classification criteria, is still a low volume vehicle of MC-class, not MA-class.

If you have any queries or require any further clarification relating to this Information Sheet, please feel free to contact one of the technical team in the Wellington office on (04) 238-4343.