



Helping New Zealanders Build & Modify Safe Vehicles

LVV Operating Requirements Schedule

Chapter 16

LVVTA-NZTA Co-regulatory Relationship

Version 12 | Effective from 1 October 2025



Low Volume Vehicle Technical Association (inc)

Approval Record

Signed in accordance with clause 1.3(5) of the Low Volume Vehicle Code of LVVTA, on by:			
New Zealand Transport Agency		Low Volume Vehicle Technical Association	
Name	Signature	Name	Signature
	_____		_____

Amendment Record

Amendments details	Version #	Issue date	Effect date
• LVV ORS - Original Issue	Version 1	2001	2001
• LVV ORS – Amendment # 1	Version 2	1 August 2003	1 October 2003
• LVV ORS – Amendment # 2	Version 3	1 March 2005	1 April 2005
• LVV ORS – Amendment # 3	Version 4	1 February 2006	1 April 2006
• LVV ORS – Amendment # 4	Version 5	1 May 2007	1 July 2007
• LVV ORS – Amendment # 5	Version 6	1 March 2008	1 April 2008
• LVV ORS – Amendment # 6	Version 7	1 January 2010	1 February 2010
• LVV ORS – Amendment # 7	Version 8	1 March 2011	1 April 2011
• LVV ORS – Amendment # 8	Version 9	1 July 2016	1 July 2016
• LVV ORS – Amendment # 9	Version 10	1 October 2016	1 October 2016
• LVV ORS – Amendment # 10	Version 11	1 June 2017	1 June 2017
• LVV ORS Chapter 16 - Amendment # 11	Version 12	10 September 2025	1 October 2025
<p>Note 1 The first ten amendment processes to the LVV ORS (Amendment #s 1-10), carried out between August 2003 and June 2017, were made to the complete ORS document. From Amendment # 11 (which is Version 12, issued 10 September 2025), amendments are carried out to individual chapters.</p> <p>Note 2 Text highlighted in grey shows amendments that have been made subsequent to the previous version of this chapter, and a grey vertical stroke to the left of the text denotes important new or changed information (which may include information which has been removed).</p>			

About the LVV Operating Requirements Schedule

The LVV Operating Requirements Schedule (LVV ORS), and its sub-set of LVV ORS chapters (the chapters) set out the operational systems and processes which enables the LVV certification system to function effectively. Whereas the *Low Volume Vehicle Code* provides the legal platform upon which the LVV certification system operates, the LVV ORS provides robust operational systems and processes to ensure that LVV certification outcomes are consistent, fair, transparent, and of a high quality.

Author, Publisher, & Owner

This chapter is authored, published, and owned by the Low Volume Vehicle Technical Association Incorporated (LVVTA). LVVTA is an incorporated society established in 1992, that represents a group of specialist automotive organisations (in turn representing approximately 150,000 members) who are dedicated to ensuring that vehicles, when scratch-built or modified, meet the highest practicable safety standards.

The information in this chapter has stemmed from work undertaken by LVVTA founding member organisations that commenced in 1989 and has been progressively developed as an integral part of the New Zealand Government's land transport regulatory system, by agreement and in consultation with the New Zealand Transport Agency (NZTA).

As a result, the considerable experience in specialist certification management built up by LVVTA and the specialist automotive member groups over the past several decades can be of benefit to members of the New Zealand public who also wish to build or modify motor vehicles.

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Availability & Current Version

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Note that printed copies of this chapter, like any other printed LVVTA documents, may have been superseded by a later version and become out of date.

Therefore, this and all other LVVTA documents should not be relied upon without first ensuring that the version number (on the right-hand side of the header above) is the current version – please visit the LVV ORS area of www.lvvta.org.nz to check that this chapter is in fact the latest version.

User's Feedback

This chapter is constantly undergoing an evolutionary development process in order to keep pace with changing trends and technology. To assist in this, LVVTA invites users of the chapter to engage in an ongoing consultation process with us by making submissions for any changes, additions, or clarifications which might improve the chapter, at any time.

Any submissions made via this rolling consultation process will be thoroughly considered, and incorporated, where appropriate, at the next available amendment opportunity.

Submissions should be made to submission@lvvta.org.nz, with the name of this chapter in the Subject line.

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LVVTA has made all reasonable efforts to provide sound and correct advice, based on the historical knowledge and best practice experiences of all parties involved in the development and production of this chapter.

However, no responsibility or liability is accepted by LVVTA for any error or omission, or any loss suffered by any person relying directly or indirectly on this chapter. Any person who builds or modifies a motor vehicle accepts that there may be some associated risks, and does so in the full knowledge of this, and accepts full responsibility for their own actions.

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Chapter 16

LVVTA-NZTA Co-regulatory Relationship

Purpose of this chapter

The purpose of this LVV Operating Requirements Schedule chapter (the chapter) is to provide information about, in relation to the LVV certification system:

- the regulatory relationship between the New Zealand Transport Agency (NZTA) and LVVTA; and
- LVVTA's and NZTA's individual and joint roles and responsibilities; and
- how LVVTA and NZTA work together to achieve their joint objectives.

Italics are used throughout this chapter when referencing 'external documents' that are not part of this chapter.

Section 1 Principles of the Relationship

1.1 Introduction

The Low Volume Vehicle Technical Association Incorporated (LVVTA) has had a very special and unique relationship with the New Zealand Transport Agency (NZTA) and its predecessors (LTNZ, LTSA, and originally the Ministry of Transport) as a result of the two organisations successfully working together since 1992 to develop the *Low Volume Vehicle Code (LVV Code)* and its related systems and documents within New Zealand's land transport regulatory framework.

Now in its fourth decade of operation, after developing the basis of the LVV certification system in the early 1990s, LVVTA has continuously improved the LVV certification system - involving NZTA, through its oversight and support role - ever since.

To this day, LVVTA and NZTA work together, in good faith, to enable New Zealanders to continue to modify and build motor vehicles within an environment of compliance and safety, yet still enabling the Kiwi ingenuity and innovation that we are known for around the world, to not only survive within today's highly regulated society, but in fact prosper.

1.2 Recognition of unique factors in LVV certification

1.2(1) NZTA recognises the unusually high level of complexity and diversity within LVV certification, and the consequential need to administer it differently to the other certification activities that NZTA is responsible for, due to:

- (a) the intrinsic need to assess very complex motor vehicle design and construction factors within LVV certification, as distinct from the assessment of condition or reinstatement to vehicle manufacturers' specifications, upon which most other certification activities are based; and
- (b) the very high level of diversity found within the LVV system, including suspension and braking system modifications, right-hand drive steering conversions, motorhome manufacture, mobility self-drive adaptations, individually constructed sports cars and hot rods, taxi vans, off-road vehicles, and custom-built motorcycles and trikes; and
- (c) the heavy reliance on the application of 'best-practice' gained through 'historical knowledge', which comes from hands-on design, modification, and construction experience by those persons involved in the LVV process - necessitated by the lack of any available formal trade or profession to support this unique industry.

1.3 Good faith relationship

1.3(1) NZTA will work with LVVTA, in good faith, to:

- (a) protect the integrity and reputation of the LVV certification system in New Zealand, for the benefit of the Government, the LVV Certifiers, and the members of the public who use the LVV certification system; and
- (b) maintain, as a highest priority, a vigilant focus on vehicle safety; and
- (c) comply with each party's respective obligations within the Contract for Services established between the parties.

Section 2 Division of Responsibilities

2.1 About LVVTA

LVVTA is an incorporated society formed for the purpose of enabling New Zealanders to safely modify and build one-off or small production run motor vehicles. LVVTA develops, in consultation with the NZTA, the *LVV Code* which is incorporated by reference within the *Land Transport Rule: Vehicle Standards Compliance 2002* (the *Compliance Rule*), and all applicable individual *Land Transport equipment rules*.

LVV Certification is different than the other certification types because LVVTA has, since the beginning of LVV Certification time (in 1992) developed and managed the LVV certification system on NZTA's behalf.

LVVTA develops the technical and operational documents that govern the LVV certification system, supports the LVV Certifiers, manages the day-to-day LVV certification operations, and owns the intellectual property associated with the LVV certification system.

2.2 About NZTA

NZTA is a crown entity, established by the *Land Transport Management Act 2003*, and is tasked with managing New Zealand's land transport systems and certification processes.

NZTA is responsible for the certification of all motor vehicles that enter or re-enter the New Zealand vehicle fleet. NZTA's certification activities include Warrant of Fitness, Certificate of Fitness, Used Entry, New Entry, Specialist Repair Certification, Heavy Vehicle Certification, and Light Vehicle Certification – known as Low Volume Vehicle Certification (LVV certification).

NZTA plays a role in three main areas of LVV certification activities; the appointment of new LVV Certifiers, the disciplinary processes (including removal where necessary) of LVV Certifiers who do not perform as expected, and managing the Performance Review System (PRS) which is NZTA's method of measuring the performance of the LVV Certifiers.

NZTA also has an oversight responsibility to ensure that LVVTA is meeting its obligations.

2.3 Specific LVVTA responsibilities

2.3(1) LVVTA is specifically responsible for, in summary (see Note 1 below):

- (a) establishing technical requirements, which comprise *Low Volume Vehicle Standards (LVV Standards)*, the *NZ (Car and Motorcycle) Construction Manuals*, all of which are necessary for the safe modification, construction, and certification of low volume vehicles; and

- (b) establishing operational and procedural requirements within the *LVV Operating Requirements Schedule (LVV ORS)* necessary for the efficient operation of the LVV certification system; and
- (c) communicating these requirements to the LVV Certifiers, and the motoring public and vehicle modification industry; and
- (d) providing to the LVV Certifiers specialised technical and operational training, advice, and support, in order to assist the LVV Certifiers in fulfilling their responsibilities relating to the application of the *LVV Code*; and
- (e) providing to NZTA specialised technical and operational advice and support in order to assist NZTA in fulfilling its responsibilities under the *LVV Code*; and
- (f) for each LVV certified vehicle, issuing an LVV Electronic Date Plate (LVV EDP) or LVV engraved certification plate (LVV plate); and
- (g) reviewing the *LVV Certification Files* of the LVV Certifiers for compliance and safety, and providing the necessary coaching and mentoring; and
- (h) for each LVV certification, collecting on behalf of NZTA, and forwarding to NZTA, the specified crown regulatory fee; and
- (i) updating NZTA's LANDATA vehicle register with any detail changes required as a consequence of modifications affecting specified vehicle attributes.

Note 1 Detailed explanation about the specific responsibilities of LVVTA summarised above can be found in *LVV ORS Chapters 1 to 15*, which are available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

2.4 Specific NZTA responsibilities

2.4(1) NZTA is specifically responsible for, in summary:

- (a) appointing LVV Certifiers to carry out inspections and LVV certifications of low volume vehicles in accordance with the *LVV Code*; and
- (b) assessing the performance of the LVV Certifiers in carrying out their tasks under the *LVV Code* via the application of the NZTA Performance Review System, and ensuring that the LVV Certifiers remain 'fit and proper' as required by the *Compliance Rule*; and
- (c) applying any necessary disciplinary action, suspension, or revocation to the LVV Certifiers as may be required; and
- (d) providing reasonable support necessary to enable LVVTA to meet its obligations; and
- (e) maintaining oversight of LVVTA to ensure that LVVTA develops and manages the LVV certification system in a way that meets NZTA's expectations, and is functioning efficiently and effectively.

Section 3 Objectives

3.1 Introduction

LVVTA and NZTA work together in a spirit of co-operation and willingness in all matters relating to the application of the *LVV Code*, with the objective of continuously improving the quality and range of LVV certification services available to the public.

3.2 Joint LVVTA & NZTA objectives

- 3.2(1) LVVTA and NZTA will work together in a spirit of mutual co-operation and willingness, in:
- (a) the application, and continuous improvement, of the *LVV Code*, the *LVV Standards*, the *LVV (Car and Motorcycle) Construction Manuals*, and the *LVV ORS*; and
 - (b) improving the efficiency and effectiveness of the LVV certification process to the benefit of the LVV Certifiers, and the motoring public and vehicle modification industry; and
 - (c) jointly processing any LVV-related complaint or investigation, utilising the combination of NZTA's regulatory powers and LVVTA's technical and operational expertise in LVV matters, so as to achieve the best possible outcomes; and
 - (d) ensuring alignment between the LVVTA and the NZTA's principle LVV-related goals and objectives of achieving safe vehicle outcomes, and protecting the integrity of the *LVV Code*.
- 3.2(2) LVVTA and NZTA will provide each other with any necessary information, interpretation, and opinion, in order to support the other party to carry out its respective responsibilities in relation to the application of the *LVV Code*.

3.3 Working together

- 3.3(1) NZTA will work with LVVTA to:
- (a) ensure that all participants of the LVV certification system comply with the requirements of (see Note 1 below):
 - (i) the *LVV Code*; and
 - (ii) the *LVV ORS*; and
 - (iii) the technical requirements of the *LVV Standards*, *NZ (Car and Motorcycle) Construction Manuals*, and other supporting LVV technical documents;

and
 - (b) foster the continuous development and improvement of:
 - (i) the *LVV Code*, and the operational and technical documents incorporated by reference under the *LVV Code*; and
 - (ii) the LVV EDP and LVV plate provision operations and other services that LVVTA may provide; and
 - (iii) any systems and processes that may assist members of the public to modify and build motor vehicles safely; and
 - (iv) ways in which to achieve LVV certification compliance and service cost-reduction for the users of the system, without compromising safety;

and
 - (c) resolve any day-to-day issues and challenges as they arise, relating to:
 - (i) any complaint or investigation about an LVV Certifier where the nature of the complaint or investigation relates to a low volume vehicle; and
 - (ii) the identification of any technical or operational problems or issues that may affect the safety of a low volume vehicle.

Note 1 'Participants' in the LVV certification are NZTA, LVVTA, the LVV Certifiers, and members of the public and industry who use the LVV certification system.

- 3.3(2) LVVTA and NZTA will support each other in the application of the *LVV Code*:
- (a) without imposing unreasonable and unnecessary costs to LVV Certifiers, or the motoring public and vehicle modification industry; and
 - (b) in such a way as to enable LVVTA to cover its operating and development costs.
- 3.3(3) LVVTA and NZTA will work together to ensure that all aspects of the *LVV Code* continue to be incorporated by reference within the appropriate land transport regulatory framework.

Section 4 Document Development Support

4.1 Introduction

LVVTA is responsible for the development of LVVTA's operational processes, and the operational and technical documents upon which the LVV certification system is based.

However, in the interests of transparency and professional courtesy, and to ensure that the best possible outcomes are achieved, NZTA is involved in the system and document development process. NZTA does this by reviewing drafts of key documents at various stages during LVVTA's development process, and then, if satisfied, ultimately signing off the documents.

Giving timely attention to this area of NZTA's responsibility can help progress important development work for the improvement of the LVV certification system.

4.2 Key document development

- 4.2(1) NZTA will support LVVTA in the development of key documents by making available suitably qualified technical staff to provide, in a timely manner, so as not to impede the progress of the document development process (see Note 1 below):
- (a) reviewing and commenting on document drafts as they are prepared; and
 - (b) final sign-off when both parties are fully satisfied with each document.

Note 1 'Key documents' are the *LVV Code*, *LVV ORS*, *LVV Standards*, and *NZ (Car and Motorcycle) Construction Manual Chapters*, all of which are available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

Section 5 Formal Auditing & Reviewing of LVVTA

5.1 Introduction

NZTA regularly carries out formal reviews and audits of LVVTA, to ensure that oversight of LVVTA's performance in the day-to-day management and ongoing improvement and development of the LVV certification system is maintained, and to ensure that LVVTA is operating effectively and efficiently, and meeting NZTA's expectations.

5.2 Auditing

- 5.2(1) NZTA will carry out an annual audit of LVVTA's service delivery functions, in order to:

- (a) ensure that the plating processes, complaints processes, and other various service delivery functions of LVVTA are being conducted in accordance with the applicable requirements specified by the *LVV ORS*; and
- (b) ensure that the LVV certification system is operating in such a way as to meet NZTA's expectations; and
- (c) provide an opportunity for discussions with LVVTA on ways to enhance operations under the *LVV Code*.

5.3 Reviewing

- 5.3(1) NZTA and LVVTA will carry out an annual strategy meeting between the Senior Manager Safer Vehicles of NZTA and the Chief Executive Officer of LVVTA, to:
- (a) review the previous year's activities of LVVTA; and
 - (b) identify areas for future improvement within the LVV certification system and set strategies for implementing improvement; and
 - (c) ensure that the needs of NZTA and LVVTA are aligned and adequately supported.

5.4 Funding & budgeting

- 5.4(1) NZTA, as part of its annual auditing of LVVTA's service delivery functions, and reviewing of LVVTA's activities and operations, will:
- (a) review the crown regulatory fee structure applicable to LVV certification; and
 - (b) ensure that LVVTA is sufficiently funded so as to be able to continue to fulfil its obligations to NZTA, the motoring public, and the modification industry.

Section 6 Interaction With LVVTA

6.1 Introduction

NZTA's formal auditing and reviewing processes detailed in section 5 are also supported with less formal, but equally important, day-to-day connection with LVVTA, and also responding as necessary to the various operational reports that LVVTA prepares and provides to NZTA.

6.2 General connectedness

- 6.2(1) NZTA will ensure that a close working relationship is maintained with LVVTA, so as to be in a position to have a comprehensive oversight, at all times, of the LVV certification system.
- 6.2(2) NZTA will ensure that any NZTA representatives who are assigned to become involved in any technical or operational activities under the *LVV Code*, or is involved in relationship management between LVVTA and NZTA will:
- (a) have the confidence of both parties to work together constructively and positively toward a common goal of vehicle safety and LVV certification system improvement; and
 - (b) understand NZTA's legislative framework and how it may affect the LVV certification system; and
 - (c) have the necessary autonomy to be able to make decisions on a day-to-day basis on behalf of LVVTA and NZTA; and

- (d) act responsibly and respectfully in all dealings with, and in relation to, the other party, and recognise the importance of maintaining the good working relationship between LVVTA and NZTA; and
- (e) undergo the LVVTA's LVV certification system induction programme, so as to ensure that the NZTA representative:
 - (i) appreciates the complexity and diversity of the LVV certification system; and
 - (ii) recognises the need for a level of technical compromise in LVV operations so as to enable the use of cost-effective modification and construction solutions which meet the requirements of the *LVV Code*; and
 - (iii) gains a comprehensive understanding of LVVTA, the LVV certification system, and the relationship that exists between NZTA and LVVTA.

6.3 LVVTA Certifier Performance Reports

- 6.3(1) NZTA will review the monthly *LVV Certifier Performance Reports (LVV CPR)* provided by LVVTA to NZTA and maintain communication with LVVTA about NZTA's ongoing needs and expectations in relation to the content of the *LVV CPRs*, so as to ensure that NZTA's LVV Certifier performance oversight needs are being met (see Note 1 below).

Note 1 Details of the *LVV CPR* are provided in *LVV ORS Chapter 11: LVV Certifier Error Recording & Reporting*, and is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

6.4 LVVTA Quarterly Activity Reports

- 6.4(1) NZTA will review the three-monthly *LVV Quarterly Activity Reports (LVV QAR)* provided by LVVTA to NZTA and maintain communication with LVVTA about NZTA's ongoing needs and expectations in relation to the content of the *LVV QARs*, so as to ensure that NZTA's general operational oversight needs are being met (see Note 1 below).

Note 1 Details of the *LVV QAR* are provided in *LVV ORS Chapter 11: LVV Certifier Error Recording & Reporting*, and is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

6.5 LVVTA Early Warning Reports

- 6.5(1) NZTA will review each LVVTA Early Warning Report, which provides information about any impending complaints or potential risks to the LVV certification system that (see Note 1 below):
- (a) could impact NZTA in some way; or
 - (b) could affect the reputation of LVVTA or the LVV certification system.

Note 1 The *LVVTA Early Warning Report* is used to provide NZTA about any potential complaint, problem, or risk, relating to an LVV certification-related matter, as early as possible on a 'no surprises' basis.

Section 7 Communication

7.1 Introduction

LVVTA and NZTA have a strong focus on maintaining open communication, and sharing information, in order to continuously improve the LVV certification system.

It's also important to ensure that questions related to the LVV certification system are directed to the right areas, via appropriately knowledgeable people so as to ensure that the right answers are provided.

7.2 NZTA's communications with LVVTA

7.2(1) NZTA will communicate with LVVTA in a free and frank manner, with an open exchange of ideas in order to achieve the objectives specified in section 3.

7.2(2) NZTA will ensure that any representatives appointed to become involved in LVV matters use their respective representative(s) on the LVV Policy Working Group or LVV Technical Working Group, as appropriate, as a conduit for any communications with LVVTA.

7.3 NZTA's external communications regarding LVV certification

7.3(1) NZTA will refer any queries and problems relating to the application of the *LVV Code* that require technical advice or support, from LVV Certifiers, the vehicle modification industry, participating organisations, and the public, to LVVTA.

7.3(2) NZTA will consult with LVVTA before publishing any information that refers to, or affects, any matters relating to the application of the *LVV Code*.

Section 8 Meetings

8.1 Introduction

NZTA provides representatives to sit on a number of different LVVTA committees and working groups, to ensure that the committees and working groups are functioning effectively, and is providing approval, guidance, and advice which is aligned to the views and strategies of NZTA.

8.2 LVVTA Technical Advisory Committee

8.2(1) A representative of NZTA will attend the meetings of the LVVTA Technical Advisory Committee (TAC), and the role of the NZTA representative is to provide advice on or clarify (see Notes 1 to 3 below):

- (a) the regulatory boundaries that the TAC operates within, and its compliance with its legal powers; and
- (b) the various *Land Transport Rules* that vehicles must meet, to assist in addressing any matters before the TAC; and
- (c) the impact of any decisions or recommendations made by the TAC on the broader land transport regulatory framework.

Note 1	The NZTA representative is an observer and not a member of the TAC. As such, NZTA advice and comments may be recorded in meeting minutes, but they do not have a decision-making or voting role on the TAC.
Note 2	The NZTA representative is a permanent role, but the specific person may be replaced or revoked at the discretion of NZTA.
Note 3	Details of the TAC are provided in <i>LVV ORS Chapter 15: LVVTA Committees & Working Groups</i> , which is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

8.2(2) NZTA will consult with the Chairperson of the TAC before appointing or changing its TAC representative(s).

8.3 LVVTA Commercial Technical Advisory Committee

- 8.3(1) A representative of NZTA will attend the meetings of the LVVTA Commercial Technical Advisory Committee (COMTAC), and the role of the NZTA representative is to (see Notes 1 to 3 below):
- (a) oversee the consideration and determination process and ensure that the COMTAC acts in a fair, reasonable, and transparent manner; and
 - (b) to provide advice or clarification on:
 - (i) the regulatory boundaries that the COMTAC operates within, and its compliance with its legal powers; and
 - (ii) the various *Land Transport Rules* that vehicles must meet, to assist in addressing any matters before the COMTAC; and
 - (iii) the impact of any decisions or recommendations made by the COMTAC on the broader land transport regulatory framework.

Note 1	The NZTA representative is an observer and not a member of the COMTAC. As such, NZTA advice and comments may be recorded in meeting minutes, but they do not have a decision-making or voting role on the COMTAC.
Note 2	The NZTA representative is a permanent role, but the specific person may be replaced or revoked at their discretion.
Note 3	Details of the COMTAC are provided in <i>LVV ORS Chapter 15: LVVTA Committees & Working Groups</i> , which is available to the public electronically, free of charge, from the LVVTA website www.lvvt.org.nz

- 8.3(2) NZTA will consult with the Chairperson of the COMTAC before appointing or changing its COMTAC representative(s).

8.4 LVVTA-NZTA Technical Working Group

- 8.4(1) NZTA will provide a representative to attend meetings of the LVVTA-NZTA Technical Working Group (TWG), as an active participant within the TWG (see Note 1 below).

Note 1	Details of the TWG are provided in <i>LVV ORS Chapter 15: LVVTA Committees & Working Groups</i> , which is available to the public electronically, free of charge, from the LVVTA website www.lvvt.org.nz
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8.5 LVVTA-NZTA Policy Working Group

- 8.5(1) NZTA will provide a representative to attend meetings of the LVVTA-NZTA Policy Working Group (PWG), as an active participant within the PWG (see Note 1 below).

Note 1	Details of the PWG are provided in <i>LVV ORS Chapter 15: LVVTA Committees & Working Groups</i> , which is available to the public electronically, free of charge, from the LVVTA website www.lvvt.org.nz
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8.6 LVVTA Technical Decision Review Committee

- 8.6(1) NZTA will provide a representative to attend meetings of the LVVTA Technical Decision Review Committee (TDRC), as and when required, as a participant within the TDRC (see Note 1 below).

Note 1	Details of the TDRC are provided in <i>LVV ORS Chapter 15: LVVTA Committees & Working Groups</i> , which is available to the public electronically, free of charge, from the LVVTA website www.lvvt.org.nz
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Section 9 LVV Certifier Appointment & Disciplinary Action

9.1 Introduction

While LVVTA manages most aspects of the LVV certification system, the formal appointment of LVV Certifiers is made by NZTA, as are any disciplinary processes which are found to be necessary as a result of poor performance by an LVV Certifier.

9.2 Appointment

- 9.2(1) NZTA will appoint LVV Certifiers, via a *Notice of Appointment*, upon satisfaction that certain criteria have been met (see Note 1 below).

Note 1 A full explanation of the appointment process is provided in *LVV ORS Chapter 5: Application & Appointment*, which is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

9.3 Disciplinary action

- 9.3(1) NZTA will, where an LVV Certifier has failed to carry out their obligations in accordance with the *Compliance Rule*, apply any disciplinary processes considered necessary, which may include (see Note 1 below):

- (a) a written warning; or
- (b) suspension; or
- (c) revocation.

Note 1 More information about disciplinary processes, and measures provided to try and help an LVV Certifier before formal disciplinary action is taken, is provided in *LVV ORS Chapter 13: LVV Complaint & Performance Management*, which is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

Section 10 NZTA Performance Review System

10.1 Introduction

The LVV Certifier's *Notice of Appointment* requires all LVV Certifiers to undergo NZTA's 'Performance Review System' (PRS). The PRS is NZTA's method of establishing the competence of an LVV Certifier on the day of the review. The performance review is carried out periodically, with intervals determined by the outcome of the previous review.

10.2 Responsibilities under the Performance Review System

- 10.2(1) NZTA provides a Performance Review System (PRS), which is a tool used by NZTA to measure the performance of all LVV Certifiers, and is intended to:
- (a) set out what is expected of an LVV Certifier; and
 - (b) explain how NZTA will assess an LVV Certifier's performance against these expectations; and
 - (c) provide a level playing field by applying the same performance measurement system equally to all LVV Certifiers; and

- (d) be easy to understand and use; and
- (e) enable LVV Certifiers to measure their own performance in the same way as an NZTA Certification Officer will do during a PRS review, by incorporating a scoring system; and
- (f) encourage LVV Certifiers to identify problems and opportunities to improve so they can take early action using their own initiative; and
- (g) identify LVV Certifiers who perform poorly so they can be encouraged, through more frequent reviews, to improve their performance.

10.2(2) NZTA will, in relation to its PRS:

- (a) involve LVVTA in the application and improvements of the PRS, with the aim of ensuring that the system is consistent with the objectives of the *LVV Code*, and that it meets the needs of the LVV certification system; and
- (b) provide LVVTA with the results of each LVV Certifier PRS outcome to enable LVVTA to better target its File Review System (see Note 1 below).

Note 1 Details of the LVV File Review System are provided in *LVV ORS Chapter 10: LVV File Review System*, which is available to the public electronically, free of charge, from the LVVTA website www.lvvt.org.nz

Section 11 Provision of Documents & Access

11.1 Introduction

To enable LVVTA to fulfil its various obligations to NZTA, certain documents and access to information is provided to LVVTA by NZTA.

11.2 Provision of documents

11.2(1) NZTA will provide LVVTA, free of charge, with access to:

- (a) all *Land Transport Rules*, and all applicable updates to the *Land Transport Rules*; and
- (b) early (pre-public and industry consultation) drafts of all *Land Transport Rule* drafts as they are developed (see Note 1 below).

Note 1 LVVTA is required to develop a corresponding *LVV Standard* for each vehicle equipment-related *Land Transport Rule* (as, effectively, an 'alternative standard' to the *Rule*), and so it is vital that, for such development work to take place, NZTA provides LVVTA with early drafts of the *Rules* as they are developed.

11.3 Provision of access to information

11.3(1) NZTA will provide LVVTA, free of charge, with:

- (a) on-going access to, and use of, required information on the LANDATA system and Motochek; and
- (b) a schedule of LVV Certifiers' names, full contact details including postal address and LVV Certifier category authorisations, and all applicable updates to this information upon occurrence of any changes to those details.

Terms & Definitions Chapter 16

Applicable requirements	means any technical or operational requirement referred to in the <i>LVV Code</i> which an LVV must comply with in order to be approved for LVV certification.
AVI	(Authorised Vehicle Inspector) means a person who carries out WoF inspections on behalf of NZTA.
CCM	(NZ Car Construction Manual) means LVVTA's detailed technical standards, incorporated by reference under the <i>LVV Code</i> , which must be met to enable an LVV to comply with applicable requirements. The <i>CCM</i> is referred to by the corresponding <i>LVV Standard</i> .
Compliant	(also known as compliance) means a condition where evidence exists that an LVV complies with the applicable requirements specified in the <i>LVV Code</i> .
Crown Regulatory Fee	(also known as the NZTA fee) means the levy charged by NZTA as part of every LVV certification.
Inspection	means the vehicle inspection process specified in <i>section 2.4, 2.5, and 2.6</i> of the <i>LVV Code</i> , carried out by an LVV Certifier during the LVV certification of a low volume vehicle.
LANDATA	is the name of NZTA's main vehicle database, incorporating information relating to the Motor Vehicle Register, Road User Charges, Warrant of Fitness, and Certificate of Fitness.
LVV	(Low Volume Vehicle) means, in simple terms, vehicles which are modified or scratch-built in small numbers, and includes individually modified or scratch-built vehicles. The full definition of an LVV is contained in the <i>LVV Code</i> .
LVV Base Forms	(Low Volume Vehicle Base Forms) means the set of Forms used by an LVV Certifier as part of their inspection of an LVV which are common to all LVV certifications.
LVV Certification	(Low Volume Vehicle Certification) means the process specified by the <i>LVV Code</i> , by which the design of an LVV is determined to comply with any applicable requirements, and, in recognition of which, an LVV EDP is affixed.
LVV Certification File	(Low Volume Vehicle Certification File) means the set of documents, including the <i>LVV Base Forms</i> , <i>LVV Inspection Form-sets</i> , supporting information, and photographic record, which an LVV Certifier is required to collate during an LVV certification inspection process, and submit to LVVTA upon completion.
LVV Certifier	(Low Volume Vehicle Certifier) means a person appointed by NZTA under the provisions of <i>Land Transport Rule: Vehicle Standards Compliance 2002</i> , to carry out certification of modified and scratch-built LVVs, as specified by <i>Part 2</i> of the <i>LVV Code</i> .
LVV Certify	(Low Volume Vehicle Certify) means the same as LVV certification.
LVV Code	(Low Volume Vehicle Code or the Code) means an LVVTA document which is incorporated by reference into the <i>Land Transport Rule: Vehicle Standards Compliance 2002</i> , and all applicable individual <i>Land Transport equipment rules</i> , that provides the legal framework to enable the LVV certification of modified and scratch-built LVVs in New Zealand.

LVB CPR	(LVB Certifier Performance Report) means the reporting document that LVBTA uses to report the individual and overall performance of the LVB Certifiers to NZTA each month.
LVB EDP	(Low Volume Vehicle Electronic Data Plate) is an RFID tag, in use from February 2021, fitted to an LVB upon completion of the LVB certification process, which when scanned by an NFC-capable device, displays details and photographs of the modifications and construction features on the LVB to which it is affixed.
LVB File Review System	(Low Volume Vehicle File Review System) means a comprehensive desk-top auditing process applied by LVBTA to a specified percentage of <i>LVB Certification Files</i> submitted by LVB Certifiers, upon completion of their LVB certifications, as an additional step in ensuring safety and compliance of LVVs.
LVB Inspection Form-set	(Low Volume Vehicle Inspection Form-set or LVB Form-set) means the check-sheets used by an LVB Certifier to guide and record their inspection of an LVB, and confirm compliance with applicable requirements.
LVB ORS	(Low Volume Vehicle Operating Requirements Schedule or ORS) means the document, incorporated by reference under the <i>LVB Code</i> , which provides LVBTA's operational processes and systems necessary to meet applicable requirements. The <i>LVB ORS</i> sets out the obligations and responsibilities of LVBTA, and the LVB Certifiers.
LVB plate	(Low Volume Vehicle engraved certification plate) is an engraved aluminium plate (approximately 110 mm x 80 mm in size) in use from the commencement of LVB certification in April 1992 to February 2021, which displays a summary of information, via engraving, about the modifications and construction features on the LVB to which it is affixed.
LVB QAR	(LVB Quarterly Activity Report) means the reporting document that LVBTA uses to report outcomes relating to LVBTA, and LVB certification operations, to NZTA each quarter.
LVB Standards	(Low Volume Vehicle Standards) means LVBTA's technical standards, incorporated by reference under the <i>LVB Code</i> , that set out the legal requirements which vehicles that are modified and scratch-built vehicles in New Zealand must meet. Each <i>LVB Standard</i> refers to a corresponding <i>CCM</i> or <i>MCM</i> for detailed technical requirements.
LVBTA	(Low Volume Vehicle Technical Association) is an incorporated society comprised of specialist vehicle associations. Established in 1992, its objectives are to represent the interests of vehicle modifiers and builders in New Zealand, and to ensure high safety standards for modified and scratch-built LVVs. The LVBTA owns and administers the <i>LVB Code</i> .
LVBTA Early Warning Report	means the LVBTA report system for informing NZTA about any potential complaint, problem, or risk, relating to an LVB certification matter as early as possible.
LVBTA TAC	(LVBTA Technical Advisory Committee) is an LVBTA-appointed panel of industry expert-level technical specialists, established to provide LVBTA with a very high level of technical support and direction on all technical matters relevant to the LVB certification system.
MCM	(NZ Motorcycle Construction Manual) means LVBTA's detailed technical standards, incorporated by reference under the <i>LVB Code</i> , which must be met to enable a low volume motorcycle to comply with applicable requirements. The <i>MCM</i> is referred to by the corresponding <i>LVB Standard</i> .

Modification	is defined in <i>Land Transport Rule: Vehicle Standards Compliance 2002</i>) to change a vehicle from its original state by altering, substituting, adding or removing any structure, system, component or equipment, but does not include repair. 'Modified' and 'modification' have corresponding meanings.
NFC	(Near Field Communication) means a short-range wireless technology, typically requiring a distance of 40 mm or less to initiate a contact.
NoA	(Notice of Appointment) , means the contract which exists between an LVV Certifier and NZTA, that provides an LVV Certifier with the authorisation to carry out LVV certification on behalf of NZTA, and which outlines the terms, conditions, and obligations of the appointment.
NZTA	(New Zealand Transport Agency) is a Crown entity responsible for managing New Zealand's land transport system.
PRS	(Performance Review System) is the quality management monitoring tool used by NZTA to measure the performance of all certifiers, including LVV Certifiers.
PWG	(Policy Working Group) is a working group involving LVVTA and NZTA operational staff, which meets regularly to focus on day-to-day operational and policy issues, challenges, and problems relating to the LVV certification system.
Right-hand drive	means that a vehicle's steering wheel and driving position is located to the right of the vehicle's longitudinal centreline.
RFID	(Radio Frequency Identification) is a technology which uses electromagnetic fields to automatically identify and track tags attached to objects. These tags link to electronically stored information, which can be accessed using RFID readers.
Scratch-built (LVV)	means, in simple terms, an LVV which has been individually constructed from unrelated components, or a mass-produced vehicle which has been modified to such an extent that it can no longer be considered to be a modified mass-produced vehicle. The full legal definition of a scratch-built LVV is currently under review, and will be incorporated within the <i>LVV Code</i> once revised.
TWG	(Technical Working Group) is a working group involving LVVTA and NZTA technical staff, which meets regularly to focus on day-to-day technical issues, challenges, and problems relating to the LVV certification system.
WoF	(Warrant of Fitness) means a safety inspection and approval process for in-service vehicle, issued by an NZTA-appointed AVI.