

Helping New Zealanders Build & Modify Safe Vehicles

LVV Operating Requirements Schedule

Chapter 5

LVV Certifier Application & Appointment

11th Amendment | Effective from 1 October 2024



Approval

LVV ORS Chapter 5 Approval			
Signed in accordance with clause 1.3(5) of the Low Volume Vehicle Code, on..... 27 September 2024.....by:			
on behalf of the New Zealand Transport Agency: Name Jim Anderson	Signature 	on behalf of Low Volume Vehicle Technical Association: Name Kenneth McAdam	Signature 

Amendments

LVV ORS Chapter 5 Amendment Record			
Detail of amendments:	Amendment #	Issue date	Effect date
• Original issue		2001	2001
• Establishment of new LVV Certifier Categories	1 st Amendment	August 2003	October 2003
• Introduction of new procedural requirements including plate affixing, road-testing, and remedial work	2 nd Amendment	March 2005	April 2005
• Introduction of documentation use & self-certification	3 rd Amendment	February 2006	April 2006
• Introduction of procedures for return of unaffixed plates, and delegation of plate affixing	4 th Amendment	May 2007	July 2007
• Introduction of procedures for plate pre-ordering, and establishment of scratch-built sub-classifications	5 th Amendment	March 2008	April 2008
• Major review of the LVV ORS, new sections for service & communication requirements, conduct & complaints	6 th Amendment	January 2010	February 2010
• Minor review for miscellaneous changes and additions	7 th Amendment	March 2011	April 2011
• Review to incorporate various detail changes and additions relating to TAC, category extensions, training, and Technical Decision Review Committee	8 th Amendment	July 2016	July 2016
• Introduction of Commercial Sub-committee of the TAC	9 th Amendment	October 2016	October 2016
• Review to provide for LVCM Certifiers	10 th Amendment	June 2017	June 2017
• Complete redevelopment, conversion to individual chapters	11 th Amendment	1 October 2024	1 October 2024

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 LVV ORS document. From Amendment # 11, amendments are carried out to individual chapters at various times.

Note 2 Text highlighted in grey shows amendments that have been made subsequent to this chapter's previous version, and a grey vertical stroke to the left of the text denotes new or changed information which is important and needs to be understood.

Note 3 Printed or saved copies of LVV ORS chapters may become out of date – visit www.lvvta.org.nz to check this LVV ORS chapter is the latest version before relying on the enclosed information.

Associated Information

Background
<p>The LVV Operating Requirements Schedule (LVV ORS) sets out the operational systems and processes which enable the LVV certification system to function effectively. Whereas the <i>Low Volume Vehicle Code</i> provides the legal platform for the LVV certification system, the LVV ORS enables the provision of robust operational systems and processes over the LVV certification system to ensure that LVV certification outcomes are consistent, fair, transparent, and of a high quality.</p> <p>The information in the LVV ORS stems from work undertaken by the Low Volume Vehicle Technical Association Incorporated (LVVTA) founding member organisations that commenced in 1989, and has been progressively developed as an integral part of the NZ Government's land transport regulatory system by agreement with the New Zealand Transport Agency (NZTA).</p>

Publisher & Owner
The LVV ORS is developed and owned by the LVVTA, which is an incorporated society established in 1992, representing 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.
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Availability
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The LVV ORS is incorporated by reference, as an integral part of the <i>Low Volume Vehicle Code</i> , within the <i>Land Transport Rule: Vehicle Standards Compliance 2002</i> .
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Chapter 5

LVV Certifier Application & Appointment

Purpose of this Chapter

The purpose of this LVV Operating Requirements Schedule chapter (this chapter) is to help someone who is interested in becoming an LVV Certifier to understand the requirements, the application process, and the overall process of becoming appointed as an LVV Certifier by the New Zealand Transport Agency (NZTA).

This chapter will help a potential applicant (the ‘Applicant’) to understand:

- how the Applicant’s suitability is established; and
- what’s involved in going through the application process; and
- what’s involved in the assessment and training steps leading to appointment.

This chapter should be read in conjunction with LVV ORS Chapter 3 – LVV Certification Categories (which provides information about the types of vehicles and modifications which can be LVV certified under each different LVV certification category), and LVV ORS Chapter 4 - LVV Certifier Background Criteria (which provides details of the knowledge and practical experience required in order to be appointed for each of the LVV certification categories).

The use of *italics* throughout this chapter is to enable readers to distinguish between ‘*explanatory information*’ and ‘*the requirements*’. *Italics* are also used when referencing external documents which are not part of this chapter.

Section 1 Participants in the Process

1.1 Introduction

There are three primary participants in the LVV certification application and appointment process; the Applicant wishing to become an LVV Certifier, NZTA, and LVVTA. The responsibilities of the three participants are set out in section 1.

1.2 About LVV Certifiers

LVV Certifiers are appointed to carry out specialist inspection and certification of light vehicles when they are modified or scratch-built.

The primary duty of an LVV Certifier is to ensure that when a vehicle is modified or scratch-built, it is safe and complies with the applicable legal requirements specified in the Low Volume Vehicle Code (LVV Code), which is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

LVV Certifiers perform a safety-critical role within an important part of New Zealand’s land transport regulatory system. This area of work requires an exceptionally high level of specialised motor vehicle expertise and carries significant responsibility. For this reason, the application and appointment process is very robust, to ensure that only suitable applicants become appointed as LVV Certifiers.

1.3 About the New Zealand Transport Agency

The New Zealand Transport Agency (NZTA) is responsible for New Zealand’s land transport regulatory system, and manages the entry of LVV Certifiers into the certification system.

NZTA monitors the performance of LVV Certifiers, and if an LVV Certifier fails to comply with the requirements of the LVV Code and places the public at risk, NZTA will apply the necessary processes to improve the LVV Certifier's performance, or if this cannot be achieved, remove the LVV Certifier from the LVV certification system.

NZTA works with the Low Volume Vehicle Technical Association (LVVTA) to manage LVV certification system operations, however NZTA is responsible for the appointment, disciplinary action, and revocation of LVV Certifiers, and maintains an overall regulatory responsibility.

1.4

About LVVTA

LVVTA is an incorporated society which is independent of NZTA, that develops, maintains, and manages the LVV certification system, ensuring the system is fit for purpose and meets the needs of the system users by supporting the LVV Certifiers with technical and operational documents, systems, training, support, and guidance.

LVVTA assists NZTA by supporting applicants through the application and appointment process, and helps NZTA to determine their suitability to become LVV Certifiers.

LVVTA and the LVV Code are incorporated by reference within Land Transport Rule: Vehicle Standards Compliance 2002, and the individual land transport equipment rules.

Further information about LVVTA and the LVV certification system can be found in LVV ORS Chapter 1 – Background to the LVV Certification System.

Section 2 Steps in the Application and Appointment Process

2.1

Introduction

There are many elements in the process of becoming an LVV Certifier. The full process is explained in this chapter (and summarised in 2.2 and 2.3 below) and is intended to enable a person interested in becoming an LVV Certifier gain a full understanding of those elements, and how a person works their way through the process from expressing an interest at the beginning, to becoming appointed as an LVV Certifier. Within the process, opportunities are provided for NZTA and LVVTA to determine the Applicant's suitability to the role.

2.2

How the application process works

2.2(1)

A simplistic overview of the basic steps that a person applying to become an LVV Certifier (the 'Applicant') must follow, is:

- (a) the Applicant must read and understand this chapter, together with *LVV ORS Chapter 3 – LVV Certification Categories*, and *LVV ORS Chapter 4 – LVV Certifier Background Criteria*; and
- (b) the Applicant must carefully consider whether the required criteria necessary to become an LVV Certifier are met (see section 3); and
- (c) if the Applicant believes the required criteria to become an LVV Certifier is met, the Applicant may fill out and submit an *LVV Certifier Registration of Interest Form* (the 'Registration of Interest Form'), available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz (see section 4); and

(d) if, after receiving the *Registration of Interest Form* and being invited by LVVTA, the Applicant will participate in a Preliminary Conversation with LVVTA (see section 5), to commence the process of:

- (i) determining whether an LVV Certifier, or another LVV Certifier, is required within the Applicant's geographical area (see Note 1 below); and
- (ii) enabling LVVTA to make a preliminary determination as to whether the Applicant is likely to meet the required criteria (see section 3); and
- (iii) enabling the Applicant to gain a full understanding of what is involved in becoming, and continuing to be, an LVV Certifier;

and

(e) if, after the Preliminary Conversation with LVVTA (see section 5) LVVTA has determined that the Applicant may meet the required criteria (see section 3), and the Applicant wishes to continue with the application, the Applicant must arrange with LVVTA to undergo:

- (i) the LVV Certifier Pre-assessment (see section 6); and
- (ii) the LVV System Familiarisation (see section 7);

and

(f) if, after the Applicant has successfully completed the LVV Certifier Pre-assessment (see section 6) and the LVV System Familiarisation (see section 7), and the Applicant wishes to make an application to become an LVV Certifier:

- (i) the Applicant may do so by filling out the *LVV Certifier Application Form LV01* (the 'Application Form') and submitting this to LVVTA (see section 8); and
- (ii) LVVTA will forward the *Application Form* to NZTA on the Applicant's behalf, together with notification to NZTA regarding the Applicant's progress in the application process and suitability (see section 8).

Note 1 It is NZTA's responsibility to determine whether an LVV Certifier, or additional LVV Certifier, is required for the relevant geographical area from which the Applicant intends to apply, however LVVTA can provide some preliminary guidance to the Applicant as to whether geographical coverage is likely to be a factor in the application.

Further information about how NZTA will consider an application for appointment in relation to geographical coverage is detailed in 'Appendix 1 – Legal Background to Geographical Coverage' at the back of this chapter.

2.3 Remaining steps after making an application

2.3(1) After the Applicant has made an application to NZTA (see section 8):

- (a) NZTA will review the application, carry out the required background checks (see section 9), and if satisfied, will approve the Applicant to undertake the Formal Assessment (see section 10) by LVVTA; and
- (b) if the Applicant passes the Formal Assessment (see section 10) the Applicant will be invited to undergo Induction Training (see section 11) by LVVTA; and
- (c) if the Applicant satisfactorily completes the Induction Training (see section 11), the Applicant will be invited to undergo Pre-appointment Mentoring (see section 12); and

- (d) if the Applicant satisfactorily completes the Pre-appointment Mentoring (see section 12), NZTA will appoint the Applicant as an LVV Certifier (see section 13).

2.4 Timeframe for application and appointment process

- 2.4(1) The Applicant must allow several months for the application, assessment, and appointment process to take place, due to the many steps involved, and the number of NZTA and LVVTA staff-members who are required to be involved (see Note 1 below).

Note 1 Many steps, all of which require planning and time, are involved in the application, assessment, and appointment process. It can take up to 12 months to work through the large number of steps, and coordinate the input of the various participants involved in the process. It is up to the Applicant to ensure the process is commenced early enough to enable any personal objectives to be met.

Section 3 Criteria the Applicant Must Meet

3.1 Introduction

Section 3 outlines the type of background and attributes that a person wishing to become an LVV Certifier needs to have.

3.2 LVV certification categories and background criteria

- 3.2(1) There are thirteen LVV certification categories for which an LVV Certifier may be appointed, which are contained in *LVV ORS Chapter 3 - LVV Certification Categories* (see Note 1 below).

Note 1 *LVV ORS Chapter 3 – LVV Certification Categories* as referred to in 3.2(1), is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

- 3.2(2) The details of the specific knowledge and practical experience the Applicant must have for each of the thirteen LVV certification categories referred to in 3.2(1) can be found in *LVV ORS Chapter 4 – LVV Certifier Background Criteria* (see Note 1 below).

Note 1 *LVV ORS Chapter 4 – LVV Certifier Background Criteria*, as referred to in 3.2(2), is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

3.3 Personal and business attributes criteria

- 3.3(1) In addition to the knowledge and practical experience referred to in 3.2(2), the Applicant, if appointed as an LVV Certifier, will also be required to:
 - (a) be committed to road safety, and be safety focused in all decisions; and
 - (b) always act in an honest and ethical manner; and
 - (c) provide a professional, efficient, and courteous service for users of the LVV certification system; and
 - (d) have a good understanding of the English language, and speak fluent English; and
 - (e) have good written and oral communication skills; and

- (f) operate in a methodical and well-organised manner; and
- (g) if the vehicle is required to be driven as part of the LVV Certifier's inspection and certification process, hold a current New Zealand Driver License for the class(es) of vehicles to be driven.

3.4 Other criteria

3.4(1) In addition to the background criteria referred to in 3.2, and the personal and business attributes criteria specified in 3.3, the Applicant must also, if appointed:

- (a) establish a quality management system, which may be the NZTA Performance Review System (PRS) (see Notes 1 and 2 below); and
- (b) obtain and maintain a comprehensive public liability and professional indemnity insurance policy for LVV certification activities (see Notes 3 and 4 below).

Note 1	The PRS is a tool used by NZTA to measure the performance of all LVV Certifiers, and is intended to: <ul style="list-style-type: none"> • set out what is expected of an LVV Certifier; and • explain how NZTA will assess an LVV Certifier's performance against these expectations; and • provide a level playing field, by applying the same performance measurement system equally to all LVV Certifiers; and • be easy to understand and use; and • 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 • encourage LVV Certifiers to identify problems and opportunities to improve so they can take early action using their own initiative; and • identify LVV Certifiers who perform poorly so they can be encouraged, through more frequent reviews, to improve their performance.
Note 2	The Applicant does not need to have a PRS in place at the application stage but must be prepared to discuss their understanding of the system if the application progresses to the Pre-assessment stage. If the Applicant is appointed as an LVV Certifier, training will be provided by NZTA.
Note 3	It is important to realise that 'professional indemnity' insurance referred to in 3.4(1)(b) is a different policy to the easily obtained 'public liability' insurance held by most businesses. Professional indemnity insurance is expensive, and anyone considering becoming an LVV Certifier should consider this cost (together with the other costs associated with becoming an LVV Certifier) before applying to become an LVV Certifier.
Note 4	LVVTA operates a 'group insurance scheme' for public liability and professional indemnity insurances, and can make this available to an LVV Certifier subject to certain criteria and conditions being met.

3.5 Geographical coverage

3.5(1) An additional consideration of appointment as an LVV Certifier, separate to the criteria the Applicant must meet, is the criteria of whether an LVV Certifier, or another LVV Certifier, is required within the Applicant's geographical area to meet the needs of the motoring public and modification industry (see Note 1 below).

Note 1	Maintaining the right number of LVV Certifiers in relevant geographical areas, as referred to in 3.5(1), is a critical element in achieving the right balance between maintaining sufficient LVV Certifiers to provide a good service to the public, and ensuring against over-subscription with an associated reduction of inspection quality. <i>Land Transport Rule: Vehicle Standards Compliance 2002</i> specifies, during the application process, that NZTA must take into consideration the number of LVV Certifiers already appointed and available within the relevant geographical area. Further information about how NZTA will consider an application for appointment in relation to geographical coverage is detailed in 'Appendix 1 – Legal Background to Geographical Coverage' at the back of this chapter.
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Section 4 Registration of Interest

4.1 Introduction

The physical starting point for the Applicant in applying to become an LVV Certifier is to fill in an LVV Certifier Registration of Interest Form and submit it to LVVTA. This starts the process of enabling the Applicant to learn about the LVV certification system, and to establish whether the Applicant meets the criteria required to become an LVV Certifier.

Section 4 outlines this step in the application and appointment process.

4.2 Submitting an LVV Certifier Registration of Interest Form

4.2(1) If after reviewing the criteria that the Applicant must meet (see section 3), the Applicant believes that the criteria can be met, the Applicant must (see Notes 1 and 2 below):

- (a) fill out an *LVV Certifier Registration of Interest Form (Registration of Interest Form)*, which must include:
 - (i) a basic written outline of the Applicant's qualifications, knowledge, and practical experience, and any other information which has relevance to the role of an LVV Certifier; and
 - (ii) a list of referees with contact details who might attest to the Applicant's knowledge, practical experience, and character;

and

- (b) submit the *Registration of interest Form* to LVVTA.

Note 1	The <i>Registration of Interest Form</i> referred to in 4.2(1) is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz , and can be submitted to LVVTA directly from the website.
Note 2	If any assistance is required in filling out or submitting the <i>Registration of Interest Form</i> , LVVTA should be contacted on (04) 238-4343.

4.3 Processing the LVV Certifier Registration of Interest Form

4.3(1) LVVTA will review the *Registration of Interest Form*, and consider the Applicant's information against the criteria the Applicant must meet (see section 3), and will contact the Applicant to either (see Note 1 below):

- (a) advise that the Applicant does not meet the required criteria (see section 3) and explain why; or
- (b) advise the Applicant that, upon an initial review, it appears the required criteria (see section 3) may be met, and the Applicant should continue with the application and appointment process.

Note 1	LVVTA will, in all cases advise NZTA (as agreed between LVVTA and NZTA) of each <i>Registration of Interest Form</i> received, and the outcome.
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4.4 Invitation to Preliminary Conversation with LVVTA

4.4(1) After reviewing the Applicant's *Registration of Interest Form*, if LVVTA considers the Applicant meets the required criteria (see section 3) the Applicant will be invited to participate in a Preliminary Conversation with LVVTA (see section 5) at a time mutually agreed between the Applicant and LVVTA.

Section 5 Preliminary Conversation with LVVTA

5.1 Introduction

The Applicant is required to participate in an informal discussion with a representative of LVVTA, known as the 'Preliminary Conversation with LVVTA'.

The Preliminary Conversation with LVVTA, which may be either face-to-face, video conference, or telephone, enables the Applicant to gain a comprehensive understanding of all the relevant factors associated with becoming, and remaining, an LVV Certifier. This includes gaining knowledge of the LVV certification system, the required background, the steps in the application process, costs and timeframes, and ongoing responsibilities.

This comprehensive understanding of the LVV certification system will enable the Applicant to make a fully informed decision as to whether to commit to the application process.

5.2 Appropriate background

5.2(1) LVVTA will provide further explanation and advice (beyond that provided in section 3) in relation to:

- (a) the type of knowledge and practical experience the Applicant will need for appointment to the various LVV certification categories; and
- (b) ensuring the Applicant understands that evidence of the knowledge and practical experience must be provided as part of the application process.

5.2(2) LVVTA will ensure the Applicant understands the potential implications of any past criminal convictions the Applicant may have, as part of NZTA's 'fit and proper person' criteria.

5.3 Time and costs involved

5.3(1) LVVTA will provide explanation and advice to the Applicant about the time and costs involved in becoming appointed as an LVV Certifier, and continuing to be an LVV Certifier, which include:

- (a) the time and costs (if applicable) associated with the provision of:
 - (i) Pre-assessment; and
 - (ii) Formal Assessment; and
 - (iii) Induction Training; and
 - (iv) Pre-appointment Mentoring;

and

- (b) the requirement for, and costs of, public liability and professional indemnity insurance; and
- (c) the time associated with:
 - (i) attending regular regional and national LVV Certifier Training; and
 - (ii) reviewing and updating LVV certification information; and
 - (iii) being a source of advice and information to the public and industry.

5.4 Likely volume of work

5.4(1) LVVTA will provide explanation and advice to the Applicant about:

- (a) the number of LVV Certifiers (if any) already appointed and available within the Applicant's geographical area; and
- (b) the need for an LVV Certifier, or another LVV Certifier, within the Applicant's geographical area (see Note 1 below); and
- (c) the likely volume of LVV certification work which may be available to the Applicant if appointed.

Note 1 Further information about how NZTA will consider an application for appointment in relation to geographical coverage is detailed in 'Appendix 1 – Legal Background to Geographical Coverage' at the back of this chapter.

5.5 Other advice

5.5(1) LVVTA will also explain to the Applicant what can be expected in relation to:

- (a) the LVV System Familiarisation process; and
- (b) the general application process to NZTA; and
- (c) the File Review system; and
- (d) obligations in relation to use of the PRS; and
- (e) LVVTA's group insurance scheme which may be available; and
- (f) ongoing technical support that LVVTA will provide; and
- (g) LVVTA's other roles and responsibilities in relation to LVV certification.

5.6 Outcome of Preliminary Conversation with LVVTA

5.6(1) If LVVTA considers, during the Preliminary Conversation with LVVTA, that the Applicant has the potential to become appointed as an LVV Certifier, the Applicant will be approved for a Pre-assessment (see section 6) with LVVTA, at a time mutually agreed between LVVTA and the Applicant, at the premises of the Applicant.

Section 6 Pre-assessment

6.1 Introduction

Section 6 explains the ‘Pre-assessment’, which is intended to ensure the Applicant is the right ‘fit’ for the role, before undergoing the Formal Assessment.

Pre-assessment provides an opportunity for LVVTA to confirm the Applicant’s suitability to the role, and enables an indication of the Applicant’s likelihood of passing the Formal Assessment to be determined.

Going through the Pre-assessment also prepares the Applicant for the Formal Assessment, by gaining an insight into how the Formal Assessment is presented.

6.2 Objectives of Pre-assessment

6.2(1) Pre-assessment will take place at the premises of the Applicant, at a time suitable for the Applicant and LVVTA, and is expected to take not more than half a day.

6.2(2) Pre-assessment will enable a senior technical representative of LVVTA to:

- (a) see the Applicant’s premises, equipment, and general working environment (see Note 1 below); and
- (b) inspect vehicles the Applicant owns, or has modified, or built, and confirm, through in-depth discussion and analysis of the Applicant’s modification and construction work, that the Applicant:
 - (i) possesses an industry-expert level of knowledge and practical experience, as required by *LVV ORS Chapter 4 – LVV Certifier Background Criteria*, for the LVV certification categories in which the Applicant has an interest; and
 - (ii) has accumulated modification and construction experience which incorporates significant complexity and wide-ranging diversity, as required by *LVV ORS Chapter 4 – LVV Certifier Background Criteria*, for the LVV certification categories in which the Applicant has an interest; and
 - (iii) will be committed to road safety, and will be safety-focused in all LVV certification decisions; and
 - (iv) has sound decision-making capability, and has willingness to apply the relevant legal requirements;

and

- (c) conduct a Pre-assessment Technical Competence Test, which the Applicant must pass (see Note 2 below); and
- (d) confirm the Applicant:
 - (i) meets the personal and business attributes criteria specified in 3.3; and
 - (ii) possesses the necessary character, ethics, and ability to provide good customer service; and

(iii) has a reasonable chance of passing the Formal Assessment (see section 10).

Note 1 The Applicant's work premises can include a home garage if it enables the requirements of 6.2(2) to be met.

Note 2 The required pass-mark for the Pre-assessment Technical Competence Test referred to in 6.2(2)(c) is 80%.

6.3 Outcome of Pre-assessment

6.3(1) If the Applicant is considered to be suitable during the Pre-assessment, the Applicant will:

- (a) be approved for LVV System Familiarisation (see section 7); and
- (b) be provided with a copy of the complete *LVV Operating Requirements Schedule (LVV ORS)* to assist the Applicant gain a broader understanding of the LVV certification system (see Note 1 below).

Note 1 The *LVV ORS*, as referred to in 6.3(1)(b), is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

Section 7 LVV System Familiarisation

7.1 Introduction

Section 7 explains the 'LVV System Familiarisation', which provides the Applicant with all the necessary knowledge of the LVV certification system and the LVV Certifier's role within it, to enable the Applicant to be in a position to make a fully informed decision as to whether or not to commit to the application process.

7.2 Objectives of LVV System Familiarisation

7.2(1) LVV System Familiarisation will take place at the premises of LVVTA, at a time suitable for the Applicant and LVVTA, and is expected to take not more than half a day.

7.2(2) LVV System Familiarisation will enable the Applicant to gain an in-depth understanding of all aspects of the LVV certification system, including (see Note 1 below):

- (a) how the LVV certification system, including the operational systems and processes for both the LVV Certifiers and LVVTA, work on a day-to-day basis; and
- (b) how the File Review process, and associated Performance Management Systems, are applied to LVV Certifiers; and
- (c) the expectations and obligations of an LVV Certifier in relation to provision of service, and application of safety-based requirements and inspection processes; and
- (d) how the relationship and division of responsibilities works between the LVV Certifiers, LVVTA, and NZTA.

Note 1 The process referred to in 7.2(2) is provided by LVVTA at no charge, in order to enable Applicants to be in a position to make a fully informed decision as to whether or not they wish to commit to the time and costs associated with undergoing the application process and Formal Assessment.

7.2(3) LVV System Familiarisation may be provided at no charge to the Applicant, however all costs associated with attending LVV System Familiarisation, such as travel and accommodation, are to be met by the Applicant.

7.3 Outcome of LVV System Familiarisation

7.3(1) If the Applicant is considered to be suitable during LVV System Familiarisation, and the Applicant wishes to proceed with the application process, the Applicant will be:

- (a) invited to make an application (see section 8); and
- (b) approved for Formal Assessment (see section 10), subject to NZTA's approval of the application; and
- (c) encouraged to study the *LVV Certification Manuals* in order to maximise the likelihood of a successful outcome at the Formal Assessment (see section 10, and Notes 1 and 2 below).

Note 1 The *LVV Certification Manuals* are available at the LVVTA website www.lvvta.org.nz, and LVVTA will provide the Applicant with an overview of the *LVV Certification Manuals* at the time of the LVVTA System Familiarisation.

Note 2 If the Applicant would prefer working with hard copies of the *LVV Certification Manuals* rather than accessing the documents electronically, LVVTA will loan the Applicant a set, which the Applicant will be required to return at the time of the Formal Assessment.

Section 8 Making an Application

8.1 Introduction

Section 8 explains the steps in making an application to become appointed as an LVV Certifier.

8.2 Submitting an application

8.2(1) If the Applicant wishes to proceed with making an application to become an LVV Certifier, after completing the Preliminary Conversation with LVVTA (see section 5), Pre-assessment (see section 6), and LVV System Familiarisation (see section 7), the Applicant must:

- (a) fill out an 'LVV Certifier Application LVV01' (Application Form) (see Notes 1 and 2 below); and
- (b) provide all the required supporting information specified within the *Application Form*; and
- (c) obtain from the Ministry of Justice a 'Criminal Record Check' that is not more than 30 days old (see Notes 3 and 4 below); and
- (d) submit the *Application Form* and the *Criminal Record Check*, together with all required supporting information, to LVVTA who will formally submit the application to NZTA on the Applicant's behalf (see Note 5 below).

Note 1 An *Application Form* (to become an LVV Certifier) will be provided by LVVTA to suitable Applicants upon completion of Pre-assessment (see section 6) and LVV System Familiarisation (see section 7).

Note 2	LVVTA can provide advice and guidance to the Applicant during the process of preparing and submitting their application to become an LVV Certifier.
Note 3	A <i>Criminal Record Check</i> is available online, free of charge, from the Ministry of Justice, by applying to justice.govt.nz/criminal-records/get-your-own .
Note 4	The Applicant is not required to submit a <i>Criminal Record Check</i> if the Applicant is already an authorised vehicle inspector or specialist certifier, however NZTA reserves the right to request an up-to-date <i>Criminal Record Check</i> when adding to a current appointment.
Note 5	The <i>Application Form</i> , the <i>Criminal Record Check</i> , and the required supporting information, can be sent via email to info@lvvta.org.nz .

8.3 Conditions of submitting an application

8.3(1) When submitting an application, the Applicant must:

- (a) understand and agree:
 - (i) to always meet NZTA's and LVVTA's technical and operational requirements; and
 - (ii) that information relating to the Applicant's LVV certification activities will be shared between NZTA and LVVTA (see Note 1 below); and
 - (iii) to meet the terms and conditions of the NZTA *Notice of Appointment*, which will be issued if the application is approved by NZTA;

and

- (b) confirm on the *Application Form* that the Applicant:
 - (i) has met all of the criteria specified in section 3; and
 - (ii) has engaged in and completed the Preliminary Conversation with LVVTA (see section 5), Pre-assessment (see section 6), and LVV System Familiarisation (see section 7); and
 - (iii) can obtain, if appointed, the required public liability and professional indemnity insurance (see 'Other criteria' in section 3).

Note 1	The condition specified in 8.3(1)(a)(ii) is in place because LVVTA supports NZTA in various LVV certification-related functions, which includes 'File Reviews' and dealing with complaints, all of which requires access to all LVV Certifiers' information by both parties.
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8.4 Incomplete applications

8.4(1) An application will not be accepted unless the Applicant includes all the required supporting information specified in the *Application Form*.

8.4(2) If the Applicant submits an incomplete application, LVVTA will advise the Applicant what else is required before the application can proceed (see Note 1 below).

Note 1	An application will not proceed if it is incomplete, and NZTA will not keep an application 'live' indefinitely.
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8.5 Application fee

8.5(1) As from 1 October 2023, there is no application fee payable to NZTA for applying to become an LVV Certifier (see Note 1 below).

Note 1 The current situation relating to the absence of an application fee to become an LVV Certifier may change over time.

Section 9 Processing the Application

9.1 Introduction

Section 9 provides an overview of the steps in relation to processing an application from someone wishing to become appointed as an LVV Certifier.

9.2 Presentation of the application

9.2(1) Upon receiving an application for appointment as an LVV Certifier, LVVTA will:

- (a) ensure the application is correct, complete, and contains all supporting documents required by 8.2(1); and
- (b) forward to NZTA for consideration:
 - (i) the application and supporting documents required by 8.2(1); and
 - (ii) confirmation that the required processes specified in 8.3(1)(b)(ii) have occurred; and
 - (iii) LVVTA's recommendation regarding the Applicant's suitability.

9.3 Legislative criteria

9.3(1) NZTA will consider the application for appointment as an LVV Certifier against the criteria specified in clauses 2.5 and 2.6 of the *Land Transport Rule: Vehicle Standards Compliance 2002* (see Note 1 below).

Note 1 The *Land Transport Compliance Rule* can be found online at www.nzta.govt.nz/resources/rules/vehicle-standards-compliance-2002-index

9.4 Background check

9.4(1) Upon receipt of the *Application Form* and supporting information, NZTA will:

- (a) confirm the Applicant has contacted LVVTA for the Preliminary Conversation with LVVTA (see section 5); and
- (b) confirm the Applicant has undergone Pre-assessment (see section 6), and LVV System Familiarisation (see section 7); and
- (c) carry out a background check to determine the Applicant's suitability, including:

- (i) determining the Applicant's knowledge and practical experience are appropriate; and
- (ii) if the Applicant holds or has held another certification authority from NZTA, performance history, including relevant warnings, penalties, and disciplinary actions imposed.

9.5 Geographical coverage consideration

9.5(1) NZTA will also give consideration to clause 2.5(2)(b)(v) of the *Land Transport Rule: Vehicle Standards Compliance 2002*, which requires NZTA to consider the number of LVV Certifiers already appointed and available in the Applicant's geographical area, when considering an application for appointment.

Note 1 Further information about how NZTA will consider an application for appointment in relation to geographical coverage is detailed in 'Appendix 1 – Legal Background to Geographical Coverage' at the back of this chapter.

9.6 Approval for Formal Assessment

9.6(1) Upon establishing that an application meets all of NZTA's criteria, NZTA will approve the Applicant to undergo a Formal Assessment (see section 10) with LVVTA.

Section 10 Formal Assessment

10.1 Introduction

Section 10 explains that the 'Formal Assessment' – as distinct from the 'Pre-assessment' (see section 6) – is the primary step in ensuring that any person wishing to become appointed as an LVV Certifier does in fact have the knowledge and practical experience necessary for the person to make a highly-competent LVV Certifier.

10.2 About the Formal Assessment

The Formal Assessment is based on a series of PowerPoint Presentation-based examinations which are completely objective and provide clearly defined pass/fail criteria. The Formal Assessment is a rigorous, scored, and documented examination process which includes the presence of a technical representative of NZTA.

10.2(1) The Formal Assessment will take place at the premises of LVVTA, at a time suitable for the Applicant, NZTA, and LVVTA, and is expected to take a full day.

10.3 How the Formal Assessment works

10.3(1) The Formal Assessment will be conducted by not less than one representative each from NZTA and LVVTA, and is comprised of:

- (a) a written multi-choice closed book test which requires 20 questions to be answered in 30 minutes, with a pass rate of not less than 15 correct answers; and
- (b) an in-depth PowerPoint-based examination to confirm the Applicant possesses the necessary knowledge and practical experience in:

- (i) light motor vehicle-related general automotive knowledge; and
- (ii) light motor vehicle-related mechanical knowledge; and
- (iii) light motor vehicle modification and construction knowledge; and
- (iv) understanding and application of the technical and operational requirements specified in the *LVV Certification Manuals*;

and

- (c) an in-depth evaluation of the Applicant's competence during vehicle inspections in a workshop environment, relating to one or more low volume vehicles of a type applicable to the LVV certification categories for which the Applicant is applying; and
- (d) an evaluation of the Applicant's personality and character, in order to establish whether the Applicant is likely to work with NZTA and LVVTA in a spirit of co-operation, and in particular, has the necessary willingness to:
 - (i) work within the team environment that is required to exist between LVVTA and the LVV Certifiers, particularly in relation to the File Review system specified in *LVV ORS Chapter 9 - Submission of LVV Certification Files* and *LVV ORS Chapter 10 – LVV File Review System*; and
 - (ii) place motor vehicle safety as the highest priority.

10.3(2) The Formal Assessment may be provided at no charge to the Applicant, however all costs associated with attending the Formal Assessment, such as travel and accommodation, are to be met by the Applicant.

10.4 Outcome of the Formal Assessment

10.4(1) The Applicant who achieves the required pass rate during the Formal Assessment, and satisfies NZTA and LVVTA that there are no significant shortfalls in experience, knowledge, skills, or willingness to work co-operatively with NZTA and LVVTA, will be:

- (a) notified of the outcome at the conclusion of the Formal Assessment by either a NZTA or LVVTA representative; and
- (b) approved for Induction Training (see section 11).

10.4(2) If the Applicant does not pass the Formal Assessment, the Applicant (see Notes 1 and 2 below):

- (a) will be notified of the outcome at the conclusion of the Formal Assessment by either a NZTA or LVVTA representative; and
- (b) may not be permitted to re-sit the Formal Assessment again for a period of two years; and
- (c) is unlikely to be permitted to re-sit the Formal Assessment if the Applicant fails the Formal Assessment a second time.

Note 1 If the Applicant is the right 'fit' for the role, their suitability will be apparent during the first Formal Assessment. Providing ongoing opportunities to enable the Applicant to 'study up' in order to get into an environment for which they are not suited creates a high degree of safety risk and wasted resources for no benefit to any participant.

Note 2 The Formal Assessment may only be undertaken by the Applicant twice, and with a minimum two-year stand-down period between the first and second attempts. This is because the required knowledge and practical experience required to become an LVV Certifier are so specialised and must be amassed over such a long period, that this accumulated expertise cannot be 'learnt' by study, as might apply to, say, sitting a driver's license. A person cannot become an expert in motor vehicle modification and construction without significant practical immersion and application.

Section 11 Induction Training

11.1 Introduction

Section 11 explains 'Induction Training', which is one of the final steps involved in achieving appointment as an LVV Certifier. Even with the right background, a person becoming appointed as an LVV Certifier is nowhere near ready to be sent out into the complex and diverse world of assessing and approving high-level motor vehicle modification and construction, so training is critical to ensuring the right long-term outcomes.

11.2 About Induction Training

Induction Training is comprised of showing the Applicant the many documentation-related aspects of the LVV certification system that need to be understood before commencing LVV certification, and shows the Applicant the basic processes associated with how to physically carry out an LVV certification inspection on a vehicle, and the general standard and quality of inspection that is expected of an LVV Certifier.

11.2(1) Induction Training takes place at the premises of LVVTA, at a time suitable for the Applicant and LVVTA, to begin the process of learning about the day-to-day operations as an LVV Certifier (see Notes 1 and 2 below).

Note 1 With variances depending on the LVV certification categories the Applicant is applying for, Induction Training is between one and three days in duration.

Note 2 To assist the Applicant in minimising costs, every effort is made by LVVTA to (in cases where the Applicant passes the Formal Assessment) provide the Induction Training immediately after the Formal Assessment (during the same trip to the LVVTA office).

11.2(2) Induction Training may be provided at no charge to the Applicant, however all costs associated with attending the Induction Training, such as travel and accommodation, are to be met by the Applicant.

11.3 Objectives of Induction Training

11.3(1) The objectives of Induction Training are to enable the Applicant to begin the process of becoming familiar with:

- (a) the relationship between the *LVV Standards* and *NZ Car Construction Manual Chapters*, and the *LVV Inspection Form-sets*; and
- (b) the use of the *LVV Base Forms* and *LVV Inspection Form-sets*, and other documents used during LVV certification inspections; and
- (c) specialised technical knowledge which needs to be applied during LVV certification inspections; and

- (d) specialised LVV certification inspection equipment which is necessary during LVV certification inspections; and
- (e) carrying out gas emissions testing and noise emissions testing; and
- (f) carrying out LVV certification road testing and brake-testing procedures; and
- (g) fitting and general use of LVV Electronic Data Plates; and
- (h) various electronic resources available to LVV Certifiers.

11.4 Outcome of Induction Training

11.4(1) If the Applicant satisfies LVVTA during Induction Training that there are no significant shortfalls in understanding and correctly applying all aspects of LVV certification activities covered in the Induction Training, the Applicant will be approved for Pre-appointment Mentoring (see section 12).

Section 12 Pre-appointment Mentoring

12.1 Introduction

Section 12 explains ‘Pre-appointment Mentoring’, which is the last step in achieving appointment as an LVV Certifier.

12.2 About Pre-appointment Mentoring

Pre-appointment Mentoring is a support system that has been developed to enable a person about to be appointed as an LVV Certifier to be mentored by an experienced LVV Certifier in whom LVVTA has a high degree of confidence. This provides an environment where a newcomer can be shown the ropes by an experienced expert.

12.2(1) Pre-appointment Mentoring will take place at the premises of the mentoring LVV Certifier, at a time suitable for the Applicant and the mentoring LVV Certifier, and must take place within a timeframe agreed between the Applicant and LVVTA.

12.2(2) Pre-appointment Mentoring:

- (a) is overseen and directed by LVVTA, including the nomination of an experienced mentoring LVV Certifier (see Notes 1 to 3 below); and
- (b) will focus on training, assisting, and observing the Applicant, who, under the guidance of the mentoring LVV Certifier, will carry out not less than ten LVV certifications appropriate to the LVV certification categories for which the Applicant wishes to be appointed.

Note 1	Pre-appointment Mentoring will, depending on the type and number of LVV certification categories being applied for, be of not less than five days duration, and will occur at a time and place determined by LVVTA.
Note 2	Pre-appointment Mentoring may, at LVVTA’s discretion, be provided by one or more mentoring LVV Certifiers.
Note 3	The number of LVV certifications referred to in 12.2(2)(b) may, due to the complexity of some vehicles and modifications, be varied by agreement between LVVTA and the mentoring LVV Certifier.

12.3 Objectives of Pre-appointment Mentoring

12.3(1) The objectives of Pre-appointment Mentoring are to provide the Applicant with detailed practical familiarisation about all aspects of the LVV certification inspection process, with particular attention to:

- (a) LVV certification inspection techniques and procedures; and
- (b) detailed explanation and instruction on the use of *LVV Base Forms* and *LVV Inspection Form-sets*; and
- (c) dealing with, and providing good service to, members of the public and industry; and
- (d) working collaboratively and cooperatively with LVVTA; and
- (e) developing the Applicant's confidence in carrying out LVV certification inspections.

12.4 Outcome of Pre-appointment Mentoring

12.4(1) At the completion of Pre-appointment Mentoring, the mentoring LVV Certifier will confirm in writing to LVVTA that either (see Note 1 below):

- (a) the Applicant's performance during Pre-appointment Mentoring was satisfactory, and the Applicant is endorsed as having the necessary level of competence to commence LVV certifications without supervision; or
- (b) the Applicant's performance during Pre-appointment Mentoring was generally satisfactory, and the Applicant is endorsed as having the necessary level of competence to commence LVV certifications without supervision subject to first undergoing further mentoring in specified areas; or
- (c) the Applicant's performance during Pre-appointment Mentoring was not satisfactory, and the Applicant is not ready to be appointed as an LVV Certifier at that time.

Note 1 In any of the cases specified in 12.4(1), the mentoring LVV Certifier will provide a written summary to LVVTA detailing the LVV certifications that were undertaken during the Pre-appointment Mentoring process, and how the Applicant performed during each LVV certification.

12.4(2) The Applicant will be responsible for:

- (a) making payment directly to the mentoring LVV Certifier for the cost of the Pre-appointment Mentoring (see Notes 1 and 2 below); and
- (b) all other costs associated with attending Pre-appointment Mentoring, such as travel and accommodation (see Note 3 below).

Note 1 The cost for the mentoring LVV Certifier to provide Pre-appointment Mentoring will vary according to the time required to provide it, which in turn will depend on the categories the Applicant is being appointed for.

Note 2 The cost to the Applicant for the provision of Pre-appointment Mentoring will be determined by LVVTA, in consultation with the mentoring LVV Certifier.

Note 3 The mentoring LVV Certifier may not be in the same geographical region as the Applicant, so the Applicant must be aware that 'out of town' travel and accommodation may be required.

12.4(3) If LVVTA is satisfied after Pre-appointment Mentoring that there are no significant shortfalls in the Applicant's ability to commence LVV certification activities unsupervised, LVVTA will provide a written recommendation to NZTA that the Applicant is ready to be appointed as an LVV Certifier.

Section 13 If the Application is Approved

13.1 Notification to the Applicant

13.1(1) Upon satisfaction that all requirements of this chapter have been met, and having received a written recommendation from LVVTA in support of the Applicant, NZTA will provide the Applicant with:

- (a) notification in writing of their appointment as an LVV Certifier; and
- (b) a *Notice of Appointment* (see Note 1 below).

Note 1 For reference, a sample *LVV Certifier Notice of Appointment* is provided in 'Appendix 2 – Sample LVV Certifier Notice of Appointment' at the back of this chapter.

13.2 Notification to LVVTA

13.2(1) If NZTA issues the Applicant with a formal appointment, NZTA will:

- (a) notify LVVTA that the appointment has been made; and
- (b) provide LVVTA with the newly appointed LVV Certifier's contact details.

13.2(2) Upon receipt of notification from NZTA about the appointment of a new LVV Certifier, LVVTA will:

- (a) update the national LVV Certifier database with the newly appointed LVV Certifier's relevant contact details; and
- (b) make that information available to the public via the LVVTA website www.lvvta.org.nz (see Note 1 below); and
- (c) provide the LVV Certifier with the required LVV certification documents specified in *LVV ORS Chapter 6 – LVV Documents, Equipment, & Premises* (see Note 2 below).

Note 1 In most cases, making appointment information to the public, as specified in 13.2(2)(b), will be immediate, however in some cases this may occur later in order to enable a newly appointed LVV Certifier to have a 'soft launch' by gaining experience incrementally before becoming fully accessible to the public.

Note 2 *LVV ORS Chapter 6 – LVV Documents, Equipment, & Premises*, as referred to in 13.2(2)(c), is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

13.3 File Review probationary period

13.3(1) A newly appointed LVV Certifier's LVV certification files will be subjected to a 100% File Review by LVVTA until LVVTA is satisfied that the LVV Certifier is performing at a consistently high standard (see Notes 1 and 2 below).

Note 1	A File Review, as referred to in 13.3(1), is a desk-top auditing process, where all <i>LVV Base Forms</i> , <i>LVV Inspection Form-sets</i> , supporting information, and photographs relative to a <i>LVV Certification File</i> are reviewed by LVVTA technical staff to ensure that a newly appointed LVV Certifier is correctly applying the applicable technical requirements and operational processes, making good certification decisions, and that the vehicles being certified are safe and compliant.
Note 2	The details of the File Review system, as referred to in 13.3(1), are specified in <i>LVV ORS Chapter 10 – LVV File Review System</i> , which is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

13.3(2) If the File Review process indicates that a newly appointed LVV Certifier is performing at a consistently high standard, the number of File Reviews applied to the LVV Certifier will be reduced from 100% to random and targeted File Reviews, as considered necessary by NZTA.

13.3(3) If the File Review process indicates that a newly appointed LVV Certifier is not performing at a consistently high standard within the number of LVV certifications which might reasonably be expected, LVVTA will, subject to requirement from NZTA:

- continue applying the File Review process to 100% of the LVV Certifier's *LVV Certification Files* for an indefinite period of time until the LVV Certifier is performing at a consistently high standard (see Notes 1 and 2 below); and
- charge the LVV Certifier for the time taken to carry out further File Reviews, on a fair and reasonable cost-recovery basis.

Note 1	An LVV Certifier will be kept informed by LVVTA about any LVV certification performance issues on a regular basis.
Note 2	See <i>LVV ORS Chapter 10 – LVV File Review System</i> and <i>LVV ORS Chapter 11 – LVV Error Recording & Reporting</i> for further information about the File Review system, both of which are available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz

13.3(4) If a newly appointed LVV Certifier shows a continuing pattern of issuing LVV certifications for vehicles which are not safe and compliant, NZTA will take disciplinary action.

13.4 Other appointment considerations

13.4(1) As part of the initial and ongoing obligations and requirements associated with being appointed as an LVV Certifier, an LVV Certifier must also:

- undergo ongoing LVVTA training held at various intervals and locations throughout each year, as specified in *LVV ORS Chapter 14 – LVVTA Services & Support*; and
- review, understand, and become familiar with the content of LVVTA's 9-volume *LVV Certification Manuals*, along with periodic information updates and amendments distributed by LVVTA at various intervals throughout each year; and
- commit to continuous professional development (see Note 1 below).

Note 1	'Continuous professional development', as referred to in 13.4(1)(c), in relation to LVV certification, should include the ongoing improvement of:
	<ul style="list-style-type: none"> • understanding emerging technologies; and • learning and growing with the LVV certification system; and • customer service.

13.4(2) An LVV Certifier must comply with the interregional operation requirements specified in *LVV ORS Chapter 7 – LVV Certifier Conduct & Service* (see Note 1 below).

Note 1 'Interregional operation', as referred to in 13.4(2), means providing LVV certification services in areas outside of the geographical region in which the LVV Certifier is appointed.

Section 14 If the Application is Declined

14.1 Notification to the Applicant

14.1(1) If NZTA is not satisfied the Applicant has met all aspects of the application process specified in this chapter, the Applicant will be provided with a letter giving notice that NZTA is considering declining the application (*Notice of Consideration to Decline*), which the Applicant will be invited to respond to.

14.1(2) After considering the Applicant's response to the *Notice of Consideration to Decline*, if NZTA has determined the Applicant does not meet the requirements specified in this chapter, the Applicant will be issued with a letter from NZTA advising the application has been declined (*Notice of Decision to Decline*), together with the reasons why.

14.2 Re-application

14.2(1) If NZTA issues a *Notice of Decision to Decline* to the Applicant, and the Applicant wishes to reapply to become an LVV Certifier, the Applicant may re-apply:

- (a) in the case of the *Notice of Decision to Decline* being issued prior to the Applicant undertaking the Formal Assessment (see section 10), at any time (see Note 2 below); or
- (b) in the case of the *Notice of Decision to Decline* being issued after the Applicant undertakes the Formal Assessment (see section 10), not less than two years from the date the most recent *Notice of Decision to Decline* is issued (see Notes 1 and 2 below).

Note 1 The two year 'stand-down' is because the required knowledge and practical experience required to become an LVV Certifier are so specialised and must be amassed over such a long period, that this accumulated expertise cannot be 'learnt' simply by study, as might apply to, say, sitting a driver's license.

Note 2 During consideration of a re-application, NZTA will take into account any information relating to the original application, and any new information about the Applicant that becomes available since the time of the original application, both in relation to the Applicant's knowledge and practical experience, and also the Applicant's character, conduct, or ethics.

Section 15 Additional Categories for Existing LVV Certifiers

15.1 Introduction

Once appointed, an LVV Certifier may, in time, wish to become appointed for additional LVV certification categories. The LVV certification system allows for this, and section 15 provides the details of how an LVV Certifier goes about applying to become appointed for additional LVV certification categories.

15.2 Appointment criteria for additional LVV certification categories

15.2(1) An existing LVV Certifier applying to become appointed for an LVV certification category additional to that for which they are already appointed, must:

- (a) have not less than two years' experience operating as an LVV Certifier; and
- (b) possess an appropriate level of knowledge and practical experience in vehicle modifications and construction (as appropriate) relevant to the LVV certification category(s) being applied for (see Notes 1 and 2 below); and
- (c) be considered necessary by NZTA for the provision of good customer service on the basis that there are insufficient LVV Certifiers already appointed and available with the LVV certification category(s) being applied for in the Applicant's geographical area (see Note 3 below); and
- (d) have met the key indicators which show that a consistently excellent standard of LVV certification performance has been achieved since the LVV Certifier's appointment (see Note 4 below).

Note 1	The determination as to whether an LVV Certifier possesses an 'appropriate level of knowledge and practical experience' in vehicle modifications as required by 15.2(1)(b) will be determined by the LVV Certifier's performance history: <ul style="list-style-type: none"> • arising from the File Review system carried out on the LVV Certifier's LVV certifications; and • during any applications made by the LVV Certifier for Category Extensions relative to the category(s) for which the LVV Certifier is applying.
Note 2	'Category Extensions' referred to in Note 1 above, are detailed in <i>LVV ORS Chapter 8 – LVV Certification Inspection Procedures</i> .
Note 3	Further information about how NZTA will consider an application for appointment in relation to geographical coverage is detailed in 'Appendix 1 – Legal Background to Geographical Coverage' at the back of this chapter.
Note 4	The 'key indicators' of a 'consistently excellent standard of LVV certification performance' as referred to in 15.2(1)(d) are specified in 15.3.

15.3 Defining a consistently excellent standard

15.3(1) The key indicators of a consistently excellent standard of LVV certification performance, as referred to in 15.2(1)(d), are that the LVV Certifier:

- (a) has not had any disciplinary action applied by NZTA in the five-year period prior to the application; and
- (b) has not had any of the performance management processes specified in *LVV ORS Chapter 13 – LVV Complaints & Performance Management* applied by LVVTA in the 12-month period prior to the application; and
- (c) operates consistently within the 'green zone' of LVVTA's *LVV Certifier Error Report Summary* (see Notes 1 and 2 below).

Note 1	The 'green zone' as referred to in 15.3(1)(c) is the area within the <i>LVV Certifier Error Report Summary</i> that an LVV Certifier is expected to be positioned.
Note 2	The <i>LVV Certifier Error Report Summary</i> referred to in Note 1 above is detailed in <i>LVV ORS Chapter 11 – LVV Error Recording & Reporting</i> .

15.4 Application process

15.4(1) An LVV Certifier applying to become appointed for additional LVV certification category(s) must:

- (a) in the first instance, contact LVVTA to enquire whether the criteria specified in 15.2(1) is likely to be met; and
- (b) if it is determined that this is likely, fill out and submit an '*LVV Certifier Application LVV01*' (*Application Form*) as specified in the relevant parts of section 8 (see Notes 1 and 2 below).

Note 1 An *Application Form* (to gain an additional LVV certification category) will be provided to LVV Certifiers by LVVTA.

Note 2 LVVTA can provide advice and guidance to LVV Certifiers during the process of preparing and submitting their Application to NZTA.

15.5 Assessment process

15.5(1) In order to be satisfied the LVV Certifier applying to become appointed for the additional LVV certification category(s) meets the criteria specified in 15.2(1), NZTA and LVVTA may require, as considered necessary and on a case-by-case basis:

- (a) the implementation of any of the processes specified in this chapter, or elements or combinations thereof, relevant to the category(s) being applied for; or
- (b) the undertaking of any tailored support, training, or mentoring relevant to the category(s) being applied for.

15.5(2) The assessment will take place at a time and place mutually agreed between LVVTA and the LVV Certifier (see Note 1 below).

Note 1 The assessment process referred to in 15.5(1) may be carried out on a face-to-face basis, but in certain circumstances, where enough is known about the LVV Certifier's knowledge and practical experience relating to the LVV certification category being applied for, a physical assessment may not be required.

15.5(3) Any assessment processes specified in 15.5(1) which are implemented may be provided at no charge to the LVV Certifier, however all costs associated with attending any such assessment processes, such as travel and accommodation, are to be met by the LVV Certifier.

15.6 Appointment

15.6(1) At the completion of any assessment processes specified in 15.5(1) which are determined to be necessary, if an LVV Certifier satisfies LVVTA that there are no significant shortfalls in understanding and correctly applies all aspects of the additional LVV certification category(s), LVVTA will provide a written recommendation to NZTA that the LVV Certifier is ready to be appointed for the additional category(s).

15.6(2) If NZTA is satisfied that the LVV Certifier has met the criteria specified in 15.5(1), and has received a written recommendation in support of the LVV Certifier from LVVTA:

- (a) the same notification processes to the LVV Certifier and to LVVTA as specified in 13.1 and 13.2 will apply; and

- (b) the same File Review system probationary processes specified in 13.3, relative to the additional LVV certification category(s), will apply.

15.6(3) If NZTA is not satisfied that the LVV Certifier has met the criteria specified in 15.5(1):

- (a) the same notification process to the LVV Certifier as specified in 14.1 will apply; and
- (b) the same re-application conditions specified in 14.2 will apply.

Terms & Definitions Chapter 5

Application Form	The <i>LVV Certifier Application LVV01</i>
AVI	An acronym for Authorised Vehicle Inspector, otherwise known as a Warrant of Fitness Inspector (or Warrant of Fitness issuer).
Disability adaptation	The modification of a vehicle to suit the specific needs of a person with one or more disabilities.
ECP	An acronym for Engraved Certification Plate.
EDP	An acronym for Electronic Data Plate.
Electric vehicle	A vehicle whose form of motive power is derived from electricity, rather than internal combustion.
Electronic Data Plate	An RFID tag fitted to a vehicle upon completion of the LVV certification, which when scanned by an NFC-capable device, displays details and photographs of the modifications and construction features on the vehicle to which it is affixed.
Engraved Certification Plate	An aluminium plate which, from the commencement of LVV certification in April 1992 until February 2021, displays an engraved summary of information about the modifications and construction features on the vehicle to which it is affixed.
File Review system	The process of carrying out desk-top audits on <i>LVV Certification Files</i> , and the associated performance management systems.
Industry-expert level	A level of knowledge and experience held by a person who is widely recognised as being of particularly high standing within their respective field, and who others in the same industry would rely on for advice.
Interregional operation	The practice of providing LVV certification services in areas outside of the geographical region in which the LVV Certifier is appointed.
Low Volume Vehicle Code	The Low Volume Vehicle Code of LVVTA, incorporated by reference into the <i>Land Transport Rule: Vehicle Standards Compliance 2002</i> , and all applicable individual Land Transport equipment rules.
LVV Base Form	The inspection process check-sheets used by an LVV Certifier as part of their inspection of a vehicle, used to record the general details of the vehicle.
LVV Code	An abbreviation for Low Volume Vehicle Code.

LVV Certification Manuals	The collective of LVVTA's LVV certification system documents, which is incorporated by reference under the LVV Code. The <i>LVV Certification Manuals</i> contain the legal, technical, and operational requirements, inspection forms and form-sets, information sheets, newsletters, and supplementary information, upon which the LVV certification system operates.
LVV Inspection Form-set	The inspection process check-sheets used by an LVV Certifier as part of their inspection of a vehicle, used to check the vehicle modifications and construction features against the applicable LVV requirements.
LVV Operating Requirements Schedule	The document that provides LVVTA's operational processes and systems in relation to the LVV certification system.
LVV ORS	An acronym for LVV Operating Requirements Schedule.
LVV Standards	LVVTA's overarching technical requirements which must be met in order for a low volume vehicle to be LVV certified.
Mentoring	A process of providing training or up-skilling to an LVV Certifier, or to a person who is to become appointed as an LVV Certifier, where an LVV Certifier may be required to undergo one-on-one mentoring with another LVV Certifier for a specified period of time.
Modified Production (low volume vehicle)	In simplest terms, a vehicle which, while modified, maintains a sufficient percentage of body or chassis from one primary mass-produced vehicle that it can still be considered to be that vehicle. See the full modified production (low volume vehicle) definition contained in the <i>LVV Code</i> (which is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz).
NFC	An acronym for Near Field Communication, which is a short-range wireless technology, typically requiring a distance of 4 cm or less to initiate a contact.
NoA	An acronym for Notice of Appointment.
Notice of Appointment	A document provided by NZTA to a person appointed as an LVV Certifier, outlining the terms and conditions of their appointment, and their obligations and responsibilities.
NZ Car Construction Manual	A manual specifically developed by LVVTA, in conjunction with the New Zealand Hot Rod Association, for New Zealand motor vehicle modifiers and builders, to provide the necessary legal requirements relating to vehicle modification and construction, and which also provides best-practice guidance and helpful information.
NZTA	An acronym for the New Zealand Transport Agency.
PRS	An acronym for Performance Review System, a tool used by NZTA to monitor the performance of an LVV Certifier, detailed in paragraph 3.4(1).
Right-hand drive	A vehicle with its steering wheel and driving position to the right-hand side of its longitudinal centreline.
RFID	An acronym for Radio Frequency Identification, which is a technology that 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	A low volume vehicle that is not a 'modified production' low volume vehicle.
TAC	An acronym for the LVVTA Technical Advisory Committee.
Technical Advisory Committee	The technical committee of LVVTA. More information can be found in <i>LVV ORS Chapter 15 – LVVTA Committees and Working Groups</i> , which is available to the public electronically, free of charge, from the LVVTA website www.lvvta.org.nz
Trike	Usually, a Class LE motor-tricycle (three-wheeled motor vehicle).

Appendix 1 – Legal Background to Geographical Coverage

A1-1

Introduction

The two primary deliberations in considering an application from a person who wishes to become an LVV Certifier are: (1) whether the Applicant has the appropriate background to perform well as an LVV Certifier; and (2) whether there is a need for an LVV Certifier, or another LVV Certifier, in the Applicant's area. Appendix 1 has been provided to set out some legal background to the situation of 'geographical coverage', as it applies in law for specialist vehicle certification.

A1-2

'Fit and proper' person

The NZ Transport Agency (NZTA) will consider the appointment of a person as an LVV Certifier by applying the criteria set out in paragraph 2.5(2) of the *Land Transport Rule: Vehicle Standards Compliance 2002* (the *Compliance Rule*). NZTA must first be satisfied that the Applicant is a fit and proper person to hold an appointment. Part of the 'fit and proper' criteria means that a person's ability to become an LVV Certifier may be affected as a result of the person having had previous criminal convictions.

A1-3

NZTA must consider those already appointed

NZTA will then consider a range of factors under paragraph 2.5(2)(b) of the *Compliance Rule* which include the Applicant's ability and competence, the Applicant's insurance arrangements, any conflicts of interest in relation to any vehicle-related business of the Applicant, monitoring and review arrangements, geographical coverage, quality assurance and performance management systems, and any other relevant factors.

Specifically, 2.5(2)(b)(v) of the *Compliance Rule* requires that "...in considering an application for appointment, the Director must give such weight as (he) considers appropriate, to the number of vehicle inspectors already appointed and available in the relevant geographical areas".

It is important to note that NZTA, in fact, must (rather than 'may') consider those LVV Certifiers already appointed and available in the relevant geographical area.

It is also important to note that NZTA must give such weight as it considers appropriate to these factors, which means that it may consider the factors in such order it determines appropriate, and give stronger emphasis to one or more factors than to others, under the circumstances of each application and situation.

A1-4

Reason geographical coverage is important

The 'geographical coverage' factor in paragraph 2.5(2)(b)(v) of the *Compliance Rule* must take into consideration the number of LVV Certifiers already appointed and available both in a particular geographical area and at different levels of experience.

While LVV Certifier categories 1A and 1B (for example) are the 'entry-level' categories, this work is effectively the 'bread and butter' work relied upon by the top-level 1D Certifiers. The introduction of more entry-level LVV Certifiers than are necessary for the provision of a good service to the motoring public reduces the LVV certification work available to each LVV Certifier, and because the LVV certification system is so diverse and complex, a reduction in work in turn increases safety risk by lessening opportunity for the LVV Certifiers to 'stay sharp' through carrying out LVV certification on a regular and repetitive basis.

The other risk associated with ‘over-population’ is the potential loss of LVV Certifiers with over thirty years of experience who become replaced by incoming LVV Certifiers with little or no experience. The system is then vulnerable because regions will have no top-level LVV Certifiers to provide an LVV certification service for higher-level modifications for the vehicle modification industry and motoring public, such as taxi-van conversions, scratch-built vehicles, vehicles to transport people with disabilities, and electric vehicle conversions.

A1-5

Consideration process

In applying the legal test, NZTA will consult with LVVTA as to the geographical need for, and suitability of, a candidate to carry out the category of LVV certification for which they are applying to become appointed, as well as any of the other factors which need to be considered if an appointment is to be made.

Prior to commencing the formal application process, a potential Applicant is encouraged to check with LVVTA to find out whether geographical coverage is likely to be a factor in an application, and what weight is likely to be given to it. Any indication that the LVVTA might give in this respect does not prevent the Applicant from proceeding with an application, but it may provide useful information before proceeding.

The geographical coverage situation is detailed further under the heading of ‘7.2 Application of Geographical Coverage for LVV Certification’ within ‘Appendix 7 - LVV Code and Related System Legal Reviews’ of the *Low Volume Vehicle Code*, which is available to the public electronically, free of charge, from LVVTA’s website www.lvvta.org.nz

A1-6

Initial enquiry by the Applicant

In the first instance, a person who wishes to become appointed as an LVV Certifier should contact LVVTA to enquire as to whether an LVV Certifier, or additional LVV Certifier, is required for the relevant geographical area for which the Applicant intends to apply.

LVVTA, in consultation with NZTA where necessary, will consider the number of LVV Certifiers already appointed and available within the relevant geographical area, with a view to considering what weight is likely to be given to that factor in accordance with the requirements concerning ‘geographical coverage’ specified in paragraph 2.5(2)(b)(v) of the *Compliance Rule*, and either:

- (a) if LVVTA considers that a need exists in the relevant geographical area for an LVV Certifier, or additional LVV Certifier, an initial discussion will be arranged between the Applicant and LVVTA prior to the Applicant making an application (see section 5 – ‘Preliminary Conversation with LVVTA’ in this chapter); or
- (b) if LVVTA considers there are sufficient LVV Certifiers already appointed and available within the relevant geographical area, and that those LVV Certifiers already appointed and available are performing competently and are providing good service to the vehicle modification industry and motoring public, feedback will be provided to the Applicant indicating that:
 - (i) while the person is entitled to make an application to NZTA at any time, significant weight is likely to be given to the ‘geographical coverage’ factor in the application; and
 - (ii) because there is a sufficiency in existing numbers of LVV Certifiers already appointed and available within the Applicant’s intended area of business, and those LVV Certifiers are providing a good service, it is likely that the application will be declined.

A1-7

LVVTA operational policy on geographical coverage

As a matter of operational policy, LVVTA ensures that LVV Certifiers are appointed and available in sufficient numbers so as to enable good levels of LVV certification service to the motoring public to be maintained, in relation to:

- (a) each geographical area; and
- (b) for each LVV certification category; and
- (c) consideration toward future planning with respect to future generations of LVV Certifiers.

In order to assess whether sufficient LVV Certifiers are appointed and available as referred to in A1-7, 'Table 5.1 – Required LVV Certifier Numbers' below should be referred to as a guide to indicate the number and geographical spread of LVV Certifiers that are required in order to enable a good level of certification service to be provided to the vehicle modification industry and motoring public.

Table 5.1 - Required LVV Certifier Numbers

<i>Geographical area</i>	<i>Average annual # of LVV certifications</i>	<i>Number of LVV Certifiers required</i>
Northland including Whangarei	186	0.46
Greater Auckland region	1944	4.86
Waikato including Hamilton	547	1.37
Bay of Plenty & Central Districts, including Tauranga & Taupo	640	1.60
Taranaki including New Plymouth, & Wanganui	275	0.69
Hawkes Bay including Napier & Hastings, & Gisborne	83	0.21
South Manawatu including Palmerston North & Levin	864	2.16
Wellington & Wairarapa	281	0.70
Marlborough & Tasman, including Nelson & Blenheim	88	0.22
Canterbury & lower West Coast, including Christchurch & Timaru	899	2.25
Otago (excl. Central Otago), including Dunedin	267	0.67
Southland & Central Otago, including Invercargill	94	0.23
Note 1	The average annual number of LVV certifications has been established through analysis of historical LVV certification numbers over a three-year period from 2021 to 2023 inclusive. Data from this period was selected because the COVID period of 2020 created very atypical figures, and 2021 coincided with the introduction of the LVV Electronic Data Plates.	
Note 2	The number of LVV Certifiers required (for each geographical area) is based on a realistic assumption that over the course of a year, an LVV Certifier (who is operating as an LVV Certifier on a full-time basis) can carry out (on average) two LVV certifications per day, which, based on 200 working days per year, will limit an LVV Certifier working full-time to approximately 400 certifications per annum.	
It should be noted that LVV certification inspection numbers will vary from vehicle to vehicle. For example, an LVV Certifier might certify four series-production taxi vans one day (where the inspection process is of a repetitive nature), and the next day only one highly modified vehicle can be inspected during the course of the day because of the extent of the modifications and the inspection time involved. A complex scratch-built vehicle may take longer than one day.		

Appendix 2 – Sample LVV Certifier Notice of Appointment

Notice of appointment as a low volume vehicle specialist certifier

Your certifier appointment details

Under clause 2.2(1)(g) of the Land Transport Rule: Vehicle Standards Compliance 2002 (the Rule) certifier's full name (the certifier) is appointed by the Director of Land Transport (the Director) as a vehicle inspector and inspecting organisation (LVV certifier) for low volume vehicle specialist inspection and certification, for the term of appointment and subject to the requirements and conditions set out in this notice.

Your appointment starts on: DD Month YYYY

Your appointment ends on: DD Month YYYY

The Director may extend, suspend or revoke your appointment depending on your performance or other factors.

Vehicles you can inspect and certify

You may only inspect and certify vehicles categorised in the *Low Volume Vehicle Code* (LVV code) as:

- LV1A Modified Production - Limited
- LV1B Modified Production - Extended
- LV1C Modified Production - Structures
- LV1D Modified Production - Advanced and Scratch-built
- LVRH Modified Production - Right-hand Drive Conversions
- LVEX - Exhaust Noise and Gas Emissions
- LV2A Motorcycles - Modified Production
- LV2B Motorcycles - Advanced and Scratch-built
- LV2C Trikes - Modified Production and Scratch-built
- LV3A Disability Adaptation - Limited
- LV3B Disability Adaptation - Structures
- LV4 - Electric & Hybrid Vehicles
- LVAC - Authority Card.

Low volume vehicle (LVV) certifier terms and conditions

1. General

The terms and conditions in this notice of appointment are imposed under clause 2.3 of the Rule.

In this notice some words have special meanings:

Common terms	Meaning
LVV certifier	means a low volume vehicle certifier who, in legal terms, is appointed as both a vehicle inspector and an inspecting organisation.
The activities	means the activities a low volume vehicle specialist certifier performs to inspect and certify vehicles categorised in the LVV code.
The LVV code	means the <i>Low Volume Vehicle Code</i> as defined in Part 2 of the Rule and all documents included in it, like: <ul style="list-style-type: none"> • the <i>LVV ORS</i> • the <i>Low Volume Vehicle Standards (LVV standards)</i>. Collectively these documents form part of the <i>LVV Certification Manuals</i> .
The LVV ORS	means the <i>Low Volume Vehicle Operating Requirements Schedule</i> .

The LVVTA	means the Low Volume Vehicle Technical Association Incorporated.
The Rule	means the <i>Land Transport Rule: Vehicle Standards Compliance 2002</i> .
We, us, the Director, NZTA	means the Director of Land Transport.
You, your, you're, the certifier	means you, the person appointed as the certifier in this notice.

2. Competence and diligence

You must perform all inspection and certification activities competently and diligently and in line with the conditions of your appointment and with the rule.

3. Compliance with documents

You must comply with all conditions, requirements and guidelines in:

- this notice of appointment
- the Land Transport Act 1998 (particularly section 4)
- the Rule
- the LVV Code
- other relevant legislation (for example, the Privacy Act 2020 and the Health and Safety at Work Act 2015)
- any documents we or the LVVTA issue.

4. Compliance with required activities

You must meet all requirements described in the LVV Code to:

- attend and participate in training
- participate in on-site visits
- comply with outcomes and directives from the LVVTA file reviews and complaint resolution processes.

5. Changes of circumstance and other notifications

You must tell us and the LVVTA in writing if:

- your circumstances change, for example:
 - you change your address or contact details
 - you can't meet the requirements or conditions of this notice
 - you're charged with a criminal offence or serious land-transport related offence
 - there's a significant legal claim against you that's related to how you perform the activities
 - you stop performing any of the activities
- any documents associated with the activities are lost or stolen
- you think any activities have been done incorrectly
- your insurance cover, required in this notice, stops.

6. Fitness and propriety and driver licence

You must continue to be a fit and proper person.

You must make sure any person who helps you perform the activities has the right qualifications and skills.

You must not inspect a vehicle if:

- you need to drive it as part of the inspection process, and
- you don't hold a current and valid driver licence for that class of vehicle.

7. Conflicts of interest and inappropriate financial influences

You must comply with guidance from us or the LVVTA about conflicts of interest and inappropriate financial interests.

8. Insurance

You must comply with the insurance terms and conditions set out at the end of this notice.

9. Keeping and providing records

You must comply with the LVVTA record keeping requirements and, if asked, send that information to us or the LVVTA.

10. Delegation

You may only delegate responsibilities listed in the LVV ORS and you must follow any LVVTA requirements that apply.

11. Fee collection and payment

You must pay the regulated fee for each LVV certification to the LVVTA. They'll pass on the regulatory fee portion to NZTA.

12. Director's powers to monitor, review, investigate and take enforcement action

We'll make sure you're meeting the rule requirements by:

- monitoring and reviewing you at any time
- investigating you if there's reason to believe you're not meeting the rule requirements
- taking enforcement action, including:
 - requiring you to correct your actions
 - suspending or revoking your appointment
 - telling you to re-inspect and, if appropriate, re-certify vehicles at your own cost.

Insurance terms and conditions

You must have insurance

- You must either:
 - have your own insurance that complies with the terms and conditions below, or
 - join and continue membership of the LVVTA group insurance scheme.
- If you get your own insurance, you can ask us to change the insurance terms and conditions. If we agree, we'll send you the updated terms and conditions.
- You must send us proof of your insurance if we ask for it.
- If you reapply to be a certifier you must give us proof of having appropriate insurance.
- You must tell us in writing if your insurance policy:
 - is cancelled, or
 - cover levels reduce below the levels we've set in this notice, or
 - excess levels increase above the levels we've set in this notice.

If you get your own insurance

- During your appointment you must have public liability and professional indemnity insurance that covers the activities described in this notice.
- If you stop performing the activities (for any reason), your professional indemnity insurance must cover you for a further 6 years. You can either:
 - continue to hold the policy for a further 6 years, or
 - include a 6 year run-off period in your policy.
- We've listed the minimum cover levels and maximum excess levels below. Depending on your business needs and risk, you may choose to:
 - increase your cover above the minimum cover level
 - lower your excess below the maximum excess level.
- You must review and update your insurance cover if your business needs change.

- You must not do anything that might prejudice or void your public liability or professional indemnity insurance policies.
- Your insurance policies can be in your name, your business's name or your employer's name, if those policies cover your work activities and comply with the cover levels set in this notice.
- The insurer providing your public liability and professional indemnity insurance must have:
 - a minimum A- Insurer Financial Strength Rating from S&P Global Ratings (previously known as Standard & Poor's), or
 - an equivalent rating from a credit rating agency, or
 - a rating exemption from the Reserve Bank of New Zealand.
- Your public liability insurance cover must be \$1 million or more with an excess of \$12,000 or less.
- Your professional indemnity insurance cover must be \$1 million or more with an excess of \$12,000 or less.
