

17 April 2014

Land Transport Rule: Light Vehicle Brakes Amendment 2014 ( Rule 32014/4)  
Rules Team  
New Zealand Transport Agency  
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**SUBMISSION on  
Land Transport Rule: Light Vehicle Brakes Amendment 2014 ( Rule 32014/4)**

**Introduction**

Thank you for the opportunity to make a submission on the Land Transport Rule: Light Vehicle Brakes Amendment 2014 ( Rule 32014/4)

This submission is from Consumer NZ, New Zealand's leading consumer organisation. It has an acknowledged and respected reputation for independence, and fairness as a provider of impartial, and comprehensive consumer information and advice.

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Consumer NZ has been telling its members of the benefits of electronic stability control (ESC) since 2006, (*Consumer 456*) and is so convinced of its benefits that we asked for it to be made mandatory in 2008 (*Consumer 456*).

Your counterparts in Australia have already done this. Legislation was introduced in 2009 requiring "mandatory fitting of ESC to passenger cars and SUVs from November 2011 (for new models) and November 2013 (for all vehicles)."

It's our view that this important change in the rules should have been synchronised with Australia.

Consumer also says the current proposal does not go far enough.

In 2008 we said "All rental cars and campervans should have this feature as soon as possible. Overseas drivers feature too frequently in loss-of-control accidents on our difficult roads."

Sadly, this hasn't changed.

There have since been several high-profile crashes involving loss of control after drifting left into loose gravel – including the crash near Turangi in 2012 that killed three US students and left another seriously injured.

"Early indications from the scene examination show the vehicle drifted to the left into gravel, then over corrected and the momentum caused the vehicle to roll. It was not yet known why the vehicle drifted left," said Inspector Kevin Taylor to the *The New Zealand Herald* on the day of the crash.

While we will never know how much difference ESC may have made had it been fitted, this crash is a very good illustration of the tragic loss of control accidents ESC has been shown to prevent.

NZTA's own TV commercials show a vehicle going out of control after hitting loose gravel, and then maintaining control after the loose gravel with ESC operating.

There appears to be ample evidence that ESC offers an opportunity to eliminate or at least reduce the number of crashes where drivers of rental vehicles lose control on our unforgiving roads.

Consumer says ESC should be immediately made mandatory for **all** rental vehicles that are likely to be hired by tourists, from the day when any such vehicle (new or used) enters the rental fleet. At the very least this should begin from the date at which new passenger cars are required to comply.

## **1. Proposal 1.**

Consumer NZ supports extending the scope of the Light-Vehicle Brakes rule to include Electronic Stability Control (ESC).

## **2. Proposal 2.**

Consumer NZ agrees that light passenger and commercial vehicles should be required to meet new ESC requirements.

### **3. Proposal 3: Phase in timing.**

Consumer NZ says the phase in timing is too slow.

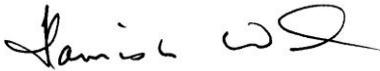
We should be following closely behind Australia for new vehicles.

- The majority of our new vehicles have similar specifications to Australian models as New Zealand is too small a market to justify unique NZ-only vehicles.
- There are no New Zealand specifications for motor vehicles, so Australian, Japanese or European specifications are commonly used. This makes close-following of Australia relatively simple.

Consumer NZ supports the timing of the phase-in of ESC for used imports as it would not be appropriate to make the change before there is a reasonable supply of ESC-equipped vehicles.

### **4. Rental Vehicles**

Consumer NZ says urgent consideration should be given to mandating ESC for all rental vehicles in classes MA, MB, MC, NA and NB. i.e. rental cars, 4WD, vans and campervans. This is to ensure that we do as much as possible to assist foreign drivers with the challenge of driving on our unfamiliar and challenging roads.



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