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30 November 2012

### Submission on Land Transport Rule Agricultural Vehicles Omnibus 2012 Rule 10050

The NZ Federation of Motoring Clubs (FOMC) represents approximately 130 member clubs which include owners and collectors of tractors and farm machinery. Thank you for the opportunity to comment on this review.

Having read the overview of the draft rule we concur with how it addresses the issues and support the policy position that substantial economic benefits will be gained from a pragmatic approach to the ever changing modernisation of our agricultural sector. While we could make detailed comment on all the clauses these would be entirely supportive of the changes proposed, so we have simply identified what we see as the key issues.

#### Speed and Demarcation

We endorse the suggested 40kph limit. Modern tractors can travel comfortably and safely at 40kph and this will reduce the speed differential to the extent that other drivers following at 40kph are likely to exercise more patience than when following a slower vehicle. In terms of safety, older tractors generally are slower with most unable to do 40kph.

#### Driver licence changes

We endorse the driver licence changes that appear well thought out and resolve current issues.

#### Work Time

While most new Zealanders can regulate their work hours, the rural sector is controlled by nature. The proposals may improve the current situation; however few farmers are likely to apply.

Clause 8.1[3] - 4.4[2] is questionable because without a logbook record, there is no defence against an allegation of excessive hours being worked by an owner operator or salaried employees in an on farm situation where timesheets may not be normally kept.

One could suggest that the clause read that "the driver of a tractor or agricultural motor vehicle not being used for hire or reward does not have to maintain a logbook". This would mean that the flexibility granted by the variation of hours rule would apply only to those operating a contracting business who are most likely to be affected by regular work variances'.

#### Hazard identification and Mitigation

The proposal in the draft is supported

#### Vehicle inspection

Most large modern tractors are serviced on farm by professionals to ensure that warranties are maintained. Modern tractors are expensive and complicated pieces of plant and a failure to maintain them correctly can result in very costly failures. The service professionals also perform a safety check as part of the service procedure. It is now recognised by most farmers employing staff that such a service also performs a part of their workplace hazard mitigation programme.

The proposals in the draft are supported.

Yours sincerely,  
Roy Hughes (Secretary)  
NZ FOMC

***Representing the responsible special interest and heritage motoring enthusiast***