

From the desk of the Secretary

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Comments from the Federation of Motoring Clubs on the Frontal Impact Amendment post-consultation policy paper

The Federation of Motoring Clubs (FoMC) welcomes the opportunity to comment on the proposed criteria defining what is a Unique Collectible Vehicle (UCV) and the ownership conditions pertaining to them.

The FoMC is highly supportive of the initiative by Land Transport NZ to define a UCV for the purposes of exempting non-compliant late-model UCV's from certain Rules such as the Frontal Impact standards.

The FoMC is an umbrella organisation representing some 100 national enthusiast motor vehicle clubs, covering vintage and classic cars, motorsport vehicles, motorbikes, off-road vehicles, historic commercials, military vehicles and the like. The enthusiast vehicle sector is substantial in NZ, and our members do not believe they should be disadvantaged by Rules that are primarily aimed at everyday vehicles. We support enthusiasts being able to import UCVs under 20 years old which may not comply with certain standards, especially as these vehicles are often not intended for regular use and thus pose a limited risk to owners by not complying with those standards.

The FoMC believes the proposed definition of a UCV and associated ownership conditions are an excellent first step in accommodating the motor vehicle enthusiast community, however we do have some minor suggestions below:

Definition of a UCV

Without accepting the use of the word "Unique" - because of the inherent narrow meaning of the word - to define the category, we broadly support the idea behind the four criteria, and propose amendments to two of them for greater clarification:

- The vehicle is an object of automotive interest, manufactured for an enthusiast market rather than a general consumer market, or was manufactured in annual volumes not exceeding 20,000 of that make, model and sub-category;

The FoMC considers that Annual Volume is not an issue significant enough on its own to warrant a weighting of one in four. For example, a new model may not yet have established its first annual volume. FoMC prefers the added wording.

We also consider make and model alone to perhaps be too broad. There are sub-category models that might be worthy of inclusion. For example, these could include the BMW M3 version of the 3-series, HSV Holden Commodores, Peter Brock Specials or special-edition Fords like the GT40, or Mustang Mach1.

- the vehicle was designed for performance, which may include motorsport use.

As currently written, this criterion suggests the vehicle must have been purpose-built for track use, which we don't believe to be an indispensable feature. Of the performance cars manufactured, while many are capable of track use, few are specifically designed for it, and those that are exclusively so designed, are often not fit for road use in many other ways. Few UCVs therefore, would be able to meet this criteria as written. However many performance cars can also be used in production car-style motorsport events, for example TVR's which are first and foremost road cars, but are also popular track-day cars both here and in the UK. Our suggested wording clarifies this, and also encompasses cars that can be used in other motor sports like rallying.

The FoMC also suggests the inclusion of one additional criteria, which we suggest would mean a UCV must meet three of *five* criteria. In the yellow draft of the Amendment Rule, the discussion of unique collectible vehicles also referred to vehicles that "may have a strong connection to a historical event or personality", and it is not now clear if this is intended to come under the first bullet point. We suggest this should be treated separately as it may not be readily identified in specialist magazines or websites that such a singular vehicle is "collectible". We propose to include a fifth criterion, with wording like:

- the vehicle has acknowledged celebrity ownership or is connected to a significant historic event.

Ownership conditions

The FoMC supports the application of the five ownership conditions specified in the policy paper, however it is essential if ownership conditions are to be set, that they be actually enforceable, and that there be real plans to monitor them.

The FoMC has offered its services to monitor these requirements as part of an offer to administer enthusiast exemption processes. In the past, the lack of any enforcement, or even spot checking, has contributed greatly to the breakdown of the exemption processes, and has lead to a disregard of the law.

Application of quota

It is our understanding that the quota proposed only relates to UCVs seeking entry certification which don't meet the frontal impact standards, and that different quotas may be applied for UCVs which don't comply with, for example, the Steering Rule or Exhaust Emissions Rule, however we seek reassurance that this is the intent.

However, in any case, while we agree that application of a quota is prudent, we consider 50 per annum to be too few, and also that proper management of that quota should be at the highest level. We point to the following rationale:

Firstly, the FoMC believes there are a reasonable number of UCVs already in NZ, for which the owners would seek to apply for registration under this new policy. This volume may overwhelm the quota for a time. We also suggest there is a considerable demand to import modern UCVs that are not tested for frontal impact standards like TVR's, or early 1990's Supercars like Ferraris, with prospective owners waiting for a rule change like this. The FoMC considers an annual quota of 250 - 350 units would be more realistic and possibly will cater for this demand, while at the same time meeting NZ's Road Safety objectives. After all, the numbers are a drop in the bucket of the total New Zealand fleet.

Further, it is clear that the current frontal impact standards already permit the import of several thousand non-compliant Japanese-import SUVs every year. Any additional risk posed by permitting the registration of even 350 UCVs – which often tend not to be used as daily transport – pales by comparison.

At the very least, if a lower quota is chosen, then we urge that an amnesty be provided for UCVs already in NZ (which meet the criteria), so that these vehicles are not counted in the annual quota.

Additionally, we propose that a quota should be managed legislatively by periodical review by the Minister of Road Safety and adjustment made to ensure it is aligned either way, with actual demand - balanced against the proven effects of the quota on road safety.



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