

This correspondence from:
The Secretary
New Zealand Federation of Motoring Clubs Inc.
PO Box 10-410
HAMILTON 3241
Email: secretary@fomc.co.nz



16 September 2008

Vehicle Equipment (Noise) Rule Amendment
Rules Team
NZ Transport Agency
Private Bag 6995
WELLINGTON
Email: info@nzta.govt.nz

Dear Sir/Madam,

Thank you for the opportunity to comment on the Vehicle Equipment Amendment Rule 32017/4.

The NZ Federation of Motoring Clubs (FOMC) represents over 110 clubs with individual membership of 20,000 enthusiasts, catering for cars, motorcycles, trucks and military vehicles, tractors and vintage machinery, covering heritage and collectors vehicles spanning all years of production.

Introduction

The manner in which a vehicle is operated has more potential to cause public nuisance than a modified vehicle driven in a considerate manner. Those who cause public nuisance will do so regardless. Unfortunately rules and vehicle requirements won't stop them, fines don't worry them and if they lose their license they'll continue to drive without one. How do you stop someone with a modified exhaust simply changing their muffler (it can be done in minutes) before going for a WoF or an objective noise test and refitting their noisy muffler once their vehicle has passed inspection?

Whilst we understand that 'boy racers' have caused annoyance over time with louder than factory exhaust systems and/or blow-off valves, there are plenty of responsible motoring enthusiasts who are anything but boy racers with older and newer performance vehicles that would meet the 95 decibel limit, but would fail the 90 decibel limit. These enthusiasts will consider it unfair to be targeted in such a proposed manner.

As most Special Interest Vehicle (SIV) vehicles will meet modern exhaust and emissions standards and are also performance-oriented vehicles, we highly recommend that vehicles that have been given a SIV exemption be exempted under the proposed noise amendment rule.

2.1 Exhaust systems

The FOMC are pleased to see 2.7(5)(a) the noise output be less than or similar to the noise output from the vehicle's original exhaust system at the time of the vehicles manufacture. We trust this will cover specialised vehicles as described in the yellow draft of Rule 32017/2 Amendment 2007 quote – "The exception is a small number of 'specialised' high performance vehicles, fitted with their original, standard exhaust systems, which may exceed the current 95dBA limit (e.g. some Ferrari vehicles). These vehicles will still comply with the entry standard for New Zealand and are therefore, considered as meeting legal requirements, provided that they are not fitted with modified exhaust systems that increase sound output".

Vehicles manufactured from 1985 but re-entering service after May 2009, i.e. after restoration, are treated the same as vehicles entering service into NZ for the first time, and for this reason we consider they should only be required to comply with the NZ stationary noise limit that applied at the time of manufacture – i.e. the same as clause 2.7(5)(a).

Schedule 3 lists a maximum stationary tailpipe noise limit of 95dBA for cars registered before June 2008, however if those cars are modified and found to exceed 95dBA they must be repaired to a maximum 90dBA while others of the same year, make and model can remain up to 95dBA. To us this double standard seems illogical. Is it a form of punishment to the owner and any subsequent owners. Will we see similar rules requiring a different test for selected (failed) vehicles for brakes, tyres etc? Surely not! The administration cost would be horrendous. The consequences (listed on page 14 of the overview) of this double standard and the increase in cost of implementation must surely indicate one standard for all vehicles of the same vehicle class and year of manufacture is logical.

If someone purchased a vehicle that they thought was allowed up to 95dBA and fitted a new factory exhaust system that put out 93dBA, only to find out that a previous owner had modified it and exceeded 95dBA so it now had a limit of 90dBA, they would be displeased, and out of pocket for a factory exhaust plus fitting plus the now required modification plus an objective noise test.

Not long ago we were being told modified vehicles would need certification now we are being told factory replacement parts may need modification.

On page 20 of the overview, cost of implementation and a tracking system for vehicle inspection purposes is mentioned. It seems unfair that a vehicle inspector wastes his time checking a database when a vehicle is presented with an obviously original style exhaust, again we recommend one standard for all vehicles of the same vehicle class and year. This applies equally to cars as it does motorbikes.

We contend that if the vehicle's exhaust noise output exceeds 95dBA when fitted with its original (unmodified) manufacturer's exhaust, the exhaust system should not have to be made quieter than the original system in order to pass the objective test. And if the vehicles exhaust has been modified and exceeds 95dBA, then it should only be required to be modified to the maximum limit that applied for that vehicle on entry to NZ – i.e. 95dBA if registered before June 2008, and 90dBA if registered after.

2.2 Blow-off valves

The FOMC knows some after-market blow-off valves actually have small megaphones built into them to make the annoying hiss sound even louder, and some submitters are going to

request that 2.10(2)(a) and (b) be removed. The FOMC ask that you retain the above because gear and belt driven superchargers have built-in (factory fitted) pressure relief valves, they are essential to the operation of the vehicle, if the engine back-fires or misfires the valves relieve manifold pressure and hopefully avoid expensive rotor, belt or drive gear failure. These valves are often inaccessible and fitting a silencer or a hose to the air intake is not practical and would detract from the authenticity of the vehicle. Yes, they were known as blow-off valves, the 1927 to 1929 Bentley workshop manual states under superchargers (among other things): "Blowing back. To prevent possible damage by blowing back three blow-off valves are fitted – two on the induction pipe and one on the underside of the exit pipe". It also states: "Blow-off valve, should blow back occur frequently, the cause should be diagnosed".

Therefore, we support the proposal as written, including the exemption for original equipment externally-vented valves, and implore you not to change 2.10(2)(a) and (b) so owners of historic vehicles can keep them authentic.

Yours sincerely,

Andrew McClintock
Submission Secretary
NZ Federation of Motoring Clubs

Representing the responsible special interest and heritage motoring enthusiast