
Low volume vehicle certification review (Phase 2 update)

QUESTION AND ANSWERS

May 2016

What has happened since the last update?

Activity in the early part of 2016 focused on:

- **increasing Transport Agency oversight of the Technical Advisory Committee (TAC)**, and
- **increasing user awareness of the TAC process** as the pathway for innovative new approaches or materials and for specialist enquiries.

In consultation with the Low Volume Vehicle Technical Association (LVVTA), we developed new terms of reference for the TAC. These strengthen the TAC's governance processes and help ensure a high level of transparency and efficiency. The terms of reference were formally adopted by the LVVTA and used for the first time at the February TAC meeting.

We updated the Low Volume Vehicle (LVV) information on our website with [flowcharts showing the LVV process](#), clearly identifying when LVV certification is needed and when a decision may need to be referred to the TAC. We included a flowchart that describes the TAC process, and case studies to illustrate the sorts of decisions the TAC makes.

What changes will users notice as a result of this work?

If you use the TAC process to seek a variation from a technical requirement, you may notice a change to how the TAC communicates its decision to you. The LVVTA has changed the format of the TAC decision letter to make it really clear to readers:

- the decision-making process that was followed
- the information that was considered,
- what further information or action is required (if any), and
- the LVV Standards and other requirements that were applied.

The new terms of reference for the TAC also introduce a process for having TAC decisions reconsidered if the user is not satisfied with the outcome.

The LVVTA now publishes a summary of any variations from technical requirements that are approved at their monthly TAC meetings. You can find these [on the LVVTA website](#). Sharing information about the types of variations considered for approval by the TAC will help other modifiers better understand how decisions are made and the types of approaches and modifications likely to be approved.

Users new to the LVV system, or those who want to better understand it, are now more easily able to see the steps, decision points and roles in the process, through the flowcharts on our website.

What work is happening now?

Activity is currently focused on three key areas:

- Working with the LVVTA and certifiers **to ensure users experience consistent interpretation and application of standards.**
- **Developing and implementing tailored certification processes** that reflect the risks associated with different types of modifications and the contexts of different sector groups.
- **Reviewing and clarifying the roles, functions and performance metrics** of the LVVTA, LVV certifiers and the Transport Agency in respect of the LVV system.

What is being done to improve consistency?

In early 2016 we engaged a consultant to work with the LVVTA, certifiers and system users to understand how we could better support certifiers to increase the consistency of their certification decisions. This work focused on understanding current barriers and resulted in several recommendations, which we are working through with the LVVTA. Emphasis is on the following areas.

- **Ensuring LVV Standards are up to date**

It's important that both modifiers and certifiers can easily locate information that tells them what standards a modified vehicle must meet and any approved methods for meeting those standards. In recent years, a number of instructions have been issued to certifiers by way of LVVTA information sheets. The LVVTA is working to ensure that these instructions are incorporated into the official Standards documents, so there is a single, up-to-date source of information for both certifiers and modifiers. Other changes that could improve each Standard will be considered in the next scheduled review of each Standard.

- **Focusing on consistency in certifier training, and encouraging certifier alignment**

Although there will always be a level of interpretation and individual decision-making exercised by certifiers, a key recommendation was to build a 'community of practice' among certifiers, so they can see where their decision-making may be out of step with other certifiers. To achieve this, there will be an increased focus on consistency in the LVVTA's certifier training – using the results of form set audits and common queries to identify individual and group training needs – and more opportunities within the existing regime for certifiers to share with and learn from others.

We will formalise a new requirement for LVV certifiers to 'co-certify' at least one vehicle per year with another certifier.

- **LVV certifier reviews carried out by the Transport Agency**

Performance reviews conducted by the Transport Agency are in addition to form set audits conducted by the LVVTA, and help ensure that LVV certifiers can certify a modified vehicle to our required standard. We are revisiting the requirement, process and outcomes for these reviews.

- **Increasing access to the Hobby Car Technical Manual**

The LVVTA is working to make the Hobby Car Technical Manual available online later in 2016. This may also include renaming the document to make it clearer what sort of modifications it applies to.

What is being done to tailor certification processes?

While some degree of tailoring already exists, we have been working with the LVVTA to identify changes that could be made in the short term to further tailor the certification process to risk. We are currently working through details and processes around several options for implementation by July 2016 and will provide an update on this soon.

More significant opportunities for tailoring certification processes to risk are likely to require changes to the legislative framework and therefore cannot be implemented straight away (see below for more about this framework). We are currently considering what form those more significant changes may take.

What is being done in relation to roles, functions and performance metrics?

We have reviewed all the documents that describe the roles and functions of the various parties to the LVV system, including the Vehicle Standards Compliance Rule, the LVV Code, the LVV Operating Requirements Schedule, and the Operating Agreement between the LVVTA and the Transport Agency. Through this process we have identified some areas where the Transport Agency, LVVTA and certifiers can work more closely together to ensure all three parties are performing their roles efficiently and effectively.

What changes will users see as a result of the current work?

The most visible or immediate changes will relate to improved consistency. As a result of the measures we are putting in place we expect that:

- users of the information (both modifiers and certifiers) will have the same understanding of Standards and expectations of the certification process
- modifiers will better understand what standards they are required to meet, and certifiers will be applying the most up-to-date requirements and interpretations
- certifiers will be more conscious of the approaches and interpretations used by their colleagues, and their decision-making processes will be more strongly aligned.

Why can't further changes happen more quickly?

We want to make sustainable changes, so taking a collaborative, considered approach is critical. The LVV system is complex, both in terms of the way the sector is regulated and the legislation that supports it.

What frameworks does the LVV system operate under?

The Government has appointed the LVVTA to deliver much of the LVV system. The LVVTA is an incorporated society – a stand-alone organisation with its own operating rules and management team – and many of the functions of the LVV system are the responsibility of the LVVTA or a joint responsibility of both agencies. We therefore work together to apply and improve the LVV system and take a collaborative approach to problem-solving and delivering the outcomes of the review.

The legal framework for delivering the LVV system is complex. The LVV system and processes are described in a range of documents including the LVV Code, LVV Standards, Operating Requirements Schedule, forms, and information sheets issued by the LVVTA. These documents are incorporated by reference in the *Land Transport Rule: Vehicle Standards Compliance 2002*, and therefore have legal status similar to Acts and Rules of Parliament. The legal standing of those documents means any changes to the processes they describe must follow a robust change process that includes aspects such as appropriate consultation on changes that affect system users and the general public.

How do I stay informed about progress?

We will update the Transport Agency website as the review continues. If you would like to receive an email from us when new information is available, or if you have any questions or comments about the review, please email us at lvreview@nzta.govt.nz

