

SPECIAL INTEREST VEHICLES – A WIN FOR THE ENTHUSIAST

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In 2008, the NZ Transport Agency introduced a new vehicle category called “Special Interest Vehicles” (SIV).

The Special Interest Vehicle definition is a coup for those of us who cherish enthusiast, sports or unusual cars, and its creation is a major win for industry groups like the Federation of Motoring Clubs, Left Hand Drive Enthusiasts Federation, and others who have lobbied long and hard for it.

What is a Special Interest Vehicle?

We'll first I'll tell you what it *isn't*. It isn't any classic or enthusiast vehicle currently registered in NZ, nor indeed any vehicle aged more than 20 years old. Nor will it ever be.

The SIV classification was created to refer to those vehicles, aged under 20 years, which currently cannot be imported into NZ because of certain regulations. SIV refers to enthusiast vehicles desired by New Zealanders but which are not permitted to operate on our roads.

You will no doubt be aware that to import a vehicle, it has to comply with a number of Land Transport NZ Rules, and if it doesn't then the owner won't be able to register it. Many of the Rules, like frontal impact, steering, and emissions, have been in place for several years (since 1998 in the case of the Frontal Impact Rule). Since then, no one has been able to import a late-model vehicle unless it complies with international frontal impact standards, and similarly no-one has been able to import a LHD vehicle except through the '90-day' overseas ownership, returning citizen or immigrants' vehicle exemptions.

As a result, certain enthusiast vehicles like new or late-model TVRs, Morgans, Ford Mustangs, Chev Corvettes etc. simply could not be sold in NZ or imported privately – and then legally driven on the road.

However, these Rules have always provided a blanket exemption for any car aged over 20 years. This was because LTNZ recognised that such cars were likely to be 'classic' enthusiast vehicles (rather than an elderly bog-standard Corolla, for example), and would not therefore be imported in large numbers nor used as daily drivers, thereby not compromising the overall safety of the fleet.

Enthusiast vehicles under 20 years

However, in a classic case of the unintended consequences of legislation, in one fell swoop these new Rules prohibited the import of new or late-model specialist vehicles

like those TVRs I mentioned. Why? Because they – even brand new ones – aren't built to frontal impact standards. That's because they're produced in limited numbers – but alas more than the 200 per annum to be exempted under New Zealand's Low Volume Vehicle code. Then you have the case of new LHD Mustangs and the like, produced in larger volumes – and frontal impact compliant – but not available in RHD and thus not permitted. Unless of course the owner chooses to convert them, which, besides costing lots, may not be feasible, could compromise frontal impact safety, or is simply unacceptable to purists.

Thus we had a problem. Suddenly all these newer specialist vehicles disappeared off the market. It's been that way for the last 10 years – when was the last time you saw a new TVR or LHD Mustang?

Enter industry groups like the Federation of Motoring Clubs. The FOMC, representing over 100 car and other vehicle clubs, was formed in 1994 to lobby on behalf of the wider enthusiast sector against these very Rules which threaten Kiwis' ability to enjoy their hobby.

Then-FOMC President, Jack Hindess, said the Federation “realised that neither Land Transport NZ or the Ministry of Transport had issue with people wanting to import and register enthusiast vehicles aged *over* 20 years.” Therefore, it could be argued that non-compliant enthusiast vehicles aged *under* 20 years should be exempted on similar grounds.

“Credit must go to members of the FOMC committee and LHD Enthusiasts Federation, and especially joint member Jeff Tobin, who lobbied for this positive outcome on behalf of enthusiasts,” Hindess said. It helped too, that the Minister responsible, Harry Duynhoven, understands the classic car sector.

So, what is the definition of a SIV?

The NZ Transport Agency says a Special Interest Vehicle must meet 3 of the following 4 criteria:

- i. the vehicle (or make, model and submodel) is identified as a collector's item in 1 of 12 approved automobile magazines or associated websites;*
- ii. the vehicles make or model was manufactured in annual volumes of 20,000 or less;*
- iii. the vehicle is, and was manufactured as, a two-door coupe or convertible;*
- iv. the vehicle is, and was manufactured as, a high-performance vehicle.*

In addition, a left-hand-drive SIV must not have been manufactured in RHD.

A very important point to note is that any vehicle aged more than 20 years of age (in NZ or not), or any younger specialist vehicle already registered in NZ, *does not* need to apply for an SIV permit. That is, anyone wanting to import (or register) a vehicle aged more than 20 years old can continue do so and be exempted from those

Rules automatically, while any vehicle aged under 20 which might meet this definition, but which is already registered in NZ, also doesn't need to apply for an SIV permit. It's business as usual for them.

What does the permit mean? The SIV criteria applies to a couple of Rules, namely Frontal Impact, Steering Systems and Exhaust Emissions Rules. In the case of the Frontal Impact Rule, 200 SIVs can be imported each year and exempted from that Rule (i.e. cars like TVRs which meet other standards but not frontal impact). 500 permits can be issued each year for left-hand-drive SIVs.

If a car does not comply with either the Frontal Impact or Steering System Rules, then it would count as one from each quota, (i.e. two), not one in total.

The owner of an SIV must also meet certain conditions, including not having been issued with an SIV permit in the last two years, and not selling the car within four years of first registration in NZ.

While an SIV permit exempts the car from complying with certain Rules where the criteria are specified, it doesn't exempt the car from all Rules. In order to register the car, the importer or owner will still have to produce evidence that it meets all other LTNZ safety standards, such as lighting, seatbelts and tyres. To help you, comprehensive advice on importing cars is published by LTNZ in factsheets no. 44 and 44b (www.landtransport.govt.nz/factsheets/).

What's wrong with that?

Some may say that the SIV criteria makes it easier to import two-door sports-style cars, but what about specialist vehicles with other body styles? Fair question. When the criteria was originally consulted upon in 2007, the FOMC and others took a pragmatic view. Most of these late-model, non-compliant vehicles are of the sportscar variety. They are easy to identify and make enforcing the SIV criteria straightforward.

Jack Hindess: "Currently we can't import any so-called SIVs. Your industry representatives took the view that 'some' was better than 'none'."

Some people may take issue with the criteria or the quota and argue that we shouldn't have to compromise at all. But Hindess argues that "NZTA don't have to make this concession either – the SIV definition is better than the status quo, surely? To repeat a famous quote – you can't please all of the people all of the time, but the FOMC reckons we've got a pretty good deal."

As Dom Kalasih, a former senior advisor at the Ministry of Transport observed to the LHDEF, "the special interest vehicle policy has been very challenging and difficult to develop because there have been concerns that such an avenue creates a risk of abuse and exploitation and consequently, a net negative safety impact on the incoming vehicle fleet." He commended the contribution of lobby groups in finalising the criteria: "Clearly the constructive and helpful approach by your Federation to resolving the

issues and concerns associated with this policy has played a significant role in achieving a well-balanced policy.”

Jack Hindess again: “There are a number of industry groups that are working on these very issues on your behalf. Often that information is fed back to your clubs via newsletters or meetings. It’s important to stay in touch with your club and when an issue like this arises which causes you alarm, to contact a club delegate. If they’re unsure, they should discuss it with the FOMC.”

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Representing the responsible special interest and heritage motoring enthusiast