

Correct as at 6th June 2026. It may be superseded at any time.

**Extract taken from:** Heavy vehicle specialist certification > Introduction > Inspection and certification > Duties and responsibilities

## 3-1 Duties and responsibilities

In order to inspect and certify an aspect of a vehicle for a Heavy Vehicle Specialist Certificate (LT400), the HVS/M certifier must:

1. be appointed by NZTA **or the Director** under **section 2.2 of** the Rule for the aspect of the vehicle being certified
2. know the certifier's responsibilities
3. identify the vehicle class according to **section 3.4** of this introduction
4. identify whether the vehicle requires certification. **Section 3.3** of this introduction identifies the threshold for HV certification
5. establish whether the vehicle complies. **Section 3.5** and **section 3.6** of this introduction explain how to determine the vehicle's compliance with the requirements
6. complete the inspection documentation, Heavy Vehicle Specialist Certificate, LT400, and any other required labels or plates. **Section 3.7** of this introduction explains the requirements for handling and completing the form
7. when collecting fees take **section 3.8** of this introduction into account
8. to enable NZTA to efficiently contact the certifier, the certifier must provide and maintain an email address which NZTA must use to provide any notice required or permit to be sent out by NZTA to any or all HV certifiers or IO.

### 3.1.1 General duties and responsibilities

The HV certifier's prime duty is to ensure that a new, modified or repaired vehicle is safe and in compliance with the legal requirements for the aspect of the vehicle that the certifier is approved and required to certify as a Heavy Vehicle Specialist or Manufacturing Inspector or Inspecting Organisation, in **Land Transport Rule: Vehicle Standards Compliance 2002** (the Rule), and in this manual.

The HV certifier shall establish, and use at all times, appropriate and reasonable inspection and certification procedures that are efficient and comply with the Rule, **the Notice(s) of Appointment**, the VIRM and the law.

The HV certifier shall not certify any modification or repair to a vehicle unless and until they have first satisfied themselves that the design, manufacture and installation of the modification or repair take into account the original design, manufacture and installation, and that the vehicle meets the relevant applicable requirements and is safe at the time of certification.

### 1. HV certifier

HV certifier means an individual appointed by NZTA under 2.2(1)(i) of the Rule to carry out inspection and certification activities in accordance with requirements and conditions imposed by NZTA, **or the Director**, and who is responsible for the inspection and certification outcome.

In this document, a HV certifier is one appointed for the purpose of heavy vehicle specialist or manufacturing inspection and certification. This is defined in section 6.5(1)(d) and 7.5(1)(b) of the Rule as specialist inspection and certification of modifications or repairs to the:

- load anchorages
- chassis and structure
- suspension or steering, including drive train, engine transmission and axles
- brakes
- towing connections
- log bolster attachments
- PSV structural strength, stability and roof racks, as well as
- the static rollover threshold (SRT) of a heavy vehicle
- swept path and heavy vehicle dynamics
- structural composites.

## **2. Inspection and certification activities (section 2.2(1)(i) of the Rule)**

HV certifiers must carry out inspection and certification of modifications or repairs to a heavy vehicle that has been modified since it was manufactured or last certified so as to affect its compliance with an applicable requirement.

## **3. Primary duty (section 2.1(2) of the Rule)**

HV certifiers must carry out inspection and certification activities competently and diligently, and in accordance with the Rule, this document, their Notice of Appointment, the [Model QMS](#) and other relevant requirements of NZTA and legislation.

## **4. Inspection and certification activities that can be carried out (section 2.2(2) of the Rule)**

HV certifiers may carry out only those inspection and certification activities for which NZTA **or the Director** has appointed them.

HV certifiers are appointed as one of the following types:

- engineer
- local manufacturer (NZ)
- SRT certifier.

They may be appointed for one or more certification categories:

**Table 1. Certifier Categories**

Category	Specialist aspect
HVEC HMCD	Chassis, suspension, steering, PSV, drive train, engine transmission and axles
HVET HMTD	Towing connections
HVEA HMAD	Load anchorages
HVEL HMLD	Log bolster attachments
HVEK HMKD	Brake modification
HVP1 HVP2	Swept path Heavy vehicle dynamics
HVS1 HVS2 HVS3	Static rollover threshold

**5. Requirements, conditions and period of appointment (section 2.3(1) of the Rule)**

NZTA may specify the period of appointment for an HV certifier and may impose requirements and conditions as to the performance of the inspection and certification activities, including the performance of those activities at individual sites. The Notice of Appointment states **a period of appointment of seven years from the date the appointment starts. The period of appointment may be extended up to a maximum of ten years at the discretion of the Director. Appointments may be surrendered in writing by appointees, or be suspended or revoked by the Director in accordance with the Rule.**

**From the date of the end of an appointment for any reason (including surrender, suspension, or revocation) no inspection or certification activities can be carried out until the appointment is reinstated or renewed.**

**The HVSC Engineer Notice(s) of Appointment specify other requirements, including:**

- a minimum number of inspections and certifications per annum
- self-reporting of information (such as information related to fitness and propriety)
- quality assurance and performance management systems
- making, maintaining and providing records of the activities
- management of conflicts of interest and other inappropriate influences
- insurance requirements

Please check your current notice of appointment for details.

## **6. Presentation and acceptance of emailed Inspection and certification documents**

LT400s, chassis ratings and professional opinions from heavy vehicle specialist certifiers can be emailed to CoF vehicle inspectors and inspecting organisations provided:

- (i) emails are sent directly to the vehicle inspector or inspecting organisation from the heavy vehicle specialist certifier, and
- (ii) the electronic copy contains all of the information from the original copy and is clear and legible.

## **7. Delegation (section 2.4(1) of the Rule)**

An HV certifier may be permitted by their Notice of Appointment to delegate certain functions or powers to carry out inspection and certification activities for which he was appointed.

An HV certifier may delegate certification work according to their appointment category and Table 2: Delegations:

**Table 2. Delegations**

<b>Category</b>	<b>Duties (Note 1)</b>	<b>Delegation</b>	<b>To</b>
<b>Engineer</b>	Initial assessment  (excluding repairs)	Yes	A person reasonably considered by the HVSC to be competent and trustworthy. That person should consult with the HVSC before beginning any work and may use photographs for assistance. The HVSC remains responsible for all delegated work.
	Initial assessment  (repairs)	Yes, but not for complex repairs or repairs of fatigue critical components (Note 3).	As above. Additionally, all parties involved must undertake best endeavours to determine the root cause of the issue to be repaired before starting work.
	Design	Yes, but must personally approve the design to  be complete before manufacture	A person reasonably considered to be competent.
	Monitoring of manufacture or installation	Yes	A person reasonably considered to be competent
	Final inspection	No	
	Sign off (PDS/LT400 etc)	No	
<b>Local manufacturer (IO)</b>	Provide facilities to allow Local manufacturer VI to be effective	No	
<b>Local manufacturer (VI)</b>	Initial assessment	Yes	A person reasonably considered to be competent.
	Monitoring of manufacture or installation	No	Unless passed to an alternative Local manufacturer certifier or Engineer certifier with a SoDC.

Final inspection	No	Unless passed to an alternative Local manufacturer certifier or Engineer certifier with a SoDC.	
Sign off (PDS/LT400 etc)	No		
<b>Static rollover threshold</b>	Calculations for deriving the SRT and issuing a record of determination	Measurements	Another SRT certifier or a person who has passed the TERNZ SRT course.

### Note 1

An engineering certifier may transfer responsibility for any of the duties listed in Table 2 to another engineering certifier using a SoDC. Both engineering certifiers must hold the appropriate certification category. Where an SoDC is used in this way this is not a delegation as the issuer of the SoDC takes responsibility only for the aspects covered by the SoDC, with the issuer of the LT400 taking responsibility for all other aspects. This differs from a delegation, where the delegating engineer keeps full responsibility for the work carried out by the person they delegate to.

### Note 2

No other delegations may be made without the express written consent of NZTA.

### Note 3

Inspection of damage to the following components may not be delegated and must be assessed in the as-damaged state by the engineer:

- towing connections (except for replacement of bent or worn tow eyes)
- log bolster attachments
- chassis flanges
- subsequent failure of a previous repair.

A task which has been delegated to a specified employee may not be delegated further by that employee. HV certifiers are responsible for the outcomes or consequences of any delegated task.

HV certifiers must maintain a record of all persons that they have approved in accordance with any specifications in the Performance Review System manual that supports this manual.

A local manufacturer certifier (IO), who derives their authority to certify any aspect of a vehicle from the qualifications and role of a staff member agrees to inform NZTA of any change to the role or employment of that staff member.

A local manufacturer certifier (VI), who derives, in part, their authority to certify any aspect of a vehicle from their role as a staff member of a Local manufacturer certifier (IO) agrees to inform NZTA of any change to their role or employment

status.

The HV certifier must ensure that, where any employee, agent or contractor to the HV certifier is authorised by the HV certifier in accordance with their appointment to carry out any part of the services on behalf of the HV certifier, that person complies in all respects with the obligations of the HV certifier under their appointment.

### **3.1.2 Inspection and certification**

#### **1. Heavy vehicle specialist inspection and certification (sections 6.5(1), 6.5(4), 6.5(5), 7.5(4) and 7.5(5) of the Rule)**

The inspection and certification of a vehicle must be carried out in accordance with the requirements and conditions imposed by NZTA.

NZTA requirements and conditions are contained in this manual ('the VIRM'), HVS Memos, specified standards and codes, the [Model QMS](#), and the Notice of Appointment.

The HV certifier will provide and perform the services in accordance with any published professional or ethical standards of professional bodies to which they belong.

#### **2. Determining compliance of a specific aspect (sections 6.5(5), 7.4 and 11.1 of the Rule)**

A specific aspect of a vehicle may be certified as meeting the requirements of the Rule if an HV certifier has identified the vehicle and has determined, on reasonable grounds, that the specific aspect:

- a) has not compromised the safe operation of the vehicle
- b) has been designed and constructed using components and materials that are fit for their purpose and is within safe tolerance of its state when manufactured or modified
- c) complies with the applicable requirements
- d) is lawful and no technically competent person (recognised by NZTA) would dispute that the inspection and certification of the vehicle complies with applicable requirements.

#### **3. Record of determination (sections 6.6 and 7.6 of the Rule)**

When an HV certifier has determined whether a specific aspect of a vehicle complies, the HVS certifier must make a record of that determination on the Heavy Vehicle Specialist Certificate, LT400 – for each certification (that is, one certification for each aspect certified).

#### **Examples:**

1. A semi-trailer that is fitted with a fifth wheel, kin pin, load anchorages, and log bolsters requires **five separate** Heavy Vehicle Specialist Certificates as in the table below:

Component	Certification Category	Code/Standard Certified to
Fifth wheel	HVET or HMTD	NZS 5450
Kin pin	HVET or HMTD	NZS 5451
Load anchorages	HVEA or HMAD	NZS 5444
Log bolsters	HVEL or HMLD	Bolster Attachment Code
Brakes	HVEK or HMKD	Schedule 5/Section 6 HVBR

2. A 4 x 2 truck that has the chassis lengthened, a tag axle fitted, new load anchorages, and a draw beam requires **four separate** Heavy Vehicle Specialist Certificates as in the table below:

Component	Certification Category	Code/Standard Certified to
Chassis, suspension,	HVEC or HMCD	HV Rule
Brakes	HVEK or HMKD	Schedule 5/Section 6 HVBR
Load anchorages	HVEA or HMAD	NZS 5444
Draw beam	HVET or HMTD	NZS 5446

3. A bus or coach **manufactured** in NZ that already has 'brakes' standard compliance, requires **two separate** Heavy Vehicle Specialist Certificates as in the table below: (Additional Certification will be required if the vehicle is fitted with a tow bar, roof rack, a wheelchair hoist, powered ramp or wheelchair/wheelchair occupant restraints or is modified and requires brake certification.)

Component	Certification Category	Code/Standard Certified to
Stability,	HVEC or HMCD	PSV Rule
Rollover Strength	HVEC or HMCD	PSV Rule

The HV certifier must immediately inform NZTA of any theft of any NZTA documents supplied to the HV certifier by NZTA or any agent of NZTA, or prepared by the HV certifier on behalf of NZTA.

The HV certifier must return to the document supplier or NZTA or destroy as required by NZTA any surplus or obsolete NZTA documents.

#### **4. LT400**

The LT400 presented must be the original or emailed directly to a CoF inspector or inspecting organisation. Where the original LT400 has been lost or destroyed the certifier may provide a duplicate (photocopy) provided it is signed and dated by the HV certifier.

#### **5. Standards**

Where an HV certifier is required to use a standard during the inspection and certification process, the latest version of the standard must be used except where otherwise specified.

The HV certifier must have available and use any and all standards which are referenced in the Rule or which the HV certifier references in certification.

The HV certifier must comply in all respects with any written instructions, interpretations or guidelines issued by NZTA to the HV certifier.

##### **3.1.3 Re-inspection and re-certification (section 11.4 of the Rule)**

If a Heavy Vehicle Specialist Certificate, LT400, has been **revoked**, NZTA may require **the HV certifier to repeat the inspection and certification of the vehicle, issue (if appropriate) a new certification, and meet the re-inspection and re-certification costs.**

##### **3.1.4 Performance review (section 3.1(1) of the Rule)**

NZTA, either directly or through an appointed agent, may monitor and review the performance of a HV certifier, including the performance of inspection and certification activities.

The requirements and conditions are contained in **the Rule**, this document, the Notice of Appointment and the **Model QMS**

NZTA may require a HV certifier to provide such information as NZTA reasonably considers relevant. A HV certifier must comply with these requirements (unless expressly stated in the Notice of Appointment or this VIRM, no functions, duties or powers which may be exercised by NZTA under any statute, regulation or rule, including under section 198 of the **Land Transport Act 1998**, are in any way restricted).

##### **Costs of monitoring and review (section 3.1(4) of the Rule)**

HV certifiers must bear the costs of the monitoring and reviewing of their performance in accordance with any fee **prescribed in the Rule or other applicable legislation.**

##### **3.1.5 Investigations**

###### **1. Investigations (sections 3.2(1) and 3.2(8) of the Rule)**

If NZTA has reason to believe that an HV certifier has failed to comply with any of the conditions of his appointment, NZTA may require the HV certifier to undergo an investigation and to provide such information as NZTA reasonably considers appropriate as part of the investigation. NZTA may observe or inspect the equipment or activities of the certifier and copy relevant books and records.

Refusal to undergo monitoring, review, or investigation will be a breach of the Rule and the Notice(s) of Appointment and may result in further regulatory action.

## **2. Notification of action (other than immediate suspension/imposition of conditions) (section 3.2(3) of the Rule)**

Following an investigation and before carrying out action, NZTA will notify the HV certifier in writing of:

- a) the action that is being considered
- b) the reason for the action that is being considered
- c) the date by which submissions may be made to NZTA in respect of the action that is being considered, which must be at least 21 days after the notice was given
- d) where appropriate, the date on which the action that is being considered will take effect, which, unless NZTA determines otherwise, must be at least 28 days after the notice was given.

## **3. Responding to a notification of action (section 3.2(5) of the Rule)**

If a HV certifier is notified as above, he must ensure that he provides NZTA with all information within the period specified in the notice.

## **4. NZTA will consider submissions (section 3.2(6) of the Rule)**

NZTA will consider the submissions and information supplied, and will:

- a) decide whether or not to take the action that is being considered
- b) as soon as is practicable, provide written notification to the HV certifier of:
  - i. the NZTA decision, and
  - ii. if appropriate, the date on which the action is take effect, and
  - iii. if appropriate, the right of appeal under section 106 of the [Land Transport Act 1998](#)

## **5. Remedial action, suspension, revocation (sections 3.2(2) and 3.2(8) of the Rule)**

If, following an investigation, NZTA is satisfied that the HV certifier has failed to comply with any of the conditions of his appointment, NZTA may do one or more of the following:

- a) require that remedial action such as training or mentoring be undertaken by the HV certifier. The HV certifier cannot refuse to comply with the requirement
- b) suspend the HV certifier for a specified period or until conditions are met
- c) revoke the appointment of the HV certifier.

## **6. Immediate suspension or imposition of conditions (section 3.3(1) of the Rule)**

If NZTA has reason to believe that a HV certifier has failed to comply with a condition of his appointment and that this presents a significant risk to land transport safety, NZTA may suspend the appointment with immediate effect, or impose any conditions on the appointment of the HV certifier.

## **7. Notification of immediate suspension or imposition of conditions (section 3.3(2) of the Rule)**

When NZTA suspends the appointment, or imposes conditions on the appointment, NZTA will notify the HV certifier in writing of:

- a) the grounds for the suspension or imposing of conditions
- b) the fact that the certifier or organisation may make submissions to NZTA
- c) the right of appeal under section 106 of the [Land Transport Act 1998](#)

## **8. NZTA will consider submissions following immediate suspension or imposition of conditions (section 3.3(3) of the Rule)**

NZTA will, as soon as practicable, consider any submission made and notify the certifier or inspecting organisation in writing of the result of any such consideration.

## **9. Duration of immediate suspension or imposition of conditions (section 3.3(5) of the Rule)**

A suspension or condition imposed remains in force until NZTA has determined the action to be taken and that action has been taken.

## **10. Withdrawal of immediate suspension or imposition of conditions (section 3.3(4) of the Rule)**

NZTA may at any time withdraw a suspension or condition imposed.

## **11. Right of appeal against immediate suspension or imposition of conditions (section 3.3(6) of the Rule)**

A HV certifier may appeal under section 106 of the [Land Transport Act 1998](#) against a decision by NZTA to suspend immediately or to impose conditions.

## **12. Costs of investigations (sections 3.2(7) and 3.2(8) of the Rule)**

NZTA may require a HV certifier to bear the costs associated with an investigation or remedial action in accordance with any prescribed fee. **Refusal to bear the costs will be a breach of the Rule and the Notice(s) of Appointment and may result in further regulatory action.**

### **3.1.6 Consequences of termination or suspension**

Upon revocation or termination of the appointment for any reason whatsoever, whether in whole or part, the HV certifier will:

- a) cease provision of all or such part of the services under their appointment as may be required by NZTA
- b) return to NZTA or authorised representative or destroy as required by NZTA any **land transport documents (including unused LT400 forms)**, advertising and/ or display material featuring or referring to the services or the HV certifier's provision of the services under this appointment, as the case may be.

Upon suspension of appointment (whether in whole or part) of the HV certifier for any reason whatsoever, whether by NZTA or a duly authorised representative, the HV certifier shall immediately cease providing the relevant services during the period of suspension and shall, if so required, surrender all NZTA documents to NZTA or any authorised representative.

### 3.1.7 Disputes and appeals

Where there is any dispute arising between parties in relation to any matter arising out of the appointment, the parties shall endeavour to resolve such disputes promptly by consultation and negotiation in good faith.

- Where the HV certifier does not agree with any decisions of NZTA, including any decision or direction of a **Certification** Officer, the HV certifier **should**, notwithstanding any other rights they may have at law, seek from NZTA a review of that decision.
- Despite the previous two points, both parties recognise that NZTA has functions in respect of land transport safety and law enforcement and that, notwithstanding any dispute or appeal, NZTA may take whatever lawful action NZTA considers necessary in the interests of road safety. The specific reasons for the action taken will be provided.
- Where there is any dispute arising between the parties in relation to technical decisions, any available dispute resolution process described in the VIRM or in an issued HVS Memo may be invoked. This will permit the disclosure of otherwise privileged information, such as designs and PRS scores, to the adjudicating body, provided that this information is pertinent to the matter being judged.

Page amended **1 November 2021** (see [amendment details](#))