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Vehicle Emissions Rule
Rules Team
Land Transport New Zealand
PO Box 2840
Wellington

Dear Sir / Madam

Draft Land Transport Rule: Vehicle Exhaust Emissions [2006] 33001/1

This submission is from the:

Auckland Regional Council
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The contact person in respect of this submission is:

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Thank you for the opportunity to provide comment on the draft *Land Transport Rule: Vehicle Exhaust Emissions [2006]*.

With motor vehicles producing between 50-80% of the air pollution in the Auckland region (depending on the contaminant), the Auckland Regional Council (ARC) is very supportive of any initiatives to improve the vehicle fleet performance. However, although the draft rule is intended to build on the existing measures to reduce air pollution from motor vehicles, our assessment is that **the proposed revisions will make little, if any, headway towards the estimated emissions reductions needed for our region to meet the National Environmental Standards for Air Quality by 2013.**

Specific Comments on the Visual Smoke Check

It is highly unlikely that the proposed introduction of a 5 second visible smoke test as part of WOF and COF will effect any appreciable emissions reductions in itself because the majority of air pollutants are invisible to the naked eye and the test will be undertaken under artificial static conditions.

The ARC is puzzled by the statement of justification in the Land Transport New Zealand (LTNZ) overview material that:

“it is known, from overseas testing regimes, that there is a strong correlation between vehicles emitting visible smoke and those with gross emissions of harmful pollutants.”

We are unaware of such a correlation and would like to be directed to the relevant published literature. This statement not only contradicts our understanding of test correlations but also the Ministry of Transport’s (MOT) own findings when they evaluated simple test methods as part of the pilot emissions screening programme in 2004/05. Ministry staff have presented, on numerous occasions, graphs that show that the number of false positives and false negatives obtained from the simple test were unacceptable. Consequently, the ARC is very surprised that the MOT has decided not to proceed with a simple test based on sampling emissions with equipment but is now prepared to proceed with a test based on a purely subjective visual assessment. If the correlations for the simple test were found to be inadequate, we find it difficult to believe that they would be stronger for a less sophisticated visual check, which must add significant systematic (eye sight variation) and random (smoke colour, contrast, density, and discernment) errors.

The ARC appreciates that there may be an improvement in vehicle emissions through raising driver awareness of the importance of maintenance and tuning but only if coupled with a re-commitment from the MOT to undertake a comprehensive and effective public education campaign commencing immediately. The Associate Minister of Transport, Hon Judith Tizard, made a commitment in October 2003 to introduce a range of initiatives, one of which was an education campaign to raise the awareness of vehicle users on the need for, and benefits of, regular vehicle maintenance and repair. From the media release, the Associate Minister said:

“While we will be introducing an education campaign as part of this policy, from my perspective the education component of these initiatives starts today with this announcement.

“It is vital that all vehicle owners and operators take responsibility to fix and regularly tune their vehicles and that they have the necessary information to do so. The benefits of regular maintenance include savings in the long-term on fuel and maintenance costs, and knowing that they and their neighbours will breathe easier.”

We are extremely disappointed that 2½ years later nothing has happened other than the further campaigns undertaken by the ARC.

The community in the Auckland region is already very aware of the issues since the 0800 SMOKEY campaign in 2001 and subsequent on-road testing programmes. From a survey undertaken in mid-2005 as part of the latest Big Clean Up campaign, the key findings were:

- 95% of respondents agreed that every car owner has a personal responsibility to reduce the amount of air pollution from their car
- 91% of respondents agreed that they could reduce air pollution by maintaining/tuning their car
- 87% of respondents agreed that New Zealand should legislate the level of emissions permitted from cars
- 59% of respondents were also aware that air pollution from motor vehicles causes asthma and other respiratory problems.

Given these attitudes in Auckland, it is timely to adopt a more comprehensive and effective regulatory regime than the simple visual test.

Specific Comments on the Delayed Implementation Date for Euro 4

With regards to the proposed delay in the implementation date for Euro 4 for heavy duty vehicles, the ARC is unconvinced by the two arguments put forward as to why the proposed delay is necessary.

The first argument centres on concerns about the supply of urea. From recent communications with two fertiliser companies (Ravensdown and Balance), the ARC understands that urea is currently manufactured in New Zealand but that the bulk is imported from overseas. Given the significant quantities required for agricultural use, we consider that the primary sector would vociferously flag any concerns about security of urea supply well before any issues raised by the motor industry.

The second argument centres on concerns about the supply of compliant vehicles. From recent communications with Stagecoach and other bus companies in Auckland, the ARC has been told that their heavy duty diesel vehicle distributors are able to supply Euro 4 vehicles from November 2006 – consistent with the original Rule but a year earlier than what is now being proposed in the amended Rule. As the emissions standard requirements for vehicles sourced from the US and Japan remain unchanged in the current amendment, we are curious whether the perceived need for a delayed introduction for European vehicles is genuine.

Given the lack of progress made in New Zealand to address the very real environmental impacts of motor vehicles, the ARC is totally opposed to the proposed delays in implementing the Euro 4 standard.

Additional Comments on the Current Enforcement of the 10 Second Rule

The overview states that the draft rule “*will build on the existing measures to control motor vehicle emissions*”, of which the *Road User Rule 2004* (also known as “the 10 second rule”) is one. The New Zealand Police are responsible for enforcing this rule and issue approximately 300 infringement notices each year.

The ARC considers that this degree of enforcement is so small that it is virtually irrelevant. Approximately 744,000 motor vehicles are currently registered in Auckland. Assuming 10% are “gross emitters” (which is consistent with the results of our on-road testing campaigns), we could reasonably estimate the number of “gross emitters” at 74,400. Statistics for the Auckland region obtained from the Police show that 88 infringement notices were issued in 2004, which represents enforcement action at a rate of just over 0.1% of the potential “gross emitters”.

We would like to see more active enforcement of the 10 second rule and the time reduced to 5 seconds (*viz.* the approach taken for the visible smoke check) as a further means to identify gross emitting vehicles that are not picked up in the WOF or COF process. This is critical to fostering goodwill and support from the public who want to see visibly smoky and poorly performing vehicles dealt with.

Conclusion

With regards to the specific amendments, the ARC considers that:

- For the visual smoke test to result in even minimal emissions reductions, the MOT needs to re-commit to undertake a comprehensive and effective public education programme immediately.
- There should be no delay in the introduction of Euro 4 standard for heavy duty diesel vehicles.

In summary, although the draft rule is intended to build on the existing measures to reduce air pollution from motor vehicles, our assessment is that **the proposed revisions will make little, if any, headway towards the estimated emissions reductions needed for our region to meet the Air Quality National Environmental Standards (AQNES) by 2013.**

The ARC appreciates that LTNZ are the implementers rather than the developers of new emissions policy and we will therefore be taking up the matter of more effective measures for reducing vehicle emissions with the appropriate departments and Ministers.

At a time when a 50% reduction in vehicle emissions is required to even attempt to meet the AQNES in the Auckland region, these measures are inadequate.

Yours faithfully,

Dianne Glenn
Chair, Auckland Regional Council Environment Committee

Cc: Minister of Transport
Minister for the Environment
Parliamentary Commissioner for the Environment
Department of Prime Minister's Office