



Land Transport (Driver Licensing) Amendment Rule (No 2) 2011

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 3rd day of October 2011

Present:

His Excellency the Governor-General in Council

Pursuant to section 152A of the Land Transport Act 1998, His Excellency the Governor-General makes the following ordinary rule, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Transport after having regard to the criteria specified in section 164(2) of that Act.

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Schedule
Objective of rule

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Rule

1 Title

This rule is the Land Transport (Driver Licensing) Amendment Rule (No 2) 2011.

2 Commencement

- (1) Clauses 5(1) and 6(1)—
- (a) come into force on the day after the date of notification of this rule in the *Gazette*; and
 - (b) expire on the close of 30 September 2012.
- (2) Clauses 5(2) and 6(2) come into force on 1 October 2012.
- (3) The rest of this rule comes into force on the day after the date of its notification in the *Gazette*.

3 Principal rule amended

This rule amends the Land Transport (Driver Licensing) Rule 1999.

4 Objective of rule

A statement of the objective of this rule is set out in the Schedule.

5 Conditions of learner licence

- (1) Clause 16(1) is amended by revoking paragraph (d) and substituting the following paragraph:
- “(d) in the case of a Class 6L licence, where the holder is riding a motorcycle, the holder—
- “(i) must display on the vehicle an ‘L’ plate as specified in clause 66; and—
 - “(ii) must not—
 - “(A) ride between the hours of 10 pm and 5 am; or
 - “(B) ride a motorcycle that has a total piston displacement exceeding 250 cm³; or

- “(C) use the motorcycle to tow another vehicle;
or
 - “(D) carry another person on the motorcycle or
in a sidecar attached to the motorcycle.”
- (2) Clause 16(1) is amended by revoking paragraph (d) (as substituted by subclause (1) of this clause) and substituting the following paragraph:
 - “(d) in the case of a Class 6L licence, where the holder is riding a motorcycle, the holder—
 - “(i) must—
 - “(A) ride an approved motorcycle; and
 - “(B) display on the vehicle an ‘L’ plate as specified in clause 66; and
 - “(ii) must not—
 - “(A) ride between the hours of 10 pm and 5 am;
or
 - “(B) use the motorcycle to tow another vehicle;
or
 - “(C) carry another person on the motorcycle or
in a sidecar attached to the motorcycle.”

6 Conditions of restricted licence

- (1) Clause 18(1) is amended by revoking paragraph (b) and substituting the following paragraph:
 - “(b) in the case of a Class 6R licence, where the holder is riding a motorcycle, the holder must not—
 - “(i) ride between the hours of 10 pm and 5 am; or
 - “(ii) ride a motorcycle that has a total piston displacement exceeding 250 cm³; or
 - “(iii) use the motorcycle to tow another vehicle; or
 - “(iv) carry another person on the motorcycle or in a sidecar attached to the motorcycle.”
- (2) Clause 18(1) is amended by revoking paragraph (b) (as substituted by subclause (1) of this clause) and substituting the following paragraph:
 - “(b) in the case of a Class 6R licence, where the holder is riding a motorcycle, the holder—
 - “(i) must ride an approved motorcycle; and

- “(ii) must not—
- “(A) ride between the hours of 10 pm and 5 am;
or
 - “(B) use the motorcycle to tow another vehicle;
or
 - “(C) carry another person on the motorcycle or
in a sidecar attached to the motorcycle;
and”.

7 Consequential revocation

Clauses 2(1)(b) and (d), 10(2), and 12(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 are consequentially revoked.

Schedule

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Objective of rule

The objective of the rule is to amend the Land Transport (Driver Licensing) Rule 1999 (the **principal rule**) to ensure that the prohibitions that existed in the principal rule before 1 October 2011 for learner and restricted motorcycle licence holders in respect of motorcycle engine size are continued until new requirements relating to engine size come into force on 1 October 2012.

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

This note is not part of the rule, but is intended to indicate its general effect.

This rule amends the Land Transport (Driver Licensing) Rule 1999 (the **principal rule**) to ensure that the prohibition that existed in the principal rule before 1 October 2011 for learner and restricted motorcycle licence holders on riding a motorcycle that has a total piston

displacement exceeding 250 cm³ are continued until the new requirements relating to the engine size of an approved motorcycle (as inserted by the Land Transport (Driver Licensing) Amendment Rule 2011) come into force on 1 October 2012.

Clauses 5(1) and 6(1), which reinstate the restriction on engine size of a motorcycle in the case of a holder of a learner licence or a restricted licence, come into force on the day after the date this rule is notified in the *Gazette* and expire on the close of 30 September 2012.

Clauses 5(2) and 6(2), which specify the new requirements relating to approved motorcycles in the case of a holder of a learner or a restricted licence, come into force on 1 October 2012 (being the date that the rest of the provisions relating to approved motorcycles set out in the Land Transport (Driver Licensing) Amendment Rule 2011 come into force).

The rest of this rule comes into force on the day after the date this rule is notified in the *Gazette*.

Issued under the authority of the Acts and Regulations Publication Act 1989.

Date of notification in *Gazette*: 6 October 2011.

These regulations are administered by the Ministry of Transport.

