



## Land Transport (Driver Licensing) Amendment Rule 2011

Pursuant to the Land Transport Act 1998, the Minister of Transport makes the following ordinary rule.

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## Rule

### 1 Title

This rule is the Land Transport (Driver Licensing) Amendment Rule 2011.

### 2 Commencement

- (1) The following clauses come into force on 1 October 2012:
- (a) clause 6(3) as far as it relates to the definition of approved motorcycle:
  - (b) clause 10(2) as far as it relates to clause 16(1)(d)(i)(A) of the principal rule (as amended by this rule):
  - (c) clause 11:
  - (d) clause 12(2) as far as it relates to clause 18(1)(b)(i) of the principal rule (as amended by this rule):
  - (e) clause 13:
  - (f) clause 14:
  - (g) clause 16:
  - (h) clause 26:
  - (i) clause 27:

- (j) clauses 39 and 40 as far as they relate to clause 93(d), (e), (j), and (k) of the principal rule (as amended by this rule).
- (2) Clause 44 comes into force on 1 April 2012.
- (3) The rest of this rule comes into force on 1 October 2011.

### 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 Schedule 1.

### 5 **Consultation**

A statement on the extent of the consultation carried out under section 161(2) of the Land Transport Act 1998 in relation to this rule is set out in Schedule 2.

### 6 **Interpretation**

- (1) The definition of **dangerous goods** in clause 2(1) is amended by omitting “1999” and substituting “2005”.
- (2) The definition of **licensing agent** in clause 2(1) is amended by omitting “section 205(2) of the Act” and substituting “section 73(1) of the Crown Entities Act 2004”.
- (3) Clause 2(1) is amended by inserting the following definitions in their appropriate alphabetical order:
  - “**accurate English translation**, in relation to a valid driver licence or permit issued overseas, means a translation prepared by—
    - “(a) a diplomatic representative at a high commission, embassy, or consulate; or
    - “(b) the overseas issuing authority; or
    - “(c) a translation service acceptable to the Agency
  - “**approved motorcycle** means the make and model of any motorcycle that—
    - “(a) has an engine capacity of 250 cc or less, unless the Agency has prohibited the use of that make and model

of motorcycle by notice published on the Agency's Internet site; or

“(b) has an engine capacity of more than 250 cc but not more than 660 cc and a power-to-weight ratio of not more than 150 kilowatts per tonne and is approved for use by the Agency by notice published on the Agency's Internet site

“**guardian** has the same meaning as in section 15 of the Care of Children Act 2004

“**parent** has the same meaning as in section 2(1) of the Children, Young Persons, and Their Families Act 1989”.

(4) Clause 2 is amended by adding the following subclause:

“(3) Unless the context otherwise requires, terms and expressions that are used but not defined in this rule but that are defined in the Act have the same meaning as in the Act.”

## 7 Identification

(1) Clause 10(1) is amended by revoking paragraph (b) and substituting the following paragraph:

“(b) a New Zealand photographic driver licence that is current or has expired within the 2 years immediately preceding the date of application, or a current temporary driver licence that is accompanied by a form of photographic identification of the applicant that is acceptable to the Agency; or”.

(2) Clause 10(1)(i) is amended by omitting “New Zealand Police or”.

(3) Clause 10 is amended by revoking subclause (3) and substituting the following subclauses:

“(3) If an applicant wishes to have the driver licence, endorsement, or driver identification card issued in a name that is not the same as the applicant's name on a document produced under subclause (1) or (2), the applicant must also produce 1 of the following documents as evidence of the applicant's change of name:

“(a) a marriage certificate or a civil union certificate:

“(b) a dissolution of marriage order or a dissolution of civil union order:

- “(c) a statutory declaration, a deed poll change of name, or a name change certificate issued in respect of a name registered under section 21B of the Births, Deaths, Marriages, and Relationships Registration Act 1995:
  - “(d) any other comparable document that is acceptable to the Agency as evidence of the identity of the applicant.
- “(3A) If an applicant has been registered in the national register of driver licences and wishes to have the driver licence, endorsement, or driver identification card issued in a name that is not the same as the applicant’s name on the register, the applicant must also produce 1 of the documents specified in subclause (3)(a) to (d) as evidence of the applicant’s change of name.”

## **8 Images on driver licences and driver identification cards**

Clause 12 is amended by revoking subclause (3) and substituting the following subclauses:

- “(3) When being photographed by a licensing agent, an applicant must not wear sunglasses, a hat, any head coverings, or anything else that might obscure the applicant’s face or prevent the photographic image from being a good likeness of the applicant.
- “(3A) Despite subclause (3), the Agency may permit an applicant to wear an item on or near the applicant’s face if—
- “(a) the Agency is satisfied that the applicant is required to wear the item for religious or medical reasons; and
  - “(b) the applicant provides the Agency with a signed statement to that effect; and
  - “(c) the applicant’s facial features from the bottom of the chin to the top of the forehead and both edges of the face are clearly shown; and
  - “(d) the Agency is satisfied that the item does not prevent the photographic image from being a good likeness of the applicant.”

## **9 Fees**

Clause 14 is amended by omitting “card,” and substituting “card or any application under Part 4A”.

**10 Conditions of learner licence**

- (1) Clause 16(1)(a) is amended by revoking subparagraph (i) and substituting the following subparagraph:

“(i) either—

“(A) holds, and has held for at least 2 years, a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89; or

“(B) holds a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89, and has held for at least 2 years the equivalent of a full New Zealand photographic driver licence issued in a licensing jurisdiction other than New Zealand; and”.

- (2) 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—

“(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.”

**11 Obtaining restricted licence**

Clause 17 is amended by omitting the table and substituting the following table:

<b>Class of licence</b>	<b>Requirements to be satisfied by applicant</b>
Class 1R	<ul style="list-style-type: none"> <li>(a) is 16 years and 6 months of age or over on the date of application, and holds and has held for at least 6 months, a Class 1L licence</li> <li>(b) passes the restricted licence test under clause 48</li> <li>(c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</li> </ul>
Class 6R	<p><b>either</b></p> <ul style="list-style-type: none"> <li>(a) is 16 years and 6 months of age or over on the date of application, and holds and has held for at least 6 months, a Class 6L licence</li> <li>(b) passes the restricted licence test under clause 48</li> <li>(c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</li> </ul> <p><b>or</b></p> <ul style="list-style-type: none"> <li>(a) is 16 years and 6 months of age or over on the date of application and holds a Class 6L licence</li> <li>(b) provides a certificate showing successful completion by the applicant of an approved course of a type specified in clause 93(d)</li> <li>(c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</li> </ul>

## 12 Conditions of restricted licence

- (1) Clause 18(1)(a)(i) is amended by omitting “spouse or partner or a dependant” and substituting “spouse, partner, parent, guardian, or dependant”.
- (2) Clause 18(1) is amended by revoking paragraph (b) and substituting the following paragraphs:
  - “(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
- “(c) in the case of a Class 6R licence, where the holder is riding a moped, the holder must not—
- “(i) ride between the hours of 10 pm and 5 am; or
  - “(ii) carry another person on the moped or in a sidecar attached to the moped.”
- (3) Clause 18 is amended by revoking subclause (2) and substituting the following subclause:
- “(2) A person referred to in subclause (1)(a)(i) and (ii) is a person who—
- “(a) either—
    - “(i) holds, and has held for at least 2 years, a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89; or
    - “(ii) holds a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89, and has held for at least 2 years the equivalent of a full New Zealand photographic driver licence issued in a licensing jurisdiction other than New Zealand; and
  - “(b) is in charge of the vehicle; and
  - “(c) is seated in the front passenger seat or, if there is no front passenger seat available, is seated as close as is practicable to the driver.”

### 13 Obtaining full licence

Clause 19 is amended by omitting the table and substituting the following table:

<b>Class of licence</b>		<b>Requirements to be satisfied by applicant</b>
Class 1		<ul style="list-style-type: none"> <li>(a) if under 25 years of age,—               <ul style="list-style-type: none"> <li>(i) is 18 years of age or over on the date of application and holds, and has held for at least 18 months, a Class 1R licence; or</li> <li>(ii) is 17 years and 6 months of age or over on the date of application and holds, and has held for at least 12 months, a Class 1R licence, if the person provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(a)</li> </ul> </li> <li>(b) if 25 years of age or over, holds and has held a Class 1R licence for either—               <ul style="list-style-type: none"> <li>(i) at least 6 months; or</li> <li>(ii) at least 3 months if the person provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(a)</li> </ul> </li> <li>(c) passes the full licence test under clause 48</li> <li>(d) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</li> </ul>
Class 2	<b>either</b>	<ul style="list-style-type: none"> <li>(a) holds, and has held for at least 6 months, a Class 2L licence</li> <li>(b) passes the full licence test under clause 48</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>
	<b>or</b>	<ul style="list-style-type: none"> <li>(a) holds a Class 2L licence</li> <li>(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 2 licence is required</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>
Class 3	<b>either</b>	<ul style="list-style-type: none"> <li>(a) holds, and has held for at least 6 months, a Class 3L licence</li> <li>(b) passes the full licence test under clause 48</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>

<b>Class of licence</b>		<b>Requirements to be satisfied by applicant</b>
	<b>or</b>	<ul style="list-style-type: none"> <li>(a) holds a Class 3L licence</li> <li>(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 3 licence is required</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>
Class 4	<b>either</b>	<ul style="list-style-type: none"> <li>(a) holds, and has held for at least 6 months, a Class 4L licence</li> <li>(b) passes the full licence test under clause 48</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>
	<b>or</b>	<ul style="list-style-type: none"> <li>(a) holds a Class 4L licence</li> <li>(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 4 licence is required</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>
	<b>or</b>	<ul style="list-style-type: none"> <li>(a) if under 25 years of age,— <ul style="list-style-type: none"> <li>(i) holds and has held a Class 1 licence for at least 2 years; and</li> <li>(ii) holds a Class 2 licence</li> </ul> </li> <li>(b) if 25 years of age or over,— <ul style="list-style-type: none"> <li>(i) holds and has held a Class 1 licence for at least 12 months; and</li> <li>(ii) holds a Class 2 licence</li> </ul> </li> <li>(c) provides a certificate showing successful completion of an approved course of a type specified under clause 93(k) in a motor vehicle requiring a class 4 licence</li> <li>(d) produces a medical certificate in accordance with clause 44</li> </ul>
Class 5	<b>either</b>	<ul style="list-style-type: none"> <li>(a) holds, and has held for at least 6 months, a Class 5L licence</li> <li>(b) passes the full licence test under clause 48</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>

<b>Class of licence</b>	<b>Requirements to be satisfied by applicant</b>
<b>or</b>	<ul style="list-style-type: none"> <li>(a) holds a Class 5L licence</li> <li>(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 5 licence is required</li> <li>(c) produces a medical certificate in accordance with clause 44</li> </ul>
<b>or</b>	<ul style="list-style-type: none"> <li>(a) if under 25 years of age,— <ul style="list-style-type: none"> <li>(i) holds and has held a Class 1 licence for at least 2 years; and</li> <li>(ii) holds a Class 2 licence</li> </ul> </li> <li>(b) if 25 years of age or over,— <ul style="list-style-type: none"> <li>(i) holds and has held a Class 1 licence for at least 12 months; and</li> <li>(ii) holds a Class 2 licence</li> </ul> </li> <li>(c) provides a certificate showing successful completion of an approved course of a type specified under clause 93(k) in a motor vehicle requiring a Class 5 licence</li> <li>(d) produces a medical certificate in accordance with clause 44</li> <li>(e) passes the theory test for a Class 5 licence under clause 45(1)</li> </ul>
Class 6	<ul style="list-style-type: none"> <li>(a) if 18 years of age or over on the date of application,— <ul style="list-style-type: none"> <li>(i) holds, and has held for at least 18 months, a Class 6R licence; and</li> <li>(ii) passes the full licence test under clause 48</li> </ul> </li> <li>(b) if 17 years and 6 months of age or over on the date of application,— <ul style="list-style-type: none"> <li>(i) holds, and has held for at least 12 months, a Class 6R licence; and</li> <li>(ii) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(e)</li> </ul> </li> <li>(c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</li> </ul>

## 14 New Part 4A inserted

The following Part is inserted after Part 4:

## **“Part 4A**

### **“Accelerated licensing process**

#### **“19A Interpretation**

In this Part,—

“**application** means an application to take part in the accelerated licensing process under this Part

“**approved employer** means a transport service operator approved by the Agency under clause 19D

“**hours of darkness** has the same meaning as in clause 1.6 of the Land Transport (Road User) Rule 2004.

#### **“19B Accelerated licensing process: who may apply**

“(1) A person may apply to the Agency under this Part to take part as a driver in the accelerated licensing process to obtain a Class 4 licence or a Class 5 licence (as the case may be), if the person—

“(a) holds, and has held a Class 1 licence for—

“(i) at least 2 years, if under 25 years of age; or

“(ii) at least 12 months, if 25 years of age or over; and

“(b) holds a Class 2 licence.

“(2) A transport service operator may apply to the Agency under this Part to take part as an approved employer in the accelerated licensing process if the operator has—

“(a) an operator safety rating of 4 stars or more as specified in clause 2.1(2) of Land Transport Rule: Operator Safety Rating 2008, if a rating has been assigned; and

“(b) a reporting and control system that is—

“(i) approved by the Agency in writing; and

“(ii) designed to provide appropriate supervision of a driver participating in the accelerated licensing process.

#### **“19C Form of application**

“(1) An application to take part in the accelerated licensing process must be made on an application form approved by the Agency.

“(2) The application must include the following information:

“(a) the applicant’s full name and address;

“(b) the applicant’s driver licence number;

- “(c) if the application is to take part as a driver, the name of the applicant’s employer during the accelerated licensing process and the employer’s transport service licence number:
  - “(d) the licence class to which the application relates:
  - “(e) details of any traffic offences committed by the applicant.
- “(3) If the application is to take part as a driver, the applicant must produce to the Agency a medical certificate in accordance with clause 44.

**“19D Approval to take part in accelerated licensing process**

The Agency may approve an application to take part in the accelerated licensing process as a driver or an employer if the Agency considers that the applicant is—

- “(a) a suitable candidate for the process; and
- “(b) likely to comply with the requirements of this Part.

**“19E Revocation of approval**

The Agency may revoke an approval of a driver or an employer under clause 19D if—

- “(a) the driver does not comply with any of the conditions specified in clause 19H(3) or 19K(3); or
- “(b) the employer is assigned an operator safety rating of 1, 2, or 3 stars under clause 2.1(2) of Land Transport Rule: Operator Safety Rating 2008, if a rating has been assigned; or
- “(c) the Agency considers that the employer’s reporting and control system does not provide appropriate supervision of the driver.

*“Stage 1: Preliminary assessment*

**“19F Notice of approval to commence stage 1**

- “(1) On approving an application under clause 19D, the Agency must provide the driver with a written notice of approval to commence stage 1.
- “(2) The notice of approval must state—
  - “(a) the applicant’s name and driver licence number; and

- “(b) whether the approval is in respect of a Class 4 or Class 5 licence.
- “(3) The Agency must specify an expiry date on the notice of approval after which date the approval is no longer valid for the purpose of commencing stage 1.

**“19G Stage 1: preliminary assessment**

A driver whose application has been approved by the Agency must successfully complete a preliminary assessment to determine the driver’s suitability to drive a vehicle for which either a Class 4 or Class 5 licence is required in accordance with the conditions set out in clause 19H(3).

*“Stage 2: Supervised driving with conditions  
and assessment*

**“19H Stage 2: supervised driving with conditions**

- “(1) A driver who has successfully completed the stage 1 assessment under clause 19G may be issued with a written notice of approval by the Agency to drive a motor vehicle for which either a Class 4 or Class 5 licence would otherwise be required.
- “(2) The notice of approval must state the conditions with which the driver must comply.
- “(3) The conditions are that the driver—
  - “(a) must carry the notice of approval at all times when driving a vehicle to which the approval relates;
  - “(b) must produce the notice of approval for inspection without delay after being required to do so by an enforcement officer;
  - “(c) may only be employed by the approved employer specified under clause 19C(2)(c) while driving a vehicle for which either a Class 4 or Class 5 licence is required;
  - “(d) must maintain a logbook in a format specified in clause 8.1(6) of Land Transport Rule: Work Time and Logbooks 2007;
  - “(e) must comply with the rest breaks requirements specified in clause 2.1(1) of Land Transport Rule: Work Time and Logbooks 2007 or in any variation of those require-

- ments that are approved by the Agency (including an alternative fatigue management scheme):
- “(f) must not drive the vehicle for more than 8 hours in a cumulative work day:
  - “(g) must not undertake any other work time duties, except those specified in the notice of approval:
  - “(h) must not drive the vehicle during the hours of darkness:
  - “(i) must not drive the vehicle unless accompanied by a supervisor.
- “(4) Despite subclause (3)(c), a driver who changes employment may continue to take part in the accelerated licensing process only if the driver’s new employer is an approved employer and the Agency has approved the change for the purposes of this Part.
- “(5) The driver must not drive a vehicle to which the approval relates unless accompanied by a supervisor who—
- “(a) holds, and has held for at least 2 years, a New Zealand full licence of a class that authorises the person to drive that vehicle; and
  - “(b) is in charge of the vehicle; and
  - “(c) is seated next to the driver at all times.
- “(6) The Agency must specify an expiry date on the notice of approval after which date the approval is no longer valid.
- “19I Application to undertake stage 2 assessment**
- “(1) A driver who has completed at least 60 hours of supervised driving in a vehicle for which a Class 4 or Class 5 licence is required may apply to the Agency to undertake a stage 2 assessment.
- “(2) The application must be in a form approved by the Agency and be accompanied by a signed statement from the driver and the applicant’s approved employer that the conditions set out in clause 19H(3) have been complied with.
- “(3) The Agency may approve an application to take part in a stage 2 assessment if the Agency considers that the applicant is a suitable candidate for the process and has completed the requirements set out in clause 19G.

**“19J Stage 2 assessment**

- “(1) A driver whose application has been approved under clause 19I(3) must successfully complete a course specified in clause 93(j) to determine the driver’s suitability for an approval to drive a vehicle for which either a Class 4 or Class 5 licence is required in accordance with the conditions set out in clause 19K(3).
- “(2) The course provider must issue a driver who successfully completes the course with a certificate of completion.
- “(3) The certificate must show the licence class for which the assessment was taken.

*“Stage 3: Unsupervised driving with conditions  
and assessment*

**“19K Stage 3: unsupervised driving with conditions**

- “(1) A driver who has successfully completed the requirements of a course specified in clause 93(j) may be issued with a written notice of approval by the Agency to drive a vehicle for which either a Class 4 or Class 5 licence would otherwise be required.
- “(2) A notice of approval must state the conditions with which the driver must comply.
- “(3) The conditions are that the driver—
  - “(a) must carry the notice of approval at all times when driving a vehicle to which the approval relates:
  - “(b) must produce the notice of approval for inspection without delay if required to do so by an enforcement officer:
  - “(c) may only be employed by the approved employer specified under clause 19C(2)(c) while driving a vehicle for which either a Class 4 or Class 5 licence is required:
  - “(d) must maintain a logbook in a format specified in clause 8.1(6) of Land Transport Rule: Work Time and Logbooks 2007:
  - “(e) must comply with the rest breaks requirements specified in clause 2.1(1) of Land Transport Rule: Work Time and Logbooks 2007 or in any variation of those requirements that are approved by the Agency (including an alternative fatigue management scheme):

- “(f) may only drive for more than 8 hours in each cumulative work day when 140 hours or more of unsupervised driving of the vehicle have been completed:
  - “(g) must not undertake any other work time duties, except those specified in the notice of approval:
  - “(h) may only drive during the hours of darkness when 60 hours or more of unsupervised driving of the vehicle have been completed.
- “(4) Despite subclause (3)(c), a driver who changes employment may continue to take part in the accelerated licensing process only if the driver’s new employer is an approved employer and the Agency has approved the change for the purposes of this Part.
- “(5) The Agency must state an expiry date on the notice of approval after which date the approval is no longer valid.

*“Exit assessment and obtaining Class 4 or  
Class 5 licence*

**“19L Application to undertake exit assessment**

- “(1) A driver who has completed at least 200 hours of unsupervised driving may apply to the Agency for an approval to undertake a course assessing the driver’s driving skills specified in clause 93(k).
- “(2) The application must be in a form approved by the Agency and be accompanied by a signed statement from the driver and the driver’s employer that the conditions specified in clause 19K(3) have been complied with.
- “(3) To avoid doubt, the hours of unsupervised driving accumulated for the purposes of an exit assessment are in addition to the hours of supervised driving specified in clause 19I(1).
- “(4) An applicant under this clause must have completed at least 20 hours of unsupervised driving during the hours of darkness.

**“19M Exit assessment**

- “(1) A driver whose application has been approved under clause 19L must successfully complete an exit assessment specified in clause 93(k) to determine the driver’s suitability to hold a Class 4 or Class 5 licence.

- “(2) The course provider must issue a driver who successfully completes the exit assessment with a certificate of completion.
- “(3) The certificate must show the licence class for which the assessment was taken.

**“19N Obtaining Class 4 or Class 5 licence**

On successful completion of an exit assessment, a person is entitled to apply for and to be issued with a Class 4 or Class 5 licence (as the case may be) if the person complies with the requirements of clause 19 in relation to a Class 4 or Class 5 licence.”

**15 When dangerous goods endorsement required**

Clause 20 is amended by omitting “1999” and substituting “2005”.

**16 Obtaining dangerous goods endorsement**

Clause 21 is amended by revoking paragraph (b) and substituting the following paragraph:

“(b) provides a certificate of his or her successful completion of an approved course of a type specified in clause 93(b)(iii) that is issued within 60 days of the date of the application.”

**17 Obtaining driving instructor endorsement**

- (1) Clause 23(1)(b) is amended by inserting “New Zealand” before “full”.
- (2) Clause 23(2)(a) is amended by inserting “New Zealand” before “full”.

**18 Obtaining passenger endorsement**

Clause 27(1)(b) is amended by omitting “full driver licence” and substituting “New Zealand full licence”.

**19 Obtaining special-type endorsement**

Clause 29(b) is amended by inserting “New Zealand” before “full”.

**20 Obtaining testing officer endorsement**

Clause 31(b) is amended by inserting “New Zealand” before “full”.

**21 Obtaining vehicle recovery endorsement**

Clause 34(1)(b) is amended by inserting “New Zealand” before “full”.

**22 Eyesight testing**

Clause 38(2)(a)(i) is amended by omitting “and at least 6/18 using each eye separately”.

**23 Medical declaration**

(1) Clause 39(2) is amended by revoking paragraph (b) and substituting the following paragraph:

“(b) sign a statement to that effect.”

(2) Clause 39 is amended by adding the following subclause:

“(3) If the applicant for a driver licence or an endorsement, or for a renewal of a driver licence or an endorsement, does not suffer from any medical condition or conditions (including conditions relating to eyesight) that could, to the applicant’s knowledge, adversely affect the ability of the applicant to drive safely, the applicant must—

“(a) state this fact on the application form; and

“(b) sign a statement to that effect.”

**24 Medical certificates**

Clause 44 is amended by revoking subclause (4) and substituting the following subclause:

“(4) Subclause (3) does not apply to a medical certificate required in respect of an applicant—

“(a) for a driver licence who is 75 years of age or over; or

“(b) for renewal of a driver licence under clause 67(5)(a).”

**25 Person taking test must produce identification**

(1) Clause 55(a) is amended by inserting “or a current temporary driver licence that is accompanied by a form of photographic

identification of the applicant that is acceptable to the Agency” after “photographic driver licence”.

- (2) Clause 55(b) is amended by omitting “identification” and substituting “in the case of a theory test, identification”.

## **26 New clause 60 substituted**

Clause 60 is revoked and the following clause substituted:

### **“60 Period of validity of driver licence**

- “(1) A driver licence that is obtained or renewed under this rule may be issued for a period of 10 years except that,—
- “(a) if the person is at least 64 years of age but younger than 75 years of age at the date of the issue of the licence, the expiry date specified on the licence must be the date of the person’s 75th birthday:
  - “(b) if the person is at least 75 years of age but younger than 80 years of age at the date of the issue of the licence, the expiry date specified on the licence must be the date of the person’s 80th birthday:
  - “(c) if the person is 80 years of age or over at the date of the issue of the licence, the expiry date specified on the licence must be the next birthday of the applicant that is a whole multiple of 2:
  - “(d) if a renewed licence is issued under clause 67(5) with an expiry date that is more than 10 years after the date of the issue of the licence, the licence expires on the date specified on the licence.
- “(2) A driver licence that is replaced under this rule must be issued with an expiry date that is the same as the expiry date of the licence being replaced.
- “(3) Despite subclause (1), the Agency may extend the period of validity of a driver licence for a period not exceeding 1 year.
- “(4) The period of validity of a driver licence is not affected by the holder obtaining a driver licence or endorsement of any other class or type.
- “(5) Despite subclause (4), if a person who holds a driver licence obtains an additional licence class or endorsement, the person’s existing licence may be reissued with an expiry date in accordance with subclause (1) from the date of issue, but only

if the minimum requirements of that application also satisfy the minimum requirements for renewal of the person's existing licence class or classes under clause 67."

## **27 Features to verify and protect licence integrity**

Clause 62(e) is amended by omitting "the words 'LIMITED LICENCE' " and substituting "the word 'LIMITED' ".

## **28 New clause 63 substituted**

Clause 63 is revoked and the following clause substituted:

### **"63 Form of driver licence**

"(1) A driver licence must, at the discretion of the Agency, display the following information on either the front or back of the licence:

"(a) the word 'LEARNER', if the driver licence is a learner licence:

"(b) the word 'RESTRICTED', if the driver licence is a restricted licence:

"(c) either the word 'LEARNER' or the word 'RESTRICTED', if the holder holds 2 or more of those driver licences:

"(d) the word 'LIMITED', if the driver licence is a limited licence issued under section 105 of the Act:

"(e) an image of the holder's signature:

"(f) the original date on which the driver licence is issued:

"(g) the expiry date of each endorsement held by the holder of the licence:

"(h) the holder's current address, if requested by the holder:

"(i) the classes to which the licence applies and the endorsements issued to the holder:

"(j) an indication of any condition the holder must comply with while driving a motor vehicle:

"(k) the word 'DONOR', if the holder has indicated a willingness to be an organ donor:

"(l) a one-dimensional bar code containing the driver licence number, driver licence card number, and a production quality control number.

"(2) A driver licence must display the following information on the front of the licence:

- “(a) the words ‘NEW ZEALAND DRIVER LICENCE’:
  - “(b) an image of the New Zealand flag:
  - “(c) a photographic image of the holder:
  - “(d) the holder’s name:
  - “(e) the holder’s date of birth:
  - “(f) the date on which the driver licence expires:
  - “(g) the driver licence number and driver licence card version number.
- “(3) The Agency may require that anti-counterfeiting security features be included on a driver licence if the Agency considers it necessary.
- “(4) An endorsement must be indicated on a driver licence in the following way:
- “(a) for all endorsements other than a driving instructor endorsement, by the appropriate single letter specified in Schedule 4:
  - “(b) for a driving instructor endorsement, by the single letter specified in Schedule 4 followed by the appropriate driver licence class number specified in Schedule 3.”

## **29 Form of temporary driver licence**

Clause 64(3) and (4) are revoked.

## **30 Renewal of driver licence**

- (1) Clause 67(2) is amended by revoking paragraph (c) and substituting the following paragraph:
- “(c) is renewing the licence for a period beyond the person’s 75th birthday and the person produces a medical certificate in accordance with clause 44; and”.
- (2) Clause 67 is amended by revoking subclause (2A) and substituting the following subclause:
- “(2A) A person who has been overseas for 5 years or more does not have to comply with subclause (2)(e) or (f), if the person can provide evidence of being licensed to drive (whether in New Zealand or overseas) within the period of 5 years immediately preceding the date of the application.”

**31 Reinstatement of driver licence with respect to those who have been disqualified for more than 12 months after end of disqualification**

Clause 67A(2) is amended by revoking paragraph (c) and substituting the following paragraph:

“(c) the person is applying for reinstatement of a licence for a period beyond the person’s 75th birthday and the person produces a medical certificate in accordance with clause 44; and”.

**32 Clause 68 revoked**

Clause 68 is revoked.

**33 Renewal of passenger, vehicle recovery, driving instructor, testing officer, or dangerous goods endorsement**

Clause 70(3)(b) is amended by omitting “less than” and substituting “within”.

**34 Renewal of special-type endorsement**

(1) Clause 71(2)(b) is amended by omitting “less than” and substituting “within”.

(2) Clause 71 is amended by adding the following subclause:

“(3) A person who has been overseas for 5 years or more does not have to comply with subclause (2), if the person can provide evidence of being licensed to drive (whether in New Zealand or overseas) within the period of 5 years immediately preceding the date of the application.”

**35 Clause 72 revoked**

Clause 72 is revoked.

**36 New clause 88 substituted**

Clause 88 is revoked and the following clause substituted:

**“88 Recognition of overseas driver licence or permit**

“(1) A person, on arrival in New Zealand, is deemed to hold a New Zealand driver licence of a class that entitles the person to drive the motor vehicles that the person is entitled to drive under—

- “(a) a valid and current driver licence or permit issued overseas to the person, after the person has produced proof of the person’s driving competence, by an overseas authority, or an agent of that authority, authorised to issue a driver licence or permit; or
  - “(b) an international driving permit.
- “(2) However,—
- “(a) subclause (1)(a) does not apply unless—
    - “(i) the overseas driver licence or permit is written in English; or
    - “(ii) the person who holds the overseas driver licence or permit also carries an accurate English translation of the licence or permit:
  - “(b) subclause (1)(b) does not apply unless the person who holds the international driving permit also carries the overseas driver licence on which the permit is based.
- “(3) A person who is deemed by subclause (1) to hold a New Zealand driver licence may continue to drive under that driver licence until the first of the following situations occurs:
- “(a) the person has remained in New Zealand for a continuous period of 12 months; or
  - “(b) the document that enabled that person to be deemed to hold a New Zealand driver licence under subclause (1) expires, is suspended, or is revoked; or
  - “(c) an order is made disqualifying the person from holding or obtaining a driver licence, either in New Zealand or in the jurisdiction that granted the overseas driver licence or permit; or
  - “(d) the person obtains or renews a New Zealand driver licence.
- “(4) In this clause, **international driving permit** means a valid and current international driving permit as specified in Annex 10 of the United Nations Convention on Road Traffic signed at Geneva on 19 September 1949 or Annex 7 of the United Nations Convention on Road Traffic signed at Vienna on 8 November 1968 and issued overseas in accordance with the provisions of the appropriate convention.”

**37 Obtaining New Zealand driver licence**

Clause 89(2) is amended by adding “; and” and also by adding the following paragraph:

“(g) surrender his or her overseas driver licence or permit if that is a requirement of a licence recognition arrangement between the jurisdiction that issued the driver licence or permit and New Zealand.”

**38 Requirements for diplomatic and consular personnel**

Clause 91(1) is amended by adding “; or” and also by adding the following paragraph:

“(c) the person’s relationship as a member of the family, or as a spouse or partner, of the person referred to in paragraph (a) or (b).”

**39 New clause 93 substituted**

Clause 93 is revoked and the following clause is substituted:

**“93 Agency may approve courses**

The Agency may approve the following courses:

“(a) courses teaching advanced driving skills, to reduce the period of time for which a person must hold a Class 1R licence before being allowed to apply for a Class 1 full licence:

“(b) courses teaching specialist knowledge and skills required to obtain—

“(i) a passenger endorsement; or

“(ii) a vehicle recovery endorsement; or

“(iii) a dangerous goods endorsement; or

“(iv) a driving instructor endorsement; or

“(v) a forklift endorsement; or

“(vi) a roller endorsement; or

“(vii) a tracks endorsement; or

“(viii) a wheels endorsement:

“(c) courses teaching and assessing the driving knowledge and skills of the holder of a Class 2L, 3L, 4L, or 5L licence for the purpose of waiving the requirement for that person to hold the licence for 6 months and to pass a full licence test:

- “(d) courses teaching and assessing the riding competency of the holder of a Class 6L licence for the purpose of waiving the requirement for that person to hold the licence for 6 months and to pass a restricted licence test:
- “(e) courses teaching and assessing the riding competency of the holder of a Class 6R licence for the purpose of reducing the period that the person must hold a Class 6R licence and to pass a full licence test:
- “(f) driving improvement courses for the purposes of section 92(1) of the Act:
- “(g) dangerous goods courses for the purposes of section 92(2) of the Act:
- “(h) courses assessing the driving experience, knowledge, and skills of a person 25 years of age or over and holding a Class 2, 3, or 4 driver licence, for the purpose of waiving the requirement for that person to hold the licence for at least 3 months:
- “(i) work time and fatigue management courses for the purposes of Part 4B of the Act:
- “(j) courses assessing the driving experience, knowledge, and skills of the holder of a Class 2 licence for the purpose of an approval to drive a vehicle for which a Class 4 or Class 5 licence is required under the conditions specified in clause 19H:
- “(k) courses assessing advanced driving skills for the purpose of enabling a person to apply for a Class 4 or Class 5 licence on completion of the accelerated licensing process set out in Part 4A.”

#### **40 Requirements for approval of course**

- (1) Clause 94(1) is amended by omitting “clause 93(d)” and substituting “clause 93(f)”.
- (2) Clause 94(2) is amended by omitting “subparagraphs (i) or (ii) of clause 93(b)” and substituting “clause 93(b)(i) or (ii)”.
- (3) Clause 94(3) is amended by omitting “clause 93(e)” and substituting “clause 93(g)”.
- (4) Clause 94(5) is amended by omitting “clause 93(b)(v) to (viii) or (c) or (f)” and substituting “clause 93(b)(v) to (viii), (c), (d), (e), or (h)”.

- (5) Clause 94 is amended by adding the following subclauses:
- “(6) To be approved, a course for a purpose specified in clause 93(i) must be designed so that a person who has completed the course will be able to demonstrate knowledge of work time and logbook requirements, and to describe causes and symptoms of fatigue and its effect on driving performance.
- “(7) To be approved, a course for a purpose specified in clause 93(j) or (k) must be designed so that a person who has completed the course will have demonstrated the experience, knowledge, and skills to operate safely and proficiently a vehicle for which a Class 4 or Class 5 licence is required under the accelerated licensing process set out in Part 4A.”

#### **41 Agency may revoke approval of course provider**

- (1) The heading to clause 103 is amended by inserting “**or suspend**” after “**may revoke**”.
- (2) Clause 103(1) is amended by inserting “or suspend (in whole or in part)” after “revoke”.
- (3) Clause 103(2) is amended by inserting “or suspension” after “revocation”.
- (4) Clause 103(2)(a) is amended by inserting “or suspended” after “revoked”.
- (5) Clause 103(2)(b) is amended by inserting “or suspension” after “revocation”.

#### **42 Expiry of driver licences, etc**

Clause 112 is amended by revoking subclause (2) and substituting the following subclause:

- “(2) If the holder of a driver licence referred to in subclause (1) is absent from New Zealand on the date that the licence would (but for this subclause) expire under subclause (1), that driver licence expires on the earlier of—
- “(a) the expiry date specified on the licence:
- “(b) 1 October 2011.”

**43 Additional requirements relating to issue of passenger endorsements**

- (1) Clause 114(1) is amended by inserting “or Class D” after “Class C”.
- (2) Clause 114(2) is revoked.

**44 New Schedule 3 substituted**

Schedule 3 is revoked and the Schedule 3 set out in Schedule 3 of this rule is substituted.

**45 Transitional provision**

A photographic driver licence issued by the Agency before the commencement of clause 28 of this rule remains valid until the licence is renewed even if that format of the licence does not comply with the requirements of clause 63 of the principal rule (as amended by this rule).

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**Schedule 1**  
**Objective of rule**

cl 4

The objective of this rule is to amend the Land Transport (Driver Licensing) Rule 1999 (the **principal rule**) to make changes to the driver licensing system. The amendments to the principal rule include changes that are intended to improve road safety by improving the motorcycle rider licensing and testing regime. Other changes aim to improve the integrity of the driving licence system and make business processes clearer, easier, and more cost-effective. The changes will also make the principal rule easier to comply with and less prescriptive.

The main changes made by this rule include—

*Identification*

- (1) removing, as an acceptable form of evidence of identity, the reference to Police identity cards in accordance with a request from New Zealand Police;
- (2) requiring applicants renewing, replacing or otherwise obtaining a driver licence in a different name to produce acceptable evidence of any name change:

- (3) prescribing, as an acceptable form of evidence for identification purposes, a statutory declaration, certified copy of a name change by deed poll, or a name change certificate verifying an applicant's change of name:
- (4) authorising the New Zealand Transport Agency (the **Agency**) to determine other comparable forms of identification that are acceptable as evidence where the name of an applicant for a licence has changed:
- (5) preventing a temporary driver licence from being used for the purpose of licence application identification after its 21-day expiry date:
- (6) prohibiting the use of a temporary licence for the purpose of renewing or replacing a driver licence, unless it is accompanied by an acceptable form of photographic identification:  
*Images on driver licences and driver identification cards*
- (7) clarifying the requirement that the photograph of a licence holder is to be a good likeness of the person:  
*Conditions of learner licence*
- (8) requiring the supervisor of a learner driver to be a person who holds a full New Zealand licence and either—
  - (a) has held a full New Zealand licence for at least 2 years;  
or
  - (b) has held the equivalent of a full licence from another licensing jurisdiction for at least 2 years:
- (9) replacing the requirement for learner motorcycle riders that prohibits a rider from riding a motorcycle that has a total piston displacement that exceeds 250 cm<sup>3</sup> with a requirement that restricts them to riding an approved motorcycle only:
- (10) introducing a definition of approved motorcycle, being a motorcycle that has an engine capacity of 250 cc or less, unless the Agency has prohibited the use of that make and model, or a motorcycle with an engine capacity of more than 250 cc but not more than 660 cc and a power-to-weight ratio of not more than 150 kilowatts per tonne approved for use by the Agency by notice published on the Agency's Internet site:
- (11) requiring a novice motorcyclist, regardless of age, to be subject to the same minimum time requirements at the restricted licence phase:

- (12) removing the 70 km/h restriction that applies to learner motorcycle riders:
- (13) introducing a restriction for learner and restricted motorcyclists, preventing the motorcyclist from towing a trailer behind a motorcycle:

*Obtaining restricted licence*

- (14) introducing, as an alternative to the standard testing regime, an approved competency-based training and assessment option for novice motorcyclists:
- (15) allowing approved courses to be undertaken in the learner licence phase for Class 1 for gaining a reduction of mandatory minimum time spent in the restricted licence phase:
- (16) removing the option for novice motorcycle riders who apply for a full licence to undertake an approved advanced driving course for the purposes of gaining a time reduction in the restricted licence phase:

*Conditions on restricted licence*

- (17) allowing a holder of a restricted licence to carry, as a passenger, his or her parents (whether the parent is licensed or unlicensed):
- (18) introducing definitions of guardian and parent that have the same meaning as in section 15 of the Care of Children Act 2004 and section 2(1) of the Children, Young Persons, and their Families Act 1989 respectively:
- (19) requiring the supervisor of a restricted driver to be a person who holds a full New Zealand licence and either—
  - (a) has held a full New Zealand licence for at least 2 years; or
  - (b) has held the equivalent of a full licence from another licensing jurisdiction for at least 2 years:

*Obtaining New Zealand driver licence*

- (20) requiring persons converting an overseas driver licence to a New Zealand licence to surrender their overseas licence or permit, if this is a requirement of a licence recognition arrangement between New Zealand and the overseas licensing jurisdiction:

*New Part 4A: accelerated licensing process*

- (21) formalising the existing pilot programme for fast-tracking, from Class 2 to Class 5, driver licence applicants who are employed by an approved employer and have met specified requirements, by allowing the applicants to progress to a higher licence class without the need to—
- (a) comply with the minimum time requirements; and
  - (b) be formally exempted from these requirements on a case-by-case basis:

*Obtaining dangerous goods endorsement*

- (22) aligning the requirement for obtaining a new Dangerous Goods (D) endorsement with that for renewing a D endorsement:

*Obtaining driving instructor, passenger, testing officer, vehicle recovery, and special-type endorsement*

- (23) clarifying that licence holders must have held a full New Zealand licence for at least 2 years before applying for a Driving Instructor (I), Passenger (P), Testing Officer (O), or Vehicle Recovery (V) endorsement:
- (24) clarifying that applicants for a special-type endorsement must hold a full New Zealand licence before applying for the endorsement:
- (25) extending the validity period of course certificates for renewal of dangerous goods endorsements or special-type endorsements that have been expired for more than 5 years to 60 days, to align with the period of validity of medical certificates:

*Eyesight testing*

- (26) correcting an anomaly in the principal rule regarding eyesight acuity by applying the same standards to all people with functioning eyesight in one eye, regardless of the level of function of the other eye:

*Medical declaration*

- (27) clarifying that the signed statement that must be produced by an applicant for a driver licence or an endorsement under clause 39(1)(b) of the principal rule is the same as the signed statement provided as part of the application form and is not an additional statement:

- (28) enabling an applicant for a driver licence or endorsement who has no relevant medical conditions to sign a declaration to that effect:

*Medical certificates*

- (29) requiring drivers aged 74 years and 6 months or over but under 75 years, who are renewing their licence, to provide a medical certificate:

*Person taking test must produce identification*

- (30) prohibiting the use of a temporary licence for the purpose of sitting a practical driving test, unless it is accompanied by an acceptable form of photographic identification:

*Period of validity of driver licence*

- (31) allowing, if a person who holds a driver licence obtains an additional licence class or endorsement, the validity of the existing licence class or classes on the person's licence to be extended for a period of not more than 10 years from the date of issue of the additional licence or endorsement, provided that the minimum requirements relating to the additional class or endorsement also satisfy the minimum requirements for renewal of the existing licence class or classes required by the principal rule:

*Form of driver licence*

- (32) allowing items that must appear on a driver licence to be placed either on the front or the back of the card (except the words NEW ZEALAND DRIVER LICENCE, the holder's name, photograph, date of birth, driver licence number, expiry date, and the New Zealand flag, which must be placed on the front):
- (33) introducing flexibility to allow anti-counterfeiting security features on driver licences as considered necessary by the Agency:

*Special provisions relating to person who is overseas, or in prison or hospital*

- (34) revoking clause 68, which provides a special dispensation from test requirements for persons whose licences have been expired for over 5 years and who have been overseas, in hospital, or in prison for a continuous period, preventing licence renewal:

*Recognition of overseas driver licence or permit*

- (35) requiring visitors to New Zealand, who drive using an International Driving Permit, to carry the overseas driver licence on which that permit is based:
- (36) clarifying that a person returning to New Zealand and whose New Zealand licence has expired can drive in New Zealand on a valid and current overseas licence for up to 12 months:

*Requirements for diplomatic and consular personnel*

- (37) aligning the principal rule with the Diplomatic Privileges and Immunities Act 1968 in relation to diplomatic licences for a diplomat's spouse, partner, and other family members:

*Requirements for approval of courses*

- (38) allowing the Agency to approve courses that teach (as well as assess) driving knowledge and skills to holders of Classes 2L, 3L, 4L and 5L licences (learner licences) for the purpose of waiving the requirement to hold a learner licence for at least 6 months and the requirement to pass a full licence test of that class:

*Revocation of approval of course provider*

- (39) allowing the Agency to suspend (in addition to its existing powers to revoke) all, or part of, an approved course provider's operations if good reasons exist for doing so:

*Expiry of driver licences, etc*

- (40) specifying an expiry date for synthetic paper and booklet licences where the holder of the licence has not yet upgraded to a photographic driver licence:
- (41) requiring persons who hold an old D (large passenger service) licence that are upgrading to a new photographic driver licence to be subject to a fit and proper person assessment when upgrading to a Passenger (P) endorsement:

*New Schedule 3 substituted: classes of driver licence*

- (42) substituting *new Schedule 3* of the principal rule. The main changes include—
- (a) allowing Class 1 full licence holders to drive rigid vehicles (including tractors and special-type vehicles) with a gross laden weight of not more than 6 000 kg and combination vehicles with a gross combined weight of not more than 6 000 kg:

- (b) clarifying that holders of Classes 2 (full) and 2L (learner) licences may drive vehicles that have a gross combined weight of more than 6 000 kg, but not more than 12 000 kg.
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## Schedule 2

### Consultation carried out under section 161(2) of Act

cl 5

Proposals for improving motorcycle rider safety were initially consulted on as priority actions in the Government's 10-year road safety strategy, *Safer Journeys—New Zealand's Road Safety Strategy 2010–2020 (Safer Journeys)*, which was released in March 2010. Following approval by Cabinet, these proposals, together with other proposed changes to the driver licensing system, were included in the draft amendment rule.

In November 2010, the New Zealand Transport Agency (the **Agency**) sent details of the amendment proposals by letter or email to about 1 000 groups and individuals who had registered an interest in the rule. Copies of the draft amendment rule were made available through the Agency's contact centre and the consultation material, which included questions and answers, was available on the Agency's Internet site. The availability of the draft rule for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch, and Dunedin, and selected regional daily newspapers and the *New Zealand Gazette (Gazette)*. The Agency received 42 submissions on the draft amendment rule. These submissions were taken into account in redrafting this rule for submission to Minister of Transport for signing.

A further 5 proposals were consulted on separately as part of Land Transport Rule: Omnibus Amendment 2011 (**draft omnibus amendment rule**). In June 2011, the Agency sent details of the draft omnibus amendment rule, by letter or email, to about 2 200 groups and individuals who had registered an interest in the rule. Copies of the draft omnibus amendment rule were made available through the Agency's contact centre and the consultation material, which included questions and answers, was available on the Agency's Internet site. The availability of the draft omnibus amendment rule for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch, and Dunedin and in the *Gazette*. The Agency received 17 submissions, of which 5 submissions related to the driver licensing proposals. These

submissions were taken into account in redrafting the provisions of this rule for submission to the Minister of Transport for signing.

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**Schedule 3**

cl 44

**New Schedule 3 substituted****Schedule 3**

cl 7

**Classes of driver licence****Licence classes****Motor vehicle to which licence relates**

Classes 1L and 1R

- (a) a motor vehicle (including a tractor but excluding a motorcycle) that has a gross laden weight of not more than 4 500 kg, or a combination vehicle that has a gross combined weight of not more than 4 500 kg
- (b) a motorised mobile home or self-propelled caravan that has a gross laden weight of not more than 6 000 kg, provided its on-road weight does not exceed 4 500 kg
- (c) a tradeperson's vehicle that has a gross laden weight of not more than 6 000 kg, provided its on-road weight does not exceed 4 500 kg

Class 1

- (a) a special-type vehicle that is a forklift or runs on rollers or self-laying tracks and has a gross laden weight of not more than 18 000 kg
- (b) a special-type vehicle that runs on wheels and has a gross laden weight of—
  - (i) not more than 6 000 kg; or
  - (ii) more than 6 000 kg but not more than 18 000 kg, if driven at a speed not exceeding 30 kph
- (c) any tractor with a gross laden weight of not more than 6 000 kg
- (d) any tractor with a gross laden weight of more than 6 000 kg but not more than 18 000 kg, if driven at a speed not exceeding 30 kph
- (e) a combination vehicle, consisting of a tractor towing a trailer, with a gross combined weight of not more than 25 000 kg, if it is being used in agricultural or land management operations and is driven at a speed not exceeding 30 kph
- (f) a rigid vehicle with a gross laden weight of not more than 6 000 kg
- (g) a combination vehicle (other than a combination vehicle that comes within paragraph (d) of this definition) with a gross combined weight of not more than 6 000 kg

Schedule 3—*continued*

Licence classes	Motor vehicle to which licence relates
Classes 2 and 2L	<ul style="list-style-type: none"> <li>(a) a rigid vehicle with a gross laden weight of more than 6 000 kg but not more than 18 000 kg</li> <li>(b) a combination vehicle (other than a combination vehicle that comes within paragraph (d) of the definition of Class 1 licence) that has a gross combined weight of more than 6 000 kg but not more than 12 000 kg</li> <li>(c) a combination vehicle (other than a combination vehicle that comes within paragraphs (d) or (f) of the definition of Class 1 licence or paragraph (b) of this definition) consisting of a rigid vehicle (with a gross laden weight of not more than 18 000 kg) towing a light trailer</li> <li>(d) a rigid vehicle with a gross laden weight of more than 18 000 kg with not more than 2 axles</li> <li>(e) a tractor with a gross laden weight of more than 6 000 kg but not more than 18 000 kg, if driven at a speed exceeding 30 kph</li> </ul>
Class 2	<ul style="list-style-type: none"> <li>(a) a special-type vehicle that is a forklift or runs on rollers or self-laying tracks and has a gross laden weight of more than 18 000 kg</li> <li>(b) a special-type vehicle that runs on wheels and has a gross laden weight of more than 6 000 kg but not more than 18 000 kg, if driven at a speed exceeding 30 kph</li> <li>(c) a special-type vehicle that runs on wheels and has a gross laden weight of more than 18 000 kg, if driven at a speed not exceeding 30 kph</li> </ul>
Classes 3 and 3L	a combination vehicle (other than a combination vehicle that comes within paragraph (d) of the definition of Class 1 licence or paragraph (c) of the definition of Classes 2 and 2L licences) that has a gross combined weight of more than 12 000 kg but not more than 25 000 kg
Classes 4 and 4L	<ul style="list-style-type: none"> <li>(a) a rigid vehicle (including a tractor) with a gross laden weight of more than 18 000 kg</li> <li>(b) a combination vehicle consisting of a rigid vehicle (with a gross laden weight of more than 18 000 kg) towing a light trailer</li> </ul>
Class 4	a special-type vehicle that runs on wheels and has a gross laden weight of more than 18 000 kg, if driven at a speed exceeding 30 kph
Classes 5 and 5L	a combination vehicle with a gross combined weight of more than 25 000 kg
Classes 6, 6L, and 6R	a motorcycle, moped, or all-terrain vehicle

Dated at Wellington this 26th day of August 2011.

Steven Joyce,  
Minister of Transport.

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### 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. Most of the amendments made by this rule come into force on 1 October 2011. However, some amendments have a later commencement as follows:

- *new Schedule 3* comes into force on 1 April 2012; and
- the following amendments come into force on 1 October 2012:
  - amendments relating to approved motorcycles:
  - amendments allowing approved courses for Class 1 licence holders to be undertaken during the learner licence phase:
  - amendments introducing the accelerated licensing process (*new Part 4A*):
  - amendments standardising the requirements for new applications and renewals of a dangerous goods endorsement:
  - amendments relating to the period of validity of a driver licence.
  - amendments allowing the New Zealand Transport Agency to approve courses that teach, as well as assess, the riding competency of Class 6L and 6R licence holders (*new clause 93(d) and (e)*).

The rule is an ordinary rule made under the Land Transport Act 1998. The objective of the rule is set out in *Schedule 1*. A statement of the consultation undertaken in relation to the rule is set out in *Schedule 2*.

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**Land Transport (Driver Licensing)  
Amendment Rule 2011**

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Date of notification in *Gazette*: 1 September 2011.

This rule is administered by the Ministry of Transport.

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