

DRAFT Land Transport (Driver Licensing) Rule 1999: Drivers of Electric Trucks (up to 7,500kgs) Exemption Notice 2025.

Pursuant to section 168D of the Land Transport Act 1998, the Director of Land Transport, after being satisfied of the matters set out in section 168D(3) of that Act, gives the following notice.

1. Title

This notice is the Land Transport (Driver Licensing) Rule 1999: Drivers of Electric Trucks (up to 7,500kgs) Exemption Notice 2025.

2. Commencement

This notice comes into force on 28 February 2025.

3. Expiry

This notice expires at the close of 28 February 2027.

4. Application

This notice applies to any driver of an electric variant of an existing <6,000kg diesel truck, weighing up to a gross laden weight of 7,500kgs, where that driver holds a full class 1 driver licence.

5. Interpretation

(1) In this notice –

Act means the Land Transport Act 1998

Electric variant means a Battery Electric Vehicle (BEV) within the same model range of a diesel equivalent, having the same braking system and carrying the batteries integrated within the chassis. The electric variant must not exceed the dimensions of the largest diesel version in the up to 6,000kgs range. The vehicle must also comply with the following:

- (a) The vehicle's braking systems must include Regenerative Braking, Automatic Emergency Braking and Electronic Stability Control.
- (b) The vehicle must have Lane Departure Warning or Lane Keep Assist.
- (c) The vehicle's batteries for generating motive power must be placed as low in the chassis as possible. Vehicles with batteries mounted above the payload centre of gravity height are not eligible for this exemption.

Battery Electric Vehicle (BEV) means a vehicle with an electric motor that is powered by battery rather than a traditional internal combustion engine.

Gross laden weight (GLW) means the greatest of the following:

- any weight specified (following the latest modification, if applicable) as a vehicle's gross laden weight by the vehicle's manufacturer
- any weight specified as the gross laden weight of a particular vehicle (or a vehicle of its kind) by the New Zealand Transport Agency
- the weight of a vehicle together with any load it is carrying, including any equipment and accessories.

Rule means the Land Transport (Driver Licensing) Rule 1999.

- (2) Any term or expression that is defined in the Act, the Land Transport Management Act 2003, or the Rule and used, but not defined, in this notice has the same meaning as in the respective Act or the Rule.

6. Class exemption

- (1) Any driver of a vehicle described in clause 4 of this notice is exempt from schedule 3 of the Rule, but only in relation to the definition of class 1 driver licence. All other definitions continue to apply.
- (2) The exemption in subclause (1) is subject to the conditions specified in clause 7 of this notice.
- (3) Nothing in this notice affects the application of all other licence classes definitions contained in schedule 3.

7. Conditions applying to drivers relying on this class exemption.

- (1) Driver must hold a full class 1 driver licence.

Brent Alderton, Director of Land Transport

Signed 28 February 2025

Explanatory Note

This note is not part of the notice. It indicates the notice's general effect and the reasons for it being given.

This notice comes into force on 28 February 2025. It expires at the close of 28 February 2027, and may be amended, replaced, or revoked in accordance with section 168E(2) of the Act.

General effect of the Class Exemption

The notice grants a temporary Class Exemption that allows Class 1 driver licence holders to drive electric variants of existing diesel trucks that exceed 6,000kgs and have a GLW of up to 7,500kgs, due to the weight of their batteries. Vehicle dimensions remain the same. The effect of this exemption is that drivers can operate the vehicle without needing to hold a Class 2 driver licence.

In making the decision to grant this exemption the Director of Land Transport has considered section 168D (3) of the Act. The Director is satisfied that the exemption is appropriate considering, the need to maintain or improve land transport safety and other relevant and appropriate matters. The Director is also satisfied that the exemption is no broader than necessary to address the matters that gave rise to it.

Reasons for giving the Class Exemption

The land transport system is facing a challenge between the availability of cost efficient heavier electric vehicles and our current driver licensing system. Keeping battery electric trucks below the 6000kg weight threshold for driver licence class 1, greatly reduces payload due to the weight of the batteries. Achieving the equivalent payload in a battery electric truck requires the driver to move up to a class 2 licence, creating a barrier in the uptake of BEVs. These BEVs require a higher driver licence class and may sit within the work time and logbook regime, making more sustainable and lower emission commercial transport options less attractive. This imposes compliance costs on industry for no safety benefit.

The BEVs that would be subject to this class exemption would have the same dimensions as their diesel equivalents, extensive safety features and improved stability due to the low placement of batteries. The combined effect of these features, all other things being equal, would be to reduce the likelihood of a crash occurring. Although the slightly higher mass would mean the outcome of a crash could be worse. The advice provided is that this poses minimal elevated safety risk.

The purpose of this class exemption is to improve commercial operators' access to BEV's with improved safety features and provides the sector an opportunity to make gains in the decarbonisation of their fleet whilst the government considers the growing demand for BEVs in the land transport system. This is a temporary solution to give time to monitor the impact of the exemption. All other driving requirements and obligations remain unchanged.