

# Transport service licences



Factsheet

# 47

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Operators of freight, vehicle recovery, rental service and passenger transport service industries must comply with a range of rules and regulations. In most cases this includes holding an appropriate transport service licence.

These regulations and rules help transport service licence holders to run successful and compliant businesses while ensuring safe management practices and protecting other road users.

## Who needs a transport service licence?

Whether you're an individual or a company, you must hold the appropriate transport service licence if you're operating any of the following types of service:

### A goods service

A goods service delivers or carries goods using a motor vehicle that has a gross vehicle mass\* of 6000kg or more.

You need a goods service licence even if you're not carrying the goods for hire or reward. This includes a vehicle that is 'on hire' to carry goods.

\***gross vehicle mass** means the maximum safe operating mass for a vehicle (including the mass of any accessories, crew, passengers or load) that is derived from the design, capabilities, and capacities of the vehicle's construction, systems, and components, and that:

- a) is determined by:
  - i) Waka Kotahi NZ Transport Agency, or
  - ii) the manufacturer of the vehicle, or
  - iii) if the vehicle is modified after manufacture, a certifier approved by Waka Kotahi, and
- b) may be recorded in kilograms on the register of motor vehicles.

### A small passenger service

A small passenger service (SPS) uses vehicles that carry 12 people or less (including the driver) to carry passengers. You need a small passenger service licence if you carry passengers for hire or reward.

Small passenger services include taxi and app-based services, shuttle services and private hire services.

Dial-a-driver services are also small passenger services but the customer vehicles used in these services are not passenger service vehicles. For more information about passenger service vehicles see *Passenger service vehicles* (Factsheet 15).

### A large passenger service

A large passenger service uses vehicles that are designed or adapted to carry more than 12 people (including the driver) to

carry passengers.

You need a large passenger service licence regardless of whether or not you operate for hire or reward.

### A vehicle recovery service

A vehicle recovery service tows or carries vehicles.

It requires a transport service licence unless it is exempt under the Land Transport Act 1998 (eg you don't need a transport service licence to tow a friend's car with your own in the case of a breakdown).

### A rental service

A rental service hires out vehicles to carry goods or passengers.

## How do I apply?

You'll need to apply at a driver licensing agent. To find your closest agent go to [www.nzta.govt.nz/agents](http://www.nzta.govt.nz/agents)

You need to provide:

- a completed *Application for transport service licence* (TL01) application form
- a completed *Personal details supporting an application for a transport service licence* (TL02) form for **each** person that will be in control of the service
- pay the application fee:
  - if there is only one person in control, the fee is \$439.00
  - if there are 2 or more persons in control, the fee is \$583.80
- the police vetting fee of \$9.70 for **each** person that will be in control of the service.
- a certificate of knowledge of law and practice relevant to the transport service licence you're applying for (unless you're going to operate an SPS or rental service).

You can download the forms from [www.nzta.govt.nz/tsl-forms](http://www.nzta.govt.nz/tsl-forms)

## What happens next?

Your application will be sent to Waka Kotahi to be processed, and for the fit and proper person checks to be performed.

If you've provided all the necessary information with your application and all the requirements have been met, please allow 20 working days for your application to be processed.

If you haven't provided some information yet or met all the requirements, or if we have any concerns about your fitness and propriety, your application will take longer to process.

## Persons in control

Under section 30L of the Land Transport Act 1998, Waka Kotahi must be satisfied that anyone who will have, or is likely to have, control or involvement in the operation of the transport service is a fit and proper person, including any representative.

Anyone who has direct or indirect control of any part of the management of the organisation must complete a *Personal details* form (TL02) and provide evidence of identity. This is so we can determine if they all meet the requirements of a fit and proper person. This includes any New Zealand representative if you're applying for a small passenger service licence.

### Evidence of identity

Each person in control must provide evidence of their identity with the application. This can be either:

- their New Zealand photo driver licence, or
- their passport.

These can be current or expired up to 2 years.

They must also provide a copy of their evidence of identity. They can either:

- provide a certified copy\* of their evidence of identity, or
- provide a photocopy of their evidence of identity AND present the original driver licence or passport when the application is lodged at a driver licensing agent.

\*A certified copy needs to be stamped or endorsed by a person who confirms that the copy is a true copy of the original document. This can be a:

- Justice of the Peace.
- Solicitor of the High Court.
- Notary Public.
- Deputy Registrar at a court (not all courts will be able to certify copies).

### New Zealand representative for small passenger service

Where none of the people who will be in control of a small passenger service licence live in New Zealand, you must provide the name and address of a representative living in New Zealand. This representative is authorised by you to:

- engage with Waka Kotahi on matters relating to your compliance with the relevant requirements of the Land Transport Act 1998 and all regulations and rules, and
- accept service of legal documents on your behalf.

The New Zealand representative will also need to complete a TL02 form and be vetted to check they're a fit and proper person.

### Working in New Zealand

You and/or your employer are responsible for making sure you're eligible to work in New Zealand. You don't need to provide evidence of your immigration status to Waka Kotahi.

For more information about working in New Zealand go to [www.immigration.govt.nz/new-zealand-visas](http://www.immigration.govt.nz/new-zealand-visas)

## Change of persons in control

If any of the persons in control of the service change, you must let Waka Kotahi know. Notify us online at [www.nzta.govt.nz/TL04](http://www.nzta.govt.nz/TL04)

Any new persons in control will need to complete a *Personal details* form (TL02) and pay a vetting fee.

You also need to let us know if the main address of the transport service changes. You can notify us of your change of address online at [www.nzta.govt.nz/tsl-coa](http://www.nzta.govt.nz/tsl-coa)

You must let us know of any changes within 14 days.

## Annual transport service licence fees

You'll pay an annual TSL fee for each vehicle (except for light trailers) operated under your TSL. This will be in the vehicle's licence fees (rego). For more information go to [www.nzta.govt.nz/TSL-fee](http://www.nzta.govt.nz/TSL-fee)

## What is the vetting fee for?

Waka Kotahi is legally obliged to ensure that holders of transport service licences are 'fit and proper' people.

Some of the factors which we'll take into account when determining if you meet the fit and proper person criteria are:

- criminal conviction history, including charges or convictions relating to violent or sexual offences
- drug or firearm offences, or offences involving organised criminal activity
- any transport-related offending, especially offences relating to safety
- any history of behavioural problems
- any past complaints about a transport service provided by the person
- any history of persistent failure to pay fines for transport-related offences.

Waka Kotahi may also take into account any other relevant matter which they consider is in the public interest when determining your fitness to hold any licence.

## TSL label

The Land Transport Rule: Operator Licensing 2017 requires all vehicles operating under a transport service licence to display a TSL label (except for dial-a-driver and facilitated cost-sharing passenger services).

TSL labels are required so that operators who rent, lease, borrow or share vehicles can move their details easily between vehicles. The labels also allow a passenger or enforcement officer to identify the licence the service is working under.

## Certificate of knowledge of law and practice

One of the requirements for getting a transport service licence (except for a small passenger service licence or rental service licence) is that either the licence holder or a person in control of the service needs to hold a certificate of knowledge of law and practice in the relevant module for the transport service licence.

This shows that the holder of the certificate has the required knowledge of the laws and practices relating to the safe, efficient and proper operation of a transport service.

See the back page for more information about getting a certificate of knowledge of law and practice.

## Who might be exempt from holding a certificate?

The requirement to obtain and hold a certificate of knowledge of law and practice doesn't apply to operators of small passenger

services and rental services. However, you must still hold the appropriate transport service licence.

In special circumstances, Waka Kotahi may waive the requirement for other transport service operators to hold the certificate where the service is **limited** or **infrequent**.

Things Waka Kotahi may consider when assessing if your service is limited or infrequent include:

- whether you operate more than one vehicle,
- how frequently the vehicle is being used,
- how many kilometres the vehicle is expected to travel per month,
- the furthest locations the vehicle will travel between,
- whether you're carrying your own goods (tools of trade), or goods for hire or reward,
- if the vehicle is an essential part of your business.

The application form for an exemption is available at [www.nzta.govt.nz/tsl-forms](http://www.nzta.govt.nz/tsl-forms). Make sure you include as much information about your service as possible when you complete the form.

Take the completed application form with you when you apply for your transport service licence at an agent.

## Penalties for operating an unlicensed service

It's illegal to operate an unlicensed transport service of any of the kinds described above. If you're convicted, you may face a fine of up to \$10,000. The fine increases to \$25,000 for subsequent convictions.

In addition to the fine, the court may impound vehicles used in an unlicensed service for up to 90 days (no matter who owns them).

## More information

Requirements for each type of transport service licence are set out in the Land Transport Rule: Operator Licensing 2017.

For more complete information, please refer to the legislation. Copies are available from some libraries, from bookshops that sell legislation and at [www.legislation.govt.nz](http://www.legislation.govt.nz).

You can find helpful information in the following factsheets:

- *Work time and logbooks* (Factsheet 2)
- *Passenger service vehicles* (Factsheet 15)
- *Volunteer drivers and exempt passenger services* (Factsheet 18)
- *Small passenger service drivers: rights and responsibilities* (Factsheet 21)
- *P endorsements for carrying passengers* (Factsheet 42)
- *Passenger services* (Factsheet 78)
- *SPS amendments: How do the changes affect us?* (Factsheet 79)

If you have any questions regarding getting or holding a transport service licence, please call us on 0800 822 422 for advice.



This factsheet is a general guide only. It doesn't replace legal advice, and your exact requirements will depend on current legislation.

Make sure you have the most up-to-date version of this factsheet by checking [www.nzta.govt.nz/factsheets](http://www.nzta.govt.nz/factsheets)



[www.nzta.govt.nz](http://www.nzta.govt.nz)



0800 822 422



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## How do I get the certificate?

To get a certificate of knowledge of law and practice, you have to pass a test run by Aspeq. Aspeq's contact details are:

Website: <https://nzta.aspeqexams.com/guide>

Phone: (04) 913 9812

Fax: (04) 913 9814

The test covers the rules relating to the type of service you'll be operating and specific knowledge relating to the requirements and responsibilities of a transport service licence holder. There's an individual handbook for each type of service.

## What are the costs for a certificate?

Handbook and test	Current price as at June 2023
TSL handbook - <i>Knowledge of law and practice</i> (includes postage and packaging)	\$58.50
Goods, large passenger or vehicle recovery exam	\$134.35
Optional extras	
Reader assisted	\$552.60
On-demand examination	\$437.90
Interpreter assistance	\$1038.80

## About the test

The Aspeq website has information on the test.

[https://tasman-media.aspeqexams.com/aslnz/ASP401\\_-\\_NZ\\_Quadrant\\_Candidate\\_User\\_Guide.mp4](https://tasman-media.aspeqexams.com/aslnz/ASP401_-_NZ_Quadrant_Candidate_User_Guide.mp4)

The test questions are based on the *Knowledge of law and practice* handbook (which includes sample questions). You can buy the handbook online from Aspeq.

The test is open book, which means you may take the handbook into the test with you. Handbooks are not supplied by Aspeq at the test venue. You can see an example of how the computer-based test works on the Aspeq website.

You have up to 2 and a half hours to complete the test, and you must score 80 percent or higher to pass the test.

Test standards are set and audited by Waka Kotahi.

## What identification do I need to bring to the test?

On the day of the test, you'll need to show identification that has both your photograph and signature on it (eg your driver licence or passport). If you don't present acceptable identification, you won't be able to sit the test. You can find out more about acceptable identification on the Aspeq website.

## When does the test take place?

Aspeq has timetables for when the test takes place in different areas. These are available on the Aspeq website.

<https://nzta.aspeqexams.com/bookings/schedule>

Aspeq offers on-demand options, which reduces the waiting period but costs more.

## How do I apply to sit the tests?

You can book your exam up to 24 hours before the exam starts, subject to availability.

### Existing candidates who have a current Aspeq client number

Go to <https://nzta.aspeqexams.com> and click on **Log In** in the banner near the top of the page. Enter your username and password and follow the prompts. Then click on **Book Exam** in the Bookings dropdown menu at the top of the page.

### If this is your first time with Aspeq

If you're a new candidate who doesn't hold a current Aspeq client number, you'll need proof of identity (driver licence) when you register for the first time. Go to <https://nzta.aspeqexams.com> and click on **Register** in the banner near the top of the page. Follow the instructions displayed underneath.

Once Aspeq has validated your account you'll be able to log in and book an exam through the Bookings dropdown menu at the top of the page.

If you have any issues with your booking, have a look at the Aspeq site guide at [https://tasman-media.aspeqexams.com/ASLNZ/NZTA/NZTA\\_Site\\_Guide.pdf](https://tasman-media.aspeqexams.com/ASLNZ/NZTA/NZTA_Site_Guide.pdf)

For information on transfers to different test dates, cancellations or refunds go to <https://nzta.aspeqexams.com>.