

**Land
Transport
(Driver
Licensing) Rule**

Consolidated Rule
with amendments incorporated
as at
18 November
2015

The consolidation of the Rule and its amendments is intended to provide up-to-date details of the current requirements. It is not the official version of the Rule.

Preface

The consolidated Rule brings together the requirements relating to driver licensing in the principal Rule and its amendments. These Rules were produced, under an agreement with the Secretary for Transport, by the NZ Transport Agency (NZTA) or its predecessor land transport Crown entities. They were signed into law by the Minister of Transport or his or her delegate under the Land Transport Act 1998.

The principal Rule

Land Transport (Driver Licensing) Rule 1999 (the Rule), which came into force on 3 May 1999, specifies the requirements for obtaining and renewing a driver licence in New Zealand. It sets out the requirements for the holder of a driver licence to obtain or renew a licence endorsement that will enable the endorsement holder to use a motor vehicle for specified activities. The Rule also specifies the requirements for those who provide services related to the licensing of drivers.

Amendment 1

Following public consultation, the Rule was amended, with effect from 4 October 1999, to allow more documents to be used as primary identification for obtaining a drivers licence, reduce the annual vetting requirement for bus drivers to one vetting every five years. It also allowed licence endorsements to lapse for up to five years, instead of one year, before a person must qualify again. The amendment also clarified requirements for the transition to the new classes of driver licence, removed the restriction on the Director's power to grant exemptions, allowed for the approval of alternative testing sites and allowed the Director to approve the use of specified vehicles for practical driving tests and course approvals.

Amendment 2

The Rule was further amended with effect from 1 June 2006, (and for some provisions, from 1 July 2009). The amendment was intended to make the driver licensing system more sensitive to the needs of people, to improve efficiency, and to reduce compliance costs where possible. The proposed changes include specific proposals for novice drivers, commercial drivers, older drivers, and holders of overseas driver licences and permits.

Amendment 3

The Rule was amended with effect from 4 December 2006 to make changes to the driver licensing system for older drivers.

Amendment 4

With effect from 16 June 2008, (and for some provisions, from 1 September 2008), the Rule was amended to make a consequential change to the definition of 'security officer' resulting from the repeal of the Penal Institutions Act 1954 and its replacement by the Corrections Act 2004. The amendment also clarified and aligned other provisions in the Rule regarding overseas drivers and carrying of other persons on mopeds.

Amendment 5

The Rule was amended from 15 January 2009, (and for some provisions, from 1 April 2009), to update the definitions of the classes of driver licence by allowing larger tractors to be driven on a Class 1 licence and the lists of countries from which holders of an overseas driver licence or permit are not required to sit a theory test for a Class 1 or Class 6 licence or a practical driving test when converting their licence to a New Zealand driver licence.

Amendment 6

The Rule was amended from 1 April 2010, to make minor adjustments to the weight limits for vehicles driven on some classes of driver licence. These changes are intended to make the provisions of the Rule easier to understand and comply with, and will not disadvantage any drivers.

Amendment 7

The Rule was amended from 1 October 2011. While most of the changes to the Rule were consulted on in 2010 as a separate amendment, a small number of minor changes were consulted on as part of Land Transport Rule: Omnibus Amendment 2011.

The changes made to the Rule include those in the following areas:

- identification for driver licensing purposes;
- images on driver licences and driver licensing cards;
- conditions attached to a learner licence;
- obtaining, and conditions attached to, a restricted licence;
- converting to a New Zealand driver licence;

- obtaining a dangerous goods endorsement;
- obtaining a driving instructor, passenger, testing officer, vehicle recovery or special-type endorsement;
- eyesight testing;
- medical declarations and medical certificates;
- producing identification when taking a practical driving test;
- the form and period of validity of a driver licence;
- special provisions relating to a person who is overseas, or in prison or hospital and whose driver licence has been expired for more than five years;
- recognition of an overseas driver licence or permit;
- requirements for diplomatic and consular personnel;
- requirements for approval of courses;
- revocation of approval of a course provider;
- expiry and upgrading of driver licences;
- the addition of a new Schedule 3 (classes of driver licence).

Amendment 8

The Rule was amended from 7 October 2011 by Order in Council. The purpose was to ensure that the prohibition that existed in the principal Rule, before 1 October 2011, for learner and restricted motorcycle licence holders from riding a motorcycle that had a total displacement exceeding 250cm³ was continued until new requirements (inserted by Amendment 7) relating to the engine size of an “approved motorcycle” came into force on 1 October 2012.

Amendment 9

Following consultation on amendment proposals in Land Transport Rule: Omnibus Amendment 2012, the Rule was amended from 1 November 2012.

The objective of the amendment was:

- (a) to replace, in the definition of moped in clause 2(1) of the principal Rule, the reference to the repealed definition of moped in section 233(1) of the Land Transport Act 1998 (the Act) with a reference to section 2(1) of the Act;
- (b) in relation to clause 26(2)(f) of the principal Rule, which provides for an exception to the requirement that certain drivers must hold a passenger endorsement:

- (i) to remove the qualification that drivers escorting lawfully detained persons must be escorting them to or from a Police station, court, or prison in order to come within the exception;
 - (ii) to remove the qualification that personal guards and security officers escorting lawfully detained persons must be employed by or contracted to the Department of Corrections in order to come within the exception;
 - (iii) to change the reference to “constable” to “Police employee” to reflect the terminology used in the Policing Act 2008;
 - (iv) to add a definition of Police employee;
- (c) to require that driver licences display the full name of the licence holder, unless it is impracticable to display the name in full on the driver licence;
- (d) to reverse the order of subclauses (1) and (2) of clause 81 of the principal Rule to clarify that the subclause that will be numbered (1) when this [amendment] Rule comes into force, and which describes the circumstances in which an endorsement is suspended, refers to all endorsements rather than to driving instructor (I) endorsements only.

Amendment 10

Following consultation on amendment proposals in Land Transport Rule: Agricultural Vehicles Omnibus 2012, the Rule was amended from 1 June 2013.

The amendment:

- (a) increases the maximum speed limit for Class 1 licensed drivers of agricultural vehicles from 30 km/h to 40 km/h;
- (b) permits drivers with a Class 1 (car) restricted licence to operate agricultural tractors up to 18,000 kg (25,000 kg in combination with an agricultural trailer) at a speed not exceeding 40 km/h;
- (c) allows the wider use of the special-type vehicle endorsement on the Class 1 (car) licence. Holders of this endorsement will be permitted to operate certain vehicles that currently require a Class 2 (heavy vehicle) licence;
- (d) enables the holder of an overseas agricultural vehicle licence to drive an equivalent agricultural vehicle permitted to be driven on a New Zealand Class 1 (car) licence for up to 12 months.

Amendment 11

Following consultation in draft Land Transport (Driver Licensing) Amendment Rule (No 2) 2013, the Rule was amended from 1 July 2013 by:

- (a) inserting a definition of country that includes a part of a country;
- (b) providing for holders of driver licences or permits issued by Hong Kong and the Republic of Korea to convert to a New Zealand Class 1 (car) or Class 6 (motorcycle) licence without being required to sit a theory or practical driving test;
- (c) including transitional requirements for holders of Hong Kong or Republic of Korea driver licences who applied for a Class 1 or Class 6 licence before 1 July 2013 but had not passed all of the required driver licensing tests.

Amendment 12

Following consultation in draft Land Transport (Driver Licensing) Amendment Rule 2014, the Rule was amended from 1 December 2014 by:

- (a) placing a 5-year time restriction on learner or restricted car or motorcycle driver licences (Class 1 or Class 6 licences) when issued and for each renewal or reinstatement;
- (b) enabling the New Zealand Transport Agency to eventually introduce driver licensing and driver testing transactions other than in person (for example, via online and kiosk channels);
- (c) strengthening the evidence of identity requirements for a driver licence applicant.

