

WELLINGTON, NEW ZEALAND

PURSUANT to sections 152 and 158 of the Land Transport Act 1998

I, Simon Bridges, Associate Minister of Transport,

HEREBY make the following ordinary Rule:

Land Transport Rule: Operator Licensing Amendment

SIGNED AT Wellington

This 25th day of September 2012



Simon Bridges

Associate Minister of Transport

Land Transport Rule
Operator Licensing Amendment 2012
Rule 81001/7

ISSN 1173-1559

Published by:

NZ Transport Agency
Private Bag 6995
Wellington 6141
New Zealand

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Freephone: 0800 699 000

Printed and distributed by:



Wickliffe Solutions
PO Box 932, Dunedin
New Zealand

Land Transport Rule
Operator Licensing Amendment 2012

Rule 81001/7

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Objective of the Rule

Land Transport Rule: Operator Licensing Amendment 2012 amends *Land Transport Rule: Operator Licensing 2007* (‘the Operator Licensing Rule’). The Operator Licensing Rule sets out the requirements for obtaining and retaining a licence to operate a passenger, rental, vehicle recovery, or goods service. It also contains requirements that apply to transport service drivers, ‘dial-a-driver’ service drivers, hirers of rental service vehicles, and approved taxi organisations.

The objective of the amendment Rule is to clarify that some daily school commuter trips, where the vehicle and driver meet specified criteria, are an exempt passenger service for the purposes of the Operator Licensing Rule.

Extent of consultation

For the purposes of consultation, amendments proposed to the Operator Licensing Rule and nine other Land Transport Rules were combined into a single Rule, *Land Transport Rule: Omnibus Amendment 2012* (the Omnibus Amendment Rule).

On 17 May 2012, the NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 2500 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus Amendment Rule was made available through the NZ Transport Agency’s Contact Centre and, together with Questions and Answers, was also made available on the NZ Transport Agency’s website. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin and in the *New Zealand Gazette*.

The NZ Transport Agency received 27 submissions on the Omnibus Amendment Rule, of which 10 commented on the proposed amendments to the Operator Licensing Rule.

Following consultation, the provisions in the Omnibus Amendment Rule were split into 10 separate amendment Rules, including this Rule. The submissions that were received were taken into account in finalising this Rule before it was submitted to the Associate Minister of Transport for signing.

Section 1 Application

1.1 Title

This Rule is *Land Transport Rule: Operator Licensing Amendment 2012*.

1.2 Commencement

This Rule comes into force on 1 November 2012.

1.3 Scope of Rule

This Rule amends *Land Transport Rule: Operator Licensing 2007*.

Section 2 **Amendment to Rule requirements**

2.1 **Exempt passenger services**

Replace *clause 12.1(1)(g)* with:

- “(g) a passenger service that involves the transporting of children and their escorts to or from any school, kindergarten, play-centre, or other institution providing pre-school education, or to or from any activity of any one of those institutions, provided that:
 - “(i) the vehicle is designed or adapted to carry 12 or fewer persons (including the driver); and
 - “(ii) the vehicle used is provided by the institution or by the driver; and
 - “(iii) the driver is a staff member of the institution, or a person approved by the institution, or a parent or caregiver of one of the children being carried; and
 - “(iv) the only payment in respect of that service made by the institution to a driver who provides the vehicle is for reimbursing that person for the cost of running the vehicle, and does not include payment for the driver’s service;”.