

## Statutory declaration to support appeal against the mandatory 28-day suspension of driver licence

Section 101 Land Transport Act 1998

**DL21** 

l (full r	name):				
of (ad	dress):				
(occup	pation):				
solemnly and sincerely declare that					
on	/ / at : on at :   Day Month Year (time) (street or road) at (locality)				
my driver licence, number, was suspended because the enforcement officer believed that:					
(a)	I had previous relevant convictions within the last 4 years, and:				
	(i) my breath alcohol concentration exceeded 400 micrograms of alcohol per litre of breath; or				
	(ii) my blood alcohol concentration exceeded 80 milligrams of alcohol per 100 millilitres of blood.				
(b) I had no relevant convictions within the last 4 years, and:					
	(i) my breath alcohol concentration exceeded 650 micrograms of alcohol per litre of breath; or				
	(ii) my blood alcohol concentration exceeded 130 milligrams of alcohol per 100 millilitres of blood.				
(c)	c) [ (i) I drove a motor vehicle on a road at a speed exceeding the applicable permanent posted speed limit by more than 40km an hour; or				
	(ii) I drove a motor vehicle on a road at a speed exceeding any other speed limit by 50km an hour.				
(d)	I failed or refused to undergo a blood test after being requested to do so.				
The se	rial number on the driver licence suspension notice is				
	<b>DRTANT NOTE</b> IE COPY OF THE SUSPENSION NOTICE AND ANY RELATED TRAFFIC OFFENCE NOTICE MUST BE FILED WITH THIS APPLICATION.				
APP					
	al against the 28 day suspension of my driver licence on the following ground(s):				
(1)	I was not the driver of the vehicle at the time of the act or omission that led to my driver licence being suspended; or				

- (2) The enforcement officer who suspended my driver licence **did not** have reasonable grounds of belief that:
  - (a) I had previous relevant convictions within the last 4 years, and:
  - (i) my breath alcohol concentration exceeded 400 micrograms of alcohol per litre of breath; or
  - (ii) my blood alcohol concentration exceeded 80 milligrams of alcohol 100 per millilitres of blood.
    - (b) I had no relevant convictions in the last four years, and:
  - (i) my breath alcohol concentration exceeded 650 micrograms of alcohol per litre of breath; or
  - (ii) my blood alcohol concentration exceeded 130 milligrams of alcohol per 100 millilitres of blood.
  - □ (c) (i) I drove a motor vehicle on a road at a speed exceeding the applicable permanent posted speed limit by more than 40km an hour; or
  - (ii) I drove a motor vehicle on a road at a speed exceeding any other speed limit by 50km an hour.
  - (d) I failed or refused to undergo a blood test after being requested to do so.
- (3) The enforcement officer did not give a notice that complied with the requirements of s 95(2) of the Land Transport Act 1998.

**DL21** 

## Should my appeal be successful, please notify me at the following email address:

## I make this solemn declaration conscientiously believing the same to be true and by virtue of the Oaths and Declarations Act 1957

Declared at	this day <b>7</b>			
of	20	Signature of applicant		
Before me				
-	Name	Signature		
Justice of the Peace, solicitor, member of Parliament, registered legal executive or another person authorised to take statutory declarations				

Justice of the Peace, solicitor, member of Parliament, registered legal executive or another person authorised to take statutory declarations (circle where applicable)

## Address to send application

Once you've completed this declaration, scan and email it to assessments@nzta.govt.nz or post it to the address below:

Assessments Waka Kotahi NZ Transport Agency Private Bag 11777 Palmerston North 4442.

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