

## **Land Transport (Driver Licensing) Amendment Rule (No 2) 2021**

This ordinary rule is made by the Minister of Transport under sections 152, 154, and 158 of the Land Transport Act 1998—

- (a) after having complied with the requirements of section 161(2) of that Act; and
- (b) after having had regard to the criteria specified in section 164(2) of that Act.

### **Contents**

|  | Page |
|--|------|
| 1 Title  | 2    |
| 2 Commencement   | 2    |
| 3 Principal rule   | 2    |
| 4 Objective of rule  | 2    |
| 5 Consultation   | 2    |
| 6 Clause 60 amended (Period of validity of driver licence)   | 2    |
| 7 Clause 67 amended (Renewal of driver licence)  | 2    |
| 8 Clause 67A amended (Reinstatement of driver licence with respect to those who have been disqualified for more than 12 months after end of disqualification)                                  | 3    |
| 9 Clause 67B amended (Reinstatement of driver licence after end of suspension for any period (other than under section 95 of Act) or disqualification for a period of not more than 12 months) | 3    |
| 10 Clause 67C amended (Reinstatement of driver licence when there is no alcohol interlock licence or zero alcohol licence in force)  | 3    |
| <b>Schedule 1</b>  | 4    |
| <b>Objective of rule</b>   |      |
| <b>Schedule 2</b>  | 5    |
| <b>Consultation carried out under section 161(2) of Land Transport Act 1998</b>  |      |

## Rule

### 1 Title

This rule is the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021.

### 2 Commencement

- (1) This rule, except clauses 8 to 10, comes into force on 1 December 2021.
- (2) Clauses 8 to 10 come into force on 2 December 2023.

### 3 Principal rule

This rule amends the Land Transport (Driver Licensing) Rule 1999.

### 4 Objective of rule

A statement of the objective of this rule is set out in Schedule 1.

### 5 Consultation

A statement of the extent of any consultation carried out in relation to this rule under section 161(2) of the Land Transport Act 1998 is set out in Schedule 2.

### 6 Clause 60 amended (Period of validity of driver licence)

- (1) Replace clause 60(1)(a) with:
  - (a) if the person is at least 64 years of age but younger than 75 years of age at the date of the issue of the licence, the expiry date specified on the licence must be the date of the person's 75th birthday:
- (2) Revoke clause 60(1)(ca).
- (3) Revoke clause 60(1A).
- (4) After clause 60(1E), insert:
  - (1F) Subclauses (1B) to (1E) and (3B) are revoked on 2 December 2023.
- (5) Revoke clause 60(3A).
- (6) Replace clause 60(3B) with:
  - (3B) Subclause (3) does not apply in a case to which subclause (1B) applies.
- (7) Revoke clause 60(6).

### 7 Clause 67 amended (Renewal of driver licence)

- (1) Replace clause 67(1A) with:
  - (1A) The application may be made before or after the expiry of the licence.
- (2) Revoke clause 67(2B).

**8 Clause 67A amended (Reinstatement of driver licence with respect to those who have been disqualified for more than 12 months after end of disqualification)**

Replace clause 67A(8) with:

- (8) The person must also comply with clause 67 if the licence being reinstated has expired or will expire within the following 12 months.

**9 Clause 67B amended (Reinstatement of driver licence after end of suspension for any period (other than under section 95 of Act) or disqualification for a period of not more than 12 months)**

Replace clause 67B(5) with:

- (5) The person must also comply with clause 67 if the licence being reinstated has expired or will expire within the following 12 months.

**10 Clause 67C amended (Reinstatement of driver licence when there is no alcohol interlock licence or zero alcohol licence in force)**

Replace clause 67C(5) with:

- (5) The person must also comply with clause 67 if the licence being reinstated has expired or will expire within the following 12 months.

**Schedule 1**  
**Objective of rule**

r 4

This Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (the **amendment rule**) amends the Land Transport (Driver Licensing) Rule 1999.

The objective of the amendment rule is to—

- increase the period of validity of newly issued and renewed learner and restricted Class 1 (car) and Class 6 (motorcycle) driver licences from 5 years to 10 years:
- remove the requirement for licence holders to pass a theory test before their learner or restricted licence is renewed:
- enable renewal of learner and restricted licences in advance of their expiration date.

**Schedule 2**  
**Consultation carried out under section 161(2) of Land Transport Act 1998**

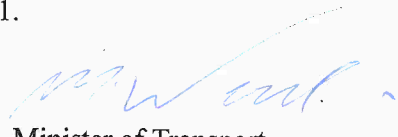
r 5

Waka Kotahi NZ Transport Agency (**Waka Kotahi**) undertook consultation on behalf of the Minister of Transport on the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (the **Amendment Rule**) for a period of 4 weeks between 13 September 2021 and 8 October 2021.

Waka Kotahi sent out notifications of the amendment proposals by email to approximately 1,500 groups and individuals who had registered an interest in the rule. The draft Land Transport (Driver Licensing) Amendment Rule (No 2) was made available, together with an overview document, on Waka Kotahi's Internet site.

Waka Kotahi received 554 submissions and the majority of these (55 to 60 per cent) were in support of the proposals in the Amendment Rule as drafted.

Dated at *Wellington* this *11<sup>th</sup>* day of *November* 2021.

  
Minister of Transport.

**Explanatory note**

*This note is not part of the rule, but is intended to indicate its general effect.*

This rule, most of which comes into force on 1 December 2021, amends the Land Transport (Driver Licensing) Rule 1999 to—

- increase the period of validity of newly issued and renewed learner and restricted Class 1 (car) and Class 6 (motorcycle) driver licences from 5 years to 10 years;
- remove the requirement for licence holders to pass a theory test before their learner or restricted licence is renewed;
- enable renewal of learner and restricted licences in advance of their expiration date.

Related amendments to the provisions that deal with the reinstatement of licences come into force on 2 December 2023.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*:

This rule is administered by the Ministry of Transport.