

9 October 2024

s9(2)(a)

REF: OIA-16443

Dear s9(2)(a)

Request made under the Official Information Act 1982

Thank you for your email of 17 September 2024 requesting the following information under the Official Information Act 1982 (the Act). I will respond to parts of your request in turn as follows:

I would like to know if NZTA or their contractors (VTNZ or otherwise) have any policies or guidance regarding recording driver license tests (i.e. 'dashcams'), and how these policies are communicated to testing officers, those sitting tests, and the public.

There is no contractual requirement for VTNZ to record tests, but they are allowed to if they feel it would help evaluate the test.

I would also like any advice (legal or otherwise) the agency holds about allowing/forbidding the recording of tests.

If no policy exists, I would like any material related to the possible development or consideration of such a policy, any advice held about the subject, and any previous requests, decisions, determinations, or complaints regarding recording the test.

NZ Transport Agency Waka Kotahi (NZTA) advises driver testing officers (DTOs) that:

- when an applicant comes to a test in a vehicle fitted with a camera that only records images outside the vehicle, and does not record people's voices, the test must continue.
- if the camera will record images or people's voices from inside the vehicle, then the DTO must consent to allow the camera to operate. This includes recording devices operated by third parties inside the vehicle (for instance, a support person).
- while applicants must obtain a DTO's consent to being recorded, the DTO must not turn off or disable a recording device fitted to the vehicle.
- if an applicant or third party in the vehicle refuses to turn off a recording device inside the vehicle, the DTO may refuse to conduct the test.

DTOs may also use digital cameras to record tests. Before conducting the test, a DTO must inform the applicant about the camera and an information card must be available for the applicant to read. Consent from the applicant is not required but, if the applicant objects to the camera being used during the test, then the DTO should remove it.

Information regarding the use of video cameras by DTOs is available on our website at:
<https://www.nzta.govt.nz/roadcode/heavy-vehicle-road-code/licence-and-study-guide/about-the-practical-driving-test/on-the-day-of-your-practical-driving-test/>

Other information regarding practical driving tests, including the use of recording devices, is also available on our website at:
<https://www.nzta.govt.nz/driver-licences/getting-a-licence/take-your-test/practical-tests>

In line with NZTA policy, this response will soon be published on our website, with personal information removed.

If you would like to discuss this reply with NZTA, please contact us by email to official.correspondence@nzta.govt.nz.

Yours sincerely



Tara Parata
Head of Customer Contact Centre