



Ministry of **Transport**

TE MANATŪ WAKA

WELLINGTON, NEW ZEALAND

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

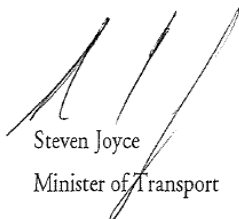
I, **Steven Joyce**, Minister of Transport,

HEREBY make the following ordinary rule:

Land Transport Rule: Operator Licensing Amendment

SIGNED AT Wellington

This *22nd* day of *February* 2010



Steven Joyce  
Minister of Transport

# Land Transport Rule Operator Licensing Amendment 2010

Rule 81001/3

ISSN 1173-1559

Published by:

NZ Transport Agency  
Private Bag 6995  
Wellington 6141  
New Zealand

Email: [info@nzta.govt.nz](mailto:info@nzta.govt.nz)

Freephone: 0800 699 000



Printed and distributed by:

Wickliffe Limited

PO Box 932, Dunedin, New Zealand

**Land Transport Rule**  
**Operator Licensing Amendment 2010**

**Rule 81001/3**



# Contents

Objective of the Rule		vii
Extent of consultation		viii
<b>Section 1</b>	<b>Application</b>	<b>1</b>
1.1	Title	1
1.2	Date when Rule comes into force	1
<b>Section 2</b>	<b>Amendments relating to operator licensing</b>	<b>1</b>
2.1	Application of Rule provisions	1
2.2	Transport service licence card where person operates vehicle under licence	1
2.3	Approved taxi organisations	2
<b>Section 3</b>	<b>Amendment to Schedules</b>	<b>2</b>
3.1	Amendment to Schedule 4	2



## Objective of the Rule

**Land Transport Rule: Operator Licensing Amendment 2010** amends *Land Transport Rule: Operator Licensing 2007* (the Rule), which sets out the requirements for obtaining and retaining a licence to operate a passenger or goods transport 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 this amendment Rule is to make changes to the Rule that are required:

- to ensure that definitions in the Rule are in line with changes to other transport legislation;
- to address a concern that operators working in passenger transport services may have about their safety and privacy, by providing an alternative to displaying their transport service licence card;
- to correct anomalies in the legislation so as to require that a person or organisation operating an approved taxi organisation (ATO) must apply to the NZ Transport Agency in order to operate as an ATO; regulations, in time, will make it an offence to do so before gaining the Agency’s approval;
- to clarify for the public and for enforcement purposes that forklifts do not have to be operated under a goods service licence;
- to update the schedule of areas for which taxi drivers are required to hold an area knowledge certificate by removing ‘Ashburton’ from the list because of the small size of the area.

## Extent of consultation

For the purposes of consultation, amendments proposed to *Land Transport Rule: Operator Licensing 2007* and eight other Land Transport Rules were combined into a single draft Rule, *Land Transport Rule: Omnibus Amendment 2009* (the Omnibus Amendment Rule).

On 13 November 2009, the NZ Transport Agency sent details of the amendment proposals by letter or email to about 1800 groups and individuals who had registered an interest in the Rules to be amended. The draft Omnibus Amendment Rule was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also available on the NZ Transport Agency website. The availability of the draft for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin, selected regional daily newspapers and in the *New Zealand Gazette*.

The NZ Transport Agency received 257 submissions on the draft Omnibus Amendment Rule, of which 12 commented on the proposed requirements in this amendment Rule.

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



---

## Section 1                      Application

---

### 1.1                              Title

1.1(1)                      This Rule is *Land Transport Rule: Operator Licensing Amendment 2010*.

1.1(2)                      This Rule amends *Land Transport Rule: Operator Licensing 2007*.

### 1.2                              Date when Rule comes into force

This Rule comes into force on 1 April 2010.

---

## Section 2                      Amendments relating to operator licensing

---

### 2.1                              Application of Rule provisions

2.1(1)                      *Section 1* is amended by inserting the following heading and clause after *clause 1.2*:

**“1.2A Exemption from operating under goods service licence**

“1.2A A forklift is an exempt goods service vehicle for the purposes of this Rule.”

2.1(2)                      The Rule is amended by substituting “Agency” for “Director” where it appears in *4.11(2)*, *4.11(7)* and *4.11(8)*.

### 2.2                              Transport service licence card where person operates vehicle under licence

*Clause 2.4* is amended by inserting the following subclause:

“2.4(3)    Despite *2.4(2)*, a holder of a passenger service licence who operates a taxi service or shuttle service must ensure that every taxi or shuttle used under the licence displays either:

    “(a)    the transport service licence card specified in *2.4(1)*; or

- “(b) his or her transport service licence number:
  - “(i) comprising the letters ‘TSL’ followed by the number in a 48 point minimum, plain font;
  - “(ii) on the outside of the vehicle on both forward doors;
  - “(iii) in a position clearly visible to a person standing beside the vehicle;
  - “(iv) in a contrasting colour to the background on which it is displayed.”

## 2.3

### Approved taxi organisations

*Section 8* is amended by inserting the following heading and clause after *clause 8.2*:

#### “8.2A Approval of taxi organisations

“8.2A(1) If satisfied that the application meets the requirements in *section 30Q* of the Act and *section 8* of this Rule, the Agency must confirm approval by notice in writing to the applicant.

“8.2A(2) A person must not purport to act as an approved taxi organisation without a current approval.”

## Section 3

### Amendment to Schedules

---

## 3.1

### Amendment to Schedule 4

*Schedule 4* of *Part 3* is amended by omitting “Ashburton” and “Ashburton Ward”.