

# **Land Transport Rule Operator Licensing**

**Consolidated Rule  
with amendments incorporated  
as at  
1 February 2016**

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**The consolidation of the Rule and its amendments is intended to provide up-to-date details of the current requirements. It is not the official version of the Rule.**

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## Preface

The consolidated Rule brings together the requirements relating to operator licensing in the principal Rule and its amendments. These Rules were produced, under an agreement with the Secretary for Transport, by the NZ Transport Agency (NZTA) or its predecessor land transport Crown entities. They were signed into law by the Minister of Transport or his or her delegate under the *Land Transport Act 1998*.

## The principal Rule

**Land Transport Rule: Operator Licensing 2007** (the Rule), which came into force on 1 October 2007, (and other provisions on 1 October 2008), sets out the requirements for obtaining and retaining a license 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. *Subclauses 4.2(8) and 4.2(9)* came into force on 1 October 2008.

## Amendment 1

Following public consultation, the Rule was amended with effect from 1 August 2009 to make a number of changes that will improve the operation of the system for licensing transport service operators, set up under the *Land Transport Act 1998*. The amendment Rule requires vehicles that are used in specified transport services and are subject to transport licensing to continuously display a Transport Service Licence (TSL) card.

## Amendment 2

The Rule was amended, with effect from 7 May 2009, to specify rules relating to the ambulance service, provide flexibility as to where Braille signs can be displayed in a taxi, clarify the provisions and definition relating to private hire vehicles, exempt certain passenger services, provided by the Department of Corrections, from requirements applying to passenger service licensing and clarify the definition of ‘dial-a-driver service’.

## Amendment 3

The Rule was amended, with effect from 1 April 2010:

- to ensure that definitions in the Rule are in line with changes to other transport legislation;
- to address concerns that drivers working in passenger transport services may have about their safety;
- 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, and to make it an offence to do so before gaining the Agency’s approval;

- to amend the definition of ‘goods service vehicle’ so as to clarify for the public and for enforcement purposes that forklifts are not required to operate under a goods service licence; and
- 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 unavailability of a test provider in that area.

#### **Amendment 4**

The Rule was amended with effect from 1 February 2011 to implement measures for improving taxi safety. The amendment Rule requires that:

- approved taxi organisations (ATOs) install a security camera system in each of their taxis operating in major towns and cities;
- in major towns and cities:
  - all taxis must have a telecommunications system that can provide monitored communications 24 hours a day, seven days a week from a fixed location; and
  - ATOs must ensure that their drivers are provided with an emergency alert and response system.

Security cameras fitted in taxis must comply with minimum specifications set out in the Rule. ATOs are required to update their operating rules to reflect the new requirements in the Rule.

#### **Amendment 5**

Following consultation on an amendment proposal in draft *Land Transport Rule: Omnibus Amendment 2010*, the Rule was amended with effect from 1 April 2011.

The objective of the amendment Rule was to amend the Rule to improve the ability of the Courts to collect owner-liability infringement fines incurred by the hirers of rental vehicles, by extending the list of contact and identification details that must be recorded when a person takes possession of a vehicle under a rental service agreement.

#### **Amendment 6**

The Rule was amended with effect from 1 October 2011 to include changes consulted on in *Land Transport Rule: Omnibus Amendment 2011*.

The amendment Rule:

- requires a taxi driver to inform his or her ATO of the driver’s log-on/log-off times; and
- updated the Rule to reflect the new ‘metropolitan urban limits’ of Auckland City and replace the former city names.

## **Amendment 7**

Following consultation on proposed amendments in *Land Transport Rule: Omnibus Amendment 2012*, the Rule was amended with effect from 1 November 2012.

The objective was 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.

## **Amendment 8**

Following consultation on proposed amendments in *Land Transport Rule: Omnibus Amendment 2014*, the Rule was amended with effect from 1 November 2014.

The objective of the amendment Rule was to require taxi meters to be sealed where necessary to prevent unauthorised interference.