



## Land Transport Amendment Act 2016

Public Act      2016 No 77  
Date of assent      7 November 2016  
Commencement      see section 2

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Land Transport Amendment Act 2016.

**2 Commencement**

- (1) This Act comes into force on a date appointed by the Governor-General by Order in Council, and 1 or more Orders in Council may be made bringing different provisions into force on different dates.
- (2) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent.

**3 Principal Act**

This Act amends the Land Transport Act 1998 (the **principal Act**).

**4 Section 2 amended (Interpretation)**

- (1) In section 2(1), repeal the definition of **doctor's surgery**.
- (2) In section 2(1), insert in its appropriate alphabetical order:
 

**medical centre** means any place where a medical examination or medical care or treatment is carried out or given
- (3) In section 2(1), definition of **medical expenses**, replace “medical practitioner” with “health practitioner”.
- (4) In section 2(1), replace the definition of **medical officer** with:
 

**medical officer** means a person acting in a hospital and who, in the normal course of the person's duties, takes blood specimens
- (5) In section 2(1), repeal the definition of **optometrist**.

**5 Section 13 amended (Drivers and other road users to comply with directions of enforcement officers, etc)**

In section 13(3), replace “medical practitioner” with “health practitioner”.

- 6 Section 18 amended (Doctors and optometrists to give Agency medical reports of persons unfit to drive)**
- (1) In the heading to section 18, replace “**Doctors and optometrists**” with “**Health practitioners**”.
  - (2) In section 18(1), replace “medical practitioner or optometrist” with “health practitioner”.
  - (3) In section 18(2), replace “medical practitioner or optometrist” with “health practitioner”.
  - (4) In section 18(3), replace “medical practitioner or optometrist” with “health practitioner”.
- 7 Section 60 amended (Failure or refusal to permit blood specimen to be taken or to undergo compulsory impairment test)**
- (1) In section 60(1)(b), replace “medical practitioner” with “health practitioner”.
  - (2) In section 60(1)(c), replace “medical practitioner” with “health practitioner”.
- 8 Section 64 amended (Defences)**
- In section 64(1), replace “medical practitioner” with “health practitioner”.
- 9 Section 68 amended (Who must undergo breath screening test)**
- In section 68(2), replace “doctor’s surgery” with “medical centre”.
- 10 Section 69 amended (Who must undergo evidential breath test)**
- In section 69(7), replace “doctor’s surgery” with “medical centre”.
- 11 Section 72 amended (Who must give blood specimen at places other than hospital or surgery)**
- (1) In the heading to section 72, replace “**surgery**” with “**medical centre**”.
  - (2) In section 72(1), replace “medical practitioner” with “health practitioner” in each place.
  - (3) In section 72(2), replace “medical practitioner” with “health practitioner”.
  - (4) In section 72(3), replace “medical practitioner” with “health practitioner” in each place.
  - (5) In section 72(4)(a), replace “medical practitioner” with “health practitioner” in each place.
  - (6) In section 72(5)(b), replace “medical practitioner” with “health practitioner”.
- 12 Section 73 amended (Who must give blood specimen in hospital or surgery)**
- (1) In the heading to section 73, replace “**surgery**” with “**medical centre**”.
  - (2) In section 73(1):

- (a) replace “doctor’s surgery” with “medical centre”; and
  - (b) replace “medical practitioner” with “health practitioner” in each place.
- (3) In section 73(2):
- (a) replace “doctor’s surgery” with “medical centre”; and
  - (b) replace “medical practitioner” with “health practitioner” in each place.
- (4) In section 73(3):
- (a) replace “medical practitioner” with “health practitioner” in each place; and
  - (b) replace “doctor’s surgery” with “medical centre”.
- (5) In section 73(4), replace “medical practitioner” with “health practitioner” in each place.
- (6) In section 73(5), replace “medical practitioner” with “health practitioner”.
- (7) In section 73(5)(a), replace “doctor’s surgery” with “medical centre”.
- (8) In section 73(6), replace “medical practitioner” with “health practitioner”.

**13 Section 74 amended (Procedure for dealing with blood specimens)**

In section 74(4), replace “medical practitioner” with “health practitioner”.

**14 Section 75 amended (Certificates in blood-alcohol proceedings)**

- (1) In section 75(2), replace “medical practitioner” with “health practitioner”.
- (2) In section 75(3):
- (a) replace “medical practitioner” with “health practitioner” in each place; and
  - (b) replace “doctor’s surgery” with “medical centre” in each place.
- (3) In section 75(4), replace “medical practitioner” with “health practitioner”.

**15 Section 76 amended (Presumptions relating to blood specimens)**

In section 76(1)(c), replace “medical practitioner” with “health practitioner”.

**16 Section 79 amended (Circumstances in which certificate not admissible in proceedings)**

In section 79(1), replace “medical practitioner” with “health practitioner” in each place.

**17 Section 99 amended (Court may reduce disqualification)**

In section 99(3)(d), replace “medical practitioner” with “health practitioner”.

**18 Section 100 amended (Agency to remove certain disqualifications)**

In section 100(1)(a)(i), replace “medical practitioner” with “health practitioner”.

**19 Section 100A amended (Agency to remove alcohol interlock requirements)**

In section 100A(1)(a)(i), replace “medical practitioner” with “health practitioner”.

**20 Section 209 (Taking of blood specimens for statistical or research purposes)**

In section 209(1), replace “medical practitioner” with “health practitioner”.

**21 Consequential amendments**

The enactment specified in the Schedule is consequentially amended in the manner indicated in that schedule.

## Schedule

### Consequential amendments

s 21

#### Land Transport (Driver Licensing) Rule 1999 (SR 1999/100)

In clause 38(1)(b), replace “optometrist or medical practitioner” with “health practitioner”.

In clause 41(1)(a) and (b), replace “medical practitioner, a optometrist, or a occupational therapist,” with “health practitioner”.

Replace clause 56(1)(d) with:

- (d) the person consults with a health practitioner who is a member of a designated class of health practitioners at intervals specified by the Agency.

After clause 56(2), insert:

- (3) In subclause (1)(d), **designated class of health practitioners** means a class of health practitioners designated by the Agency.

In clause 77(2), replace “medical practitioner, optometrist, occupational therapist,” with “health practitioner.”

In clause 82(1)(d), replace “optometrist, a medical practitioner, or a occupational therapist” with “health practitioner”.

#### Legislative history

11 October 2016	Divided from Health Practitioners (Replacement of Statutory References to Medical Practitioners) Bill (Bill 36–2) as Bill 36–3E
1 November 2016	Third reading
7 November 2016	Royal assent

This Act is administered by the Ministry of Transport.