

**Version
as at 31 March 2022**



Land Transport (Driver Licensing) Rule 1999

(SR 1999/100)

Pursuant to the Land Transport Act 1998, the Minister of Transport makes the following ordinary rule.

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This rule is administered by the Ministry of Transport.

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Rule

Part 1

Preliminary provisions

1 Title and commencement

- (1) This rule may be cited as the Land Transport (Driver Licensing) Rule 1999.

- (2) This rule is the Land Transport Rule 91001.
- (3) This rule comes into force on 3 May 1999.

2 Interpretation

- (1) In this rule, unless the context otherwise requires,—
accurate English translation, in relation to a valid driver licence or permit issued overseas, means a translation prepared by—
 - (a) a diplomatic representative at a high commission, embassy, or consulate; or
 - (b) the overseas issuing authority; or
 - (c) a translation service acceptable to the Director

Act means the Land Transport Act 1998

Agency means the New Zealand Transport Agency established under section 93 of the Land Transport Management Act 2003

agricultural motor vehicle—

- (a) means a vehicle that is designed, constructed, or adapted for agricultural purposes; and
- (b) includes—
 - (i) an agricultural tractor; and
 - (ii) an agricultural trailer; but
- (c) does not include any vehicle that is—
 - (i) of a class specified in Table A of Part 2 of the Land Transport Rule: Vehicle Standards Compliance 2002; and
 - (ii) designed or constructed for general road use

agricultural purpose—

- (a) includes—
 - (i) land cultivation;
 - (ii) growing and harvesting crops (including horticulture and viticulture);
 - (iii) rearing livestock;
 - (iv) any land management operation undertaken in connection with—
 - (A) the operation or management of a farm; or
 - (B) a purpose described in subparagraphs (i) to (iii); but
- (b) does not include forestry, or any land management operation not referred to in paragraph (a)(iv)

agricultural tractor means a vehicle that is designed and constructed principally for the purposes of—

- (a) towing an agricultural trailer; or
- (b) drawing, or powering, an implement ordinarily used for an agricultural purpose

agricultural trailer—

- (a) means a trailer that is used principally for agricultural purposes; and
- (b) includes a wheeled agricultural implement, the wheels of which are in contact with the road when the implement is being towed; but
- (c) does not include—
 - (i) a trailer that is—
 - (A) designed principally for the carriage of goods; and
 - (B) operated at a speed exceeding 40 kph; or
 - (ii) a logging trailer

all-terrain vehicle means a vehicle (with or without motorcycle controls and equipment) that—

- (a) is principally designed for off-road use; and
- (b) has 3 or more wheels; and
- (c) has an engine capacity exceeding 50 ml; and
- (d) has a gross weight of less than 1 000 kg

ambulance means a motor vehicle designed and used principally for the carriage of sick or injured persons

approved course means a course approved under clause 96

approved motorcycle means the make and model of any motorcycle that—

- (a) has an engine capacity of 250 cc or less, unless the Director has prohibited the use of that make and model of motorcycle by notice published on the Agency's Internet site; or
- (b) has an engine capacity of more than 250 cc but not more than 660 cc and a power-to-weight ratio of not more than 150 kilowatts per tonne and is approved for use by the Director by notice published on the Agency's Internet site; or
- (c) is powered by motive power wholly derived from an external source of electricity and is approved for use by the Director by notice published on the Agency's Internet site

articulated bus means a bus consisting of 2 or more rigid sections that—

- (a) articulate relative to each other; and
- (b) have interconnecting passenger compartments that allow passengers to move freely between them; and

(c) are not easily detachable from each other without specialist equipment

Authority means the Agency established by section 66 of the Land Transport Management Act 2003

class, in relation to a driver licence, means a class of licence specified in Schedule 3

combination vehicle means a towing vehicle in combination with 1 or more trailers or other motor vehicles that are being towed

correcting lenses includes glasses, contact lenses, and other aids to vision worn by a person

country includes a State, territory, province, or other part of a country

course provider means an individual or an organisation approved under this rule to provide a course that has been approved under this rule

dangerous goods means goods declared to be dangerous goods in Land Transport Rule: Dangerous Goods 2005

dependant means—

- (a) a child who ordinarily resides with a licence holder or a licence holder's spouse or partner and—
 - (i) whose care is primarily the responsibility of the licence holder or the licence holder's spouse or partner; and
 - (ii) who is being maintained as a member of the licence holder's family; and
 - (iii) who is financially dependent on the licence holder or the licence holder's spouse or partner; and
 - (iv) who is not a person in respect of whom payments are being made under section 363 of the Oranga Tamariki Act 1989; or
- (b) a relative of the licence holder (other than a child to whom paragraph (a) applies or the spouse or partner of the licence holder) by blood, marriage, civil union, or adoption who ordinarily resides with the licence holder, and who receives a social security benefit under the Social Security Act 2018; or
- (c) any other person not covered by paragraphs (a) or (b) for whom the licence holder is the primary caregiver

Director means the Director of Land Transport appointed under section 104A of the Land Transport Management Act 2003

driver identification card means a card issued under the regulations or the rules made under the Act

endorsement means an endorsement specified in Schedule 4

forklift means a motor vehicle (not being fitted with self-laying tracks) designed principally to lift, carry, or stack goods by means of 1 or more tines, platens, clamps, or other similar attachments

full licence means a driver licence of any class that is not subject to the conditions of a learner licence or a restricted licence

gross combined weight means the aggregate of the gross laden weights of the vehicles that make up a combination vehicle

gross laden weight, in relation to a motor vehicle, means—

- (a) the greatest of the following weights:
 - (i) a weight specified (subsequent to the latest modification specified, if any) as the gross laden weight of the vehicle by the manufacturer of the vehicle:
 - (ii) a weight specified as the gross laden weight of the vehicle, or of a vehicle of that kind, by or under regulations or rules made under the Act:
 - (iii) the weight of the vehicle, together with the load that the vehicle is for the time being carrying, including equipment and accessories:
- (b) if evidence is adduced in respect of any but not all of the 3 weights referred to in paragraph (a), the greater of the weights, or (as the case may be) the only weight, in respect of which evidence is adduced:
- (c) if evidence is not adduced in respect of any of the weights referred to in paragraph (a), the total of the unladen weight of the vehicle and the weight of the maximum load that the vehicle may safely carry

guardian has the same meaning as in section 15 of the Care of Children Act 2004

highest class, in relation to a driver licence, means the licence class with the highest number, other than Class 6, as set out in Schedule 3

L, when following a licence class number, is an abbreviation for a learner licence

large passenger service vehicle has the same meaning as in the Land Transport Act 1998

learner licence means a learner driver licence issued under Part 4

licensing agent means the Director or a person to whom the Director has delegated functions and powers under section 73(1) of the Crown Entities Act 2004 in relation to the issuing, renewal, and replacement of driver licences

light trailer means a trailer whose gross laden weight does not exceed 3 500 kg

mobility device means—

- (a) a vehicle that—

- (i) is designed and constructed (not merely adapted) for use by persons who require mobility assistance due to a physical or neurological impairment; and
 - (ii) is powered solely by a motor that has a maximum power output not exceeding 1 500 W; or
- (b) a vehicle that the Agency has declared under section 168A(1) of the Land Transport Act 1998 to be a mobility device

moped has the same meaning as in section 2(1) of the Land Transport Act 1998

motor vehicle—

- (a) means a vehicle drawn or propelled by mechanical power; and
- (b) includes a trailer; but
- (c) does not include—
 - (i) a vehicle running on rails; or
 - (ii) *[Revoked]*
 - (iii) a trailer (other than a trailer designed solely for the carriage of goods) that is designed and used exclusively as part of the armament of the New Zealand Defence Force; or
 - (iv) a trailer running on 1 wheel and designed exclusively as a speed measuring device or for testing the wear of vehicle tyres; or
 - (v) a vehicle designed for amusement purposes and used exclusively within a place of recreation, amusement, or entertainment to which the public does not have access with motor vehicles; or
 - (vi) a pedestrian-controlled machine; or
 - (vii) a vehicle that the Agency has declared is not a motor vehicle under section 168A of the Land Transport Act 1998; or
 - (viii) a mobility device

motorcycle—

- (a) means a motor vehicle running on 2 wheels, or not more than 3 wheels when fitted with a sidecar; and
- (b) includes a vehicle with motorcycle controls that is approved as a motorcycle by the Director; but
- (c) does not include a moped

national register of driver licences means the register maintained by the Authority under section 199 of the Act

on-road safety test means the test specified in clause 49

parent has the same meaning as in section 2(1) of the Oranga Tamariki Act 1989

partner, in the phrase “spouse or partner” and in related contexts, means a civil union partner or a de facto partner

passenger service has the same meaning as in the Land Transport Act 1998

passenger service vehicle means a vehicle used or available for use in a passenger service for the carriage of passengers; but does not include a vehicle specified as an exempt vehicle in the Act or in regulations or rules made under the Act

pivot steer vehicle means a vehicle with a chassis that is split into 2 dependent parts connected by a permanent steering pivot

R, when following a licence class number, is an abbreviation for a restricted licence

registered health professional means a health practitioner who is, or is deemed to be, registered with an authority established or continued by section 114 of the Health Practitioners Competence Assurance Act 2003 as a practitioner of a particular health profession

restricted licence means a restricted driver licence issued under Part 4

rigid vehicle means a vehicle that does not have any pivot points to allow any part of the chassis of the vehicle to move or rotate in relation to any other part of the chassis of the vehicle; and includes an articulated bus and a pivot steer vehicle

road includes—

- (a) a street; and
- (b) a motorway; and
- (c) a beach; and
- (d) a place to which the public have access, whether as of right or not; and
- (e) all bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph (d); and
- (f) all sites at which vehicles may be weighed for the purposes of the Act or any other enactment

small passenger service vehicle has the same meaning as in section 2(1) of the Land Transport Act 1998

special-type vehicle means any motor vehicle that—

- (a) is a forklift; or
- (b) runs on rollers; or
- (c) runs on—
 - (i) self-laying tracks; or
 - (ii) wheels, but is not a passenger vehicle, a trade vehicle, a tractor, a fire engine, or a vehicle recovery service vehicle

testing officer means a person who is the holder of a testing officer endorsement

Testing Officer's Manual means the Driver Testing Officer's Manual produced by the Authority setting out the requirements for administering theory tests and practical driving tests for the purposes of this rule

towing vehicle means a rigid vehicle that tows a trailer or other motor vehicle

trade vehicle means a motor vehicle designed exclusively or principally for the carriage of goods; and—

- (a) includes—
 - (i) a motor vehicle that has been adapted by the permanent attachment of machinery or other similar apparatus; and
 - (ii) a motorised mobile home or self-propelled caravan; but
- (b) does not include—
 - (i) a moped or motorcycle:
 - (ii) a motor vehicle fitted with self-laying tracks:
 - (iii) a forklift vehicle:
 - (iv) a vehicle recovery service vehicle while the vehicle is being used to tow or carry any other vehicle:
 - (v) a fire engine:
 - (vi) an ambulance

tradesperson's vehicle means a motor vehicle whose body is designed or adapted for use principally by tradespersons to carry special purpose trade equipment or trade goods (excluding general freight)

trailer means a vehicle without power that is capable of being drawn or propelled by a motor vehicle from which it is readily detachable; but does not include—

- (a) a sidecar attached to a motorcycle; or
- (b) a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power

vehicle—

- (a) means a contrivance equipped with wheels, tracks, or revolving runners on which it moves or is moved; and
- (b) includes a hovercraft, a skateboard, in-line skates, and roller skates; but
- (c) does not include—
 - (i) a perambulator or pushchair:
 - (ii) a shopping or sporting trundler not propelled by mechanical power:
 - (iii) a wheelbarrow or hand-trolley:

- (iv) *[Revoked]*
- (v) a pedestrian-controlled lawnmower:
- (vi) a pedestrian-controlled agricultural machine not propelled by mechanical power:
- (vii) an article of furniture:
- (viii) an invalid wheelchair not propelled by mechanical power:
- (ix) any other contrivance specified by any other rule made under the Act not to be a vehicle for the purposes of this definition

vehicle recovery service means the towing or carrying on any road of a motor vehicle, irrespective of the size or design of the towing or carrying vehicle, and whether or not the towing or carrying of the vehicle is carried out by a person intending to carry out repairs on the vehicle; but does not include—

- (a) the towing or carrying of any motorcycle or moped; or
- (b) the towing or carrying of one motor vehicle by another where—
 - (i) the towing or carrying is not carried out directly or indirectly for reward; and
 - (ii) the towing or carrying vehicle is not designed or adapted for the purpose of towing or carrying motor vehicles; or
- (c) the towing or carrying of a vehicle by a person who owns the vehicle; or
- (d) any service where the Director has, in writing, notified the operator that the nature of the service is such that the carriage of vehicles should be treated as the carriage of goods; or
- (e) any service specified as an exempt service in the Act or in the regulations or rules made under the Act

vehicle recovery service vehicle means a vehicle used in a vehicle recovery service for towing or carrying on a road any motor vehicle; but does not include a vehicle that is not designed or adapted for the purpose of towing or carrying motor vehicles.

- (2) For the purposes of this rule, in a year that is not a leap year, birthdays and other dates that would otherwise occur on 29 February are deemed to occur on 28 February.
- (3) Unless the context otherwise requires, terms and expressions that are used but not defined in this rule but that are defined in the Act have the same meaning as in the Act.

Clause 2(1) **accurate English translation**: inserted, on 1 October 2011, by clause 6(3) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 2(1) **accurate English translation** paragraph (c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **Agency**: inserted, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 2(1) **agricultural motor vehicle**: inserted, on 1 June 2013, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Clause 2(1) **agricultural purpose**: inserted, on 1 June 2013, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Clause 2(1) **agricultural tractor**: inserted, on 1 June 2013, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Clause 2(1) **agricultural trailer**: inserted, on 1 June 2013, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Clause 2(1) **all-terrain vehicle**: amended, on 1 June 2013, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Clause 2(1) **ambulance**: inserted, on 1 June 2006, by clause 3(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **approved motorcycle**: inserted, on 1 October 2012, by clause 6(3) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 2(1) **approved motorcycle** paragraph (a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **approved motorcycle** paragraph (b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **approved motorcycle** paragraph (c): inserted, on 1 June 2019, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).

Clause 2(1) **approved motorcycle** paragraph (c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **Authority**: substituted, on 1 December 2004, by section 19(2) of the Land Transport Management Amendment Act 2004 (2004 No 97).

Clause 2(1) **Authority**: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 2(1) **combination vehicle**: replaced, on 1 May 2021, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2021 (LI 2021/92).

Clause 2(1) **country**: inserted, on 1 July 2013, by clause 6 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2013 (SR 2013/131).

Clause 2(1) **dangerous goods**: amended, on 1 October 2011, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 2(1) **dependant** paragraph (a): amended, on 26 April 2005, by section 12 of the Relationships (Statutory References) Act 2005 (2005 No 3).

Clause 2(1) **dependant** paragraph (a)(i): amended, on 26 April 2005, by section 12 of the Relationships (Statutory References) Act 2005 (2005 No 3).

Clause 2(1) **dependant** paragraph (a)(iii): amended, on 26 April 2005, by section 12 of the Relationships (Statutory References) Act 2005 (2005 No 3).

Clause 2(1) **dependant** paragraph (a)(iv): amended, on 14 July 2017, by section 149 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31).

Clause 2(1) **dependant** paragraph (b): amended, on 26 November 2018, by section 459 of the Social Security Act 2018 (2018 No 32).

Clause 2(1) **dependant** paragraph (b): amended, on 26 April 2005, by section 12 of the Relationships (Statutory References) Act 2005 (2005 No 3).

Clause 2(1) **Director**: inserted, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **driver identification card**: substituted, on 1 October 2007, by section 95(11) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **guardian**: inserted, on 1 October 2011, by clause 6(3) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 2(1) **highest class**: amended, on 1 June 2006, by clause 3(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **large passenger service vehicle**: replaced, on 1 October 2017, by section 110(8) of the Land Transport Amendment Act 2017 (2017 No 34).

Clause 2(1) **licensing agent**: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **licensing agent**: amended, on 1 October 2011, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 2(1) **light trailer**: inserted, on 1 June 2006, by clause 3(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **medical practitioner**: revoked, on 1 June 2019, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).

Clause 2(1) **mobility device**: inserted, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **mobility device** paragraph (b): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 2(1) **moped**: substituted, on 1 May 2011, by section 35(6) of the Land Transport Amendment Act 2009 (2009 No 17).

Clause 2(1) **moped**: amended, on 1 November 2012, by clause 6 of the Land Transport (Driver Licensing) Amendment Rule 2012 (SR 2012/302).

Clause 2(1) **motor vehicle** paragraph (c)(ii): revoked, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **motor vehicle** paragraph (c)(vi): amended, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **motor vehicle** paragraph (c)(vii): added, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **motor vehicle** paragraph (c)(vii): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 2(1) **motor vehicle** paragraph (c)(viii): added, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **motorcycle**: substituted, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 2(1) **motorcycle** paragraph (b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **occupational therapist**: revoked, on 1 June 2019, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).

Clause 2(1) **older driver test**: revoked, on 4 December 2006, by clause 6 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 2(1) **on-road safety test**: inserted, on 4 December 2006, by clause 6 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 2(1) **on-road safety test**: amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 2(1) **optometrist**: revoked, on 1 June 2019, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).

Clause 2(1) **parent**: inserted, on 1 October 2011, by clause 6(3) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 2(1) **parent**: amended, on 14 July 2017, by section 149 of the Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31).

Clause 2(1) **partner**: inserted, on 26 April 2005, by section 12 of the Relationships (Statutory References) Act 2005 (2005 No 3).

Clause 2(1) **passenger service**: replaced, on 1 October 2017, by section 110(8) of the Land Transport Amendment Act 2017 (2017 No 34).

Clause 2(1) **passenger service vehicle**: amended, on 1 October 2007, by section 95(11) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **pivot steer vehicle**: inserted, on 1 June 2006, by clause 3(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **registered health professional**: inserted, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 2(1) **registered medical practitioner**: revoked, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 2(1) **registered occupational therapist**: revoked, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 2(1) **registered optometrist**: revoked, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 2(1) **rigid vehicle**: amended, on 1 June 2006, by clause 3(3) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **small passenger service vehicle**: replaced, on 1 October 2017, by section 110(8) of the Land Transport Amendment Act 2017 (2017 No 34).

Clause 2(1) **special-type vehicle** paragraph (c)(ii): amended, on 4 October 1999, by clause 2(2) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 2(1) **spouse**: revoked, on 26 April 2005, by section 12 of the Relationships (Statutory References) Act 2005 (2005 No 3).

Clause 2(1) **towing vehicle**: inserted, on 1 May 2021, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule 2021 (LI 2021/92).

Clause 2(1) **trade vehicle** paragraph (b)(v): added, on 1 June 2006, by clause 3(4) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **trade vehicle** paragraph (b)(vi): added, on 1 June 2006, by clause 3(4) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **tradesperson's vehicle**: inserted, on 1 June 2006, by clause 3(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 2(1) **vehicle** paragraph (c)(iv): revoked, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(1) **vehicle recovery service** paragraph (d): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 2(1) **vehicle recovery service** paragraph (e): substituted, on 1 October 2007, by section 95(11) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 2(3): added, on 1 October 2011, by clause 6(4) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

3 Objective of rule

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

4 Consultation

The statement of the extent of the consultation that has been carried out in relation to this rule under section 161(2) of the Act is set out in Schedule 2.

5 Application

- (1) The provisions of this rule set out in subclause (2) do not apply to a member of the New Zealand Defence Force who applies to be issued with a driver licence if that person—
 - (a) is required to drive motor vehicles covered by that class of licence as part of that person's military duties; and
 - (b) has successfully completed a course provided by the New Zealand Defence Force for that purpose and which is approved by the Director; and
 - (c) includes, with the person's application, a letter from the person's commanding officer detailing compliance with paragraphs (a) and (b).
- (2) The provisions referred to in subclause (1) are—
 - (aa) the requirement in clause 15 that an applicant for a Class 2L licence must hold, and have held for at least 6 months, a full Class 1 licence:
 - (a) the requirement in clause 15 that an applicant for a Class 3L licence must hold, and have held for at least 6 months, a full Class 2 licence:
 - (b) the requirement in clause 15 that an applicant for a Class 4L licence must hold, and have held for at least 12 months, a full Class 2 licence:
 - (c) the requirement in clause 15 that an applicant for a Class 5L licence must hold, and have held for at least 6 months, a full Class 4 licence:
 - (d) the requirements in clause 17 that an applicant for a restricted licence of a particular class must hold, and have held for at least 6 months, a learner licence of that class:
 - (e) the requirements in clause 19 that an applicant for a full licence must hold, and have held, an appropriate learner licence or restricted licence for a particular time.
- (3) Clause 16(1)(b), (c)(i), and (d)(i) do not apply to an apprentice, technician, or mechanic in the motor trade when that person is driving, in the course of that person's employment, a motor vehicle that is owned by, or is in the custody of, that person's employer.
- (4) Clause 16(1)(b), (c)(i), and (d)(i) do not apply to a person who is driving a motor vehicle that is clearly marked as being used for driving instruction.

Clause 5(1)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 5(2)(aa): inserted, on 1 June 2006, by clause 6 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 5(3): amended, on 16 June 2008, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 5(4): amended, on 16 June 2008, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

5A Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 2A have effect according to their terms.

Clause 5A: inserted, on 1 December 2014, by clause 6 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

6 Restrictions on granting of exemptions by Director

[Revoked]

Clause 6: revoked, on 4 October 1999, by clause 5 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Part 2

Classification of driver licences and endorsements

7 Classes of licences

- (1) The classes of driver licences that may be issued are set out in column 1 of Schedule 3.
- (2) The holder of a licence of a class specified in column 1 of Schedule 3 is authorised to drive a vehicle described in relation to that class of licence in column 2 of Schedule 3, and any other vehicle authorised in accordance with subclauses (3) to (6), in accordance with the conditions imposed by or under this rule.
- (3) The holder of a Class 2 licence is authorised to drive a vehicle to which Class 1 relates.
- (4) The holder of a Class 3 licence is authorised to drive a vehicle to which Class 2 or Class 1 relates.
- (5) The holder of a Class 4 licence is authorised to drive a vehicle to which Class 2 or Class 1 relates.
- (6) The holder of a Class 5 licence is authorised to drive a vehicle to which any of Classes 1 to 4 relate.

8 Types of endorsements

The types of endorsements that may be issued are set out in Schedule 4.

Part 3

General provisions relating to applications

9 Manner of lodging application for driver licence, endorsement, or driver identification card

- (1) An application to obtain, renew, replace, or reinstate a driver licence, an endorsement, or a driver identification card must be lodged with a licensing agent.
- (2) An application under clause 86(2) must be made to the Director.
- (3) If the Director provides a system for the lodging online of an application, the application may be lodged in that manner.

Clause 9: replaced, on 1 December 2014, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 9(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 9(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

10 Content of application

A person who applies to obtain, renew, replace, or reinstate a driver licence, an endorsement, or a driver identification card must complete an application form that must include—

- (a) the applicant's full name; and
- (b) the applicant's residential and postal addresses; and
- (c) the applicant's date of birth; and
- (d) the applicant's place of birth; and
- (e) the applicant's gender; and
- (f) the medical declaration required by clause 39 and, if required by that clause, a medical certificate in accordance with that clause; and
- (g) the class of driver licence or type of endorsement applied for; and
- (h) if the application is for a passenger, vehicle recovery, driving instructor, or testing officer endorsement, whether the applicant is applying for the endorsement to be issued for a period of 1 year or a period of 5 years; and
- (i) whether the applicant agrees to be an organ donor; and
- (j) whether the applicant requests that the applicant's address appear on the driver licence; and
- (k) a signed statement by the applicant that, to the best of the applicant's knowledge and belief, all the information given by the applicant is correct and that the applicant is not disqualified from obtaining or holding a driver licence.

Clause 10: replaced, on 1 December 2014, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

11 Identification: application in person

- (1) This clause applies if an application is made in person.
- (2) An applicant who is applying to obtain the applicant's first New Zealand photographic driver licence must produce the following evidence of identity of the applicant to be sighted by a licensing agent:
 - (a) a current and valid New Zealand passport; or
 - (b) an original and current document specified in Part 1 of Schedule 9 and an original and current document specified in Part 2 of Schedule 9.
- (3) In any case other than one to which subclause (2) applies, the applicant must produce the following evidence of identity of the applicant to be sighted by a licensing agent:
 - (a) a current New Zealand photographic driver licence; or
 - (b) a current and valid New Zealand passport; or
 - (c) an original and current document specified in Part 1 of Schedule 9 and an original and current document specified in Part 2 of Schedule 9.
- (4) Despite subclauses (2) and (3), the Director may accept the following documents for up to 2 years after their expiry date:
 - (a) a New Zealand passport, if accompanied by an original and current document specified in Part 2 of Schedule 9;
 - (b) a New Zealand photographic driver licence;
 - (c) a passport issued by or on behalf of the government of a country other than New Zealand;
 - (d) a firearms licence issued under the Arms Act 1983 that contains a photograph.
- (5) If an applicant provides a document from Part 1 or 2 of Schedule 9 that does not contain a photographic image of the applicant, the applicant must also provide the Director with—
 - (a) a photographic image of the applicant that has been taken within the previous 6 months, and that complies with the requirements of clause 12(4) and (5); and
 - (b) a verification statement in relation to that photographic image that has been signed by an identity referee.
- (6) The applicant must provide one of the documents specified in Part 3 of Schedule 9 if the applicant wishes to have the driver licence, endorsement, or driver identification card issued in a name that—
 - (a) is not the same as the applicant's name on a document referred to in Part 1 or 2 of Schedule 9; or

- (b) is not the same as the applicant's name on the national register of driver licences.
- (7) Despite anything in subclauses (2) to (6),—
- (a) if the Director considers that the information contained in driver licences, passports, or other documents issued by or on behalf of the government of a country other than New Zealand may not be reliable, the Director may issue a direction to all licensing agents prohibiting the acceptance of all or any specified class of documents issued by or on behalf of the government of that country as evidence of the identity of the applicant; and
 - (b) no document to which a direction under paragraph (a) applies may be accepted by a licensing agent as evidence of the identity of the applicant while that direction remains in force.
- (8) The Director may accept any document in substitution for a document of a kind specified in Schedule 9 if the Director is satisfied that—
- (a) the applicant is unable to provide the document of the kind specified in Schedule 9; and
 - (b) the alternative document is of equivalent authenticity and effect.
- (9) In this clause, **identity referee** means a person who—
- (a) holds a valid and current New Zealand passport or New Zealand driver licence; and
 - (b) has known the applicant for 1 year or more; and
 - (c) is 16 years of age or older; and
 - (d) is not related to the applicant or part of the applicant's extended family; and
 - (e) is not a spouse or partner of the applicant; and
 - (f) does not live at the same address as the applicant.

Clause 11: replaced, on 1 December 2014, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 11(4): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 11(5): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 11(7)(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 11(8): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

11A Identification: application online

If an application is lodged online, the applicant must, instead of complying with clause 11, use identity credentials in terms of the Electronic Identity Verification Act 2012.

Clause 11A: inserted, on 1 December 2014, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

12 Images on driver licences and driver identification cards

- (1) An applicant who is applying to obtain the applicant's first New Zealand photographic driver licence must allow the licensing agent to take a photographic image of the applicant and an electronic impression of the applicant's signature.
- (2) Subclause (3) applies if a person is applying to—
 - (a) renew or reinstate a driver licence or obtain an additional licence class; or
 - (b) obtain or renew a driver identification card; or
 - (c) replace a driver licence or driver identification card where clause 74(2)(c) applies.
- (3) The applicant must,—
 - (a) if applying in person, allow the licensing agent to take a photographic image of the applicant; or
 - (b) if applying online, provide a photographic image of the applicant that complies with the specified requirements of the Director in relation to electronic format, file size, and any other matter.
- (4) In the photographic image, the applicant must not be wearing sunglasses, a hat, any head coverings, or anything else that obscures the applicant's face or prevents the photographic image from being a good likeness of the applicant.
- (5) Despite subclause (4), the Director may permit an applicant to wear an item on or near the applicant's face if—
 - (a) the Director is satisfied that the applicant is required to wear the item for religious or medical reasons; and
 - (b) the applicant provides the Director with a signed statement to that effect; and
 - (c) the applicant's facial features from the bottom of the chin to the top of the forehead and both edges of the face are clearly shown; and
 - (d) the Director is satisfied that the item does not prevent the photographic image from being a good likeness of the applicant.
- (6) An applicant for the renewal of a driver licence who is 80 years of age or over is required to comply with subclause (3) only if renewing a licence at 86 years

of age or any birthday that is 10 years or a multiple of 10 years after the person's 86th birthday.

Clause 12: replaced, on 1 December 2014, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 12(3)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 12(5): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 12(5)(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 12(5)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 12(5)(d): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

12A Statements in applications made online

Where this rule provides that a signed statement must be made by an applicant or other specified person, and the application is made online, the statement must be made, but need not be signed.

Clause 12A: inserted, on 1 December 2014, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

13 Eyesight test

An applicant must pass an eyesight test as specified in clause 38 when applying—

- (a) to obtain a driver licence or an endorsement; or
- (b) to obtain an additional licence class; or
- (c) to renew a driver licence or an endorsement; or
- (d) to reinstate a licence where the licence will be issued with a new expiry date.

Clause 13: replaced, on 1 December 2014, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

14 Fees

When applying to obtain, renew, replace, or reinstate a driver licence, an endorsement, or a driver identification card or any application under Part 4A a person must pay the appropriate fee or fees (if any) specified in or assessed in accordance with regulations made under the Act.

Clause 14: amended, on 1 October 2011, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 14: amended, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Part 4

Learner licences, restricted licences, and full licences

Learner licences

15 Obtaining learner licence

A person is entitled to be issued with a learner licence of the class specified in column 1 of the table to this clause if the person—

- (a) has made an application in accordance with Part 3; and
- (b) has satisfied the requirements set out in column 2 of the table in relation to that class of licence.

Table to clause 15

Class of licence Requirements to be satisfied by applicant

Class 1L	(a)	is 16 years of age or over at date of application
	(b)	passes the appropriate theory test under clause 45
	(c)	if 75 years of age or over, produces a medical certificate in accordance with clause 44
Class 2L	(a)	holds, and has held for at least 6 months, a full Class 1 licence
	(b)	passes the appropriate theory test under clause 45
	(c)	produces a medical certificate in accordance with clause 44
Class 3L	(a)	if under 25 years of age, holds, and has held for at least 6 months, a full Class 2 licence
	(ab)	if 25 years of age or over,—
	(i)	holds, and has held for at least 3 months, a full Class 2 licence; or
	(ii)	holds a full Class 2 licence and provides a certificate showing successful completion of an approved course
	(b)	passes the appropriate theory test under clause 45
	(c)	produces a medical certificate in accordance with clause 44
Class 4L	(a)	if under 25 years of age, holds, and has held for at least 6 months, a full Class 2 licence
	(ab)	if 25 years of age or over,—
	(i)	holds, and has held for at least 3 months, a full Class 2 licence; or
	(ii)	holds a full Class 2 licence and provides a certificate showing successful completion of an approved course
	(b)	produces a medical certificate in accordance with clause 44
Class 5L	(a)	if under 25 years of age, holds, and has held for at least 6 months, a full Class 4 licence
	(ab)	if 25 years of age or over,—
	(i)	holds, and has held for at least 3 months, a full Class 4 licence; or
	(ii)	holds a full Class 4 licence and provides a certificate showing successful completion of an approved course

Class of licence Requirements to be satisfied by applicant

- | | | |
|----------|-----|---|
| | (b) | passes the appropriate theory test under clause 45 (unless applicant has previously passed the theory test required to obtain a Class 3L licence) |
| | (c) | produces a medical certificate in accordance with clause 44 |
| Class 6L | (a) | is 16 years of age or over at date of application |
| | (b) | passes the appropriate theory test under clause 45 |
| | (c) | produces certificate of successful completion of basic handling skills test under clause 48 |
| | (d) | if 75 years of age or over, produces a medical certificate in accordance with clause 44 |

Clause 15(a): replaced, on 1 December 2014, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 15 table: amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 15 table: amended, on 1 June 2006, by clause 8(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 15 table: amended, on 1 June 2006, by clause 8(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 15 table: amended, on 1 June 2006, by clause 8(3) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

16 Conditions of learner licence

- (1) The holder of a learner licence of a particular class is authorised to drive a vehicle to which that class of licence relates if the holder complies with the following conditions:
- (a) the holder must not drive the vehicle (unless driving a motorcycle, moped, or an all-terrain vehicle) unless the holder is accompanied in the vehicle by a person who—
- (i) either—
- (A) holds, and has held for at least 2 years, a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89; or
- (B) holds a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89, and has held for at least 2 years the equivalent of a full New Zealand photographic driver licence issued in a licensing jurisdiction other than New Zealand; and
- (ii) is in charge of the vehicle; and
- (iii) is seated in the front passenger seat or, if there is no front passenger seat available, is seated as close as is practicable to the driver; and

- (b) in the case of a Class 1L licence, where the holder is driving a car, the holder must display on the vehicle an “L” plate as specified in clause 66:
 - (c) in the case of a Class 1L or Class 6L licence, where the holder is riding a moped, the holder—
 - (i) must display on the vehicle an “L” plate as specified in clause 66; and
 - (ii) must not drive between the hours of 10 pm and 5 am; and
 - (iii) must not carry another person on the moped or in a sidecar attached to the moped:
 - (d) in the case of a Class 6L licence, where the holder is riding a motorcycle, the holder—
 - (i) must—
 - (A) ride an approved motorcycle; and
 - (B) display on the vehicle an “L” plate as specified in clause 66; and
 - (ii) must not—
 - (A) ride between the hours of 10 pm and 5 am; or
 - (B) use the motorcycle to tow another vehicle; or
 - (C) carry another person on the motorcycle or in a sidecar attached to the motorcycle.
- (2) The conditions imposed under this clause are in addition to any conditions imposed on the licence holder under Part 9.

Clause 16(1)(a)(i): substituted, on 1 October 2011, by clause 10(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 16(1)(b): substituted, on 1 June 2006, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 16(1)(c): substituted, on 1 June 2006, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 16(1)(c)(ii): amended, on 16 June 2008, by clause 7(1) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 16(1)(c)(iii): added, on 16 June 2008, by clause 7(2) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 16(1)(d): replaced, on 1 October 2012, by clause 5(2) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2011 (SR 2011/346).

Restricted licences

17 Obtaining restricted licence

A person is entitled to be issued with a restricted licence of the class specified in column 1 of the table to this clause if the person—

- (a) has made an application in accordance with Part 3; and

- (b) has satisfied the requirements set out in column 2 of the table in relation to that class of licence.

Class of licence		Requirements to be satisfied by applicant
Class 1R		<p>(a) is 16 years and 6 months of age or over on the date of application, and holds and has held for at least 6 months, a Class 1L licence</p> <p>(b) passes the restricted licence test under clause 48</p> <p>(c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</p>
Class 6R	either	<p>(a) is 16 years and 6 months of age or over on the date of application, and holds and has held for at least 6 months, a Class 6L licence</p> <p>(b) passes the restricted licence test under clause 48</p> <p>(c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</p>
	or	<p>(a) is 16 years and 6 months of age or over on the date of application and holds a Class 6L licence</p> <p>(b) provides a certificate showing successful completion by the applicant of an approved course of a type specified in clause 93(d)</p> <p>(c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</p>

Clause 17(a): replaced, on 1 December 2014, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 17 table: replaced, on 1 October 2012, by clause 11 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

18 Conditions of restricted licence

- (1) The holder of a restricted licence of a particular class is authorised to drive a vehicle to which that class of licence relates if the holder complies with the following conditions:
- (a) in the case of a Class 1R licence, the holder—
- (i) must not carry any passenger, other than the holder's spouse, partner, parent, guardian, or dependant, unless the holder is accompanied by a person described in subclause (2); and
 - (ii) must not drive between the hours of 10 pm and 5 am unless the holder is accompanied by a person described in subclause (2); and
- (b) in the case of a Class 6R licence, where the holder is riding a motorcycle, the holder—
- (i) must ride an approved motorcycle; and
 - (ii) must not—
 - (A) ride between the hours of 10 pm and 5 am; or

- (B) use the motorcycle to tow another vehicle; or
 - (C) carry another person on the motorcycle or in a sidecar attached to the motorcycle; and
 - (c) in the case of a Class 6R licence, where the holder is riding a moped, the holder must not—
 - (i) ride between the hours of 10 pm and 5 am; or
 - (ii) carry another person on the moped or in a sidecar attached to the moped.
- (2) A person referred to in subclause (1)(a)(i) and (ii) is a person who—
 - (a) either—
 - (i) holds, and has held for at least 2 years, a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89; or
 - (ii) holds a full New Zealand photographic driver licence that authorises that person to drive that vehicle and that is not subject to a condition imposed under clause 67, 67A, 86, or 89, and has held for at least 2 years the equivalent of a full New Zealand photographic driver licence issued in a licensing jurisdiction other than New Zealand; and
 - (b) is in charge of the vehicle; and
 - (c) is seated in the front passenger seat or, if there is no front passenger seat available, is seated as close as is practicable to the driver.
- (3) The conditions imposed under this clause are in addition to any conditions imposed on the licence holder under Part 9.

Clause 18(1)(a)(i): amended, on 1 October 2011, by clause 12(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 18(1)(b): replaced, on 1 October 2012, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2011 (SR 2011/346).

Clause 18(1)(c): added, on 1 October 2011, by clause 12(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 18(2): substituted, on 1 October 2011, by clause 12(3) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Full licences

19 Obtaining full licence

A person is entitled to be issued with a full licence of the class specified in column 1 of the table to this clause if the person—

- (a) has made an application in accordance with Part 3; and

- (b) has satisfied the requirements set out in column 2 of the table in relation to that class of licence.

Class of licence		Requirements to be satisfied by applicant
Class 1		<p>(a) if under 25 years of age,—</p> <p>(i) is 18 years of age or over on the date of application and holds, and has held for at least 18 months, a Class 1R licence; or</p> <p>(ii) is 17 years and 6 months of age or over on the date of application and holds, and has held for at least 12 months, a Class 1R licence, if the person provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(a)</p> <p>(b) if 25 years of age or over, holds and has held a Class 1R licence for either—</p> <p>(i) at least 6 months; or</p> <p>(ii) at least 3 months if the person provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(a)</p> <p>(c) passes the full licence test under clause 48</p> <p>(d) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44</p>
Class 2	either	<p>(a) holds, and has held for at least 6 months, a Class 2L licence</p> <p>(b) passes the full licence test under clause 48</p> <p>(c) produces a medical certificate in accordance with clause 44</p>
	or	<p>(a) holds a Class 2L licence</p> <p>(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 2 licence is required</p> <p>(c) produces a medical certificate in accordance with clause 44</p>
Class 3	either	<p>(a) holds, and has held for at least 6 months, a Class 3L licence</p> <p>(b) passes the full licence test under clause 48</p> <p>(c) produces a medical certificate in accordance with clause 44</p>
	or	<p>(a) holds a Class 3L licence</p> <p>(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 3 licence is required</p> <p>(c) produces a medical certificate in accordance with clause 44</p>

Class of licence		Requirements to be satisfied by applicant
Class 4	either	(a) holds, and has held for at least 6 months, a Class 4L licence
		(b) passes the full licence test under clause 48
		(c) produces a medical certificate in accordance with clause 44
	or	(a) holds a Class 4L licence
		(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 4 licence is required
		(c) produces a medical certificate in accordance with clause 44
	or	(a) if under 25 years of age,—
		(i) holds and has held a Class 1 licence for at least 2 years; and
		(ii) holds a Class 2 licence
		(b) if 25 years of age or over,—
		(i) holds and has held a Class 1 licence for at least 12 months; and
		(ii) holds a Class 2 licence
(c) provides a certificate showing successful completion of an approved course of a type specified under clause 93(k) in a motor vehicle requiring a class 4 licence		
(d) produces a medical certificate in accordance with clause 44		
(e) produces a medical certificate in accordance with clause 44		
Class 5	either	(a) holds, and has held for at least 6 months, a Class 5L licence
		(b) passes the full licence test under clause 48
		(c) produces a medical certificate in accordance with clause 44
	or	(a) holds a Class 5L licence
		(b) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(c) in a motor vehicle for which a Class 5 licence is required
		(c) produces a medical certificate in accordance with clause 44
	or	(a) if under 25 years of age,—
		(i) holds and has held a Class 1 licence for at least 2 years; and
		(ii) holds a Class 2 licence
		(b) if 25 years of age or over,—
		(i) holds and has held a Class 1 licence for at least 12 months; and
		(ii) holds a Class 2 licence

Class of licence	Requirements to be satisfied by applicant
	<ul style="list-style-type: none"> (c) provides a certificate showing successful completion of an approved course of a type specified under clause 93(k) in a motor vehicle requiring a Class 5 licence (d) produces a medical certificate in accordance with clause 44 (e) passes the theory test for a Class 5 licence under clause 45(1)
Class 6	<ul style="list-style-type: none"> (a) if 18 years of age or over on the date of application,— <ul style="list-style-type: none"> (i) holds, and has held for at least 18 months, a Class 6R licence; and (ii) passes the full licence test under clause 48 (b) if 17 years and 6 months of age or over on the date of application,— <ul style="list-style-type: none"> (i) holds, and has held for at least 12 months, a Class 6R licence; and (ii) provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(e) (c) if 75 years of age or over or if renewing a licence under clause 67(5)(a), produces a medical certificate in accordance with clause 44

Clause 19(a): replaced, on 1 December 2014, by clause 10 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 19 table: replaced, on 1 October 2012, by clause 13 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Part 4A

Accelerated licensing process

Part 4A: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

19A Interpretation

In this Part,—

application means an application to take part in the accelerated licensing process under this Part

approved employer means a transport service operator approved by the Director under clause 19D

hours of darkness has the same meaning as in clause 1.6 of the Land Transport (Road User) Rule 2004.

Clause 19A: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19A **approved employer**: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19B Accelerated licensing process: who may apply

- (1) A person may apply to the Director under this Part to take part as a driver in the accelerated licensing process to obtain a Class 4 licence or a Class 5 licence (as the case may be), if the person—
 - (a) holds, and has held a Class 1 licence for—
 - (i) at least 2 years, if under 25 years of age; or
 - (ii) at least 12 months, if 25 years of age or over; and
 - (b) holds a Class 2 licence.
- (2) A transport service operator may apply to the Director under this Part to take part as an approved employer in the accelerated licensing process if the operator has—
 - (a) an operator safety rating of 4 stars or more as specified in clause 2.1(2) of Land Transport Rule: Operator Safety Rating 2008, if a rating has been assigned; and
 - (b) a reporting and control system that is—
 - (i) approved by the Director in writing; and
 - (ii) designed to provide appropriate supervision of a driver participating in the accelerated licensing process.

Clause 19B: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19B(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19B(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19B(2)(b)(i): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19C Form of application

- (1) An application to take part in the accelerated licensing process must be made on an application form approved by the Director.
- (2) The application must include the following information:
 - (a) the applicant's full name and address:
 - (b) the applicant's driver licence number:
 - (c) if the application is to take part as a driver, the name of the applicant's employer during the accelerated licensing process and the employer's transport service licence number:
 - (d) the licence class to which the application relates:
 - (e) details of any traffic offences committed by the applicant.
- (3) If the application is to take part as a driver, the applicant must produce to the Director a medical certificate in accordance with clause 44.

Clause 19C: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19C(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19C(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19D Approval to take part in accelerated licensing process

The Director may approve an application to take part in the accelerated licensing process as a driver or an employer if the Director considers that the applicant is—

- (a) a suitable candidate for the process; and
- (b) likely to comply with the requirements of this Part.

Clause 19D: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19D: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19E Revocation of approval

The Director may revoke an approval of a driver or an employer under clause 19D if—

- (a) the driver does not comply with any of the conditions specified in clause 19H(3) or 19K(3); or
- (b) the employer is assigned an operator safety rating of 1, 2, or 3 stars under clause 2.1(2) of Land Transport Rule: Operator Safety Rating 2008, if a rating has been assigned; or
- (c) the Director considers that the employer's reporting and control system does not provide appropriate supervision of the driver.

Clause 19E: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19E: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19E(c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Stage 1: Preliminary assessment

Heading: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

19F Notice of approval to commence stage 1

- (1) On approving an application under clause 19D, the Director must provide the driver with a written notice of approval to commence stage 1.
- (2) The notice of approval must state—
 - (a) the applicant's name and driver licence number; and

- (b) whether the approval is in respect of a Class 4 or Class 5 licence.
- (3) The Director must specify an expiry date on the notice of approval after which date the approval is no longer valid for the purpose of commencing stage 1.

Clause 19F: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19F(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19F(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19G Stage 1: preliminary assessment

A driver whose application has been approved by the Director must successfully complete a preliminary assessment to determine the driver's suitability to drive a vehicle for which either a Class 4 or Class 5 licence is required in accordance with the conditions set out in clause 19H(3).

Clause 19G: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19G: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Stage 2: Supervised driving with conditions and assessment

Heading: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

19H Stage 2: supervised driving with conditions

- (1) A driver who has successfully completed the stage 1 assessment under clause 19G may be issued with a written notice of approval by the Director to drive a motor vehicle for which either a Class 4 or Class 5 licence would otherwise be required.
- (2) The notice of approval must state the conditions with which the driver must comply.
- (3) The conditions are that the driver—
- (a) must carry the notice of approval at all times when driving a vehicle to which the approval relates:
 - (b) must produce the notice of approval for inspection without delay after being required to do so by an enforcement officer:
 - (c) may only be employed by the approved employer specified under clause 19C(2)(c) while driving a vehicle for which either a Class 4 or Class 5 licence is required:
 - (d) must maintain a logbook in a format specified in clause 8.1(6) of Land Transport Rule: Work Time and Logbooks 2007:
 - (e) must comply with the rest breaks requirements specified in clause 2.1(1) of Land Transport Rule: Work Time and Logbooks 2007 or in any vari-

ation of those requirements that are approved by the Director (including an alternative fatigue management scheme):

- (f) must not drive the vehicle for more than 8 hours in a cumulative work day:
 - (g) must not undertake any other work time duties, except those specified in the notice of approval:
 - (h) must not drive the vehicle during the hours of darkness:
 - (i) must not drive the vehicle unless accompanied by a supervisor.
- (4) Despite subclause (3)(c), a driver who changes employment may continue to take part in the accelerated licensing process only if the driver's new employer is an approved employer and the Director has approved the change for the purposes of this Part.
- (5) The driver must not drive a vehicle to which the approval relates unless accompanied by a supervisor who—
- (a) holds, and has held for at least 2 years, a New Zealand full licence of a class that authorises the person to drive that vehicle; and
 - (b) is in charge of the vehicle; and
 - (c) is seated next to the driver at all times.
- (6) The Director must specify an expiry date on the notice of approval after which date the approval is no longer valid.

Clause 19H: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19H(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19H(3)(e): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19H(4): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19H(6): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19I Application to undertake stage 2 assessment

- (1) A driver who has completed at least 60 hours of supervised driving in a vehicle for which a Class 4 or Class 5 licence is required may apply to the Director to undertake a stage 2 assessment.
- (2) The application must be in a form approved by the Director and be accompanied by a signed statement from the driver and the applicant's approved employer that the conditions set out in clause 19H(3) have been complied with.
- (3) The Director may approve an application to take part in a stage 2 assessment if the Director considers that the applicant is a suitable candidate for the process and has completed the requirements set out in clause 19G.

Clause 19I: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19I(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19I(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19I(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19J Stage 2 assessment

- (1) A driver whose application has been approved under clause 19I(3) must successfully complete a course specified in clause 93(j) to determine the driver's suitability for an approval to drive a vehicle for which either a Class 4 or Class 5 licence is required in accordance with the conditions set out in clause 19K(3).
- (2) The course provider must issue a driver who successfully completes the course with a certificate of completion.
- (3) The certificate must show the licence class for which the assessment was taken.

Clause 19J: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Stage 3: Unsupervised driving with conditions and assessment

Heading: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

19K Stage 3: unsupervised driving with conditions

- (1) A driver who has successfully completed the requirements of a course specified in clause 93(j) may be issued with a written notice of approval by the Director to drive a vehicle for which either a Class 4 or Class 5 licence would otherwise be required.
- (2) A notice of approval must state the conditions with which the driver must comply.
- (3) The conditions are that the driver—
 - (a) must carry the notice of approval at all times when driving a vehicle to which the approval relates;
 - (b) must produce the notice of approval for inspection without delay if required to do so by an enforcement officer;
 - (c) may only be employed by the approved employer specified under clause 19C(2)(c) while driving a vehicle for which either a Class 4 or Class 5 licence is required;
 - (d) must maintain a logbook in a format specified in clause 8.1(6) of Land Transport Rule: Work Time and Logbooks 2007;
 - (e) must comply with the rest breaks requirements specified in clause 2.1(1) of Land Transport Rule: Work Time and Logbooks 2007 or in any vari-

ation of those requirements that are approved by the Director (including an alternative fatigue management scheme):

- (f) may only drive for more than 8 hours in each cumulative work day when 140 hours or more of unsupervised driving of the vehicle have been completed:
 - (g) must not undertake any other work time duties, except those specified in the notice of approval:
 - (h) may only drive during the hours of darkness when 60 hours or more of unsupervised driving of the vehicle have been completed.
- (4) Despite subclause (3)(c), a driver who changes employment may continue to take part in the accelerated licensing process only if the driver's new employer is an approved employer and the Director has approved the change for the purposes of this Part.
- (5) The Director must state an expiry date on the notice of approval after which date the approval is no longer valid.

Clause 19K: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19K(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19K(3)(e): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19K(4): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19K(5): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Exit assessment and obtaining Class 4 or Class 5 licence

Heading: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

19L Application to undertake exit assessment

- (1) A driver who has completed at least 200 hours of unsupervised driving may apply to the Director for an approval to undertake a course assessing the driver's driving skills specified in clause 93(k).
- (2) The application must be in a form approved by the Director and be accompanied by a signed statement from the driver and the driver's employer that the conditions specified in clause 19K(3) have been complied with.
- (3) To avoid doubt, the hours of unsupervised driving accumulated for the purposes of an exit assessment are in addition to the hours of supervised driving specified in clause 19I(1).
- (4) An applicant under this clause must have completed at least 20 hours of unsupervised driving during the hours of darkness.

Clause 19L: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 19L(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 19L(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

19M Exit assessment

- (1) A driver whose application has been approved under clause 19L must successfully complete an exit assessment specified in clause 93(k) to determine the driver's suitability to hold a Class 4 or Class 5 licence.
- (2) The course provider must issue a driver who successfully completes the exit assessment with a certificate of completion.
- (3) The certificate must show the licence class for which the assessment was taken.

Clause 19M: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

19N Obtaining Class 4 or Class 5 licence

On successful completion of an exit assessment, a person is entitled to apply for and to be issued with a Class 4 or Class 5 licence (as the case may be) if the person complies with the requirements of clause 19 in relation to a Class 4 or Class 5 licence.

Clause 19N: inserted, on 1 October 2012, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Part 5 Endorsements

Dangerous goods (D) endorsement

20 When dangerous goods endorsement required

A person who drives a motor vehicle that is transporting dangerous goods must hold a dangerous goods endorsement if required to do so under Land Transport Rule: Dangerous Goods 2005.

Clause 20: amended, on 1 October 2011, by clause 15 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

21 Obtaining dangerous goods endorsement

A person is entitled to obtain a dangerous goods endorsement on that person's driver licence if the person—

- (a) has made an application in accordance with Part 3; and
- (b) provides a certificate of his or her successful completion of an approved course of a type specified in clause 93(b)(iii) that is issued within 60 days of the date of the application.

Clause 21(a): replaced, on 1 December 2014, by clause 11 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 21(b): replaced, on 1 October 2012, by clause 16 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Driving instructor (I) endorsement

22 When driving instructor endorsement required

A person who, for financial or commercial gain, provides instruction on a road in driving a motor vehicle must hold a driving instructor endorsement for those classes of licence that relate to the motor vehicles for which the person intends to provide instruction.

Clause 22: amended, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

23 Obtaining driving instructor endorsement

- (1) A person is entitled to obtain a driving instructor endorsement on that person's driver licence if—
 - (a) the person has made an application in accordance with Part 3; and
 - (b) the person holds, and has held for at least 2 years, a New Zealand full licence of a class that authorises the person to drive a vehicle of a type in which the applicant intends to provide instruction; and
 - (c) the person provides evidence of his or her successful completion of an approved course of a type specified in clause 93(b)(iv); and
 - (d) the person passes a full licence test under clause 48 unless, in the 5 years immediately preceding the date of application, the person has passed a full licence test required for a Class 1 licence; and
 - (e) the person produces a medical certificate in accordance with clause 44; and
 - (f) the person consents to the carrying out of checks as to whether or not the person is a fit and proper person to be the holder of a driving instructor endorsement, and consents to the carrying out of those checks from time to time during the period of validity of the endorsement; and
 - (g) the Director is satisfied in accordance with clause 35(1) that the person is a fit and proper person to be the holder of a driving instructor endorsement.
- (2) Despite subclause (1), a person who holds a driving instructor endorsement and who applies to add another class of vehicle to that endorsement is entitled to obtain a driving instructor endorsement for that class of vehicle if—
 - (a) the person holds, and has held for at least 2 years, a New Zealand full licence of a class that authorises the person to drive that class of vehicle; and

- (b) the person complies with—
 - (i) the provisions listed in subclause (1)(a), other than clause 13; and
 - (ii) subclause (1)(f) and (g).

Clause 23(1)(a): replaced, on 1 December 2014, by clause 12 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 23(1)(b): amended, on 1 October 2011, by clause 17(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 23(1)(d): substituted, on 1 June 2006, by clause 11 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 23(1)(d): amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 23(1)(f): amended, on 4 October 1999, by clause 9(1) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 23(1)(g): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 23(2): added, on 4 October 1999, by clause 9(2) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 23(2)(a): amended, on 1 October 2011, by clause 17(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

24 Vehicles in which driving instructor endorsement authorises instruction

A driving instructor endorsement, when followed by a licence class number, authorises the holder to provide instruction in the driving of motor vehicles to which that licence class relates.

25 Holder of driving instructor endorsement must retain records of instruction provided and comply with requirements arising out of audits

The holder of a driving instructor endorsement must—

- (a) retain, for at least 12 months after the instruction is provided, records of the driving instruction provided by the person for financial or commercial gain; and
- (b) comply with any requirement made in writing by the Director to that person arising out of an audit of that person under section 198 of the Act.

Clause 25(a): amended, on 22 June 2005, by section 95(10) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 25(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Passenger (P) endorsement

26 When passenger endorsement required

- (1) A person must hold a passenger endorsement if that person drives—
 - (a) a motor vehicle that is operated in a passenger service; or

- (b) *[Revoked]*
- (2) Despite subclause (1), a passenger endorsement is not required if the transport is provided in any of the following situations:
- (a) when the motor vehicle is an ambulance being used in an ambulance service; or
 - (b) when an employer is providing transport for the employer's employees and the driver is an employee of that employer; or
 - (c) when a car pool is being conducted in which persons are carried to or from their place of employment, business, or education under a cost-sharing arrangement between occupants of the vehicle; or
 - (d) when a parent is transporting a child under a Ministry of Education transport allowance; or
 - (e) when the driver is a volunteer driving the motor vehicle to assist in the activities of an incorporated charitable organisation or a hospital; or
 - (f) when the motor vehicle is being operated to escort a lawfully detained person by—
 - (i) a personal guard; or
 - (ii) a Police employee; or
 - (iii) a security officer; or
 - (g) when the only person or persons being carried in the vehicle, in addition to the driver, is or are present—
 - (i) to service or test the vehicle; or
 - (ii) to instruct or test the driver; or
 - (iii) to receive instruction; or
 - (h) when the driver is a private chauffeur; or
 - (i) when the motor vehicle is being used in a facilitated cost-sharing arrangement.
- (3) In subclause (2)(f),—

personal guard has the meaning given to it in section 10 of the Private Security Personnel and Private Investigators Act 2010

Police employee has the meaning given to it in section 4 of the Policing Act 2008

security officer means a person appointed or engaged under section 17 of the Corrections Act 2004.

Clause 26(1)(b): revoked, on 1 October 2007, by section 95(11) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 26(2)(f): replaced, on 1 November 2012, by clause 7(1) of the Land Transport (Driver Licensing) Amendment Rule 2012 (SR 2012/302).

Clause 26(2)(g): added, on 1 June 2006, by clause 12(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 26(2)(h): added, on 1 June 2006, by clause 12(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 26(2)(h): amended, on 1 October 2017, by section 110(8) of the Land Transport Amendment Act 2017 (2017 No 34).

Clause 26(2)(i): inserted, on 1 October 2017, by section 110(8) of the Land Transport Amendment Act 2017 (2017 No 34).

Clause 26(3): added, on 1 June 2006, by clause 12(3) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 26(3) **personal guard**: inserted, on 1 April 2011, by section 121(2) of the Private Security Personnel and Private Investigators Act 2010 (2010 No 115).

Clause 26(3) **Police employee**: inserted, on 1 November 2012, by clause 7(2) of the Land Transport (Driver Licensing) Amendment Rule 2012 (SR 2012/302).

Clause 26(3) **security guard**: revoked, on 1 April 2011, by section 121(2) of the Private Security Personnel and Private Investigators Act 2010 (2010 No 115).

Clause 26(3) **security officer**: substituted, on 16 June 2008, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

27 Obtaining passenger endorsement

- (1) A person is entitled to obtain a passenger endorsement on that person's driver licence if—
 - (a) the person has made an application in accordance with Part 3; and
 - (b) the person holds, and has held for at least 2 years, a New Zealand full licence of a class other than Class 6; and
 - (c) *[Revoked]*
 - (d) *[Revoked]*
 - (e) the person produces a medical certificate in accordance with clause 44; and
 - (f) the person consents to the carrying out of checks as to whether or not the person is a fit and proper person to be the holder of a passenger endorsement, and consents to the carrying out of those checks from time to time during the period of validity of the endorsement; and
 - (g) the Director is satisfied in accordance with clause 35(1) that the person is a fit and proper person to be the holder of a passenger endorsement.
- (2) Despite subclause (1), a person need not comply with paragraph (d) of that subclause if,—
 - (a) at the close of 2 May 1999, the person held a Class CL or Class DL licence; and
 - (b) the person applies for a passenger endorsement before 3 May 2001.

Clause 27(1)(a): replaced, on 1 December 2014, by clause 13 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 27(1)(b): amended, on 1 October 2011, by clause 18 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 27(1)(c): revoked, on 1 October 2017, by clause 6 of the Land Transport (Driver Licensing) Amendment Rule 2017 (LI 2017/265).

Clause 27(1)(d): revoked, on 1 October 2017, by section 110(8) of the Land Transport Amendment Act 2017 (2017 No 34).

Clause 27(1)(f): amended, on 4 October 1999, by clause 10(1) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 27(1)(g): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 27(2): added, on 4 October 1999, by clause 10(2) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Forklift, roller, tracks, and wheels (special-type vehicle F, R, T and W) endorsements

28 When special-type vehicle endorsement required

A person who drives a special-type vehicle on a road must hold the appropriate special-type vehicle endorsement as specified in Schedule 4, unless the person holds a class 2 licence and the vehicle—

- (a) is also an agricultural motor vehicle; and
- (b) has a gross laden weight of less than 18 000 kg; and
- (c) is driven at a speed not exceeding 40 kph.

Clause 28: replaced, on 1 June 2013, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

29 Obtaining special-type endorsement

A person is entitled to obtain a special-type endorsement on that person's driver licence if the person—

- (a) has made an application in accordance with Part 3; and
- (b) holds a New Zealand full licence of a class, other than Class 6, that authorises the person to drive motor vehicles of an equivalent gross laden weight to the special-type vehicle the person intends to drive; and
- (c) provides a certificate showing successful completion by the person of the appropriate approved course of a type specified in subparagraphs (v) to (viii) of clause 93(b).

Clause 29(a): replaced, on 1 December 2014, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 29(b): amended, on 1 October 2011, by clause 19 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Testing officer (O) endorsement

30 When testing officer endorsement required

A person who conducts tests of practical driving skill required under clause 48 or clause 49 must hold a testing officer endorsement.

31 Obtaining testing officer endorsement

A person is entitled to obtain a testing officer endorsement on that person's driver licence if—

- (a) the person has made an application in accordance with Part 3; and
- (b) the person holds, and has held for at least 2 years, a New Zealand full licence of a class other than Class 6; and
- (ba) the person passes a full licence test under clause 48 unless, in the 5 years immediately preceding the date of application, the person has passed a full licence test required for a Class 1 licence; and
- (c) the person passes a certification test under clause 54; and
- (d) the person produces a medical certificate in accordance with clause 44; and
- (e) the person consents to the carrying out of checks as to whether or not the person is a fit and proper person to be the holder of a testing officer endorsement, and consents to the carrying out of those checks from time to time during the period of validity of the endorsement; and
- (f) the Director is satisfied in accordance with clause 35(1) that the person is a fit and proper person to be the holder of a testing officer endorsement.

Clause 31(a): replaced, on 1 December 2014, by clause 15 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 31(b): amended, on 1 October 2011, by clause 20 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 31(ba): inserted, on 1 June 2006, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 31(ba): amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 31(c): amended, on 4 October 1999, by clause 11 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 31(f): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

32 Holder of testing officer endorsement must retain records of driver testing undertaken and comply with requirements arising out of audits

The holder of a testing officer endorsement must—

- (a) retain, for at least 12 months after the testing is provided, records of the driver testing undertaken by the person for hire or reward; and

- (b) comply with any requirement made in writing by the Director to that person arising out of an audit of that person under section 198 of the Act.

Clause 32(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Vehicle recovery (V) endorsement

33 When vehicle recovery endorsement required

A person who drives a vehicle recovery service vehicle while it is being used in a vehicle recovery service must hold a vehicle recovery endorsement.

34 Obtaining vehicle recovery endorsement

- (1) A person is entitled to obtain a vehicle recovery endorsement on that person's driver licence if—
 - (a) the person has made an application in accordance with Part 3; and
 - (b) the person holds, and has held for at least 2 years, a New Zealand full licence of a class other than Class 6; and
 - (c) the person passes a full licence test under clause 48 unless, in the 5 years immediately preceding the date of application, the person has passed a full licence test required for a Class 1 licence; and
 - (d) the person provides evidence of successful completion by the person of an approved course of a type specified in clause 93(b)(ii); and
 - (e) the person produces a medical certificate in accordance with clause 44; and
 - (f) the person consents to the carrying out of checks as to whether or not the person is a fit and proper person to be the holder of a vehicle recovery endorsement, and consents to the carrying out of those checks from time to time during the period of validity of the endorsement; and
 - (g) the Director is satisfied in accordance with clause 35(1) that the person is a fit and proper person to be the holder of a vehicle recovery endorsement.
- (2) Despite subclause (1), a person need not comply with paragraph (d) of that subclause if,—
 - (a) at the close of 2 May 1999, the person held a Class NL licence; and
 - (b) the person applies for a vehicle recovery endorsement before 3 May 2001.

Clause 34(1)(a): replaced, on 1 December 2014, by clause 16 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 34(1)(b): amended, on 1 October 2011, by clause 21 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 34(1)(c): amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 34(1)(c): amended, on 1 June 2006, by clause 15(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 34(1)(f): amended, on 4 October 1999, by clause 12(1) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 34(1)(g): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 34(2): added, on 4 October 1999, by clause 12(2) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

35 Criteria and procedure in relation to fit and proper person test

- (1) In determining whether the applicant for, or the holder of, an endorsement specified in column 1 of the table to this subclause is a fit and proper person for the purposes of this rule, the Director may consider, and give such relative weight as the Director considers fit to, the criteria in subpart 2 of Part 4A of the Act set out in column 2 of the table to this subclause in relation to that type of endorsement.

Table to clause 35(1)

Type of endorsement	Criteria in subpart 2 of Part 4A of Act
Driving instructor	section 30C section 30D
Passenger	section 30C section 30D (in the case of a person who is driving or intends to drive small passenger service vehicles) section 30E (in the case of a person who is driving or intends to drive large passenger service vehicles)
Testing officer	section 30C section 30D
Vehicle recovery	section 30C section 30D

- (2) The Director may, for the purpose of determining whether or not a person is a fit and proper person for the purposes of this rule,—
- (a) seek and receive such information as the Director thinks fit; and
- (b) consider information obtained from any source.
- (3) If the Director proposes to take into account any information that is or may be prejudicial to the person, the Director must disclose that information to the person and give the person a reasonable opportunity to refute or comment on it.
- (4) Nothing in subclause (3) requires the Director to disclose any information the disclosure of which would be likely to endanger the safety of any person.
- (5) Nothing in this clause limits or affects the provisions of Part 4A of the Act in respect of any transport service driver.

Clause 35(1): substituted, on 1 October 2007, by section 95(11) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 35(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 35(1): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 35(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 35(2)(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 35(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 35(4): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 35(5): amended, on 1 December 2014, by clause 17 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Part 6

Driver identification cards

36 Application for driver identification card

- (1) An application for a driver identification card required under clauses 3.2(1)(c), 3.5, and 5.2 of Land Transport Rule: Operator Licensing 2017 must be in accordance with Part 3.
- (2) The applicant must provide a unique identifier as described in clauses 3.5 and 5.2 of Land Transport Rule: Operator Licensing 2017.

Clause 36: replaced, on 1 December 2014, by clause 18 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 36(1): amended, on 1 October 2017, by clause 7(1) of the Land Transport (Driver Licensing) Amendment Rule 2017 (LI 2017/265).

Clause 36(2): amended, on 1 October 2017, by clause 7(2) of the Land Transport (Driver Licensing) Amendment Rule 2017 (LI 2017/265).

Driver identification card property of Agency

Heading: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

37 Driver identification card property of Agency

- (1) A driver identification card issued to a person under clauses 3.2(1)(c), 3.5, and 5.2 of Land Transport Rule: Operator Licensing 2017 is the property of the Agency.
- (2) A person must surrender his or her driver identification card as and when required under this rule.

Clause 37 heading: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 37(1): amended, on 1 October 2017, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule 2017 (LI 2017/265).

Clause 37(1): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Part 7

Medical fitness

38 Eyesight testing

- (1) An applicant for a driver licence or an endorsement, or for the renewal of a driver licence or an endorsement, must either—
 - (a) have the applicant’s eyesight tested by a licensing agent; or
 - (b) provide a licensing agent with a certificate issued by a health practitioner within 60 days of the date that it is produced to the licensing agent stating that the applicant’s eyesight complies with the standards specified in subclause (2).
- (2) An applicant to whom subclause (1) applies must,—
 - (a) in the case of an applicant with vision in both eyes who applies to obtain a Class 1 or Class 6 driver licence, or a dangerous goods or special type vehicle endorsement,—
 - (i) have a visual acuity of at least 6/12 using both eyes; and
 - (ii) have a visual field of at least 140 degrees; and
 - (b) in the case of an applicant with vision only in 1 eye who applies to obtain a Class 1 or Class 6 driver licence, or a dangerous goods or special-type vehicle endorsement,—
 - (i) have a visual acuity of at least 6/12 in 1 eye; and
 - (ii) have a visual field of at least 140 degrees in that eye; and
 - (c) to obtain a driver licence of classes 2 to 5, or a passenger, vehicle recovery, driving instructor, or testing officer endorsement,—
 - (i) have a visual acuity of at least 6/9 using both eyes and at least 6/18 using each eye separately; and
 - (ii) have a visual field of at least 140 degrees.
- (3) The minimum eyesight standards specified in subclause (2) may be met either with or without correcting lenses.
- (4) If an applicant to whom subclause (1) applies fails an eyesight test administered by a licensing agent, the agent must advise the applicant that the applicant may provide a certificate in accordance with subclause (1)(b) as an alternative method of satisfying the requirements of subclause (2).

- (5) A licensing agent is not required to administer an eyesight test to an applicant with vision only in 1 eye to whom subclause (1) applies, but must advise the applicant that the applicant must produce a certificate in accordance with subclause (1)(b) to satisfy the requirements of subclause (2).

Clause 38(1)(b): amended, on 7 November 2018, by section 21 of the Land Transport Amendment Act 2016 (2016 No 77).

Clause 38(1)(b): amended, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 38(2)(a)(i): amended, on 1 October 2011, by clause 22 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

39 Medical declaration

- (1) If an applicant for a driver licence or an endorsement, or for a renewal of a driver licence or an endorsement, has suffered from any medical condition or conditions (including any condition relating to eyesight) that has, to the applicant's knowledge, in the 5 years immediately preceding the date of application adversely affected the applicant's ability to drive safely, the applicant must—
- (a) state this fact on the application form; and
 - (b) produce with the application form a medical certificate that complies with clause 44.
- (2) If an applicant for a driver licence or an endorsement, or for a renewal of a driver licence or an endorsement, has suffered from any medical condition or conditions (including any conditions relating to eyesight) that could, to the applicant's knowledge, adversely affect the ability of the applicant to drive safely, but has not done so in the 5 years immediately preceding the date of application, the applicant must—
- (a) state this fact on the application form; and
 - (b) sign a statement to that effect.
- (3) If the applicant for a driver licence or an endorsement, or for a renewal of a driver licence or an endorsement, does not suffer from any medical condition or conditions (including conditions relating to eyesight) that could, to the applicant's knowledge, adversely affect the ability of the applicant to drive safely, the applicant must—
- (a) state this fact on the application form; and
 - (b) sign a statement to that effect.

Clause 39(2)(b): amended, on 1 October 2011, by clause 23(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 39(3): added, on 1 October 2011, by clause 23(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

40 Special medical examination

- (1) The Director may require any of the following persons to undergo a medical examination if he or she considers that there are reasonable grounds to require the person to undergo a medical examination in the interests of public safety:
 - (a) an applicant for a driver licence:
 - (b) an applicant for an endorsement:
 - (c) an applicant for the renewal of a driver licence:
 - (d) an applicant for the renewal of an endorsement.
- (2) A licensing agent (other than the Director) may, if the licensing agent considers that there may be grounds for requiring an applicant to be medically examined under subclause (1), refer any application for a driver licence or an endorsement, or for the renewal of a driver licence or an endorsement, to the Director to enable the Director to consider whether to require a medical examination under subclause (1).

Clause 40(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 40(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

41 Requirements of medical examination

- (1) A medical examination required under clause 40(1) must be carried out by—
 - (a) a health practitioner nominated by the applicant; or
 - (b) a health practitioner nominated by the Director.
- (2) The Director may nominate a person under subclause (1)(b) only if—
 - (a) the applicant fails to nominate a person under subclause (1)(a); or
 - (b) the Director is not satisfied that the person nominated by the applicant is appropriately qualified to undertake the medical examination.
- (3) A person who is nominated to undertake a medical examination under subclause (1) must be a member of one of the class or classes of registered health professional that, in the opinion of the Director, is appropriately qualified to undertake the examination in the particular case.
- (4) A medical examination required under clause 40(1) must be carried out having regard to the document issued by the Agency entitled *Medical Aspects of Fitness to Drive: A Guide for Health Practitioners*.

Clause 41(1)(a): amended, on 7 November 2018, by section 21 of the Land Transport Amendment Act 2016 (2016 No 77).

Clause 41(1)(a): amended, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 41(1)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 41(1)(b): amended, on 7 November 2018, by section 21 of the Land Transport Amendment Act 2016 (2016 No 77).

Clause 41(1)(b): amended, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 41(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 41(2)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 41(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 41(4): amended, on 1 June 2019, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).

Clause 41(4): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

42 Powers of Director

The Director may decline to issue or renew a driver licence or endorsement or may issue or renew the licence or endorsement with conditions—

- (a) if an applicant refuses or fails to undergo an examination required under clause 40(1); or
- (b) if, following an examination required under clause 40(1), the Director—
 - (i) is satisfied on medical grounds that the applicant is not a fit and proper person to be granted a driver licence or endorsement of the relevant class or type; or
 - (ii) considers that, in the interests of public safety, any driver licence or endorsement held by the applicant requires conditions that take into account any relevant physical or mental condition of the applicant.

Clause 42 heading: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 42: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 42(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

43 Advice of right to appeal

The Director must give written notice to an applicant whose application for the issue or renewal of a driver licence or endorsement has been declined under clause 42, or granted subject to conditions under that clause, of the rights of appeal given by section 106 of the Act.

Clause 43: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

General provision about medical certificates

[Revoked]

Heading: revoked, on 4 December 2006, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

44 Medical certificates

- (1) A person who is required by this rule to produce a medical certificate to any person must—
 - (a) obtain, from a person who is a member of 1 or more of the class or classes of health practitioner qualified to issue the certificate, a certificate that states whether the person is medically fit to drive under the applicable class of licence or type of endorsement, having regard to the document issued by the Director entitled *Medical Aspects of Fitness to Drive: A Guide for Health Practitioners*; and
 - (b) pay the appropriate fee (if any) specified in or assessed in accordance with regulations made under the Act.
- (1A) In the case of a person applying for a driver licence of Classes 2 to 5, a Class 1 medical certificate issued under Part 2A of the Civil Aviation Act 1990 and Part 67 of the Civil Aviation Rules may be produced instead of a medical certificate described in subclause (1)(a).
- (2) A medical certificate produced under this rule is valid only if it is issued within 60 days before the date on which it is produced.
- (2A) A medical certificate produced under subclause (1A) may be—
 - (a) the original certificate; or
 - (b) a copy of that certificate certified by a solicitor of the High Court of New Zealand, a registrar of a District Court, a Justice of the Peace, or the health practitioner who issued the certificate.
- (3) A person who would otherwise be required by this rule to produce a medical certificate is not required to do so if—
 - (a) the person has obtained, in the 5 years immediately preceding the date of application for the issue or renewal of a driver licence or endorsement, another driver licence or endorsement for which the person was required to produce a medical certificate to the same medical standards as required in subclause (1); and
 - (b) the person provides the licensing agent with a signed statement that any adverse condition the person suffers from that may affect the person's ability to drive safely has not worsened since the medical certificate referred to in subclause (3)(a) was produced.
- (4) Subclause (3) does not apply to a medical certificate required in respect of an applicant—
 - (a) for a driver licence who is 75 years of age or over; or

- (b) for renewal of a driver licence under clause 67(5)(a).
- (5) This clause does not apply to a medical certificate issued under clause 38(1)(b).
- Clause 44(1)(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).
- Clause 44(1)(a): amended, on 1 June 2019, by clause 8(1)(a) of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).
- Clause 44(1)(a): amended, on 1 June 2019, by clause 8(1)(b) of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).
- Clause 44(1A): inserted, on 1 June 2006, by clause 16(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).
- Clause 44(2A): inserted, on 1 June 2006, by clause 16(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).
- Clause 44(2A)(b): amended, on 1 June 2019, by clause 8(2) of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).
- Clause 44(4): substituted, on 1 October 2011, by clause 24 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

44A Obligations of person who issues medical certificate

- (1) This clause applies if a medical certificate is required for the purposes of this rule.
- (2) The person who issues the medical certificate must, as soon as practicable, give written notice to the Director of his or her assessment if he or she assesses the applicant as not medically fit to drive a motor vehicle for which a driver licence is required.
- Clause 44A: inserted, on 4 December 2006, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).
- Clause 44A(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

44B Applicants may be referred for on-road safety test

- (1) This clause applies if a medical certificate is required for a Class 1 or Class 6 licence and the applicant—
- (a) is 75 years of age or older; or
- (b) is 74 years of age or older and is renewing his or her licence under clause 67(5)(a).
- (2) The person who issues the medical certificate may refer the applicant for an on-road safety test if he or she—
- (a) assesses the applicant as medically fit to drive under the applicable class of licence; but
- (b) has significant doubts about the applicant's ability to drive safely.
- (3) This clause does not apply if a medical certificate is required only for the renewal of an endorsement on a Class 1 driver licence.
- Clause 44B: inserted, on 4 December 2006, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Part 8

Theory and practical tests for driver licences

Theory tests

45 Theory tests required

- (1) An applicant for a driver licence—
- (a) of any of Classes 1L, 2L, 3L, 5L, or 6L; or
 - (b) for a licence of any class if the applicant is required under any other provision of this rule to pass a theory test—

must pass the appropriate theory test approved by the Director in relation to the class of licence sought.

- (1A) Despite subclause (1), a person does not have to pass the appropriate theory test approved by the Director if,—
- (a) at the close of 2 May 1999, the person held a Class LL licence; and
 - (b) the person applies for a Class 3L or Class 5L licence before 3 May 2001.
- (2) This clause is subject to clause 53.

Clause 45(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 45(1): amended, on 16 January 2006, by section 95(12) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 45(1A): inserted, on 4 October 1999, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 45(1A): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 45(1A): amended, on 16 January 2006, by section 95(12) of the Land Transport Amendment Act 2005 (2005 No 77).

46 Standard for passing theory test

An applicant passes a theory test approved by the Director if the applicant answers correctly the number of questions required to be answered correctly as approved by the Director.

Clause 46: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 46: amended, on 16 January 2006, by section 95(12) of the Land Transport Amendment Act 2005 (2005 No 77).

47 Theory test to be conducted by licensing agent or testing officer

A theory test must be conducted by a licensing agent or a testing officer.

*Practical driving tests***48 Practical skills tests required**

- (1) An applicant for a Class 6L licence must take a basic handling skills test approved by the Director.
- (2) An applicant for a Class 1R or 6R licence must take the appropriate restricted licence test approved by the Director in relation to the class of licence sought.
- (3) An applicant for a Class 1, 2, 3, 4, 5, or 6 licence must take the appropriate full licence test approved by the Director in relation to the class of licence sought.
- (4) Except as provided in subclause (5) or clause 53, the applicant must, in accordance with Schedule 3, take the practical driving test in a vehicle to which the class of licence sought relates.
- (5) An applicant may take the practical driving test in an appropriately configured or loaded vehicle of a class other than that to which the class of licence sought relates if the Director approves the use of that other vehicle for the test.

Clause 48: substituted, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 48(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 48(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 48(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 48(5): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

49 On-road safety test

- (1) An applicant for a Class 1 or Class 6 licence must pass the on-road safety test if he or she is referred for the test under clause 44B.
- (2) The applicant must take the test in a vehicle to which the class of licence sought relates in accordance with Schedule 3.
- (3) If the applicant fails the test and his or her driver licence has expired or been revoked, a temporary driver licence issued under section 24(3) of the Act may be made subject to the condition specified in clause 16(1)(a).
- (4) An applicant is not required to pass the on-road safety test if he or she is required to complete a practical driving test under clause 48.

Clause 49: substituted, on 4 December 2006, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

49A Transitional provision for applicants 80 years and over applying for driver licence

- (1) This clause applies to an applicant for a driver licence who—
 - (a) is 80 years of age or over; and

- (b) failed his or her most recent attempt at the test in Part F of Schedule 6 before the commencement of this clause.
- (2) The applicant must pass the on-road safety test in order to obtain his or her licence, in addition to the other requirements of this rule.

Clause 49A: inserted, on 4 December 2006, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

50 Practical driving test not to be completed using certain vehicles

No practical driving test may be taken on a moped, all-terrain vehicle, tractor, or special-type vehicle.

Clause 50: amended, on 16 June 2008, by clause 10 of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

51 Standard for passing practical test

An applicant passes a practical test approved by the Director if the applicant passes the test to the standard determined by the Director.

Clause 51: substituted, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 51: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

52 Persons who may conduct practical driving tests

- (1) A practical driving test may be conducted by a person who is—
 - (a) a testing officer; and
 - (b) either employed by, or under contract to,—
 - (i) the Authority; or
 - (ii) an agent of the Authority; or
 - (iii) the New Zealand Defence Force.
- (2) Despite subclause (1), a basic motorcycle handling skills test approved by the Director may only be carried out by—
 - (a) a person referred to in subclause (1); or
 - (b) an approved motorcycle instructor.
- (3) The Director may approve a motorcycle instructor to conduct the test referred to in subclause (2).

Clause 52: substituted, on 1 June 2006, by clause 19 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 52(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 52(2): amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 52(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

52A Practical driving test may be terminated

A testing officer may terminate a practical driving test at any time during the course of the test if, in the opinion of the testing officer, the applicant—

- (a) commits an offence under section 35(1)(a) or (b) or section 36(1)(a) (relating to reckless or dangerous driving), or under section 37(1), section 38(1), or section 39(1) (relating to careless or inconsiderate driving) of the Act; or
- (b) is wholly or partly responsible for an accident; or
- (c) is unable, because of lack of driving ability, to carry out an instruction of the testing officer; or
- (d) exceeds the applicable speed limit by more than 10 km/h; or
- (e) fails to comply with give-way rules or give-way signs; or
- (f) fails to comply with traffic signals or stop signs.

Clause 52A: inserted, on 1 June 2006, by clause 19 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Applicant for more than 1 class of licence

53 Applicant for more than 1 class of licence

- (1) Subject to subclause (2), a person who is—
 - (a) applying for the renewal of a driver licence where the person is the holder of more than 1 class of licence; or
 - (b) applying for a replacement licence under clause 86; or
 - (c) applying for a New Zealand driver licence of more than 1 class under clause 89,—

is only required to complete 1 practical driving test if the applicant completes the appropriate practical driving test in a vehicle to which the highest class of licence sought relates in accordance with Schedule 3.

- (2) A person who is applying for a Class 6 licence in addition to any other class or classes of licence must complete the appropriate practical driving test on a motorcycle, in addition to completing the appropriate practical driving test in relation to the other class or classes of licence sought.
- (3) Subject to subclause (4), a person referred to in paragraph (a) or paragraph (b) or paragraph (c) of subclause (1) is only required to complete 1 theory test if the person completes the appropriate theory test required for the highest class of licence sought.
- (4) A person who is applying for a Class 6 licence in addition to any other class or classes of licence must complete the appropriate theory test required for a Class 6 licence in addition to completing the appropriate theory test in relation to the other class or classes of licence sought.

Certification test for testing officer

54 Certification test for testing officer

An applicant for a testing officer endorsement must complete the certification test approved by the Director to the standard determined by the Director.

Clause 54: substituted, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 54: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Person taking test must produce identification

55 Person taking test must produce identification

A person undertaking a test required under this Part must present to the person conducting the test either—

- (a) the person's photographic driver licence or a current temporary driver licence that is accompanied by a form of photographic identification of the applicant that is acceptable to the Director; or
- (b) in the case of a theory test, identification in the form specified in clause 11(2) or 11(3).

Clause 55(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 55(a): amended, on 1 October 2011, by clause 25(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 55(b): amended, on 1 December 2014, by clause 20 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 55(b): amended, on 1 October 2011, by clause 25(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Part 9

Conditions relating to driver licences and endorsements

56 Conditions relating to physical disability

(1) The Director may direct that a person may drive a motor vehicle only if the person complies with 1 or more of the following conditions:

- (a) the person uses correcting lenses, an occluder covering 1 eye, aids to hearing, or artificial limbs, that the Director considers are appropriate; or
- (b) the person drives the vehicle during periods, and under circumstances, that the Director considers are appropriate given—
 - (i) the person's physical or mental condition at the time of application; or
 - (ii) the outcome of a review of the person's fitness to drive under clause 77(1); or

- (c) the vehicle is specially adapted or has specified features; or
 - (d) the person consults with a health practitioner who is a member of a designated class of health practitioners at intervals specified by the Director.
- (2) The Director must notify a person on whose driver licence or endorsement conditions have been imposed under subclause (1) of the rights of appeal given by section 106 of the Act.
- (3) In subclause (1)(d), **designated class of health practitioners** means a class of health practitioners designated by the Director.

Clause 56(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 56(1)(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 56(1)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 56(1)(d): replaced, on 7 November 2018, by section 21 of the Land Transport Amendment Act 2016 (2016 No 77).

Clause 56(1)(d): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 56(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 56(3): inserted, on 7 November 2018, by section 21 of the Land Transport Amendment Act 2016 (2016 No 77).

Clause 56(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

57 Condition imposed on Class 1R licence in relation to driving motor vehicle with automatic transmission

The Director must impose a condition on a person's Class 1R licence permitting the person to drive only a motor vehicle with an automatic transmission if, when obtaining a Class 1R licence, the person passes the restricted licence test under clause 48 in a motor vehicle with an automatic transmission.

Clause 57: substituted, on 1 June 2006, by clause 20 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 57: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 57: amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

57A Transitional provision for condition relating to automatic transmission vehicle

- (1) In the case of an existing driver licence of a driver who is 80 years of age or over, a condition that the person is permitted to drive only a vehicle with automatic transmission, imposed as a result of passing a driving test in a vehicle with automatic transmission,—
- (a) does not apply unless subclause (2) also applies; and

- (b) must be removed from the driver licence of the applicant when he or she renews or replaces his or her licence unless subclause (2) applies.
- (2) Despite subclause (1), a driver who is 80 years of age or over who renews or replaces his or her driver licence may be subject to a condition imposed on medical grounds that allows that person to drive only a motor vehicle with an automatic transmission.

Clause 57A: inserted, on 1 June 2006, by clause 20 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

58 Removal of condition relating to automatic transmission

A condition under clause 57 must be removed if the person to whom it applies,—

- (a) being less than 80 years of age, holds a restricted licence, and passes a full licence test under clause 48; or
- (b) being less than 80 years of age, passes a restricted licence test under clause 48 in a motor vehicle with a manual transmission.
- (c) *[Revoked]*

Clause 58(b): amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 58(b): amended, on 1 June 2006, by clause 21 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 58(c): revoked, on 1 June 2006, by clause 21 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

59 Condition relating to automatic transmission not to apply in certain circumstances

A condition under clause 57 does not apply if the person is driving a manual vehicle while accompanied by a person who—

- (a) holds, and has held for at least 2 years, a full licence of a class that authorises that person to drive that vehicle; and
- (b) is in charge of the vehicle; and
- (c) is seated in the front passenger seat or, if there is no front passenger seat available, is seated as close as is practicable to the driver.

Part 10

Period of validity of driver licences and endorsements

60 Period of validity of driver licence

- (1) A driver licence that is obtained or renewed under this rule may be issued for a period of 10 years except that,—

- (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:
 - (b) if the person is at least 75 years of age but younger than 80 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 80th birthday:
 - (c) if the person is 80 years of age or over at the date of the issue of the licence, the expiry date specified on the licence must be the next birthday of the applicant that is a whole multiple of 2:
 - (ca) *[Revoked]*
 - (d) if a renewed licence is issued under clause 67(5) with an expiry date that is more than 10 years after the date of the issue of the licence, the licence expires on the date specified on the licence.
- (1A) *[Revoked]*
- (1B) A driver licence of Class 1L, Class 1R, Class 6L, or Class 6R is valid for 2 years after the expiry date of the licence if the expiry date is—
- (a) on or after 1 December 2019; and
 - (b) on or before 1 December 2021.
- (1C) A person whose licence is valid under subclause (1B) or (3) must be treated as having a current driver licence.
- (1D) Subclause (1B) does not apply to a licence of Class 1L, Class 1R, Class 6L, or Class 6R that was issued before 1 December 2014.
- (1E) Subclause (1B) does not apply to a person whose licence may be reinstated under clause 67A(1), 67B(1), or 67C(1) (which relate to disqualifications, suspensions, alcohol interlock licences, or zero alcohol licences).
- (1F) Subclauses (1B) to (1E) and (3B) are revoked on 2 December 2023.
- (2) A driver licence that is replaced under this rule must be issued with an expiry date that is the same as the expiry date of the licence being replaced.
- (3) Despite subclause (1), but subject to subclause (3A), the Director may extend the period of validity of a driver licence for a period not exceeding 1 year.
- (3A) *[Revoked]*
- (3B) Subclause (3) does not apply in a case to which subclause (1B) applies.
- (4) The period of validity of a driver licence is not affected by the holder obtaining a driver licence or endorsement of any other class or type.
- (5) Despite subclause (4), if a person who holds a driver licence obtains an additional licence class or endorsement, the person's existing licence may be reissued with an expiry date in accordance with subclause (1) from the date of issue, but only if the minimum requirements of that application also satisfy the

minimum requirements for renewal of the person's existing licence class or classes under clause 67.

(6) *[Revoked]*

Clause 60: replaced, on 1 October 2012, by clause 26 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 60(1)(a): replaced, on 1 December 2021, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 60(1)(ca): revoked, on 1 December 2021, by clause 6(2) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 60(1A): revoked, on 1 December 2021, by clause 6(3) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 60(1B): inserted, on 1 November 2019, by clause 5(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2019 (LI 2019/259).

Clause 60(1C): inserted, on 1 November 2019, by clause 5(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2019 (LI 2019/259).

Clause 60(1D): inserted, on 1 November 2019, by clause 5(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2019 (LI 2019/259).

Clause 60(1E): inserted, on 1 November 2019, by clause 5(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2019 (LI 2019/259).

Clause 60(1F): inserted, on 1 December 2021, by clause 6(4) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 60(3): replaced, on 1 December 2014, by clause 21(4) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 60(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 60(3A): revoked, on 1 December 2021, by clause 6(5) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 60(3B): replaced, on 1 December 2021, by clause 6(6) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 60(6): revoked, on 1 December 2021, by clause 6(7) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

61 Period of validity of endorsement

- (1) A dangerous goods endorsement may be issued for a period of 5 years.
- (2) Subject to subclause (3), a passenger, vehicle recovery, driving instructor, or testing officer endorsement may be issued for a period of 1 year or a period of 5 years.
- (3) If a person who holds a passenger, vehicle recovery, driving instructor, or testing officer endorsement obtains an additional endorsement that is a passenger, vehicle recovery, driving instructor, or testing officer endorsement, the additional endorsement expires on the same date as the previous endorsement.
- (4) A special-type vehicle endorsement expires on the same date as the holder's driver licence.

Clause 61: substituted, on 4 October 1999, by clause 16 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Part 11

Format of driver licences, driver identification cards, and “L” (learner) plates

62 Features to verify and protect licence integrity

A driver licence (other than a temporary driver licence) must have the following features for the purposes of verifying or protecting the integrity of the licence:

- (a) physical characteristics that comply with International Standards Organisation 7810: Identification Cards—Physical Characteristics: 1995:
- (b) the following background colour:
 - (i) for a full driver licence, green:
 - (ii) for a restricted driver licence, yellow:
 - (iii) for a learner driver licence, blue:
 - (iv) for a a limited licence, an alcohol interlock licence, or a zero alcohol licence, such background colour as the Director considers desirable to protect the integrity of the licence:
 - (v) for a driver licence if the holder holds licences to which 2 or more of paragraphs (i) to (iv) apply, such background colour as the Director considers desirable to protect the integrity of the licence:
- (c) the words “NEW ZEALAND DRIVER LICENCE”:
- (d) the word “LEARNER”, if the driver licence is a learner licence:
- (e) the word “LIMITED”, if the driver licence is a limited licence issued under section 105 of the Act:
- (f) the word “RESTRICTED”, if the driver licence is a restricted licence:
- (fa) the words “ALCOHOL INTERLOCK”, if the driver licence is an alcohol interlock licence:
- (fb) the words “ZERO ALCOHOL”, if the driver licence is a zero alcohol licence:
- (g) an image of the New Zealand Flag:
- (h) a one-dimensional bar code containing the driver licence number, driver licence card number, and a quality control number:
- (i) 1 or more of the following:
 - (i) micro-printing:
 - (ii) special fonts:
 - (iii) a ghosted image of a photographic image:
 - (iv) a holographic image:
- (j) the expiry date of each endorsement held by the holder of the licence.

Clause 62(b)(iv): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 62(b)(iv): amended, on 10 September 2012, by section 100(2) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 62(b)(v): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 62(e): amended, on 1 October 2012, by clause 27 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 62(fa): inserted, on 10 September 2012, by section 100(2) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 62(fb): inserted, on 10 September 2012, by section 100(2) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

63 Form of driver licence

- (1) A driver licence must, at the discretion of the Director, display the following information on either the front or back of the licence:
 - (a) the word “LEARNER”, if the driver licence is a learner licence:
 - (b) the word “RESTRICTED”, if the driver licence is a restricted licence:
 - (c) either the word “LEARNER” or the word “RESTRICTED”, if the holder holds 2 or more of those driver licences:
 - (ca) the words “ALCOHOL INTERLOCK”, if the driver licence is an alcohol interlock licence:
 - (cb) the words “ZERO ALCOHOL”, if the driver licence is a zero alcohol licence:
 - (d) the word “LIMITED”, if the driver licence is a limited licence issued under section 105 of the Act:
 - (e) the holder’s signature:
 - (f) the original date on which the driver licence is issued:
 - (fa) the date or dates of expiry of the licence class or classes:
 - (g) the expiry date of each endorsement held by the holder of the licence:
 - (h) the holder’s current address, if requested by the holder:
 - (i) the classes to which the licence applies and the endorsements issued to the holder:
 - (j) an indication of any condition the holder must comply with while driving a motor vehicle:
 - (k) the word “DONOR”, if the holder has indicated a willingness to be an organ donor:
 - (l) a one-dimensional bar code containing the driver licence number, driver licence card number, and a production quality control number.
- (2) A driver licence must display the following information on the front of the licence:

- (a) the words “NEW ZEALAND DRIVER LICENCE”;
 - (b) an image of the New Zealand flag;
 - (c) a photographic image of the holder;
 - (d) the holder’s full name, unless it is impracticable to display the name in full;
 - (e) the holder’s date of birth;
 - (f) *[Revoked]*
 - (g) the driver licence number and driver licence card version number.
- (3) The Director may require that anti-counterfeiting security features be included on a driver licence if the Director considers it necessary.
- (4) An endorsement must be indicated on a driver licence in the following way:
- (a) for all endorsements other than a driving instructor endorsement, by the appropriate single letter specified in Schedule 4:
 - (b) for a driving instructor endorsement, by the single letter specified in Schedule 4 followed by the appropriate driver licence class number specified in Schedule 3.

Clause 63: substituted, on 1 October 2011, by clause 28 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 63(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 63(1)(ca): inserted, on 10 September 2012, by section 100(2) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 63(1)(cb): inserted, on 10 September 2012, by section 100(2) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 63(1)(e): amended, on 1 December 2014, by clause 22(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 63(1)(fa): inserted, on 1 December 2014, by clause 22(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 63(2)(d): replaced, on 1 November 2012, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule 2012 (SR 2012/302).

Clause 63(2)(f): revoked, on 1 December 2014, by clause 22(3) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 63(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

64 Form of temporary driver licence

- (1) A temporary driver licence must be—
- (a) printed on paper; and
 - (b) signed by the holder; and
 - (c) authenticated by a licensing agent.
- (2) A temporary driver licence must display the following on the front of the licence:

- (a) the words “TEMPORARY NEW ZEALAND DRIVER LICENCE”;
 - (b) the holder’s name;
 - (c) the holder’s date of birth;
 - (ca) the date on which the driver licence is issued;
 - (d) the date on which the driver licence expires;
 - (e) the driver licence number and driver licence card number (if known);
 - (f) the classes of driver licence and types of endorsement issued to the holder;
 - (g) an indication of any condition the holder must comply with while driving a motor vehicle.
- (3) *[Revoked]*
- (4) *[Revoked]*
- Clause 64(2)(ca): inserted, on 1 June 2006, by clause 23 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).
- Clause 64(3): revoked, on 1 October 2011, by clause 29 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).
- Clause 64(4): revoked, on 1 October 2011, by clause 29 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

65 Form of driver identification card

- (1) A driver identification card must be 105 mm high and 80 mm wide.
- (2) A driver identification card must display the following on the front of the card:
 - (a) a photographic image of the holder;
 - (b) the holder’s unique identifier;
 - (c) a list of the endorsements held by the holder for which a driver identification card is required;
 - (d) the expiry date of the driver identification card.
- (3) A driver identification card must display the following on the back of the card:
 - (a) the holder’s name;
 - (b) the licence number on the holder’s driver licence;
 - (c) the expiry date of each endorsement covered by the driver identification card;
 - (d) an indication of any conditions with which the holder must comply when undertaking an activity for which an endorsement covered by the driver identification card is required.
- (4) A driver identification card may include 1 or more of the features specified in clause 62(i).
- (5) An endorsement must be indicated on a driver identification card by the appropriate single letter specified in Schedule 4.

66 Form of “L” plate

- (1) An “L” plate must—
 - (a) be a rectangle with sides at least 150 mm high and 110 mm wide; and
 - (b) display the capital letter “L”, in black, on a yellow background.
- (2) The letter “L” must—
 - (a) be at least 100 mm high; and
 - (b) be at least 60 mm wide.
- (3) The width of each line of the letter “L” must be at least 20 mm.
- (4) An “L” plate must be positioned—
 - (a) so that it does not obstruct the driver’s field of vision; and
 - (b) so that it is visible at a distance of 50 m in daylight.
- (5) An “L” plate must be attached in the following way:
 - (a) in the case of a motorcycle, moped, or all-terrain vehicle, by attaching it to the rear of the vehicle:
 - (b) in the case of a vehicle for which a Class 1 licence is required, other than a moped or an all-terrain vehicle, by attaching 1 plate visible to the front of the vehicle and another plate visible to the rear.

Part 12**Renewal, replacement, and reinstatement of driver licences and endorsements**

Part 12 heading: amended, on 16 January 2006, by section 95(12) of the Land Transport Amendment Act 2005 (2005 No 77).

*Renewal of driver licence***67 Renewal of driver licence**

- (1) The Director may, from time to time, on the application of the holder of a licence, renew the licence.
- (1A) The application may be made before or after the expiry of the licence.
- (2) A person is entitled to have his or her driver licence renewed if the person—
 - (a) makes an application in accordance with Part 3; and
 - (b) if the application is for the renewal of a licence of any of Classes 2, 3, 4, or 5, produces a medical certificate in accordance with clause 44; and
 - (c) is renewing the licence for a period beyond the person’s 75th birthday and the person produces a medical certificate in accordance with clause 44; and
 - (d) passes the on-road safety test, if referred for the test under clause 44B; and

- (e) in the case of a licence (excluding a Class 6 licence) that has been expired for more than 5 years, passes—
 - (i) the appropriate theory test under clause 45 for the highest class of driver licence that the person is applying to renew; and
 - (ii) the appropriate practical driving test for the highest class of driver licence that the person is applying to renew in accordance with clauses 48 and 51 or successfully completes a course approved under clause 93; and
- (f) in the case of a Class 6 licence that has been expired for more than 5 years, passes—
 - (i) the theory test for Class 6 under clause 45(1); and
 - (ii) the practical driving test for Class 6 under clause 48.
- (2A) A person who has been overseas for 5 years or more does not have to comply with subclause (2)(e) or (f), if the person can provide evidence of being licensed to drive (whether in New Zealand or overseas) within the period of 5 years immediately preceding the date of the application.
- (2B) *[Revoked]*
- (3) If a person to whom subclause (2)(e) applies complies with subclause (2)(e)(i), the person's driver licence may be renewed subject to the condition specified in clause 16(1)(a).
- (4) A condition imposed under subclause (3) continues in force until the person to whom it applies complies with subclause (2)(e)(ii).
- (4A) If a person to whom subclause (2)(f) applies complies with subclause (2)(f)(i), that person may be issued with a Class 6L licence, subject to the conditions specified in clause 16(1)(d).
- (5) A renewed driver licence may be issued with a new expiry date that would have applied had the licence been renewed on the expiry date if the licence is renewed,—
 - (a) in the case of a driver who is 74 years of age or over, not more than 6 months before the expiry date; and
 - (b) in all other cases, not more than 60 days before the expiry date.

Clause 67(1): replaced, on 1 December 2014, by clause 23(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 67(1A): replaced, on 1 December 2021, by clause 7(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 67(1A)(a)(i): replaced, on 1 November 2019, by clause 6(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2019 (LI 2019/259).

Clause 67(2)(a): replaced, on 1 December 2014, by clause 23(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67(2)(c): substituted, on 1 October 2011, by clause 30(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 67(2)(d): substituted, on 4 December 2006, by clause 10(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 67(2)(e): substituted, on 4 December 2006, by clause 10(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 67(2)(f): substituted, on 4 December 2006, by clause 10(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 67(2)(f)(ii): amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 67(2A): substituted, on 1 October 2011, by clause 30(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 67(2B): revoked, on 1 December 2021, by clause 7(2) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381).

Clause 67(4A): inserted, on 1 June 2006, by clause 24(3) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 67(5): substituted, on 1 June 2006, by clause 24(3) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

67A Reinstatement of driver licence with respect to those who have been disqualified for more than 12 months after end of disqualification

- (1) The Director may, from time to time, on the application of a person who has been disqualified for more than 12 months, reinstate that person's licence.
- (2) A person is entitled to have his or her driver licence reinstated if—
 - (a) the person has served their disqualification, and there are no further subsequent periods of disqualification left to serve as of the date of application; and
 - (b) the person complies with clause 67(2)(a); and
 - (c) the person is applying for reinstatement of a licence for a period beyond the person's 75th birthday and the person produces a medical certificate in accordance with clause 44; and
 - (d) the person passes the on-road safety test, if referred for the test under clause 44B; and
 - (e) in the case of an applicant for a licence of any of Classes 2, 3, 4, or 5, the person produces a medical certificate in accordance with clause 44; and
 - (f) in the case of an applicant for a licence of any of—
 - (i) Classes 1, 2, 3, 4, or 5, the person passes—
 - (A) the appropriate theory test under clause 45 for the highest class of driver licence the person is applying to reinstate; and
 - (B) the appropriate practical driving test for the highest class of driver licence the person is applying to reinstate in accordance with clauses 48 and 51; or

- (ii) Classes 2, 3, 4, and 5, the person completes a course approved under clause 93 (if any); and
- (g) in the case of an applicant for a Class 6 driver licence, the person passes—
 - (i) the theory test for a Class 6 licence under clause 45(1); and
 - (ii) the practical driving test for a Class 6 licence under clause 51 or clause 48, as appropriate.
- (2A) To have the licence reinstated, the person must apply in accordance with Part 3.
- (3) If a person to whom subclause (2)(f) applies complies with subclause (2)(f)(i)(A), the person's driver licence may be reinstated subject to the condition specified in clause 16(1)(a).
- (4) A condition imposed under subclause (3) continues in force until the person to whom it applies complies with subclause (2)(f)(i)(B) or subclause (2)(f)(ii).
- (5) If a person to whom subclause (2)(g) applies complies with subclause (2)(g)(i), the person's driver licence may be reinstated subject to the conditions specified in clause 16(1)(c) and (d).
- (6) The conditions imposed under subclause (5) continue in force until the person to whom they apply complies with subclause (2)(g)(ii).
- (7) Except as provided in subclauses (8) and (9), a licence that is reinstated under this clause will retain the expiry date of the licence being reinstated.
- (8) The person must also comply with clause 67 if—
 - (a) the licence being reinstated (not being a licence described in paragraph (b)) has expired or will expire within the following 12 months; or
 - (b) the licence being reinstated is of Class 1L, Class 1R, Class 6L, or Class 6R and has expired or reached its expiry date.
- (9) A licence that is reinstated under subclause (8) will be issued with an expiry date as if the person had applied to renew the licence under clause 67.

Clause 67A: inserted, on 16 January 2006, by section 95(12) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 67A heading: amended, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 67A(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 67A(2)(c): substituted, on 1 October 2011, by clause 31 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 67A(2)(d): substituted, on 4 December 2006, by clause 11(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 67A(2)(f)(i)(B): amended, on 4 December 2006, by clause 11(2) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 67A(2)(g)(ii): amended, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 67A(2A): inserted, on 1 December 2014, by clause 24(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67A(5): amended, on 16 June 2008, by clause 11 of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 67A(7): inserted, on 1 December 2014, by clause 24(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67A(8): inserted, on 1 December 2014, by clause 24(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67A(9): inserted, on 1 December 2014, by clause 24(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

67B 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

- (1) The Director may reinstate the licence of a person who—
 - (a) has been, but is no longer, subject to—
 - (i) a period or periods of suspension for any period (other than under section 95 of the Act); or
 - (ii) a period or periods of disqualification of not more than 12 months; and
 - (b) has applied to have the person’s licence reinstated.
- (2) A person is entitled to apply to have his or her driver licence reinstated if the person has served his or her suspension or disqualification, and there are no further subsequent periods of suspension or disqualification left to serve as at the date of application.
- (3) To have the licence reinstated, the person must apply in accordance with Part 3.
- (4) Except as provided in subclauses (5) and (6), a licence that is reinstated under this clause will retain the expiry date of the licence being reinstated.
- (5) The person must also comply with clause 67 if—
 - (a) the licence being reinstated (not being a licence described in paragraph (b)) has expired or will expire within the following 12 months; or
 - (b) the licence being reinstated is of Class 1L, Class 1R, Class 6L, or Class 6R and has expired or reached its expiry date.
- (6) A licence that is reinstated under subclause (5) will be issued with an expiry date as if the person had applied to renew the licence under clause 67.

Clause 67B: inserted, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 67B(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 67B(3): amended, on 1 December 2014, by clause 25(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67B(4): replaced, on 1 December 2014, by clause 25(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67B(5): replaced, on 1 December 2014, by clause 25(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

67C Reinstatement of driver licence when there is no alcohol interlock licence or zero alcohol licence in force

- (1) The Director may reinstate the licence of a person who—
 - (a) has been, but is no longer, the holder of or required to hold either of the following:
 - (i) an alcohol interlock licence; or
 - (ii) a zero alcohol licence; and
 - (b) has applied to have the person’s licence reinstated.
- (2) A person is entitled to apply to have his or her driver licence reinstated if the person has been, but is no longer, the holder of or required to hold an alcohol interlock licence or a zero alcohol licence.
- (3) To have the licence reinstated, the person must apply in accordance with Part 3.
- (4) Except as provided in subclauses (5) and (6), a licence that is reinstated under this clause will retain the expiry date of the licence being reinstated.
- (5) The person must also comply with clause 67 if—
 - (a) the licence being reinstated (not being a licence described in paragraph (b)) has expired or will expire within the following 12 months; or
 - (b) the licence being reinstated is of Class 1L, Class 1R, Class 6L, or Class 6R and has expired or reached its expiry date.
- (6) A licence that is reinstated under subclause (5) will be issued with an expiry date as if the person had applied to renew the licence under clause 67.

Clause 67C: inserted, on 10 September 2012, by section 100(2) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 67C(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 67C(3): amended, on 1 December 2014, by clause 26(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67C(4): replaced, on 1 December 2014, by clause 26(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 67C(5): replaced, on 1 December 2014, by clause 26(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

68 Special provision relating to person who is overseas, or in prison or hospital

[Revoked]

Clause 68: revoked, on 1 October 2011, by clause 32 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

*Renewal of endorsement***69 Renewal of endorsement**

The Director may from time to time, on the application of the holder of an endorsement, renew the endorsement.

Clause 69: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

70 Renewal of passenger, vehicle recovery, driving instructor, testing officer, or dangerous goods endorsement

- (1) Application may be made to renew a passenger, vehicle recovery, driving instructor, testing officer, or dangerous goods endorsement with the expiry date that would have applied had the licence been renewed on the expiry date.
- (1A) An application under subclause (1) must be made—
 - (a) before the fifth anniversary of the date of expiry of the endorsement; and
 - (b) not more than 60 days before the date of expiry of the endorsement.
- (2) A person is entitled to have his or her passenger, vehicle recovery, driving instructor, or testing officer endorsement renewed, for a period of 1 year or 5 years from the date of the expiry of the endorsement, or the date of renewal, whichever is later, if—
 - (a) the person makes an application in accordance with Part 3; and
 - (b) in the case of an application for the renewal of an endorsement that was issued for a period of 5 years, the person produces a medical certificate in accordance with clause 44; and
 - (ba) in the case of an application for the renewal of an endorsement that was issued for a period of less than 5 years, the person produces a medical certificate in accordance with clause 44 if the person has not, within the 5 years immediately preceding the date of the application, produced a certificate that complies with the requirements of clause 44; and
 - (c) the person consents to the carrying out of checks as to whether or not the person is a fit and proper person to be the holder of the endorsement and consents to the carrying out of those checks from time to time during the period of validity of the endorsement; and
 - (d) the Director is satisfied in accordance with clause 35(1) that the person is a fit and proper person to be the holder of the endorsement.
- (3) A person is entitled to have his or her dangerous goods endorsement renewed, for a period of 5 years from the date of the expiry of the endorsement, or the date of renewal, whichever is later, if the person—
 - (a) makes an application in accordance with Part 3; and
 - (b) produces a certificate of successful completion by the person of an approved course of the appropriate type specified in clause 93(b)(iii) that

is issued within 60 days before the date of the application for the renewal.

Clause 70(1): substituted, on 1 June 2006, by clause 26(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 70(1A): inserted, on 1 June 2006, by clause 26(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 70(2): amended, on 1 June 2006, by clause 26(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 70(2)(a): replaced, on 1 December 2014, by clause 27(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 70(2)(b): substituted, on 4 October 1999, by clause 18(2) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 70(2)(ba): inserted, on 4 October 1999, by clause 18(2) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 70(2)(c): amended, on 4 October 1999, by clause 18(3) of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 70(2)(d): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 70(3): amended, on 1 June 2006, by clause 26(3) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 70(3)(a): replaced, on 1 December 2014, by clause 27(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 70(3)(b): amended, on 1 October 2011, by clause 33 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

71 Renewal of special-type endorsement

- (1) An application for the renewal of a special-type vehicle endorsement may be made before or after the date of expiry of the endorsement.
- (2) A person is entitled to have his or her special-type vehicle endorsement renewed if the person—
 - (a) makes an application in accordance with Part 3; and
 - (b) if the endorsement has been expired for more than 5 years, produces a certificate of successful completion by the person of an approved course of the appropriate type specified in subparagraphs (v) to (viii) of clause 93(b) that is issued within 60 days before the date of applying for the renewal.
- (3) A person who has been overseas for 5 years or more does not have to comply with subclause (2), if the person can provide evidence of being licensed to drive (whether in New Zealand or overseas) within the period of 5 years immediately preceding the date of the application.

Clause 71(2)(a): replaced, on 1 December 2014, by clause 28 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 71(2)(b): amended, on 1 October 2011, by clause 34(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 71(2)(b): amended, on 1 June 2006, by clause 27 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 71(3): added, on 1 October 2011, by clause 34(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

72 Special provision relating to person overseas, or in prison or hospital

[Revoked]

Clause 72: revoked, on 1 October 2011, by clause 35 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

73 Renewal of driver identification card

- (1) The Director may from time to time, on the application of the holder of a driver identification card, made before or after the expiry of the card, renew the card.
- (2) The application must be made in accordance with Part 3.

Clause 73(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 73(2): replaced, on 1 December 2014, by clause 29 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Replacement of driver licence or driver identification card

74 Replacement of driver licence or driver identification card if lost, stolen, etc

- (1) The Director may, on the application of the holder of a driver licence or a driver identification card, issue a replacement driver licence or driver identification card.
- (2) The holder of a driver licence or a driver identification card must apply for a replacement driver licence or driver identification card, as the case may be, if—
 - (a) it is lost, stolen, destroyed, defaced, mutilated, or becomes illegible; or
 - (b) the holder's name is changed from that recorded on the licence and in the person's driver licence records, or on the driver identification card; or
 - (c) in the opinion of the Director, the holder's appearance has changed significantly from that recorded on the licence or driver identification card.
- (3) A person is entitled to be issued with a replacement driver licence or driver identification card if the person—
 - (a) makes an application in accordance with Part 3; and
 - (b) either surrenders the previous licence or driver identification card to the licensing agent in a legible form or provides the licensing agent with a signed statement stating, as appropriate, that—

- (i) the applicant does not have the previous driver licence or driver identification card and the circumstances in which it was lost or destroyed; or
 - (ii) the driver licence or driver identification card that the applicant has surrendered in a defaced, mutilated, or illegible form is the applicant's previous driver licence or driver identification card.
- (4) If—
- (a) a driver licence being replaced is due to expire within 12 months of the date of the application for the replacement licence; and
 - (b) the applicant will be younger than 64 years on the date that the licence is due to expire,—

the replacement licence may be issued with an expiry date as if the person had applied to renew the licence under clause 67.

- (5) A driver identification card that is replaced under this clause must be issued with an expiry date that is the same as the expiry date of the card being replaced.

Clause 74(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 74(2)(c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 74(3)(a): replaced, on 1 December 2014, by clause 30(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 74(4): amended, on 1 December 2014, by clause 30(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

75 Replacement of driver licence or driver identification card if surrendered

- (1) The Director may, on the application of the holder of a driver licence or a driver identification card, issue a replacement licence or driver identification card to a person who surrenders a driver licence under section 30 of the Act, or delivers a driver licence or driver identification card to the Agency under clause 84 or clause 85, for those classes of licence or types of endorsement held by the person (if any) that have not been revoked or surrendered.
- (2) A driver identification card that is replaced under this clause must be issued with an expiry date that is the same as the expiry date of the card being replaced.

Clause 75(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 75(1): amended, on 10 May 2011, by section 100(3) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 75(1): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

76 Discovery of replaced licence or driver identification card

- (1) A person to whom a replacement driver licence or driver identification card has been issued under clause 74 must surrender the person's previous driver licence or driver identification card to the Agency or the Director if the previous driver licence or driver identification card subsequently comes into the person's possession.
- (2) A person who has been issued with a replacement driver licence or driver identification card must advise the Agency or the Director if that person becomes aware that another person has the previous driver licence or driver identification card.

Clause 76(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 76(1): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 76(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 76(2): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Part 13**Suspension, revocation, and surrender of driver licences or endorsements****77 Requirements for tests, medical examinations, and approved courses**

- (1) The Director may, if the Director considers that the holder of a class of driver licence or a type of endorsement may not be a fit and proper person to continue to hold that class of licence or type of endorsement and that further information would assist the Director to make a determination, require the person to do 1 or more of the following:
 - (a) undergo a medical examination, pass a test, or successfully complete a course approved under clause 93 that the person would be required to undergo, pass, or complete as an applicant for the class of licence or type of endorsement held;
 - (b) produce any certificate that the person would be required to produce as an applicant for the class of licence or type of endorsement held;
 - (c) undergo any other medical examination, pass any other test, or successfully complete any other course approved under clause 93 that the Director considers to be relevant and reasonable in the circumstances, having regard to the classes of licence and types of endorsement (if any) held by the person.
- (2) A test, medical examination, or course required under subclause (1) must be carried out by a health practitioner, testing officer, or approved course provider nominated by—

- (a) the applicant or holder of the driver licence or endorsement; or
 - (b) the Director.
- (3) The Director may nominate a person under subclause (2)(b) only if—
- (a) the person required to undertake the test, medical examination, or approved course fails to nominate a person under subclause (2)(a); or
 - (b) the Director is not satisfied that the person nominated by the person required to undertake the test, medical examination, or approved course is appropriately qualified to carry out the test, medical examination, or approved course.
- (4) A person who is nominated to carry out a medical examination under subclause (2) must be a member of one of the class or classes of registered health professional that, in the opinion of the Director, is appropriately qualified to carry out the examination in the particular case.
- (5) A medical examination required under subclause (1) must be carried out having regard to the document issued by the Agency entitled *Medical Aspects of Fitness to Drive: A Guide for Health Practitioners*.

Clause 77 heading: substituted, on 1 June 2006, by clause 29(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 77(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 77(1): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 77(1)(a): substituted, on 1 June 2006, by clause 29(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 77(1)(c): substituted, on 1 June 2006, by clause 29(3) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 77(1)(c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 77(2): substituted, on 1 June 2006, by clause 29(4) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 77(2): amended, on 7 November 2018, by section 21 of the Land Transport Amendment Act 2016 (2016 No 77).

Clause 77(2)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 77(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 77(3): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 77(3)(a): amended, on 1 June 2006, by clause 29(5) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 77(3)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 77(3)(b): amended, on 1 June 2006, by clause 29(6) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 77(4): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 77(4): amended, on 1 June 2006, by clause 29(7) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 77(5): amended, on 1 June 2019, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82).

Clause 77(5): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

78 Requirement to be in notice

- (1) A requirement under clause 77(1) must be issued in a notice and must state—
- (a) the reasons for the requirement; and
 - (b) one of the following:
 - (i) the date, time, and place of the required medical examination or test (if applicable) and the date by which, and the place at which, any required certificate must be produced; or
 - (ii) that the holder of the driver licence or the endorsement must contact the Agency within a stated period to arrange the date, time, and place of the required medical examination or test and the date by which, and the place at which, any required certificate must be produced, if applicable; or
 - (iii) the date by which the approved course must be completed; and
 - (c) that, if the person does not comply with the Director's requirement, the Director has the power to impose conditions, or revoke the relevant driver licence or endorsement in accordance with clause 82; and
 - (d) the details of any requirement imposed under clause 77(2)(b).
- (2) A notice issued under subclause (1) must be in writing and must be delivered to the person to whom it concerns more than 5 working days before any date, or the expiry of the period, specified in the notice under subclause (1)(b).

Clause 78(1)(b): substituted, on 1 June 2006, by clause 30 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 78(1)(b)(ii): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 78(1)(c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 78(1)(c): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

79 Obligations on person required to undertake test or medical examination, or complete approved course

- (1) A person required to undergo a test or medical examination, or to complete an approved course, or to produce a certificate under clause 77 must either—

- (a) comply with the requirement, and pay the appropriate fee (if any) specified in or assessed in accordance with regulations made under the Act; or
 - (b) surrender the person's driver licence (including any endorsement held by the person), and the person's driver identification card (if any).
- (2) A person may surrender a driver licence under subclause (1)(b) by notifying the Agency or the Director of that fact and delivering the driver licence and driver identification card (if any) to the Agency.

Clause 79 heading: amended, on 1 June 2006, by clause 31(1) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 79(1): amended, on 1 June 2006, by clause 31(2) of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 79(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 79(2): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Suspension of driver licences and endorsements

80 Suspending driver licence for medical reasons

- (1) The Director may, if the Director considers that allowing a person to continue to hold a driver licence is, for medical reasons, a significant risk to public safety, issue a notice suspending that person's driver licence until a medical examination has been completed and reviewed.
- (2) A notice issued under subclause (1) must be in writing and must—
 - (a) state the date and time from which the driver licence is suspended (which must not be earlier than the date and time that the notice is delivered to the person); and
 - (b) state the reasons for the suspension of the driver licence; and
 - (c) state the period of suspension of the driver licence; and
 - (d) outline the rights of appeal given by section 106 of the Act.
- (3) The period of suspension of a driver licence specified under subclause (2)(c) must not exceed the period that, in the opinion of the Director, will reasonably be required to determine whether conditions should be imposed on the licence or the licence should be revoked.
- (4) The Director may at any time withdraw a suspension imposed under this clause.

Clause 80(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 80(1): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 80(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 80(4): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

81 Suspension of endorsements

- (1) An endorsement is suspended if the holder ceases to hold all of the classes of driver licence that formed part of the prerequisites under Part 5 for obtaining that endorsement.
- (2) A driving instructor endorsement is suspended in part if the holder ceases to hold 1 or more, but not all, of the classes of driver licence that formed part of the prerequisites under Part 5 for obtaining that endorsement.

Clause 81(1) subclause number: replaced, on 1 November 2012, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2012 (SR 2012/302).

Clause 81(2) subclause number: replaced, on 1 November 2012, by clause 9 of the Land Transport (Driver Licensing) Amendment Rule 2012 (SR 2012/302).

Revocation of driver licences and endorsements

82 Revocation of driver licence or endorsement

- (1) A person may be issued with a notice under subclause (2) if—
 - (a) the person fails to comply with a requirement under clause 77 in the manner specified in clause 78(1)(b); or
 - (b) the person fails to pass a test or successfully complete an approved course that the Director has required the person to undergo or complete; or
 - (c) the Director is satisfied that the person has ceased to be a fit and proper person to hold an endorsement; or
 - (d) in the opinion of a health practitioner, the person is one whose physical or mental condition is such that, in the interests of public safety, the person—
 - (i) should not be permitted to drive motor vehicles of a specified class or classes; or
 - (ii) should only be permitted to drive motor vehicles subject to such limitations as may be warranted by the mental or physical condition of the licence holder; or
 - (e) the person is the holder of a driving instructor endorsement and fails to comply with clause 25; or
 - (f) the person holds a testing officer endorsement and fails to comply with clause 32; or
 - (g) the person is the holder of a passenger endorsement and has been prohibited from holding or obtaining a passenger endorsement under section 29A of the Act.

- (2) The Director may, if the Director considers it appropriate to do so, issue 1 or more of the following notices to a person to whom this clause applies:
 - (a) a notice revoking a driver licence:
 - (b) a notice revoking an endorsement:
 - (c) a notice imposing conditions on the use of an endorsement of a kind specified in clause 56(1):
 - (d) a notice imposing conditions on the use of a driver licence of a kind specified in clause 56(1).
- (3) A notice issued under subclause (2) must—
 - (a) state the date and time from which the driver licence or endorsement is revoked, or has conditions attached to it (which must not be earlier than the date and time when the notice is delivered to the person); and
 - (b) state, as appropriate, the period during which the person may not apply for a driver licence, or an endorsement; and
 - (c) state the reasons for the revocation of the driver licence or endorsement or the imposition of conditions on the use of the driver licence or endorsement; and
 - (d) outline the rights of appeal given by section 106 of the Act.
- (4) A notice issued to a person under subclause (2) may apply to a particular class of licence or type of endorsement or to every class of driver licence or type of endorsement held by the person.
- (5) The period specified under subclause (3)(b) must not exceed a period that the Director considers to be reasonable in the circumstances.

Clause 82(1)(b): substituted, on 1 June 2006, by clause 32 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 82(1)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 82(1)(b): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 82(1)(c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 82(1)(c): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 82(1)(d): amended, on 7 November 2018, by section 21 of the Land Transport Amendment Act 2016 (2016 No 77).

Clause 82(1)(d): amended, on 18 September 2004, by section 175(3) of the Health Practitioners Competence Assurance Act 2003 (2003 No 48).

Clause 82(1)(f): amended, on 1 October 2007, by section 95(11) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 82(1)(g): added, on 1 October 2007, by section 95(11) of the Land Transport Amendment Act 2005 (2005 No 77).

Clause 82(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 82(2): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 82(5): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

83 Suspension and revocation of endorsements

- (1) An endorsement is revoked if the holder does not, within 5 years after the endorsement is suspended under any provision, again become the holder of a driver licence of the class or classes that formed part of the prerequisites under Part 5 for obtaining that endorsement.
- (2) A revocation of a driving instructor endorsement under subclause (1) has effect in respect of—
 - (a) all classes of driver licence if the holder does not, within 5 years after the endorsement was suspended, again become the holder of at least 1 class of the classes of driver licence that formed part of the prerequisites under Part 5 for obtaining that endorsement; or
 - (b) each class of driver licence that formed part of the prerequisites under Part 5 for obtaining that endorsement if the holder does not, within 5 years after the endorsement was suspended in respect of that class of driver licence, again become the holder of that class of licence.

Surrender of certain documents

84 Surrender of driver identification card that has been suspended or revoked

The holder of a driver licence or an endorsement that has been suspended or revoked under any provision, on receiving notice of the suspension or revocation, must, in addition to complying with section 19 or section 30 of the Act, immediately surrender any driver identification card held by the person by delivering the card to the Agency.

Clause 84: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

85 Voluntary surrender of driver licence or endorsement

The holder of a driver licence or an endorsement may surrender 1 or more classes of driver licence or 1 or more types of endorsement—

- (a) by notifying the Director that the person is surrendering 1 or more classes of driver licence or 1 or more types of endorsement; and
- (b) by delivering the driver licence and driver identification card (if any) to the Agency.

Clause 85: substituted, on 1 June 2006, by clause 33 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 85(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 85(b): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

85A Reinstatement of surrendered driver licence or endorsement

- (1) A person who has surrendered 1 or more classes of driver licence or 1 or more types of endorsement under clause 85 may apply to the Director for reinstatement of the classes of licence or types of endorsement in accordance with subclause (4), subclause (5), subclause (6), or subclause (7), as the case may be.
- (2) The Director may reinstate a surrendered driver licence or an endorsement in accordance with this clause.
- (3) Before reinstating a surrendered driver licence or an endorsement, the Director may require the applicant to satisfy 1 or more of the requirements in clause 77(1).
- (4) The Director may reinstate a surrendered driver licence, even if the licence has expired, provided—
 - (a) the driver licence has not been surrendered for more than 5 years; and
 - (b) the driver licence has not been expired for more than 5 years; and
 - (c) the applicant complies with the applicable requirements in clause 67(2)(a), (b), (c), and (d) (which relates to the renewal of a driver licence).
- (5) The Director may reinstate a surrendered special-type vehicle endorsement, even if the endorsement has expired, provided—
 - (a) the endorsement has not been surrendered for more than 5 years; and
 - (b) the endorsement has not been expired for more than 5 years; and
 - (c) the applicant complies with clause 71(2)(a) (which relates to the renewal of special-type vehicle endorsements).
- (6) The Director may reinstate a surrendered passenger, vehicle recovery, driving instructor, or testing officer endorsement, even if the endorsement has expired, provided—
 - (a) the endorsement has not been surrendered for more than 5 years; and
 - (b) the endorsement has not been expired for more than 5 years; and
 - (c) the applicant complies with clause 70(2) as it relates to the endorsements referred to in this subclause.
- (7) The Director may reinstate a surrendered dangerous goods endorsement only if—
 - (a) the endorsement has not expired; and
 - (b) the applicant complies with clause 70(3) (which relates to the renewal of a dangerous goods endorsement).

Clause 85A: inserted, on 1 June 2006, by clause 33 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 85A(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 85A(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 85A(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 85A(4): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 85A(5): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 85A(6): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 85A(7): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Replacement driver licence or endorsement

86 Replacement of driver licence or endorsement revoked on medical grounds

- (1) A person whose driver licence or endorsement has been revoked on medical grounds may apply for a replacement driver licence or replacement endorsement of the same class or type as the licence or endorsement that was revoked, if—
 - (a) the person provides the Director with a medical certificate issued in accordance with clause 44 stating that the person is now medically fit to drive; and
 - (ab) the person passes the on-road safety test, if referred for the test under clause 44B; and
 - (b) the Director notifies the person that the Director is satisfied that the person's medical condition has improved.
- (2) A person who satisfies the requirements of subclause (1) is entitled to be issued with a replacement driver licence of the appropriate class or a replacement endorsement of the appropriate type if—
 - (a) the person makes an application in accordance with Part 3; and
 - (b) the person consents to the carrying out of checks as to whether or not the person is a fit and proper person, if the endorsement is an endorsement for which a fit and proper person check is required, and consents to the carrying out of those checks from time to time during the period of validity of the endorsement; and
 - (c) the person is, in the opinion of the Director, a fit and proper person, in accordance with the criteria specified in the table to clause 35(1), to be the holder of an endorsement of that type; and

- (d) in a case where the period since the driver licence or endorsement was revoked is more than 12 months, the person—
- (i) passes the appropriate theory test or tests under clause 45 for the class of driver licence that the person is applying to have replaced; and
 - (ii) passes or successfully completes the appropriate practical driving test in accordance with clauses 48 and 53 for that class of driver licence, or the applicable course specified in clause 93 for that type of endorsement.
- (3) If a person to whom subclause (2)(d) applies complies with subclause (2)(d)(i), the Director may, if the person has applied for a replacement driver licence, issue a replacement licence subject to the condition specified in clause 16(1)(a).
- (4) A condition imposed under subclause (3) continues in force until the person to whom it applies complies with subclause (2)(d)(ii).

Clause 86(1)(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 86(1)(ab): inserted, on 4 December 2006, by clause 13(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 86(1)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 86(1)(b): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 86(2)(a): replaced, on 1 December 2014, by clause 31 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 86(2)(b): amended, on 4 October 1999, by clause 19 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 86(2)(c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 86(2)(d)(ii): amended, on 4 December 2006, by clause 13(2) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 86(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

87 Licence may not be renewed while licence suspended or holder disqualified

If a driver licence expires during the period while the licence is suspended, or while the holder is disqualified from obtaining a licence, the licence must not be renewed until after the expiry of the period of suspension or disqualification.

Part 14

Recognition of overseas licences and licensing of drivers from overseas

88 Recognition of overseas driver licence or permit

- (1) A person, on arrival in New Zealand, is deemed to hold a New Zealand driver licence of a class that entitles the person to drive the motor vehicles that the person is entitled to drive under—
 - (a) a valid and current driver licence or permit issued overseas to the person, after the person has produced proof of the person's driving competence, by an overseas authority, or an agent of that authority, authorised to issue a driver licence or permit; or
 - (b) an international driving permit.
- (2) However,—
 - (a) subclause (1)(a) does not apply unless—
 - (i) the overseas driver licence or permit is written in English; or
 - (ii) the person who holds the overseas driver licence or permit also carries an accurate English translation of the licence or permit:
 - (b) subclause (1)(b) does not apply unless the person who holds the international driving permit also carries the overseas driver licence on which the permit is based.
- (3) A person who is deemed by subclause (1) to hold a New Zealand driver licence may continue to drive under that driver licence until the first of the following situations occurs:
 - (a) the person has remained in New Zealand for a continuous period of 12 months; or
 - (b) the document that enabled that person to be deemed to hold a New Zealand driver licence under subclause (1) expires, is suspended, or is revoked; or
 - (c) an order is made disqualifying the person from holding or obtaining a driver licence, either in New Zealand or in the jurisdiction that granted the overseas driver licence or permit; or
 - (d) the person obtains or renews a New Zealand driver licence.
- (4) In this clause, **international driving permit** means a valid and current international driving permit as specified in Annex 10 of the United Nations Convention on Road Traffic signed at Geneva on 19 September 1949 or Annex 7 of the United Nations Convention on Road Traffic signed at Vienna on 8 November 1968 and issued overseas in accordance with the provisions of the appropriate convention.
- (5) *[Revoked]*

(6) *[Revoked]*

(7) *[Revoked]*

(8) *[Revoked]*

(9) *[Revoked]*

Clause 88: substituted, on 1 October 2011, by clause 36 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 88(5): revoked, on 31 March 2022, by clause 88(9).

Clause 88(6): revoked, on 31 March 2022, by clause 88(9).

Clause 88(7): revoked, on 31 March 2022, by clause 88(9).

Clause 88(8): revoked, on 31 March 2022, by clause 88(9).

Clause 88(9): revoked, on 31 March 2022, by clause 88(9).

88A Recognition of overseas agricultural motor vehicle licence or permit

(1) Subclause (2) applies—

- (a) to a person who is entitled to drive an agricultural motor vehicle or vehicles (but no other vehicles) under a valid and current driver licence or permit issued overseas to the person; and
- (b) where there is no New Zealand equivalent to that class or type of licence or permit.

(2) A person, on arrival in New Zealand, is deemed to hold a New Zealand class 1 driver licence that entitles the person to drive an agricultural motor vehicle or vehicles equivalent to the vehicle or vehicles referred to in subclause (1)(a) (but no other vehicles) in New Zealand.

(3) However, subclause (2) does not apply unless—

- (a) the overseas driver licence or permit is written in English; or
- (b) the person who holds the overseas driver licence or permit also carries an accurate English translation of the licence or permit.

(4) A person who is deemed by subclause (2) to hold a New Zealand class 1 driver licence may continue to drive under that deemed driver licence until the first of the following situations occurs:

- (a) the person has remained in New Zealand for a continuous period of 12 months;
- (b) the document that enabled the person to be deemed to hold a New Zealand class 1 driver licence under subclause (2) expires, is suspended, or is revoked;
- (c) an order is made disqualifying the person from holding or obtaining a driver licence or permit, either in New Zealand or in the jurisdiction that granted the overseas driver licence or permit:

- (d) the person obtains or renews a New Zealand driver licence that entitles the person to drive an agricultural motor vehicle or vehicles referred to in subclause (1)(a).
- (5) To avoid doubt, nothing in this clause entitles a person—
 - (a) to drive a vehicle other than an agricultural motor vehicle; or
 - (b) to apply for, or be issued with, a New Zealand driver licence.
- (6) *[Revoked]*
- (7) *[Revoked]*
- (8) *[Revoked]*
- (9) *[Revoked]*
- (10) *[Revoked]*

Clause 88A: inserted, on 1 June 2013, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Clause 88A(6): revoked, on 31 March 2022, by clause 88A(10).

Clause 88A(7): revoked, on 31 March 2022, by clause 88A(10).

Clause 88A(8): revoked, on 31 March 2022, by clause 88A(10).

Clause 88A(9): revoked, on 31 March 2022, by clause 88A(10).

Clause 88A(10): revoked, on 31 March 2022, by clause 88A(10).

Overseas driver licence conversion

Heading: inserted, on 1 June 2006, by clause 35 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

89 Obtaining New Zealand driver licence

- (1) A person is entitled to apply for, and be issued with, a New Zealand driver licence to drive the same class or classes of vehicle if that person holds an overseas driver licence or permit of a type specified in clause 88(1)(a), even if that licence has expired within the 12 months immediately preceding the date of application.
- (2) Before a New Zealand driver licence may be issued under subclause (1), the person must—
 - (a) apply for a driver licence in accordance with Part 3; and
 - (b) unless clause 89A(3) applies, pass the appropriate theory test under clause 45 for the class of driver licence that the person is applying for; and
 - (c) unless clause 89A(4) applies, pass the appropriate practical driving test in accordance with clauses 48, 51, and 53; and
 - (d) produce his or her overseas driver licence or permit, as specified in clause 88(1)(a), and, if the overseas driver licence or permit is not in English, an accurate English translation of the overseas driver licence or permit; and

- (e) sign a statement that—
 - (i) the person’s overseas driver licence or permit is not suspended or revoked; and
 - (ii) the person is not disqualified from holding or obtaining a driver licence or permit in the country where the overseas driver licence or permit was issued; and
 - (f) produce a medical certificate issued in New Zealand in accordance with clause 44, in the case of—
 - (i) a person applying under this clause for a New Zealand driver licence of Classes 2 to 5; or
 - (ii) a person 75 years of age or over applying under this clause for a New Zealand driver licence of any class; and
 - (g) surrender his or her overseas driver licence or permit if that is a requirement of a licence recognition arrangement between the jurisdiction that issued the driver licence or permit and New Zealand.
- (3) A person is entitled to be issued with a licence under subclause (4) if—
- (a) subclause (1) applies to that person; and
 - (b) clause 89A(3) applies to that person or he or she complies with subclause (2)(b); and
 - (c) clause 89A(4) does not apply to that person.
- (4) A person who satisfies the requirements of subclause (3) is entitled to be issued, as appropriate, with either—
- (a) a driver licence issued subject to the condition specified in clause 16(1)(a); or
 - (b) a Class 6 learner licence.
- (5) A condition imposed under subclause (4)(a) continues in force until the person to whom it applies passes the appropriate practical driving test required by subclause (2)(c).

Clause 89: substituted, on 1 June 2006, by clause 36 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 89(2)(a): replaced, on 1 December 2014, by clause 32 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 89(2)(b): amended, on 1 September 2008, by clause 13(1) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 89(2)(c): amended, on 1 September 2008, by clause 13(2) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 89(2)(c): amended, on 4 December 2006, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152).

Clause 89(2)(f)(ii): amended, on 1 October 2011, by clause 37 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 89(2)(g): added, on 1 October 2011, by clause 37 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 89(3)(b): amended, on 1 September 2008, by clause 13(3) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 89(3)(c): amended, on 1 September 2008, by clause 13(4) of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

89A Requirements not applying to overseas drivers

- (1) This clause applies to a person who applies for a New Zealand driver licence under clause 89.
- (2) A person to whom this clause applies is not required to comply with the minimum time requirements prescribed in the tables to clauses 15, 17, and 19.
- (2A) However, a driver licence may not be issued to a person who applies for a driver licence under clause 89 for a class of vehicle if the effect of doing so would allow the person to obtain the driver licence at an age earlier than the minimum age for a person who complies with the requirements set out in clauses 15, 17, and 19 for that class of vehicle.
- (3) A person to whom this clause applies is not required to sit the appropriate theory test required by clause 89(2)(b) if—
 - (a) the appropriate theory test is in respect of a Class 1 or Class 6 licence; and
 - (b) that person has held a valid overseas driver licence or permit issued in a country specified in Schedule 7A.
- (4) A person to whom this clause applies is not required to sit the appropriate practical driving test required by clause 89(2)(c) if—
 - (a) that person has, for at least 2 years, held a valid overseas driver licence or permit issued in a country specified in Part 1 of Schedule 8; or
 - (b) that person has, for at least 2 years, held a valid overseas driver licence or permit issued in a country specified in Part 2 of Schedule 8 and that person's application is for a Class 1 or Class 6 driver licence.

Clause 89A: substituted, on 1 September 2008, by clause 14 of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Clause 89A(2A): inserted, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Clause 89A(4): replaced, on 1 July 2013, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2013 (SR 2013/131).

90 New Zealand driver licence may be subject to learner or restricted conditions

If the driver licence or permit referred to in paragraph (a) or (b) of clause 88(1) is subject to any condition or is the equivalent of a learner or restricted licence, the person's New Zealand driver licence must be issued either with similar conditions or as a learner or restricted licence, as appropriate.

91 Requirements for diplomatic and consular personnel

- (1) This clause applies to a person who is in New Zealand by reason of—
 - (a) the person’s employment as a member of the staff of a diplomatic mission or a consular post in New Zealand; or
 - (b) the person’s employment as a member of the private staff of a person referred to in paragraph (a); or
 - (c) the person’s relationship as a member of the family, or as a spouse or partner, of the person referred to in paragraph (a) or (b).
- (2) A person to whom this clause applies may, on application to the Secretary of Foreign Affairs and Trade, be issued by the Director with a driver licence if that person holds 1 or more of the licences or permits referred to in paragraphs (a) and (b) of clause 88(1).
- (3) A driver licence issued under this clause—
 - (a) must authorise the person to drive the same types of motor vehicle as the licences or permits referred to in clause 88(1); and
 - (b) may be subject to conditions specified by the Director; and
 - (c) expires when the first of the following situations occurs:
 - (i) the holder no longer meets the requirements of subclause (1) under which the holder was issued with a New Zealand driver licence; or
 - (ii) the relevant mission or consular post is notified, through the Secretary of Foreign Affairs and Trade, that the driver licence has been revoked; or
 - (iii) an order is made disqualifying the person from holding or obtaining a driver licence; or
 - (iv) 4 years have elapsed since the date of issue of the driver licence.

Clause 91(1)(b): amended, on 1 October 2011, by clause 38 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 91(1)(c): added, on 1 October 2011, by clause 38 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 91(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 91(3)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

92 Obtaining International Driving Permit

A person who holds a current full New Zealand driver licence issued or having effect under this rule may apply to an organisation approved for that purpose by the Director to be issued with an International Driving Permit in accordance with the United Nations Convention on Road Traffic signed at Geneva on 19 September 1949.

Clause 92: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Part 15

Approval of courses and course providers

Approval of courses

93 Director may approve courses

The Director may approve the following courses:

- (a) courses teaching advanced driving skills, to reduce the period of time for which a person must hold a Class 1R licence before being allowed to apply for a Class 1 full licence:
- (b) courses teaching specialist knowledge and skills required to obtain—
 - (i) *[Revoked]*
 - (ii) a vehicle recovery endorsement; or
 - (iii) a dangerous goods endorsement; or
 - (iv) a driving instructor endorsement; or
 - (v) a forklift endorsement; or
 - (vi) a roller endorsement; or
 - (vii) a tracks endorsement; or
 - (viii) a wheels endorsement:
- (c) courses teaching and assessing the driving knowledge and skills of the holder of a Class 2L, 3L, 4L, or 5L licence for the purpose of waiving the requirement for that person to hold the licence for 6 months and to pass a full licence test:
- (d) courses teaching and assessing the riding competency of the holder of a Class 6L licence for the purpose of waiving the requirement for that person to hold the licence for 6 months and to pass a restricted licence test:
- (e) courses teaching and assessing the riding competency of the holder of a Class 6R licence for the purpose of reducing the period that the person must hold a Class 6R licence and to pass a full licence test:
- (f) driving improvement courses for the purposes of section 92(1) of the Act:
- (g) dangerous goods courses for the purposes of section 92(2) of the Act:
- (h) courses assessing the driving experience, knowledge, and skills of a person 25 years of age or over and holding a Class 2, 3, or 4 driver licence, for the purpose of waiving the requirement for that person to hold the licence for at least 3 months:

- (i) work time and fatigue management courses for the purposes of Part 4B of the Act:
- (j) courses assessing the driving experience, knowledge, and skills of the holder of a Class 2 licence for the purpose of an approval to drive a vehicle for which a Class 4 or Class 5 licence is required under the conditions specified in clause 19H:
- (k) courses assessing advanced driving skills for the purpose of enabling a person to apply for a Class 4 or Class 5 licence on completion of the accelerated licensing process set out in Part 4A.

Clause 93: substituted, on 1 October 2011, by clause 39 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 93 heading: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 93: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 93(b)(i): revoked, on 1 October 2017, by section 110(8) of the Land Transport Amendment Act 2017 (2017 No 34).

Clause 93(d), (e), (j), and (k): brought into force, on 1 October 2012, by clause 2(1)(j) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

94 Requirements for approval of course

- (1) To be approved, a course for a purpose specified in clause 93(a) or clause 93(f) must be designed so that a person who has completed the course will be able to demonstrate the following skills and attributes:
 - (a) an understanding of the techniques of safe driving, beyond the ability to manipulate the controls of a motor vehicle; and
 - (b) the ability to practice the necessary self-management skills needed for driving, including decision-making and managing risks; and
 - (c) the ability to assess the person's own performance against the criteria that define a safe driver; and
 - (d) an understanding of risks and the consequences of risk taking while driving; and
 - (e) the ability to develop appropriate methods of monitoring the person's performance as a driver so that the person's driving skills do not deteriorate over time.
- (2) To be approved, a course for a purpose specified in either of clause 93(b)(i) or (ii) must be designed so that a person who has completed the course will be able to demonstrate knowledge of the theoretical requirements to legally and safely drive a motor vehicle for the activity that requires the endorsement.
- (3) To be approved, a course for a purpose specified in clause 93(b)(iii) or clause 93(g), must be designed so that a person who has completed the course will be able to demonstrate knowledge of the procedures for transporting dangerous goods safely and in accordance with the relevant legal requirements.

- (4) To be approved, a course for a purpose specified in clause 93(b)(iv) must be designed so that a person who has completed the course will be able to demonstrate—
 - (a) an understanding of the content of the curriculum; and
 - (b) the ability to teach the manipulative and perceptive skills required to safely drive a motor vehicle.
- (5) To be approved, a course for a purpose specified in clause 93(b)(v) to (viii), (c), (d), (e), or (h) must be designed so that a person who has completed the course will have demonstrated the experience, knowledge, and skills to operate safely and proficiently the motor vehicle to which that class of licence or type of endorsement relates.
- (6) To be approved, a course for a purpose specified in clause 93(i) must be designed so that a person who has completed the course will be able to demonstrate knowledge of work time and logbook requirements, and to describe causes and symptoms of fatigue and its effect on driving performance.
- (7) To be approved, a course for a purpose specified in clause 93(j) or (k) must be designed so that a person who has completed the course will have demonstrated the experience, knowledge, and skills to operate safely and proficiently a vehicle for which a Class 4 or Class 5 licence is required under the accelerated licensing process set out in Part 4A.

Clause 94(1): amended, on 1 October 2011, by clause 40(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 94(2): amended, on 1 October 2011, by clause 40(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 94(3): amended, on 1 October 2011, by clause 40(3) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 94(5): substituted, on 1 June 2006, by clause 38 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 94(5): amended, on 1 October 2011, by clause 40(4) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 94(6): added, on 1 October 2011, by clause 40(5) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 94(7): added, on 1 October 2011, by clause 40(5) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

95 Application for approval of course

- (1) An individual or organisation may apply to have a course approved.
- (2) The applicant must—
 - (a) complete an application in a form approved by the Director; and
 - (b) pay the appropriate fee or fees (if any) specified or assessed in accordance with regulations made under the Act; and
 - (c) produce—

- (i) a copy of the intended syllabus, including a description of what is required to successfully complete the course; and
- (ii) a description of how the syllabus will satisfy the requirements of clause 94; and
- (d) produce a sample of the certificate that is to be presented to a person who has successfully completed the course.

Clause 95(2)(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

96 Approval of course

- (1) The Director may approve a course if the applicant has complied with clause 95 and the Director is satisfied that the course will meet the requirements specified in relation to the particular type of course in clause 94.
- (2) When approving a course, the Director may impose conditions under which the course must be conducted.
- (3) Without limiting subclause (2), when approving a course, the Director may allow the course to be conducted using an appropriately configured or loaded vehicle of a class other than the class to which the course relates.

Clause 96(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 96(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 96(3): added, on 4 October 1999, by clause 20 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 96(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

97 Director may consent to modification of course

- (1) The Director may from time to time,—
 - (a) on the application of the individual or organisation that applied to have the course approved or of an approved course provider, give consent to the modification of an approved course; or
 - (b) on the Agency’s own motion, require that a course be modified,—
if the Director is satisfied that the modification is necessary or desirable in order for the approved course to continue to meet the requirements specified in relation to the particular type of course in clause 94, or to meet those requirements in an improved way.
- (2) If the Director consents to a course being modified or requires a course to be modified under subclause (1), the Director must give reasonable notice in writing of the modification to any course provider who is providing the course.

Clause 97 heading: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 97(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 97(1)(b): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 97(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

98 Director may revoke course approval

- (1) The Director may, by notice in writing, revoke the approval of a course granted under clause 96 if the holder of the course approval does not comply with conditions imposed under clause 96(2) or a requirement imposed under clause 97(1).
- (2) A notice of revocation must—
 - (a) state the date and time from which the course approval is revoked, which must not be earlier than the date and time at which the notice is given to the course provider and, except in exceptional circumstances where public safety is at immediate risk, must not be less than 14 days after the day on which the notice is given; and
 - (b) state the reason for the course approval being revoked; and
 - (c) outline the rights of appeal given by section 106 of the Act.

Clause 98 heading: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 98(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Approval of course providers

99 Director may approve course providers

The Director may approve specific individuals or organisations to provide courses referred to in clause 93.

Clause 99 heading: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 99: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

100 Requirements for approval as course provider

To be approved, a course provider must—

- (a) possess the appropriate skills, training, and experience to conduct the approved course; and
- (b) if the course provider is an organisation, have a recorded organisational structure in which accountability is clearly identified.

101 Application for approval as course provider

An applicant for approval as a course provider must—

- (a) complete an application in a form approved by the Director; and
- (b) pay the appropriate fee or fees (if any) specified or assessed in accordance with regulations made under the Act; and
- (c) specify the approved course or courses that the applicant intends to provide; and
- (d) produce details of the procedures that will be used to maintain a register of—
 - (i) instructors; and
 - (ii) students; and
 - (iii) certificates issued; and
 - (iv) courses conducted; and
 - (v) course assessments and results.

Clause 101(a): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

102 Approval as course provider

- (1) The Director may approve a course provider if the applicant has complied with clause 101 and the Director is satisfied that the course provider will meet the requirements specified in clause 100.
- (2) When approving a course provider, the Director may impose conditions under which the course provider must conduct courses.
- (3) The Director must issue a certificate to the approved course provider, specifying—
 - (a) the name of the course provider; and
 - (b) the name of the approved course or courses that the course provider is approved to provide.
- (4) It is a condition of approval as a course provider that—
 - (a) the course provider must only credit a person with completing an approved course if that person has successfully completed the course in accordance with the course syllabus; and
 - (b) the course provider must retain for at least 12 months after an approved course has been conducted a record of the matters specified in subparagraphs (i), (ii), (iv), and (v) of clauses 101(d) in relation to that course; and
 - (c) the course provider must comply with any requirements made in writing by the Director to the course provider arising out of any audit under section 198 of the Act.

Clause 102(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 102(2): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 102(3): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 102(4)(c): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

103 Director may revoke or suspend approval of course provider

- (1) The Director may, by notice in writing, revoke or suspend (in whole or in part) the approval of a course provider granted under clause 102 if—
 - (a) the course provider fails to comply with any instruction given under section 198 of the Act; or
 - (b) the course provider fails to comply with a requirement made in writing by the Director to the course provider arising out of an audit under section 198 of the Act; or
 - (c) the course provider ceases to meet the requirements described in paragraphs (a) and (b) of clause 100.
- (2) The notice of revocation or suspension must—
 - (a) state the date and time from which the approval is revoked or suspended, which must not be earlier than the date and time at which the notice is given to the course provider and, except in exceptional circumstances where public safety is at immediate risk, must not be less than 14 days after the date on which the notice is given; and
 - (b) state the reason for the revocation or suspension; and
 - (c) outline the rights of appeal given by section 106 of the Act.

Clause 103 heading: amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 103 heading: amended, on 1 October 2011, by clause 41(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 103(1): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 103(1): amended, on 1 October 2011, by clause 41(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 103(1)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 103(2): amended, on 1 October 2011, by clause 41(3) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 103(2)(a): amended, on 1 October 2011, by clause 41(4) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 103(2)(b): amended, on 1 October 2011, by clause 41(5) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Part 16

Miscellaneous provisions relating to responsibilities of drivers

104 Prohibition on display of “L” plate except in appropriate circumstances

A person must not drive, on a road, a motor vehicle that displays an “L” plate as specified in clause 66 unless that person—

- (a) holds a learner licence of the class that relates to that vehicle in accordance with Schedule 3; or
- (b) immediately prior to driving has been, or is about to be, accompanying the person in paragraph (a) in accordance with clause 16(1)(a); or
- (c) holds a driving instructor or testing officer endorsement and is driving a vehicle used for purposes connected with that endorsement.

105 Prohibition on defacing, etc, driver licence or driver identification card

A person must not deface, alter, or tamper with the characteristics or features of, or information displayed on, a driver licence or driver identification card.

Part 17

Transitional provisions

Driver licences continued in force by section 23(4) of Act

106 Equivalent class or type of driver licences and endorsements

A person who was the holder of a licence of a class described in column 1 of the table to this clause that was in force immediately before 3 May 1999 is deemed to hold a licence or endorsement of the class described in column 2 of the table in relation to that licence on and from 3 May 1999 until it expires in accordance with clause 112.

Table to clause 106

Existing licence held	Equivalent licence
Class AM or Class AML	Class 1L
Class A	Class 6
Class AL	Class 6L
Class AR	Class 6R
Class B	Class 1
Class BL	Class 1L
Class BR	Class 1R
Class C	Class 1 and a passenger endorsement
Class D	Class 4 and a passenger endorsement
Class DL and Class B	Class 2L
Class E and any other licence except G, H, I, or J	Passenger endorsement
Class FL	Class 1L

Existing licence held	Equivalent licence
Class FL and Class B	Class 2L
Class FR or Class F	Class 4
Class G or Class I, plus any of Classes B, C, D, or F	Forklift, roller, or wheels endorsement, or any combination of those endorsements
Class H or J, plus any of Classes B, C, D, or F	Tracks or forklift endorsement, or both
Class I, plus either Class B or Class C	Class 4 and forklift, roller, or wheels endorsement, or any combination of those endorsements
Class J, plus either Class B or Class C	Class 4 and tracks or forklift endorsement, or both endorsements
Class L plus any of Classes D, FR, or F	Class 5
Class LL, plus any of Classes F, FR, D, I, or J	Class 5L
Class N	Vehicle recovery endorsement

Clause 106 table: amended, on 4 October 1999, by clause 21 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

107 Holder of certificate of approval or provisional certificate of approval as driving instructor

A person who was the holder of a certificate of approval or a provisional certificate of approval as a driving instructor issued under the Transport (Drivers Licensing) Regulations 1987 that was in force immediately before 3 May 1999 is deemed to hold a driving instructor endorsement on and from 3 May 1999 until it expires in accordance with clause 112.

108 Holder of approval as testing officer

A person who immediately before 3 May 1999 was appointed by the Agency as a testing officer is deemed to hold a testing officer endorsement on and from 3 May 1999 until it expires in accordance with clause 112.

Clause 108: amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

109 Holder of hazardous substances endorsement

A person who was the holder of a hazardous substances endorsement issued under the Transport (Drivers Licensing) Regulations 1987 that was in force immediately before 3 May 1999 is deemed to hold a dangerous goods endorsement on and from 3 May 1999 until it expires in accordance with clause 112.

110 Forklift drivers

(1) A person is deemed to hold a forklift endorsement on and from 3 May 1999 until it expires in accordance with clause 112 if, at the close of 2 May 1999, the person—

(a) held any current full driver licence of any class other than Class A; and

- (b) had successfully completed a course or held a statement referred to in subclause (2).
- (2) The person must—
 - (a) have successfully completed a forklift course approved by the Occupational Safety and Health Service of the Department of Labour; or
 - (b) if an employee, have held a signed statement issued by his or her employer, certifying that that employee had been trained in the use of a forklift to standards in the Approved Code of Practice for Training Operators and Instructors of Powered Industrial Lift Trucks (Forklifts) 1995 (issued by the Secretary of Labour under the Health and Safety in Employment Act 1992); or
 - (c) if an independent contractor, have held a signed statement by the applicant—
 - (i) stating that the applicant had been trained in the use of a forklift to standards in the Approved Code of Practice for Training Operators and Instructors of Powered Industrial Lift Trucks (Forklifts) 1995 (issued by the Secretary of Labour under the Health and Safety in Employment Act 1992); and
 - (ii) specifying where the training was held.

Clause 110: substituted, on 4 October 1999, by clause 22 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

111 Conditions continue in force

Any condition or restriction that, immediately before 3 May 1999, applied to any licence continued in force by section 23(4) of the Act continues to apply until the licence expires in accordance with clause 112.

112 Expiry of driver licences, etc

- (1) A driver licence continued in force by section 23(4) of the Act, and any endorsement held in accordance with clauses 107 to 110, expires when the first of the following occurs:
 - (a) 60 days has elapsed after the date of the first birthday of the licence holder to occur on or after 3 May 1999; or
 - (b) the holder is issued with a temporary licence or a photographic driver licence under these rules; or
 - (c) if the person holds a driver identification card issued before 3 May 1999, when that identification card expires.
- (2) If the holder of a driver licence referred to in subclause (1) is absent from New Zealand on the date that the licence would (but for this subclause) expire under subclause (1), that driver licence expires on the earlier of—
 - (a) the expiry date specified on the licence:

- (b) 1 October 2011.

Clause 112(2): substituted, on 1 October 2011, by clause 42 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

113 Obtaining new driver licence

- (1) A person who is the holder of a licence or endorsement referred to in clause 112 may apply for the issue of the equivalent new photographic driver licence and, if applicable, an endorsement or endorsements specified in the table to clause 106.
- (2) A person referred to in subclause (1) is entitled to be issued with a driver licence and, if applicable, an endorsement or endorsements specified in the table to clause 106 if the person—
- (a) makes an application in accordance with clause 67; and
 - (b) *[Revoked]*
 - (ba) *[Revoked]*
 - (c) produces the person's driver licence issued before 3 May 1999, if the person still has it; and
 - (d) if the person's driver licence has been lost, stolen, or destroyed, or is defaced or mutilated or has become illegible, produces a statement signed by the person that the person no longer has the driver licence because it has been lost, stolen, or destroyed, or that it is defaced or mutilated or has become illegible; and
 - (e) satisfies the applicable requirements of clauses 114 and 115.

Clause 113(2): amended, on 1 June 2006, by clause 39 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Clause 113(2)(a): replaced, on 1 December 2014, by clause 33(1) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 113(2)(b): revoked, on 1 December 2014, by clause 33(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 113(2)(ba): revoked, on 1 December 2014, by clause 33(2) of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

114 Additional requirements relating to issue of passenger endorsements

- (1) A person who, immediately before 3 May 1999, held a Class C or Class D licence and who applies under clause 113 for the issue of a passenger endorsement must—
- (a) consent to the carrying out of checks as to whether or not the person is a fit and proper person to be the holder of a passenger endorsement, and consent to the carrying out of those checks from time to time during the period of validity of the endorsement; and
 - (b) be a person who the Director is satisfied in accordance with clause 35(1) is a fit and proper person to be the holder of a passenger endorsement; and

- (c) if, in the 12 months immediately preceding the application the person has not successfully undergone a medical examination in accordance with regulation 26J and regulation 8(2)(a) of the Transport (Drivers Licensing) Regulations 1987, produce a medical certificate in accordance with clause 44.

(2) *[Revoked]*

Clause 114(1): amended, on 1 October 2011, by clause 43(1) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Clause 114(1)(a): amended, on 4 October 1999, by clause 24 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 114(1)(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

Clause 114(2): revoked, on 1 October 2011, by clause 43(2) of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

115 Additional requirements relating to issue of vehicle recovery endorsement

A person who, immediately before 3 May 1999, held a Class N licence and who applies under clause 113 to obtain a vehicle recovery endorsement must—

- (a) consent to the carrying out of checks as to whether or not the person is a fit and proper person to be the holder of a vehicle recovery endorsement, and consent to the carrying out of those checks from time to time during the period of validity of the endorsement; and
- (b) be a person who the Director is satisfied in accordance with clause 35(1) is a fit and proper person to be the holder of a vehicle recovery endorsement; and
- (c) if, in the 12 months immediately preceding the application, the person has not successfully undergone a medical examination in accordance with regulation 26J and regulation 8(2)(a) of the Transport (Drivers Licensing) Regulations 1987, produce a medical certificate in accordance with clause 44.

Clause 115(a): amended, on 4 October 1999, by clause 25 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 115(b): amended, on 1 April 2021, by section 175(2) of the Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48).

116 Person holding more than 1 class of licence

- (1) A person who, immediately before 3 May 1999, held more than 1 class of driver licence (not including any Class AL, Class AR, or Class A licence), is entitled to be issued with the highest class of driver licence to which any of the person's licences issued before 3 May 1999 are equivalent in accordance with the table to clause 106.
- (2) Despite subclause (1), a person who, on 3 May 1999, held a Class AL, Class AR, or Class A licence in addition to any other class of driver licence is entitled to become the holder of, respectively, a Class 6L, 6R or Class 6 licence

in addition to any other class of driver licence to which any of the person's licences issued before 3 May 1999 are equivalent in accordance with the table to clause 106.

117 Person issued with learner or restricted licence

A person who is issued with a learner or restricted licence in accordance with clause 113 must comply with the applicable requirements of Part 4 in order to obtain a full licence.

118 Provision relating to time for which licence held

For the purposes of periods specified in Parts 4 and 5, a person is deemed to have held a driver licence of a class existing on or after 3 May 1999 for the same length of time that they held the corresponding class of driver licence (in accordance with the table to clause 106) that existed immediately before 3 May 1999.

Period of validity of licences and endorsements issued under this Part

119 Period of validity of licences issued under this Part

[Revoked]

Clause 119: revoked, on 1 December 2014, by clause 34 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

120 Period of validity of endorsements issued under this Part

- (1) A dangerous goods endorsement issued under clause 113 expires on the date that the holder's hazardous substances endorsement issued under the Transport (Drivers Licensing) Regulations 1987 would have expired.
- (2) A passenger endorsement issued to a person who, immediately before 3 May 1999 was the holder of a Class D licence, expires 12 months after its date of issue.
- (3) A special-type vehicle endorsement issued under clause 113 expires in accordance with clause 61.
- (4) An endorsement issued under clause 113, other than an endorsement referred to in subclauses (1) to (3), may be issued for a period of 1 year or a period of 5 years.

Clause 120(3): replaced, on 1 December 2014, by clause 35 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Clause 120(4): substituted, on 4 October 1999, by clause 26 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Transitional provision relating to driver licences expired, suspended, etc, when rule comes into force

121 Person disqualified or holding expired or suspended driver licence not required to have held learner or restricted licence

- (1) Subject to this clause, a person specified in subclause (1A) who applies for the issue of a driver licence under this rule must pass—
 - (a) the appropriate theory test or tests under clause 45 for the particular class of licence sought; and
 - (b) the appropriate practical driving test or tests under clauses 48 or 49 for the particular class of licence sought.
- (1A) The specified persons are persons who, at the close of 2 May 1999,—
 - (a) were disqualified from holding or obtaining a driver licence; or
 - (b) were holders of driver licences issued under the Transport (Vehicle and Driver Registration and Licensing) Act 1986, or any former enactment, that were suspended, expired, or revoked; or
 - (c) were 71 years of age or more and held any expired driver licence.
- (2) If the person referred to in subclause (1) was the holder of a learner licence, all the requirements of clause 17 and clause 19 apply.
- (3) If the person referred to in subclause (1) was the holder of a restricted licence all the requirements of clause 19 apply.

Clause 121(1): substituted, on 4 October 1999, by clause 27 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 121(1A): inserted, on 4 October 1999, by clause 27 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Transitional provision relating to renewal of P, I, O, and V endorsement

Heading: added, on 4 October 1999, by clause 28 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

122 P, I, O, and V endorsements may be re-issued for 12 months

- (1) A person who, on 4 October 1999, holds a current P, I, O, or V licence endorsement that was issued for 5 years may surrender the person's endorsement to the Agency and apply for a new endorsement of the type surrendered.
- (2) If the applicant complies with clauses 9 to 11 and 14, the Agency must issue the endorsement for 12 months beginning on its date of issue.

Clause 122: added, on 4 October 1999, by clause 28 of the Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302).

Clause 122(1): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Clause 122(2): amended, on 1 August 2008, by section 50(2) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Schedule 1

Objective of the rule

cl 3

This rule specifies the requirements for obtaining and renewing a driver licence in New Zealand. It sets out the requirements for the holder of a driver licence to obtain or renew a licence endorsement that will enable the endorsement holder to use a motor vehicle for specified activities. The rule also specifies the requirements for those who provide services related to the licensing of drivers.

The overarching objective of the rule is to make significant gains in land transport safety through the implementation of an improved system for driver licensing. Changes in the new system affect young and novice drivers, disqualified and unlicensed drivers, older drivers, commercial drivers, and overseas visitors and immigrants who wish to drive in New Zealand. These changes are aimed, in particular, at reducing the exposure of young drivers (between the ages of 15 and 24 years) to road crashes; reducing the crash risk of other novice drivers; reducing the numbers of drivers who drive while unlicensed or disqualified; having better-prepared and better-skilled drivers; improving enforcement and deterrence; improving driver attitudes; and developing a more positive road safety culture.

Major policy changes to the driver licensing system were authorised by the Land Transport Act 1998. These included the requirement to have photographs on driver licences, and the mandatory carriage of driver licences.

Within the framework of the major driver licensing policy changes, the rule gives effect to a new graduated classification system of licensing drivers so they have the necessary skills and experience to drive different types of vehicle. There are new testing requirements for obtaining a licence that emphasise skills, such as hazard perception, that are equally as important as vehicle-control skills for safe driving. The rule introduces ten-yearly licence renewal and relaxes the renewal regime for older drivers. It sets out a new system of driver licence endorsements and rationalises and updates the requirements for the medical and “fit and proper person” checking of drivers who drive for a living and drivers of specific classes or types of vehicles. The rule also introduces new requirements governing driver licensing course providers, driving instructors, and testing officers.

Many features of the previous driver licensing system are still relevant and these have been retained. In some cases, notably the Graduated Driver Licensing System, those features have been modified to improve them.

Schedule 2

Consultation carried out under section 161(2) of the Act

cl 4

In 1994, the Land Transport Authority (LTSA) began a major review of the system for licensing drivers in New Zealand, which has involved widespread public consultation. This has included the release in 1996 of 9 discussion papers outlining policy options for public comment. Five hundred and thirty-five formal submissions were received on the discussion papers. In response to a nationwide newspaper questionnaire, 41 000 members of the public expressed their views on the broad options for changes to the driver licensing system.

In March 1997, the LTSA released, for consideration by interested groups, government agencies, and the public, its proposed policies for changes to the driver licensing system. The proposed policy document was issued, in place of the usual first (red) draft of a proposed rule, in recognition of the widespread public interest in driver licensing and in order to seek comments and receive feedback from interested parties on the proposed changes. More than 4 000 copies of the document were issued and 554 submissions were received.

The submissions received on the proposed policy document, along with others received in the course of the review, were considered and decisions arrived at on proposed changes to the driver licensing system. These formed the policy framework for the first legal draft (yellow draft) of the Driver Licensing Rule.

The yellow draft rule was released for public consultation in November 1997. The draft rule was publicised in metropolitan and regional newspapers throughout New Zealand, in the *New Zealand Gazette*, and in other relevant publications. It was sent to libraries and transport authorities overseas and was made available on the Internet. Copies were also sent to individuals and organisations that had expressed an interest in the rule or who had commented on the proposed policy document. The LTSA received 85 written submissions on the yellow draft.

At the same time as the LTSA released the yellow draft of the rule, Parliament's Transport and Environment Select Committee sought public submissions on the Land Transport Bill, which authorised the major policy changes for the new driver licensing system. Submissions on the Bill closed on 28 February 1998 and the Select Committee held hearings in March/April 1998 to consider the submissions. The Land Transport Act 1998 was passed by Parliament on 3 December 1998.

The green draft rule was released for selected industry consultation, focussing on changes since the yellow draft rule on 4 December 1998. Meetings to discuss the green draft were held with industry representatives in Auckland, Christchurch, and Wellington. The LTSA received 41 written submissions on the green draft. Approval was given for the policy positions adopted in this rule by Cabinet in February 1999.

Overseas best practice and New Zealand's international obligations have been taken into account in developing the rule, and the rule has been subjected to overseas peer review. Privacy, civil liberty, and human rights have also been addressed and both pri-

vacy and human rights impact assessments have been prepared and made available to the public.

Schedule 2A

Transitional, savings, and related provisions

cl 5A

Schedule 2A: inserted, on 1 December 2014, by clause 36 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Provision relating to Land Transport (Driver Licensing) Amendment Rule 2014

Transitional provision in relation to existing licences of Class 1L, Class 1R, Class 6L, or Class 6R

This rule, as amended by the Land Transport (Driver Licensing) Amendment Rule 2014, applies to a licence of Class 1L, Class 1R, Class 6L, or Class 6R that was issued before the date on which the Land Transport (Driver Licensing) Amendment Rule 2014 came into force, except that—

- (a) nothing in clause 60 (as amended by the Land Transport (Driver Licensing) Amendment Rule 2014) has the effect of changing the expiry date as expressed on the licence; and
- (b) clause 67(1A)(a)(i) and (2B) does not apply in respect of the first renewal of the licence to occur after the date on which the Land Transport (Driver Licensing) Amendment Rule 2014 came into force; and
- (c) for the purpose of any reinstatement of any such licence under clauses 67A, 67B, or 67C,—
 - (i) clause 67A(8) must be read as if it requires that the person comply with clause 67 if the licence has expired or will expire within the following 12 months; and
 - (ii) clause 67B(5) must be read as if it requires that the person comply with clause 67 if the licence has expired or will expire within the following 12 months; and
 - (iii) clause 67C(5) must be read as if it requires that the person comply with clause 67 if the licence has expired or will expire within the following 12 months.

Schedule 3

Classes of driver licence

cl 7

Schedule 3: replaced, on 1 April 2012, by clause 44 of the Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306).

Licence classes	Motor vehicle to which licence relates
Classes 1L and 1R	<ul style="list-style-type: none"> (a) a motor vehicle (including a tractor but excluding a motorcycle) that has a gross laden weight of not more than 4 500 kg, or a combination vehicle that has a gross combined weight of not more than 4 500 kg (b) a motorised mobile home or self-propelled caravan that has a gross laden weight of not more than 6 000 kg, provided its on-road weight does not exceed 4 500 kg (c) a tradeperson's vehicle that has a gross laden weight of not more than 6 000 kg, provided its on-road weight does not exceed 4 500 kg
Class 1R	an agricultural tractor that has a gross laden weight of not more than 18 000 kg, or a combination vehicle (consisting of an agricultural tractor and agricultural trailer) that has a gross combined weight of not more than 25 000 kg, if driven (in either case) at a speed not exceeding 40 kph
Class 1	<ul style="list-style-type: none"> (a) a special-type vehicle that is a forklift or runs on rollers or self-laying tracks and has a gross laden weight of not more than 18 000 kg (b) a special-type vehicle that runs on wheels and has a gross laden weight of— <ul style="list-style-type: none"> (i) not more than 6 000 kg; or (ii) more than 6 000 kg but not more than 18 000 kg, if driven at a speed not exceeding— <ul style="list-style-type: none"> (A) 40 kph, in the case of a special-type vehicle that is an agricultural motor vehicle; or (B) 30 kph, in the case of any other special-type vehicle (c) any tractor with a gross laden weight of not more than 6 000 kg (d) a tractor (other than an agricultural tractor) with a gross laden weight of more than 6 000 kg but not more than 18 000 kg, if driven at a speed not exceeding 30 kph (e) a combination vehicle, consisting of a tractor (other than an agricultural tractor) towing a trailer, with a gross combined weight of not more than 25 000 kg, if it is being used in non-agricultural land management operations and is driven at a speed not exceeding 30 kph (ea) an agricultural tractor with a gross laden weight of more than 6 000 kg but not more than 18 000 kg, or a combination vehicle (consisting of an agricultural tractor and agricultural trailer) with a gross combined weight of not more than 25 000 kg, if (in either case) driven at a speed not exceeding 40 kph (eb) an agricultural tractor with a gross laden weight of more than 6 000 kg but not more than 18 000 kg, or a combination

Licence classes	Motor vehicle to which licence relates
	vehicle (consisting of an agricultural tractor and agricultural trailer) with a gross combined weight of not more than 25 000 kg, if (in either case) the driver holds a special-type vehicle endorsement
	(f) a rigid vehicle with a gross laden weight of not more than 6 000 kg
	(g) a combination vehicle (other than a combination vehicle that comes within paragraph (e), (ea), or (eb) of this definition) with a gross combined weight of not more than 6 000 kg
Classes 2 and 2L	(a) a rigid vehicle with a gross laden weight of more than 6 000 kg but not more than 18 000 kg
	(b) a combination vehicle (other than a combination vehicle that comes within paragraph (d) of the definition of Class 1 licence) that has a gross combined weight of more than 6 000 kg but not more than 12 000 kg
	(c) a combination vehicle (other than a combination vehicle that comes within paragraphs (d) or (f) of the definition of Class 1 licence or paragraph (b) of this definition) consisting of a rigid vehicle (with a gross laden weight of not more than 18 000 kg) towing a light trailer
	(d) a rigid vehicle with a gross laden weight of more than 18 000 kg with not more than 2 axles
	(e) a tractor with a gross laden weight of more than 6 000 kg but not more than 18 000 kg, if driven at a speed exceeding 30 kph
Class 2	(a) a special-type vehicle that is a forklift or runs on rollers or self-laying tracks and has a gross laden weight of more than 18 000 kg
	(b) a special-type vehicle that runs on wheels and has a gross laden weight of more than 6 000 kg but not more than 18 000 kg, if driven at a speed exceeding 30 kph
	(c) a special-type vehicle that runs on wheels and has a gross laden weight of more than 18 000 kg, if driven at a speed not exceeding 30 kph
	(d) a special-type vehicle that is an agricultural motor vehicle that runs on wheels and has a gross laden weight of more than 6 000 kg but not more than 18 000 kg, if driven (whether or not the driver holds a special-type vehicle endorsement) at a speed not exceeding 40 kph
Classes 3 and 3L	a combination vehicle that has a gross combined weight of more than 12 000 kg but not more than 25 000 kg
Classes 4 and 4L	(a) a rigid vehicle (including a tractor) with a gross laden weight of more than 18 000 kg
	(b) a combination vehicle consisting of a rigid vehicle (with a gross laden weight of more than 18 000 kg) towing a light trailer
Class 4	a special-type vehicle that runs on wheels and has a gross laden weight of more than 18 000 kg, if driven at a speed exceeding 30 kph
Classes 5 and 5L	a combination vehicle with a gross combined weight of more than 25 000 kg
Classes 6, 6L, and 6R	a motorcycle, moped, or all-terrain vehicle

Schedule 3: amended, on 1 June 2013, by clause 9(1) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Schedule 3: amended, on 1 June 2013, by clause 9(2)(a) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Schedule 3: amended, on 1 June 2013, by clause 9(2)(b) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Schedule 3: amended, on 1 June 2013, by clause 9(2)(c) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Schedule 3: amended, on 1 June 2013, by clause 9(3) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Schedule 3: amended, on 1 June 2013, by clause 9(4) of the Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100).

Schedule 4 Types of licence endorsement

cl 8

Identifying letter	Endorsement
D	Dangerous goods endorsement
I	Driving instructor endorsement
O	Testing officer endorsement
P	Passenger endorsement
F	Forklift endorsement for use with special-type vehicles that are forklifts
R	Roller endorsement for use with special-type vehicles that run on rollers
T	Tracks endorsement for use with special-type vehicles that run on self-laying tracks
W	Wheels endorsement for use with special-type vehicles that run on wheels and are not forklifts
V	Vehicle recovery endorsement

Schedule 5 Theory tests

[Revoked]

cl 45

Schedule 5: revoked, on 16 January 2006, by section 95(12) of the Land Transport Amendment Act 2005 (2005 No 77).

Schedule 6 Practical driving tests

[Revoked]

cl 48

Schedule 6: revoked, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Schedule 7 Certification test for testing officer

[Revoked]

cl 54

Schedule 7: revoked, on 1 August 2011, by section 100(4) of the Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13).

Schedule 7A
**Countries from which holders of driver licence or permit not
required to sit theory test for Class 1 or 6 licence**

cl 89A(3)

Schedule 7A: inserted, on 1 September 2008, by clause 15 of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Australia

Austria

Belgium

Canada

Denmark

Finland

France

Germany

Greece

Hong Kong Special Administrative Region of the People's Republic of China

Ireland

Italy

Japan

Luxembourg

Norway

Portugal

Republic of Korea

South Africa

Spain

Sweden

Switzerland

The Netherlands

United Kingdom

United States of America

Schedule 7A: amended, on 1 July 2013, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2013 (SR 2013/131).

Schedule 7A: amended, on 1 April 2009, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2008 (SR 2009/1).

Schedule 8

Countries from which holders of driver licence or permit not required to sit practical driving test

cl 89A(4)

Schedule 8: added, on 1 June 2006, by clause 43 of the Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84).

Schedule 8 heading: amended, on 1 September 2008, by clause 16 of the Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119).

Part 1

Holders may apply for any equivalent class of driver licence

Schedule 8 Part 1 heading: inserted, on 1 July 2013, by clause 9(1) of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2013 (SR 2013/131).

Australia
Austria
Belgium
Canada
Denmark
Finland
France
Germany
Greece
Ireland
Italy
Japan
Luxembourg
Norway
Portugal
South Africa
Spain
Sweden
Switzerland
The Netherlands
United Kingdom
United States of America

Schedule 8 Part 1: amended, on 1 April 2009, by clause 8 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2008 (SR 2009/1).

Part 2
 **Holders may apply for equivalent Class 1 or Class 6 driver licence
only**

Schedule 8 Part 2: inserted, on 1 July 2013, by clause 9(2) of the Land Transport (Driver Licensing)
Amendment Rule (No 2) 2013 (SR 2013/131).

Hong Kong Special Administrative Region of the People's Republic of China
Republic of Korea

Schedule 9 Evidence of identity

cl 11

Schedule 9: inserted, on 1 December 2014, by clause 37 of the Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265).

Part 1 Primary evidence of identity documents

Evidence of identity type	Issuing agency
New Zealand passport	Department of Internal Affairs (identity services)
Overseas passport (may include New Zealand immigration visa or permit issued by Department of Labour)	Overseas authority
New Zealand emergency travel document	Department of Internal Affairs (identity services)
New Zealand refugee travel document	Department of Internal Affairs (identity services)
New Zealand certificate of identity (issued under the Passports Act 1992 to non-New Zealand citizens who cannot obtain a passport from their country of origin)	Department of Internal Affairs (identity services)
New Zealand certificate of identity (issued under the Immigration Act 1987 issued to people who have refugee status)	Department of Labour (Immigration)
New Zealand firearms licence	New Zealand Police
New Zealand full birth certificate issued on or after 1 January 1998 carrying a unique identification number	Department of Internal Affairs (identity services)
New Zealand citizenship certificate	Department of Internal Affairs (identity services)

Part 2 Supporting evidence of identity documents

Evidence of identity type	Issuing agency
18+ card	Hospitality New Zealand Incorporated
Community services card	Ministry of Social Development
SuperGold Card	Ministry of Social Development
Veteran SuperGold Card	Ministry of Social Development
New Zealand student photo identification card	New Zealand educational institution
New Zealand employee photo identification card	Employer
New Zealand electoral roll record	Electoral Enrolment Centre of New Zealand Post Limited
Inland Revenue number	Inland Revenue Department
New Zealand issued utility bill, issued not more than 6 months before application	
Overseas driver licence	Overseas licensing authority
Steps to freedom form	Department of Corrections

Part 3

Documents to support name change

Document or record	Issuing agency or organisation
New Zealand birth certificate (issued for the purpose)	Department of Internal Affairs (identity services)
Change of name by statutory declaration	Department of Internal Affairs (identity services)
Change of name by deed poll	Department of Internal Affairs (identity services)
New Zealand name change certificate	Department of Internal Affairs (identity services)
New Zealand marriage certificate	Department of Internal Affairs (identity services)
New Zealand civil union certificate	Department of Internal Affairs (identity services)
Copy of particulars of civil union (in the form required by the Civil Union Act 2004)	Department of Internal Affairs (identity services)
Copy of particulars of marriage (in the form required by the Marriage Act 1955)	Department of Internal Affairs (identity services)
New Zealand dissolution of marriage or civil union papers	Ministry of Justice
Certificate of annulment	Ministry of Justice

Schedule 9 Part 3: amended, on 1 May 2021, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule 2021 (LI 2021/92).

Dated at Wellington this 31st day of March 1999.

Maurice Williamson,
Minister of Transport.

Issued under the authority of the Legislation Act 2019.
Date of notification in *Gazette*: 1 April 1999.

Land Transport (Driver Licensing) Amendment Rule 2011

(SR 2011/306)

Pursuant to the Land Transport Act 1998, the Minister of Transport makes the following ordinary rule.

Rule

1 Title

This rule is the Land Transport (Driver Licensing) Amendment Rule 2011.

2 Commencement

- (1) The following clauses come into force on 1 October 2012:
 - (a) clause 6(3) as far as it relates to the definition of approved motorcycle:
 - (b) *[Revoked]*
 - (c) clause 11:
 - (d) *[Revoked]*
 - (e) clause 13:
 - (f) clause 14:
 - (g) clause 16:
 - (h) clause 26:
 - (i) clause 27:
 - (j) clauses 39 and 40 as far as they relate to clause 93(d), (e), (j), and (k) of the principal rule (as amended by this rule).
- (2) Clause 44 comes into force on 1 April 2012.
- (3) The rest of this rule comes into force on 1 October 2011.

Clause 2(1)(b): revoked, on 7 October 2011, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2011 (SR 2011/346).

Clause 2(1)(d): revoked, on 7 October 2011, by clause 7 of the Land Transport (Driver Licensing) Amendment Rule (No 2) 2011 (SR 2011/346).

45 Transitional provision

A photographic driver licence issued by the Agency before the commencement of clause 28 of this rule remains valid until the licence is renewed even if that format of the licence does not comply with the requirements of clause 63 of the principal rule (as amended by this rule).

Dated at Wellington this 26th day of August 2011.

Steven Joyce,
Minister of Transport.

Date of notification in *Gazette*: 1 September 2011.

Land Transport (Driver Licensing) Amendment Rule (No 2) 2013

(SR 2013/131)

Pursuant to sections 152, 154, and 158 of the Land Transport Act 1998, and after having had regard to the criteria specified in section 164(2) of that Act, the Associate Minister of Transport makes the following ordinary rule.

Rule

1 Title

This rule is the Land Transport (Driver Licensing) Amendment Rule (No 2) 2013.

2 Commencement

This rule comes into force on 1 July 2013.

3 Principal rule

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

10 Transitional provision for applicants holding licences issued in Hong Kong or Republic of Korea

(1) This clause applies to a person—

- (a) who is the holder of a valid driver licence or permit issued in the Hong Kong Special Administrative Region of the People's Republic of China or in the Republic of Korea; and
- (b) who, before the commencement of this clause, applied under clause 89 of the principal rule for a Class 1 or Class 6 driver licence, but had not passed all of the appropriate tests.

(2) If, before the commencement of this clause, a person to whom this clause applies—

- (a) passed the appropriate theory test under clause 45 of the principal rule and had not sat the appropriate practical driving test, that person is not required to sit the practical driving test;
- (b) failed the appropriate theory test under clause 45 of the principal rule and had not sat the appropriate practical driving test, that person must pass that theory test but is not required to sit the appropriate practical driving test;
- (c) failed the appropriate practical driving test, that person must pass that practical driving test.

Dated at Wellington this 30th day of April 2013.

Michael Woodhouse,
Associate Minister of Transport.

Date of notification in *Gazette*: 9 May 2013.

Notes

1 *General*

This is a consolidation of the Land Transport (Driver Licensing) Rule 1999 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 *Legal status*

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 *Editorial and format changes*

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 *Amendments incorporated in this consolidation*

Land Transport (Driver Licensing) Amendment Rule (No 2) 2021 (SL 2021/381)

Land Transport (Driver Licensing) Amendment Rule 2021 (LI 2021/92)

Land Transport (NZTA) Legislation Amendment Act 2020 (2020 No 48): section 175(2)

Land Transport (Driver Licensing) Amendment Rule (No 2) 2019 (LI 2019/259)

Land Transport (Driver Licensing) Amendment Rule 2019 (LI 2019/82)

Social Security Act 2018 (2018 No 32): section 459

Land Transport (Driver Licensing) Amendment Rule 2017 (LI 2017/265)

Land Transport Amendment Act 2017 (2017 No 34): section 110(8)

Children, Young Persons, and Their Families (Oranga Tamariki) Legislation Act 2017 (2017 No 31): section 149

Land Transport Amendment Act 2016 (2016 No 77): section 21

Land Transport (Driver Licensing) Amendment Rule 2014 (LI 2014/265)

Land Transport (Driver Licensing) Amendment Rule (No 2) 2013 (SR 2013/131)

Land Transport (Driver Licensing) Amendment Rule 2013 (SR 2013/100)

Land Transport (Driver Licensing) Amendment Rule 2012 (SR 2012/302)

Land Transport (Driver Licensing) Amendment Rule (No 2) 2011 (SR 2011/346)

Land Transport (Driver Licensing) Amendment Rule 2011 (SR 2011/306)

Land Transport (Road Safety and Other Matters) Amendment Act 2011 (2011 No 13): section 100(2), (3), (4)

Private Security Personnel and Private Investigators Act 2010 (2010 No 115): section 121(2)

Land Transport (Driver Licensing) Amendment Rule 2010 (SR 2010/51)
Land Transport Amendment Act 2009 (2009 No 17): section 35(6)
Land Transport (Driver Licensing) Amendment Rule (No 2) 2008 (SR 2009/1)
Land Transport Management Amendment Act 2008 (2008 No 47): section 50(2)
Land Transport (Driver Licensing) Amendment Rule 2008 (SR 2008/119)
Land Transport (Driver Licensing) Amendment Rule (No 2) 2006 (SR 2006/152)
Land Transport (Driver Licensing) Amendment Rule 2006 (SR 2006/84)
Land Transport Amendment Act 2005 (2005 No 77): section 95(10)–(12)
Relationships (Statutory References) Act 2005 (2005 No 3): section 12
Land Transport Management Amendment Act 2004 (2004 No 97): section 19(2)
Health Practitioners Competence Assurance Act 2003 (2003 No 48): section 175(3)
Land Transport (Driver Licensing) Amendment Rule 1999 (SR 1999/302)
Land Transport (Driver Licensing) Rule 1999 (SR 1999/100): clauses 88(9), 88A(10)