



## **Land Transport (Driver Licensing) (COVID-19— Temporary Extension of Deemed Licences) Amendment Rule 2020**

This ordinary rule is made by the Minister of Transport under sections 152 and 154(i) of the Land Transport Act 1998, after—

- (a) having complied with the requirements of section 161(2) of that Act; and
- (b) having had regard to the criteria specified in section 164(2) of that Act.

### **Contents**

		Page
1	Title	1
2	Commencement	1
3	Principal rule	2
4	Objective of rule	2
5	Consultation	2
6	Clause 88 amended (Recognition of overseas driver licence or permit)	2
7	Clause 88A amended (Recognition of overseas agricultural motor vehicle licence or permit)	3
	<b>Schedule 1</b>	3
	<b>Objective of rule</b>	
	<b>Schedule 2</b>	4
	<b>Consultation</b>	

### **Rule**

#### **1 Title**

This rule is the Land Transport (Driver Licensing) (COVID-19—Temporary Extension of Deemed Licences) Amendment Rule 2020.

#### **2 Commencement**

This rule comes into force on 18 December 2020.

**3 Principal rule**

This rule amends the Land Transport (Driver Licensing) Rule 1999 (the **principal rule**).

**4 Objective of rule**

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

**5 Consultation**

A statement of the extent of the consultation carried out in relation to this rule under section 161(2) of the Land Transport Act 1998 is set out in Schedule 2.

**6 Clause 88 amended (Recognition of overseas driver licence or permit)**

After clause 88(4), insert:

- (5) If this subclause applies to a person, that person may drive under the New Zealand driver licence that they were deemed by subclause (1) to hold on their arrival in New Zealand during the temporary extended period specified in subclause (7).
- (6) Subclause (5) applies—
  - (a) to any person who—
    - (i) arrived in New Zealand after 1 January 2019 and before 18 December 2020 and has remained continuously in New Zealand since the date of their arrival; and
    - (ii) on arrival was deemed by subclause (1) to hold a New Zealand driver licence; but
  - (b) only if none of the situations specified in subclause (3)(b) to (d) occurred after the person's arrival in New Zealand and before 18 December 2020.
- (7) The temporary extended period begins on 18 December 2020 and ends on the earliest of the following dates:
  - (a) the date that is 24 months after the date of the person's arrival in New Zealand;
  - (b) the date on which a situation specified in subclause (3)(b) or (c) occurs;
  - (c) the date on which the person completes the appropriate practical driving test or tests under clauses 48 or 49 to obtain a full New Zealand licence of the relevant class;
  - (d) 31 March 2022.
- (8) Subclause (5) overrides subclause (3)(a).
- (9) This subclause and subclauses (5) to (8) are revoked on 31 March 2022.

**7 Clause 88A amended (Recognition of overseas agricultural motor vehicle licence or permit)**

After clause 88A(5), insert:

- (6) If this subclause applies to a person, that person may drive under the New Zealand class 1 driver licence that they were deemed by subclause (2) to hold on their arrival in New Zealand during the temporary extended period specified in subclause (8).
- (7) Subclause (6) applies—
  - (a) to any person who—
    - (i) arrived in New Zealand after 1 January 2019 and before 18 December 2020 and has remained continuously in New Zealand since the date of their arrival; and
    - (ii) on arrival was deemed by subclause (2) to hold a New Zealand class 1 driver licence; but
  - (b) only if none of the situations specified in subclause (4)(b) to (d) occurred after the person's arrival in New Zealand and before 18 December 2020.
- (8) The temporary extended period begins on 18 December 2020 and ends on the earliest of the following dates:
  - (a) the date that is 24 months after the date of the person's arrival in New Zealand;
  - (b) the date on which a situation specified in subclause (4)(b) or (c) occurs;
  - (c) the date on which the person completes the appropriate practical driving test or tests under clauses 48 or 49 to obtain a full New Zealand licence of the relevant class;
  - (d) 31 March 2022.
- (9) Subclause (6) overrides subclause (4)(a).
- (10) This subclause and subclauses (6) to (9) are revoked on 31 March 2022.

**Schedule 1**  
**Objective of rule**

cl 4

This Land Transport (Driver Licensing) (COVID-19—Temporary Extension of Deemed Licences) Amendment Rule 2020 (the **amendment rule**) amends the Land Transport (Driver Licensing) Rule 1999.

Due to the effective closure of international borders as a result of COVID-19, there are a number of visitors (seasonal agricultural workers, people visiting family members) who came to New Zealand in 2019 and who would ordinarily have gone home, but are now reaching the point where they need to convert to a New Zealand driver licence in order to continue driving legally on New Zealand roads.

The objective of this amendment rule is to allow overseas visitors who are in New Zealand to drive in New Zealand on their overseas licences for a temporary extended period, without needing to convert their overseas licence to a New Zealand licence. The temporary extended period is up to a maximum of 24 months after arrival, and does not extend beyond 31 March 2022.

## **Schedule 2 Consultation**

cl 5

Waka Kotahi NZ Transport Agency published a draft of the rule along with explanatory material on its Internet site for public consultation on 19 October 2020. Notice of the availability of the yellow draft for comment was sent by email or letter to approximately 1,871 groups and individuals who had registered an interest in the Land Transport (Driver Licensing) Rule 1999. A notice was also published in the *New Zealand Gazette*. Consultation was open for submissions until 9 November 2020.

Waka Kotahi NZ Transport Agency received 109 submissions which were taken into account in finalising the draft rule. The proposed rule was then submitted to the Minister of Transport for signing.

Dated at Wellington this 14th day of December 2020.

Hon Michael Wood,  
Minister of Transport.

### **Explanatory note**

*This note is not part of the rule, but is intended to indicate its general effect.*

This rule, which comes into force on 18 December 2020, amends the Land Transport (Driver Licensing) Rule 1999 to implement the objective described in *Schedule 1*.

Issued under the authority of the Legislation Act 2012.  
Date of notification in *Gazette*: 17 December 2020.  
This rule is administered by the Ministry of Transport.