Land Transport (Driver Licensing) Amendment Rule (No 2) 2008

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

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Rule

1 Title

This rule is the Land Transport (Driver Licensing) Amendment Rule (No 2) 2008.

2 Commencement

(1) This rule (except clauses 7 and 8) comes into force on 15 January 2009.

(2) Clauses 7 and 8 come into force on 1 April 2009.

3 Principal rule amended

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

4 Objective of rule

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

5 Consultation

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

6 Amendments to Schedule 3

(1) The item relating to a Class 1 licence in Schedule 3 is amended by adding the following paragraphs:

	(c)	any tractor with a gross laden weight of more than 4 500 kg but less than 18 001 kg, if driven at a speed not exceeding 30 kph
	(d)	a combination vehicle, consisting of a tractor towing a trailer, with a gross combined weight of not more than 25 000 kg, if it is being used in agricultural or land management operations and is driven at a speed not exceeding 30 kph.

(2) Schedule 3 is amended by omitting the item relating to Classes 2 and 2L licences and substituting the following item:

Classes 2 and 2L	(a)	a rigid vehicle with a gross laden weight of more than 4 500 kg but less than 18 001 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 not more than 12 000 kg
	(c)	a combination vehicle (other than a combination vehicle that comes within paragraph (d) 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 4 500 kg but less than 18 001 kg, if driven at a speed exceeding 30 kph

(3) Schedule 3 is amended by omitting the item relating to Classes 3 and 3L licences and substituting the following item:

Classes 3 and 3L	a combination vehicle (other than a combination vehicle that comes within paragraph (d) of the definition of Class 1 licence or paragraph (c) of the definition of Classes 2 and 2L licences) that has a gross combined weight of more than 12 000 kg but less than 25 001 kg

7 Amendment to Schedule 7A

Schedule 7A is amended by inserting the following item in its appropriate alphabetical order: "Japan".

8 Amendment to Schedule 8

Schedule 8 is amended by inserting the following item in its appropriate alphabetical order: "Japan".

Schedule 1

cl 4

Objective of rule

The objective of this rule is to amend the principal rule to update—

- the definitions of the classes of driver licence by allowing larger tractors to be driven on a Class 1 licence:
- the lists of countries from which holders of an overseas driver licence or permit are not required to sit a theory test for a Class 1 or Class 6 licence or a practical driving test when converting their licence to a New Zealand driver licence, by adding Japan to those lists.

Schedule 2

cl 5

Consultation carried out under section 161(2) of Act

For the purposes of consultation, amendments proposed to the principal rule and 11 other Land Transport Rules were combined into a single draft rule, Land Transport Rule: Omnibus Amendment 2008 (the **draft Omnibus Amendment Rule**).

On 19 August 2008, the New Zealand Transport Agency (**NZTA**) sent details of the amendment proposals by letter or email to approximately 1 500 groups and individuals who had registered an interest in the Land Transport Rules to be amended. The draft Omnibus Amendment Rule was made available through the NZTA Contact Centre and, together with questions and answers, was also available on the NZTA Internet site. The availability of the draft for comment was publicised in the metropolitan daily newspapers in Auckland, Hamilton, Wellington, Christchurch, and Dunedin and in the *Gazette*. NZTA received 24 submissions on the draft Omnibus Amendment Rule, of which 14 commented on the proposed requirements in this rule.

Following consultation, the provisions in the draft Omnibus Amendment Rule were split into 12 separate amendment rules, including this rule. The submissions that were received were taken into account in drafting this rule before it was submitted to the Minister of Transport for signing.

Dated at Wellington this 16th day of December 2008.

Steven Joyce,
Minister of Transport.

Explanatory note

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

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

This rule (except for *clauses 7 and 8*) comes into force on 15 January 2009. The amendments in *clauses 7 and 8* come into force on 1 April 2009.

The amendments update—

- the definitions of the classes of driver licence by allowing larger tractors to be driven on a Class 1 licence (*clause 6*):
- the lists of countries from which holders of an overseas driver licence or permit are not required to sit a theory test for a Class 1 or Class 6 licence or a practical driving test when converting their licence to a New Zealand driver licence, by adding Japan to those lists (*clauses 7 and 8*).

This rule is an ordinary rule made under the Land Transport Act 1998.

The objective of the rule is set out in *Schedule 1*. The statement of the extent of consultation carried out in relation to the rule is set out in *Schedule 2*.

Issued under the authority of the Acts and Regulations Publication Act 1989.
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This rule is administered by the Ministry of Transport.

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