Land Transport (Driver Licensing) Amendment Rule (No 2) 2019

Patsy Reddy, Governor-General

Order in Council

At Wellington this 29th day of October 2019

Present:
Hon Phil Twyford presiding in Council

This rule is made under sections 152, 152A, 154, and 158 of the Land Transport Act 1998—

(a) on the advice and with the consent of the Executive Council; and

(b) on the recommendation of the Minister of Transport after having had regard to the criteria specified in section 164(2) of that Act.

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Rule

1 Title

This rule is the Land Transport (Driver Licensing) Amendment Rule (No 2) 2019.

2 Commencement

This rule comes into force on 1 November 2019.

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 the Schedule.

5 Clause 60 amended (Period of validity of driver licence)

(1) After clause 60(1A), insert:

(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).

(2) After clause 60(3A), insert:

(3B) Subclauses (3) and (3A) do not apply in a case to which subclause (1B) applies.

6 Clause 67 amended (Renewal of driver licence)

(1) Replace clause 67(1A)(a)(i) with:

(i) unless subparagraph (ii) applies, before or after the expiry date, but no earlier than 90 days before the expiry date:

(2) Replace clause 67(2B) with:

(2B) A person whose Class 1L, Class 1R, Class 6L, or Class 6R licence has expired, or will expire in 90 days or less, must pass an appropriate theory test in accord-

ance with clause 45(1)(b) for the class of licence the person is applying to renew, unless—

(a) subclause (2)(e) or (f) applies; or

(b) the person is required to pass a theory test under clause 67A(2)(f) or (g); or

(c) the person is renewing a licence for a period beyond the person's 75th birthday.

Schedule
Objective of rule

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This Land Transport (Driver Licensing) Amendment Rule (No 2) 2019 (the **amendment rule**) amends the Land Transport (Driver Licensing) Rule 1999.

The objective of the amendment rule is to allow—

- certain driver licences of Class 1L, 1R, 6L, or 6R to remain valid for 2 years after the date they expire if the expiry date is between 1 December 2019 and 1 December 2021; and
- drivers who wish to remain at a Class 1L, 1R, 6L or 6R licence to resit a theory test to renew their licence up to 90 days prior to the expiry date of that licence.

Janine Harvey,
for Clerk of the Executive Council.

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 1 November 2019, amends the Land Transport (Driver Licensing) Rule 1999 to implement the objective described in the *Schedule*.

Issued under the authority of the Legislation Act 2012.
Date of notification in *Gazette*: 31 October 2019.
This rule is administered by the Ministry of Transport.

Wellington, New Zealand:
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