



9 November 2020

342-352 Lambton Quay
Wellington
New Zealand
PO Box 1
Wellington
New Zealand

Land Transport (Driver Licensing) Rule: Amendment 2020
Regulatory Policy Team, Systems Integrity
NZ Transport Agency
Private Bag 6995
WELLINGTON 6141
Email: rules@nzta.govt.nz

T. +64 4 931 9999
F. +64 4 931 9960

Land Transport (Driver Licensing) (Covid-19-temporary extension of deemed licences) Amendment Rule 2020

Introduction

The New Zealand Automobile Association (NZAA) welcomes the opportunity to provide comment on the Driver Licensing (Covid-19-temporary extension of deemed licences) Amendment Rule 2020.

The NZAA is an incorporated society with over 1.7 million Members. It represents the interests of road users who collectively pay over \$3 billion in taxes each year through fuel excise, road user charges, registration fees, ACC levies, and GST. The NZAA's advocacy and policy work mainly focuses on protecting the freedom of choice and rights of motorists, keeping the cost of motoring fair and reasonable, and enhancing the safety of all road users.

Our comments on the questions in the consultation overview are provided below:

1. Should the eligibility period for overseas licence holders be extended?

The NZAA in principle supports the need to provide a temporary extension to the recognition of overseas licence or permit for temporary visa holders due to Covid-19 border restrictions. The extension will minimise the risk that temporary visa holders unable to travel back home overseas do not become unable to legally drive in NZ due to delays in converting to a NZ licence, or indeed choose to continue to drive illegally and then risk infringements and voiding their (or the vehicle owners') insurance policy in the event of an accident. It seems prudent to make this amendment in order to avoid these unintended consequences.

But the NZAA would want to see this temporary extension used by temporary visa holders to convert their licences to a NZ licence, unless they have firm plans to return home during 2021. We suggest a campaign to target temporary visa holders to encourage them to do so, perhaps through embassies, key employment sectors like agriculture and tourism, and cultural community groups.

2. Should this apply to any other visa type, aside from temporary visa holders?

The NZAA supports this extension being provided to temporary visa holders as outlined in the overview.

Whilst NZ residents and Australian citizens will not be eligible, there may have been an influx of these due to the global lockdowns and repatriation. However, the objective of the extension is to spread demand on the driver licensing system, so it is hoped the additional demand from these groups wanting to convert could be met more readily within a shorter period.

3. Are there any potential issues with the inclusion of Class 2 to 5 licences?

As the current Rule entitles the holder of a valid driver licence or permit of a class to drive those vehicles in NZ, it would therefore be equitable that Class 2 and 5 licences are also included under the proposed extension.

4. Do you agree with the proposed eligibility timeframe (Enter after 1 January 2019 and arrive before 16 December 2020)?

Whilst the NZAA supports this timeframe, we recommend that the temporary extension does not end on 31 December 2021 (if applicable) (clause 88, subsection (7)(c) and clause 88A, subsection (8)(c)).

This termination occurs during a public holiday period and in the middle of NZ's peak holiday season, which is a traditionally busy time for licence services, and this could place extra pressure on frontline staff at licensing agents if temporary licence holders delay converting their licences to the last moment. The NZAA would recommend either bringing this date forward to the end of November 2021, or extending it out past the holiday season to March 2022 in order to avoid logistical challenges.

5. Is there a need to clarify the ability to continue to drive on an overseas licence once an application to convert to a New Zealand licence has been made?

The NZAA believes that the proposed amendment Rule also needs to provide this clarity. For those temporary visa holders from 'non-exempt' countries, applying to convert to a NZ licence would ordinarily mean that after passing the theory test they can only drive under supervision (and that's someone with a NZ licence) until they pass the practical test. Delays in processing applications may mean that such people could be inconvenienced for a month or more – Waka Kotahi is advising to allow 30 working days on its website, and immediately following the first lockdown this was actually taking 60 days.

Requiring someone to drive with a supervisor could be inconvenient or impractical for people who hitherto could drive freely in NZ. In essence nothing has changed, and they are not suddenly rendered less safe having passed the theory test such that they cannot drive unsupervised. In all likelihood, there is a real risk that such people will simply choose to ignore this requirement – thus driving contrary to their licence conditions. This creates additional unintended consequences that people risk enforcement and may void their vehicle insurance policy.

The NZAA believes this would be best avoided by clarifying, for the purposes of this amendment Rule, that temporary visa holders are permitted to continue driving on their overseas drivers licence or permit until such time as they obtain a Class 1F licence or until the expiry date of the temporary extension (whichever comes first).

Yours sincerely



Mark Stockdale
Principal Advisor – Regulations