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SUBMISSION FROM NZAA ON LAND TRANSPORT (DRIVER LICENSING) AMENDMENT RULE (No 2) 2021

1. The NZ Automobile Association (NZAA) appreciates the opportunity to comment on the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021. The NZAA has over 1.8 million members.

Summary

2. The AA supports revoking the time-limited licence policy because it failed to be effective in addressing the pooling of drivers and riders on learner and restricted licences. Revoking the policy does not come without risk however, as the problem of pooling remains and will continue in the absence of effective and targeted interventions.

Submission

3. This submission is formatted to address the two questions posed in the consultation paper:
 - Do you support revoking the time-limited licence policy?
 - Do you see any additional risks in revoking the time-limited licence policy?

Do you support revoking the time-limited licence policy?

4. The AA supports revoking the time-limited licence policy because its introduction didn't address the pooling of drivers and riders on learner and restricted licences. If left as it currently is, 104,000 learner and restricted licence holders will become unlicensed from 1 December. That would be a highly undesirable and damaging outcome.
5. Alongside the revocation of the 5 year expiry date, the amendment rule also takes out the requirement for expiring licence holders to re-sit the learner licence theory test in order to renew their licence. We did not support the condition to re-sit the theory test when it was originally proposed alongside the time-limited licence in the original 2014 amendment. We opposed the requirement because it imposed an increased cost on drivers without any resulting increase in skill, knowledge or safety, as they had already sat and passed the test previously. In addition if the learner or restricted licence holder sat and failed the test, they would become unlicensed for a period of time and therefore increase the chances they would drop out of the Graduated Driver Licensing System (GDLS).

6. We understand the statement in the consultation document that the practical driving test system could not accommodate the number of restricted and full licence tests if everyone on an expiring time-limited licence were to attempt to fulfil the requirements of moving up to the next stage. However, we would like to stress (as a provider of the service) that the theory test system does not suffer from the same capacity issues, and that there would be the capacity for people to re-sit their theory test to renew their expiring license.

Do you see any additional risks in revoking the time-limited licence policy?

7. The AA does see risks in revoking the time-limited licence policy as the original problem that led to its introduction remains. In 2013, 70% of learner licence holders and 56% of restricted licence holders were 'pooling' on their licences. In 2019, as the first time limited licences were due to expire, these figures remained high, at 69% and 52% respectively.

'Pooling' leads to poorer road safety outcomes

8. Without receiving any evidence to the contrary, our view is people not progressing through the GDLS to full licensure results in a poorer road safety outcome for New Zealand. The rule amendment consultation document states evidence shows that fully licenced and experienced drivers are a lower safety risk in the transport system. The GDLS is designed as a journey that gradually reduces restrictions on novice drivers, allowing them to develop safer driving skills while minimising the risks they face. It was in a Safer Journeys Action Plan that the investigation of time-limited licences was introduced, as one of the supporting actions to increase the safety of young drivers.
9. In addition to undermining GDLS safety outcomes, the pooling of people on learner and restricted licences can create enforcement and insurance issues (driving/riding outside licence conditions), reduces employment prospects and reduces the pool of people eligible for higher vehicle licences (e.g. passenger service, heavy vehicles, instructors). In short, the pooling problem highlighted in 2014 and 2019 still exists and still needs to be addressed.

Safety should not be compromised for improvements in access or equity

10. In attempting to address the pooling problem, there is a risk that it may seem attractive to policymakers to compromise safety in order to improve access and progression for those pooling in the system (and indeed those wanting to access the system for the first time). The AA's primary objective when it comes to the driver licensing system is to produce safe drivers.
11. The AA has for a long time been aware of the barriers faced by some to accessing and progressing through the GDLS, and particularly so during our time working in partnership with Waka Kotahi developing the community driver mentor programme. Targeted assistance outside of the GDLS should be used to support those who need it to access and move through the system as opposed to lowering the required standards for New Zealand's drivers and riders. As always, any changes to the testing standards need to be based on sound and solid safety data and evidence.
12. We know that there are a number of work programmes underway across government agencies to address equity and access concerns with the GDLS and we are eager for this work to deliver recommendations on how this support and assistance will be effectively achieved.

Sound analysis of the causes of pooling is necessary to target interventions

13. There are lessons to be learned through the failure of the time-limited licence policy. Firstly, these 'pooling' drivers and riders are difficult to reach. We understand that whilst Waka Kotahi made attempts through social media, targeted calling and other advertising, it appears to have been inadequate to activate those on time-limited licences to action. Secondly, another likely lesson is that punitive approaches (at least in isolation) are not effective at solving the pooling problem.
14. The effectiveness of any policy intervention relies on it being based on sound data and analysis. In the case of pooling that means gathering survey data to understand as much as possible the reasons why drivers and riders are not progressing through the GDLS.
15. The 2012 research cited in the 2013 Regulatory Impact Statement for this policy introduction asked the 38% of drivers in the study who had not progressed from their learner licence why they hadn't. 26% indicated that they had limited access to the means to drive and 14% mentioned financial constraints. Clearly a punitive approach in isolation is not going to address these issues.
16. The AA would like to see updated and more extensive research undertaken to gain a greater understanding of the reasons drivers and riders are pooling on their licences, and for this to be included in one of the work programmes being undertaken by government agencies, if it is not already scheduled.

Current and Upcoming Reviews : time for action

17. There are a number of government reviews and work streams planned or underway around the subject of driver licensing – including the cross-agency work led by the Ministry of Social Development overseen by the Education, Employment and Training Ministerial Group and the regulatory review of the GDLS by the Ministry of Transport and Waka Kotahi. The AA looks forward to actively and meaningfully contributing to these.
18. These reviews were ongoing in 2019 when the government extended the expiry date of licences for another two years, stating 'time-limited licences make sense in theory, but we also need to acknowledge that people without the resources, training, or support to pass these tests risk becoming unlicensed when time's up'. Alongside the extension the Government committed to: immediately reviewing the GDLS, developing additional programmes to help disadvantaged young drivers access licensing and to expanding access to driver training and resources in schools. These actions have not yet been completed.
19. We call on the government, as part of these reviews, to show a greater sense of urgency and develop targeted, effective policies to address the problem of pooling on learner and restricted licences.

Conclusions

20. The AA welcomes the opportunity for input on the Land Transport (Driver Licensing) Amendment Rule (No 2) 2021.
21. The AA supports revoking the time-limited licence policy because it failed to effectively address the pooling of drivers and riders on learner and restricted licences. Pooling on restricted and learner licences will remain the same problem it was when it warranted action in 2014. Targeted, effective policies based on a sound understanding of why licence holders 'pool' will be required to address the problem and avoid the undesirable safety and other implications of pooling and we call on the

government to undertake and implement this policy work as part of their current and upcoming reviews.

22. The NZAA will be pleased to provide any further comment as appropriate. Please contact Simon Douglas (contact details below).

Yours sincerely



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