



**WELLINGTON, NEW ZEALAND**

**PURSUANT** to *sections 152 and 158(a) and (b)* of the Land Transport Act 1998, and after having had regard to the criteria specified in *section 164(2)* of that Act

I, Julie Anne Genter, Associate Minister of Transport,

make the following ordinary Rule:

Land Transport Rule: Operator Licensing Amendment 2019

**SIGNED** AT Wellington

This 10<sup>th</sup> day of April 2019

Hon Julie Anne Genter

Associate Minister of Transport

**Land Transport Rule**  
**Operator Licensing Amendment 2019**  
**Rule 81001/2017/1**



**Land Transport Rule**  
**Operator Licensing Amendment 2019**  
**Contents**

Objective of the Rule	i
Extent of consultation	i
<b><u>Part 1 Rule requirements</u></b>	<b><u>1</u></b>
<b>Section 1 Preliminary provisions</b>	<b>1</b>
1.1 Title	1
1.2 Commencement	1
1.3 Principal Rule amended	1
<b>Section 2 Amendments to principal Rule</b>	<b>1</b>
2.1 Clause 2.6 amended (Holder of transport service licence to ensure transport service licence card is displayed)	1
2.2 Clause 3.5 amended (Driver identification)	1
2.3 Clause 5.2 amended (Driver identification)	1



## Objective of the Rule

**Land Transport Rule: Operator Licensing Amendment 2019** (the amendment Rule) amends *Land Transport Rule: Operator Licensing 2017* (the Operator Licensing Rule). The Operator Licensing Rule sets out the requirements for obtaining and retaining a licence to operate a large passenger service, small passenger service, rental service, vehicle recovery service, or goods service. It also contains requirements that apply to transport service drivers and hirers of rental service vehicles.

The objectives of the amendment Rule are to—

- clarify that only goods service vehicles may have the transport service licence displayed on the first right-hand side window beyond the right-hand door;
- correct a minor drafting error in *clause 3.5(4)(b)(i)*, which relates to the unique identifier on small passenger service driver identification cards;
- align *clause 5.2(4)(b)*, which relates to the unique identifier on vehicle recovery service driver identification cards, with *clause 3.5(4)(b)(i)*.

## Extent of consultation

For the purposes of consultation, amendments proposed to the Operator Licensing Rule and 14 other Land Transport Rules were combined into a single Rule, *Land Transport Rule: Regulatory Stewardship (Omnibus) Amendment 2018* (the Omnibus Amendment Rule). Following consultation, the provisions in the Omnibus Amendment Rule were split into separate amendment Rules.

The NZ Transport Agency sent details of the amendment proposals by letter or email to approximately 2544 groups and individuals who had registered an interest in the Rules to be amended. The Omnibus Amendment Rule was made available through the NZ Transport Agency's Contact Centre and, together with Questions and Answers, was also available on the NZ Transport Agency's website. The availability of the amendment proposals for comment was publicised in the daily newspapers in Auckland, Hamilton, Wellington, Christchurch and Dunedin. It was also notified in the *New Zealand Gazette* on 23 July 2018.

The NZ Transport Agency received 41 submissions on the Omnibus Amendment Rule, of which two commented on the proposed amendments to the Operator Licensing Rule.

The submissions received were taken into account in finalising the draft Rule following which it was submitted to the Associate Minister of Transport for signing.



## Part 1

### Rule requirements

#### Section 1 Preliminary provisions

##### 1.1 Title

This Rule is *Land Transport Rule: Operator Licensing Amendment 2019*.

##### 1.2 Commencement

This Rule comes into force on 1 June 2019.

##### 1.3 Principal Rule amended

This Rule amends *Land Transport Rule: Operator Licensing 2017*.

#### Section 2 Amendments to principal Rule

##### 2.1 Clause 2.6 amended (Holder of transport service licence to ensure transport service licence card is displayed)

Replace *clause 2.6(2)(a)* with:

- (a) is displayed, facing outwards,—
  - (i) for any motor vehicle (including a goods service vehicle), on the inside of the windscreen and as close as practicable to the bottom right-hand corner of the windscreen when viewed from the outside and front of the vehicle; or
  - (ii) in the case of a goods service vehicle only, on a right-hand side window as close as practicable to the front of the vehicle, when viewed from the outside and front of the vehicle; and

##### 2.2 Clause 3.5 amended (Driver identification)

In *clause 3.5(4)(b)(i)*, replace “users” with “a user”.

##### 2.3 Clause 5.2 amended (Driver identification)

Replace *clause 5.2(4)(b)* with:

- (b) display a unique identifier, being a name comprising a combination of letters approved by the Agency, with

numbers assigned by the Agency if required to distinguish duplicate names, so that the unique identifier is:

- (i) sufficiently memorable to be easily recalled by a user of the service provided by the driver; and
- (ii) sufficiently distinct so that a user of the service can identify the driver from other drivers in any transport service; and