



Land Transport (Infringement and Reminder Notices) Amendment Regulations 2023

Cindy Kiro, Governor-General

Order in Council

At Wellington this 27th day of February 2023

Present:

Her Excellency the Governor-General in Council

These regulations are made under section 167 of the Land Transport Act 1998 on the advice and with the consent of the Executive Council.

Contents

		Page
1	Title	1
2	Commencement	1
3	Principal regulations	2
4	Schedule 1 amended	2
5	Schedule 5 amended	2

Regulations

- 1 Title**
These regulations are the Land Transport (Infringement and Reminder Notices) Amendment Regulations 2023.
- 2 Commencement**
These regulations come into force on 11 March 2023.

3 Principal regulations

These regulations amend the Land Transport (Infringement and Reminder Notices) Regulations 2012.

4 Schedule 1 amended

- (1) In Schedule 1, form, before the heading “**Details of speeding offence (if applicable)**”, insert:

Details of drug offence (if applicable)

Alleged qualifying drug 1: [*specify*]

Alleged qualifying drug 2: [*specify*]

- (2) In Schedule 1, form, replace the heading above paragraph 2 with “**Defences**”.

- (3) In Schedule 1, form, after paragraph 3, insert:

3A If the offence alleged against you is a drug driving offence (involving a blood test) against section 57A(2), 57B(2), or 57C(2) of the Land Transport Act 1998, you may have a defence if you have consumed the relevant qualifying drug(s) in accordance with a valid medical prescription (*see* section 64(1A) of that Act). If the offence alleged against you is a drug driving offence (involving an oral fluid test) against section 57A(3), 57B(3), or 57C(3) or (4) of the Land Transport Act 1998, you may have a defence if you have a valid medical prescription for the relevant qualifying drug(s) (*see* section 64(1AB) of that Act).

- (4) In Schedule 1, form, paragraph 4, after the note, insert:

Note: If you wish to raise a defence to an alleged drug driving offence against section 57A(2) or (3), 57B(2) or (3), or 57C(2), (3), or (4) of the Land Transport Act 1998, you can find more information by visiting the Infringement Services page on the New Zealand Police Internet site or by contacting the Police Infringement Bureau.

5 Schedule 5 amended

In Schedule 5, form, after paragraph 13, insert:

Defences relating to drug driving offences

14 If the offence alleged against you is a drug driving offence (involving a blood test) against section 57A(2), 57B(2), or 57C(2) of the Land Transport Act 1998, you may have a defence if you have consumed the relevant qualifying drug(s) in accordance with a valid medical prescription (*see* section 64(1A) of that Act). If the offence alleged against you is a drug driving offence (involving an oral fluid test) against section 57A(3), 57B(3), or 57C(3) or (4) of the Land Transport Act 1998, you may have a defence if you have a valid medical prescription for the relevant qualifying drug(s) (*see* section 64(1AB) of that Act).

Rachel Hayward,
Clerk of the Executive Council.

Explanatory note

This note is not part of the regulations, but is intended to indicate their general effect.

These regulations, which come into force on 11 March 2023, amend Schedules 1 and 5 of the Land Transport (Infringement and Reminder Notices) Regulations 2012. Those schedules contain forms relating to infringement offences. These regulations amend those forms to insert references to the new category of drug driving infringement offences established by the Land Transport (Drug Driving) Amendment Act 2022.

Issued under the authority of the Legislation Act 2019.

Date of notification in *Gazette*: 2 March 2023.

These regulations are administered by the Ministry of Transport.