

[AS REPORTED FROM THE GOVERNMENT ADMINISTRATION
COMMITTEE]

House of Representatives, 12 September 1989.

Words struck out are shown in italics within bold round brackets, or with black rule at beginning and after last line; words inserted are shown in roman underlined with a single rule, or with single rule before first line and after last line.

[AS REPORTED FROM THE COMMITTEE OF THE WHOLE HOUSE]

House of Representatives, 14 September 1989.

Words struck out are shown in italics within double bold round brackets; words inserted are shown in roman underlined with a double rule.

[Clauses 217A to 219 of this Bill were formerly clauses 217A to 219 of the Transport Law Reform Bill (No. 2): 156-2]

Hon. W. P. Jeffries

**TRANSPORT (VEHICLE AND DRIVER
REGISTRATION AND LICENSING) AMENDMENT
(NO. 2)**

ANALYSIS

Title	218. National register of driver's licences
1. Short Title and commencement	218A. Medical reports on licence holders
217A. Application of fees and charges	219. Regulations

A BILL INTITULED

**An Act to amend the Transport (Vehicle and Driver
Registration and Licensing) Act 1986**

BE IT ENACTED by the Parliament of New Zealand as follows:

- 5 **1. Short Title and commencement**—(1) This Act may be cited as the Transport (Vehicle and Driver Registration and Licensing) Amendment Act (No. 2) 1989, and shall be read

No. 156—3E

*Price
incl. GST \$2.20*

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together with and deemed part of the Transport (Vehicle and Driver Registration and Licensing) Act 1986 (hereinafter referred to as the principal Act).

(2) This Act shall come into force on the 1st day of October 1989.

5

New

217A. Application of fees and charges—(1) The principal Act is hereby amended by repealing section 36 (as substituted by section 32 (1) of the State-Owned Enterprises Act 1986), and substituting the following section: 10

“36. All fees and charges (not being fines or other penalties) received on behalf of the Crown under this Part of this Act shall be paid into the Crown Bank Account and credited to the Land Transport Fund.”

(2) The State-Owned Enterprises Act 1986 is hereby amended by repealing so much of the Schedule as relates to section 36 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986. 15

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218. Disqualifications relating to transport services— 20
The principal Act is hereby amended by inserting, after section 40, the following section:

“40A. (1) Where any person is disqualified from driving any vehicle being used in a transport service by virtue of **section 12** of the **Transport Law Reform Act (No. 2) 1989**, every driver’s licence held by the person that entitles the person to drive any vehicle that may be used in the relevant transport service shall be cancelled; and the person shall be disqualified from holding or obtaining any such licence for life. 25

“(2) Where any person is disqualified from driving any vehicle being used in a transport service by virtue of **section 15 (3)** of the **Transport Law Reform Act (No. 2) 1989**, every driver’s licence held by the person that entitles the person to drive any vehicle that may be used in the relevant transport service shall be cancelled; and the person shall be disqualified from holding or obtaining any such licence for a period of 5 years commencing 35

Struck Out

on the date of the disqualification referred to in the said **section 15 (3)**.

- 5 “(3) Every person commits an offence and is liable on summary conviction to a fine not exceeding \$500 who applies for or obtains a driver’s licence while the person is disqualified under this section from holding or obtaining the licence.”

New

- 10 **218. National register of driver’s licences**—(1) Section 45 (1) (g) of the principal Act is hereby amended by omitting the words “section 30, section 30A, or section 32”, and substituting the words “Part IV or Part V”.

(2) Section 45 (1) of the principal Act is hereby amended by inserting, after paragraph (j), the following paragraph:

- 15 “(ja) Particulars of any revocation or suspension of a driver’s licence entitling a person to drive a transport service vehicle, or any prohibition placed on a person from driving any such vehicle, under **section 19** of the **Transport Services Licensing Act 1989**.”

- 20 **218A. Medical reports on licence holders**—Section ((45 (1) (a))) 45A (1) (a) of the principal Act (as inserted by section 6 of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1987) is hereby amended by
25 inserting, after the words “specified class”, the words “, or should only be permitted to drive motor vehicles subject to such limitations as may be warranted by the mental or physical condition of the licence holder”.

219. Regulations—

New

- 30 (1) Section 48 (1) (h) of the principal Act is hereby amended by inserting, after the words “particular

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New

features”, the words “or limiting the situations or periods within which vehicles may be driven under the licence”.

(2) Section 48 (1) of the principal Act is hereby amended by inserting, after paragraph (k), the following paragraph: 5

“(ka) Providing for the issue and renewal of driver identification cards required by **section 18** of the **Transport Services Licensing Act 1989** to be held by drivers of small passenger service vehicles and vehicle recovery service vehicles; prescribing the manner of applying for any such cards and any particulars and evidence to be supplied with any application, and the conditions (including conditions requiring the consent of the applicant to checks being made as to any criminal or other record or history of the applicant relevant to whether or not the applicant is a fit and proper person to drive a vehicle being used in the relevant transport service) upon or subject to which those cards may be issued, held, or renewed; and prescribing such other incidental matters in relation to the cards as may be prescribed generally under this section in relation to drivers’ licences:” 10 15 20

(3) Section 48 (1) of the principal Act is hereby amended by inserting, after paragraph (t), the following paragraph: 25

“(ta) Providing for the issue, by the Secretary or any person approved by the Secretary, of certificates of knowledge of law and practice relating to any transport service for which such a certificate may be required by **section 17** of the **Transport Services Licensing Act 1989**; and exempting any person or class of person, or any class or description of transport service, from the requirement for such a certificate to be held:” 30

(4) Section 48 (2) of the principal Act is hereby amended by adding after paragraph (c) (as added by section 8 (2) of the Transport (Vehicle and Driver Registration and Licensing) Amendment Act 1987) the following paragraphs: 35

New

5 “(ca) Approve courses to be completed by applicants for
certificates of knowledge of law and practice of any
transport service for which such a certificate may be
required by **section 17** of the **Transport Services Licensing
Act 1989** (and different courses may be approved in
10 respect of different classes of transport service, and
different descriptions of service within any such
class); and approve persons or organisations who
may conduct such courses:

15 “(d) Approve courses to be completed by applicants for or
holders of licences (*to drive heavy motor vehicles*) who
wish to have the licence endorsed to authorise the
driving of vehicles carrying hazardous substances
where completion of such courses is required by this
or any other Act or by regulations made under this
Act; and approve persons or organisations who may
conduct such courses:

20 “(e) Approve courses in map reading and first aid to be
completed by applicants for or holders of licences to
drive small passenger service vehicles, where
completion of such courses is required by this or any
other Act or by regulations made under this Act;
25 and approve persons or organisations who may
conduct such courses.”