

1986/84



**THE TRANSPORT (DRIVER LICENSING) REGULATIONS 1985,  
AMENDMENT NO. 2**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 30th day of April 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to section 48 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

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PART VI

RENEWAL OF LICENCES TO BE HELD  
BY PERSONS AGED 71 OR OLDER AND  
LICENCES TO DRIVE PASSENGER  
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34. Eyesight and medical tests where licence of person who has or is about to attain age of 71 years is renewed
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## REGULATIONS

**1. Title and commencement**—(1) These regulations may be cited as the Transport (Driver Licensing) Regulations 1985, Amendment No. 2, and shall be read together with and deemed part of the Transport (Driver Licensing) Regulations 1985\* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of May 1986.

**2. Interpretation**—(1) Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “the Act”, and substituting the following definition:

“‘The Act’ means the Transport (Vehicle and Driver Registration and Licensing) Act 1986:”.

(2) Regulation 2 of the principal regulations is hereby amended by inserting, after the definition of the term “licence”, the following definition:

“‘Licensing year’ means a period of 12 months ending with the 30th day of June in any year, and, in relation to any licence issued during that period, means the period commencing with the date of issue of the licence and ending with the next 30th day of June:”.

**3. Consequential changes to references**—(1) Regulation 14 (6) (a) of the principal regulations is hereby amended by omitting the word “Act”, and substituting the words “Transport Act 1962”.

(2) Regulation 20 of the principal regulations is hereby amended by omitting from subclause (1) and subclause (2) the word “Act”, and substituting in both cases the words “Transport Act 1962”.

**4. Replacement of licence**—Regulation 21 (1) of the principal regulations is hereby amended by omitting the word “coupons”, and substituting the words “endorsements under regulation 36 (3) of these regulations”.

**5. New regulations substituted relating to validity of licence and fees**—The principal regulations are hereby amended by revoking regulations 24 and 25, and substituting the following regulations:

“**24. Period of validity of licence**—(1) Every licence, whether issued before or after the 1st day of May 1986 that was current or capable of being renewed immediately before that date, and is held by any person who has not attained the age of 71 years, shall be valid until the end of the month in which the person attains the age of 71 years.

“(2) Every licence whether issued before or after the 1st day of May 1986 that is current or capable of being renewed immediately before that date

and is held by any person who has attained the age of 71 years shall be valid until the end of the month in which the person's birthday next occurs.

"(3) Notwithstanding subclause (2) of this regulation, every licence whether issued before or after the 1st day of May 1986 that is current or capable of being renewed immediately before that date and is held by any person who, in the month of May 1986, attains the age of 72 years or attains any greater age shall be valid until the end of June 1986.

"(4) Notwithstanding subclauses (1) and (2) of this regulation, no Class C, Class D, Class E, or Class K licence shall authorise the holder to drive any passenger service vehicle to which the licence relates unless regulation 36 of these regulations has been complied with.

"(5) Nothing in this regulation shall apply to a Class AP licence.

"24A. **Special endorsement relating to validity of licence**—The holder of any licence to which regulation 24 of these regulations applies may, on payment of the fee specified in the First Schedule to these regulations and the production of the licence to the Secretary, have entered into the licence a statement of the period for which it is valid.

"25. **Fees**—The fee for the issue of a licence shall be the appropriate fee for the class of licence specified in the First Schedule to these regulations."

**6. New regulations relating to renewal of licences substituted**—The principal regulations are hereby amended by revoking Part VI, and substituting the following Part:

"PART VI

"RENEWAL OF LICENCES TO BE HELD BY PERSONS AGED 71 OR OLDER AND  
LICENCES TO DRIVE PASSENGER SERVICE VEHICLES

"34. **Eyesight and medical tests where licence of person who has or is about to attain age of 71 years is renewed**—(1) Where an application is made in accordance with regulation 37 of these regulations for the renewal of the licence of a person who has attained or is about to attain the age of 71 years, the issuing authority shall not renew the licence unless the applicant—

"(a) Produces a certificate under regulation 13 (4) of these regulations or passes the eyesight test provided for in that regulation; and

"(b) Produces a medical certificate issued by a registered medical practitioner to the effect that, in the opinion of that medical practitioner, the mental and physical condition of the licensee is such that the applicant is a fit and proper person to continue to hold a licence.

"(2) The Secretary may prescribe the form of certificates for the purposes of this regulation.

"(3) No certificate shall be accepted under this regulation unless the date on which it was issued is within 60 days of the date of the application for the renewal of the licence.

"(4) Subclause (3) of this regulation shall not apply in the case of a licence that, but for the making of the Transport (Drivers Licensing) Regulations 1985, Amendment No. 2, would have been renewed in June 1986, if the certificate was issued in April, May, or June 1986.

“(5) Any licence that is renewed in accordance with this regulation shall be renewed on payment of the fee specified in the First Schedule to these regulations for a period of not more than 5 years commencing with the day after the date of expiry of the licence and ending with the last day of the month in which the person attained the age of 76 years.

“(6) Every person whose licence is renewed under this regulation shall be entitled, on production of the licence, to have attached to the licence an endorsement indicating its renewal.

“(7) Nothing in this regulation shall apply to the renewal of any Class C, Class D, Class E, or Class K licence so far as it permits the holder to drive a passenger service vehicle.

**“35. Eyesight, medical, and practical tests where licence of person who has or is about to attain age of 76 years or over is renewed—**(1) Where an application is made for the renewal of the licence of a person who has attained or is about to attain the age of 76 years or any greater age, the issuing authority shall not renew the licence unless—

“(a) The applicant produces a certificate under regulation 13 (4) of these regulations or passes the eyesight test provided for in that regulation; and

“(b) The applicant produces a medical certificate issued by a registered medical practitioner to the effect that, in the opinion of that medical practitioner, the mental and physical condition of the licensee is such that the applicant is a fit and proper person to continue to hold a licence; and

“(c) Where the licence is being renewed in respect of the year commencing with the first day of the month after the month in which the person attains the age of 76 years or any subsequent age that is evenly divisible by 2, the applicant passes the practical driving test specified in form 16 in Part III of the Second Schedule to these regulations.

“(2) Any licence that is renewed in accordance with this regulation shall be renewed on payment of the fee specified in the First Schedule to these regulations for a period of not more than 12 months commencing with the day after the date of expiry of the licence and ending with the last day of the month in which the person attains the age of 76 years or attains any subsequent age.

“(3) Every person whose licence is renewed under this regulation shall be entitled, on production of the licence, to have attached to the licence an endorsement indicating its renewal.

“(4) No certificate shall be accepted under this regulation unless the date on which it was issued is within 60 days of the date of the application for the renewal of the licence.

“(5) Subclause (4) of this regulation shall not apply in the case of a licence that, but for the making of the Transport (Drivers Licensing) Regulations 1985, Amendment No. 2, would have been renewed in June 1986, if the certificate was issued in April, May, or June 1986.

“(6) Nothing in this regulation shall apply to the renewal of any Class C, Class D, Class E, or Class K licence so far as it permits the holder to drive a passenger service vehicle.

**“36. Eyesight and medical tests for licences to drive passenger service vehicles—**(1) Notwithstanding regulation 24 of these regulations, a Class C, Class D, Class E, or Class K licence shall only authorise the holder to drive a passenger service vehicle of the class to which it relates if the holder of the licence has complied with the requirements of subclause (2) of this regulation.

“(2) Every holder of a Class C, Class D, Class E, or Class K licence who wishes to use that licence in any licensing year as authority to drive a passenger service vehicle of a class to which the licence relates shall, not earlier than one month before the licensing year, produce—

“(a) A medical certificate issued by a registered medical practitioner to the effect that, in the opinion of that medical practitioner, the mental and physical condition of the applicant is such that the applicant is a fit and proper person to continue to hold the licence; and

“(b) An eyesight certificate issued by a registered optometrist or registered medical practitioner to the effect that, in the opinion of that person, the eyesight of the applicant is of the standard specified in regulation 13 (1) of these regulations for applicants for licences of that class, and specifying whether or not the applicant requires any correcting lenses so that the applicant’s eyesight meets that standard.

“(3) Every person who produces the certificates required to be produced under subclause (2) of this regulation shall be entitled, on payment of the fee specified in the First Schedule to these regulations and production of the current licence, to receive a replacement licence or to have attached to the current licence an endorsement indicating that the person is authorised to drive a passenger service vehicle of the class to which the licence relates during the licensing year.

“(4) The Secretary may prescribe the form of certificates for the purposes of this regulation.

“(5) No certificate shall be accepted under this regulation unless the date on which it was issued is within 60 days of the date of its production under subclause (2) of this regulation.

**“37. Time for making applications to renew licences—**(1) An application to renew a licence under regulation 34 or regulation 35 of these regulations may be made not earlier than the first day of the month in which the licence is to expire, unless the Secretary is satisfied that the person will be out of New Zealand during all or part of that month or that it would otherwise be unreasonable to require the application to be made in that month, in which case the application may be made at any time during the 5 months before the month in which the licence is to expire.

“(2) An application to renew a licence under regulation 34 or regulation 35 of these regulations may be made at any time during the 12 months after the month in which it expires, on payment of all fees, production of all certificates, and passing of any tests that would be required if the person had renewed the licence before its expiry.

“(3) No licence that has expired may be renewed outside the periods specified in this regulation.”

**7. New First Schedule**—The principal regulations are hereby amended by revoking the First Schedule, and substituting the First Schedule set out in the Schedule to these regulations.

**8. Second Schedule amended**—Part III of the Second Schedule to the principal regulations is hereby amended by omitting from the heading to Form 16 the words “AGED 72, OR 74 OR OVER”, and substituting the words “WHO IS ABOUT TO ATTAIN THE AGE OF 76 YEARS OR ANY GREATER AGE”.

Reg. 7

SCHEDULE  
NEW FIRST SCHEDULE  
“FIRST SCHEDULE

FEES

Regulation	Type of Fee	Amount of Fee \$
6 (3)	Fee for each practical driving test (other than a test on renewal of a licence) .. .. .	27.00
21 (5)	Fee for duplicate Class AP licence .. .. .	8.00
20 (2), 21 (5)	Fee for duplicate of any other licence (including limited licence) .. .. .	8.00
24A ..	Fee for endorsement of period of validity .. .. .	4.00
25 ..	Fee for issue of licence other than Class AP licence .. .. .	8.00
	Fee for issue of Class AP licence .. .. .	13.00
34 (4)	Fee for renewal of licence for use by person aged 71 years or more but not 76 years or more .. .. .	4.00
35 (2)	Fee for renewal of licence for use by person aged 76 years or more .. .. .	4.00
41 (1)	Fee for application for certificate of approval as a driving instructor .. .. .	115.00
43 ..	Fee for renewal of certificate of approval .. .. .	25.00
44 ..	Fee for duplicate certificate of approval .. .. .	8.00
51 (3)	Appeal fee .. .. .	15.00
57 (2)	Fee for application for international driving permit .. .. .	7.00
59 ..	Fee for certificate of particulars on national register of drivers' licences .. .. .	Nil”

P. G. MILLEN,  
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 change the rules relating to the validity of driving licences and the testing of drivers over 70 years of age. The regulations provide that all licences are to remain valid without the need for renewal until the end of the month in which the holder attains the age of 71 years. Where the person has already attained that age or any greater age the licence remains valid until the end of the month in which the person's next birthday occurs.

On attaining the age of 71 years the licence holder must produce an eyesight certificate or pass an eyesight test, and produce a medical certificate. No practical driving test is required. The licence is then renewed for 5 years.

When the licence holder attains the age of 76 years the eyesight and medical requirements are repeated and a practical test must be passed. This and subsequent renewals are for one year only. Every year the eyesight and medical requirements must be met, and every second year (i.e., after attaining 78, 80, 82, etc.) the practical test must also be passed.

The present requirement for eyesight tests at age 50 and 5-yearly thereafter to age 70 is discontinued.

Various fees are increased, and the principal regulations are also amended as a consequence of the passing of the Transport (Vehicle and Driver Registration and Licensing) Act 1986. By virtue of section 49 of that Act the principal regulations are deemed to have been made under that Act.

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Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 April 1986.

These regulations are administered in the Ministry of Transport.