



Consistency Accountability Statement: Land Transport (Driver Licensing) Amendment Rule (No 3) 2026

Agency responsible	Ministry for Cities, Environment, Regions and Transport
Portfolio	Transport
Date finalised	16 September 2026
Identification number	REG-1932

Statement of Review

I confirm that Ministries for Cities, Environment, Regions and Transport has assessed the above legislation, and the process for developing it, for consistency with the principles of responsible regulation as set out in section 9 of the Regulatory Standards Act 2025.

This assessment identified no inconsistencies with the principles of responsible regulation.

s 9(2)(a)



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Ministry for Cities, Environment, Regions and Transport



Summary of Underpinning Analysis: Land Transport (Driver Licensing) Rule Amendment (No 3) 2026

Agency responsible	Ministry for Cities, Environment, Regions and Transport
Portfolio	Transport
Date finalised	22 July 2026
Identification Number	REG-1932

Good law-making: 9(i)

The importance of consulting, to the extent that is reasonably practicable, the persons or representatives of the persons that the responsible agency considers will be directly and materially affected by the legislation

Inconsistency identified? NO

Summary of agency analysis

The substantive policy underlying the Land Transport (Driver Licensing) Rule Amendment (No 3) 2026 (the Driver Licensing Rule) was agreed to following public consultation on Phase Two of heavy vehicle productivity from February to March 2026. The Minister agreed to allow low and zero emission buses to be driven on the same driver licence class as their internal combustion engine counterparts.

The proposed amendment does not introduce new policy but corrects an issue to give effect to the original policy intent, by specifying that the ability of class 2 and 2L driver licence holders to drive electric or zero emission vehicles (with other prescribed specifications) only applies to buses.

Changes to the Graduated Driver Licensing System (GDLS) were consulted on in April 2025 and agreed by Cabinet in September 2025. The proposed amendment does not change the agreed policy; it clarifies beyond doubt that the clause only applies to demerit points for an offence committed on a restricted licence. NZTA was consulted on the draft amendment.

A two-week shortened consultation was carried out on these proposals as required by section 161(2) of the Land Transport Act 1998 from 31 August to 14 September 2026. We consider this justified given that consultation on the substantive policy has already been carried out. No submissions were received during those two weeks.



Good law-making: 9(j)

The importance of carefully evaluating—

- the issue concerned; and
- the effectiveness of any relevant existing legislation and common law; and
- whether the public interest requires that the issue be addressed; and
- any options (including non-legislative options) that are reasonably available for addressing the issue; and
- who is likely to benefit, and who is likely to suffer a detriment, from the legislation

Inconsistency identified?

NO

Summary of agency analysis

The proposed updates to the Driver Licensing Rule do not reflect new policy decisions. The change removes ambiguity by specifying the ability of class 2 and 2L driver licence holders to drive zero emission vehicles with other prescribed specifications) only applies to buses and clarifying that the demerits clause only applies to demerit points incurred on a restricted licence.

The problem, options and evidence underpinning the GDLS changes are covered here:

<https://www.transport.govt.nz/assets/Uploads/RIA/Final-Regulatory-Impact-Statement.pdf>.

The Regulatory impact statement for zero emission vehicles can be found here:

<https://www.transport.govt.nz/assets/Uploads/Final-Decisions-on-Heavy-Vehicle-Productivity.pdf>.

The proposed updates to the Driver Licensing Rule do not reflect new policy decisions. The change removes ambiguity by specifying the ability of class 2 and 2L driver licence holders to drive zero emission vehicles with other prescribed specifications) only applies to buses and clarifying that the demerits clause only applies to demerit points incurred on a restricted licence.

Good law-making: 9(k)

The importance of the responsible agency identifying and developing effective arrangements for implementing the legislation

Inconsistency identified?

NO

Summary of agency analysis

Implementation arrangements for the Amendment Rule have already been developed and are unaffected by this technical correction



Subject to Ministerial approval, the Ministry anticipates that the final Rule amendments will be signed by the Minister and notified in the *Gazette* in September 2026, and will come into force on 30 October 2026.

NZTA is implementing changes to the GDLS.

Good law-making: 9(l)

Legislation should be expected to produce benefits that exceed the costs of the legislation to the public or persons

Inconsistency identified? NO

Summary of agency analysis

Clarifying that changes to Class 2 and 2L licence weight thresholds for some zero emission vehicles only apply to buses will give proper effect to policy decisions made by the Minister of Transport. This is not expected to create notable costs to the public – NZTA has advised that only 21 vehicles will be affected by this change. The change to the demerit point clause is a clarification and does not change the agreed policy.

Good law-making: 9(m)

Legislation should be the most effective, efficient, and proportionate response to the issue concerned that is available

Inconsistency identified? NO

Summary of agency analysis

Drafting corrections to align the Driver Licensing Rule with Cabinet's agreed policy scope is the most effective, efficient and proportionate way to address the identified drafting gaps. It avoids the uncertainty of leaving an unintended scope ambiguity in place (which is currently in place).

Rule of Law: 9(a)(i)

The law should be clear and accessible

Inconsistency identified? NO

Summary of agency analysis

As currently drafted, the Driver Licensing Rule is not clear and causes ambiguity which does not give effect to the original policy intent. The proposed amendments address this by specifying the ability of class 2 and 2L driver licence holders to drive zero emission vehicles (with other prescribed specifications) only applies to buses. The amendment also clarifies that only demerit points incurred for an offence committed while on a restricted licence apply.



Once made, the amendment will remove the ambiguity and improve the clarity and accessibility of the Driver Licensing Rule, which will be published on the NZTA website and the New Zealand Legislation website.

Rule of Law: 9(a)(ii)

The law should not adversely affect rights and liberties, or impose obligations, retrospectively

Inconsistency identified? NO

Summary of agency analysis

The Amendment Rule does not impose any obligations retrospectively. Any new obligations and requirements will not start until the intended commencement date of 30 October 2026.

Rule of Law: 9(a)(iii)

Every person is equal before the law

Inconsistency identified? NO

Summary of agency analysis

The Driver Licensing Rule binds the Crown and applies to all people equally. The Crown has no immunity or limitations on civil liability. The Crown has no immunity from criminal liability under this Amendment Rule.

Rule of Law: 9(a)(iv)

There should be an independent impartial judiciary

Inconsistency identified? NO

Summary of agency analysis

The rule amendments do not affect or change the impartiality of the judiciary. The Amendment Rule does not increase executive or legislative influence on the judiciary. The Amendment Rule does not delegate binding rulings that a court cannot review.

Rule of Law: 9(a)(v)

Issues of legal right and liability should be resolved by the application of law, rather than the exercise of administrative discretion

Inconsistency identified? NO

Summary of agency analysis



The amendments do not confer any new administrative discretion. It specifies the ability of class 2 and 2L drive licence holders to drive zero emission vehicles and clarifies who and does not affect how any decision-maker resolves questions of legal right or liability.

The amendment makes it clear for NZTA when assessing full licence applications, that only demerit points incurred for an offence committed while on a restricted licence should result in an extension.

Liberties: 9(b)

Legislation should not unduly diminish a person's liberty, personal security, freedom of choice or action, or rights to own, use, and dispose of property, except as is necessary to provide for, or protect, any such liberty, freedom, or right of another person

Inconsistency identified? NO

Summary of agency analysis

This legislation will not diminish a person's liberty, personal security or freedom of choice or action.

Taking of property: 9(c)

Legislation should not take or severely impair, or authorise the taking or severe impairment of, property without the consent of the owner unless-

- **there is a good justification for the taking or severe impairment; and**
- **fair compensation for the taking or severe impairment is provided to the owner; and**
- **the compensation is provided, to the extent practicable, by or on behalf of the persons who obtain the benefit of the taking or severe impairment**

Inconsistency identified? NO

Summary of agency analysis

The amendment does not take or impair any person's property or authorize the taking, confiscation or impairment of any physical or intangible property.

Taxes, fees and levies: 9(d)

The importance of maintaining consistency with section 22(a) of the Constitution Act 1996 (Parliamentary control of taxation)

Inconsistency identified? NO

Summary of agency analysis

The amendment does not impose or authorise the imposition of any charge.



Taxes, fees and levies: 9(e)

Legislation should impose, or authorise the imposition of, a fee for goods or services only if the amount of the fee bears a proper relation to the cost of providing the good or service to which it relates

Inconsistency identified? NO

Summary of agency analysis

The Amendment Rule does not impose taxes, fees, or levies, so section 9(e) does not apply.

Taxes, fees and levies: 9(f)

Legislation should impose, or authorise the imposition of, a levy to fund an objective or a function only if the amount of the levy is reasonable in relation to both—

- the benefits that the class of payers is likely to derive, or the risks attributable to the class, in connection with the objective or function; and
- the costs of efficiently achieving the objective or providing the function

Inconsistency identified? NO

Summary of agency analysis

The amendment does not impose or authorise any levy.

Role of courts: 9(g)

Legislation should preserve the courts' constitutional role of ascertaining the meaning of legislation

Inconsistency identified? NO

Summary of agency analysis

The amendment does not affect the courts' role in interpreting legislation, and does not create or amend any binding determination, review, or appeal mechanism.

Role of courts: 9(h)

Legislation should make rights and liberties, or obligations, dependent on administrative power only if the power is sufficiently defined and subject to appropriate review

Inconsistency identified? [YES/NO/NOT APPLICABLE]

Summary of agency analysis

The amendment does not create or amend any administrative power affecting rights, liberties or obligations.



Additional information

Relevant publicly available inquiry, review, or evaluation reports

Regulatory Impact Statement:

<https://www.transport.govt.nz/assets/Uploads/Briefing-Final-Land-Transport-Rule-Vehicle-Standards-Compliance-Amendment-2026.pdf>

Demerits clause:

<https://www.transport.govt.nz/assets/Uploads/RIA/Final-Regulatory-Impact-Statement.pdf>

Relevant international treaties, standards and obligations

NOT APPLICABLE

Departures from the Legislation Guidelines

NOT APPLICABLE

Other unusual provisions or features

NOT APPLICABLE