



Rule Change to Clarify Land Transport Rules

Date:	15 September 2026	Priority:	Medium	Tracking number:	OC260729
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To	Action sought	Response by
Hon Chris Bishop Minister of Transport	Note that, following a short consultation period, two rules have been drafted to correct issues in recently made land transport rules (OC260701 refers). Note that you will receive the rules for your signature by 25 September, to ensure correct sequencing with Service Modernisation rule changes. Confirm you have regard to, and give such weight as you consider appropriate in each case, the matters set out in section 164(2) of the Land Transport Act 1998 before making these rules.	23 September 2026
Hon James Meager Associate Minister of Transport	Copy for your information	

Contact for discussion

Name	Position	Telephone	1 st contact
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Purpose

1. This briefing advises you on matters that you are required to consider under section 164(2) of the Land Transport Act 1998 (the Act) before signing the rules, which you will receive shortly, correcting issues that have been identified in recently made land transport rules.

Key points

2. You will receive two rules for your signature on 23 September 2026, to correct issues in recently made land transport rules. The issues include omission of key words, accidental removal of words, and unclear/unintended application of wording.
3. The law requires that, prior to making or amending land transport rules, you:
 - publish a notice of your proposal to make the rule
 - consult any persons that you consider appropriate
4. have regard to, and give such weight as you consider appropriate in each case, the matters set out in section 164(2) of the Act. These include such matters as the need to maintain and improve land transport safety and security.
5. You previously agreed to a short consultation period of two weeks, as the proposals are intended to correctly fulfil previous policy decisions (which the public has had the opportunity to comment on) and are minor and technical in nature. Notice was published and public consultation was undertaken, closing on 14 September 2026. We received no submissions.
6. You and the Associate Minister of Transport received advice on the matters in section 164(2) of the Act when you were making or recommending the rules wherein these issues have now been identified (OC260127, OC260401, OC260140 and OC250601 refers). These briefings are attached.
7. The changes proposed now are either covered within the scope of the previous section 164 analysis or are consequential amendments. We consider that no new factors have been identified require further analysis since the original briefings to you and the Associate Minister of Transport.
8. The New Zealand Transport Agency (NZTA) and the Parliamentary Counsel (PCO) have now drafted the rules to amend these issues. Consistency Accountability Statements and Summaries of Underpinning Analysis for the rules are attached as Annex 1.
9. Your Service Modernisation workstream is also amending the Land Transport (Driver Licensing) Rule 1999 and Land Transport Rule: Vehicles Standards Compliance 2002, and those rule changes should be made before the rules covered in this briefing are signed, due to the order in which the rules have been drafted.
10. You will receive the service modernisation rules for signature first, and then the rules in this briefing will be provided to you on 23 September 2026. Signing the rules by Friday 25 September 2026 will allow a 1 October 2026 gazettal (at the latest), to ensure the rules comply with the 28 day rule and come into force on Friday 30 October 2026 as planned.

Recommendations

11. We recommend you:

- a. **note** that you will receive two rules for your signature on 23 September 2026, which are to amend issues in recently made land transport rules: Land Transport Rule: Vehicle Standards Compliance Amendment (No 3) 2026; and the Land Transport (Driver Licensing) Amendment Rule (No 3). Yes / No
- b. **note** that the Ministry received no submissions during the two-week consultation on these rule changes. Yes/No
- c. **note** that the matters you are required by law to consider prior to the making of a land transport rule are either covered in the attached previous advice, or the changes are consequential amendments, and that no new factors have been identified requiring further analysis since the original advice. Yes/No
- d. **confirm** you have had regard to, and given such weight as you consider appropriate in each case, the matters set out in section 164(2) of the Land Transport Act 1998 before making these rules. Yes / No
- e. **note** that the rules are compliant with the principles of the Treaty of Waitangi, the New Zealand Bill of Rights Act 1990, the Human Rights Act 1993, the principles and guidelines of the Privacy Act 2020, and the Legislation Design and Advisory Committee Guidelines. Yes/No
- f. **agree** to proactively release this briefing within 30 working days with redactions made consistent with the Official Information Act 1982. Yes/No
- g. **authorise** the Ministry for Cities, Environment, Regions and Transport to share the draft Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 with NZTA for consultation under CO 19(2). Yes/No

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16 / 09 / 2026



Hon Chris Bishop
Minister of Transport

17 / 09 / 26

Comments

Rule Change to Clarify Land Transport Rules

The Ministry has consulted on five minor and technical issues

- 1 We previously raised five issues across land transport rules identified by NZTA across the Rules Reform Programme, Land Transport Rule: Regulatory Systems Rule Amendment 2025(RSRA) and the Graduated Driver Licensing System changes (GDLS) (OC260701 refers). These issues include:
 - 1.1 Changes made by the Land Transport Rule: Vehicle Standards Compliance Amendment 2026 to inspections for Advanced Driver Assistance Systems (ADAS) in the Warrant of Fitness (WoF)/Certificate of Fitness A (CoF A) for light vehicles workstream were unintentionally applied to both light and heavy vehicles. The fix will limit the ADAS inspection requirements to light vehicles only, as was the original policy intent.
 - 1.2 The RSRA incorrectly removed exemptions for emergency services from certain inspection and certification requirements. The fix will reinstate these exemptions.
 - 1.3 The Land Transport (Driver Licensing) Rule 1999 will be amended to increase the speed limit for special-type vehicles from 30km/h to 40km/h, to align with the speed limit for agricultural tractors. However, without a consequential amendment to the Land Transport Rule: Vehicle Standards Compliance 2002, special-type vehicles would have to obtain a WoF to travel over 30km/h, negating the policy intent of reducing compliance costs.
 - 1.4 Permanent heavy vehicle productivity changes under Phase 1 of the Fuel Response Plan 2026, made through the Land Transport (Driver Licensing) (Fuel Response) Amendment Rule 2026, allowing Class 2 and 2L licence holders to drive any heavier zero-emission or electric vehicle within prescribed specifications, instead of only applying to buses as intended. The amendment will limit this to buses only.
 - 1.5 The GDLS changes include a requirement for drivers to keep a clean record on their restricted licence. If a driver incurs demerit points, six months will be added to their restricted licence period. The relevant clause in the Land Transport (Driver Licensing) Amendment Rule 2026 could be interpreted to include demerits incurred on a learner licence as well as a restricted licence, which was not the intent. The amendment will clarify that the clause only applies to demerit points incurred on a restricted licence.
- 2 You agreed to a shortened consultation period to fulfil the requirements under section 161(2) of the Act. We have now completed this consultation and received no submissions during this period.
- 3 NZTA has prepared the Land Transport Rule: Vehicle Standards Compliance Amendment (No 3) 2026 to address issues 1.1, 1.2 and 1.3. The Parliamentary Counsel Office has prepared the Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 to address issues 1.4 and 1.5.
- 4 Consistency Accountability Statements and Summaries of Underpinning Analysis for the draft Land Transport Rule: Vehicle Standards Compliance Amendment (No 3) 2026 and Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 (the Amendment Rules) are attached to the paper in Annex 1.

You must consider matters under section 164(2) of the Land Transport Act 1998

- 5 There are legislative requirements that you must fulfil before the Amendment Rules can be signed. Before making a rule change under section 152 of the Act, section 164(2) of the Act requires you to have regard to, and give such weight as you consider appropriate in each case to, the various matters outlined in section 164(2) of the Act.
- 6 You and the Associate Minister of Transport received advice on the matters in section 164(2) of the Act when you were making or recommending the rules wherein these issues have now been identified (OC260127, OC260401, OC260140 and OC250601 refers). These briefings are attached. The changes proposed now are either covered within the scope of the previous section 164 analysis, or are consequential amendments. We consider that no new factors have been identified that require further analysis since the original briefings. Final Regulatory Impact Analyses were part of final policy advice that was provided to you. Only the 'Emergency services' issue under the RSRA did not include a final Regulatory Impact Analysis as these RSRA rule changes were considered as minor and technical.

There are other matters you must consider before recommending a rule change

- 7 We consider the draft Amendment Rules are compliant with each of the following:
 - 7.1 the principles of the Treaty of Waitangi,
 - 7.2 the rights and freedoms contained in the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993,
 - 7.3 the principles and guidelines set out in the Privacy Act 2020,
 - 7.4 relevant international standards and obligations, and
 - 7.5 the Legislation Design and Advisory Committee Guidelines (2021 edition), which are maintained by the Legislation Design and Advisory Committee.
- 8 No advice was sought from the Treaty Provisions Officials Group on any Treaty of Waitangi provisions as none are relevant to this matter.

Timing and the 28-day rule

- 9 Subject to your agreement, the Amendment Rules will be made as ordinary rules under the Act. The Amendment Rules will be notified in the Gazette on 2 October 2026. This will be at least 28 days before they come into force on 30 October 2026, in accordance with the Legislation Act 2019.
- 10 The Amendment Rules will be available on the NZTA website and the New Zealand Legislation website.

Legal Authority

- 11 Section 152 of the Land Transport Act 1998 empowers the Minister of Transport to make land transport rules.

Regulations Review Committee

- 12 Ordinary rules are disallowable instruments for the purpose of the Legislation Act 2019.
- 13 You have not referred drafts of the Amendment Rules to the Regulations Review Committee under Standing Order 326(2).
- 14 There does not appear to be any grounds for the Regulations Review Committee to draw the Amendment Rules to the attention of the House of Representatives under Standing Order 327(2).

Consistency with principles of responsible regulation

- 15 From 1 July 2026, all secondary legislation is required to meet the Consistency Accountability Statement (CAS) requirements set out in the Regulatory Standards Act 2025 and the Cabinet Office circular Expectations for Good Law-making [CO (26) 2].
- 16 Consistency and Accountability Statements and Summaries of Underpinning Analysis for the Amendment Rules are attached to the paper in Annex 1. No inconsistencies with the principles have been identified in the CAS.

Publicity

- 17 The Amendment Rules will be notified in the *New Zealand Gazette* by NZTA and PCO, as required by the Legislation Act 2019.

Next steps and risks

- 18 Given that these rule changes only fulfil previous policy decisions from other work, implementation of the rules will be managed through NZTA's existing Rules Reform Programme workstreams and GDLS implementation.
- 19 Other amendments are being made to the principal rules through the Service Modernisation package, which is being progressed simultaneously to this work (OC260723 refers). To streamline the sequencing of the Amendment Rules and the Service Modernisation amendment rules, we will provide the final Amendment Rules for your signing shortly after this briefing.
- 20 Subject to your feedback and agreement, we will progress the proposed rules based on the timeframes in the table below. The rule changes are timed so the Land Transport Rule: Vehicle Standards Compliance Amendment 2026 does not come into force with ADAS applying to heavy vehicles.

Table 3: indicative dates for rule change

Stage	Indicative dates (2026)
Rule signing	25 September
Gazettal	1 October
Rule comes into force	30 October

- 21 There is a risk that the rule changes may not come into force as expected by 30 October 2026 if it is not signed in time beforehand. We recommend that you sign the final rule by 25 September at the latest to ensure that it is gazetted by 1 October. This will allow NZTA to work through implementation in the lead up to enactment.

Annex 1: Section 164(2) of the Land Transport 1998 analysis

We consider that, given the minor nature of the changes and the fact they fulfil previous policy decisions that were consulted on, a shortened period of consultation was justified

Section 161(2) of the Act requires you to publish a notice to make a rule, which specifies a reasonable time for interested parties to make submissions. We previously advised that we consider that the consultation carried out was sufficient. The table below expands on why we consider this was sufficient in the circumstances of each proposal.

Table 1: Reasons for shortened consultation for each proposal

#	Rule issue	Reasons for shortened consultation
Land Transport Rule: Vehicle Standards Compliance Amendment (No 3) 2026		
1.1	ADAS requirements applying to all vehicles	Cabinet made final policy decisions to extend WoF and CoF A inspections for light vehicles to include ADAS as part of the Rules Reform Programme. The substantive policy was already publicly consulted on from 29 October to 17 December 2025. The issue in the current rule is this requirement, as worded extends beyond light vehicles to include heavy vehicles. We consider a shortened consultation period was justified because the substantive policy was already consulted on and agreed to by Ministers [ECO-26-MIN-0047 and CAB-26-MIN-0110 refers]. The proposed change does not introduce new policy — it corrects an issue to ensure the rule gives effect to the original policy intent, which was to apply the ADAS inspection requirement to light vehicles only. The change is minor and technical in nature.
1.2	'Emergency services' being removed	For the RSRA, you agreed to amend the Land Transport Rule: Vehicle Standards Compliance 2002 (VSC Rule) to clarify that specialist certification requirements still apply to both light and heavy vehicles even where an in-service certification is mistakenly issued (OC250601 refers). The substantive policy change was publicly consulted on from 22 April 2025 to 30 May 2025. The issue in the current rule as worded is the clause exempting 'emergency services' was unintentionally removed as part of this change. We consider a shortened consultation period was justified because the substantive policy was already publicly consulted on and agreed to by you (OC250601 refers). The proposed change does not introduce new policy, but reinstates the needed emergency services exemptions, while still giving effect to the original policy decision. The change is technical, adding back a class of vehicles to existing exemptions within the VSC Rule.
1.3	Non-agricultural tractors and special-type vehicles	This policy was originally consulted on in 2019 and received majority support but was not progressed prior to the 2020 general election. You agreed to progress it through the heavy vehicle productivity workstream, and for officials to undertake targeted consultation with industry to ensure views had not changed since then. You agreed to the final policy alongside other heavy vehicle productivity changes (OC260152 refers). We consider a shortened consultation period was justified because the substantive policy was already consulted on and agreed to by you. The proposed change makes a consequential amendment to the VSC Rule to prevent non-agricultural tractors and special-type vehicle operators from being required to obtain a WoF to drive at the new speed limit of 40km/h.
Land Transport (Driver Licensing) Rule Amendment (No 3) 2026		

1.4	Zero emission buses	Following public consultations on phase 2 of heavy vehicle productivity from February to March 2026, you 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 change does not introduce new policy — it corrects an issue so the Land Transport (Driver Licensing) Rule 1999 gives effect to the original policy intent, 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. We consider a shortened consultation period is justified because the substantive policy has already been consulted on and agreed to by you (OC260152 refers). The change is minor and technical in nature.
1.5	Demerit clarification	We consider a shortened consultation period was justified because the policy was consulted on in April 2025 and agreed by Cabinet in September 2025 [CAB-25-MIN-0299 refers]. The proposed change will clarify the drafting to remove ambiguity.

Annex 2: OC260127 Final Land Transport Rule: Vehicle Standards Compliance Amendment 2026 - Warrant of Fitness and Certificate of Fitness A Requirements

Annex 3: OC260401 Cabinet paper and Amendment Rules and Regulations: Fuel Response Plan 2026 Regulatory Relief – Tranche One

Annex 4: OC260140 Final Land Transport (Driver Licensing) Amendment Rule 2026

Annex 5: OC250601 Recommendation to sign Land Transport Rule: Regulatory Systems Rule Amendment 2025

Annex 6: Consistency and Accountability Statements and Summaries of Underpinning Analysis



Final Rules for signing: Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026 and Land Transport (Driver Licensing) Amendment Rule (No 3) 2026

Date:	23/09/2026	Priority:	High	Tracking number:	OC260775
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To	Action sought	Response by
Hon Chris Bishop Minister of Transport	Sign the Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026 and Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 to correct issues identified in the rules. Authorise the New Zealand Transport Agency and Parliamentary Counsel Office to notify the making of the rules in the <i>New Zealand Gazette</i> .	28 September 2026
Hon James Meager Associate Minister of Transport	Copy for your information	N/A

Contact for discussion [if required]

Name	Position	Telephone	1st contact
s 9(2)(a)		s 9(2)(a)	☐
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Action for Minister's Office staff

Purpose

1. This briefing provides you with the final Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026 and the Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 for your signing by 28 September 2026, to ensure that the rules are gazetted by 1 October and come into force on 30 October 2026.

Key points

2. We previously advised you of five issues that were identified by the New Zealand Transport Agency (NZTA) across the Land Transport Rules Reform programme, Land Transport Rule: Regulatory Systems Rule Amendment 2025 and the Graduated Driver Licensing system changes (GDLS) (OC260701 refers). These issues require clarification through amendments to these rules.
3. When making ordinary rules under the Land Transport Act 1998 (the Act), you must have regard to and give such weight as you consider appropriate in each case to the matters set out in section 164(2) of the Act. We previously advised you that the proposed changes are either covered within the scope of the previous section 164(2) analyses or are consequential amendments, attaching the relevant briefings containing the section 164(2) analyses (OC260729 refers).
4. We also advised you that the Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026 and the Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 were compliant with the principles of the Treaty of Waitangi, the New Zealand Bill of Rights Act 1990 and the Human Rights Act 1993; the principles and guidelines of the Privacy Act 2020; and the Legislation Design and Advisory Committee guidelines.
5. The final Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026 and Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 are attached for signing. They were drafted by NZTA and the Parliamentary Counsel Office respectively, and have been reviewed by the Ministry for Cities, Environment, Regions and Transport. We recommend that you confirm your consideration of the factors in section 164(2) of the Act, in light of the final text of the Rules, before signing.
6. The Rules should be signed no later than Monday 28 September 2026. This will allow a 1 October 2026 gazettal at the latest, to ensure that the rules comply with the 28-day rule and come into force on Friday 30 October 2026 as planned.

Recommendations

7. We recommend you:
 - a. **confirm** that you have had regard to, and given such weight as you consider appropriate in each case, the matters set out in section 164(2) of the Land Transport Act 1998 in making the Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026 and the Land Transport (Driver Licensing) Amendment Rule (No 3) 2026, as you were recently advised (OC260729 refers). 
 - b. **sign** the attached Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026.
 - c. **sign** the attached Land Transport (Driver Licensing) Amendment Rule (No 3) 2026.
 - d. **authorise** the New Zealand Transport Agency to notify the making of the Land Transport Rule: Vehicle Standards Compliance Amendment (No.3) 2026 in the *New Zealand Gazette* by 1 October 2026. 

- e. **authorise** the Parliamentary Counsel Office to notify the making of the Land Transport (Driver Licensing) Amendment Rule (No 3) 2026 by 1 October 2026.
- f. **agree** to proactively release this briefing within 30 days with redactions made consistent with the Official Information Act 1982.

Yes / No
Yes / No

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23/09/2026

CBP

Hon Chris Bishop

Minister of Transport

[Date]

25/9/26.

Comments