

OC251092

22 December 2025

Tēnā koe [REDACTED]

I refer to your request dated 25 November 2025 which was transferred from New Zealand Transport Agency to the Ministry of Transport (the Ministry), requesting the following under the Official Information Act 1982 (the Act):

“the documents that informed the final paper, not just the final paper itself.

Drafts of the Cabinet Paper:

Please provide all substantive drafts of the Cabinet paper(s).

Advice and Briefings:

Please provide copies of all advice, briefing notes, Aide-Mémoires, and reports provided to the responsible Minister(s) by the Ministry regarding the DDL policy.

This should include, but not be limited to:

- Advice on policy options and recommendations.*
- Advice on the privacy, security, and human rights implications.*
- Advice regarding international interoperability and the adoption of standards like ISO/IEC 18013-5.*

Inter-Agency Consultation:

Please provide copies of all formal correspondence, meeting minutes, and summary notes of consultations between the Ministry and other government agencies regarding the DDL policy.

This includes consultations with:

- The Ministry of Justice*
- The Department of Internal Affairs*
- The Government Chief Digital Officer (GCDO)*
- The Office of the Privacy Commissioner*
- New Zealand Police*
- Security and Intelligence Agencies (e.g., GCSB, SIS)*

External Consultation:

Please provide a list of all external, non-governmental organisations, companies, or industry bodies that were formally consulted during the development of the policy. Please also provide copies of any formal written submissions received from these external parties.”

On 27 November 2025, we sought clarification and refinement to your request. We advised that some of the information that is in scope this request such as the Cabinet material relating to the

“Regulatory Systems (Transport) Amendment Bill” and “Land Transport Rules Reform Programme” is already available on the Ministry’s website.

On 2 December 2025, you confirmed that you agreed with the Ministry’s proposed refinement to the timeframe which was “advice provided to the Ministers responsible in the last one year”

21 documents fall within the scope of your request which are released with some information withheld. Some information has been marked out of scope and where the similar information appears twice that has been noted as duplicate.

The document schedule attached as Annex 1 outlines how the documents you requested have been treated under the Act. Certain information is withheld under the following sections of the Act:

- | | |
|-------------|---|
| 9(2)(a) | to protect the privacy of natural persons |
| 9(2)(f)(iv) | to maintain the constitutional conventions for the time being which protect the confidentiality of advice tendered by Ministers of the Crown and officials |
| 9(2)(g)(i) | to maintain the effective conduct of public affairs through the free and frank expression of opinions by or between or to Ministers of the Crown or members of an organisation or officers and employees of any public service agency or organisation in the course of their duty |
| 9(2)(h) | to maintain legal professional privilege |

The Cabinet paper mentioned in document #1 titled “Progress on the Land Transport Rules Reform Programme” falls outside the timeframe of the request however please note that it will be soon published on the Ministry’s website. Once published, it will be found here:

<https://www.transport.govt.nz/about-us/our-corporate-publications/proactive-releases/results>

With regard to the information that has been withheld under section 9 of the Act, I am satisfied that the reasons for withholding the information at this time are not outweighed by public interest considerations that would make it desirable to make the information available.

The Ministry did not engage with “The Government Chief Digital Officer (GCDO) and “Security and Intelligence Agencies (e.g., GCSB, SIS)”. Therefore, no correspondence exists between the agencies. This part of your request is being refused under section 18(e) of the Act as the documents alleged to contain the information requested does not exist.

Part four of the request is for a list of agencies formally consulted during the development of the Policy. Motor Industry Association (MIA) and Transporting New Zealand were consulted during the development of the policy.

You have the right to seek an investigation and review of this response by the Ombudsman, in accordance with section 28(3) of the Act. The relevant details can be found on the Ombudsman’s website www.ombudsman.parliament.nz

The Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on the Ministry’s website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā



Tessa Ayson
Acting Manager, Regulatory Reform

Annex 1 – Document Schedule

Doc #	Date	Title of Document	Decision on request
Draft of the Cabinet Paper, advice and briefings			
1	29 January 2025 – 24 November 2025	Excerpts from the Weekly Reports	Released with some information withheld under sections 9(2)(f)(iv) and 9(2)(g)(i).
2	12 February 2025	OC250064 - Draft Cabinet Paper: Regulatory Systems (Transport) Amendment Bill – Final Policy Decisions Attachment: <ul style="list-style-type: none"> Annex 1 Draft Cabinet paper 	Released with some information withheld under sections 9(2)(a) and 9(2)(f)(iv).
3	28 February 2025	Email from Bonnie Hayvice (the Ministry) to Ministers Office Subject: ATTN Gary: OC0241457 Draft Cabinet paper - Regulatory (Transport) Amendment Bill - strengthening the efficiency of the transport system Attachments: <ul style="list-style-type: none"> OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final draft RSTA - cover note for Private Sec 	Released with some information withheld under sections 9(2)(a) and 9(2)(f)(iv).
4	18 March 2025	Email from Bonnie Hayvice (the Ministry) to Ministers Office Subject: ATTN Gary: OC250209 Updated Regulatory Systems (Transport) Amendment Bill Cabinet paper Attachments: <ul style="list-style-type: none"> OC250209 Updated Cabinet paper Regulatory Systems (Transport) Amendment Bill Briefing – Policy OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final draft tracked OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final – clean 	Released with some information withheld under sections 9(2)(a) and 9(2)(f)(iv).
5	30 April 2025	Email from Laura Bender (the Ministry) to Ministers Office Subject: ATTN HanLing: OC 250315 Land Transport Rules Reform Programme IN CONFIDENCE Attachment:	Released with some information withheld under section 9(2)(a).

Doc #	Date	Title of Document	Decision on request
		<ul style="list-style-type: none"> OC250315 - Land Transport Rules Reform Programme - Briefing – Policy OC250315 Land Transport Rules Reform Programme - Cabinet Paper 	
6	14 May 2025	<p>OC250333 - Introducing the Regulatory Systems (Transport) Amendment Bill</p> <p>Annex 1: Regulatory Systems (Transport) Amendment Bill 2025: Approval for Introduction – Cabinet paper</p> <p>Annex 2: Summary table of proposals in the Regulatory Systems (Transport) Amendment Bill 2025</p> <p>Annex 3: Departmental Disclosure Statement</p> <p>Annex 4: Letter to Chair of the Business Committee</p>	Released with some information withheld under sections 9(2)(a), 9(2)(f)(iv) and 9(2)(h).
7	18 June 2025	OC250544 - Aide Memoire: Update on Progress of the Regulatory Systems (Transport) Amendment Bill 2025	Released with some information withheld under sections 9(2)(a) and 9(2)(f)(iv) and 9(2)(h).
8	16 July 2025	<p>Email from Sarah Godwin (the Ministry) to Gary Tonkin (Ministers Office)</p> <p>Subject: OC250637 Regulatory Systems (Transport) Amendment Bill - Draft first reading materials – Aide Memoire and attachments.</p> <p>Attachments:</p> <ul style="list-style-type: none"> Annex 1 - RSTA Draft First Reading Speech - Final draft Annex 2 - Legislative Statement - Regulatory Systems (Transport) Amendment Bill 2025 	Released with some information withheld under sections 9(2)(a), 9(2)(f)(iv) and 9(2)(g)(i).
Inter-Agency Consultation			
9	5 March 2025	<p>Email from James Ting-Edwards (Office of the Privacy Commissioner) to Bonnie Hayvice</p> <p>Subject: RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system</p>	Released with some information withheld under sections 9(2)(a) and 9(2)(f)(iv).
10	11 March 2025	Email from Cameron Gruschow (Police) to Bonnie Hayvice (the Ministry)	Released with some information withheld under sections 9(2)(a) and 9(2)(f)(iv).

Doc #	Date	Title of Document	Decision on request
		<p>Subject: RE: [EXTERNAL] Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system</p> <p>Attachments:</p> <ul style="list-style-type: none"> OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final draft (Police) 	<p>One email has been marked as duplicate of email referenced in document #9.</p> <p>Some information has also been marked out of scope.</p>
11	11 March 2025	<p>Email from James Little (Department of Internal Affairs) to Bonnie Hayvice (the Ministry)</p> <p>Subject: RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system</p>	<p>Released with some information withheld under section 9(2)(a).</p> <p>One email has been marked as duplicate of email referenced in document #9.</p>
12	9 May 2025	<p>Email from James Ting-Edwards (Office of the Privacy Commissioner) to Sarah Godwin</p> <p>Subject: OPC comments RE: Cabinet paper for departmental consultation – Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system</p> <p>Attachments:</p> <ul style="list-style-type: none"> OPC comments RE: Cabinet paper for departmental consultation – Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system 	<p>Released with some information withheld under section 9(2)(a).</p> <p>One email has been marked as duplicate of email referenced in document #9.</p>
13	15 May 2025	<p>Email from James Little (Department of Internal Affairs) to Laura Bender (the Ministry)</p> <p>Subject: RE: Departmental consultation: Cabinet paper on Land Transport Rules Reform Programme</p>	<p>Release with some information withheld under sections 9(2)(a) and 9(2)(g)(i).</p>
14	21 May 2025	<p>Email from Steve Penman (NZTA) to Laura Bender (the Ministry)</p> <p>Subject: FW: Departmental consultation: Cabinet paper on Land Transport Rules Reform Programme IN CONFIDENCE</p> <p>Attachments:</p>	<p>Released with some information withheld under section 9(2)(a).</p> <p>One email has been marked as duplicate of email referenced in document #13.</p> <p>Some information has also been marked out of scope.</p>

Doc #	Date	Title of Document	Decision on request
		<ul style="list-style-type: none"> OC250315 Land Transport Rules Reform Programme - Cabinet Paper (1) (002) 	
15	29 May 2025	<p>Email from Rachel Townrow (Department of Internal Affairs) to Sarah Godwin (the Ministry)</p> <p>RE: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper.</p>	Released with some information withheld under sections 9(2)(a), 9(2)(f)(iv), 9(2)(g)(i) and 9(2)(h).
16	29 May 2025	<p>Email from Sarah Jenkinson (Police) to Sarah Godwin (the Ministry)</p> <p>Subject: RE: [EXTERNAL] In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper</p>	<p>Released in full.</p> <p>One email has been marked as duplicate of email referenced in document #15.</p>
17	29 May 2025	<p>Email from Cori Yap (NZTA) to Sarah Godwin (the Ministry)</p> <p>Subject: RE: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper</p> <p>Attachments:</p> <ul style="list-style-type: none"> NZTA comments for MOT - Regulatory Systems (Transport) Amendment Bill 2025 Approval for Introduction - Cabinet Paper .docx 	<p>Released with some information withheld under section 9(2)(a), 9(2)(f)(iv) and 9(2)(g)(i).</p> <p>Some information has also been marked out of scope.</p>
External Consultations			
18	10 April 2025	<p>Email from Katrina Quickenden (the Ministry) to externals</p> <p>Subject: IN CONFIDENCE: Draft transport rules reform work programme</p> <p>Attachment:</p> <ul style="list-style-type: none"> Draft summary 	<p>Released with some information withheld under section 9(2)(a).</p> <p>Some information has also been marked out of scope.</p>
19	23 April 2025	<p>Email from Dom Kalasih (Transporting NZ) to Katrina Quickenden (the Ministry)</p> <p>Subject: FW: IN CONFIDENCE: Draft transport rules reform work programme</p>	<p>Released with some information withheld under section 9(2)(a).</p> <p>One email has been marked as duplicate of email referenced in document #18.</p> <p>Some information has also been marked out of scope.</p>
20	3 June 2025	<p>Email from Aimee Wiley (Motor Industry Association) to Katrina Quickenden (the Ministry)</p>	Released with some information withheld under section 9(2)(a).

Doc #	Date	Title of Document	Decision on request
		Subject: MIA Submission - Draft transport rules reform work programme	One email has been marked as duplicate of email referenced in document #18. Some information has also been marked out of scope.
21	17 July 2025	Email from Katrina Quickenden (the Ministry) to externals Subject: RE: Transport sector/NZTA/MoT stakeholder meeting: notes and actions from 15 July meeting Attachments: <ul style="list-style-type: none"> Rules Reform Prog summary for sector stakeholders July 2025 to share.pptx 	Released with some information withheld under section 9(2)(a).

Transport Portfolio Weekly Report Week commencing 24 November 2025

Progress on the Land Transport Rules Reform Programme

This paper provides an update on the progress of the Land Transport Rules Reform Programme and seeks agreement to delegate policy decisions for secondary legislation to you for the workstream to enable service modernisation (including digital driver licences).

Progress Update:

Currently undergoing departmental and ministerial consultation.

To Minister: Complete

Ministerial consultation: 24 November 2025

To lodge: Thursday 4 December 2025

To Committee (ECO): Wednesday 10 December 2025

To Cabinet: 15 December 2025

Wednesday

10 December 2025

Service Modernisation and Digital Driver Licences – Policy and Drafting Instructions for Land Transport Rule Changes

This briefing will provide policy analysis and PCO drafting instructions for Land Transport Rule amendments to modernise services, including digital driver licences. Changes will:

- Enable Digital Driver Licences
- Permit digital alternatives to physical labels (WoF, CoF, vehicle licence, TSL cards) by clarifying display rules and enabling electronic formats.
- Support e-servicing through mandatory electronic addresses and electronic notice delivery.

The briefing will also cover legislative changes, international standards, privacy safeguards, and Director discretion.

NZTA

Global Verifiable Credential Interoperability Test Event Update

Between Sunday 16 to Friday 21 November 2025, NZTA and the Department of Internal Affairs (DIA) co-hosted the 12th Global Verifiable Credential Interoperability Test in Wellington, bringing together 30 global organisations to validate credential and verifier interoperability.

The event was a success and delivered practical, real world demonstrations, such as proof-of-concept digital driver licence use at check-in, point-of-sale, and via DIA's NZ Verify app. Outcomes and learnings have been channelled directly into international standards working groups, further strengthening NZTA's leadership in digital identity and trust frameworks, and positioning us as a key influencer in the development of global standards and mobility solutions.

Transport Portfolio Weekly Report Week commencing 17 November 2025

Progress on the Land Transport Rules Reform Programme	
<p>This paper provides an update on the progress of the Land Transport Rules Reform Programme and seeks agreement to delegate policy decisions for secondary legislation to you for the workstream to enable service modernisation (including digital driver licences).</p>	
<p>Progress Update: A draft paper was provided to you on 19 November.</p>	<p>To Minister: Wednesday 19 November 2025 Ministerial consultation: Monday 24 November 2025 To lodge: Thursday 4 December 2025 To Committee (ECO): Wednesday 10 December 2025 To Cabinet: 15 December 2025</p>
<p>Wednesday 19 November 2025</p>	<p>Progress on the Land Transport Rules Reform: Cabinet paper This briefing provides an update on the progress of the Land Transport Rules Reform Programme. The briefing also seeks agreement to take a paper to Cabinet to provide a high-level update on the Programme and seek agreement to delegate policy decisions to you for the enabling service modernisation (digital driver licences) workstream. Delegating policy decisions enables the rule making process for these workstreams to be streamlined and meet signalled timeframes.</p>

Associate Transport Portfolio Weekly Report Week commencing 17 November 2025

Land Transport Rules Reform
<p>Public consultation on three sets of Land Transport Rules Reform proposals began on 29 October and will finish on 17 December, running for seven weeks. On 19 November, we sent the Minister of Transport a briefing that provides an update on the progress of the Land Transport Rules Reform Programme. The briefing also includes a Cabinet paper that seeks agreement to delegate policy decisions for secondary legislation for the workstream to enable service modernisation (including digital driver licences). You will receive this briefing at the same time for your information.</p>

Transport Portfolio Weekly Report Week commencing 10 November 2025

Land Transport Rules Reform Programme Update	
<p>This paper provides an update on the progress of the Land Transport Rules Reform Programme and seeks agreement to delegate policy decisions for secondary legislation to you for the workstream to enable service modernisation (including digital driver licences).</p>	
<p>Progress Update: This paper is being drafted.</p>	<p>To Minister: Wednesday 19 November 2025 Ministerial consultation: Monday 24 November 2025 To lodge: 4 December 2025 To Committee (ECO): 10 December 2025 To Cabinet: 15 December 2025</p>
<p>Wednesday 19 November 2025</p>	<p>November 2025 Update on Land Transport Rules Reform Programme This briefing provides an update on the progress of the Land Transport Rules Reform Programme. It also seeks agreement to take a paper to Cabinet to provide a high-level update on the Programme and seeks agreement to delegate policy decisions to you for the enabling service modernisation (digital driver licences) workstream. Delegating policy decisions enables the rule making process for these workstreams to be streamlined and meet signalled timeframes.</p>

Transport Portfolio Weekly Report As at Tuesday 28 October 2025

<p>Wednesday 12 November 2025</p>	<p>Public consultation on an updated Identity Verification Code of Practice</p> <p>The Identity Verification Code of Practice (IVCOP) is authorised under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (AML/CFT Act) and provides suggested best practice for reporting entities when they conduct verification of names and dates of birth of customers requiring low to medium risk due diligence. A reporting entity is a business, such as a bank or law firm, that is legally required under the AML/CFT Act to identify and report suspicious activities to deter financial crime</p> <p>The Department of Internal Affairs is planning to consult with the public on updates to the code of practice in November 2025. Some stakeholders have suggested that a NZ Driver Licence should be accepted as a standalone identity document without any secondary verification required. We will coordinate with NZTA on any changes proposed to the code in light of the work underway on digital driver licences and service modernisation.</p>
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Transport Portfolio Weekly Report As at Tuesday 21 October 2025

Cabinet Economic Policy Committee (ECO)	
<p>Wednesday 12 November 2025</p>	<p>Public consultation on an updated Identity Verification Code of Practice</p> <p>The Identity Verification Code of Practice (IVCOP) is authorised under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (AML/CFT Act) and provides suggested best practice for reporting entities when they conduct verification of name and date of birth on customers requiring low to medium risk due diligence. A reporting entity is a business, such as a bank or law firm, that is legally required under the AML/CFT Act to identify and report suspicious activities to deter financial crime</p> <p>The Department of Internal Affairs is planning to consult with the public on updates to the code of practice in November 2025. Some stakeholders have suggested that a NZ Driver Licence should be accepted as a standalone identity document without any secondary verification required. We will coordinate with NZTA on any changes proposed to the code in light of the work underway on digital driver licences and service modernisation.</p>

Transport Portfolio Weekly Report As at Tuesday 14 October 2025

Cabinet Economic Policy Committee (ECO)	
<p>12 November 2025</p>	<p>Public consultation on an updated Identity Verification Code of Practice</p> <p>The Identity Verification Code of Practice (IVCOP) is authorised under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (AML/CFT Act) and provides suggested best practice for reporting entities when they conduct verification of name and date of birth on customers requiring low to medium risk due diligence. A reporting entity is a business, such as a bank or law firm, that is legally required under the AML/CFT Act to identify and report suspicious activities to deter financial crime</p> <p>The Department of Internal Affairs is planning to consult with the public on updates to the code of practice in November 2025. Some stakeholders have suggested that a NZ Driver Licence should be accepted as a standalone identity document without any secondary verification required. We will coordinate with NZTA on any changes proposed to the code in light of the work underway on digital driver licences and service modernisation.</p> <p>Agency consultation on the public discussion document is planned for early October.</p>

Update International Interoperability Test Event and Credential Showcase

NZTA, in collaboration with Department of Internal Affairs (DIA) and Digital Identity NZ, will host the 12th International Interoperability Test Event and ISO standards meetings at 44 Bowen Street, Wellington, during the week of 16 November 2025. This global event focuses on interoperability testing for mobile credentials, such as driver licensing, and is a key forum for international standards development. There will be senior representatives from the French Interior Ministry, American Association of Motor Vehicle Administrators, and the Netherlands Vehicle Authority.

A Credential Showcase will be held on Monday 17 November 2025 from 4:30pm, focusing on Digital Driver Licences and Identity Credentials. It will demonstrate how these credentials operate together and explore the potential for interoperability. Media have been invited to the showcase.

We understand that Minister Collins has been invited to open the showcase but has not yet confirmed her attendance. If you are interested in attending the Credential Showcase, please let us know.

Transport Portfolio Weekly Report As at Tuesday 7 October 2025

<p>12 November 2025</p>	<p>Public consultation on an updated Identity Verification Code of Practice</p> <p>The Identity Verification Code of Practice (IVCOP) is authorised under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (AML/CFT Act) and provides suggested best practice for reporting entities when they conduct verification of name and date of birth on customers requiring low to medium risk due diligence. A reporting entity is a business, such as a bank or law firm, that is legally required under the AML/CFT Act to identify and report suspicious activities to deter financial crime</p> <p>The Department of Internal Affairs is planning to consult with the public on updates to the code of practice in November 2025. Some stakeholders have suggested that a NZ Driver Licence should be accepted as a standalone identity document without any secondary verification required. We will coordinate with NZTA on any changes proposed to the code in light of the work underway on digital driver licences and service modernisation.</p> <p>Agency consultation on the public discussion document is planned for early October.</p>
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Transport Portfolio Weekly Report As at Tuesday 30 September 2025

Cabinet Economic Policy Committee (ECO)

12 November 2025

Public consultation on an updated Identity Verification Code of Practice

The Identity Verification Code of Practice (IVCOP) is authorised under the Anti-Money Laundering and Countering Financing of Terrorism Act 2009 (AML/CFT Act) and provides suggested best practice for reporting entities when they conduct verification of name and date of birth on customers requiring low to medium risk due diligence. A reporting entity is a business, such as a bank or law firm, that is legally required under the AML/CFT Act to identify and report suspicious activities to deter financial crime

The Department of Internal Affairs is planning to consult with the public on updates to the code of practice in November 2025. Some stakeholders have suggested that a NZ Driver Licence should be accepted as a standalone identity document without any secondary verification required. We will coordinate with NZTA on any changes proposed to the code, in light of the work underway on digital driver licences and service modernisation.

Agency consultation on the public discussion document is planned for early October.

Transport Portfolio Weekly Report As at Tuesday 23 September 2025

NZTA

Update on Digital Driver Licence (DDL)

Following the announcement made by Hon Judith Collins KC, Minister for Digitising Government, we are providing an update on the progress of our work regarding DDL.

For context, the Regulatory Systems (Transport) Amendment Bill, which would introduce the concept of a digital driver licence, was introduced into Parliament on 14 August 2025. The bill has been referred to the Transport and Infrastructure Committee and submissions are currently being accepted on the bill until 2 October 2025. Following this, the Select Committee will report back to Parliament by 19 February 2026.

Once the bill is enacted, the Government will need to consult on and approve land transport rule changes to support the introduction of digital driver licences. It is also understood that you plan to consult the public on enabling rule changes starting in February 2026, with the aim of signing rule changes in July 2026. s 9(2)(g)(i)

For the design of the licence, NZTA is currently collaborating with Austroads to explore the development of a digital driver licence that meets New Zealand requirements.

NZTA will advise you of further details including timeframes for design and implementation when the initial scoping of the project is complete.

Associate Transport Portfolio Weekly Report Week commencing 1 September 2025

Land Transport Rules Reform

The Ministry is working with NZTA to confirm the scope, timeline and deliverables of each project with most already agreed and underway (see table below). Stakeholder discussions on changes have commenced with several groups including industry representatives. Officials will provide an update on the Warrant of Fitness and Certificate of Fitness A review and will be available to discuss the review at your weekly officials meeting on 9 September 2025.

Workstream	Expected consultation date	Expected Rule signing
Considering further safety requirements for vehicle imports	October 2025	May 2026
Reviewing WOF/COF frequency and inspection requirements for light vehicles	October 2025	April 2026
Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting	October 2025 (freight permitting) February 2026 (weight thresholds)	May 2026 (freight permitting) June 2026 (weight thresholds)
Enabling a digital driver licence, digital documents, and e-servicing	February 2026	June 2026
Improving lane use and use of traffic control devices, and minor system improvements	February 2026 (some proposals were previously consulted on in 2020)	June 2026
Overhauling the vehicle regulatory system	May 2026 (Phase 1)	TBC

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Transport Portfolio Weekly Report As at Tuesday 19 August 2025
NZTA

Due to Office	Title
Thursday 14 August 2025	BRI-3400 Meeting with Apple about Digital Driver Licences Provide you with a formal briefing to support your meeting with Apple discussing Digital Driver Licences.

Transport Portfolio Weekly Report As at Tuesday 12 August 2025
NZTA

Friday 15 August 2025	BRI-3400 - Meeting with Apple on Digital Driver Licences Provide information to support your meeting with Apple on 19 August 2025.
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Transport Portfolio Weekly Report As at Tuesday 5 August 2025
NZTA

Friday 15 August 2025	BRI-3400 - Meeting with Apple on Digital Driver Licences Provide information to support your meeting with Apple on 19 August 2025.
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Associate Transport Portfolio Weekly Report Week commencing 21 July 2025

Regulatory Systems (Transport) Amendment Bill 2025: Approval for Introduction

The Regulatory Systems (Transport) Amendment Bill (the Bill) was approved by LEG on 17 July and Cabinet on 21 July (LEG-25-MIN-0136 and CAB-25-MIN-0240 refers) to be introduced, subject to final approval from the Business Committee.

Progress Update:

The Bill has been approved by Cabinet for introduction, subject to final approval from the Business Committee.

Your Office has written to the Business Committee this week to seek agreement to introduce the Bill. The Bill will be considered by Business Committee on 29 July. You have agreed to a briefing being provided to Tangi Utikere, the Labour Transport spokesperson.

You received a draft first reading speech and legislative statement (to be tabled at first reading) on 16 July. Both products are subject to change, depending on the outcome of Business Committee.

s 9(2)(f)(iv)

Business Committee consideration: 29 July

Introduction: Late July/early August (subject to Business Committee)

Select Committee: August – December (4-month process)

s 9(2)(f)(iv)

We will continue to update you and Minister Bishop on progress of the Bill through the Weekly Report.

Transport Portfolio Weekly Report As at Tuesday 01 July 2025

NZTA

BRI-3367

To Minister Meager - Meeting with Apple and NZTA about Digital Driver Licences

Wednesday 25 June 2025

Provided you with an update on the collaborative work between Apple, Austroads and NZTA to digitise driver licenses, in support of your meeting with Apple on 26 June 2025.

Associate Transport Portfolio Weekly Report Week commencing 22 April 2025

Due to Office	Title	Date planned for release
28 April	<p>Regulatory Systems (Transport) Amendment Bill: Strengthening the Efficiency of the Transport System -</p> <p>This paper sought Cabinet agreement to final policy decisions for five proposals to include as part of the Regulatory Systems (Transport) Amendment Bill:</p> <ol style="list-style-type: none"> 1. Enable digital driver licences 2. Enable electronic issuing of regulatory notices and fees 3. Remove unnecessary display requirements 4. Re-focus public transport principles 5. Amend drafting errors across transport legislation (including the Civil Aviation Act 2023) <p>We are currently considering whether any redactions should be applied prior to release. We expect this is unlikely, except for where detailed timeframes are noted.</p>	15 May

Associate Transport Portfolio Weekly Report Week commencing 14 April 2025

Due to Office	Title	Date planned for release
28 April	<p>Regulatory Systems (Transport) Amendment Bill: Strengthening the Efficiency of the Transport System</p> <p>This paper sought Cabinet agreement to final policy decisions for five proposals to include as part of the Regulatory Systems (Transport) Amendment Bill:</p> <ol style="list-style-type: none"> 1. Enable digital driver licences 2. Enable electronic issuing of regulatory notices and fees 3. Remove unnecessary display requirements 4. Re-focus public transport principles 5. Amend drafting errors across transport legislation (including the Civil Aviation Act 2023) <p>We are currently considering whether any redactions should be applied prior to release. We expect this is unlikely, except for where detailed timeframes are noted.</p>	15 May

Associate Transport Portfolio Weekly Report Week commencing 7 April 2025

Due to Office	Title	Date planned for release
28 April 2025	<p>Regulatory Systems (Transport) Amendment Bill: Strengthening the Efficiency of the Transport System</p> <p>This paper sought Cabinet agreement to final policy decisions for five proposals to include as part of the Regulatory Systems (Transport) Amendment Bill:</p> <ol style="list-style-type: none"> 1. Enable digital driver licences 2. Enable electronic issuing of regulatory notices and fees 3. Remove unnecessary display requirements 4. Re-focus public transport principles 5. Amend drafting errors across transport legislation (including the Civil Aviation Act 2023) <p>We are currently considering whether any redactions should be applied prior to release. We expect this is unlikely, except for where detailed timeframes are noted.</p>	15 May 2025

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Associate Transport Portfolio Weekly Report Week commencing 31 March 2025

Regulatory Systems (Transport) Amendment Bill

Following Cabinet approval, we have issued drafting instructions to Parliamentary Counsel Office (PCO) for the five new proposals agreed to be included in the Regulatory Systems (Transport) Amendment Bill.

s 9(2)(f)(iv)

Transport Portfolio Weekly Report As at Wednesday 29 January 2025

Regulatory Systems (Transport) Amendment Bill - Final Policy Decisions

Seeks approval for final policy decisions on a range of proposals that will enhance the effectiveness and efficiency of the transport regulatory system by modernising regulatory approaches and reducing the chance of regulatory failure. For example, subject to your agreement, decisions would be sought on amendments that would enable the use of digital driver licences and electronic issuing of regulatory notices to provide a convenient alternative for transport system users and regulators.

s 9(2)(f)(iv)

Progress Update:

Advice and draft Cabinet paper are being prepared.

To Minister: Wednesday 12 February 2025

To lodge: Wednesday 26 February 2025

To Committee: 5 March 2025 (ECO)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

12 February 2025

OC250064

Hon Chris Bishop**Action required by:****Minister of Transport**

Monday, 17 February 2025

DRAFT CABINET PAPER: REGULATORY SYSTEMS (TRANSPORT) AMENDMENT BILL – FINAL POLICY DECISIONS

Purpose

This briefing seeks your agreement to a suite of proposed legislative amendments to enhance the efficiency and effectiveness of the transport system. Subject to this, it seeks your agreement to circulate a draft Cabinet paper (Annex 1) for ministerial consultation, seeking approval to issue drafting instructions to the Parliamentary Counsel Office (PCO).

Key points

- To improve the efficiency and effectiveness of the transport regulatory framework you agreed to progress the Regulatory Systems (Transport) Amendment Bill (the Bill) ^{s 9(2)(f)(iv)}
- To progress this Bill, we are seeking your decisions on five proposed amendments across transport legislation that will modernise the transport system and reduce regulatory complexity, saving time, money and delivering on the Government's digital modernisation and regulatory priorities. These are:
 - **Proposal 1 – enabling digital driver licences** to provide a convenient alternative to physical documents and promote a modern and efficient transport system.
 - **Proposal 2 – enabling electronic issuing of regulatory notices and fees** to streamline services that will deliver significant efficiency benefits.
 - **Proposal 3 - removing unnecessary display requirements** to update outdated processes that will reduce administrative and compliance costs.
 - **Proposal 4 – removing public transport principles** to reduce cost and complexity for public transport decision-makers.
 - **Proposal 5 – introducing emergency powers** for the Director of Land Transport to improve system efficiency in times of disruption.

- Proposals 1-3 would establish enabling provisions to be neutral on the form of licences and labels (allowing for physical and digital). However, the digitisation of physical licenses and labels will take time to implement and for public uptake. You will receive further advice on service design and delivery later this year, including timeframes costs and managing privacy impacts.
- The Bill will also reflect Cabinet decisions to amend the Clean Vehicle Standard and enable councils to set the rate of parking fees below a maximum cap, minor changes to land transport legislation (agreed by Minister Brown refer annex 3) to be agreed by Minister Meager (Annex 4).
- As agreed with you, we plan to proceed with the Bill as currently scoped and split any contentious proposals out into a separate bill later, if required, following feedback from the Business Committee (refer to OC250039).
- A draft Cabinet paper is attached (Annex 1) which seeks approval to issue drafting instructions to PCO for Proposals 1 to 5. Subject to your agreement and feedback, we recommend circulating the draft Cabinet paper for ministerial consultation ahead of lodgement on 26 February, for consideration at ECO on 5 March. This approach will ensure that we meet the broader timeframes for the Bill.

Recommendations

We recommend you:

- | | | |
|---|---|----------|
| 1 | agree to seek Cabinet decisions on the following matters for including in the Regulatory Systems (Transport) Amendment Bill: | |
| | a) enable the use of digital driver licences. | Yes / No |
| | b) facilitate the electronic issuing of infringements and other regulatory notices as an enforcement mechanism, including by requiring the provision of electronic addresses to the New Zealand Transport Agency (NZTA) if the recipient has one. | Yes/ No |
| | c) enable digital in-vehicle labels and remove the requirements to carry and display physical labels | Yes / No |
| 2 | agree to include in the draft Cabinet paper for consultation the proposal to remove three public transport principles, subject to your decisions on further detailed advice (to be provided on Wednesday 19 February): | Yes / No |
| | a) (1)(a) well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology, | |
| | b) (1)(b) public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe, | |

c) (10(c) fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.

3 **agree** to introduce emergency powers for the Director of Land Transport over land transport documents and in respect of vehicle product safety regulation Yes / No

4 **note** that in addition to proposals included in recommendations two to seven, the Regulatory Systems (Transport) Amendment Bill would also include:

- a) amendments to the Clean Vehicle Standard and to enable councils to set the rate of parking fees below a maximum cap (CAB-MIN-0248),
- b) minor and technical maritime and aviation-related amendments that were developed under the previous Government are being considered by the Associate Minister of Transport, and
- c) minor and technical land proposals developed under the previous Government and endorsed by Minister Brown (Annex 3)

5 **agree** that subject to any feedback and the decisions of the Associate Minister of Transport for proposals related to his delegations, circulate the attached Cabinet paper for ministerial consultation to allow for lodgement on 26 February and consideration at ECO on 5 March Yes / No



Chris Nees
Acting Deputy Chief Executive – Sector Strategy
 12/02/2025

Hon Chris Bishop
Minister of Transport
 / /

- Minister’s office to complete:**
- Approved Declined
 - Seen by Minister Not seen by Minister
 - Overtaken by events

Comments

Contacts

Name	Telephone	First contact
Bonnie Hayvice, Senior Policy Advisor - Regulatory Reform	s 9(2)(a)	
Katrina Quickenden, Manager – Regulatory Reform		✓

DRAFT CABINET PAPER: REGULATORY SYSTEMS (TRANSPORT) AMENDMENT BILL – FINAL POLICY DECISIONS

You are progressing the Regulatory Systems (Transport) Amendment Bill

- 1 You recently agreed to progress the Regulatory Systems (Transport) Amendment Bill (the Bill) s 9(2)(f)(iv) As an omnibus bill, there is an opportunity to adjust multiple pieces of transport legislation to reduce duplication, gaps, errors and inconsistencies that create unnecessary system complexity for users to engage with, and for the government to administer.
- 2 The previous Minister of Transport agreed to a broad range of proposals intended to modernise services and enhance the efficiency and effectiveness of the transport system. These include:
 - changes sought by Minister Brown for your decision (included in this paper for your decision)
 - decisions made by Cabinet to amend the Clean Vehicle Standard and enable councils to set the rate of parking fees below a maximum cap (CAB-24-MIN-0248)
 - minor and technical improvements to land transport legislation developed under the previous Government, and subsequently endorsed by Minister Brown (refer Annex 3), and
 - minor and technical improvements to maritime legislation developed under the previous Government, and aviation legislation (Associate Minister Meager is making decisions on advice to proceed with these amendments, refer Annex 4).¹

We are seeking your decision on five proposals to modernise our transport services and streamline legislation

- 3 We are seeking your decision on five proposals that would modernise legislation and generate greater system efficiencies, as set out in Table 1.² There is no plan to undergo public or targeted consultation on the proposals prior to final policy decisions, with consultation opportunities provided by the Select Committee process later this year.³

¹ We have set these out in the draft Cabinet paper on the basis the Associate Minister agrees they progress.

² Proposals 1 to 3 have been granted Regulatory Impact Analysis (RIA) exemptions by the Ministry of Regulation, on the grounds that they either have no or only minor impacts on businesses, individuals, and not for profit organisations or on technical grounds. We are awaiting a determination on whether a RIA is required for Proposal 4.

³ Proposal 5 was developed under the previous Government and underwent both consultation and regulatory impact analysis. Submitters noted the importance of the system to be able to respond quickly when regulatory issues arise, particularly where there is a risk to safety. Submitters also stressed appropriate accountability and oversight over the use of these powers which informed the final proposal outlined in the table above.

Table 1. Proposals to modernise transport services and streamline legislation

Proposal	Description	Comment
1 - Enabling digital driver licences	The NZTA alongside the Department of Internal Affairs and technical experts are developing a digital driver licence that would comply with international standards, be used anywhere and at anytime, safeguard the privacy of the holder, and be verified in real time. This would include adjusting the definition of a driver licence in the Land Transport Act 1998 and sections that require a physical licence. ⁴	This is an enabling provision. Implementation will take time and have associated costs and privacy considerations to be worked through. ⁵ This would complement proposals as part of the Graduated Driver Licensing System improvements (refer to OC241133).
2 - Better enabling NZTA to email regulatory notices and fees	Currently, various Acts, Regulations and Rules require notices to be delivered to physical addresses and for physical addresses to be provided and updated. However, there is no requirement for electronic addresses. This creates unnecessary cost, is inefficient and does not support the modernisation of NZTA. This proposal would treat electronic addresses as an equal alternative to physical addresses.	This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.
3 - Enabling digital in-vehicle labels	Labels such as motor vehicle registration, Warrant of Fitness (WoF), Transport Services Licence (TSL) and Road User Charge (RUC) Licence are currently required to be physically displayed in vehicles. This is both unnecessarily costly and onerous for customers compared to digital alternatives, and is costly to enforce. Instead, we propose to adjust relevant Acts and Regulations to enable labels to be either displayed physically in-vehicle, presented digitally, and/or accessed electronically by enforcement authorities based on number plate recognition.	This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term. Changes required to the Road User Charge Act 2012 will be progressed separately through the Transport (Revenue) Legislation Bill (refer OC250026) to enable digital RUC licences.
4 - Re-focusing our public transport principles	The government's overarching public transport objectives are incorporated into legislation through principles set out in Part 5 of the Land Transport Management Act 2003, which regulates public transport. Those that exercise powers and/or perform functions under Part 5 (such as NZTA and other transport authorities and operators) must be guided by these principles.	In the absence of these principles, non-regulatory mechanisms, such as procurement guidance and letters of expectation will continue to play an

⁴ Subsequent Rule changes will also be required prior to implementation, as they will also be for Proposals 2 and 3. You will receive separate advice on this in due course.

⁵ The Privacy Commissioner has previously commented on these proposals noting: *The Privacy Commissioner wishes to highlight the need to fully consider privacy impacts in any decisions on digital drivers' licences. In Australia uptake of digital drivers' licences has led to data breaches and created other potential cybersecurity risks. Handing over a smartphone to a person checking ID also presents a range of novel risks to New Zealanders' privacy. He has not seen any analysis of these risks and potential options to mitigate them.*

	<p>The principles cover a wide range of competing objectives. The previous Minister of Transport indicated that changes to the principles are warranted. Some could be removed to reduce compliance costs, improve regulatory certainty of public transport decision makers, and more closely align with the Government’s public transport priorities. The following three principles could be removed:</p> <ul style="list-style-type: none"> • (1)(a) - well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology, • (1)(b) - public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe, and • (1)(c) - fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services. 	<p>important role in supporting the sector to deliver efficient and effective public transport services.</p> <p>We are seeking your decision to include these in the Cabinet paper for consultation only. Further advice will be provided to you on Wednesday 19 February, for your decision ahead of lodgement.</p>
<p>5 - Introducing emergency powers for the Director of Land Transport</p>	<p>COVID-19 lockdowns prevented people from reviewing their expiring or expired land transport documents, highlighting limitations with how the Director of Land Transport’s powers can be applied. This proposal would enable the Director of Land Transport to extend the term of any land transport document when a state of national or local emergency has been declared, an Epidemic Notice is in force, or with the Minister of Transport’s agreement.</p> <p>It would also introduce new powers for the Director of Land Transport to require any vehicle, or class of vehicle, to present for inspection by a specified date, and be able to revoke the Certificate/Warrant of Fitness of a class of vehicles on the grounds of not meeting safety requirements.</p>	<p>These proposals offer better regulatory relief if needed in exceptional circumstances, and a stronger lever to respond if there is evidence that a class of vehicles poses a safety risk.</p> <p>Subject to your agreement, this proposal does not require Cabinet agreement, as it was agreed to by the previous Government (CAB-22-MIN-0177)</p>

Cross-party support for some of these proposals may prove to be challenging

4 Proposals that are progressed through bills of this nature require cross-party support from the Business Committee. We previously advised that changes to the Clean Vehicle Standard may not receive cross-party support (refer to OC250039). Similarly, there is a risk that the Business Committee may not approve:

4.1 Proposals 1 to 3 due to these:

4.1.1 enabling broader policy change, and

4.1.2 if members consider there to be privacy concerns, recognising these proposals would enable a new way to hold and use personal information. NZTA continues

to work with experts and in line with obligations under the Privacy Act 2020 to mitigate these concerns prior to implementation.⁶

- 4.2 Proposal 4, as members of the Business Committee may consider there to be value in retaining guiding principles related to equitable access, employment and reduced environmental and health impacts.
- 5 As agreed with you, we will continue progressing these proposals through the Bill at this stage, recognising any which prove contentious can be split out into separate bills later. This approach ensures policy decisions by Cabinet are progressed as soon as possible. Following Cabinet’s decision, you may also want to engage with the Business Committee to better anticipate their response to the proposals and provide an opportunity to remedy concerns prior to the Bill being officially considered.

Following your decisions, we propose the following timeline toward introduction

- 6 The attached draft Cabinet paper (Annex 1) seeks approval to issue drafting instructions for Proposals 1 to 4. It also includes a fifth minor and technical proposal which the Associate Minister of Transport is separately being briefed on. Following your decisions on this briefing paper and any subsequent alterations required, we recommend circulating the Cabinet paper for ministerial consultation before lodgement on 26 February. We intend to conduct departmental consultation simultaneously.

Table 2. Proposed timeline for the Regulatory Systems (Transport) Amendment Bill

Milestone/Activity	Due/Timeframe
Decision on this paper	17 February
Ministerial consultation	18 February – 25 February
Lodgement	26 February
ECO considers	5 March
Cabinet considers and drafting instructions issued to PCO	10 March
Advice on draft legislation	May
Cabinet considers draft legislation	June
Business Committee considers the Bill	June
Introduction of the Bill	June
Select Committee	July -October

s 9(2)(f)(iv)

⁶ NZTA has undertaken initial Privacy Impact Analysis for Proposals 1,2 and 3, finding that where personal information is involved, risks can be mitigated satisfactorily.

IN CONFIDENCE

In-confidence

Office of the Minister of Transport

Cabinet Economic Policy Committee

Regulatory Systems (Transport) Amendment Bill – strengthening the efficiency of the transport system**Proposal**

- 1 I seek Cabinet agreement to proposals to progress through the Regulatory Systems (Transport) Amendment Bill (the Bill) to enable a more effective and efficient transport system.

Relation to government priorities

- 2 The proposals will deliver on commitments made in the Government Policy Statement on Land Transport as well as support other Government priorities including: to improve the quality and performance of regulatory systems; the digital modernisation of services; and to reduce unnecessary government spending.

Executive Summary

- 3 Our transport system is managed by a significant legislative framework. Duplications, gaps, errors and inconsistencies across legislation creates an unnecessarily complex system for users to engage with and for government to administer. This generates time and costs that hold us back from meeting our transport objectives.
- 4 I have identified a number of legislative solutions that would improve the effectiveness and efficiency of the transport system by:
 - 4.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
 - 4.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.
- 5 I seek approval to issue drafting instructions to the Parliamentary Counsel Office (PCO) for the following proposals:
 - 5.1 **Proposal 1 – enabling digital driver licences** as a convenient alternative to physical documents and promote a modern and efficient transport system,
 - 5.2 **Proposal 2 – enabling electronic issuing of regulatory notices and fees** to streamline services that will deliver significant customer benefits,
 - 5.3 **Proposal 3 - removing unnecessary display requirements** to update outdated processes that will reduce administrative costs,

- 5.4 **Proposal 4 – re-focusing our public transport principles** to reduce cost and complexity for public transport decision-makers, and
- 5.5 **Proposal 5 – amending errors in the Civil Aviation Act 2023** to empower airports to set charges and cost-recover fees, in line with the original intent of the legislation.
- 6 I intend to progress these proposals through the Regulatory Systems (Transport) Amendment Bill (the Bill).^{s 9(2)(f)(iv)}
- 7 Through the Bill, I also intend to progress:
- 7.1 a number a minor and technical fixes across land transport, maritime and aviation legislation that the Ministry of Transport developed under the previous Government (Appendix Two), and
- 7.2 decisions already made by Cabinet to both enable councils to set parking fees below maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).
- 8 To advance these changes as a single bill requires cross-party support from the Business Committee. While I generally consider these amendments to be either technical or non-contentious, if any of these proposals prove otherwise, I intend to split them into separate bills.
- 9 Subject to Cabinet agreement, I will return in June with draft legislation for these proposals. The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill’s timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important that we amend the numbering error in the Civil Action Act 2023 (that comes into force on 5 April 2025) as soon as possible to ensure airport operators can carry out important operational functions.
- 10 While I intend for legislative changes to be enacted this year, the digitisation of licences and labels will take time to implement and for public to select this alternative. NZTA will participate in a co-design digital driver licence solution with Austroads. Following this, I can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation.

Background

An effective and efficient transport system requires a strong regulatory framework

- 11 Our transport system connects us all. When it works well, it enables New Zealanders to safely and simply access the services they need to get places and run their businesses. Ensuring our transport system’s efficient and effective operation is therefore key to New Zealand’s economic prosperity and wellbeing.
- 12 A significant legislative framework underpins the transport sector: 26 transport-related Acts, 15 Regulations, and 151 Rules across land, aviation and maritime.

Regularly maintaining and improving this framework is fundamental to maintaining its effectiveness and efficiency and reduce the chance of regulatory failure.

- 13 This Government understands the importance of reducing regulatory complexity and improving the quality and performance of regulatory systems. To support us to achieve this, I intend to modernise a wide set of transport rules and I will update Cabinet throughout the year as this work progresses. I also consider there to be a suite of amendments to legislation that are long overdue. I am seeking Cabinet's agreement to a number of these proposals that if progressed, would modernise legislation and generate greater system efficiencies. Proposals will achieve this by:

- 13.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
- 13.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.

Proposals

Our transport legislation needs modernising to keep up with developing technologies

- 14 Currently, New Zealanders rely on physical licences and paper-based labels to engage with the transport system and access NZTA services. Associated requirements to hold and display these can be unnecessarily costly and onerous for users and administrators of the transport services alike.
- 15 I am proposing a suite of amendments that would enable the digitisation of key transport documentation. By enabling convenient alternatives that enhance efficiency, this supports the Government's digital modernisation goals that aims to promote a modern and efficient public service.
- 16 I am seeking Cabinet agreement to:
- 16.1 **Proposal 1 – enabling digital driver licences:** make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This would include the definition of a driver licence and sections that require a physical licence.
- 16.2 **Proposal 2 – enabling electronic issuing of regulatory notices and fees:** make a series of legislative amendments, including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices including making the provision of email addresses to NZTA mandatory upon request (as is the case for postal addresses), and
- 16.3 **Proposal 3 - removing unnecessary display requirements:** make a series of legislative and regulatory amendments that would remove requirements to carry and display physical licences and labels such as a Warrant of Fitness (WoF), Certificate of Fitness (CoF) and alternative fuel inspection certificates. This is a dated practice that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998; Land Transport

(Motor Vehicle Registration and Licensing) Regulations 2011; and Land Transport (Offences and Penalties) Regulations 1999.¹

- 17 While these proposals would make the necessary primary legislation changes to enable digital licences and labels in the future, digitisation of physical licences and labels will take time to implement and for public to select this alternative. A key part of design is the need to ensure there are not any unintended privacy implications before implementation.
- 18 For Proposal 1, NZTA will participate in a co-design digital driver licence solution with Austroads.² Following this, I can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For Proposals 2 and 3, I will return to Cabinet later this year with more detail on service design and delivery options, timeframes and associated costs.

Other amendments to streamline and clarify legislation will save time and costs

- 19 The government's overarching public transport objectives are incorporated into legislation through principles set out in Part 5 of the Land Transport Management Act (LTMA) 2003, which regulates public transport. Those that exercise powers and/or perform function under Part 5 (such as NZTA and other transport authorities and operators) must be guided by these principles.
- 20 The principles cover a wide range of competing objectives that can add regulatory complexity for public transport decisions makers. To reduce compliance costs and improve regulatory certainty for public transport decision makers, I am seeking Cabinet agreement to:
- 20.1 **Proposal 4 – re-focusing our public transport principles:** remove the following public transport principles from legislation:
- 20.1.1 (1)(a) - well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology
- 20.1.2 (1)(b) - public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe; and
- 20.1.3 (1)(c) - fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.

¹ Changes required to enable digital Road User Charges (RUC) licences will be progressed separately, as will and rule changes required.

² Austroads is the association of the Australian and New Zealand transport agencies, representing all levels of government. Austroads is a not-for-profit, nonpartisan organisation and are funded by Australian and New Zealand government transport agencies.

- 21 Removing these will result in a more cohesive set of public transport principles that are in closer alignment with my transport priorities and the purpose of the LTMA. In the absence of these principles, non-regulatory mechanisms, such as procurement guidance and letters of expectation, will continue to play an important role in supporting the sector to deliver efficient and effective public transport services.
- 22 In addition, the Associate Minister of Transport is responsible for decisions related to aviation. I am seeking Cabinet agreement to progress his decision to:
- 22.1 **Proposal 5 – amending errors in the Civil Aviation Act 2023:** authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023.
- 23 I am advised that this proposal would enable two sets of consequential amendments resulting from error in the drafting process.
- 24 The first relates to the setting of charges, which is an important element of an airport’s operation. However, a numbering error made when enacting the Civil Aviation Act 2023 (that comes into force 5 April 2025) has resulted in Wellington and Auckland airports not being able to set charges for “identified aerodrome activities provided, operated, or managed by the airport operator”.³ This proposal would enable consequential amendments allowing Wellington and Auckland airports to use the powers outlined in s230 of the Civil Aviation Act 2023 to set charges, as originally intended.
- 25 The second proposal is for a minor technical amendment to clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced.

Next steps

I intend to introduce an omnibus Bill to progress the range of regulatory fixes across the transport system

- 26 I intend to progress a Regulatory Systems (Transport) Amendment Bill (the Bill) that will provide the necessary legislative vehicle to progress these proposals. I also intend for the following to be advanced through this Bill:
- 26.1 decisions already made by this Government in June 2024, to enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220) and in July 2024 to change the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs (CAB-24-MIN-0248); and
- 26.2 a number of minor and technical amendments to legislation that were developed by the Ministry of Transport under the previous Government

³ S230, Civil Aviation Act 2003

(CAB-22-MIN-0177). A full list of amendments previously agreed is outlined in Appendix Two. This includes amendments to Maritime legislation that my Associate Minister of Transport has agreed to progress.

- 27 I expect to return to Cabinet in June with draft legislation. Subject to Cabinet agreement, I anticipate introducing this Bill to the House in June 2025 and passed in

s 9(2)(f)(iv)

Milestone/Activity	Timeframe
Cabinet considers draft legislation	June 2025
Business Committee considers the Bill	June 2025
Introduction of the Bill	June 2025
Select Committee	July – October 2025

s 9(2)(f)(iv)

- 28 The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill’s timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important we amend the numbering error in the Civil Action Act 2023 as soon as possible to ensure airport operators can carry out important operational functions.

Implementation

- 29 Legislative amendments to enable digital licences and labels alongside physical licences (Proposal 1 to 3) will be implemented at a later date. This provides an opportunity for NZTA to ensure privacy risks are mitigated prior to implementation, and that new digital channels are attractive to use to encourage customers to select to transact digitally.
- 30 NZTA and the Department of Internal Affairs are working to develop and implement the digital driver licence platform. NZTA will participate in a co-design digital driver licence solution with Austroads. Following this, I will provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For proposed changes to other labels and licences, I will return to Cabinet this year with more detail on service design and delivery options, timeframes and associated costs.
- 31 Other proposed amendments are minor and technical legislative changes that will be implemented following the enactment of the proposed Bill.

Cost-of-living Implications

- 32 By removing or simplifying carrying and display requirements that bring unnecessary administration costs, these proposals will overtime reduce the cost of living as changes flow through to more sustainable fees and charges for the services NZTA

administers. Other amendments designed to streamline legislation will also support this outcome.

- 33 Other proposals in this paper do not have material cost-of-living implications.

Financial Implications

- 34 These proposals have no significant financial implications. However, there will be costs associated with the implementation of digital driver licences, enabling electronic issuing of regulatory notices and fees, and removing unnecessary display requirements. I will return to Cabinet with service design and delivery options later this year which will include estimated costs.

Legislative Implications

- 35 The proposals in this paper will require changes across primary and secondary legislation including: Land Transport Act 1998; Land Transport Management Act 2003; Civil Aviation Act 2023; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999; Railways Act 2005; Motor Vehicle Registration Regulations; and Infringement and Reminder Notices and Regulations.
- 36 I intend for these proposals to be progressed through the Bill, which I anticipate introducing to the House in June 2025 ^{s.9(2)(i)(iv)}

Impact Analysis

Regulatory Impact Statement

Proposals 1 to 3

- 37 The Ministry for Regulation has determined these proposals are exempt from the requirement to provide a Regulatory Impact Statement on the grounds they have no or only minor impacts on businesses, individuals, and not-for-profit entities, or only minor economic, social, or environmental impacts.

Proposal 4 [determination being sought]

Proposal 5

- 38 The Ministry of Transport have claimed an exemption under Cabinet Office circular CO(24)7 for the proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023 (Proposal 5) on the grounds it is for a matter suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

Climate Implications of Policy Assessment

- 39 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that CIPA requirements do not apply to the proposals as none are expected to result in any significant, direct emissions impacts.

Privacy Impact Assessments

- 40 Privacy Impact Assessments are used to identify and assess the privacy risks arising from the collection, use and handling of personal information. When implemented, proposals to digitise licences and labels (Proposal 1 to 3) would change the means in which information is collected, used and handled. Some evaluation of privacy risks has already been conducted by NZTA.

Proposal 1 – Enabling the use of digital driver licences:

- 41 NZTA found there to be potential risks regarding the accuracy and verification of driver licence information and the appropriate safeguarding of this data. However, NZTA has existing obligations under the Privacy Act 2020 to ensure customer data is accurate and that there are safeguards in place to prevent unauthorised loss, misuse or disclosure of personal information. NZTA is partnering with experts to ensure international standards are met as this technology is developed and implemented.
- 42 Initial evaluation also determines it to be preferable that NZTA do not use Unique Identifiers for individuals given existing restrictions set out in the Privacy Act 2020.⁴ NZTA is seeking technical advice on whether an alternative way of referencing users can be developed.

Proposal 2 – facilitating electronic issuing of regulatory notices and fees:

- 43 NZTA assessed the impact of this proposal as ‘medium’, as while there is some personal information involved, any risks can be mitigated satisfactorily.
- 44 NZTA also assesses that the proposal will reduce risks as e-servicing will enable emails and attachments to both be password-protected to enhance privacy. This has fewer privacy risks than the current practice of posting such notices to physical addresses, with no confirmation of receipt, and in envelopes that can be opened by anyone.

Proposal 3 – removing unnecessary display requirements

- 45 NZTA assessed the impact of this proposal as ‘low’ as the use of personal information is uncontroversial, and the risk of harm eventuating is negligible.

Population Implications

- 46 There are no population implications arising from these proposals.

⁴ Individual numbers, references, or other forms of identification allocated to people by organisations to uniquely identify the person to the organisation assigning the identifier. For example, driver licence numbers.

Human Rights

- 47 Where proposals are enabling the use of technology, there will be an ongoing ability to opt for the traditional route of being, for example, sent a notice via mail and provide a physical copy of one's driver's licence. This recognises that while technology can be enabling for many people and organisations, it can act as a barrier for others.

Use of external Resources

- 48 No external resources were used in policy development of the proposals or drafting of this paper.

Consultation

- 49 The following agencies were consulted on the contents of this paper:
[PLACEHOLDER: New Zealand Transport Agency, the Office of the Privacy Commissioner, Ministry of Foreign Affairs and Trade, Ministry of Business Innovation and Employment, the Treasury, Ministry for the Environment, New Zealand Customs Service, Ministry of Social Development, Ministry for Disabled People, Ministry for Primary Industries, and the Energy Efficiency and Conservation Authority. The Department of the Prime Minister and Cabinet has been informed].

- 50 I do not propose to take further targeted or public consultation on the proposals outlined in this paper. However, proposals outlined in Appendix Two underwent public consultation between 1 June to 8 July 2022.

Communications

- 51 Once legislative drafting is complete, I will share my communications approach including advising stakeholders of the Select Committee process to submit on the contents of the Bill.

Proactive Release

- 52 This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final policy decisions being taken by Cabinet.

Recommendations

The Minister of Transport recommends that the Committee:

- 1 **note** that amendments are required across transport legislation to support effective regulatory stewardship and an efficient transport system.
- 2 **note** that I intend to progress these amendments through the Regulatory Systems (Transport) Amendment Bill, ^{s 9(2)(f)(iv)}
- 3 **agree** to enable the use of digital driver licences.

- 4 **agree** to facilitate the electronic issuing of infringement and other regulatory notices as an enforcement mechanism, including by requiring the provision of electronic addresses to the NZTA if the recipient has one.
- 5 **agree** to enable digital in-vehicle labels and remove the requirements to carry and display physical labels.
- 6 **agree** to remove the following three public transport principles in legislation:
 - 6.1 well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology,
 - 6.2 public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe,
 - 6.3 fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.
- 7 **authorise** the responsible Minister to issue drafting instructions to the Parliamentary Counsel Office to update cross references and address other editorial matters in the Civil Aviation Act 2023
- 8 **invite** the Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to proposals in recommendations 2 to 5 (including for primary legislation and any associated regulations), including any necessary consequential amendments, savings and transitional provisions.
- 9 **authorise** the Minister of Transport to make policy decisions that are consistent with the overall policy, provided that these decisions are confirmed when the Bill is considered for introduction.

Once the Minister has approved the draft Cabinet paper for lodgement for Cabinet or a Cabinet committee, this section should be updated to state 'Authorised for lodgement'.

Hon Chris Bishop
Minister of Transport

Appendix One: Summary of final policy proposals for Cabinet agreement

Proposal	Description	Relevant legislation	Comment
Enabling digital driver licences (DDL)	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This includes amending the definition of a driver licence and sections that require a physical licence. This change supports the Digitising Government approach that aims to promote a modern and efficient public service by providing people with a convenient alternative to carrying a physical copy of their driver licence.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs. There are outstanding privacy considerations that need to be worked through.
Better enabling NZTA to email regulatory notices and fees	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices. This includes sections that specify how regulatory notices are sent and making the provision of email addresses to NZTA mandatory upon request (as is the case for postal addresses). This change also supports the Digitising Government approach that aims to promote a modern and efficient public service and reduce unnecessary administration cost.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.
Enabling digital in-vehicle labels	Proposal to make a series of legislative amendments that would remove requirements to carry and display physical licences and labels. This is a dated practice that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998, Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, and Land Transport (Offences and Penalties) Regulations 1999 to provide flexibility by enabling digital in-vehicle labels to be displayed.	Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.

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<p>Re-focusing our public transport principles</p>	<p>Proposal to amend the Land Transport Management Act's (LTMA) public transport principles set out in Part 5, section 115 by removing three principles that add cost and complexity for public transport decision-makers. Removing these principles will help to improve alignment between the remaining public transport principles with Government priorities and the purpose of the LTMA, reduce compliance costs and improve regulatory certainty for public transport decision makers.</p>	<p>Land Transport Management Act 2003</p>	<p>RIS TBD</p>
<p>Amending an error in the Civil Aviation Act 2023</p> <p>(Associate Minister responsible)</p>	<p>Proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023. This would enable two sets of consequential amendments:</p> <ul style="list-style-type: none"> a) allowing Wellington and Auckland airports to use the powers outlined under S230 of the Civil Aviation Act 2023 to set charges as intended. <p>The setting of charges is an important element of an airport's operation. However, a numbering error made when enacting the Civil Aviation Act 2023 has resulted in Wellington and Auckland airports not being able to set charges for 'identified aerodrome activities provided, operated, or managed by the airport operator', and</p> <ul style="list-style-type: none"> b) clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced 	<p>Civil Aviation Act 2023</p>	<p>RIS exemption</p>

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Appendix Two: Summary of proposals agreed to by Cabinet in November 2022 (CAB-22-MIN-0177)

Land proposals		
Proposal	Description	Relevant Legislation
Allow the NZTA to proactively close parts of the State Highway network to address safety concerns	Proposal to amend the Government Rooding Powers Act 1989 (GRPA). This will align NZTA's powers with other Road Controlling Authorities.	Government Rooding Powers Act 1989
Pedestrian access to approved areas within motorway corridors	The GRPA restricts pedestrian access to motorways. This proposal will update GRPA provisions to clarify that pedestrians may use approved areas and infrastructure (e.g. bus stops).	Government Rooding Powers Act 1989
New offence and powers relating to Transport Service Licences (TSL)	Drivers and owners of freight, vehicle recovery, and passenger service vehicles are required to hold a TSL. The Land Transport Act 1998 (LTA) prohibits transferring, assigning, or leasing a TSL but there is no corresponding offence. Propose to amend the LTA to: add an offence, expand NZTA's audit ability, extend power to suspend a TSL, and require a fit/proper person check for a new person added to a TSL.	Land Transport Act 1998
Simplify the Rule consultation process to remove duplication	This proposal will remove duplicative consultation requirements in section 161(2)(c) of the LTA that are adequately covered in section 161(2)(b). The Maritime Transport Act 1994 (MTA) and Land Transport Management Act 2003 (LTMA) will be amended in the same way. This will align transport sector consultation practice with the Civil Aviation Act 2023.	Land Transport Act 1998
Introducing emergency powers for the Director of Land Transport	Enable the Director of Land Transport to extend the term of any land transport document when a state of national or local emergency has been declared, an Epidemic Notice is in force, or with the Minister of Transport's agreement. It will also introduce new powers for the Director of Land Transport to: require any vehicle, or class of vehicle, to present for inspection by a specified date, and be able to revoke the Certificate/Warrant of Fitness of a class of vehicles on the grounds of not meeting safety requirements.	Land Transport Act 1998
Increase the maximum level of fines and infringement fees that	This proposal will raise the maximum fees and fines that can be made through regulations under section 167 of the LTA. Maximum penalties for an individual will vary from \$2,000 to \$3,000 for infringement fees, and from \$10,000 to \$15,000 for fines before a court order. This would require	Land Transport Act 1998

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can be set through regulations	public consultation on proposed amounts for specific offences. (This is a separate initiative to the Fees and Penalties work)	
Amend a drafting error to enable NZTA to declare a road as being a state highway	A drafting oversight in the LTMA means NZTA cannot legally declare a new road it has constructed as a state highway. Proposal to amend the definition of road in the LTMA to correct this, and to ensure the validity of State highway declarations and any enforcement activities.	Land Transport Management Act 2003
Clarify the criteria and consultation requirements for when NZTA can declare a vehicle to not be a motor vehicle	The E-Scooters (Declaration not to be motor vehicles) Notice 2018 led to complaints to the Regulations Review Committee about a lack of transparency, and a lack of consultation by NZTA. Propose to amend the LTA to require that when NZTA declares a vehicle is not a motor vehicle, they have regard to how the declaration will contribute to a safe, inclusive and environmentally sustainable land transport system. The NZTA must also conduct an appropriate level of consultation prior to making a declaration.	Land Transport Act 1998
Introduce reactive investigation powers under the Railways Act 2005	Proposal to introduce new powers for NZTA to freeze a scene to preserve and collect evidence, access sites to investigate or carry out verification inspections, request materials to be supplied for examination, interview personnel involved in a safety occurrence and require identified failings to be remediated by the rail participant.	Railways Act 2005
Allowing rail safety case applications to be paused	All rail licence holders are required to have a safety system with an overarching safety case approved by NZTA. A 20-working day limit applies to applications for safety case approval. This proposal will amend the LTA to introduce a 'stop-the-clock' provision when NZTA requires further information from an applicant, either for a new application or a variation to a safety case.	Land Transport Act 11998

Maritime Proposals		
Proposal	Description	Relevant Legislation
Confer maritime safety powers on the Minister of Conservation in the Subantarctic and Kermadec Islands	This proposal extends the functions, duties, responsibilities and powers of a regional council relating to maritime safety under Part 3A the MTA to the Minister of Conservation. This will allow the Minister of Conservation to manage maritime safety at the Islands, with access to a system of powers in line with the rest of New Zealand.	Maritime Transport Act 1994

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<p>Update the definition of a 'convention' in the MTA</p>	<p>Under the MTA, amendments to an international convention to which New Zealand is a party are not defined as part of the convention. This proposal will amend the definition of 'convention' to incorporate subsequent amendments. This will avoid multiple Orders in Council being required to recognise that amendments have been made.</p>	<p>Maritime Transport Act 1994</p>
<p>Clarifying the threshold for starting an investigation of a maritime document holder</p>	<p>Currently section 54A of the MTA requires the Director of Maritime New Zealand (the Director) to have 'reasonable grounds to believe' non-compliance with the requirements of a maritime document before initiating an investigation. 'Belief' implies a substantial level of evidence, which does not enable the Director to uncover covert breaches. This proposal will amend the threshold to 'reasonable grounds to suspect'.</p>	<p>Maritime Transport Act 1994</p>
<p>Provide certainty that breaches of maritime document holders' duties are grounds for an investigation</p>	<p>This proposal will establish that the Director can investigate a maritime document holder under section 54A where there are reasonable grounds to suspect a breach of their general duties under section 17 of the MTA.</p>	<p>Maritime Transport Act 1994</p>
<p>Addressing an inconsistency with the Maritime Labour Convention 2006 (MLC) in respect to prohibiting charges for placing seafarers in employment</p>	<p>The MLC is an International Labour Organization treaty that sets out minimum standards to address the welfare and employment conditions of seafarers. The MLC came into force in New Zealand in 2017.</p> <p>The MLC allows charges for placing seafarers in employment provided charges are not borne directly or indirectly by the seafarer. Section 27 of the MTA prohibits people providing seafarer recruitment and placement services from charging for the service. This proposal will align the MTA with the MLC by removing the prohibition in section 27 of the MTA on charging for seafarer recruitment and placement services.</p>	<p>Maritime Transport Act 1994</p>
<p>Aligning seafarer employment agreement clauses with MLC requirements</p>	<p>This proposal will amend section 2 of the MTA to replace the definition of 'Articles of Agreement' with the MLC definition of 'seafarers' employment agreement'.</p>	<p>Maritime Transport Act 1994</p>
<p>Align the MTA with the MLC requirement that a seafarer's record of</p>	<p>Section 22(1)(d) of the MTA specifies that if requested by the seafarer, an employer on a New Zealand ship on an overseas voyage must provide a</p>	<p>Maritime Transport Act 1994</p>

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<p>employment need not include any statement as to the quality of their work</p>	<p>certificate as to the quality of the seafarer's work. This proposal will repeal section 22(1)(d).</p>	
<p>Aligning with the MLC requirement to prohibit people younger than 16 years old from working on a ship and people under 18 from undertaking hazardous work</p>	<p>Section 26(3) of the MTA states that an employer may employ two persons under the age of 18 to take the place of a single trimmer or stoker, if reasonable steps have been taken to find someone 18 or over. Section 26(4) allows the Director of Maritime NZ to approve the employment of a school-aged person to carry out work on a training ship. These two provisions will be removed.</p>	<p>Maritime Transport Act 1994</p>
<p>Revising and reorganising Part 3 of the MTA to align it with the MLC</p>	<p>The MLC places a number of obligations on 'shipowners'. The MTA does not use this term and refers to 'employers'. This proposal will insert a definition of 'shipowner' into the MTA. All references to 'employers' in Part 3 of the MTA will be changed to 'shipowner'. Other changes to Part 3 to reflect MLC obligations include shifting the duty to provide food and drinking water from the employer to the shipowner; introducing a requirement for documentary evidence of financial security for the purposes of repatriation of seafarers to be set by maritime rules; and prohibiting advanced payments to cover costs of repatriation of a seafarer.</p>	<p>Maritime Transport Act 1994</p>
<p>Clarifying rule-making and compliance powers to support the implementation of MLC requirements</p>	<p>This proposal will amend the MTA to clarify that the scope of its rule-making powers extends to minimum requirements for seafarers to work on a ship; conditions of employment on a ship; repatriation of seafarers; and the liability of shipowners to assist seafarers in the event of abandonment.</p>	<p>Maritime Transport Act 1994</p>
<p>Amending the definition of unit of account</p>	<p>In section 2 of the MTA, the term 'unit of account' is used to represent an internationally defined value that can be used to calculate the limit of liability or recompense for damage or loss. Currently, section 2 of the MTA defines unit of account only with reference to Part 7 of the Act, when Parts 16, 25 and 26 are also relevant. This proposal seeks to make the definition of, and calculations for, 'units of account' in the four parts of the MTA consistent.</p>	<p>Maritime Transport Act 1994</p>
<p>Bring floating production and storage</p>	<p>An FPSO is a vessel used in the offshore oil and gas industry for the production, processing and storage of oil. This proposal seeks to ensure</p>	<p>Maritime Transport Act 1994</p>

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and offloading units (FPSOs) within the maritime levy	FPSOs contribute to the maritime regulatory system when they enter New Zealand's territorial waters (there are currently no FPSOs in New Zealand's territorial waters).	
Update the maximum level of fines and infringement fees that can be set through regulations in the MTA	This proposal is to increase the maximum fines and infringement fees with respect to Maritime Rules or navigation bylaws, and breaches of the marine protection rules. The new maximum penalties for individuals will be \$3000 for infringements and \$15,000 for fines.	Maritime Transport Act 1994
Modernise the penalties for the safety offences in the MTA	This proposal would align the maximum financial penalties for MTA safety offences with the Health and Safety at Work Act 2015. This would enable foreign flagged and New Zealand ships and crew to be treated equally.	Maritime Transport Act 1994
Amend the Maritime (Offences) Regulations 1998 (Maritime Regulations) and the Marine Protection (Offences) Regulations 1998 (Marine Regulations)	This proposal is to update the maximum fines and fees in the Maritime Regulations and the Marine Regulations for the first time since 1998, to add penalties where none currently exist, and to tidy up inconsistencies created by changes to the Maritime Rules over time.	Martime (Offences) Regulations 1998; Marine Protection (Offences) Regulations 1998

Proposals agreed in 2022 that will no longer be progressed		
Proposal	Description	Relevant Legislation
Remove Road Controlling Authorities' (RCAs) restrictions on cost recovery charging for residential parking	The LTA requires that fees charged by RCAs for reserved residential parking cannot exceed the reasonable cost of the service involved in granting the permit. This proposal will amend the current restriction to require that the cost of residential parking be limited to a 'reasonable' amount.	Land Transport Act 1998
Include Waka Kotahi in NZTA's name in legislation	This proposal will replace 'New Zealand Transport Agency' in legislation with 'Waka Kotahi New Zealand Transport Agency'	Across legislation

Neha Pawar

From: Bonnie Hayvice
Sent: Friday, 28 February 2025 9:30 am
To: Gary Tonkin (Parliament); Ministers Office
Cc: Katrina Quickenden; Declan Lynch
Subject: ATTN Gary: OC0241457 Draft Cabinet paper - Regulatory (Transport) Amendment Bill - strengthening the efficiency of the transport system
Attachments: OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final draft.docx; RSTA - covernote for Private Sec.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Briefings to MO

Hi Gary,

As discussed, please find an updated draft Cabinet paper which seeks final policy decisions for the proposals as part of the Regulatory Systems (Transport) Amendment Bill.

I have also attached a covernote with context and key points, and provided a draft email below to support the Minister's advisor to circulate the paper for ministerial consultation.

Happy to chat you have any questions.

Cheers
 Bonnie

The Associate Minister of Transport is seeking written feedback on the attached draft Cabinet paper, *Regulatory Systems (Transport) Amendment Bill – strengthening the efficiency of the transport system*.

He intends to lodge on Thursday 27 February for consideration at ECO on Wednesday 5 March. We would appreciate your feedback by 5pm 24 February.

The Cabinet paper seeks agreement to proposals to progress through the Regulatory Systems (Transport) Amendment Bill (the Bill) to enable a more effective and efficient transport system.

Minister Meager proposes to:

- **enable digital driver licences** as a convenient alternative to physical documents and promote a modern and efficient transport system,
- **enable electronic issuing of regulatory notices and fees** to streamline services that will deliver significant customer benefits,
- **remove unnecessary display requirements** to update outdated processes that will reduce administrative costs,
- **re-focus our public transport principles** to reduce cost and complexity for public transport decision-makers,^{***} and

- **amend errors in the Civil Aviation Act 2023** to empower airports to set charges and cost-recover fees, in line with the original intent of the legislation.

In addition to these five proposals, he also intends to progress:

- a number a minor and technical fixes across land transport, maritime and aviation legislation that the Ministry of Transport developed under the previous Government, and
- decisions already made by Cabinet to both enable councils to set parking fees below maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).

Cross-party support from the Business Committee will be required to progress the Bill. If any amendments prove contentious, he intends to split these into separate bills.

Timeline and implementation:

s 9(2)(f)(iv)

Subject to Cabinet agreement, Minister Meager plans to have the new legislation introduced in June, considered by Select Committee in July-October, s 9(2)(f)(iv)

While this Bill will progress the necessary legislative changes to enable the first three proposals, implementation of digital licences and labels will take time. The Minister of Transport will provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation.

*** The Minister of Transport is currently considering whether to progress this proposal through the Bill.

Bonnie Hayvice ([she/her](#))

Kaitohutohu Matua | Senior Policy Advisor – Regulatory Reform

Te Manatū Waka Ministry of Transport

M [s 9\(2\)\(a\)](#) | E. b.hayvice@transport.govt.nz | transport.govt.nz

In-confidence

Office of the Associate Minister of Transport
Cabinet Economic Policy Committee

Regulatory Systems (Transport) Amendment Bill – strengthening the efficiency of the transport system**Proposal**

- 1 I seek Cabinet agreement to proposals to progress through the Regulatory Systems (Transport) Amendment Bill (the Bill) to enable a more effective and efficient transport system.

Relation to government priorities

- 2 The proposals will deliver on commitments made in the Government Policy Statement on Land Transport as well as support other Government priorities including: to improve the quality and performance of regulatory systems; the digital modernisation of services; and to reduce unnecessary government spending.

Executive Summary

- 3 Our transport system is managed by a significant legislative framework. Duplications, gaps, errors and inconsistencies across legislation creates an unnecessarily complex system for users to engage with and for government to administer. This generates time and costs that hold us back from meeting our transport objectives.
- 4 The Minister of Transport and I have identified a number of legislative solutions that would improve the effectiveness and efficiency of the transport system by:
 - 4.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
 - 4.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.
- 5 I seek approval to issue drafting instructions to the Parliamentary Counsel Office (PCO) for the following proposals:
 - 5.1 **Proposal 1 – enabling digital driver licences** as a convenient alternative to physical documents and promote a modern and efficient transport system,
 - 5.2 **Proposal 2 – enabling electronic issuing of regulatory notices and fees** to streamline services that will deliver significant customer benefits,
 - 5.3 **Proposal 3 - removing unnecessary display requirements** to update outdated processes that will reduce administrative costs,

- 5.4 **Proposal 4 – re-focusing our public transport principles** to reduce cost and complexity for public transport decision-makers, and
- 5.5 **Proposal 5 – amending errors in the Civil Aviation Act 2023** to empower airports to set charges and cost-recover fees, in line with the original intent of the legislation.
- 6 I intend to progress these proposals through the Regulatory Systems (Transport) Amendment Bill (the Bill). ^{s 9(2)(f)(iv)}
- 7 Through the Bill, I also intend to progress:
- 7.1 a number a minor and technical fixes across land transport, maritime and aviation legislation that the Ministry of Transport developed under the previous Government (Appendix Two), and
- 7.2 decisions already made by Cabinet to both enable councils to set parking fees below maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).
- 8 To advance these changes as a single bill requires cross-party support from the Business Committee. While I generally consider these amendments to be either technical or non-contentious, if any of these proposals prove otherwise, I intend to split them into separate bills.
- 9 Subject to Cabinet agreement, I will return in June with draft legislation for these proposals. The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill's timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important that we amend the numbering error in the Civil Action Act 2023 (that comes into force on 5 April 2025) as soon as possible to ensure airport operators can carry out important operational functions.
- 10 While I intend for legislative changes to be enacted this year, the digitisation of licences and labels will take time to implement and for public to select this alternative. NZTA will participate in a co-design digital driver licence solution with Austroads. Following this, The Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation.

Background

An effective and efficient transport system requires a strong regulatory framework

- 11 Our transport system connects us all. When it works well, it enables New Zealanders to safely and simply access the services they need to get places and run their businesses. Ensuring our transport system's efficient and effective operation is therefore key to New Zealand's economic prosperity and wellbeing.

- 12 A significant legislative framework underpins the transport sector: 26 transport-related Acts, 15 Regulations, and 151 Rules across land, aviation and maritime. Regularly maintaining and improving this framework is fundamental to maintaining its effectiveness and efficiency and reduce the chance of regulatory failure.
- 13 This Government understands the importance of reducing regulatory complexity and improving the quality and performance of regulatory systems. To support us to achieve this, the Minister of Transport intends to modernise a wide set of transport rules and will update Cabinet throughout the year as this work progresses. I also consider there to be a suite of amendments to legislation that are long overdue. I am seeking Cabinet's agreement to a number of these proposals that if progressed, would modernise legislation and generate greater system efficiencies. Proposals will achieve this by:
- 13.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
- 13.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.

Proposals

Our transport legislation needs modernising to keep up with developing technologies

- 14 Currently, New Zealanders rely on physical licences and paper-based labels to engage with the transport system and access NZTA services. Associated requirements to hold and display these can be unnecessarily costly and onerous for users and administrators of the transport services alike.
- 15 I am proposing a suite of amendments, agreed to by the Minister of Transport, that would enable the digitisation of key transport documentation. By enabling convenient alternatives that enhance efficiency, this supports the Government's digital modernisation goals that aims to promote a modern and efficient public service.
- 16 I am seeking Cabinet agreement to:
- 16.1 **Proposal 1 – enabling digital driver licences:** make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This would include the definition of a driver licence and sections that require a physical licence.
- 16.2 **Proposal 2 – enabling electronic issuing of regulatory notices and fees:** make a series of legislative amendments, including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices including making the provision of email addresses to NZTA mandatory upon request (as is the case for postal addresses), and
- 16.3 **Proposal 3 - removing unnecessary display requirements:** make a series of legislative and regulatory amendments that would update requirements to carry and display physical licences and labels such as a Warrant of Fitness (WoF), Certificate of Fitness (CoF) and alternative fuel inspection certificates where digital alternatives are available. Physical display is a dated practice

that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; and Land Transport (Offences and Penalties) Regulations 1999.¹

- 17 While these proposals would make the necessary primary legislation changes to enable digital licences and labels in the future, digitisation of physical licences and labels will take time to implement and for public to opt in to this alternative. A key part of design is the need to ensure there are not any unintended privacy implications before implementation.
- 18 For Proposal 1, NZTA will participate in a co-design digital driver licence solution with Austroads.² Following this, the Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For Proposals 2 and 3, the Minister of Transport will return to Cabinet later this year with more detail on service design and delivery options, timeframes and associated costs.

Other amendments to streamline and clarify legislation will save time and costs

- 19 The government's overarching public transport objectives are incorporated into legislation through principles set out in Part 5 of the Land Transport Management Act (LTMA) 2003, which regulates public transport. Those that exercise powers and/or perform function under Part 5 (such as NZTA and other transport authorities and operators) must be guided by these principles.
- 20 The principles cover a wide range of competing objectives that can add regulatory complexity for public transport decisions makers. To reduce compliance costs and improve regulatory certainty for public transport decision makers, I am seeking Cabinet agreement to progress the Minister of Transport's decision to:
- 20.1 **Proposal 4 – re-focusing our public transport principles:** remove the following public transport principles from legislation:
- 20.1.1 (1)(a) - well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology
- 20.1.2 (1)(b) - public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe; and
- 20.1.3 (1)(c) - fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a

¹ Changes required to enable digital Road User Charges (RUC) licences will be progressed separately, as will and rule changes required.

² Austroads is the association of the Australian and New Zealand transport agencies, representing all levels of government. Austroads is a not-for-profit, nonpartisan organisation and are funded by Australian and New Zealand government transport agencies.

sufficiently robust labour market to sustain and expand public transport services.

- 21 Removing these will result in a more cohesive set of public transport principles that are in closer alignment with my transport priorities and the purpose of the LTMA. In the absence of these principles, non-regulatory mechanisms, such as procurement guidance and letters of expectation, will continue to play an important role in supporting the sector to deliver efficient and effective public transport services.
- 22 In addition, I am seeking Cabinet agreement to:
- 22.1 **Proposal 5 – amending errors in the Civil Aviation Act 2023:** authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023.
- 23 This proposal would enable two sets of consequential amendments resulting from error in the drafting process.
- 24 The first relates to the setting of charges, which is an important element of an airport’s operation. However, a numbering error made when enacting the Civil Aviation Act 2023 (that comes into force 5 April 2025) has resulted in Wellington and Auckland airports not being able to set charges for “identified aerodrome activities provided, operated, or managed by the airport operator”.³ This proposal would enable consequential amendments allowing Wellington and Auckland airports to use the powers outlined in s230 of the Civil Aviation Act 2023 to set charges, as originally intended.
- 25 The second proposal is for a minor technical amendment to clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced.

Next steps

I intend to introduce an omnibus Bill to progress the range of regulatory fixes across the transport system

- 26 I intend to progress a Regulatory Systems (Transport) Amendment Bill (the Bill) that will provide the necessary legislative vehicle to progress these proposals. I also intend for the following to be advanced through this Bill:
- 26.1 decisions already made by this Government in June 2024, to enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220) and in July 2024 to change the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs (CAB-24-MIN-0248); and

³ S230, Civil Aviation Act 2003

26.2 a number of minor and technical amendments to legislation that were developed by the Ministry of Transport under the previous Government (CAB-22-MIN-0177). A full list of amendments previously agreed is outlined in Appendix Two.

27 I expect to return to Cabinet in June with draft legislation. Subject to Cabinet agreement, I anticipate introducing this Bill to the House in June 2025 and passed in

s 9(2)(f)(iv)

Milestone/Activity	Timeframe
Cabinet considers draft legislation	June 2025
Business Committee considers the Bill	June 2025
Introduction of the Bill	June 2025
Select Committee	July – October 2025

s 9(2)(f)(iv)

28 The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill’s timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important we amend the numbering error in the Civil Action Act 2023 as soon as possible to ensure airport operators can carry out important operational functions.

Implementation

29 Legislative amendments to enable digital licences and labels alongside physical licences (Proposal 1 to 3) will be implemented at a later date. This provides an opportunity for NZTA to ensure privacy risks are managed prior to implementation, and that new digital channels are attractive to use to encourage customers to select to transact digitally.

30 NZTA and the Department of Internal Affairs are working to develop and implement the digital driver licence platform. NZTA will participate in a co-design digital driver licence solution with Austroads. Following this, the Minister of Transport will provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For proposed changes to other labels and licences, the Minister of Transport will return to Cabinet this year with more detail on service design and delivery options, timeframes and associated costs.

31 Other proposed amendments are minor and technical legislative changes that will be implemented following the enactment of the proposed Bill.

Cost-of-living Implications

- 32 By removing or simplifying carrying and display requirements that bring unnecessary administration costs, these proposals will overtime reduce the cost of living as changes flow through to more sustainable fees and charges for the services NZTA administers. Other amendments designed to streamline legislation will also support this outcome.
- 33 Other proposals in this paper do not have material cost-of-living implications.

Financial Implications

- 34 These proposals have no significant financial implications. However, there will be costs associated with the implementation of digital driver licences, enabling electronic issuing of regulatory notices and fees, and removing unnecessary display requirements. I will return to Cabinet with service design and delivery options later this year which will include estimated costs.

Legislative Implications

- 35 The proposals in this paper will require changes across primary and secondary legislation including: Land Transport Act 1998; Land Transport Management Act 2003; Civil Aviation Act 2023; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999; Railways Act 2005; Motor Vehicle Registration Regulations; and Infringement and Reminder Notices and Regulations.
- 36 I intend for these proposals to be progressed through the Bill, which I anticipate introducing to the House in June 2025 ^{s 9(2)(f)(iv)}

Impact Analysis

Regulatory Impact Statement

Proposals 1 to 3

- 37 The Ministry for Regulation has determined these proposals are exempt from the requirement to provide a Regulatory Impact Statement on the grounds they have no or only minor impacts on businesses, individuals, and not-for-profit entities, or only minor economic, social, or environmental impacts.

Proposal 4 [determination being sought]

Proposal 5

- 38 The Ministry of Transport have claimed an exemption under Cabinet Office circular CO(24)7 for the proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023 (Proposal 5) on the grounds it is for a matter suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

Climate Implications of Policy Assessment

- 39 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that CIPA requirements do not apply to the proposals as none are expected to result in any significant, direct emissions impacts.

Privacy Impact Assessments

- 40 Privacy Impact Assessments are used to identify and assess the privacy risks arising from the collection, use and handling of personal information. When implemented, proposals to digitise licences and labels (Proposal 1 to 3) would change the means in which information is collected, used and handled. Some evaluation of privacy risks has already been conducted by NZTA.

Proposal 1 – Enabling the use of digital driver licences:

- 41 The privacy impact of decisions on the design and implementation of a digital driver licence will need to be considered. There have been data breaches and other cybersecurity risks in Australia associated with uptake of these licences that we can learn from. There are also risks associated with handing over smartphones to a person checking IDs. Officials will analyse and seek to mitigate or build safeguards against these risks as the product is designed and the secondary legislation developed. For now I am seeking to make the primary legislation enabling of digital forms of driver licences.
- 42 NZTA's initial analysis finds potential risks regarding the accuracy and verification of driver licence information and the appropriate safeguarding of this data. However, NZTA has existing obligations under the Privacy Act 2020 to ensure customer data is accurate and that there are safeguards in place to prevent unauthorised loss, misuse, or disclosure of personal information. NZTA will align their work with the Digital Identity Services Trust Framework (New Zealand's legal framework including rules and regulations for how digital identify services that are accredited should work, protect information and privacy). It is partnering with experts to ensure international standards are met as this technology is developed and implemented.
- 43 Initial evaluation also determines it to be preferable that NZTA do not use Unique Identifiers for individuals given existing restrictions set out in the Privacy Act 2020. NZTA is seeking technical advice on whether an alternative way of referencing users can be developed.

Proposal 2 – facilitating electronic issuing of regulatory notices and fees:

- 44 NZTA assessed the impact of this proposal as 'medium', as while there is some personal information involved, any risks can be mitigated satisfactorily.
- 45 NZTA also assesses that the proposal will reduce risks as e-servicing will enable emails and attachments to both be password-protected to enhance privacy. This has fewer privacy risks than the current practice of posting such notices to physical addresses, with no confirmation of receipt, and in envelopes that can be opened by anyone.

Proposal 3 – removing unnecessary display requirements

46 NZTA assessed the impact of this proposal as ‘low’ as the use of personal information is uncontroversial, and the risk of harm eventuating is negligible.

Population Implications

47 There are no population implications arising from these proposals.

Human Rights

48 Where proposals are enabling the use of technology, there will be an ongoing ability to opt for the traditional route of being, for example, sent a notice via mail and provide a physical copy of one’s driver’s licence. This recognises that while technology can be enabling for many people and organisations, it can act as a barrier for others.

Use of external Resources

49 No external resources were used in policy development of the proposals or drafting of this paper.

Consultation

50 The following agencies were consulted on the contents of this paper:
[PLACEHOLDER].

51 I do not propose to take further targeted or public consultation on the proposals outlined in this paper. However, proposals outlined in Appendix Two underwent public consultation between 1 June to 8 July 2022.

Communications

52 Once legislative drafting is complete, I will share my communications approach including advising stakeholders of the Select Committee process to submit on the contents of the Bill. The Minister of Transport intends to separately announce, in conjunction with the Minister for Digitising Government, the decision to progress changes to the Land Transport Act to enable a digital driver licence.

Proactive Release

53 This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final policy decisions being taken by Cabinet.

Recommendations

The Associate Minister of Transport recommends that the Committee:

- 1 **note** that amendments are required across transport legislation to support effective regulatory stewardship and an efficient transport system.
- 2 **note** that I intend to progress these amendments through the Regulatory Systems (Transport) Amendment Bill, s 9(2)(f)(iv)

s 9(2)(f)(iv)

- 3 **agree** to enable the use of digital driver licences.
- 4 **agree** to facilitate the electronic issuing of infringement and other regulatory notices as an enforcement mechanism, including by requiring the provision of electronic addresses to the NZTA if the recipient has one.
- 5 **agree** to enable digital in-vehicle labels and update the requirement to carry and display physical labels where a digital alternative is available.
- 6 **agree** to remove the following three public transport principles in legislation:
 - 6.1 well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology,
 - 6.2 public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe,
 - 6.3 fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.
- 7 **authorise** the responsible Minister to issue drafting instructions to the Parliamentary Counsel Office to update cross references and address other editorial matters in the Civil Aviation Act 2023
- 8 **invite** the Minister and Associate Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to proposals in recommendations 2 to 5 (including for primary legislation and any associated regulations), including any necessary consequential amendments, savings and transitional provisions.
- 9 **authorise** the Minister and Associate Minister of Transport to make policy decisions that are consistent with the overall policy, provided that these decisions are confirmed when the Bill is considered for introduction.

Once the Minister has approved the draft Cabinet paper for lodgement for Cabinet or a Cabinet committee, this section should be updated to state 'Authorised for lodgement'.

Hon James Meager

Associate Minister of Transport

Appendix One: Summary of final policy proposals for Cabinet agreement

Proposal	Description	Relevant legislation	Comment
Enabling digital driver licences (DDL)	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This includes amending the definition of a driver licence and sections that require a physical licence. This change supports the Digitising Government approach that aims to promote a modern and efficient public service by providing people with a convenient alternative to carrying a physical copy of their driver licence.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs. There are outstanding privacy considerations that need to be worked through.
Better enabling NZTA to email regulatory notices and fees	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices. This includes sections that specify how regulatory notices are sent and making the provision of email addresses to NZTA mandatory upon request (as is the case for postal addresses). This change also supports the Digitising Government approach that aims to promote a modern and efficient public service and reduce unnecessary administration cost.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.
Enabling digital in-vehicle labels	Proposal to make a series of legislative amendments that would remove requirements to carry and display physical licences and labels. This is a dated practice that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998, Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, and Land Transport (Offences and Penalties) Regulations 1999 to provide flexibility by enabling digital in-vehicle labels to be displayed.	Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.

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<p>Re-focusing our public transport principles</p>	<p>Proposal to amend the Land Transport Management Act's (LTMA) public transport principles set out in Part 5, section 115 by removing three principles that add cost and complexity for public transport decision-makers. Removing these principles will help to improve alignment between the remaining public transport principles with Government priorities and the purpose of the LTMA, reduce compliance costs and improve regulatory certainty for public transport decision makers.</p>	<p>Land Transport Management Act 2003</p>	<p>RIS TBD</p>
<p>Amending an error in the Civil Aviation Act 2023</p> <p>(Associate Minister responsible)</p>	<p>Proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023. This would enable two sets of consequential amendments:</p> <ul style="list-style-type: none"> a) allowing Wellington and Auckland airports to use the powers outlined under S230 of the Civil Aviation Act 2023 to set charges as intended. <p>The setting of charges is an important element of an airport's operation. However, a numbering error made when enacting the Civil Aviation Act 2023 has resulted in Wellington and Auckland airports not being able to set charges for 'identified aerodrome activities provided, operated, or managed by the airport operator', and</p> <ul style="list-style-type: none"> b) clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced 	<p>Civil Aviation Act 2023</p>	<p>RIS exemption</p>

Appendix Two: Summary of proposals agreed to by Cabinet in November 2022 (CAB-22-MIN-0177)

Land proposals		
Proposal	Description	Relevant Legislation
Allow the NZTA to proactively close parts of the State Highway network to address safety concerns	Proposal to amend the Government Rooding Powers Act 1989 (GRPA). This will align NZTA's powers with other Road Controlling Authorities.	Government Rooding Powers Act 1989
Pedestrian access to approved areas within motorway corridors	The GRPA restricts pedestrian access to motorways. This proposal will update GRPA provisions to clarify that pedestrians may use approved areas and infrastructure (e.g. bus stops).	Government Rooding Powers Act 1989
New offence and powers relating to Transport Service Licences (TSL)	Drivers and owners of freight, vehicle recovery, and passenger service vehicles are required to hold a TSL. The Land Transport Act 1998 (LTA) prohibits transferring, assigning, or leasing a TSL but there is no corresponding offence. Propose to amend the LTA to: add an offence, expand NZTA's audit ability, extend power to suspend a TSL, and require a fit/proper person check for a new person added to a TSL.	Land Transport Act 1998
Simplify the Rule consultation process to remove duplication	This proposal will remove duplicative consultation requirements in section 161(2)(c) of the LTA that are adequately covered in section 161(2)(b). The Maritime Transport Act 1994 (MTA) and Land Transport Management Act 2003 (LTMA) will be amended in the same way. This will align transport sector consultation practice with the Civil Aviation Act 2023.	Land Transport Act 1998
Introducing emergency powers for the Director of Land Transport	Enable the Director of Land Transport to extend the term of any land transport document when a state of national or local emergency has been declared, an Epidemic Notice is in force, or with the Minister of Transport's agreement. It will also introduce new powers for the Director of Land Transport to: require any vehicle, or class of vehicle, to present for inspection by a specified date, and be able to revoke the Certificate/Warrant of Fitness of a class of vehicles on the grounds of not meeting safety requirements.	Land Transport Act 1998
Increase the maximum level of fines and infringement fees that	This proposal will raise the maximum fees and fines that can be made through regulations under section 167 of the LTA. Maximum penalties for an individual will vary from \$2,000 to \$3,000 for infringement fees, and from \$10,000 to \$15,000 for fines before a court order. This would require	Land Transport Act 1998

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can be set through regulations	public consultation on proposed amounts for specific offences. (This is a separate initiative to the Fees and Penalties work)	
Amend a drafting error to enable NZTA to declare a road as being a state highway	A drafting oversight in the LTMA means NZTA cannot legally declare a new road it has constructed as a state highway. Proposal to amend the definition of road in the LTMA to correct this, and to ensure the validity of State highway declarations and any enforcement activities.	Land Transport Management Act 2003
Clarify the criteria and consultation requirements for when NZTA can declare a vehicle to not be a motor vehicle	The E-Scooters (Declaration not to be motor vehicles) Notice 2018 led to complaints to the Regulations Review Committee about a lack of transparency, and a lack of consultation by NZTA. Propose to amend the LTA to require that when NZTA declares a vehicle is not a motor vehicle, they have regard to how the declaration will contribute to a safe, inclusive and environmentally sustainable land transport system. The NZTA must also conduct an appropriate level of consultation prior to making a declaration.	Land Transport Act 1998
Introduce reactive investigation powers under the Railways Act 2005	Proposal to introduce new powers for NZTA to freeze a scene to preserve and collect evidence, access sites to investigate or carry out verification inspections, request materials to be supplied for examination, interview personnel involved in a safety occurrence and require identified failings to be remediated by the rail participant.	Railways Act 2005
Allowing rail safety case applications to be paused	All rail licence holders are required to have a safety system with an overarching safety case approved by NZTA. A 20-working day limit applies to applications for safety case approval. This proposal will amend the LTA to introduce a 'stop-the-clock' provision when NZTA requires further information from an applicant, either for a new application or a variation to a safety case.	Land Transport Act 11998

Maritime Proposals		
Proposal	Description	Relevant Legislation
Confer maritime safety powers on the Minister of Conservation in the Subantarctic and Kermadec Islands	This proposal extends the functions, duties, responsibilities and powers of a regional council relating to maritime safety under Part 3A the MTA to the Minister of Conservation. This will allow the Minister of Conservation to manage maritime safety at the Islands, with access to a system of powers in line with the rest of New Zealand.	Maritime Transport Act 1994

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<p>Update the definition of a 'convention' in the MTA</p>	<p>Under the MTA, amendments to an international convention to which New Zealand is a party are not defined as part of the convention. This proposal will amend the definition of 'convention' to incorporate subsequent amendments. This will avoid multiple Orders in Council being required to recognise that amendments have been made.</p>	<p>Maritime Transport Act 1994</p>
<p>Clarifying the threshold for starting an investigation of a maritime document holder</p>	<p>Currently section 54A of the MTA requires the Director of Maritime New Zealand (the Director) to have 'reasonable grounds to believe' non-compliance with the requirements of a maritime document before initiating an investigation. 'Belief' implies a substantial level of evidence, which does not enable the Director to uncover covert breaches. This proposal will amend the threshold to 'reasonable grounds to suspect'.</p>	<p>Maritime Transport Act 1994</p>
<p>Provide certainty that breaches of maritime document holders' duties are grounds for an investigation</p>	<p>This proposal will establish that the Director can investigate a maritime document holder under section 54A where there are reasonable grounds to suspect a breach of their general duties under section 17 of the MTA.</p>	<p>Maritime Transport Act 1994</p>
<p>Addressing an inconsistency with the Maritime Labour Convention 2006 (MLC) in respect to prohibiting charges for placing seafarers in employment</p>	<p>The MLC is an International Labour Organization treaty that sets out minimum standards to address the welfare and employment conditions of seafarers. The MLC came into force in New Zealand in 2017.</p> <p>The MLC allows charges for placing seafarers in employment provided charges are not borne directly or indirectly by the seafarer. Section 27 of the MTA prohibits people providing seafarer recruitment and placement services from charging for the service. This proposal will align the MTA with the MLC by removing the prohibition in section 27 of the MTA on charging for seafarer recruitment and placement services.</p>	<p>Maritime Transport Act 1994</p>
<p>Aligning seafarer employment agreement clauses with MLC requirements</p>	<p>This proposal will amend section 2 of the MTA to replace the definition of 'Articles of Agreement' with the MLC definition of 'seafarers' employment agreement'.</p>	<p>Maritime Transport Act 1994</p>
<p>Align the MTA with the MLC requirement that a seafarer's record of</p>	<p>Section 22(1)(d) of the MTA specifies that if requested by the seafarer, an employer on a New Zealand ship on an overseas voyage must provide a</p>	<p>Maritime Transport Act 1994</p>

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<p>employment need not include any statement as to the quality of their work</p>	<p>certificate as to the quality of the seafarer's work. This proposal will repeal section 22(1)(d).</p>	
<p>Aligning with the MLC requirement to prohibit people younger than 16 years old from working on a ship and people under 18 from undertaking hazardous work</p>	<p>Section 26(3) of the MTA states that an employer may employ two persons under the age of 18 to take the place of a single trimmer or stoker, if reasonable steps have been taken to find someone 18 or over. Section 26(4) allows the Director of Maritime NZ to approve the employment of a school-aged person to carry out work on a training ship. These two provisions will be removed.</p>	<p>Maritime Transport Act 1994</p>
<p>Revising and reorganising Part 3 of the MTA to align it with the MLC</p>	<p>The MLC places a number of obligations on 'shipowners'. The MTA does not use this term and refers to 'employers'. This proposal will insert a definition of 'shipowner' into the MTA. All references to 'employers' in Part 3 of the MTA will be changed to 'shipowner'. Other changes to Part 3 to reflect MLC obligations include shifting the duty to provide food and drinking water from the employer to the shipowner; introducing a requirement for documentary evidence of financial security for the purposes of repatriation of seafarers to be set by maritime rules; and prohibiting advanced payments to cover costs of repatriation of a seafarer.</p>	<p>Maritime Transport Act 1994</p>
<p>Clarifying rule-making and compliance powers to support the implementation of MLC requirements</p>	<p>This proposal will amend the MTA to clarify that the scope of its rule-making powers extends to minimum requirements for seafarers to work on a ship; conditions of employment on a ship; repatriation of seafarers; and the liability of shipowners to assist seafarers in the event of abandonment.</p>	<p>Maritime Transport Act 1994</p>
<p>Amending the definition of unit of account</p>	<p>In section 2 of the MTA, the term 'unit of account' is used to represent an internationally defined value that can be used to calculate the limit of liability or recompense for damage or loss. Currently, section 2 of the MTA defines unit of account only with reference to Part 7 of the Act, when Parts 16, 25 and 26 are also relevant. This proposal seeks to make the definition of, and calculations for, 'units of account' in the four parts of the MTA consistent.</p>	<p>Maritime Transport Act 1994</p>
<p>Bring floating production and storage</p>	<p>An FPSO is a vessel used in the offshore oil and gas industry for the production, processing and storage of oil. This proposal seeks to ensure</p>	<p>Maritime Transport Act 1994</p>

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and offloading units (FPSOs) within the maritime levy	FPSOs contribute to the maritime regulatory system when they enter New Zealand's territorial waters (there are currently no FPSOs in New Zealand's territorial waters).	
Update the maximum level of fines and infringement fees that can be set through regulations in the MTA	This proposal is to increase the maximum fines and infringement fees with respect to Maritime Rules or navigation bylaws, and breaches of the marine protection rules. The new maximum penalties for individuals will be \$3000 for infringements and \$15,000 for fines.	Maritime Transport Act 1994
Modernise the penalties for the safety offences in the MTA	This proposal would align the maximum financial penalties for MTA safety offences with the Health and Safety at Work Act 2015. This would enable foreign flagged and New Zealand ships and crew to be treated equally.	Maritime Transport Act 1994
Amend the Maritime (Offences) Regulations 1998 (Maritime Regulations) and the Marine Protection (Offences) Regulations 1998 (Marine Regulations)	This proposal is to update the maximum fines and fees in the Maritime Regulations and the Marine Regulations for the first time since 1998, to add penalties where none currently exist, and to tidy up inconsistencies created by changes to the Maritime Rules over time.	Maritime (Offences) Regulations 1998; Marine Protection (Offences) Regulations 1998

Proposals agreed in 2022 that will no longer be progressed		
Proposal	Description	Relevant Legislation
Remove Road Controlling Authorities' (RCAs) restrictions on cost recovery charging for residential parking	The LTA requires that fees charged by RCAs for reserved residential parking cannot exceed the reasonable cost of the service involved in granting the permit. This proposal will amend the current restriction to require that the cost of residential parking be limited to a 'reasonable' amount.	Land Transport Act 1998
Include Waka Kotahi in NZTA's name in legislation	This proposal will replace 'New Zealand Transport Agency' in legislation with 'Waka Kotahi New Zealand Transport Agency'	Across legislation

RSTA - Supplementary text to support cover note for Associate Minister Meager:

- Minister Bishop has agreed that you will lead the Regulatory Systems (Transport) Amendment Bill (the Bill) but will remain involved in policy decisions that he is responsible for.
- The change in responsibility has delayed ministerial and departmental consultation on the draft Cabinet paper (attached) which seeks Cabinet agreement to final policy decisions to progress through the Bill. Officials are seeking your agreement to release this for consultation as soon as possible, ^{s 9(2)(f)(iv)} [REDACTED]
- You and the Minister of Transport have agreed that the Bill will progress a range of legislative changes to enable a more efficient and effective transport system. This includes:
 - Changes agreed by Minister Bishop and for which you are seeking Cabinet's endorsement (see attached)
 - Decisions made by Cabinet to amend the Clean Vehicle Standard and enable councils to set the rate of parking fees below a maximum cap (CAB-24-MIN-0248)
 - A number of minor and technical improvements across maritime and aviation legislation that were developed under the last Government and endorsed by you (refer OC250101)
 - A number of minor and technical fixes across land transport legislation that were developed under the last Government and endorsed by Minister Brown.
- Key things to note:
 - Proposals that are progressed through bills of this nature require cross-party support from the Business Committee. The Minister of Transport agreed to continue progressing the Bill as any which prove contentious can be split out into separate bills later.
 - Minister Bishop is actively considering whether to progress Proposal 4 – *removing public transport principles*, as part of the Bill. However, he has agreed that consultation can commence without delay. In the event he decides not to progress this proposal, officials will inform you and remove reference to it prior to lodgement.
 - The first three proposals would amend legislation to enable digital licences and labels. However, implementation will take time. A key part of design is the need to ensure there are not any unintended privacy risks before implementation. The Minister of Transport will return to Cabinet later this year with more detail on service design and delivery options, timeframes and associated costs.
- Please indicate any changes you request and if you agree for this to be circulated for departmental and ministerial consultation. Alternatively, you could discuss this with officials at your weekly meeting on Wednesday 5 March, if preferred.

Neha Pawar

From: Bonnie Hayvice
Sent: Tuesday, 18 March 2025 4:55 pm
To: Gary Tonkin (Parliament); Ministers Office
Cc: Katrina Quickenden; Jacob Ennis; Declan Lynch; Chris Nees; Paul O'Connell; Brent Johnston
Subject: ATTN Gary: OC250209 Updated Regulatory Systems (Transport) Amendment Bill Cabinet paper
Attachments: OC250209 Updated Cabinet paper Regulatory Systems (Transport) Amendment Bill - Briefing - Policy.pdf; OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final - clean.docx; OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final draft tracked.docx
Categories: Briefings to MO

Hi Gary,

Following the close of departmental and ministerial consultation on the RSTA Cabinet paper, please find attached:

- **Cover briefing:** OC250209 Updated Cabinet paper Regulatory Systems (Transport) Amendment Bill
- **Updated Cabinet paper (draft tracked change version for ease of reference):** OC241457 Regulatory Systems (Transport) Amendment Bill – Strengthening the efficiency of the transport system
- **Updated Cabinet paper (clean version for Ministers authorisation and lodgement):** OC241457 Regulatory Systems (Transport) Amendment Bill – Strengthening the efficiency of the transport system

We recommend the paper is lodged before 10am Thursday 20 March and as such, there is a quick turn-around for decision.

Any questions happy to discuss.

Cheers
 Bonnie

Bonnie Hayvice (she/her)

Kaitohutohu Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

M: s 9(2)(a) | E: b.hayvice@transport.govt.nz | transport.govt.nz



18 March 2025

OC250209

Hon James Meager

Action required by:

Associate Minister of Transport

Thursday, 20 March 2025

UPDATED CABINET PAPER: REGULATORY SYSTEMS (TRANSPORT) AMENDMENT BILL

Purpose

Seek your approval to lodge an updated Cabinet paper on 20 March for consideration at ECO on 26 March that reflects departmental and ministerial feedback.

Key points

- Annex One provides an updated draft Cabinet paper: *Regulatory Systems (Transport) Amendment Bill – strengthening the efficiency of the transport system*.
- In addition to minor editorial corrections, changes reflect:
 - Minor changes in response to departmental and ministerial consultation. Key feedback is summarised below (refer to paragraph 4), and
 - An amendment to *Proposal 5 – Amending errors in the Civil Aviation Act 2023*: we recommend you broaden the proposal to seek approval from Cabinet to correct drafting errors across transport legislation.
- The Ministry for Regulation (MfR) advises against including proposals that may not achieve broad support in bills of this nature (as cross-party support from the Business Committee is required to progress). We expect the proposal to refocus public transport principles will be contentious, in part because changes have not been discussed with Public Transport Authorities and public transport operators. We recommend proceeding with the approach as previously agreed by Minister Bishop: to seek policy decisions on this issue and remove it from the Bill at a later stage, if required.
- We have not provided a Regulatory Impact Statement (RIS) for the proposal to refocus public transport principles as there has been insufficient time to adequately test the proposal and assess the impacts. We have agreed with MfR that a post implementation review will be undertaken and provided to Cabinet in due course. We will discuss and agree on the appropriate scope and timing of this assessment. Minister Bishop's office is aware of this approach.

- Subject to any further changes you indicate, recommend you lodge the updated paper before 10am on 20 March, for consideration at ECO on 26 March. We intend to provide you with draft legislation to consider in late May.
- Subject to and following Cabinet agreement, the Ministers of Transport and Digitising Government intend to announce that the Government is changing primary legislation to enable digital driver licences.

Recommendations

We recommend you:

- 1 **note** the proposal to refocus public transport principles will likely be contentious and we have agreed with the Ministry for Regulation that a post-implementation review will be undertaken and provided to Cabinet in due course
- 2 **agree** to broaden the proposal to amend errors in the Civil Aviation Act 2023 to allow for errors to be amended across transport legislation Yes / No
- 3 **lodge** the attached Cabinet paper on 20 March for consideration at ECO on 26 March Yes / No

Paul O'Connell
Deputy Chief Executive – Sector Strategy
 18 / 03 / 2025

Hon James Meager
Associate Minister of Transport
 / /

- Minister's office to complete:**
- Approved Declined
- Seen by Minister Not seen by Minister
- Overtaken by events

Comments

Contacts

Name	Telephone	First contact
Bonnie Hayvice, Senior Policy Advisor – Regulatory Reform	s 9(2)(a)	
Katrina Quickenden, Manager – Regulatory Reform		✓

UPDATED CABINET PAPER: REGULATORY SYSTEMS (TRANSPORT) AMENDMENT BILL

- 1 You are leading the Regulatory Systems (Transport) Amendment Bill (the Bill) which will adjust multiple pieces of transport legislation to reduce regulatory complexity and improve system efficiencies.
- 2 We have completed departmental and Ministerial consultation on the draft Cabinet paper.

There is general support for the proposals, with questions focussed on implementation

- 3 There was general comfort with the proposals, with the Department of Internal Affairs (DIA) and the Minister for Digitising Government reinforcing their support of the proposal to enable the use of a digital driver licence.¹
- 4 Feedback from departments was received on three key areas, summarised below. Only minor changes to the paper have been made in response. This is because issues raised will be considered and addressed as part of service design and delivery, which the Minister of Transport intends to take to Cabinet later this year. Agencies indicated their comfort with this approach.
 - **Implementation and operational queries:** The Office of the Privacy Commissioner, Police and Treasury sought clarification on how digital licences and labels would work in practice. This includes the handling of future costs and privacy risks associated with, for example, the mandated collection of email addresses such as the potential to expose New Zealanders to cybersecurity risks.
 - **Risk of digital exclusion:** DIA and Police noted proposals to digitise license and labels may risk entrenching the impacts of digital exclusion for groups who have less knowledge of or access to digital solutions (e.g. older people or rural communities). The Ministry of Primary Industries did not identify any concerns given the proposals are to enable new forms of licences and labels. The option for paper copies remains and implementation will consider the risk of digital exclusion.
 - **Appropriateness of the proposal to re-focus public transport principles in this type of bill:** MfR advised against including proposals that may not achieve broad support in bills of this nature (as cross-party support from the Business Committee is required to progress). Minister Bishop has previously agreed to seek policy decisions on this issue and remove it from the Bill at a later stage, if necessary. We consider this is likely, particularly as these changes have not been discussed with Public Transport Authorities and public transport operators.²
- 5 We have not provided a RIS for the proposal to refocus public transport principles as there has been insufficient time to adequately test the proposal and assess the impacts. CO (24) 7 requires a RIS be provided when seeking policy approval from Cabinet. We have agreed with

¹ No other feedback was provided via ministerial consultation.

² Relevant unions were consulted during the addition of the labour market principles, and although the principles are unlikely to directly correspond with worker wages and conditions, there is likely to be concern about the proposed change.

MfR that a post implementation review will be undertaken and provided to Cabinet in due course. We have notified Minister Bishop’s office of this approach.

We seek your agreement to authorise correction of errors across transport legislation

- 6 You agreed to seek authorisation to update cross references and address other drafting matters in the Civil Aviation Act 2023 (refer OC250101). This proposal would enable two sets of consequential amendments resulting from errors in the drafting process.
- 7 Since then, we found a further error in the Transport Accident Investigation Commission Act 1990. Section 13 inconsistently refers to ‘accident’ and ‘accident and incident’. We seek your agreement to broaden the scope of this proposal to allow the amendment of any additional errors across transport legislation that are identified during the drafting process. We would advise you of any further matters for inclusion within this proposal as they arise, or when we provide you with draft legislation in late May.

Timeframes to enactment are tight

- 8 s 9(2)(f)(iv) Subject to any further changes you indicate, we recommend you lodge the draft Cabinet on Thursday 20 March, to allow for consideration at ECO on 26 March. This approach provides PCO the most time possible to prepare the draft legislation.
- 9 Following lodgement, we will provide you with talking points and supplementary Q&A to support you at ECO. Subject to Cabinet agreement, we understand a press release from the Ministers of Transport and Digitising Government will announce that the Government is progressing legislative change to enable digital driver licences.

Table 1. Proposed timeline for the Regulatory Systems (Transport) Amendment Bill

Milestone/Activity	Due/Timeframe
Drafting instructions issued to PCO	31 March
Advice to you on draft legislation	May
Cabinet considers draft legislation	June
Business Committee considers the Bill	June
Introduction of the Bill	June
Select Committee	July-October

s 9(2)(f)(iv)

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In-confidence

Office of the Associate Minister of Transport

Cabinet Economic Policy Committee

Regulatory Systems (Transport) Amendment Bill – strengthening the efficiency of the transport system

Proposal

- 1 I seek Cabinet agreement to proposals to progress through the Regulatory Systems (Transport) Amendment Bill (the Bill) to enable a more effective and efficient transport system.

Relation to government priorities

- 2 The proposals will deliver on commitments made in the Government Policy Statement on Land Transport as well as support other Government priorities including: to improve the quality and performance of regulatory systems; the digital modernisation of services; and to reduce unnecessary government spending.

Executive Summary

- 3 Our transport system is managed by a significant legislative framework. Duplications, gaps, errors and inconsistencies across legislation creates an unnecessarily complex system for users to engage with and for government to administer. This generates time and costs that hold us back from meeting our transport objectives.
- 4 The Minister of Transport and I have identified a number of legislative solutions that would improve the effectiveness and efficiency of the transport system by:
 - 4.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
 - 4.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.
- 5 I seek approval to issue drafting instructions to the Parliamentary Counsel Office (PCO) for the following proposals:
 - 5.1 **Proposal 1 – enabling digital driver licences** as a convenient alternative to physical documents and to promote a modern and efficient transport system,
 - 5.2 **Proposal 2 – enabling electronic issuing of regulatory notices and fees** to streamline services to that will deliver system efficiencies and significant customer benefits,
 - 5.3 **Proposal 3 - removing unnecessary display requirements** to update outdated processes and that will reduce administrative costs,

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5.4 **Proposal 4 – re-focusing our public transport principles** to reduce cost and complexity for public transport decision-makers, and

5.5 **Proposal 5 – amending drafting errors across transport legislation** including the Civil Aviation Act 2023 (CAA 2023) to empower airports to set charges and cost-recover fees, and the Transport Accident Investigation Commission Act 1990 (TAIC 1990), in line with the original intent of the legislation, ~~correct inconsistencies in wording~~

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6 I intend to progress these proposals through the Regulatory Systems (Transport) Amendment Bill (the Bill) ~~s 9(2)(f)(iv)~~

~~To advance these changes as a single bill requires cross-party support from the Business Committee. If any of these proposals prove contentious, I intend to split them into separate bills.~~

7 Through the Bill, I also intend to progress:

7.1 a number a minor and technical fixes, ~~developed by the Ministry of Transport under the previous Government,~~ across land transport, maritime and aviation legislation ~~that the Ministry of Transport developed under the previous Government~~ (Appendix Two), and

7.2 decisions already made by Cabinet to both enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).

~~8 To advance these changes as a single bill requires cross-party support from the Business Committee. While I generally consider these amendments to be either technical or non-contentious, if any of these proposals prove otherwise, I intend to split them into separate bills.~~

98 Subject to Cabinet agreement, I will return in June 2025 with draft legislation ~~for these proposals~~. The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill's timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important that we amend the numbering error in the Civil Aviation ~~Act~~ Act 2023 (that comes into force on 5 April 2025) as soon as possible to ensure airport operators can carry out important operational functions.

109 While I intend for legislative changes to be enacted this year, the digitisation of licences and labels will take time to implement and for public to ~~select this opt in to alternatives.~~ The New Zealand Transport Agency (NZTA) ~~is will~~ participating ~~e~~ in a co-design digital driver licence solution with Austroads. Following this, ~~t~~The Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services ~~s and/or secondary legislation.~~

Background

An effective and efficient transport system requires a strong regulatory framework

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~~11~~ Our transport system connects us all. When it works well, it enables New Zealanders to safely and simply access the services they need to get places and run their businesses. Ensuring our transport system's efficient and effective operation is therefore key to New Zealand's economic prosperity and wellbeing.

~~12.10~~ A significant legislative framework underpins the transport sector: 26 transport-related Acts and 268 sets of rules and regulations, 15 Regulations, and 151 Rules across land, aviation and maritime. Regularly maintaining and improving this framework is fundamental to maintaining its effectiveness and efficiency and reducing the chance of regulatory failure.

~~13~~ This Government understands the importance of reducing regulatory complexity and improving the quality and performance of regulatory systems. To support us to achieve this, the Minister of Transport intends to modernise a wide set of transport rules and will update Cabinet throughout the year as this work progresses. I also consider there to be a suite of amendments to legislation that are long overdue. I am seeking Cabinet's agreement to a number of these proposals that if progressed, would modernise legislation and generate greater system efficiencies. Proposals will achieve this by:

~~13.1~~ modernising legislation to enable convenient digital service alternatives to physical licences and labels, and

~~13.211~~ streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.

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Proposals

Our transport legislation needs modernising to keep up with developing technologies

~~14.12~~ Currently, New Zealanders rely on physical licences and paper-based labels to engage within the transport system and access NZTA services. Associated requirements Having to hold and display these can be unnecessarily costly and onerous for both users and administrators of the transport services alike.

~~15.13~~ I am proposing a suite of amendments, agreed to by the Minister of Transport, that would enable the digitisation of key transport documentation. By enabling convenient alternatives that enhance efficiency, this supports the Government's digital modernisation goals that aims to promote a modern and efficient public service.

~~16.14~~ I am seeking Cabinet agreement to:

~~16.14.1~~ **Proposal 1 – enabling digital driver licences:** make a series of legislative amendments including to the Land Transport Act 1998 (LTA 1998) to enable the use of digital driver licences. This would include the definition of a driver licence and amending sections that require a physical licence.

~~16.214.2~~ **Proposal 2 – enabling electronic issuing of regulatory notices and fees:** make a series of legislative amendments, including to the Land Transport Act LTA 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices including making the provision of

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email addresses to NZTA mandatory upon request (as is the case for postal addresses), and

~~16.3~~14.3 **Proposal 3 - removing unnecessary display requirements:** make a series of legislative ~~and regulatory~~ amendments that would update requirements to carry and display physical licences and labels such as a Warrant of Fitness (WoF), Certificate of Fitness (CoF) and alternative fuel inspection certificates where digital alternatives are available. Physical display ~~is a dated practice that~~ does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the ~~Land Transport Act~~ LTA 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; and Land Transport (Offences and Penalties) Regulations 1999.¹

~~17~~15 While these proposals would make the necessary primary legislative ~~on~~ changes to enable digital licences and labels in the future, digitisation of physical licences and labels will take time to implement and for ~~the~~ public to opt ~~in to this alternative~~ in. A key part of design is the need to ensure there are ~~no or any~~ unintended privacy implications before implementation.²

~~18~~ For Proposal 1, NZTA will participate in a co-design digital driver licence solution with Austroads.³ Following this, the Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For Proposals 2 and 3, the Minister of Transport will return to Cabinet later this year with more detail on service design and delivery options, timeframes and associated costs.

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Other amendments to streamline and clarify legislation will save time and costs

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~~19~~17 The government's overarching public transport objectives are incorporated into legislation through principles set out in Part 5 of the Land Transport Management Act (LTMA) 2003, which regulates public transport. Those that exercise powers and/or perform function under Part 5 (such as NZTA and other transport authorities and operators) must be guided by these principles.

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~~20~~18 The principles cover a wide range of competing objectives that can add regulatory complexity for public transport decisions makers. To reduce compliance costs and improve regulatory certainty for public transport decision makers, I am seeking Cabinet agreement to progress the Minister of Transport's ~~proposal~~ decision to:

¹ Changes required to enable digital Road User Charges (RUC) licences will be progressed separately, as will ~~other secondary or delegated legislative and rule~~ changes required.

² NZTA will align their work with the [Digital Identity Services Trust Framework \(New Zealand's legal framework including rules and regulations for how digital identify services that are accredited should work, protect information and privacy\)](#).

³ Austroads is the association of the Australian and New Zealand transport agencies, representing all levels of government. Austroads is a not-for-profit, nonpartisan organisation and ~~is~~are funded by Australian and New Zealand government transport agencies.

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~~20.1~~18.1 **Proposal 4 – re-focusing our public transport principles:** remove the following public transport principles from [section 115 of the LTMA legislation](#):

~~20.1~~18.1.1 (1)(a) - well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology.

~~20.1~~18.1.2 (1)(b) - public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe; and

~~20.1~~18.1.3 (1)(c) - fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.

19 [This proposal may be contentious, particularly as it has not yet been discussed with Public Transport Authorities and public transport operators.](#)⁴ However, removing these will result in a more cohesive set of public transport principles that are in closer alignment with [the Minister of Transport's](#) transport priorities and the purpose of the LTMA. In the absence of these principles, non-regulatory mechanisms, such as procurement guidance and letters of expectation, will continue to play an important role in supporting the sector to deliver efficient and effective public transport services.

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~~22~~20 In addition, I am seeking Cabinet agreement to:

~~22.1~~20.1 **Proposal 5 – amending errors across transport legislation in the Civil Aviation Act 2023:** authorise the Minister of Transport to update cross references and address other drafting matters [across transport legislation, including the CAA Civil Aviation Act 2023 and the TAIC 1990.](#)

21 This proposal would enable ~~two~~ **two** sets of consequential amendments [to the CAA 2023](#) resulting from errors in the drafting process, [including:](#)

~~23~~ — [amendments relating to](#) ~~including the following.~~

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21.1 ~~The first relates to~~ The setting of charges, which is an important element of an airport's operation. However, a numbering error made when enacting the [CAA Civil Aviation Act 2023](#) (that comes into force 5 April 2025) has resulted in Wellington and Auckland airports not being able to set charges for "identified aerodrome activities provided, operated, or managed by the airport

⁴ Relevant unions were consulted during the addition of the labour market principles, and although the principles are unlikely to directly correspond with worker wages and conditions, there is likely to be concern about the proposed change.

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operator”.⁵ This proposal would enable ~~consequential amendments allowing~~ Wellington and Auckland airports to use the powers outlined in s230 of the ~~CAA~~Civil Aviation Act 2023 to set charges, as originally intended, ~~and~~

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~~21.2~~ ~~The second proposal is for~~ a minor technical amendment to clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the ~~Civil Aviation Act~~CAA 2023 with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced.

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~~2522~~ ~~This proposal would also enable a minor amendment to the TAIC 1990 to correct inconsistencies in wording, in line with the original intent of the legislation. I intend for this proposal to allow the amendment of any additional errors across transport legislation that are identified during the drafting process. I will confirm these with Cabinet when I return with draft legislation, consistently reference both ‘accident’ and ‘incident’ so that both can be investigated. Currently legislation refers to this inconsistently.~~

Next steps

I intend to introduce an omnibus Bill to progress the range of regulatory fixes across the transport system

~~2623~~ I intend to progress a Regulatory Systems (Transport) Amendment Bill (the Bill) that will provide the necessary legislative vehicle to progress these proposals. I also intend for the following to be advanced through this Bill:

~~26-123.1~~ decisions already made by this Government in June 2024, to enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220) and in July 2024 to change the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs (CAB-24-MIN-0248); and

~~26-223.2~~ a number of minor and technical amendments to legislation that were developed by the Ministry of Transport under the previous Government (CAB-22-MIN-0177). A full list of amendments previously agreed is outlined in Appendix Two.

~~2724~~ I expect to return to Cabinet in June with draft legislation. Subject to Cabinet agreement, I anticipate introducing this Bill to the House in June 2025 ~~to be~~and passed ~~s 9(2)(iv)~~

Milestone/Activity	Timeframe

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⁵ S230, Civil Aviation Act 2023

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Cabinet considers draft legislation	June 2025
Business Committee considers the Bill	June 2025
Introduction of the Bill	June 2025
Select Committee	July – October 2025
s 9(2)(f)(iv)	

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2825 The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill's timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important we amend the numbering error in the Civil Aviation Act 2023 as soon as possible to ensure airport operators can carry out important operational functions.

Implementation

2926 Legislative amendments to enable digital licences and labels alongside physical licences (Proposal 1 to 3) will be implemented at a later date. This provides an opportunity for the NZTA to design and develop new services, including investigating funding options, ensuring privacy risks are managed prior to implementation, and that new digital channels are attractive to use to encourage customers to select to transact digitally. Some new services will require substantial implementation programmes and associated funding decisions.

3027 NZTA and the Department of Internal Affairs are working to develop and implement the digital identity driver licence platform. NZTA is participating in a co-design digital driver licence solution with Austroads. Following this, the Minister of Transport will provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For proposed changes to other labels and licences, the Minister of Transport will return to Cabinet this year with more detail on service design and delivery options, timeframes and associated costs.

3128 Other proposed amendments are minor and technical legislative changes that will be implemented following the enactment of the proposed Bill.

Cost-of-living Implications

3229 By removing or simplifying carrying and display requirements that bring unnecessary administration costs, these proposals will over time reduce the cost of living as changes flow through to more sustainable fees and charges for the services NZTA services administers. Other amendments designed to streamline legislation will also support this outcome.

3330 Other proposals in this paper do not have material cost-of-living implications.

Financial Implications

3431 These proposals have no significant financial implications. However, there will be costs associated with the implementation of digital driver licences, enabling electronic issuing of regulatory notices and fees, and removing unnecessary display requirements. I will return to Cabinet with service design and delivery options later this year which will include Estimated costs will be provided to Cabinet when it considers service design and delivery options later this year.

Legislative Implications

3532 The proposals in this paper will require changes across primary and secondary legislation including: Land Transport Act 1998; Land Transport Management Act 2003; Civil Aviation Act 2023; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999; Railways Act 2005; Motor Vehicle Registration Regulations; and Infringement and Reminder Notices and Regulations; and the Transport Accident Investigation Commission Act 1990.

3633 I intend for these proposals to be progressed through the Bill, which I anticipate introducing to the House in June 2025 s 9(2)(f)(iv)

Impact Analysis

Regulatory Impact Statement

Proposals 1 to 3

3734 The Ministry for Regulation (MfR) has determined these proposals are exempt from the requirement to provide a Regulatory Impact Statement on the grounds they have no or only minor impacts on businesses, individuals, and not-for-profit entities, or only minor economic, social, or environmental impacts.

Proposal 4 (determination being sought)

35 Cabinet's impact analysis requirements apply to this proposal, but there is no accompanying Regulatory Impact Statement, and the MfR has not exempted the proposal from the impact analysis requirements.

36 Consistent with Cabinet's impact analysis requirements, a post-implementation review will be undertaken and provided to Cabinet in due course. The MfR and the Ministry for Transport will discuss and agree on the appropriate scope and timing of this assessment.

Proposal 5

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~~3837~~ The Ministry of Transport has ~~ve~~ claimed an exemption under Cabinet Office circular CO(24)7 for the proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023 (Proposal 5) on the grounds it is for a matter suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

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Climate Implications of Policy Assessment

~~3938~~ The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that CIPA requirements do not apply to the proposals as none are expected to result in any significant, direct emissions impacts.

Privacy Impact Assessments

~~4039~~ ~~Privacy Impact Assessments are used to identify and assess the privacy risks arising from the collection, use and handling of personal information.~~ When implemented, proposals to digitise licences and labels (Proposal 1 to 3) would change the means in which information is collected, used and handled. Some evaluation of privacy risks has ~~already~~ been conducted by NZTA.

Proposal 1 – Enabling the use of digital driver licences:

~~4140~~ ~~The privacy impact of decisions on the design and implementation of a digital driver licence will need to be considered.~~ There have been data breaches and other cybersecurity risks in Australia associated with uptake of these licences that we can learn from. ~~There are also risks associated with handing over smartphones to a person checking IDs.~~ Officials will analyse and seek to mitigate or build safeguards against these risks as the product is designed and the secondary legislation developed. For now, I am seeking to make the primary legislation enabling of digital forms of driver licences.

~~4241~~ NZTA's initial analysis finds potential risks regarding the accuracy and verification of driver licence information and the appropriate safeguarding of this data. However, NZTA has existing obligations under the Privacy Act 2020 to ensure customer data is accurate and that there are safeguards in place to prevent unauthorised loss, misuse, or disclosure of personal information. NZTA will align ~~its~~ ~~their~~ work with the Digital Identity Services Trust Framework ~~(New Zealand's legal framework including rules and regulations for how digital identify services that are accredited should work, protect information and privacy).~~ It is partnering with experts to ensure international standards are met as this technology is developed and implemented.

~~43~~ Initial evaluation also determines it to be preferable that NZTA do not use Unique Identifiers for individuals given existing restrictions set out in the Privacy Act 2020. ~~NZTA is seeking technical advice on whether an alternative way of referencing users can be developed.~~

Proposal 2 – ~~enabling~~ ~~facilitating~~ electronic issuing of regulatory notices and fees:

~~4442~~ NZTA assesses ~~ed~~ the impact of this proposal as 'medium'. ~~M,~~ ~~as while there is some personal information involved, any risks can be mitigated satisfactorily andating the collection and provision of electronic addresses raises potential privacy risks such as~~

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potential reliance on inaccurate information (e.g., if email addresses are not kept up to date) and could further expose New Zealanders to cybersecurity risks, scams and phishing. However, NZTA considers risks can be satisfactorily mitigated by applying similar safeguards as for other personal information they hold.

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4543 NZTA also ~~assesses that the proposal will reduce~~ considers risks could be reduced as e-servicing will enable emails and attachments to both be password-protected to enhance privacy. This has fewer privacy risks ~~than than the current practice of~~ posting such notices to physical addresses, with no confirmation of receipt, and in envelopes that can be opened by anyone.

Proposal 3 – removing unnecessary display requirements

4644 NZTA assessed the impact of this proposal as ‘low’ as the use of personal information is uncontroversial, and the risk of harm eventuating is negligible.

Population Implications

4745 There are no population implications arising from these proposals.

Human Rights

4846 Where proposals are enabling the use of technology, there will be an ongoing ability to opt for the traditional route of being, for example, sent a notice via mail and provided a physical copy of one’s driver’s licence. This recognises that while technology can be enabling for many people and organisations, it can act as a barrier for others. If in future a digital only option becomes viable, consideration will be given to human rights implications before implementation.

Use of external Resources

4947 No external resources were used in policy development of the proposals, ~~or drafting of this paper.~~

Consultation

5048 The following agencies were consulted on the contents of this paper: Civil Aviation Authority, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Maritime New Zealand, Ministry of Justice, Ministry of Primary Industries, Ministry for Regulation, New Zealand Police, New Zealand Transport Agency, Office of the Privacy Commissioner, Parliamentary Counsel Office and Treasury.
[PLACEHOLDER]

5149 I do not propose to take further targeted or public consultation on the proposals outlined in this paper. However, proposals outlined in Appendix Two underwent public consultation between 1 June to 8 July 2022 and supported by submitters.

Communications

5250 Once legislative drafting is complete, I will share my communications approach including advising stakeholders of the Select Committee process to submit on the contents of the Bill. The Minister of Transport intends to separately announce, in

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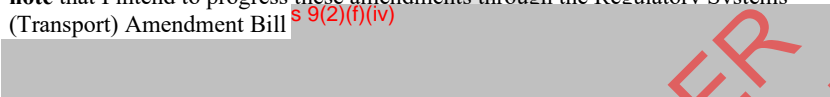
conjunction with the Minister for Digitising Government, the decision to progress changes to the Land Transport Act [1998](#) to enable a digital driver licence.

Proactive Release

~~5351~~ This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final policy decisions being taken by Cabinet.

Recommendations

The Associate Minister of Transport recommends that the Committee:

- 1 **note** that amendments are required across transport legislation to support effective regulatory stewardship and an efficient transport system:-
- 2 **note** that I intend to progress these amendments through the Regulatory Systems (Transport) Amendment Bill ^{s 9(2)(f)(iv)}

- 3 **agree** to [amend legislation](#) to enable the use of digital driver licences:-
- 4 **agree** to [amend legislation](#) to facilitate the electronic issuing of infringement and other regulatory notices as a [compliance and](#) enforcement mechanism, including by requiring the provision of electronic addresses to the NZTA if the ~~recipient person~~ has ~~these, and keeping these current, one and enabling notices to be retrieved electronically;~~
- 5 **agree** to [amend legislation](#) to enable digital ~~in-vehicle~~ licence and label [options](#) and update the requirement to carry and display physical labels where a digital alternative is available:-
- 6 **agree** to remove the following three public transport principles in legislation:
 - 6.1 well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology,
 - 6.2 public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe,
 - 6.3 fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services:-
- 7 **authorise** the responsible Minister to issue drafting instructions to the [Parliamentary Counsel Office](#) to update cross references and address other editorial matters in the Civil Aviation Act 2023, [and other transport legislation;](#)

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- 8 **invite** the Minister and Associate Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to [proposals in recommendations 2 to all proposals](#) (including for primary legislation and any associated regulations), including any necessary consequential amendments, savings and transitional provisions;
- 9 **authorise** the Minister and Associate Minister of Transport to make policy decisions that are consistent with the overall policy, provided that these decisions are confirmed when the Bill is considered for introduction.

Once the Minister has approved the draft Cabinet paper for lodgement for Cabinet or a Cabinet committee, this section should be updated to state 'Authorised for lodgement'.

Hon James Meager

Associate Minister of Transport

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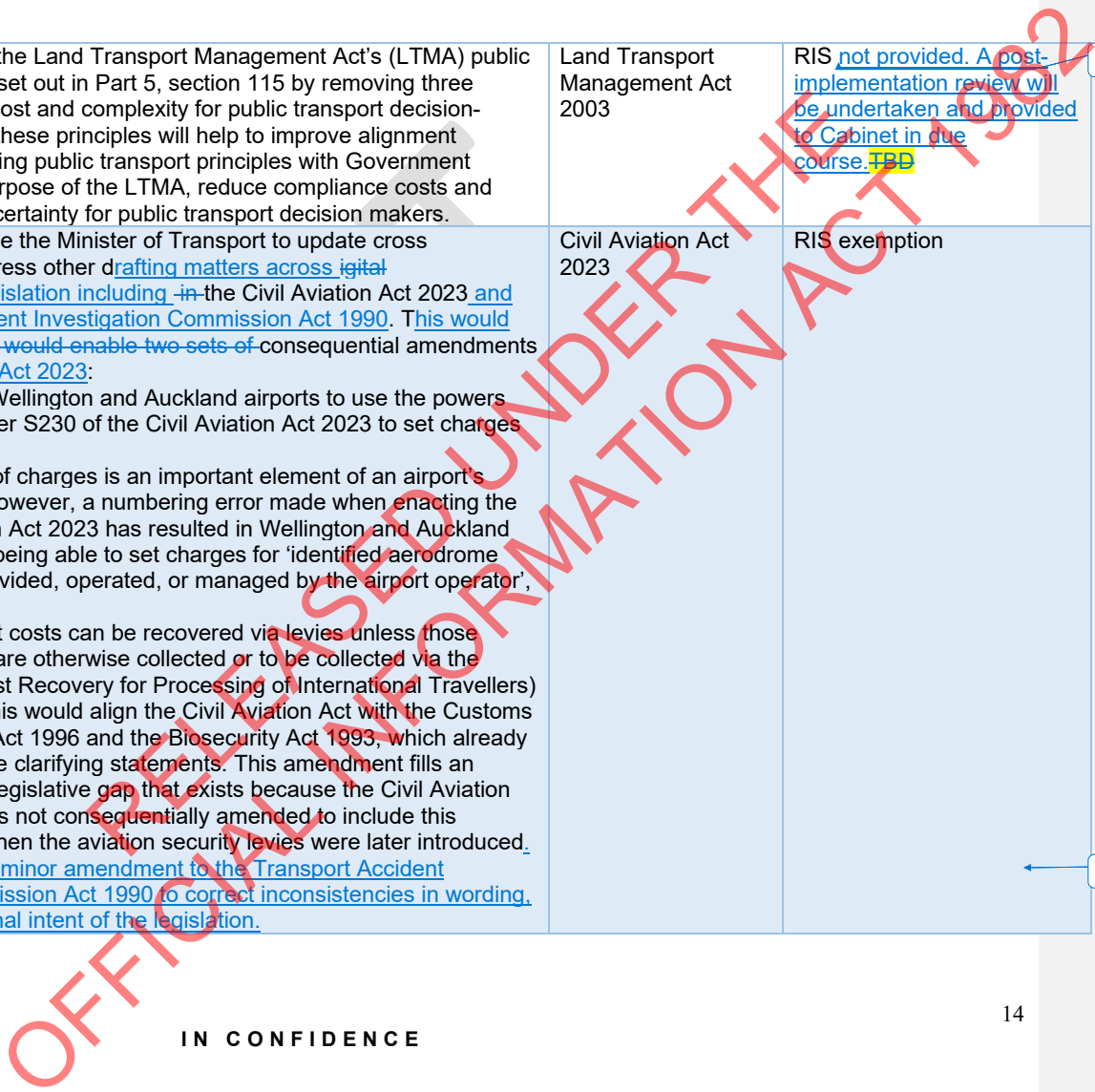
Appendix One: Summary of final policy proposals for Cabinet agreement

Proposal	Description	Relevant legislation	Comment
Enabling digital driver licences (DDL)	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This includes amending the definition of a driver licence and sections that require a physical licence. This change supports the Digitising Government approach that aims to promote a modern and efficient public service by providing people with a convenient alternative to carrying a physical copy of their driver licence.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs. There are outstanding privacy considerations that need to be worked through.
Better enabling NZTA to email regulatory notices and fees	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices. This includes sections that specify how regulatory notices are sent and making the provision of electronic email addresses (including email) to NZTA mandatory upon request (as is the case for postal addresses). This change also supports the Digitising Government approach that aims to promote a modern and efficient public service and reduce unnecessary administration cost.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.
Enabling digital in-vehicle labels	Proposal to make a series of legislative amendments that would enable alternative digital options to the current requirements to carry and display physical licences and labels. This is a dated practice that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998, Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, and Land Transport (Offences and Penalties) Regulations 1999 to provide flexibility by enabling digital in-vehicle labels to be displayed alternative digital licence and label display options .	Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.

<p>Re-focusing our public transport principles</p>	<p>Proposal to amend the Land Transport Management Act's (LTMA) public transport principles set out in Part 5, section 115 by removing three principles that add cost and complexity for public transport decision-makers. Removing these principles will help to improve alignment between the remaining public transport principles with Government priorities and the purpose of the LTMA, reduce compliance costs and improve regulatory certainty for public transport decision makers.</p>	<p>Land Transport Management Act 2003</p>	<p>RIS <u>not provided. A post-implementation review will be undertaken and provided to Cabinet in due course.</u> <u>TBD</u></p>
<p>Amending an errors across transport legislation, including the Civil Aviation Act 2023 and the Transport Accident Investigation Commission Act 1990</p> <p>(Associate Minister responsible)</p>	<p>Proposal to authorise the Minister of Transport to update cross references and address other <u>drafting matters across digital matter</u> <u>transport legislation including in the Civil Aviation Act 2023 and the Transport Accident Investigation Commission Act 1990. This would include enabling his would enable two sets of consequential amendments to the Civil Aviation Act 2023:</u></p> <p>a) allowing Wellington and Auckland airports to use the powers outlined under S230 of the Civil Aviation Act 2023 to set charges as intended.</p> <p>The setting of charges is an important element of an airport's operation. However, a numbering error made when enacting the Civil Aviation Act 2023 has resulted in Wellington and Auckland airports not being able to set charges for 'identified aerodrome activities provided, operated, or managed by the airport operator', and</p> <p>b) clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced.</p> <p><u>As well as enable a minor amendment to the Transport Accident Investigation Commission Act 1990 to correct inconsistencies in wording, in line with the original intent of the legislation.</u></p>	<p>Civil Aviation Act 2023</p>	<p>RIS exemption</p>

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Appendix Two: Summary of proposals agreed to by Cabinet in November 2022 (CAB-22-MIN-0177)

Land proposals		
Proposal	Description	Relevant Legislation
Allow the NZTA to proactively close parts of the State Highway network to address safety concerns	Proposal to amend the Government Roding Powers Act 1989 (GRPA). This will align NZTA's powers with other Road Controlling Authorities.	Government Roding Powers Act 1989
Pedestrian access to approved areas within motorway corridors	The GRPA restricts pedestrian access to motorways. This proposal will update GRPA provisions to clarify that pedestrians may use approved areas and infrastructure (e.g. bus stops).	Government Roding Powers Act 1989
New offence and powers relating to Transport Service Licences (TSL)	Drivers and owners of freight, vehicle recovery, and passenger service vehicles are required to hold a TSL. The Land Transport Act 1998 (LTA) prohibits transferring, assigning, or leasing a TSL but there is no corresponding offence. Propose to amend the LTA to: add an offence, expand NZTA's audit ability, extend power to suspend a TSL, and require a fit/proper person check for a new person added to a TSL.	Land Transport Act 1998
Simplify the Rule consultation process to remove duplication	This proposal will remove duplicative consultation requirements in section 161(2)(c) of the LTA that are adequately covered in section 161(2)(b). The Maritime Transport Act 1994 (MTA) and Land Transport Management Act 2003 (LTMA) will be amended in the same way. This will align transport sector consultation practice with the Civil Aviation Act 2023.	Land Transport Act 1998
Introducing emergency powers for the Director of Land Transport	Enable the Director of Land Transport to extend the term of any land transport document when a state of national or local emergency has been declared, an Epidemic Notice is in force, or with the Minister of Transport's agreement. It will also introduce new powers for the Director of Land Transport to: require any vehicle, or class of vehicle, to present for inspection by a specified date, and be able to revoke the Certificate/Warrant of Fitness of a class of vehicles on the grounds of not meeting safety requirements.	Land Transport Act 1998
Increase the maximum level of fines and infringement fees that	This proposal will raise the maximum fees and fines that can be made through regulations under section 167 of the LTA. Maximum penalties for an individual will vary from \$2,000 to \$3,000 for infringement fees, and from \$10,000 to \$15,000 for fines before a court order. This would require	Land Transport Act 1998

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can be set through regulations	public consultation on proposed amounts for specific offences. (This is a separate initiative to the Fees and Penalties work)	
Amend a drafting error to enable NZTA to declare a road as being a state highway	A drafting oversight in the LTMA means NZTA cannot legally declare a new road it has constructed as a state highway. Proposal to amend the definition of road in the LTMA to correct this, and to ensure the validity of State highway declarations and any enforcement activities.	Land Transport Management Act 2003
Clarify the criteria and consultation requirements for when NZTA can declare a vehicle to not be a motor vehicle	The E-Scooters (Declaration not to be motor vehicles) Notice 2018 led to complaints to the Regulations Review Committee about a lack of transparency, and a lack of consultation by NZTA. Propose to amend the LTA to require that when NZTA declares a vehicle is not a motor vehicle, they have regard to how the declaration will contribute to a safe, inclusive and environmentally sustainable land transport system. enable NZTA to apply conditions to the operation of and equipment required on devices subject to a declaration, include devices up to 2000 watts and define maximum power output. –The NZTA must also conduct an appropriate level of consultation prior to making a declaration.	Land Transport Act 1998
Introduce reactive investigation powers under the Railways Act 2005	Proposal to introduce new powers for NZTA to freeze a scene to preserve and collect evidence, access sites to investigate or carry out verification inspections, request materials to be supplied for examination, interview personnel involved in a safety occurrence and require identified failings to be remediated by the rail participant.	Railways Act 2005
Allowing rail safety case applications to be paused	All rail licence holders are required to have a safety system with an overarching safety case approved by NZTA. A 20-working day limit applies to applications for safety case approval. This proposal will amend the LTA to introduce a 'stop-the-clock' provision when NZTA requires further information from an applicant, either for a new application or a variation to a safety case.	Land Transport Act 1998

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Maritime Proposals		
Proposal	Description	Relevant Legislation
Confer maritime safety powers on the Minister of Conservation in the	This proposal extends the functions, duties, responsibilities and powers of a regional council relating to maritime safety under Part 3A the MTA to the Minister of Conservation. This will allow the Minister of Conservation to	Maritime Transport Act 1994

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Subantarctic and Kermadec Islands	manage maritime safety at the Islands, with access to a system of powers in line with the rest of New Zealand.	
Update the definition of a 'convention' in the MTA	Under the MTA, amendments to an international convention to which New Zealand is a party are not defined as part of the convention. This proposal will amend the definition of 'convention' to incorporate subsequent amendments. This will avoid multiple Orders in Council being required to recognise that amendments have been made.	Maritime Transport Act 1994
Clarifying the threshold for starting an investigation of a maritime document holder	Currently section 54A of the MTA requires the Director of Maritime New Zealand (the Director) to have 'reasonable grounds to believe' non-compliance with the requirements of a maritime document before initiating an investigation. 'Belief' implies a substantial level of evidence, which does not enable the Director to uncover covert breaches. This proposal will amend the threshold to 'reasonable grounds to suspect'.	Maritime Transport Act 1994
Provide certainty that breaches of maritime document holders' duties are grounds for an investigation	This proposal will establish that the Director can investigate a maritime document holder under section 54A where there are reasonable grounds to suspect a breach of their general duties under section 17 of the MTA.	Maritime Transport Act 1994
Addressing an inconsistency with the Maritime Labour Convention 2006 (MLC) in respect to prohibiting charges for placing seafarers in employment	<p>The MLC is an International Labour Organization treaty that sets out minimum standards to address the welfare and employment conditions of seafarers. The MLC came into force in New Zealand in 2017.</p> <p>The MLC allows charges for placing seafarers in employment provided charges are not borne directly or indirectly by the seafarer. Section 27 of the MTA prohibits people providing seafarer recruitment and placement services from charging for the service. This proposal will align the MTA with the MLC by removing the prohibition in section 27 of the MTA on charging for seafarer recruitment and placement services.</p>	Maritime Transport Act 1994
Aligning seafarer employment agreement clauses with MLC requirements	This proposal will amend section 2 of the MTA to replace the definition of 'Articles of Agreement' with the MLC definition of 'seafarers' employment agreement'.	Maritime Transport Act 1994

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<p>Align the MTA with the MLC requirement that a seafarer's record of employment need not include any statement as to the quality of their work</p>	<p>Section 22(1)(d) of the MTA specifies that if requested by the seafarer, an employer on a New Zealand ship on an overseas voyage must provide a certificate as to the quality of the seafarer's work. This proposal will repeal section 22(1)(d).</p>	<p>Maritime Transport Act 1994</p>
<p>Aligning with the MLC requirement to prohibit people younger than 16 years old from working on a ship and people under 18 from undertaking hazardous work</p>	<p>Section 26(3) of the MTA states that an employer may employ two persons under the age of 18 to take the place of a single trimmer or stoker, if reasonable steps have been taken to find someone 18 or over. Section 26(4) allows the Director of Maritime NZ to approve the employment of a school-aged person to carry out work on a training ship. These two provisions will be removed.</p>	<p>Maritime Transport Act 1994</p>
<p>Revising and reorganising Part 3 of the MTA to align it with the MLC</p>	<p>The MLC places a number of obligations on 'shipowners'. The MTA does not use this term and refers to 'employers'. This proposal will insert a definition of 'shipowner' into the MTA. All references to 'employers' in Part 3 of the MTA will be changed to 'shipowner'. Other changes to Part 3 to reflect MLC obligations include shifting the duty to provide food and drinking water from the employer to the shipowner; introducing a requirement for documentary evidence of financial security for the purposes of repatriation of seafarers to be set by maritime rules; and prohibiting advanced payments to cover costs of repatriation of a seafarer.</p>	<p>Maritime Transport Act 1994</p>
<p>Clarifying rule-making and compliance powers to support the implementation of MLC requirements</p>	<p>This proposal will amend the MTA to clarify that the scope of its rule-making powers extends to minimum requirements for seafarers to work on a ship; conditions of employment on a ship; repatriation of seafarers; and the liability of shipowners to assist seafarers in the event of abandonment.</p>	<p>Maritime Transport Act 1994</p>
<p>Amending the definition of unit of account</p>	<p>In section 2 of the MTA, the term 'unit of account' is used to represent an internationally defined value that can be used to calculate the limit of liability or recompense for damage or loss. Currently, section 2 of the MTA defines unit of account only with reference to Part 7 of the Act, when Parts 16, 25 and 26 are also relevant. This proposal seeks to make the definition</p>	<p>Maritime Transport Act 1994</p>

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	of, and calculations for, 'units of account' in the four parts of the MTA consistent.	
Bring floating production and storage and offloading units (FPSOs) within the maritime levy	An FPSO is a vessel used in the offshore oil and gas industry for the production, processing and storage of oil. This proposal seeks to ensure FPSOs contribute to the maritime regulatory system when they enter New Zealand's territorial waters (there are currently no FPSOs in New Zealand's territorial waters).	Maritime Transport Act 1994
Update the maximum level of fines and infringement fees that can be set through regulations in the MTA	This proposal is to increase the maximum fines and infringement fees with respect to Maritime Rules or navigation bylaws, and breaches of the marine protection rules. The new maximum penalties for individuals will be \$3000 for infringements and \$15,000 for fines.	Maritime Transport Act 1994
Modernise the penalties for the safety offences in the MTA	This proposal would align the maximum financial penalties for MTA safety offences with the Health and Safety at Work Act 2015. This would enable foreign flagged and New Zealand ships and crew to be treated equally.	Maritime Transport Act 1994
Amend the Maritime (Offences) Regulations 1998 (Maritime Regulations) and the Marine Protection (Offences) Regulations 1998 (Marine Regulations)	This proposal is to update the maximum fines and fees in the Maritime Regulations and the Marine Regulations for the first time since 1998, to add penalties where none currently exist, and to tidy up inconsistencies created by changes to the Maritime Rules over time.	Maritime (Offences) Regulations 1998; Marine Protection (Offences) Regulations 1998

Proposals agreed in 2022 that will no longer be progressed

Proposal	Description	Relevant Legislation
Remove Road Controlling Authorities' (RCAs) restrictions on cost recovery charging for residential parking	The LTA requires that fees charged by RCAs for reserved residential parking cannot exceed the reasonable cost of the service involved in granting the permit. This proposal will amend the current restriction to require that the cost of residential parking be limited to a 'reasonable' amount.	Land Transport Act 1998

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Include Waka Kotahi in NZTA's name in legislation	This proposal will replace 'New Zealand Transport Agency' in legislation with 'Waka Kotahi New Zealand Transport Agency'	Across legislation
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Office of the Associate Minister of Transport
Cabinet Economic Policy Committee

Regulatory Systems (Transport) Amendment Bill – strengthening the efficiency of the transport system**Proposal**

- 1 I seek Cabinet agreement to proposals to progress through the Regulatory Systems (Transport) Amendment Bill (the Bill) to enable a more effective and efficient transport system.

Relation to government priorities

- 2 The proposals will deliver on commitments made in the Government Policy Statement on Land Transport as well as support other Government priorities including: to improve the quality and performance of regulatory systems; the digital modernisation of services; and to reduce unnecessary government spending.

Executive Summary

- 3 Our transport system is managed by a significant legislative framework. Duplications, gaps, errors and inconsistencies across legislation creates an unnecessarily complex system for users to engage with and for government to administer. This generates time and costs that hold us back from meeting our transport objectives.
- 4 The Minister of Transport and I have identified a number of legislative solutions that would improve the effectiveness and efficiency of the transport system by:
 - 4.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
 - 4.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.
- 5 I seek approval to issue drafting instructions to the Parliamentary Counsel Office for the following proposals:
 - 5.1 **Proposal 1 – enable digital driver licences** as a convenient alternative to physical documents and to promote a modern and efficient transport system,
 - 5.2 **Proposal 2 – enable electronic issuing of regulatory notices and fees** to streamline services to deliver system efficiencies and customer benefits,
 - 5.3 **Proposal 3 - remove unnecessary display requirements** to update outdated processes and reduce administrative costs,

- 5.4 **Proposal 4 – re-focus our public transport principles** to reduce cost and complexity for public transport decision-makers, and
- 5.5 **Proposal 5 – amend drafting errors across transport legislation** including the Civil Aviation Act 2023 (CAA 2023) to empower airports to set charges and cost-recover fees, and the Transport Accident Investigation Commission Act 1990 (TAIC 1990), in line with the original intent of the legislation.
- 6 I intend to progress these proposals through the Regulatory Systems (Transport) Amendment Bill (the Bill). ^{s 9(2)(f)(iv)}
- To advance these changes as a single bill requires cross-party support from the Business Committee. If any of these proposals prove contentious, I intend to split them into separate bills.
- 7 Through the Bill, I also intend to progress:
- 7.1 a number a minor and technical fixes, developed by the Ministry of Transport under the previous Government, across land transport, maritime and aviation legislation (Appendix Two), and
- 7.2 decisions already made by Cabinet to both enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).
- 8 Subject to Cabinet agreement, I will return in June 2025 with draft legislation. The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill's timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important that we amend the numbering error in the Civil Aviation Act 2023 (that comes into force on 5 April 2025) as soon as possible to ensure airport operators can carry out important operational functions.
- 9 While I intend for legislative changes to be enacted this year, the digitisation of licences and labels will take time to implement and for public to opt in to alternatives. The New Zealand Transport Agency (NZTA) is participating in a co-design digital driver licence solution with Austroads. Following this, the Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services.

Background

An effective and efficient transport system requires a strong regulatory framework

- 10 A significant legislative framework underpins the transport sector: 26 transport-related Acts and 268 sets of rules and regulations across land, aviation and maritime. Regularly maintaining and improving this framework is fundamental to maintaining its effectiveness and efficiency and reducing the chance of regulatory failure.
- 11 This Government understands the importance of reducing regulatory complexity and improving the quality and performance of regulatory systems. To support us to

achieve this I am seeking Cabinet's agreement to a number of these proposals that if progressed, would modernise legislation and generate system efficiencies.

Proposals

Our transport legislation needs modernising to keep up with developing technologies

- 12 Currently, New Zealanders rely on physical licences and paper-based labels in the transport system. Having to hold and display these can be unnecessarily costly and onerous for both users and administrators of transport services.
- 13 I am proposing a suite of amendments, agreed to by the Minister of Transport, that would enable the digitisation of key transport documentation. By enabling convenient alternatives that enhance efficiency, this supports the Government's digital modernisation goals that aims to promote a modern and efficient public service.
- 14 I am seeking Cabinet agreement to:
 - 14.1 **Proposal 1 – enable digital driver licences:** make a series of legislative amendments including to the Land Transport Act 1998 (LTA 1998) to enable the use of digital driver licences. This would include amending sections that require a physical licence.
 - 14.2 **Proposal 2 – enable electronic issuing of regulatory notices and fees:** make a series of legislative amendments, including to the LTA 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices including making the provision of email addresses to NZTA mandatory upon request (as is the case for postal addresses), and
 - 14.3 **Proposal 3 - remove unnecessary display requirements:** make a series of legislative amendments that would update requirements to carry and display physical licences and labels such as a Warrant of Fitness (WoF), Certificate of Fitness (CoF) and alternative fuel inspection certificates where digital alternatives are available. Physical display does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the LTA 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; and Land Transport (Offences and Penalties) Regulations 1999.¹
- 15 While these proposals would make the necessary primary legislative changes to enable digital licences and labels in the future, digitisation of physical licences and labels will take time to implement and for the public to opt in. A key part of design is the need to ensure there are no unintended privacy implications before implementation.²

¹ Changes required to enable digital Road User Charges (RUC) licences will be progressed separately, as will other secondary or delegated legislative changes required.

² NZTA will align their work with the Digital Identity Services Trust Framework (New Zealand's legal framework including rules and regulations for how digital identify services that are accredited should work, protect information and privacy).

- 16 For Proposal 1, NZTA will participate in a co-design digital driver licence solution with Austroads.³ Following this, the Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For Proposals 2 and 3, the Minister of Transport will return to Cabinet later this year with more detail on service design and delivery options, timeframes and associated costs.

Other amendments to streamline and clarify legislation will save time and costs

- 17 The government's overarching public transport objectives are incorporated into legislation through principles set out in Part 5 of the Land Transport Management Act (LTMA) 2003, which regulates public transport. Those that exercise powers and/or perform function under Part 5 (such as NZTA and other transport authorities and operators) must be guided by these principles.

- 18 The principles cover a wide range of competing objectives that can add regulatory complexity for public transport decisions makers. To reduce compliance costs and improve regulatory certainty for public transport decision makers, I am seeking Cabinet agreement to progress the Minister of Transport's proposal to:

- 18.1 **Proposal 4 – re-focus our public transport principles:** remove the following public transport principles from section 115 of the LTMA:

- 18.1.1 (1)(a) - well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology,
- 18.1.2 (1)(b) - public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe, and
- 18.1.3 (1)(c) - fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.

- 19 This proposal may be contentious, particularly as it has not yet been discussed with Public Transport Authorities and public transport operators.⁴ However, removing these will result in a more cohesive set of public transport principles that are in closer alignment with the Minister of Transport's priorities and the purpose of the LTMA. In the absence of these principles, non-regulatory mechanisms, such as procurement

³ Austroads is the association of the Australian and New Zealand transport agencies, representing all levels of government. Austroads is a not-for-profit, nonpartisan organisation and is funded by Australian and New Zealand government transport agencies.

⁴ Relevant unions were consulted during the addition of the labour market principles, and although the principles are unlikely to directly correspond with worker wages and conditions, there is likely to be concern about the proposed change.

guidance and letters of expectation, will continue to play an important role in supporting the sector to deliver efficient and effective public transport services.

20 In addition, I am seeking Cabinet agreement to:

20.1 **Proposal 5 – amend errors across transport legislation:** authorise the Minister of Transport to update cross references and address other drafting matters across transport legislation, including the CAA 2023 and the TAIC 1990.

21 This proposal would enable consequential amendments to the CAA 2023 resulting from errors in the drafting process, including:

21.1 amendments relating to the setting of charges, which is an important element of an airport's operation. However, a numbering error made when enacting the CAA 2023 (that comes into force 5 April 2025) has resulted in Wellington and Auckland airports not being able to set charges for "identified aerodrome activities provided, operated, or managed by the airport operator".⁵ This proposal would enable Wellington and Auckland airports to use the powers outlined in s230 of the CAA 2023 to set charges, as originally intended, and

21.2 a minor technical amendment to clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the CAA 2023 with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced.

22 This proposal would also enable a minor amendment to the TAIC 1990 to correct inconsistencies in wording, in line with the original intent of the legislation. I intend for this proposal to allow the amendment of any additional errors across transport legislation that are identified during the drafting process. I will confirm these with Cabinet when I return with draft legislation.

Next steps

I intend to introduce an omnibus Bill to progress the range of regulatory fixes across the transport system

23 I intend to progress a Regulatory Systems (Transport) Amendment Bill (the Bill) that will provide the necessary legislative vehicle to progress these proposals. I also intend for the following to be advanced through this Bill:

23.1 decisions already made by this Government in June 2024, to enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220) and in July 2024 to change the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs (CAB-24-MIN-0248); and

⁵ S230, Civil Aviation Act 2023

23.2 a number of minor and technical amendments to legislation that were developed by the Ministry of Transport under the previous Government (CAB-22-MIN-0177). A full list of amendments previously agreed is outlined in Appendix Two.

24 I expect to return to Cabinet in June with draft legislation. Subject to Cabinet agreement, I anticipate introducing this Bill to the House in June 2025 to be passed in

s 9(2)(f)(iv)

Milestone/Activity	Timeframe
Cabinet considers draft legislation	June 2025
Business Committee considers the Bill	June 2025
Introduction of the Bill	June 2025
Select Committee	July – October 2025

s 9(2)(f)(iv)

25 The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill’s timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important we amend the numbering error in the Civil Aviation Act 2023 as soon as possible to ensure airport operators can carry out important operational functions.

Implementation

26 Legislative amendments to enable digital licences and labels alongside physical licences (Proposal 1 to 3) will be implemented at a later date. This provides an opportunity for the NZTA to design and develop new services, including investigating funding options, ensuring privacy risks are managed prior to implementation, and that new digital channels are attractive to use. Some new services will require substantial implementation programmes and associated funding decisions.

27 NZTA and the Department of Internal Affairs are working to develop and implement the digital identity platform. NZTA is participating in a co-design digital driver licence solution with Austroads. Following this, the Minister of Transport will provide Cabinet with indicative implementation timeframes and costs.

28 Other proposed amendments are minor and technical legislative changes that will be implemented following the enactment of the Bill.

Cost-of-living Implications

29 By simplifying carrying and display requirements that bring unnecessary administration costs, these proposals will over time reduce the cost of living as changes flow through to more sustainable fees and charges for NZTA services. Other amendments designed to streamline legislation will also support this outcome.

30 Other proposals in this paper do not have material cost-of-living implications.

Financial Implications

31 These proposals have no significant financial implications. However, there will be costs associated with the implementation of digital driver licences, enabling electronic issuing of regulatory notices and fees, and removing unnecessary display requirements. Estimated costs will be provided to Cabinet when it considers service design and delivery options later this year.

Legislative Implications

32 The proposals require changes across primary and secondary legislation including: Land Transport Act 1998; Land Transport Management Act 2003; Civil Aviation Act 2023; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999; Railways Act 2005; Motor Vehicle Registration Regulations; Infringement and Reminder Notices and Regulations; and the Transport Accident Investigation Commission Act 1990.

33 I intend for these proposals to be progressed through the Bill, which I anticipate introducing to the House in June 2025^{s 9(2)(f)(iv)}

Impact Analysis

Regulatory Impact Statement

Proposals 1 to 3

34 The Ministry for Regulation (MfR) has determined these proposals are exempt from the requirement to provide a Regulatory Impact Statement on the grounds they have no or only minor impacts on businesses, individuals, and not-for-profit entities, or only minor economic, social, or environmental impacts.

Proposal 4

35 Cabinet's impact analysis requirements apply to this proposal, but there is no accompanying Regulatory Impact Statement, and the MfR has not exempted the proposal from the impact analysis requirements.

36 Consistent with Cabinet's impact analysis requirements, a post-implementation review will be undertaken and provided to Cabinet in due course. The MfR and the Ministry for Transport will discuss and agree on the appropriate scope and timing of this assessment.

Proposal 5

37 The Ministry of Transport has claimed an exemption under Cabinet Office circular CO(24)7 for the proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023 (Proposal

5) on the grounds it is for a matter suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

Climate Implications of Policy Assessment

38 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that CIPA requirements do not apply to the proposals as none are expected to result in any significant, direct emissions impacts.

Privacy Impact Assessments

39 When implemented, proposals to digitise licences and labels (Proposal 1 to 3) would change the means in which information is collected, used and handled. Some evaluation of privacy risks has been conducted by NZTA.

Proposal 1 – Enabling the use of digital driver licences:

40 There have been data breaches and other cybersecurity risks in Australia associated with uptake of these licences that we can learn from. Officials will analyse and seek to mitigate or build safeguards against these risks as the product is designed and the secondary legislation developed. For now, I am seeking to make the primary legislation enabling of digital forms of driver licences.

41 NZTA's initial analysis finds potential risks regarding the accuracy and verification of driver licence information and the appropriate safeguarding of this data. However, NZTA has existing obligations under the Privacy Act 2020 to ensure customer data is accurate and that there are safeguards in place to prevent unauthorised loss, misuse, or disclosure of personal information. NZTA will align its work with the Digital Identity Services Trust Framework. It is partnering with experts to ensure international standards are met as this technology is developed and implemented.

Proposal 2 – enabling electronic issuing of regulatory notices and fees:

42 NZTA assesses the impact of this proposal as 'medium'. Mandating the collection and provision of electronic addresses raises potential privacy risks such as potential reliance on inaccurate information (e.g., if email addresses are not kept up to date) and could further expose New Zealanders to cybersecurity risks, scams and phishing. However, NZTA considers risks can be satisfactorily mitigated by applying similar safeguards as for other personal information they hold.

43 NZTA also considers risks could be reduced as e-servicing will enable emails and attachments to both be password-protected to enhance privacy. This has fewer privacy risks than posting such notices to physical addresses, with no confirmation of receipt, and in envelopes that can be opened by anyone.

Proposal 3 – removing unnecessary display requirements

44 NZTA assessed the impact of this proposal as 'low' as the use of personal information is uncontroversial, and the risk of harm eventuating is negligible.

Population Implications

45 There are no population implications arising from these proposals.

Human Rights

46 Where proposals are enabling the use of technology, there will be an ongoing ability to opt for the traditional route of being, for example, provided a physical copy of one's driver's licence. This recognises that while technology can be enabling for many people and organisations, it can act as a barrier for others. If in future a digital only option becomes viable, consideration will be given to human rights implications before implementation.

Use of external Resources

47 No external resources were used in policy development of the proposals.

Consultation

48 The following agencies were consulted on the contents of this paper: Civil Aviation Authority, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Maritime New Zealand, Ministry of Justice, Ministry of Primary Industries, Ministry for Regulation, New Zealand Police, New Zealand Transport Agency, Office of the Privacy Commissioner, Parliamentary Counsel Office and Treasury.

49 I do not propose to take further targeted or public consultation on the proposals outlined in this paper. However, proposals outlined in Appendix Two underwent public consultation between 1 June to 8 July 2022 and supported by submitters.

Communications

50 Once legislative drafting is complete, I will share my communications approach including advising stakeholders of the Select Committee process to submit on the contents of the Bill. The Minister of Transport intends to separately announce, in conjunction with the Minister for Digitising Government, the decision to progress changes to the Land Transport Act 1998 to enable a digital driver licence.

Proactive Release

51 This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final policy decisions being taken by Cabinet.

Recommendations

The Associate Minister of Transport recommends that the Committee:

- 1 **note** that amendments are required across transport legislation to support effective regulatory stewardship and an efficient transport system;
- 2 **note** that I intend to progress these amendments through the Regulatory Systems (Transport) Amendment Bill, ^{s 9(2)(f)(iv)}

s 9(2)(f)(iv)

- 3 **agree** to amend legislation to enable the use of digital driver licences;
- 4 **agree** to amend legislation to facilitate the electronic issuing of infringement and other regulatory notices as a compliance and enforcement mechanism, including by requiring the provision of electronic addresses to the NZTA if the person has these, keeping these current, and enabling notices to be retrieved electronically;
- 5 **agree** to amend legislation to enable digital licence and label options and update the requirement to carry and display physical labels where a digital alternative is available;
- 6 **agree** to remove the following three public transport principles in legislation:
 - 6.1 well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology,
 - 6.2 public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe,
 - 6.3 fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services;
- 7 **agree** to update cross references and address other editorial matters in the Civil Aviation Act 2023, and other transport legislation;
- 8 **invite** the Minister and Associate Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to all proposals (including for primary legislation and any associated regulations), including any necessary consequential amendments, savings and transitional provisions;
- 9 **authorise** the Minister and Associate Minister of Transport to make policy decisions that are consistent with the overall policy, provided that these decisions are confirmed when the Bill is considered for introduction.

‘Authorised for lodgement’.

Hon James Meager

Associate Minister of Transport

Appendix One: Summary of final policy proposals for Cabinet agreement

Proposal	Description	Relevant legislation	Comment
Enabling digital driver licences (DDL)	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This includes amending the definition of a driver licence and sections that require a physical licence. This change supports the Digitising Government approach that aims to promote a modern and efficient public service by providing people with a convenient alternative to carrying a physical copy of their driver licence.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs. There are outstanding privacy considerations that need to be worked through.
Better enabling NZTA to email regulatory notices and fees	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices. This includes sections that specify how regulatory notices are sent and making the provision of electronic addresses (including email) to NZTA mandatory upon request (as is the case for postal addresses). This change also supports the Digitising Government approach that aims to promote a modern and efficient public service and reduce unnecessary administration cost.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.
Enabling digital in-vehicle labels	Proposal to make a series of legislative amendments that would enable alternative digital options to the current requirements to carry and display physical licences and labels. This is a dated practice that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998, Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, and Land Transport (Offences and Penalties) Regulations 1999 to provide flexibility by enabling alternative digital licence and label display options.	Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.

<p>Re-focusing our public transport principles</p>	<p>Proposal to amend the Land Transport Management Act's (LTMA) public transport principles set out in Part 5, section 115 by removing three principles that add cost and complexity for public transport decision-makers. Removing these principles will help to improve alignment between the remaining public transport principles with Government priorities and the purpose of the LTMA, reduce compliance costs and improve regulatory certainty for public transport decision makers.</p>	<p>Land Transport Management Act 2003</p>	<p>RIS not provided. A post-implementation review will be undertaken and provided to Cabinet in due course.</p>
<p>Amending errors across transport legislation, including the Civil Aviation Act 2023 and the Transport Accident Investigation Commission Act 1990</p>	<p>Proposal to authorise the Minister of Transport to update cross references and address other drafting matters across transport legislation including the Civil Aviation Act 2023 and the Transport Accident Investigation Commission Act 1990. This would include enabling consequential amendments to the Civil Aviation Act 2023:</p> <ul style="list-style-type: none"> a) allowing Wellington and Auckland airports to use the powers outlined under S230 of the Civil Aviation Act 2023 to set charges as intended. <p>The setting of charges is an important element of an airport's operation. However, a numbering error made when enacting the Civil Aviation Act 2023 has resulted in Wellington and Auckland airports not being able to set charges for 'identified aerodrome activities provided, operated, or managed by the airport operator', and</p> <ul style="list-style-type: none"> b) clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced. <p>As well as enable a minor amendment to the Transport Accident Investigation Commission Act 1990 to correct inconsistencies in wording, in line with the original intent of the legislation.</p>	<p>Civil Aviation Act 2023</p>	<p>RIS exemption</p>

Appendix Two: Summary of proposals agreed to by Cabinet in November 2022 (CAB-22-MIN-0177)

Land proposals		
Proposal	Description	Relevant Legislation
Allow the NZTA to proactively close parts of the State Highway network to address safety concerns	Proposal to amend the Government Rooding Powers Act 1989 (GRPA). This will align NZTA's powers with other Road Controlling Authorities.	Government Rooding Powers Act 1989
Pedestrian access to approved areas within motorway corridors	The GRPA restricts pedestrian access to motorways. This proposal will update GRPA provisions to clarify that pedestrians may use approved areas and infrastructure (e.g. bus stops).	Government Rooding Powers Act 1989
New offence and powers relating to Transport Service Licences (TSL)	Drivers and owners of freight, vehicle recovery, and passenger service vehicles are required to hold a TSL. The Land Transport Act 1998 (LTA) prohibits transferring, assigning, or leasing a TSL but there is no corresponding offence. Propose to amend the LTA to: add an offence, expand NZTA's audit ability, extend power to suspend a TSL, and require a fit/proper person check for a new person added to a TSL.	Land Transport Act 1998
Simplify the Rule consultation process to remove duplication	This proposal will remove duplicative consultation requirements in section 161(2)(c) of the LTA that are adequately covered in section 161(2)(b). The Maritime Transport Act 1994 (MTA) and Land Transport Management Act 2003 (LTMA) will be amended in the same way. This will align transport sector consultation practice with the Civil Aviation Act 2023.	Land Transport Act 1998
Introducing emergency powers for the Director of Land Transport	Enable the Director of Land Transport to extend the term of any land transport document when a state of national or local emergency has been declared, an Epidemic Notice is in force, or with the Minister of Transport's agreement. It will also introduce new powers for the Director of Land Transport to: require any vehicle, or class of vehicle, to present for inspection by a specified date, and be able to revoke the Certificate/Warrant of Fitness of a class of vehicles on the grounds of not meeting safety requirements.	Land Transport Act 1998
Increase the maximum level of fines and infringement fees that	This proposal will raise the maximum fees and fines that can be made through regulations under section 167 of the LTA. Maximum penalties for an individual will vary from \$2,000 to \$3,000 for infringement fees, and from \$10,000 to \$15,000 for fines before a court order. This would require	Land Transport Act 1998

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can be set through regulations	public consultation on proposed amounts for specific offences. (This is a separate initiative to the Fees and Penalties work)	
Amend a drafting error to enable NZTA to declare a road as being a state highway	A drafting oversight in the LTMA means NZTA cannot legally declare a new road it has constructed as a state highway. Proposal to amend the definition of road in the LTMA to correct this, and to ensure the validity of State highway declarations and any enforcement activities.	Land Transport Management Act 2003
Clarify the criteria and consultation requirements for when NZTA can declare a vehicle to not be a motor vehicle	The E-Scooters (Declaration not to be motor vehicles) Notice 2018 led to complaints to the Regulations Review Committee about a lack of transparency, and a lack of consultation by NZTA. Propose to amend the LTA to require that when NZTA declares a vehicle is not a motor vehicle, they have regard to how the declaration will contribute to a safe, inclusive and environmentally sustainable land transport system, enable NZTA to apply conditions to the operation of and equipment required on devices subject to a declaration, include devices up to 2000 watts and define maximum power output. The NZTA must also conduct an appropriate level of consultation prior to making a declaration.	Land Transport Act 1998
Introduce reactive investigation powers under the Railways Act 2005	Proposal to introduce new powers for NZTA to freeze a scene to preserve and collect evidence, access sites to investigate or carry out verification inspections, request materials to be supplied for examination, interview personnel involved in a safety occurrence and require identified failings to be remediated by the rail participant.	Railways Act 2005
Allowing rail safety case applications to be paused	All rail licence holders are required to have a safety system with an overarching safety case approved by NZTA. A 20-working day limit applies to applications for safety case approval. This proposal will amend the LTA to introduce a 'stop-the-clock' provision when NZTA requires further information from an applicant, either for a new application or a variation to a safety case.	Land Transport Act 11998

Maritime Proposals		
Proposal	Description	Relevant Legislation
Confer maritime safety powers on the Minister of Conservation in the	This proposal extends the functions, duties, responsibilities and powers of a regional council relating to maritime safety under Part 3A the MTA to the Minister of Conservation. This will allow the Minister of Conservation to	Maritime Transport Act 1994

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Subantarctic and Kermadec Islands	manage maritime safety at the Islands, with access to a system of powers in line with the rest of New Zealand.	
Update the definition of a 'convention' in the MTA	Under the MTA, amendments to an international convention to which New Zealand is a party are not defined as part of the convention. This proposal will amend the definition of 'convention' to incorporate subsequent amendments. This will avoid multiple Orders in Council being required to recognise that amendments have been made.	Maritime Transport Act 1994
Clarifying the threshold for starting an investigation of a maritime document holder	Currently section 54A of the MTA requires the Director of Maritime New Zealand (the Director) to have 'reasonable grounds to believe' non-compliance with the requirements of a maritime document before initiating an investigation. 'Belief' implies a substantial level of evidence, which does not enable the Director to uncover covert breaches. This proposal will amend the threshold to 'reasonable grounds to suspect'.	Maritime Transport Act 1994
Provide certainty that breaches of maritime document holders' duties are grounds for an investigation	This proposal will establish that the Director can investigate a maritime document holder under section 54A where there are reasonable grounds to suspect a breach of their general duties under section 17 of the MTA.	Maritime Transport Act 1994
Addressing an inconsistency with the Maritime Labour Convention 2006 (MLC) in respect to prohibiting charges for placing seafarers in employment	<p>The MLC is an International Labour Organization treaty that sets out minimum standards to address the welfare and employment conditions of seafarers. The MLC came into force in New Zealand in 2017.</p> <p>The MLC allows charges for placing seafarers in employment provided charges are not borne directly or indirectly by the seafarer. Section 27 of the MTA prohibits people providing seafarer recruitment and placement services from charging for the service. This proposal will align the MTA with the MLC by removing the prohibition in section 27 of the MTA on charging for seafarer recruitment and placement services.</p>	Maritime Transport Act 1994
Aligning seafarer employment agreement clauses with MLC requirements	This proposal will amend section 2 of the MTA to replace the definition of 'Articles of Agreement' with the MLC definition of 'seafarers' employment agreement'.	Maritime Transport Act 1994

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<p>Align the MTA with the MLC requirement that a seafarer’s record of employment need not include any statement as to the quality of their work</p>	<p>Section 22(1)(d) of the MTA specifies that if requested by the seafarer, an employer on a New Zealand ship on an overseas voyage must provide a certificate as to the quality of the seafarer’s work. This proposal will repeal section 22(1)(d).</p>	<p>Maritime Transport Act 1994</p>
<p>Aligning with the MLC requirement to prohibit people younger than 16 years old from working on a ship and people under 18 from undertaking hazardous work</p>	<p>Section 26(3) of the MTA states that an employer may employ two persons under the age of 18 to take the place of a single trimmer or stoker, if reasonable steps have been taken to find someone 18 or over. Section 26(4) allows the Director of Maritime NZ to approve the employment of a school-aged person to carry out work on a training ship. These two provisions will be removed.</p>	<p>Maritime Transport Act 1994</p>
<p>Revising and reorganising Part 3 of the MTA to align it with the MLC</p>	<p>The MLC places a number of obligations on ‘shipowners’. The MTA does not use this term and refers to ‘employers’. This proposal will insert a definition of ‘shipowner’ into the MTA. All references to ‘employers’ in Part 3 of the MTA will be changed to ‘shipowner’. Other changes to Part 3 to reflect MLC obligations include shifting the duty to provide food and drinking water from the employer to the shipowner; introducing a requirement for documentary evidence of financial security for the purposes of repatriation of seafarers to be set by maritime rules; and prohibiting advanced payments to cover costs of repatriation of a seafarer.</p>	<p>Maritime Transport Act 1994</p>
<p>Clarifying rule-making and compliance powers to support the implementation of MLC requirements</p>	<p>This proposal will amend the MTA to clarify that the scope of its rule-making powers extends to minimum requirements for seafarers to work on a ship; conditions of employment on a ship; repatriation of seafarers; and the liability of shipowners to assist seafarers in the event of abandonment.</p>	<p>Maritime Transport Act 1994</p>
<p>Amending the definition of unit of account</p>	<p>In section 2 of the MTA, the term ‘unit of account’ is used to represent an internationally defined value that can be used to calculate the limit of liability or recompense for damage or loss. Currently, section 2 of the MTA defines unit of account only with reference to Part 7 of the Act, when Parts 16, 25 and 26 are also relevant. This proposal seeks to make the definition</p>	<p>Maritime Transport Act 1994</p>

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	of, and calculations for, 'units of account' in the four parts of the MTA consistent.	
Bring floating production and storage and offloading units (FPSOs) within the maritime levy	An FPSO is a vessel used in the offshore oil and gas industry for the production, processing and storage of oil. This proposal seeks to ensure FPSOs contribute to the maritime regulatory system when they enter New Zealand's territorial waters (there are currently no FPSOs in New Zealand's territorial waters).	Maritime Transport Act 1994
Update the maximum level of fines and infringement fees that can be set through regulations in the MTA	This proposal is to increase the maximum fines and infringement fees with respect to Maritime Rules or navigation bylaws, and breaches of the marine protection rules. The new maximum penalties for individuals will be \$3000 for infringements and \$15,000 for fines.	Maritime Transport Act 1994
Modernise the penalties for the safety offences in the MTA	This proposal would align the maximum financial penalties for MTA safety offences with the Health and Safety at Work Act 2015. This would enable foreign flagged and New Zealand ships and crew to be treated equally.	Maritime Transport Act 1994
Amend the Maritime (Offences) Regulations 1998 (Maritime Regulations) and the Marine Protection (Offences) Regulations 1998 (Marine Regulations)	This proposal is to update the maximum fines and fees in the Maritime Regulations and the Marine Regulations for the first time since 1998, to add penalties where none currently exist, and to tidy up inconsistencies created by changes to the Maritime Rules over time.	Maritime (Offences) Regulations 1998; Marine Protection (Offences) Regulations 1998

Proposals agreed in 2022 that will no longer be progressed		
Proposal	Description	Relevant Legislation
Remove Road Controlling Authorities' (RCAs) restrictions on cost recovery charging for residential parking	The LTA requires that fees charged by RCAs for reserved residential parking cannot exceed the reasonable cost of the service involved in granting the permit. This proposal will amend the current restriction to require that the cost of residential parking be limited to a 'reasonable' amount.	Land Transport Act 1998

Include Waka Kotahi in NZTA's name in legislation	This proposal will replace 'New Zealand Transport Agency' in legislation with 'Waka Kotahi New Zealand Transport Agency'	Across legislation
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Neha Pawar

From: Laura Bender
Sent: Wednesday, 30 April 2025 2:00 pm
To: HanLing Petredean; Abby McRoberts - parliament; Ministers Office
Cc: Katrina Quickenden; Paul O'Connell
Subject: ATTN HanLing: OC 250315 Land Transport Rules Reform Programme

Attachments: OC250315 - Land Transport Rules Reform Programme - Briefing - Policy.pdf;
OC250315 - Land Transport Rules Reform Programme - Briefing - Policy.docx;
OC250315 Land Transport Rules Reform Programme - Cabinet Paper.pdf;
OC250315 Land Transport Rules Reform Programme - Cabinet Paper (1).docx

Kia ora HanLing,

Please see the attached cover briefing and draft Cabinet paper on the Land Transport Rules Reform Programme. The aim is to begin ministerial and departmental consultation on the 7th. Please let us know if any questions.

Ngā mihi,
Laura

Laura Bender *(she/her)*

Kaitohutohu Mātāmua | Principal Adviser
Kaupapahere mō ngā take Whakarite | Regulatory Reform
Te Manatū Waka Ministry of Transport

M: s 9(2)(a) E: l.bender@transport.govt.nz | transport.govt.nz



30 April 2025

OC250315

Hon Chris Bishop

Action required by:

Minister of Transport

Wednesday, 7 May 2025

DRAFT CABINET PAPER: LAND TRANSPORT RULES REFORM PROGRAMME

Purpose

This briefing:

- Provides you with a draft Cabinet paper on your land transport rules reform programme, and seeks your agreement to proceed with agency and ministerial consultation (**Annex One**)
- Summarises initial feedback on the work programme from sector stakeholders (**Annex Two**)
- Flags minor shifts in the grouping and timing of the workstreams since previous advice (**Annex Three**)
- Sets out next steps.

Key points

- We have attached a draft Cabinet paper outlining your land transport rules reform programme, and seeking Cabinet's agreement for you to approve consultation materials for a range of workstreams over the next 18 months (**Annex One**).
- Following your agreement (see OC250164) we have sought input on the work programme from key sector stakeholder groups. We have heard from four so far, who are broadly supportive, with some suggestions. Input so far is summarised in **Annex Two**. We have extended the feedback period for the Motor Industry Association, and expect feedback soon.
- There have been some minor shifts to our proposed approach and timing from when you were last briefed on the work programme (see OC250164) – **Annex Three** outlines the differences and their reasons.
- To take the paper to Cabinet in June, the **next steps** are:
 - Ministerial and departmental consultation: 7-21 May 2025
 - Lodge paper: 29 May 2025
 - ECO: 4 June 2025.

Recommendations

We recommend you:

- 1 **provide** any feedback on the draft Cabinet paper to officials
- 2 **agree** to begin ministerial and agency consultation on 7 May 2025 Yes / No
- 3 **refer** this briefing and the draft Cabinet paper to the Associate Minister of Transport Yes / No

Paul O’Connell
Deputy Chief Executive Sector Strategy
Ministry of Transport
 / /

Hon Chris Bishop
Minister of Transport
 / /

- Minister’s office to complete:**
- Approved Declined
 - Seen by Minister Not seen by Minister
 - Overtaken by events

Comments

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Contacts

Name	Telephone	First contact
Katrina Quickenden, Manager, Regulatory Reform (MOT)	s 9(2)(a)	✓
Laura Bender, Principal Adviser, Regulatory Reform (MOT)		

In Confidence

Office of the Minister of Transport

Cabinet Economic Policy Committee

Proposal

- 1 This paper seeks agreement to:
 - a programme of work to reform land transport rules
 - give authority to approve consultation for each rule to the Minister of Transport.

Relation to government priorities

- 2 This delivers on commitments in the Government Policy Statement on Land Transport 2024 and the Road Safety Objectives document to:
 - review the vehicle regulatory system to improve safety, reduce regulatory burden, and ensure our domestic rules are fit for purpose
 - investigate our warrant of fitness system to more effectively and efficiently target risk
 - investigate new safety requirements for vehicles entering the fleet.

Executive Summary

- 3 The Ministry of Transport and New Zealand Transport Agency (NZTA) are undertaking a review of land transport rules (rules) to reduce compliance costs and regulatory burden.
- 4 There are seven workstreams being progressed as a rolling series of consultation and rule changes over the next 18 months:
 1. Reducing the frequency of vintage/veteran and privately-owned heavy motorhome Warrant of Fitness (WOF) and Certificate of Fitness (COF) inspections (public consultation complete)
 2. Considering additional safety requirements for vehicle imports (delegated to the Associate Minister of Transport)
 3. Reviewing WOF/COF frequency and inspection requirements for light vehicles

4. Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting
 5. Enabling a digital driver licence, digital documents, and e-servicing
 6. Improving lane use and use of traffic control devices, and minor system improvements
 7. Overhauling the vehicle regulatory system.
- 5 Consultation has already occurred on Workstream 1 (vintage and motorhome WOFs/COFs). For Workstream 2 (Considering additional safety requirements) the Associate Minister of Transport will bring any proposals for public consultation to Cabinet for agreement.
- 6 To enable the remaining rule reforms to progress efficiently, I seek delegation from Cabinet for the Minister of Transport to approve the consultation materials for the remaining changes as they are drafted over the next 18 months (rather than returning to Cabinet for approval each time). They would need to be broadly consistent with the policy direction set out in this paper. If, following consultation, I intend to make changes that are significant or controversial, I will bring those proposals to Cabinet for agreement.

Background

- 7 The Government Policy Statement on land transport (GPS) includes a commitment to review the vehicle regulatory system to enable better management of the safety performance of the vehicle fleet, reduce regulatory burden, and ensure our domestic rules are fit for purpose.
- 8 In the current land transport regulatory system, updating rules and other system settings is time consuming and complex. This leads to a system that is slow to adapt to changing technology, a substantial administrative burden to keep rules up to date or operate under out-of-date rules, and frustration and uncertainty among stakeholders.
- 9 To address this, I have developed a work programme with the following objectives:
- **Improve consumer choice in the vehicle market:** for example, through reducing unnecessary vehicle import requirements
 - **Reduce regulatory compliance costs:** for example, by removing unnecessary WOF and COF inspections and increasing inspection effectiveness/efficiency
 - **Digitise and modernise government services:** for example, enabling digital alternatives to stickers for WOF/COF inspections and a digital driver licence
 - **Increase freight productivity:** for example, by enabling larger trucks on certain routes without needing to seek permits

- **Improve the safety and quality of our vehicle fleet over time:** for example, by considering mandating certain safety features in new vehicle imports.
- 10 The work programme has been informed by engagement by the Ministry of Transport and NZTA with a range of vehicle sector stakeholders to better understand the transport sector's concerns and priorities for reform. Stakeholder feedback on the programme so far has been broadly supportive.
- 11 **Annex One** maps my objectives and workstreams to existing problems and opportunities.

I seek agreement to progress five workstreams to possible public consultation

- 12 The Minister of Transport may amend rules, generally following public consultation. I seek delegation of authority to approve consultation material on Workstreams 3-7. This is on the basis that:
- Most of the topics have general support or are uncontentious (with exceptions noted in the section below on Workstream 3 – paragraph 17)
 - This paper outlines the general policy direction of this work for Cabinet's consideration
 - Regulatory impact analysis requirements will be met for each workstream.
- 13 If, following consultation, I intend to make changes that are significant or controversial, I will bring those proposals to Cabinet for further discussion.
- 14 Consultation has already occurred on reducing the frequency of vintage/veteran and privately-owned heavy motorhome WOF and COF inspections (Workstream 1), with 98% of submitters supporting the changes for vintage/veteran vehicles and 89% supporting the proposals for privately-owned heavy motorhomes. I expect further advice on the rule change in June 2025.
- 15 I have delegated the workstream on considering additional safety requirements (Workstream 2) to the Associate Minister of Transport, who will bring any proposals for public consultation to Cabinet for your agreement.
- 16 The sections below outline the high-level policy direction for each of the remaining workstreams (3-7). A more detailed table of the scope and timeframes for each workstream is included in **Annex Two**.

Workstream 3: Reviewing WOF/COF frequency and inspection requirements for light vehicles

- 17 New Zealand's vehicle inspection system is not as effectively targeted to risk as it could be. We check some things too often and other high-risk issues insufficiently or not at all. New Zealand has one of the most rigorous inspection programmes in the

world, and it is not clear if this is delivering sufficient safety benefits to justify the costs imposed. Reviewing inspection frequency while improving testing could make the system more fit-for-purpose and lower some compliance costs.

- 18 Building on the strong support for reducing WOF/COF frequency for vintage/veteran vehicles and privately-owned heavy motorhomes, it is timely to review the WOF/COF settings for all other light vehicles. This includes personal cars and motorbikes as well as light commercial vehicles like taxis and rental cars.
- 19 Any proposal to reduce WOF/COF frequency is likely to be contentious with the vehicle inspection industry, and other stakeholders concerned about safety, as was experienced during consultation on the current requirements (set in 2014). Subsequent NZTA monitoring of the previous changes has shown a small but statistically significant increase in deaths and serious injuries where vehicle faults were recorded as a contributing factor.
- 20 This previous experience highlights that the key will be striking a balance between reducing cost and inconvenience for vehicle owners and ensuring road safety. It may also be possible to somewhat mitigate the risk of negative effects on safety by improving the effectiveness of inspections and better targeting them to risk.

Workstream 4: Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting

- 21 I aim to remove unnecessary heavy vehicle driver licence classes, reduce wait times and make it easier for commercial drivers to progress through licensing classes, as well as simplify and remove some technical requirements.
- 22 This workstream also looks to enable Class 1 licence holders to drive heavier vehicles without requiring a Class 2 licence. This reflects that the risk of those slightly heavier vehicles has been offset by advances in vehicle technology like antilock braking systems, electronic stability control and trailer sway control. Changes to these settings could also better enable low/zero-emission heavy vehicles.
- 23 We have a prescriptive and overly burdensome approach to regulating heavy and special vehicles. This particularly relates to the permitting of heavy trucks, which may be able to be removed entirely. There are numerous rules that deliver little benefit to the public and impose an unnecessary cost on the sector. This includes 'H plates' on certain heavy vehicles, which notify the public that a vehicle exceeds a set mass and dimensions.
- 24 My work programme also includes a review of the Vehicle Dimension and Mass Rule, which sets dimension and mass limits to enable vehicles, in particular, heavy truck and trailer combinations, to be operated safely on New Zealand's roads. However, the complexity of assessing the road maintenance issues associated with greater vehicle weights and alternative configurations means that significant research is required to understand the costs and benefits of any changes and inform policy

decisions. For this reason, I do not anticipate public consultation within the 18-month timeframe that is the focus of this paper.

Workstream 5: Enabling a digital driver licence, digital documents, and e-servicing

- 25 Too much of our transport regulatory system relies on physical mail, stickers, licences, and other paperwork. This is unnecessary, inconvenient for the public, and a significant cost to businesses. I have heard from some companies that they receive up to 150 letters a day from government, with each one needing to be physically signed, witnessed, and sent back.
- 26 The Associate Minister of Transport is already progressing primary legislative change to enable a digital driver licence and better e-servicing (CAB-25-MIN-0086 refers). In tandem, I will progress changes to rules and regulations to enable greater modernisation of government services.
- 27 These changes are likely to receive widespread support from the public and sector stakeholders.

Workstream 6: Improving lane use and use of traffic control devices, and minor system improvements

- 28 The previous government consulted on various changes to path and lane use. We are supportive of consulting on a small number of these proposals, including:
- Enabling e-scooters to be ridden in bike lanes (currently they can only legally be ridden on footpaths and roads)
 - Enabling children to ride bicycles on footpaths, which can have positive safety outcomes
 - Requiring drivers to give way to buses exiting bus stops.
- 29 There is also a range of minor options being explored by the Ministry of Transport and NZTA to improve the way our transport system operates. This includes improvements to regulating traffic control devices (e.g. road signs and markings).

Workstream 7: Overhauling the vehicle regulatory system

- 30 There is a longer-term piece of work to overhaul the regulatory system, with a particular focus on entry requirements. New Zealand is a taker of vehicles and vehicle technology with limited influence over the vehicle manufacturing market. We generally seek to align our regulation with other jurisdictions. However, our regulations have not kept up with changes in the international automotive industry, and are overly prescriptive and slow to update.
- 31 We will look to reduce complexity by considering how to harmonise our regulations with other jurisdictions, for example by using the same paperwork as they do (type

approval). This could have a large impact over time by reducing compliance costs and making it easier to import new vehicle types. This could improve consumer choice and freight productivity.

- 32 This is a longer-term programme than the other workstreams listed here, but I plan to consult on broad options in May 2026.

Implementation

- 33 This paper proposes staged consultation on a range of possible regulatory changes. The implementation timeframes for the possible changes will be determined following public consultation. Some of the changes may require substantial implementation programmes, system changes, and associated funding decisions, which I would discuss with Cabinet when seeking agreement to final proposals.

Cost-of-living Implications

- 34 Any cost-of-living implications of the various possible changes will be considered through the regulatory impact assessment process.

Financial Implications

- 35 Any financial implications of the various possible changes will be considered through the regulatory impact assessment process and as part of final decisions on progressing any changes to rules.

Legislative Implications

- 36 Each of the proposals will require amendments to land transport rules (secondary legislation). There may also be amendments to land transport regulations if new offences and penalties are required. The legislative implications of the workstream on overhauling the vehicle regulatory system will depend on the scope and approach for that work, which are still being developed.
- 37 While the main focus is on rules changes, it is possible that the work programme will eventually also lead to changes to primary legislation that would bind the Crown.

Impact Analysis

Regulatory Impact Statement

- 38 The proposals will require regulatory impact analysis or exemptions prior to consultation. This analysis will be provided to me prior to the approval of consultation documents, and must meet or partially meet requirements for consultation to proceed. This proposed approach has been agreed with the Ministry for Regulation.

Climate Implications of Policy Assessment

- 39 Any climate change implications of the various possible changes will be considered through the regulatory impact assessment process.

Population Implications

- 40 Any population implications of the various possible changes will be considered through the regulatory impact assessment process.

Human Rights

- 41 Any human rights implications of the various possible changes will be considered through the regulatory impact assessment process.

Use of external Resources

- 42 No external resources were used in policy development of the proposals.

Consultation

- 43 The Ministry of Transport and NZTA sought input from a range of stakeholder groups, and received general support for the work programme from the following:

- National Road Carriers Association (NRC)
- Heavy Haulage Association
- Imported Motor Vehicle Association (VIA)
- Ia Ara Transporting New Zealand (TNZ).

- 44 TNZ and the Heavy Haulage Association also provided detailed feedback about the scope and timing of specific work programme items.

- 45 [To update following departmental consultation]

Communications

- 46 I will announce the high-level programme of work in a press release in June 2025.

Proactive Release

- 47 I will proactively release this paper within the standard 30-day period following Cabinet Decisions.

Recommendations

The Minister of Transport recommends that the Committee:

- 48 **agree** to the direction for the land transport rules reform programme laid out in this paper.
- 49 **note** that consultation has already occurred on reducing the frequency of vintage/veteran and privately-owned heavy motorhome Warrant of Fitness and Certificate of Fitness inspections.
- 50 **note** that the Associate Minister of Transport will bring any proposals for public consultation on additional safety requirements for imported vehicles to Cabinet for your agreement.
- 51 **authorise** the Minister of Transport to approve, provided they are broadly consistent with the policy direction set out in this paper and its annexes, materials for public consultation on:
- 51.1 Reviewing Warrant of Fitness and Certificate of Fitness frequency and inspection requirements for light vehicles (other than vintage/veteran vehicles);
 - 51.2 Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting, including:
 - 51.3 Enabling the use of digital driver licences, digital documents, and e-servicing (in line with changes agreed by Cabinet in CAB-25-MIN-0086);
 - 51.4 Improving lane use and use of traffic control devices, and minor system improvements (previously consulted on as per DEV-19-MIN-0097); and
 - 51.5 Overhauling the vehicle regulatory system.

Once the Minister has approved the draft Cabinet paper for lodgement for Cabinet or a Cabinet committee, this section should be updated to state 'Authorised for lodgement'.

Hon Chris Bishop

Minister of Transport

Annex One – Land transport regulatory system problems, objectives and workstreams

Problems and opportunities:

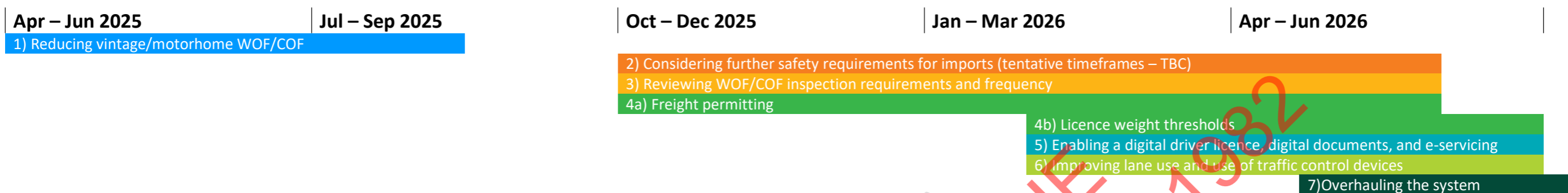
Objectives:

Workstreams:



Annex Two – Scope and timing for each workstream

The diagram below summarises each workstream and outlines the time between when consultation starts, and the rule is in place for each change.



Workstream	Included in scope	Expected timeframe
1) Reducing the frequency of vintage and motorhome WOF and COF inspections	<ul style="list-style-type: none"> Reduce the frequency of WOF inspections for vintage light vehicles from 6 months to 1 year Reduce the frequency of COF inspections for private heavy motorhomes from 6 months to 1 year 	Consultation is complete Rule change in August 2025
2) Considering further safety requirements for vehicle imports	<ul style="list-style-type: none"> Consider mandating additional safety features in vehicle imports, including possible phased introduction 	Tentative timeframes (TBC): Consultation in October 2025; Rule change in May 2026
3) Reviewing WOF/COF frequency and inspection requirements for other light vehicles	<ul style="list-style-type: none"> Review the frequency of light vehicle WOF inspections Review the scope of light vehicle WOF inspections Review the frequency of light passenger vehicle (taxi and car rental agency) COF inspections Consider transitioning light commercial vehicle COF inspections to (lower-cost) WOF inspections, and other COF weight threshold issues 	Consultation in October 2025 Rule change in May 2026
4) Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting	<ul style="list-style-type: none"> Reform permitting requirements for 50MAX trucks Review requirement to display H plates Review restrictions on overweight and over-dimension vehicle movements Review and consider adjusting weight thresholds for Class 1 and Class 2 licences Consider licence class adjustments where the Director of Land Transport has issued an exemption Improve the heavy vehicle driver licencing pathway for immigrants Simplify heavy vehicle driver licencing, including: <ul style="list-style-type: none"> Simplifying the progression from Class 2-5 licences Reviewing the Accelerated Licensing Process Reviewing the requirements for special-type vehicle endorsements Standardising speed thresholds for tractors and special-type vehicles Simplifying the rules for tractors that can be driven on a Class 1 licence Considering automatic renewal of general licences for some endorsement holders. 	(Some changes previously consulted on, per DEV-19-MIN-0009) Consultation in October 2025 (freight permitting) and Feb 2026 (weight thresholds) Rule changes May 2026, June 2026 Possible consultation on heavy and special vehicle driver licencing TBC
5) Enabling a digital driver licence, digital documents, and e-servicing	<ul style="list-style-type: none"> Enable a digital driver licence as an alternative to a physical licence Enable WOF/COF/Rego stickers to be tied to licence plate recognition Better enable NZTA to collect, store, and electronically transmit regulatory notices Enable online theory tests and digital temporary licences Simplify identification requirements for NZTA customers 	Consultation in February 2026 Rule change in June 2026
6) Improving lane use and use of traffic control devices, and minor system improvements	<ul style="list-style-type: none"> Enable e-scooters to use cycle lanes and children to ride bikes on footpaths Minimum overtaking gap for passing cyclists, horse riders, etc. Require vehicles to give way to busses exiting bus stops Various updates to traffic control devices and minor/technical changes 	(Some changes previously consulted on. per DEV-19-MIN-0097) Consultation in February 2026 Rule change in June 2026
7) Overhauling the vehicle regulatory system	<ul style="list-style-type: none"> Simplify and refocus import requirements e.g. automatic recognition of overseas standards Explore adoption of type approval Systematic review and overhaul of the vehicle regulatory system to make it more adaptable, e.g. to new technologies Note the proposed consultation would be on initial, high-level options, rather than a specific proposal and draft rule	Consultation on options in May 2026 Rule change TBC in 2027

ANNEX TWO – SUMMARY OF STAKEHOLDER FEEDBACK TO DATE

The table below summarises feedback received from stakeholder groups so far on the proposed work programme. See briefing OC250164 for the engagement materials that were shared, following your agreement.

Organisation	Who they represent	Feedback	MoT response
National Road Carriers Association (NRC)	Trucking operators	<ul style="list-style-type: none"> No issues Pleased to see some momentum 	
Heavy Haulage Association	Oversize (overweight or over dimension) transport industry	<ul style="list-style-type: none"> Appreciate the issues from the oversize freight sector that have been taken onboard Some detailed/specific feedback on scope of items relating to oversize transport 	Working through the detailed feedback with NZTA, and will meet with Heavy Haulage to discuss further
Imported Motor Vehicle Association (VIA)	Used vehicle importers and inspection agencies	<ul style="list-style-type: none"> Appreciate the early engagement Look forward to the work on overhauling the system and import requirements 	
Ia Ara Transporting New Zealand (TNZ)	Road freight operators	<ul style="list-style-type: none"> Agree with the approach to organising reforms into focus areas Broad support for the proposals in principle Suggested expanding the scope of several items Highlighted reform to the Vehicle Dimension and Mass (VDAM) Rule as likely to have the greatest productivity benefits, and recommended bringing timelines forward 	<p>Working through the detailed feedback with NZTA</p> <p>Will clarify to TNZ that, while the VDAM work is getting underway, its complexity and the need for significant research mean it is a longer-term workstream than some of the more straightforward changes</p>

ANNEX THREE – MINOR SHIFTS IN APPROACH AND TIMING

The table below shows what has changed since briefing OC250164 *Land Transport Rules Reform Programme and Engagement Details*. These changes are reflected in the draft Cabinet paper.

Briefing OC250164	Draft Cabinet paper	Reason for difference
<p>Proposes joint Cabinet paper with Minister Meager seeking:</p> <ul style="list-style-type: none"> agreement to consult on mandating safety features (Minister Meager) the ability for you to approve future consultation documents 	<p>Cabinet paper from you alone:</p> <ul style="list-style-type: none"> seeking the ability for you to approve future consultation documents signalling that Min Meager will bring a separate paper to Cabinet on consultation on mandating safety features 	<p>Following initial feedback from Minister Meager this workstream is taking a more open-ended approach to consultation, and is considering aligning with other public consultation planned for later in the year</p>
<p>Proposes taking the paper to Cabinet in May</p>	<p>Paper to be lodged in May, for ECO on 4 June</p>	<p>ECO does not meet in the last week of May</p> <p>Avoids compressing timeframes for departmental and ministerial consultation</p>
<p>Separate workstreams and public consultations on:</p> <ul style="list-style-type: none"> Heavy/special vehicle licence settings Freight permitting Licence weight thresholds 	<p>One workstream for simplifying heavy vehicle licences, weight thresholds, and freight permitting, with two staged rounds of consultation</p>	<p>Minimises duplication and complexity</p>
<p>Separate workstreams and public consultations on:</p> <ul style="list-style-type: none"> Digital driver licence rule change Digitisation and e-servicing primary legislation Digital notices and e-servicing rule change 	<p>One workstream and consultation round for enabling a digital driver licence, digital notices, and e-servicing</p>	<p>Minimises duplication and complexity</p> <p>You decided not to include the digital driver licence in consultation on Graduated Driver Licencing System changes, so this will be folded into later consultation</p>
<p>Minor system improvements were included as a separate workstream</p>	<p>This workstream has been joined into the workstream on improving lane use and use of traffic control devices</p>	<p>The changes are minor and do not require a separate item</p>

14 May 2025

OC250333

Hon James Meager

Action required by:

Associate Minister of Transport

Monday, 19 May 2025

INTRODUCING THE REGULATORY SYSTEMS (TRANSPORT) AMENDMENT BILL

Purpose

Seeks your agreement to finalise and release the draft Regulatory Systems (Transport) Amendment Bill (the Bill), Cabinet paper and Departmental Disclosure Statement for parallel Ministerial and Departmental consultation. This will allow for lodgement on 5 June 2025 and Cabinet Business Committee (CBC) consideration on 9 June 2025.

Key points

- We seek your approval to release the draft Bill, Cabinet paper and Departmental Disclosure Statement for parallel Ministerial and Departmental consultation.
- We propose this consultation runs in tandem between 22 – 29 May 2025, to allow for lodgement on 5 June and Cabinet Business Committee (CBC) consideration on 9 June 2025.
- The Bill reflects the decisions endorsed by Cabinet on 31 March 2025 (CAB-25-MIN-0086 refers), however, we seek your approval to remove the proposal to “*revise and reorganise Part 3 of the Maritime Transport Act 1994 to align it with requirements set under the Maritime Labour Convention 2006*” from the Bill. Further analysis is required to determine if this proposal may result in unintended consequences, for example, regarding the rights and obligations of masters on ships.
- The Clean Vehicle Standard proposals and amendments to a numbering error in the Civil Aviation Act 2023 are time-critical and drive the Bill’s timeline, to be in force by the end of the year to deliver as the Government has committed. If any proposals are found to be contentious by the Business Committee, you intend to separate these proposals from the Bill, so that the time-critical proposals can progress without delay.

Recommendations

We recommend you:

- 1 **agree** to release the draft Bill, Cabinet paper and Departmental Disclosure Statement for parallel Ministerial and Departmental consultation, to allow for lodgement on 5 June 2025 and Cabinet Business Committee (CBC) consideration on 9 June 2025. Yes / No
- 2 **agree** to remove the proposal to ‘revise and reorganise Part 3 of the Maritime Transport Act 1994 to align it with requirements set under the Maritime Labour Convention 2006’. Yes / No
- 3 **agree** to seek Cabinet’s endorsement for technical decisions you have made under your delegated authorisation (reflected in the draft Cabinet paper). Yes / No
- 4 **agree** to send the letter in Annex 4 to the Business Committee Chair, seeking the Business Committee’s approval to introduce the Bill, following Cabinet approval. Yes / No
- 5 **note** to Cabinet your intention to remove proposals that the Business Committee consider contentious from the Bill, s 9(2)(f)(iv) [REDACTED] Yes / No
- 6 **note** that once Departmental and Ministerial consultation has concluded, we will provide you with revised copies of the Cabinet paper, the draft Bill and supporting materials ahead of lodgement on 5 June, including talking points and questions and answers to support you at CBC on 9 June. Yes / No

Paul

Paul O’Connell
Deputy Chief Executive, Sector Strategy
 14/05/2025

Hon James Meager
Associate Minister of Transport
 / /

Minister’s office to complete:

- Approved Declined
- Seen by Minister Not seen by Minister
- Overtaken by events

Comments

Contacts

Name	Telephone	First contact
Sarah Godwin, Senior Policy Advisor, Regulatory Reform	s 9(2)(a)	
Katrina Quickenden, Manager Regulatory Reform		✓

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INTRODUCING THE REGULATORY SYSTEMS (TRANSPORT) AMENDMENT BILL

- 1 You are progressing the Regulatory Systems (Transport) Amendment Bill (Bill) s 9(2)(f)(iv)
- 2 We are still in the process of finalising the draft Bill with the Parliamentary Counsel Office ahead of Ministerial and Departmental consultation. The Bill will be made available to you from the start of this consultation period (22 May).

Timeframes for the Bill are tight s 9(2)(f)(iv)

- 3 There are two time-critical proposals driving the timeframes of the Bill:
 - The Clean Vehicle Standard needs to be in force by the end of the year to deliver as we have committed.
 - Amendments to a numbering error in the Civil Aviation Act 2023 need to be made as soon as possible, to ensure that airport operators can carry out important operational functions like cost recovery of fees.
- 4 Table 1 below provides the timeline required to have the Bill considered by CBC on 9 June s 9(2)(f)(iv). We recommend the Bill goes to CBC as due to recess, the next possible Cabinet Legislation Committee (LEG) is not scheduled until 26 June.

Table 1. Proposed timeframes for the Regulatory Systems (Transport) Amendment Bill

Milestone	Timeframe
Departmental and Ministerial consultation	22 – 29 May 2025
Following consultation, officials to provide you with revised Cabinet paper, Bill and supporting materials.	3 June 2025
Lodgement	5 June 2025
Cabinet Business Committee (CBC)	9 June 2025
Cabinet	16 June 2025
Business Committee	Post Cabinet consideration
Introduction of the Bill	Late June 2025
Select Committee	Late June – Late October 2025 (4 months)

Drafting timeframes (Legally Privileged)

- 5 s 9(2)(h)

6

s 9(2)(h)

7

8

We seek your agreement to release materials for Ministerial and Departmental consultation

- 9 We seek your agreement to initiate Departmental and Ministerial consultation on the draft Bill and Cabinet paper. We propose that Departmental and Ministerial consultation runs in tandem, from Thursday 22 May – Thursday 29 May.
- 10 We do not anticipate significant feedback from consultation, as there has been general comfort amongst agencies through previous consultation on the policy proposals in the Bill.
- 11 Once Departmental and Ministerial consultation has concluded, we will provide you with revised copies of the Cabinet paper, the draft Bill and supporting materials ahead of lodgement on 5 June, including talking points and questions and answers to support you at CBC on 9 June.

Introduction of the Bill is subject to cross-party support from the Business Committee

- 12 A draft letter addressed to the Chair of the Business Committee, seeking that the Bill be introduced, is attached for your consideration (see annex 4). We recommend that you send this letter to the Chair of the Business Committee promptly after Cabinet has agreed to introduce the Bill.
- 13 We recommend attaching the final Cabinet paper, Departmental Disclosure Statement and the Bill to this letter, as a package of supporting information for the Chair to provide to the Business Committee.

Some proposals in the Bill may be considered contentious by the Business Committee

- 14 Introduction of the Bill is subject to cross-party support from the Business Committee. As previously advised, there are some proposals in the Bill that may be considered contentious

by the Business Committee (OC250209 refers). This includes the proposal to remove public transport principles, proposals to digitise licences and labels and some of the proposed adjustments to the Clean Vehicle Standard, which have been outlined in the Cabinet paper.

- 15 If any proposals are proven to be contentious by the Business Committee, you intend to carve these proposals out of the Bill so that time-critical proposals can progress without delay. If this occurs, we will provide you with advice on options and next steps for separated proposals.

We recommend that the Bill goes through a four-month Select Committee process

- 16 Subject to agreement of the Business Committee and Introduction in June, we recommend that the Bill goes through a four month Select Committee process and is referred to the Transport and Infrastructure Select Committee.
- 17 This would mean Select Committee consideration takes place from late-June to late-October, which should allow adequate time for the Bill to be appropriately considered and leave sufficient time for ^{s 9(2)(f)(iv)} [REDACTED]

We seek your agreement an additional minor amendment to the Bill and to inform Cabinet of your decisions

- 18 On 31 March 2025, Cabinet granted you the authorisation to make additional policy decisions that are consistent with the overall policy intent, subject to Cabinet's confirmation (CAB-25-MIN-0086 refers).

Remove the proposal to 'revise and reorganise Part 3 of the Maritime Transport Act 1994 (MTA) to align it with the Maritime Labour Convention 2006 (MLC)' from the Bill

- 19 Through the drafting process, the proposal to 'revise and reorganise Part 3 of the Maritime Transport Act 1994 (MTA) to align it with the Maritime Labour Convention 2006 (MLC)¹' is no longer required and we seek your agreement to remove this proposal from the Bill.
- 20 Officials have identified that revising and reorganising Part 3 of the MTA may result in unintended consequences, for example, regarding the rights and obligations of masters on ships. The Ministry and Maritime New Zealand need to do further work which cannot be completed in the necessary timeframes for the Bill, to understand the potential consequences of this proposal.
- 21 We do not consider removing this proposal from the Bill to be of significance as:
- Other New Zealand legislation (for example, the Health and Safety at Work Act 2015, and Employment Relations Act 2000) has protections which in practice, provide protections to New Zealand seafarers which already address some of the matters that the MLC aims to address.

¹ The MLC is an International Labour Organisation treaty that sets out minimum standards to address the welfare and employment conditions of seafarers.

- The Bill includes other proposals to align our domestic legislation with the MLC.

22 Subject to your agreement, text has been included in draft Cabinet paper, updating Cabinet on your decision to remove this proposal.

Include provisions to revoke four redundant Infringement Fees for Offences Regulations made under section 699A of the Local Government Act (LGA) 1974

23 You were advised on 12 February 2025 (OC250101 refers) and agreed to several minor maritime proposals to be included in the Bill, including to 'revoke four redundant Infringement Fees for Offences Regulations made under s699A of the LGA 1974,

24 Infringement Fees for Offences Regulations create infringement offences for Regional or District Councils' navigation bylaws. Four Regional and District Councils (Wellington, Canterbury, Marlborough and Taranaki) have updated their navigation bylaws since their corresponding Regulations were made. The previous navigation bylaws, to which each of the Infringement Fees for Offences Regulations relate, are no longer in force and are redundant.

25 This proposal was left off the appendix table that Cabinet endorsed on 31 March 2025. We recommend that you seek Cabinet's confirmation for this decision.

Timing of changes to regulations - Amendments to Maritime (Offences) Regulations 1998 and the Marine Protection (Offences) Regulations 1998

26 The proposed changes to these Regulations are dependent on the amendments to the MTA in the Bill to update the maximum level of fines and infringement fees that can be set through regulations.

27 Since amendment regulations are made by the Governor General on the advice of the Minister, these changes can be progressed as a separate exercise following or alongside the relevant amendments to the MTA in the Bill.

28 Updated policy analysis is required for the necessary changes to the Regulations, which officials will need to advise you on. We recommend you update Cabinet that officials will brief you separately on the timeframe and process for progressing changes to Regulations.

Emissions credit transfers under the Clean Vehicle Standard

29 The Bill will give legislative effect to Cabinet's decision to make compliance with the Clean Vehicle Standard easier for vehicle importers by removing the legislative restriction on CO2 emission credit transfers between the new and used-import sectors.

30 The Cabinet paper that recommended this decision contained advice that credit transfers would occur with an "exchange rate" of two for one (i.e. a credit earned on a new vehicle would be worth twice as much as one earned on a used-import). Despite being in the Cabinet paper a specific recommendation was not included when this was considered by the Cabinet Business Committee on 1 July 2024 (CBC-MIN-0067).

31 For the avoidance of doubt, we recommend you seek Cabinet's confirmation of this decision.

IN CONFIDENCE

In Confidence

Office of the Minister of Transport

Cabinet Legislation Committee

Regulatory Systems (Transport) Amendment Bill 2025: Approval for Introduction**Proposal**

- 1 This paper seeks approval for the introduction of the Regulatory Systems (Transport) Amendment Bill 2025 (the Bill), subject to agreement of the Business Committee.

Policy

- 2 This omnibus Bill contains amendments to land transport, maritime and aviation legislation and aims to:
 - 2.1 maintain and improve the effectiveness and efficiency of the transport regulatory system;
 - 2.2 modernise the transport regulatory system; and
 - 2.3 reduce the chance of regulatory failure.
- 3 The Bill will achieve these objectives by:
 - 3.1 addressing transport regulatory duplication, gaps, errors, and inconsistencies within transport legislation;
 - 3.2 ensuring that regulators have effective tools to keep the transport regulatory system up to date and relevant, including modernising legislation to enable convenient digital service alternatives to physical licences and labels;
 - 3.3 removing unnecessary compliance costs from the transport system.
- 4 The Bill gives effect to policy proposals agreed to by Cabinet on 31 March 2025 (CAB-25-MIN-0086 refers) to amend legislation to:
 - 4.1 enable digital driver licenses as a convenient alternative to physical documents and to promote a modern and efficient transport system,
 - 4.2 enable electronic issuing of regulatory notices and fees to streamline services to deliver system efficiencies and customer benefits,

- 4.3 remove unnecessary display requirements (such as Warrant of Fitness and Certificate of Fitness), where digital alternatives are available, to update outdated processes and reduce administrative costs,
 - 4.4 re-focus public transport principles to reduce costs and complexity for public transport decision-makers, and
 - 4.5 address minor drafting errors in the Civil Aviation Act (CAA) 2023 to empower airports to set charges and cost-recover fees, and correct inconsistencies in the Transport Accident Investigation Commission Act (TAICA) 1990 in line with the original intent of the legislation.
- 5 The Bill also gives effect to:
- 5.1 policy proposals agreed to by Cabinet in June 2024 to enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220 refers);
 - 5.2 policy proposals agreed to by Cabinet in July 2024 to change the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs (CAB-24-MIN-0248 refers); and
 - 5.3 technical amendments to legislation that were developed by the Ministry of Transport under the previous Government (CAB-22-MIN-0177 refers) and endorsed by Cabinet on 31 March 2025.
- 6 Amendments to transport legislation in the Bill span across land, maritime and aviation. A summary of the full list of policy proposals included in the Bill is attached in Annex 1.
- 7 Most of the matters included in the Bill are unlikely to be contentious and there will be adequate opportunity for the public to engage during the select committee process.

Some proposals in the Bill could be considered contentious

- 8 The proposal to **remove three public transport principles from Part 5, Section 115 of the Land Transport Management Act (LTMA) 2003**, may be considered contentious¹. Removing these principles does not prohibit participants in the sector from continuing to pursue these outcomes and attributes of public transport. The Government Policy Statement on Land Transport 2024, procurement guidance and letters of expectation, will continue to play an important role in supporting the sector to deliver efficient and effective public transport services.
- 9 The proposals to **digitise licences and labels** to enable broader policy change may be considered contentious due to potential privacy concerns, given these proposals would enable a new way to hold and use personal information. Further due diligence and privacy

¹ This proposal would remove the following three principles:

- (1)(a) – well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology;
- (1)(b) – public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe; and
- (1)(c) – fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.

analysis will be carried out prior to implementation, and privacy and security will be considered as part of service design and delivery options.

- 10 Some of the proposed **adjustments to the Clean Vehicle Standard** (the Standard) may be considered contentious given last year's easing of CO2 targets, and that consultation undertaken during the review of the Standard was targeted.
- 11 The select committee process will provide the opportunity to hear from anyone that may be affected by these proposals.
- 12 The Bill is not a type of omnibus bill that may be introduced under Standing Order 266 or 267(1)(a) or (b). Consequently, the Business Committee must agree to the bill's introduction as an omnibus bill under Standing Order 267(1)(c). If the Business Committee identified any proposals that it does not agree with, ^{s 9(2)(f)(iv)}

I seek Cabinet's confirmation to additional maritime and Clean Vehicle Standard decisions

- 13 On 31 March 2025, Cabinet granted me authorisation to make additional policy decisions that are consistent with the overall policy intent, subject to Cabinet's confirmation (CAB-25-MIN-0086 refers). I have made the following decisions based on this authorisation and seek confirmation from Cabinet to:
 - 13.1 **[subject to your approval in cover brief]** remove the proposal to 'revise and reorganise Part 3 of the Maritime Transport Act (MTA) 1994 to align it with requirements set under the Maritime Labour Convention (MLC) 2006'. Further analysis is required by the Ministry of Transport and Maritime New Zealand to address potential unintended consequences of this proposal on the rights and obligations of masters on ships. The Bill will continue to progress other proposals to align our domestic legislation with the MLC.
 - 13.2 revoke redundant Infringement Fees for Offences Regulations made under section 699A of the Local Government Act 1974. Four Regional and District Councils (Wellington, Canterbury, Marlborough and Taranaki) have updated their navigation bylaws since their corresponding Regulations were made. The previous navigation bylaws, to which each of the Infringement Fees for Offences Regulations relate, are therefore no longer in force and the Regulations are redundant.
 - 13.3 progress amendments to Maritime (Offences) Regulations 1998 and the Maritime Protection (Offences) Regulations 1998, following amendments to the MTA in the Bill. Further policy analysis is required for the necessary changes to be made to these regulations, which my officials will advise me on.
 - 13.4 CO2 emission credit transfers between the new and used-import sectors, under the Clean Vehicle Standard, occur with an "exchange rate" of two for one (i.e. a credit earned on a new vehicle would be worth twice as much as one earned on a used-import).

Impact analysis

14 Regulatory Impact Statements (RIS) were previously provided to Cabinet on the following proposals in the Bill:

- 14.1 state Highway closure powers and Transport Service Licence enforcement powers,
- 14.2 the proposal to provide the rail regulator, the New Zealand Transport Agency with reactive investigatory powers,
- 14.3 improvements to the powers of the Director of Land Transport to respond to emergency and time-critical events,
- 14.4 the maritime proposals to modernise the penalties for the safety offences in the Maritime Transport Act 1994, and
- 14.5 changes to the Clean Vehicle Standard.

15 All RISs completed to date have received a meets or partially meets assessment by an independent quality assurance panel.

16 Annex 1 provides a list of the policy proposals which have been exempted from RIS requirements on the grounds that proposals have no or only minor impacts on businesses, individuals, and non-for-profit entities, or only minor economic, social or environmental impacts, or could be suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

A post-implementation review is required for the proposal to re-focus public transport principles

17 No RIS was provided for the proposal to remove three public transport principles from Part 5, Section 115 of the LTMA. This proposal is not exempt from RIS requirements and consistent with Cabinet's impact analysis requirements, a post-implementation review will be undertaken and provided to Cabinet in due course. The Ministry for Regulation and the Ministry for Transport will discuss and agree on the appropriate scope and timing of this assessment.

s 9(2)(h)

s 9(2)(h)

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Consultation

- 27 The following agencies were consulted on the contents of this paper: [TBC] Civil Aviation Authority, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Maritime New Zealand, Ministry of Justice, Ministry of Primary Industries, Ministry for Regulation, New Zealand Police, NZTA, Office of the Privacy Commissioner, Parliamentary Counsel Office and Treasury.
- 28 Public consultation took place between 1 June and 8 July 2022 on a package of 33 proposals to amend legislation across land and maritime modes (CAB-22-MIN-0177 and DEV-22-MIN-0110 refers). Feedback was received from 23 submitters comprising industry and sector representative groups, territorial authorities (district and regional councils), and sector participants. There was generally a high level of support from the transport sector and local government for the proposals.
- 29 Proposals including introducing a digital driver licence, altering the Clean Vehicle Standard, facilitating the NZTA to email regulatory notices and fees, and revising the public transport operating principles have not been consulted on publicly.
- 30 I do not propose to take further targeted or public consultation on the proposals in the Bill. I believe there will be adequate opportunity for the public to engage during the select committee process.
- 31 Annex 1 details the proposals in the Bill that have had public consultation.

Binding on the Crown

- 32 The Bill amends the Government Roadway Powers Act 1989, Land Transport Act 1998, LTMA, MTA, Railways Act 2005, CAA and TAICA which bind the Crown. An exception to this is provided in section 4 of the MTA, which specifies how the MTA applies to ships and aircrafts used for defence and governmental purposes.
- 33 The Bill will be binding on the Crown, noting the exceptions provided in section 4 of the MTA, is consistent with the approach of the legislation that the Bill amends.

Creating new agencies or amending law relating to existing agencies

- 34 The Bill will not create any new agencies and will not amend the existing coverage of the Ombudsman Act 1975, the Official Information Act 1982, or the Local Government Official Information and Meetings Act 1987.

Associated regulations

- 35 No regulations are needed to bring the Bill into operation.
- 36 It is possible that regulations will be needed at a later date to implement proposals related to the Bill. For example, regulations may be needed to set higher levels of fees, as enabled by the Bill, or to update offences and penalties related to the digitisation proposals. If there is a need for future regulations, I intend to return to Cabinet to seek further policy decisions.

Other instruments

- 37 The digital modernisation proposals enabled through the Bill will require subsequent rule changes to implement.

Definition of Minister/department

- 38 The Bill does not contain or change a definition of Minister, department (or equivalent government agency), or chief executive of a department (or equivalent position).

Commencement of legislation

39 s 9(2)(f)(iv)

Parliamentary stages

- 40 I propose that the Bill be introduced in June 2025 s 9(2)(f)(iv)
- 41 There are two time-critical proposals driving the timeframes of the Bill:
 - 41.1 the Clean Vehicle Standard needs be in force by the end of the year to deliver as we have committed.
 - 41.2 amendments to numbering errors in the Civil Aviation Act 2023 need to be made as soon as possible to ensure airport operators can carry out important operational functions such as cost recovery of fees.
- 42 I propose that the Bill goes through a four month Select Committee process and be referred to the Transport and Infrastructure Select Committee.
- 43 The proposed timeline for the Bill is as follows:

Milestone	Timeframe
Business Committee	Post cabinet consideration on 16 June 2025
Introduction of Bill	Late June 2025
Select Committee	Late June – Late October 2025

s 9(2)(f)(iv)

s 9(2)(f)(iv)

Proactive Release

44 This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final policy decisions being taken by Cabinet.

Recommendations

I recommend that the Cabinet Legislation Committee:

- 1 s 9(2)(f)(iv)
- 2 **note** that the Bill will make amendments across transport legislation to support effective regulatory stewardship and an efficient transport system;
- 3 **confirm** the delegated policy decisions I have made, based on the authorisations I previously received from Cabinet (CAB-25-MIN-0086 refers).
- 4 **approve** the Bill for introduction, subject to the final approval from the Business Committee;
- 5 **note** that if any proposals in the Bill need to be removed in order for it to receive the Business Committee's agreement to its introduction, the Bill may be amended prior to introduction to remove these proposals;
- 6 **note** that if any proposals are removed from the Bill under recommendation 5, the relevant Minister will return to the Cabinet Legislation Committee to seek decisions on alternative legislative vehicles for these proposals;
- 7 **agree**, subject to final approval from the Business Committee, that the Bill:
 - 7.1 is referred to the Transport and Infrastructure Select Committee for consideration; and
 - 7.2 s 9(2)(f)(iv)

Authorised for lodgement

Hon James Meager

Associate Minister of Transport

Summary table of proposals of Regulatory Standards (Transport) Amendment Bill 2025

Proposal	Description	Legislation to be amended	Relevant clause in RSTA Bill	RIS requirements	Public consultation Y/N
Land transport proposals					
Highway and Motorway Amendments	Provide the NZ Transport Agency (NZTA) with broader powers to close parts of the State Highway network to address safety concerns. Amend a mistake which prevents NZTA from declaring newly built roads into a state highway. Clarify that pedestrians may use approved areas and infrastructure within motorway corridors. E.g. bus stops.	Government Roading Powers Act 1989; Land Transport Management Act 2003	TBC	RIS included for boarder power proposal. Exempt for other proposals.	Y
Modernising the enforcement regime for Transport Service Licences (TSL)	Create a new offence and an associated fine for transferring, assigning or leasing a TSL. Create a new power to enable NZTA to audit someone purporting to operate a transport service without a licence. Enable the immediate suspension of a TSL for health and safety concerns, when significant concerns are recognised or reported. Require a fit and proper person check for any new person in control of a transport service, which is required to be documented for a TSL.	Land Transport Act 1998; Land Transport (Regulatory Fees) Regulations 2023, the Land Transport (Offences and Penalties) Regulations 1999 and Land Transport Rule: Operator Licensing 2017.	TBC	RIS included	Y
Simplifying the rule consultation process to increase consistency	Clarify the consultation and notification requirements in rule-making powers in the Land Transport Act 1998	Land Transport Act 1998	TBC	Exempt	Y
Increasing maximum fines and infringement fees	Increase the maximum level of fines and infringement fees that can be set through regulations. The Ministry of Transport developed the Effective Financial Penalties Framework and Financial Penalties Categorisation Tool. The Bill will increase the maximum level of fines and infringement fees to align with this framework and tool.	Land Transport Act 1998	TBC	Exempt	Y
Declaration of Motor Vehicles	Strengthen the process through which NZTA can declare vehicles to not be a 'motor vehicle' under the Land Transport Act 1998. This change will improve the workability and transparency of the declaration process which has previously come under scrutiny regarding the E-Scooters (Declaration Not to be Motor Vehicles) Notice 2018.	Land Transport Act 1998	TBC	Exempt	N
Enabling parking fines below a maximum cap	Enable local authorities to set infringement fees for overstaying in a carpark below a maximum cap. This proposal fixes a technical issue with the Land Transport Act 1998 to give local authorities the necessary powers to set these lower fees, as it was originally intended.	Land Transport Act 1998; Land Transport (Offences and Penalties) Regulations 1999	TBC	RIS Included	N
Director emergency powers	Create new powers for the Director of Land Transport to respond to emergency and time critical events. The Director's ability to waive regulatory requirements for time-critical emergency situations is currently restricted. The Bill will expand these. e.g., extend the term of land transport documents (such as drivers licenses), or require vehicles to be presented for inspection (e.g. for a Warrant of Fitness) if a safety issue has been identified.	Land Transport Act 1998; Land Transport Rule: Vehicle Standards Compliance 2002	TBC	RIS Included	N

Reactive investigation powers under the Railways Act 2005	Introduce new reactive investigation powers for NZTA to investigate more effectively and efficiently, following rail accidents and incidents. For example: <ul style="list-style-type: none"> freeze a scene to preserve and collect evidence; access sites to investigate or carry out verification inspections; request materials to be supplied for examination; interview personnel involved in a safety occurrence and; require identified failings to be remediated by the rail participant. 	Railways Act 2025	TBC	RIS Included	Y
Remove time constraints for rail safety case application process	Pause the statutory timeframes when further information is required from an applicant in relation to a Rail Safety Case, either for a new application or a variation to an existing safety case. This 'stop-the-clock' provision allows enough time for information to be gathered. Reducing prescriptive timeframes for information will make this process more efficient.	Railways Act 2025	TBC	Exempt	Y
Digital modernisation proposals					
Enabling Digital Driver Licences (DDL)	Enable the future implementation of digital driver licences. This includes amending sections that require a physical licence. This change supports the Digitising Government approach that aims to promote a modern and efficient public service.	Land Transport Act 1998	TBC	Exempt	N
Better enabling NZTA to email regulatory notices and fees	Better enable the electronic issuing of infringements and other regulatory notices. This would include requiring the provision of email addresses, mobile phone numbers, and the current requirements for postal addresses.	Land Transport Act 1998	TBC	Exempt	N
Enabling digital in-vehicle labels	Enable electronic alternatives to requirements to carry and display physical licences and labels, including Warrants of Fitness (WOFs), Certificates of Fitness (COFs) and alternative fuel inspection certificates.	Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, Land Transport (Offences and Penalties) Regulations 1999	TBC	Exempt	N
Public transport principles proposal					
Remove public transport principles	Remove three public transport principles from the Land Transport Management Act 2003 to reduce compliance costs and improve regulatory certainty for public transport decision makers.	Land Transport Management Act 2003	TBC	Post implementation review required	N
Clean Vehicle Standard proposals					
Extending the lifespan of emission credits	Extend the lifespan of CO2 emission credits that are earned on low emission vehicles from three years to four years. This will encourage importers to overachieve targets, when possible, to increase credit buffers against future target underachievement.	Land Transport Act 1998; Land Transport (Clean Vehicle Standard) Regulations 2022	TBC	RIS Included	N – Targeted engagement with industry
Remove restriction on credit transfers between new and used importers	Remove the legislative restriction on credit transfers between the new and used import sectors, with a 2026 start date for transfers. This recognises that new low emission vehicles will be in use for on average, twice the period of time of an average used-import low emission vehicle. A credit earned on a new vehicle is to be worth twice as much as one earned on a used vehicle.	Land Transport Act 1998	TBC	RIS Included	N – Targeted engagement with industry

Remove restriction on weight-adjusted targets	Enable future targets to be set that are 'uniform' and not adjusted for vehicle weight. As the number of zero and low emission vehicles increases, the linear relationship between vehicle weight and a vehicle's CO2 emissions will become weaker. It is important to stop weight-adjusting targets when there is no material linear relationship, to prevent distortion of the vehicle market. This proposal enables both uniform and weight-adjusted targets to be set with the expectation that weight-adjusted targets will eventually be replaced with uniform targets.	Land Transport Act 1998	TBC	RIS Included	N – Targeted engagement with industry
Extending payment obligation deferral beyond 2025	Extend the use of borrowing future target overachievement (payment obligation deferral) beyond 2025 (currently this provision is only available until 2025). With borrowing, importers who do not achieve their annual target can make up the underachievement the following year by overachieving the subsequent year's target by an equal amount. This flexibility only applies to importers that comply on an annual basis (category 1 light vehicle importers).	Land Transport Act 1998	TBC	RIS Included	N – Targeted engagement with industry
Aviation proposals					
Correct numbering errors in the Civil Aviation Act 2023	Correct a numbering error which unintentionally disappplied sections preventing airports to set charges. This proposal clarifies that costs can not be recovered via levies where those same costs are otherwise collected and makes a minor editorial change to cross-references.	Civil Aviation Act 2023	TBC	Exempt	N
Correct errors in the Transport Accident Investigation Commission Act (TAIC) 1990	Correct an error where "accident" and "accident and incident" are referred to inconsistently in the TAIC.	Civil Aviation Act 2023 Transport Accident Investigation Commission Act (TAIC) 1990	TBC	Exempt	N
Maritime proposals					
Amend and expand investigation powers	Amend the threshold for initiating an investigation from 'reasonable grounds to believe' to 'reasonable grounds to suspect.' This will allow Maritime NZ to conduct an investigation when it has reasonable cause to do so, but without requiring near certainty as under the current standard of 'belief'. Allow investigations under section 54A of the Act for non-compliance with the general duties for participants in the maritime system under section 17. This will support the existing power under section 43 to suspend a maritime document on the grounds of non-compliance with the requirements of section 17. This proposal will also provide clarity and certainty to Maritime NZ in carrying out its regulatory oversight of maritime document holders.	Maritime Transport Act 1994	TBC	Exempt	Y
Update and amend maritime fines, infringement fees and offences	Align maritime penalties with the effective transport-related financial penalties policy framework to ensure penalties are consistent with international standards and are fair and effective. This includes: <ul style="list-style-type: none"> Increasing maximum level of fines and infringement fees. Updating the maximum financial penalties available for safety offences. Revoking bylaw infringement offence regulations that relate to revoked or replaced bylaws. 	Maritime Transport Act 1994	TBC	RIS included	Y

IN CONFIDENCE

<p>Technical maritime fixes</p>	<p>Amend a technical problem with the definition of ‘unit of account’ in section 2 of the MTA, to remedy a lack of clarity.</p> <p>Clarify the requirement for operators of a floating production storage and offloading unit (FPSO) to be required to pay the maritime levy. When a FPSO does enter our waters, they will contribute to our maritime regulatory system to ensure safety and environmental protection through the levy payment.</p>	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Aligning Maritime Transport Act 1994 with the Maritime Labour Convention (MLC)</p>	<p>Fix inconsistencies between the MTA and MLC relating to:</p> <ul style="list-style-type: none"> • Records of Employment that do not reference quality of work. • Prohibiting people younger than 16 years old from working on a ship and people under 18 from undertaking hazardous work. • The definition of employment agreements. • Clarify that seafarer recruitment can take place and to ensure that ship owners, not seafarers, are charged for this service. • Clarify the scope of rule-making powers to align with relevant aspects of the MLC. 	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Updating service requirement for electronic service of documents</p>	<p>Enable documents and notices required to be served on any person under the MTA. This includes infringement notices to be served through traditional paper-based means or through electronic service. This future-proofs the regulatory framework and enables cost savings for the regulators.</p>	<p>Maritime Transport Act 1994; Marine Protection (Offences) Regulations 1998; Maritime (Offences) Regulations 1998</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Simplifying the rule consultation process to increase consistency</p>	<p>Clarify the consultation and notification requirements in rule-making powers in the MTA.</p>	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Minister of Conservation powers in Subantarctic and Kermadec Islands</p>	<p>Enable the Minister of Conservation to exercise functions, duties, and powers under Part 3A of the MTA in the Subantarctic and Kermadec Islands as if they were a regional council or unitary authority. This will allow the Minister of Conservation to manage maritime safety at the Islands e.g. the appointment of a Harbour Master and navigation bylaws. This will provide greater safety and assurance for masters, crew and passengers of ships operating the waters surrounding the Islands.</p>	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Update definition of “convention”</p>	<p>Update the definitions of ‘convention’ and ‘marine protection convention’ in the MTA to ensure that when a convention that has previously been declared as a convention under the Act, no further declaration through an Order in Council is required. This will avoid unnecessary administrative procedures when New Zealand agrees to amendments to Conventions.</p>	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>

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Departmental Disclosure Statement

Regulatory Systems (Transport) Amendment Bill 2025
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The departmental disclosure statement for a government Bill seeks to bring together in one place a range of information to support and enhance the Parliamentary and public scrutiny of that Bill.

It identifies:

- the general policy intent of the Bill and other background policy material,
- some of the key quality assurance products and processes used to develop and test the content of the Bill, and
- the presence of certain significant powers or features in the Bill that might be of particular Parliamentary or public interest and warrant an explanation.

This disclosure statement was prepared by the Ministry of Transport.

The Ministry of Transport that, to the best of its knowledge and understanding, the information provided is complete and accurate at the date of finalisation below.

[Date finalised].

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Part One: General Policy Statement

The Regulatory Systems (Transport) Amendment Bill (the Bill) is an omnibus Bill that amends land transport, maritime and aviation legislation. The objectives of the Bill are to:

- A) maintain and improve the effectiveness and efficiency of the transport regulatory system,
- B) modernise the transport regulatory system, and
- C) reduce the chance of regulatory failure.

The Bill is intended to be a vehicle for smaller regulatory fixes to be made in a timely and cost-effective fashion to deliver benefits to the transport system. The amendments do not justify standalone Bills, but are more significant than amendments that are generally included in a Statutes Amendment Bill.

The Bill contains amendment proposals covering the following matters:

Land Transport

Key amendments include:

- allowing local authorities to set fees for overstaying parking below a maximum cap as was originally intended by the regulations,
- modernising the enforcement regime for Transport Service Licences,
- amending errors across land transport legislation to allow powers to be used, such as closing state highways due to safety concerns.
- creating new powers for the Director of Land Transport to respond to emergency and time critical events,
- clarifying the rule consultation process under the Land Transport Act 1998 (LTA) to provide consistency and certainty, and
- increasing the maximum level of fines and infringement fees that can be set through regulations, to align with the Ministry of Transport's financial penalties framework and categorisation tool.

The Bill will also improve reactive rail investigation powers by removing a time restriction in an existing power and creating the following new investigation powers that will allow the NZ Transport Agency (NZTA) to: **[subject to change – working through with NZTA]**

- freeze a scene to preserve and collect evidence,
- access sites to investigate or carry out verification inspections,
- request materials to be supplied for examination,
- interview personnel involved in a safety occurrence, and
- require identified failings to be remediated by the rail participant.

Digital modernisation

The Bill will future-proof legislation to enable the use of digital alternatives for transport services as new technologies become available. Key amendments include:

- enabling the future use of digital driver licences,
- enabling the electronic issuing of infringement and other regulatory notices. This would include requiring the provision of email addresses, mobile phone numbers, alongside the current requirements for postal addresses, and
- enabling electronic alternatives to requirements to carry and display physical licences and labels, including Warrants of Fitness (WOFs), Certificates of Fitness (COFs) and alternative fuel inspection certificates.

These changes will reduce reliance on paper-based systems, improving ease and efficiency for both providers and users of transport services. Over time, these changes will allow our transport system to be more cost-effective and support wider government digitisation objectives.

Public transport principles

The Bill removes three public transport principles from the Land Transport Management Act 2003 (LTMA) to re-focus public transport principles to reduce costs and complexity for public transport decision-makers.

Clean Vehicle Standard

The Bill will support the achievement of the Clean Vehicle Standard's annual CO2 emissions targets by enhancing the Standard's flexibility measures. Key amendments include:

- extending the lifespan of CO2 emission credits earned on low emission vehicles from three years to four years,
- removing the legislative restriction on CO2 emission credit transfers between the new and used import sectors,
- extending the use of credit borrowing for new vehicle distributors beyond 2025, and
- enabling uniform targets (i.e. targets that are not weight-adjusted), for future implementation when there is no longer a material linear relationship between vehicle weight and CO2 emissions.

Maritime

Key amendments include:

- updating the service requirements under the Maritime Transport Act 1994 (MTA) to enable regulators to send regulatory notices electronically,
- enabling the Minister of Conservation to exercise functions, duties and powers under Part 3A of the MTA in the Subantarctic and Kermadec Islands as if they were a regional council or unitary authority,
- addressing inconsistencies, improving system efficiencies and aligning New Zealand with the Maritime Labour Convention,
- clarifying the rule consultation process under the MTA to provide consistency and certainty,
- enabling operators of floating production storage and offloading units to be required to pay the maritime levy.
- modernising penalties and offences by increasing maximum fines and fees, updating penalties for safety offences and revoking redundant bylaws, aligning with the financial penalties framework and categorisation tool.

Aviation

Key amendments include:

- amending the Civil Aviation Act 2023 (CAA) to correct a numbering error to allow Airport operators to charge for aerodrome activities they provide, as originally intended,

- amending the CAA to prevent 'double dipping' by clarifying that costs cannot be recovered through passenger security levies where those same costs are otherwise collected through the Airports (Cost Recovery for Processing of International Travellers) Act 2014, and
- correcting errors to ensure consistency in the CAA and the Transport Accident Investigation Commission Act 1990.

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Part Two: Background Material and Policy Information

Published reviews or evaluations

2.1. Are there any publicly available inquiry, review or evaluation reports that have informed, or are relevant to, the policy to be given effect by this Bill?	YES
[placeholder maritime to provide]	

Relevant international treaties

2.2. Does this Bill seek to give effect to New Zealand action in relation to an international treaty?	NO
<p>No, the Bill does not, except for amendments to the MTA which:</p> <ul style="list-style-type: none"> align section 26 of the MTA with the requirements in the Maritime Labour Convention (MLC) relating to young people working on ships or doing hazardous work addresses inconsistencies in the MTA with the MLC in relation to seafarer employment agreements, records of employment, and seafarer recruitment and placement services enable implementation of recommendations and provisions from the International Labour Organisation <p>Link to text and Amendments of the MLC: https://www.ilo.org/international-labour-standards/maritime-labour-convention-2006-0/text-and-preparatory-reports-maritime-labour-convention-2006</p>	

2.2.1. If so, was a National Interest Analysis report prepared to inform a Parliamentary examination of the proposed New Zealand action in relation to the treaty?	YES
<p>The Maritime Labour Convention 2006: National Interest Analysis of November 2015 prepared by [Placeholder maritime to provide]</p> <p>This can be found at https://tardis.transport.govt.nz/otcs/llisapi.dll/app/nodes/25620208#</p>	

Regulatory impact analysis

2.3. Were any regulatory impact statements provided to inform the policy decisions that led to this Bill?	YES
<p>Regulatory Impact Statements (RIS) have been prepared on the following:</p> <ul style="list-style-type: none"> State Highway closure powers, Transport Service Licence enforcement powers, and limited access roads, "Land Transport: Regulatory Systems Transport Amendment Bill No. 2 proposals", Ministry of Transport. 21 October 2021: https://www.transport.govt.nz/assets/Uploads/RIS-Impact-Summary-RSTA-2-Land-Proposals-REDACTED.pdf the proposal to provide the rail regulator, the New Zealand Transport Agency with reactive investigatory powers, "Providing better investigation powers under the Railways Act 2005", Ministry of Transport, February 2022, https://www.transport.govt.nz/assets/Uploads/RIS-Providing-better-investigation-powers-under-the-Railways-Act-2005-REDACTED-v2.pdf "Review of Director of Land Transport powers during emergency and time-critical events", Ministry of Transport 26 August 2022 and "Regulatory Impact Statement: proposed changes to penalty levels in the Maritime space", Ministry of Transport, 13 July 2022 https://www.transport.govt.nz/assets/Uploads/Proactive-release-of-Regulatory-Systems-Transport-Amendment-Bill-No-2-Policy-Approvals-package.pdf 	

- changes to the Clean Vehicle Standard.
<https://www.transport.govt.nz/assets/Uploads/Outcome-of-the-review-of-the-Clean-Car-Importer-Standard-11-June-2024-Redacted.pdf>

All RIS' completed to date have received a meets or partially meets assessment by an independent quality assurance panel.

Several land and maritime proposals developed by the Ministry of Transport under the previous Government (CAB-22-MIN-0177 refers) have been assessed by Treasury's Regulatory Impact Assessment team as being technical in nature and have no or only minor impacts on businesses, individuals, and not-for-profit entities, and are therefore exempt from RIS requirements.

Most proposals agreed to by Cabinet on 31 March 2025 (CAB-25-MIN-0086 refers) have been granted exemptions from RIS requirements by the Ministry for Regulation (MfR).

- The Bill only provides enabling provisions for digital driver licenses, electronic issuing of regulatory notices and removing unnecessary display requirements. These proposals are exempt from the requirement to provide a RIS on the grounds that they have no or only minor impacts on businesses, individuals, and not-for-profit entities, or only minor economic, social, or environmental impacts.
- The Ministry of Transport has claimed an exemption under Cabinet Office circular CO(24)7 for the proposal to correct numbering errors in the Civil Aviation Act 2023 and Transport Accident Investigation Commission Act 1990 on the grounds that it is for a matter suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

For the removal of three public transport principles, there is no accompanying RIS, and MfR has not exempted the proposal from the impact analysis requirements. A post-implementation review will be undertaken and provided to Cabinet.

MOT has self-claimed a RIS exemption (as set out in Cabinet Officer Circular CO (24) 7), for the proposal to revoke four redundant Infringement Fees for Offences Regulations made under section 699A of the Local Government Act 1974.

2.3.1. If so, did the RIA Team in the Treasury provide an independent opinion on the quality of any of these regulatory impact statements?	NO
All RIS' completed to date have received a meets or partially meets assessment by an independent quality assurance panel, except when an exemption has been self-claimed by MoT, or granted by Treasury's RIA Team or MfR.	

2.3.2. Are there aspects of the policy to be given effect by this Bill that were not addressed by, or that now vary materially from, the policy options analysed in these regulatory impact statements?	NO
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Extent of impact analysis available

2.4. Has further impact analysis become available for any aspects of the policy to be given effect by this Bill?	NO
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2.5. For the policy to be given effect by this Bill, is there analysis available on:	
(a) the size of the potential costs and benefits?	YES
(b) the potential for any group of persons to suffer a substantial unavoidable loss of income or wealth?	YES
<p>The size of the potential costs and benefits are outlined in the RIS documents in question 2.3 are available in the relevant RIS's mentioned above.</p> <p>Some proposals received RIS exemptions or did not have a RIS provided because:</p> <ul style="list-style-type: none"> • The Bill amends transport legislation to not refer prescriptively to, for example, physical licences, labels and addresses. This will allow for the future implementation of digital transport services, when this technology is available. Costs and benefits of implementation have not yet been estimated but will be considered as part of service design and delivery options analysis. • There has been no recent cost and benefit analysis in relation to the removal of the three public transport principles, however, this analysis will be included as part of any post implementation review, as agreed to by MfR. <p>Outside of these proposals, no significant population, cost of living or financial implications were identified arising from these proposals.</p>	

2.6. For the policy to be given effect by this Bill, are the potential costs or benefits likely to be impacted by:	
(a) the level of effective compliance or non-compliance with applicable obligations or standards?	NO
(b) the nature and level of regulator effort put into encouraging or securing compliance?	NO
<p>These proposals are intended to clarify compliance requirements. We do not believe that substantive additional enforcement efforts are needed from regulators.</p>	

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Part Three: Testing of Legislative Content

Consistency with New Zealand's international obligations

3.1. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with New Zealand's international obligations?
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Amendments to the MTA are intended to give effect to New Zealand's obligations under the Maritime Labour Convention (refer answer to question 2.1). No other issues were identified during the policy process that may interfere with New Zealand's international obligations.

Consistency with the government's Treaty of Waitangi obligations

3.2. What steps have been taken to determine whether the policy to be given effect by this Bill is consistent with the principles of the Treaty of Waitangi?

No specific issues were identified in the policy process that may have implications for the rights and interests of Māori protected by the Treaty of Waitangi.
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Consistency with the New Zealand Bill of Rights Act 1990

3.3. Has advice been provided to the Attorney-General on whether any provisions of this Bill appear to limit any of the rights and freedoms affirmed in the New Zealand Bill of Rights Act 1990?	YES
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Advice provided to the Attorney-General by the Ministry of Justice, or a section 7 report of the Attorney-General, is generally expected to be available on the Ministry of Justice's website upon the introduction of a Bill. Such advice, or reports, will be accessible on the Ministry's website at http://www.justice.govt.nz/policy/constitutional-law-and-human-rights/human-rights/bill-of-rights .

Offences, penalties and court jurisdictions

3.4. Does this Bill create, amend, or remove:	
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(a) offences or penalties (including infringement offences or penalties and civil pecuniary penalty regimes)?	YES
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(b) the jurisdiction of a court or tribunal (including rights to judicial review or rights of appeal)?	NO
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The Bill creates and changes various offences and penalties across transport legislation in clauses [10, 16, 18, 51, 56, 72-77, 83, 89].
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3.4.1. Was the Ministry of Justice consulted about these provisions?	YES
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[Placeholder until MOJ can review finalised Bill]
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<i>If YES, describe the nature and extent of the consultation undertaken, and the nature of any action taken to address issues raised.</i>
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Privacy issues

3.5. Does this Bill create, amend or remove any provisions relating to the collection, storage, access to, correction of, use or disclosure of personal information?	YES
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Enabling the future use of digital licences and labels

Currently, legislation refers prescriptively to physical licences and labels. The changes being progressed would amend legislation to be neutral on the type of licence and label, where appropriate. This is designed to future-proof legislation to allow for digital licences and labels to be used when the technology is available.

These minor enabling amendments being progressed through the bill do not generate privacy issues. However, if/when implemented, proposals to digitise licences and labels and the compulsory provision of electronic addresses would change the means in which information is collected, used and handled, which raises potential privacy risks. It will be important to ensure these risks are appropriately managed prior to implementation. Potential risks include:

- accuracy and verification of driver licence information and the appropriate safeguarding of this data. NZTA has existing obligations under the Privacy Act 2020 to ensure that customer data is accurate and that there are safeguards in place to prevent unauthorised loss, misuse, or disclosure of personal information. NZTA will align its work with the Digital Identity Services Trust Framework. It is partnering with experts to ensure international standards are met as this technology is developed and implemented, and
- potential reliance on inaccurate information (e.g., if email addresses are not kept up to date) and could further expose New Zealanders to cybersecurity risks, scams and phishing. However, NZTA considers risks can be satisfactorily mitigated by applying similar safeguards as for other personal information they hold. NZTA also considers risks could be reduced as e-servicing will enable emails and attachments to both be password-protected to enhance privacy. This has fewer privacy risks than posting such notices to physical addresses, with no confirmation of receipt, and in envelopes that can be opened by anyone.

3.5.1. Was the Privacy Commissioner consulted about these provisions?

YES

The Ministry of Transport has consulted the Office of the Privacy Commissioner (OPC) on the development of the digital modernisation proposals enabled by the Bill.

While broader work to develop and implement digital driver licences will need substantial privacy analysis, on the basis that relevant law changes in scope for approval here are minor and technical, and that there will be further Cabinet approvals and opportunities for OPC to engage through the development of any digital driver licence, OPC believe the privacy risks presented at this stage are relatively minor and do not present a barrier to this work advancing. OPC encourages the Ministry, NZTA and Department of Internal Affairs to continue work analysing privacy risks and mitigations as part of developing a digital driver licence.

External consultation

3.6. Has there been any external consultation on the policy to be given effect by this Bill, or on a draft of this Bill?	YES
<p><u>Consultation on policy proposals:</u></p> <p>The following agencies, including crown entities, have been consulted on the policy proposals in the Bill, where relevant to their agency:</p> <p>Civil Aviation Authority, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Maritime New Zealand, Ministry of Justice, Ministry of Primary Industries, Ministry for Regulation, New Zealand Police, New Zealand Transport Agency, Department of Conservation, Land Information New Zealand, New Zealand Customs Service, Ministry of Social Development, Ministry for Disabled People, Energy Efficiency and Conservation Authority, Office of the Privacy Commissioner, Parliamentary Counsel Office and Treasury.</p> <p>Clean Vehicle Standard proposals were informed by discussions with the Motor Industry Association, the Imported Motor Vehicle Industry Association, Motor Trade Association, and the New Zealand Automobile Association (AA), who largely support these proposals.</p> <p><u>Departmental consultation on the draft Bill:</u></p> <ul style="list-style-type: none">• [Placeholder for any feedback received] <p><u>Ministerial consultation on draft Bill:</u></p> <ul style="list-style-type: none">• [Placeholder for any feedback received]	

Other testing of proposals

3.7. Have the policy details to be given effect by this Bill been otherwise tested or assessed in any way to ensure the Bill's provisions are workable and complete?	NO
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Part Four: Significant Legislative Features

Compulsory acquisition of private property

4.1. Does this Bill contain any provisions that could result in the compulsory acquisition of private property?	NO
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Charges in the nature of a tax

4.2. Does this Bill create or amend a power to impose a fee, levy or charge in the nature of a tax?	YES
<p>The Bill will amend the levy-making power in the CAA to provide that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. Levies are imposed on aviation participants for the purpose of enabling the CAA to carry out its statutory functions. The proposed amendment aligns with equivalent protections against 'double-counting' of costs already contained in the Customs and Excise Act 2018 and Biosecurity Act 1993.</p> <p>The Bill will also enable maritime levies to be set in respect of floating production and storage offloading units.</p>	

Retrospective effect

4.3. Does this Bill affect rights, freedoms, or impose obligations, retrospectively?	NO
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Strict liability or reversal of the usual burden of proof for offences

4.4. Does this Bill:	
(a) create or amend a strict or absolute liability offence?	NO
(b) reverse or modify the usual burden of proof for an offence or a civil pecuniary penalty proceeding?	NO

Civil or criminal immunity

4.5. Does this Bill create or amend a civil or criminal immunity for any person?	NO
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Significant decision-making powers

4.6. Does this Bill create or amend a decision-making power to make a determination about a person's rights, obligations, or interests protected or recognised by law, and that could have a significant impact on those rights, obligations, or interests?	NO
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Powers to make delegated legislation

4.7. Does this Bill create or amend a power to make delegated legislation that could amend an Act, define the meaning of a term in an Act, or grant an exemption from an Act or delegated legislation?	NO
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4.8. Does this Bill create or amend any other powers to make delegated legislation?	YES
--	------------

The Bill amendments to empowering provisions are intended to be only for smaller regulatory and technical fixes. These include:

[Clauses [17 and 46] amend the rule-making provisions in the Land Transport Act 1998 and Maritime Transport Act 1994 to clarify the procedure.

Clause [10 and 56] enable bylaws made by road controlling authorities to set fees below a maximum cap set by regulations.

Clause [18] enables increased penalties to be set by regulations.

Clauses [19 and 21] enable both uniform and weight-adjusted targets to be set by regulations for the purposes of the Clean Vehicle Standard.

Clause [33 and 41] mean that conventions and marine protection conventions declared by Order in Council also include amendments to those conventions.

Clause [36] enables the Minister of Conservation to make navigation bylaws under section 33M of the Maritime Transport Act 1994.

Clause [71] enables maritime rules to be made to implement recommendations of the International Labour Organisation.

Clause [91] enables maritime rules to be made in respect of seafarer recruitment and placement services.]

Any other unusual provisions or features

4.9. Does this Bill contain any provisions (other than those noted above) that are unusual or call for special comment?	NO
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Hon Gerry Brownlee
Chair, Business Committee
Parliament Buildings
Wellington

Dear Gerry,

On **[16 June 2025]**, Cabinet **[agreed]** to introduce the Regulatory System (Transport) Amendment Bill (the Bill), subject to cross-party agreement from the Business Committee as required for omnibus bills under Standing Order 267(1)(c).

I seek agreement from the Business Committee to progress the Bill, which includes a range of amendments across land transport, maritime, rail and aviation legislation to:

- maintain and improve the effectiveness and efficiency of the transport regulatory system,
- modernise the transport regulatory system, and
- reduce the chance of regulatory failure.

There are two time-critical proposals driving the timeframes of the Bill:

- the Clean Vehicle Standard proposals need to be in force by the end of the year to deliver as we have committed, and
- corrections to a numbering error in the Civil Aviation Act 2023 need to be made as soon as possible to ensure affected airport operators can carry out important operational functions such as cost recovery of fees.

If there are potential proposals that are considered contentious by the Business Committee, I will remove these from the Bill, s 9(2)(f)(iv)

I attach a package of supporting information to this letter, to support the Business Committee's consideration of the Bill:

- Attachment 1 – Regulatory Systems (Transport) Amendment Bill 2025: Approval for Introduction (Cabinet paper)
- Attachment 2 – Table summary of proposals
- Attachment 3 – Departmental Disclosure Statement
- Attachment 3 – Regulatory Systems (Transport) Amendment Bill (as drafted for introduction)

I would appreciate the Business Committee's timely consideration of this proposal.

Yours sincerely

Hon James Meager
Associate Minister of Transport

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AIDE MEMOIRE

18 June 2025

OC250544

Hon James Meager
Associate Minister of Transport

**AIDE MEMOIRE: UPDATE ON PROGRESS OF THE REGULATORY SYSTEMS
 (TRANSPORT) AMENDMENT BILL 2025**

Purpose

- 1 To update you on revised timelines for the Regulatory Systems (Transport) Amendment Bill 2025 (the Bill), including how time-sensitive proposals will be addressed.

You have agreed to postpone lodgement of the Bill to July 2025

- 2 The Bill amends land transport, aviation and maritime legislation to improve effectiveness and efficiency, modernise settings and reduce the risk of regulatory failure in the transport regulatory system. This omnibus Bill has been developed in accordance with Standing Order 267 and was deliberately ambitious, to make the best use of House time.
- 3 You agreed in your Associate Transport Officials meeting on 4 June 2025 to postpone lodgement of the Bill to July, and to aim for Cabinet Legislative Committee (LEG) on 17 July 2025.
- 4 The Bill was originally planned to go to Cabinet Business Committee (CBC) in June. However, we recommended lodgement be delayed. This was because:
- the Bill was not ready for lodgement due to the number of outstanding queries to work through and drafting priorities at the Parliamentary Council Office (PCO)
 - the lack of House time for introduction in June.
- 5 The table below outlines the revised timeline for the Bill that allows:
- time to resolve outstanding queries on policy matters, ensuring a smoother process in the Select Committee phase,
 - the reactive rail investigation power proposal¹ to be progressed through the Bill, and

¹ This proposal introduces new reactive investigation powers under the Railways Act 2005, for the New Zealand Transport Agency (NZTA) to investigate more effectively and efficiently, following rail accidents and incidents. Removal of the reactive rail investigation proposal from the Bill was contemplated, as this proposal is more complex than anticipated. The new timeline for the Bill allows more time to work through this proposal with NZTA and PCO.

- time-sensitive proposals to be addressed through retrospective and transitional provisions.

Revised timeline – Regulatory Systems (Transport) Amendment Bill 2025

Milestone	Timeframe
Departmental/Ministerial consultation on the LEG package	Complete
Officials provide you with the revised Cabinet paper and supporting materials (talking points and Q&As).	8 July 2025
Lodgement	10 July 2025
LEG Committee	17 July 2025
Cabinet	21 July 2025
Business Committee	Post Cabinet consideration
Introduction of the Bill/First reading	Late July 2025
Select Committee	August – December 2025 (4 months)

s 9(2)(f)(iv)

s 9(2)(h)

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s 9(2)(h)

No substantive issues were raised through departmental and ministerial consultation on the draft Bill and Cabinet paper

- 10 Departmental and Ministerial consultation on the draft Bill and Cabinet paper concluded on Thursday 29 May 2025.
- 11 Feedback was received from the following agencies and Crown entities: Department of Internal Affairs (DIA), Ministry for Regulation, Ministry for Business Innovation and Employment, Ministry for Justice, New Zealand Police (Police), Department of Conservation, Ministry for Foreign Affairs and Trade, NZTA and Maritime New Zealand.
- 12 DIA support the work to enable digital driver licences through the Land Transport Act 1998, and anticipate this change will have strong support. Police would like to stay informed on the progress of the digital modernisation proposals, especially for the implementation phase.
- 13 Minor amendments have been made to the Cabinet paper to reflect feedback from consultation and for accuracy and consistency. We will send you the revised Cabinet paper on 8 July 2025, ahead of lodgement.

Next steps

- 14 We will continue to update you on the progress of the Bill through the weekly report.
- 15 A package containing the revised Cabinet paper and supporting materials (talking points and Q&As) will be provided to you on 8 July 2025, ahead of lodgement. PCO will lodge the Bill with the Cabinet office separately.
- 16 Cross-party support from the Business Committee will be required to progress the Bill. Your Office is organising a letter for you to send to the Chair of the Business Committee, seeking the Business Committee's approval to introduce the Bill, following Cabinet approval. If any proposals prove contentious at the Business Committee stage, we recommend separating these from the Bill. Officials can provide you with further advice on alternative legislative vehicles and timelines to progress removed proposals, if this occurs.

Contacts

Name	Telephone	First contact
Sarah Godwin, Senior Policy Advisor, Regulatory Reform	s 9(2)(a)	
Katrina Quickenden, Manager Regulatory Reform		✓

Neha Pawar

From: Sarah Godwin
Sent: Wednesday, 16 July 2025 1:34 pm
To: Gary Tonkin (Parliament)
Cc: Paul O'Connell; Katrina Quickenden; OCU; Phoebe Moir; Declan Lynch; Laura Bender; Bonnie Hayvice
Subject: OC250637 Regulatory Systems (Transport) Amendment Bill - Draft first reading materials – Aide Memoire and attachments.
Attachments: Combined - OC250637 Regulatory Systems (Transport) Amendment Bill - Draft first reading materials.pdf; Annex 1 - RSTA Draft First Reading Speech - Final draft.pdf; Annex 2 - Legislative Statement - Regulatory Systems (Transport) Amendment Bill 2025.pdf; Annex 1 - RSTA Draft First Reading Speech - Final draft.docx; Annex 2 - Legislative Statement - Regulatory Systems (Transport) Amendment Bill 2025.docx

Kia ora Gary,

Please find attached **OC250637 Regulatory Systems (Transport) Amendment Bill - Draft first reading materials – Aide Memoire and attachments.**

This package provides Minister Meager with draft materials for the first reading of the Regulatory Systems (Transport) Amendment Bill (the Bill).

- Annex 1: Draft first reading speech
- Annex 2: Draft legislative statement

Both the first reading speech and legislative statement are subject to change, depending on the outcome of Business Committee. In the instance content of the Bill does change following Business Committee consideration, we will send you revised materials for first reading.

Please let me know if you have any questions,

Thanks Gary,

Sarah Godwin (she/her)
Kaitohutohu Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

M ^{s 9(2)(a)} E: s.godwin@transport.govt.nz | transport.govt.nz





AIDE MEMOIRE

16 July 2025

OC250637

Hon Name of Minister
Associate Minister of Transport

**AIDE MEMOIRE: REGULATORY SYSTEMS (TRANSPORT) AMENDMENT BILL –
DRAFT FIRST READING MATERIALS**

Purpose

- 1 To provide you with draft materials for the first reading of the Regulatory Systems (Transport) Amendment Bill (the Bill).

First reading of the Bill is anticipated for late July 2025

- 2 The Bill will be available for first reading on the third working day following introduction (subject to House time). A draft first reading speech is provided in Annex 1.
- 3 Immediately before moving a first, second, or third reading of a Government bill, the Minister in charge of the bill may present a legislative statement, which is presented as a parliamentary paper.
- 4 The purpose of the statement is to put detailed information on the record about what the legislation is intended to achieve. They are published under the authority of the House and on the Parliament website, immediately following presentation. A draft legislative statement is provided in Annex 2.
- 5 Both the first reading speech and legislative statement are subject to change, depending on the outcome of Business Committee.
- 6 In the instance content of the Bill does change following Business Committee consideration, we will send you revised materials for first reading.

Timelines for the Bill – as referenced in the Cabinet paper to be considered by LEG – Regulatory Systems (Transport) Amendment Bill 2025: Approval for Introduction

Milestone	Timeframe
Cabinet Legislation Committee (LEG)	17 July 2025
Cabinet	21 July 2025
Business Committee	Post Cabinet consideration
Introduction and first reading	Late July 2025 <i>*Subject to House time</i>
Select Committee	August – December 2025 (4 months)

s 9(2)(f)(iv)

Contacts

Name	Telephone	First contact
Sarah Godwin, Senior Policy Advisor, Regulatory Reform	s 9(2)(a)	
Katrina Quickenden, Manager, Regulatory Reform		✓

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House of Representatives: First reading speech for Regulatory System (Transport) Amendment Bill 2025

First reading speaking points

Paper Title: Regulatory Systems (Transport) Amendment Bill 2025

Portfolio: Transport

Speech

Formal requirements

- I move, that the Regulatory Systems (Transport) Amendment Bill be now read a first time.
- I nominate the Transport and Infrastructure Committee to consider the Bill.

Introduction/purpose

- The Bill makes necessary changes across land transport, aviation and maritime legislation, to make New Zealand's transport regulatory system more effective and efficient.
- Amendments in the Bill are designed to uphold good regulatory practice and ensure the transport regulatory system is kept fit-for-purpose while contributing to the government's focus on boosting productivity.
- This also means keeping the transport regulatory system modern and relevant to a growing digital world.
- The Bill makes amendments to transport legislation to pave the path for future digital alternatives to physical licences, labels, and notices. These amendments lay the groundwork for reliable and easy-to-use digital services, ensuring government can provide accessible and reliable services.
- The Bill is also providing the legislative vehicle to progress time-sensitive aviation and clean vehicle standard amendments.
- I will expand on why it is important these changes need to be in force as soon as possible.

Background

- I have received cross party agreement from the Business Committee that the Bill meets the requirements under Standing Order 267, for an omnibus Bill of this kind.
- The Bill includes a wide suite of amendments that do not warrant individual bills.

- Progressing amendments to transport legislation in this way is an efficient use of House time and an effective way to deliver benefits to the transport regulatory system.

General overview of proposals

- The Bill contains an ambitious number of amendments that each fall within one of the following three themes:
 - 1) ensuring that regulators have the necessary tools to carry out their functions effectively
 - 2) improving regulatory system efficiency and removing unnecessary compliance costs, and
 - 3) addressing duplication, gaps, errors, and inconsistencies within transport legislation.
- I will briefly touch on some examples of the key amendments under each theme.

Theme 1: Effective regulation

- The first major theme of the Bill is ensuring regulators have effective tools to carry out their regulatory functions.
- The Bill will provide the Director of Land Transport with the ability to respond to emergency and time-critical events, such as natural disasters.
 - The Director's ability to waive regulatory requirements in these emergency situations is currently restricted in the Land Transport Act 1998.
 - The Bill will expand these, for example to allow the Director to extend the term of land transport documents (such as drivers licenses).
- It will also provide the New Zealand Transport Agency with broader powers to close parts of the State Highway Network to address safety concerns.
 - This aligns NZTA's powers with other road controlling authorities, contributing to overall system coherence.
- The Bill will allow the Minister of Conservation to exercise functions, duties and powers under Part 3A of the Maritime Transport Act 1994 in the Subantarctic and Kermadec Islands, as if they were a regional or unitary authority.
 - This change will provide greater safety and assurance for masters, crew and passengers of ships operating in these waters.

Theme 2: Modern and efficient systems

- The second major theme of the Bill is to make transport regulation more efficient and cut down on unnecessary red tape.
- For example, the Bill will enable digital driver licences.
 - This means you could carry your licence on your phone or other electronic devices – making this simpler and more convenient.
 - You'll still be able to get a physical licence. This is about giving people more choice.
 - NZTA is working closely with the Department of Internal Affairs and the Ministry of Transport to design and deliver the approach.
 - There will be report back to Cabinet later this year with more detail on timeframes and costs.
- The Bill also includes other updates to modernise the system, including:
 - Allowing notices and fees to be sent electronically and
 - providing digital alternatives to physical display requirements such as Warrant of Fitness and Certificate of Fitness, which will update processes and reduce administrative costs.
- Progressing these changes will support the Government's wider digital modernisation objectives and deliver better user experiences.
- These amendments in the Bill lay the foundations for the digital modernisation component of our ambitious transport rules reform programme, announced recently by the Minister for Transport.
- Alongside these digital changes, it is important that amendments to the Clean Vehicle Standard progress via this Bill in a timely manner, to make the Standard more flexible and workable for the industry.
- Changes to the standard will allow emission credits to be transferred between new and used import sectors and give vehicle importers time to plan for the 2026 targets.

Theme 3: Tidy-ups to uphold good regulatory practice

- The Bill addresses areas where there is duplication, errors and inconsistencies in our transport legislation.
- These changes may seem small, but they can be of great consequence. For example:
- Amendments to drafting errors in the Civil Aviation Act 2023 need to be in force as soon as possible, to ensure airport operators can transition into the regime under the 2023 Act and carry out important operational functions.

s 9(2)(g)(i)

○

Close

- The Regulatory Systems (Transport) Amendment Bill 2025 is a comprehensive and forward-looking piece of legislation.
- It is designed to ensure that New Zealand's transport regulatory system is efficient, modern, and capable of meeting the challenges of the future.
- I thank the Business Committee for their consideration of the proposals in the Bill and welcome submissions from the public.
- I commend the Regulatory Systems (Transport) Amendment Bill to the House.

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Legislative Statement for the Regulatory Systems (Transport) Amendment Bill

Presented to the House of Representatives

in accordance with Standing Order 272

Introduction

1. The objective of the Regulatory Systems (Transport) Amendment Bill (the Bill) is to maintain and improve effectiveness and efficiency, modernise and reduce the chance of regulatory failure of the transport regulatory system.
2. The Bill will achieve this objective by:
 - a) ensuring that regulators have the necessary tools to carry out their regulatory functions effectively,
 - b) improving regulatory system efficiency and removing unnecessary compliance costs, including by modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
 - c) addressing transport regulatory duplication, gaps, errors, and inconsistencies within transport legislation.
3. The Bill makes amendments across land transport, aviation and maritime, and other consequential primary legislation, including the Government Roading Powers Act 1989, Land Transport Act 1998 (LTA), Land Transport Management Act 2003 (LTMA), Maritime Transport Act 1994 (MTA), Railways Act 2005, Road User Charges Act 2012, Auckland Airport Act 1987, Civil Aviation Act 2023 (CAA), Transport Accident Investigation Commission Act 1990 (TAICA), and associated primary and secondary legislation.

Background

4. This Bill is an omnibus Bill under Standing Order 267(1)(c) and has received endorsement from the Business Committee for introduction.
5. Key provisions in the Bill will:
 - a) *Provide the New Zealand Transport Agency Waka Kotahi (NZTA) with broader powers to close parts of the State Highway network due to safety concerns.* This allows NZTA to respond more efficiently in these scenarios and aligns NZTA's powers with other road controlling authorities.
 - b) *Modernise the enforcement regime for Transport Service Licences (TSL) by:*
 - i. creating a new offence and an associated fine for transferring, assigning or leasing a TSL,
 - ii. creating a new power to enable NZTA to audit someone purporting to operate a transport service without a licence,
 - iii. enabling the immediate suspension of a TSL for health and safety concerns, when significant concerns are recognised or reported, and

- iv. requiring a fit and proper person check for any new person in control of a transport service, which is required to be documented for a TSL.
- c) *Increase maximum fines and infringement fees*, to ensure greater consistency, effectiveness and proportionality across transport modes, including consistency with international standards for maritime penalties.
- d) *Create new powers for the Director of Land Transport to respond to emergency and time critical events*. The Director's ability to waive regulatory requirements in these circumstances is currently restricted. The Bill will, for example, allow the Director to extend the term of land transport documents (such as driver licences), or require vehicles to be presented for inspection (e.g. for a Warrant of Fitness) if a safety issue has been identified.
- e) *Create new reactive investigation powers for NZTA to investigate more effectively and efficiently, following rail accidents and incidents. In these scenarios, the regulator will have the ability to:*
- i. Freeze a scene to preserve and collect evidence,
 - ii. Access sites to investigate or carry out verification inspections,
 - iii. Compel rail participants and personnel to participate in an interview,
 - iv. Require materials to be supplied for examination, and
 - v. Require identified failings to be remediated through improvement notices.
- f) *Remove prescriptive time constraints for rail safety case application processes to increase efficiency*. The Bill will enable statutory timeframes to be paused when further information is required from an applicant in relation to a replacement or variation of an approved rail safety case.
- g) *Modernise and future-proof transport legislation to support the Digitising Government approach by:*
- i. enabling digital driver licences in addition to physical, to promote a modern and efficient transport system,
 - ii. enabling electronic issuing of regulatory notices and fees to streamline services to deliver system efficiencies and customer benefits, and
 - iii. enabling digital alternatives to physical display requirements (such as Warrant of Fitness and Certificate of Fitness), to update outdated processes and reduce administrative costs.
- h) *Remove three public transport principles from the LTMA*, to reduce compliance costs and improve regulatory certainty for public transport decision makers.
- i) *Adjust the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs by:*
- i. extending the lifespan of CO₂ emission credits that are earned on low emission vehicles from three years to four years,
 - ii. removing the legislative restriction on credit transfers between the new and used import sectors,
 - iii. enabling targets to be set that are 'uniform' and not adjusted for vehicle weight

- iv. extending the use of borrowing of future target overachievement (payment obligation deferral) beyond 2025.
- j) *Expand and amend investigation powers under the MTA, for example by amending the threshold for initiating an investigation from 'reasonable grounds to believe' to 'reasonable grounds to suspect'.*
- k) *Enable the Minister of Conservation to exercise functions, duties, and powers under Part 3A of the MTA in the Subantarctic and Kermadec Islands as if they were a regional council or unitary authority. This will allow the Minister of Conservation to manage maritime safety at the Islands and provide greater assurance for masters, crew and passengers of ships operating the waters surrounding the Islands.*
6. The Bill will also address duplication, gaps, errors, and inconsistencies within transport legislation to:
- a) *Amend errors in the CAA to:*
- i. ensure Auckland and Wellington airports can move to the new regime under the 2023 Act and carry out important operational functions (for example, the ability to set charges for aerodrome activities), and
 - ii. clarify that costs can not be recovered via levies where those same costs are otherwise collected and make minor editorial changes to cross-references.
- b) *Amend an error to clarify that NZTA can declare newly built roads to be a state highway.*
- c) *Strengthen the process through which NZTA can declare vehicles to not be a 'motor vehicle' under the LTA.*
- d) *Clarify that pedestrians may use approved areas and infrastructure within motorway corridors. E.g. bus stops.*
- e) *Clarify the consultation and notification requirements in rule-making powers in the LTA and MTA.*
- f) *Enable local authorities to set infringement fees for overstaying in a carpark below a maximum cap or within a prescribed range, as legislation originally intended.*
- g) *Amend an error where 'accident' and 'accident and incident' are referred to inconsistently in the (TAICA).*
- h) *Amend the MTA to:*
- i. update definitions, for example, 'convention' to update the process for declaring conventions under the Act,
 - ii. require operators of a floating production storage and offloading unit to be required to pay the maritime levy, and
 - iii. align the MTA with the Maritime Labour Convention relating to employment and recruitment.

Secondary legislation and implementation

7. While the Bill enables changes through amendments to primary legislation, amendments to secondary legislation may be necessary to enable and implement some of the proposals in the Bill.
8. On 9 June 2025, Cabinet agreed to the Land Transport Rules Reform Programme (CAB-25-MIN-0187 refers), including progressing changes to regulations and rules to further enable the digital modernisation proposals under this Bill (i.e. enabling digital licences, e-serving of notices and fees, and digital alternatives to physical display requirements).
9. It is possible that additional regulations will be needed in the future, to implement proposals related to the Bill. For example, regulations may be needed to set higher levels of fees, as enabled by the Bill.
10. If there is a need for future regulations, the relevant Minister will return to Cabinet to seek further policy decisions.

Conclusion

11. The amendments in the Bill are designed to uphold good regulatory stewardship and ensure the transport regulatory system remains up to date and fit for purpose.

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Neha Pawar

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Wednesday, 5 March 2025 3:19 pm
To: Bonnie Hayvice
Subject: RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Kia Ora Bonnie,

Thanks for a useful chat just now!

As I mentioned, I'm keen to get a bit more information to help us with providing helpful advice in the limited time available:

- There is mention of privacy assessments work which has already been done – if you could share that with us that would be very helpful!
- Proposals 1 and 2 both refer to legislative work on “enabling provisions”, with further implementation to come over time. I understand that there are some other considerations here (eg length), but it would be helpful from our perspective if the paper was a bit more specific about the changes that are in scope at this stage versus what will come later.

Otherwise, I very much welcome the discussion of privacy in the paper as shared, and we'll have some more comments for you when I can brief internally and get those through!

Aku mihi,

James

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Sent: Wednesday, 5 March 2025 2:04 pm
To: "Monica Rogers" <Monica.Rogers@dia.govt.nz>; "Rachel Townrow" <Rachel.Townrow@dia.govt.nz>; "Ben Temple" <ben.temple@regulation.govt.nz>; "Linda Cameron" <Linda.Cameron@regulation.govt.nz>; "Gwen Rashbrooke" <Gwen.Rashbrooke@regulation.govt.nz>; James Ting-Edwards <james.ting-edwards@privacy.org.nz>; leavers <leavers@privacy.org.nz>; Ewan Lincoln <Ewan.Lincoln@privacy.org.nz>; "Olivia Maxwell [TSY]" <Olivia.Maxwell@treasury.govt.nz>; Official Correspondence NZTA <official.correspondence@nzta.govt.nz>; "maddie.knight@justice.govt.nz" <Maddie.Knight@justice.govt.nz>; Brendan Gage [DPMC] <Brendan.Gage@dpmc.govt.nz>; June Ralphs <june.ralphs@caa.govt.nz>; james.little@dia.govt.nz; adriana.nickless@police.govt.nz; john.white@police.govt.nz; Hayden Glass <Hayden.Glass@dpmc.govt.nz>; Steve Penman <steve.penman@nzta.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Subject: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Kia ora koutou,

Attached is a Cabinet paper seeking approval to final policy decisions to progress as part of the Regulatory Systems (Transport) Amendment Bill (the Bill). Please provide feedback before **COP Tuesday 11 March**.

We intend to take this to CBC on 17 March. Ministerial consultation is being progressed simultaneously. The short consultation period is due to Ministerial and delegation changes.

Proposals are to:

- **enable digital driver licences** as a convenient alternative to physical documents and promote a modern and efficient transport system,
- **enable electronic issuing of regulatory notices and fees** to streamline services that will deliver significant customer benefits,
- **remove unnecessary display requirements** to update outdated processes that will reduce administrative costs,
- **re-focus our public transport principles** to reduce cost and complexity for public transport decision-makers,^{***} and
- **amend errors in the Civil Aviation Act 2023** to empower airports to set charges and cost-recover fees, in line with the original intent of the legislation.

^{***} The Minister of Transport is currently considering whether to progress this proposal through the Bill. If not, references will be removed prior to lodgement.

All have RIS exemptions, except for the proposal to refocus public transport principles. This is still being developed, and we will share this when completed, if it does indeed remain as part of the Bill.

In addition to these five proposals, the Bill would also progress:

- a number a minor and technical fixes across land transport, maritime and aviation legislation that the Ministry of Transport developed under the previous Government, and
- decisions already made by Cabinet to both enable councils to set parking fees below maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).

s 9(2)(f)(iv)

Subject to Cabinet agreement, Minister Meager plans to have the new legislation introduced in June, considered by Select Committee in July-October, s 9(2)(f)(iv)

While this Bill will progress the necessary legislative changes to enable the first three proposals, implementation of digital licences and labels will take time. The Minister of Transport will provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation.

Cheers
Bonnie

Bonnie Hayvice (she/her)

Kaitohutohu Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

M: s 9(2)(a) | E: b.hayvice@transport.govt.nz | transport.govt.nz

Neha Pawar

From: GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>
Sent: Tuesday, 11 March 2025 12:00 pm
To: Bonnie Hayvice
Cc: Katrina Quickenden; Jacob Ennis; Declan Lynch; WHITE, John
Subject: RE: [EXTERNAL] Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system
Attachments: OC241457 Cabinet paper - Regulatory Systems (Transport) Amendment Bill final draft (Police).docx

Hi again Bonnie,

On reflection, could you please disregard our feedback on recommendation four. We presume Police will be able to do this by linking into the NZTA system (like we currently do on the roadside) and sending a notice electronically.

Apologies for any confusion!

Cam

Cameron Gruschow (he/him)
Policy Advisor II: People and Communities
 Policy Group

E cameron.gruschow@police.govt.nz



[SEEMAIL]

From: GRUSCHOW, Cameron
Sent: Tuesday, March 11, 2025 10:22 AM
To: 'Bonnie Hayvice' <B.Hayvice@transport.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>; WHITE, John <john.white@police.govt.nz>
Subject: RE: [EXTERNAL] Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Hi Bonnie,

Thanks for providing Police the opportunity to comment on the attached draft Cabinet paper.

We have focussed our comments and suggestions on proposals 1-3.

Our main suggestion is to include Police in recommendation 4 ('agree to facilitate the electronic issuing of infringement and other regulatory notices as an enforcement mechanism, including by requiring the provision of electronic addresses to the NZTA if the recipient has one').

Thanks again Bonnie.

Ngā mihi nui,
Cam

Cameron Gruschow ([he/him](#))
Policy Advisor II: People and Communities
Policy Group

E cameron.gruschow@police.govt.nz



[SEEMAIL]

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Sent: Friday, March 7, 2025 3:06 PM
To: GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Subject: RE: [EXTERNAL] Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Thanks Cameron, that is good advice. I will send the paper their way now.

Look forward to receiving your feedback next week.

Cheers
Bonnie

Bonnie Hayvice ([she/her](#))
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Te Manatū Waka Ministry of Transport

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From: GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>
Sent: Friday, 7 March 2025 2:59 pm
To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Subject: RE: [EXTERNAL] Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Hi Bonnie,

I'm working on providing feedback to you on this draft Cabinet paper (specifically proposals 1-3) by Tuesday.

I just wanted to check whether MoT has consulted with the Office of Rural Communities at MPI? Some of these changes may be a bit more difficult to implement in rural settings.

They can be contacted at: OfficeRuralCommunities@mpi.govt.nz

Ngā mihi nui,
Cam

Cameron Gruschow ([he/him](#))
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[SEEMAIL]

Duplication of email dated 5 March 2025 from Bonnie H

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In-confidence

Office of the Associate Minister of Transport

Cabinet Economic Policy Committee

Regulatory Systems (Transport) Amendment Bill – strengthening the efficiency of the transport system**Proposal**

- 1 I seek Cabinet agreement to proposals to progress through the Regulatory Systems (Transport) Amendment Bill (the Bill) to enable a more effective and efficient transport system.

Relation to government priorities

- 2 The proposals will deliver on commitments made in the Government Policy Statement on Land Transport as well as support other Government priorities including: to improve the quality and performance of regulatory systems; the digital modernisation of services; and to reduce unnecessary government spending.

Executive Summary

- 3 Our transport system is managed by a significant legislative framework. Duplications, gaps, errors and inconsistencies across legislation creates an unnecessarily complex system for users to engage with and for government to administer. This generates time and costs that hold us back from meeting our transport objectives.
- 4 The Minister of Transport and I have identified a number of legislative solutions that would improve the effectiveness and efficiency of the transport system by:
 - 4.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
 - 4.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.
- 5 I seek approval to issue drafting instructions to the Parliamentary Counsel Office (PCO) for the following proposals:
 - 5.1 **Proposal 1 – enabling digital driver licences** as a convenient alternative to physical documents and promote a modern and efficient transport system,
 - 5.2 **Proposal 2 – enabling electronic issuing of regulatory notices and fees** to streamline services that will deliver significant customer benefits,
 - 5.3 **Proposal 3 - removing unnecessary display requirements** to update outdated processes that will reduce administrative costs,

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- 5.4 **Proposal 4 – re-focusing our public transport principles** to reduce cost and complexity for public transport decision-makers, and
- 5.5 **Proposal 5 – amending errors in the Civil Aviation Act 2023** to empower airports to set charges and cost-recover fees, in line with the original intent of the legislation.

6 I intend to progress these proposals through the Regulatory Systems (Transport) Amendment Bill (the Bill).^{s 9(2)(f)(iv)}

7 Through the Bill, I also intend to progress:

- 7.1 a number a minor and technical fixes across land transport, maritime and aviation legislation that the Ministry of Transport developed under the previous Government (Appendix Two), and
- 7.2 decisions already made by Cabinet to both enable councils to set parking fees below maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).

8 To advance these changes as a single bill requires cross-party support from the Business Committee. While I generally consider these amendments to be either technical or non-contentious, if any of these proposals prove otherwise, I intend to split them into separate bills.

9 Subject to Cabinet agreement, I will return in June with draft legislation for these proposals. The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill's timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important that we amend the numbering error in the Civil Action Act 2023 (that comes into force on 5 April 2025) as soon as possible to ensure airport operators can carry out important operational functions.

10 While I intend for legislative changes to be enacted this year, the digitisation of licences and labels will take time to implement and for public to select this alternative. NZTA will participate in a co-design digital driver licence solution with Austroads. Following this, The Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation.

Background

An effective and efficient transport system requires a strong regulatory framework

11 Our transport system connects us all. When it works well, it enables New Zealanders to safely and simply access the services they need to get places and run their businesses. Ensuring our transport system's efficient and effective operation is therefore key to New Zealand's economic prosperity and wellbeing.

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- 12 A significant legislative framework underpins the transport sector: 26 transport-related Acts, 15 Regulations, and 151 Rules across land, aviation and maritime. Regularly maintaining and improving this framework is fundamental to maintaining its effectiveness and efficiency and reduce the chance of regulatory failure.
- 13 This Government understands the importance of reducing regulatory complexity and improving the quality and performance of regulatory systems. To support us to achieve this, the Minister of Transport intends to modernise a wide set of transport rules and will update Cabinet throughout the year as this work progresses. I also consider there to be a suite of amendments to legislation that are long overdue. I am seeking Cabinet's agreement to a number of these proposals that if progressed, would modernise legislation and generate greater system efficiencies. Proposals will achieve this by:
- 13.1 modernising legislation to enable convenient digital service alternatives to physical licences and labels, and
 - 13.2 streamlining and clarifying provisions to reduce complexity and ensure legislation functions as intended.

Proposals

Our transport legislation needs modernising to keep up with developing technologies

- 14 Currently, New Zealanders rely on physical licences and paper-based labels to engage with the transport system and access NZTA services. Associated requirements to hold and display these can be unnecessarily costly and onerous for users and administrators of the transport services alike.
- 15 I am proposing a suite of amendments, agreed to by the Minister of Transport, that would enable the digitisation of key transport documentation. By enabling convenient alternatives that enhance efficiency, this supports the Government's digital modernisation goals that aims to promote a modern and efficient public service.
- 16 I am seeking Cabinet agreement to:
- 16.1 **Proposal 1 – enabling digital driver licences:** make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This would include the definition of a driver licence and sections that require a physical licence.
 - 16.2 **Proposal 2 – enabling electronic issuing of regulatory notices and fees:** make a series of legislative amendments, including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices including making the provision of email addresses to NZTA mandatory upon request (as is the case for postal addresses), and
 - 16.3 **Proposal 3 – removing unnecessary display requirements:** make a series of legislative and regulatory amendments that would update requirements to carry and display physical licences and labels such as a Warrant of Fitness (WoF), Certificate of Fitness (CoF) and alternative fuel inspection certificates where digital alternatives are available. Physical display is a dated practice

Commented [GC1]: It is likely that this package of proposals will require ICT changes across NZTA and Police systems to ensure all relevant information is available for frontline staff.

Commented [CG2]: They are also used as a form of ID verification for other sectors (e.g. sale and supply of alcohol, employment etc.). You may want to refer to this in the Cabinet paper.

Commented [GC3]: We support this proposal.

Could you confirm this proposal will not replace physical driver licences? I.e. drivers who are given a digital driver licence will also be given a physical licence too.

Commented [CG4]: To get optimal benefits, the opportunity should be taken specify the legal authority to issue regulatory notices and fees by sending a notification to electronic driver licences (Proposal 1), not just email addresses, with a provision that deems the documents served when delivered by this means.

This would enable considerable cost savings for enforcement agencies, some of which could be passed onto driver licence holders due to reduced administration costs. It would also enable near real time driver licence changes, such as suspensions, medical revocations, licence reinstatements, licence condition changes and changes in licence type or licence class endorsements, etc., with no requirement to print and post these documents. There are examples of this already in place and working well in other jurisdictions.

Out of Scope

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that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; and Land Transport (Offences and Penalties) Regulations 1999.¹

- 17 While these proposals would make the necessary primary legislation changes to enable digital licences and labels in the future, digitisation of physical licences and labels will take time to implement and for public to opt in to this alternative. A key part of design is the need to ensure there are not any unintended privacy implications before implementation.
- 18 For Proposal 1, NZTA will participate in a co-design digital driver licence solution with Austroads.² Following this, the Minister of Transport can provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For Proposals 2 and 3, the Minister of Transport will return to Cabinet later this year with more detail on service design and delivery options, timeframes and associated costs.

Commented [GC6]: It will also be important to ensure there are adequate safeguards in place that prevent people tampering with digital licences, especially as tool like artificial intelligence becomes more intelligent.

Other amendments to streamline and clarify legislation will save time and costs

- 19 The government's overarching public transport objectives are incorporated into legislation through principles set out in Part 5 of the Land Transport Management Act (LTMA) 2003, which regulates public transport. Those that exercise powers and/or perform function under Part 5 (such as NZTA and other transport authorities and operators) must be guided by these principles.
- 20 The principles cover a wide range of competing objectives that can add regulatory complexity for public transport decisions makers. To reduce compliance costs and improve regulatory certainty for public transport decision makers, I am seeking Cabinet agreement to progress the Minister of Transport's decision to:
- 20.1 **Proposal 4 – re-focusing our public transport principles:** remove the following public transport principles from legislation:
- 20.1.1 (1)(a) - well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology
- 20.1.2 (1)(b) - public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe; and
- 20.1.3 (1)(c) - fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a

¹ Changes required to enable digital Road User Charges (RUC) licences will be progressed separately, as will and rule changes required.

² Austroads is the association of the Australian and New Zealand transport agencies, representing all levels of government. Austroads is a not-for-profit, nonpartisan organisation and are funded by Australian and New Zealand government transport agencies.

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sufficiently robust labour market to sustain and expand public transport services.

- 21 Removing these will result in a more cohesive set of public transport principles that are in closer alignment with my transport priorities and the purpose of the LTMA. In the absence of these principles, non-regulatory mechanisms, such as procurement guidance and letters of expectation, will continue to play an important role in supporting the sector to deliver efficient and effective public transport services.
- 22 In addition, I am seeking Cabinet agreement to:
- 22.1 **Proposal 5 – amending errors in the Civil Aviation Act 2023:** authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023.
- 23 This proposal would enable two sets of consequential amendments resulting from error in the drafting process.
- 24 The first relates to the setting of charges, which is an important element of an airport’s operation. However, a numbering error made when enacting the Civil Aviation Act 2023 (that comes into force 5 April 2025) has resulted in Wellington and Auckland airports not being able to set charges for “identified aerodrome activities provided, operated, or managed by the airport operator”.³ This proposal would enable consequential amendments allowing Wellington and Auckland airports to use the powers outlined in s230 of the Civil Aviation Act 2023 to set charges, as originally intended.
- 25 The second proposal is for a minor technical amendment to clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced.

Next steps

I intend to introduce an omnibus Bill to progress the range of regulatory fixes across the transport system

- 26 I intend to progress a Regulatory Systems (Transport) Amendment Bill (the Bill) that will provide the necessary legislative vehicle to progress these proposals. I also intend for the following to be advanced through this Bill:
- 26.1 decisions already made by this Government in June 2024, to enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220) and in July 2024 to change the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs (CAB-24-MIN-0248); and

³ S230, Civil Aviation Act 2003

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26.2 a number of minor and technical amendments to legislation that were developed by the Ministry of Transport under the previous Government (CAB-22-MIN-0177). A full list of amendments previously agreed is outlined in Appendix Two.

27 I expect to return to Cabinet in June with draft legislation. Subject to Cabinet agreement, I anticipate introducing this Bill to the House in June 2025 and passed in s 9(2)(f)(iv)

Milestone/Activity	Timeframe
Cabinet considers draft legislation	June 2025
Business Committee considers the Bill	June 2025
Introduction of the Bill	June 2025
Select Committee	July – October 2025

s 9(2)(f)(iv)

28 The need for amendments to enable the changes to the Clean Vehicle Standard drive the Bill's timeline, as they need to be in force by the end of the year to deliver as we have committed. It is also important we amend the numbering error in the Civil Action Act 2023 as soon as possible to ensure airport operators can carry out important operational functions.

Implementation

29 Legislative amendments to enable digital licences and labels alongside physical licences (Proposal 1 to 3) will be implemented at a later date. This provides an opportunity for NZTA to ensure privacy risks are managed prior to implementation, and that new digital channels are attractive to use to encourage customers to select to transact digitally.

30 NZTA and the Department of Internal Affairs are working to develop and implement the digital driver licence platform. NZTA will participate in a co-design digital driver licence solution with Austroads. Following this, the Minister of Transport will provide Cabinet with indicative implementation timeframes and costs, including any privacy risks that require addressing through the design of services and/or secondary legislation. For proposed changes to other labels and licences, the Minister of Transport will return to Cabinet this year with more detail on service design and delivery options, timeframes and associated costs.

31 Other proposed amendments are minor and technical legislative changes that will be implemented following the enactment of the proposed Bill.

Cost-of-living Implications

- 32 By removing or simplifying carrying and display requirements that bring unnecessary administration costs, these proposals will overtime reduce the cost of living as changes flow through to more sustainable fees and charges for the services NZTA administers. Other amendments designed to streamline legislation will also support this outcome.
- 33 Other proposals in this paper do not have material cost-of-living implications.

Financial Implications

- 34 These proposals have no significant financial implications. However, there will be costs associated with the implementation of digital driver licences, enabling electronic issuing of regulatory notices and fees, and removing unnecessary display requirements. I will return to Cabinet with service design and delivery options later this year which will include estimated costs.

Legislative Implications

- 35 The proposals in this paper will require changes across primary and secondary legislation including: Land Transport Act 1998; Land Transport Management Act 2003; Civil Aviation Act 2023; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999; Railways Act 2005; Motor Vehicle Registration Regulations; and Infringement and Reminder Notices and Regulations.
- 36 I intend for these proposals to be progressed through the Bill, which I anticipate introducing to the House in June 2025 s 9(2)(iv)

Impact Analysis

Regulatory Impact Statement

Proposals 1 to 3

- 37 The Ministry for Regulation has determined these proposals are exempt from the requirement to provide a Regulatory Impact Statement on the grounds they have no or only minor impacts on businesses, individuals, and not-for-profit entities, or only minor economic, social, or environmental impacts.

Proposal 4 [determination being sought]

Proposal 5

- 38 The Ministry of Transport have claimed an exemption under Cabinet Office circular CO(24)7 for the proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023 (Proposal 5) on the grounds it is for a matter suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

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Climate Implications of Policy Assessment

- 39 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that CIPA requirements do not apply to the proposals as none are expected to result in any significant, direct emissions impacts.

Privacy Impact Assessments

- 40 Privacy Impact Assessments are used to identify and assess the privacy risks arising from the collection, use and handling of personal information. When implemented, proposals to digitise licences and labels (Proposal 1 to 3) would change the means in which information is collected, used and handled. Some evaluation of privacy risks has already been conducted by NZTA.

Proposal 1 – Enabling the use of digital driver licences:

- 41 The privacy impact of decisions on the design and implementation of a digital driver licence will need to be considered. There have been data breaches and other cybersecurity risks in Australia associated with uptake of these licences that we can learn from. There are also risks associated with handing over smartphones to a person checking IDs. Officials will analyse and seek to mitigate or build safeguards against these risks as the product is designed and the secondary legislation developed. For now I am seeking to make the primary legislation enabling of digital forms of driver licences.
- 42 NZTA's initial analysis finds potential risks regarding the accuracy and verification of driver licence information and the appropriate safeguarding of this data. However, NZTA has existing obligations under the Privacy Act 2020 to ensure customer data is accurate and that there are safeguards in place to prevent unauthorised loss, misuse, or disclosure of personal information. NZTA will align their work with the Digital Identity Services Trust Framework (New Zealand's legal framework including rules and regulations for how digital identity services that are accredited should work, protect information and privacy). It is partnering with experts to ensure international standards are met as this technology is developed and implemented.
- 43 Initial evaluation also determines it to be preferable that NZTA do not use Unique Identifiers for individuals given existing restrictions set out in the Privacy Act 2020. NZTA is seeking technical advice on whether an alternative way of referencing users can be developed.

Proposal 2 – facilitating electronic issuing of regulatory notices and fees:

- 44 NZTA assessed the impact of this proposal as 'medium', as while there is some personal information involved, any risks can be mitigated satisfactorily.
- 45 NZTA also assesses that the proposal will reduce risks as e-servicing will enable emails and attachments to both be password-protected to enhance privacy. This has fewer privacy risks than the current practice of posting such notices to physical addresses, with no confirmation of receipt, and in envelopes that can be opened by anyone.

Proposal 3 – removing unnecessary display requirements

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46 NZTA assessed the impact of this proposal as 'low' as the use of personal information is uncontroversial, and the risk of harm eventuating is negligible.

Population Implications

47 There are no population implications arising from these proposals.

Human Rights

48 Where proposals are enabling the use of technology, there will be an ongoing ability to opt for the traditional route of being, for example, sent a notice via mail and provide a physical copy of one's driver's licence. This recognises that while technology can be enabling for many people and organisations, it can act as a barrier for others.

Use of external Resources

49 No external resources were used in policy development of the proposals or drafting of this paper.

Consultation

50 The following agencies were consulted on the contents of this paper:
[PLACEHOLDER].

51 I do not propose to take further targeted or public consultation on the proposals outlined in this paper. However, proposals outlined in Appendix Two underwent public consultation between 1 June to 8 July 2022.

Communications

52 Once legislative drafting is complete, I will share my communications approach including advising stakeholders of the Select Committee process to submit on the contents of the Bill. The Minister of Transport intends to separately announce, in conjunction with the Minister for Digitising Government, the decision to progress changes to the Land Transport Act to enable a digital driver licence.

Proactive Release

53 This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final policy decisions being taken by Cabinet.

Recommendations

The Associate Minister of Transport recommends that the Committee:

- 1 **note** that amendments are required across transport legislation to support effective regulatory stewardship and an efficient transport system.
- 2 **note** that I intend to progress these amendments through the Regulatory Systems (Transport) Amendment Bill ^{s 9(2)(f)(iv)}

Commented [GC7]: Proposals 1-3 could impact people in rural communities i.e. if electronic displays require a network connection to use.

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s 9(2)(f)(iv)

- 3 **agree** to enable the use of digital driver licences.
- 4 **agree** to facilitate the electronic issuing of infringement and other regulatory notices as an enforcement mechanism, including by requiring the provision of electronic addresses to the NZTA if the recipient has one.
- 5 **agree** to enable digital in-vehicle labels and update the requirement to carry and display physical labels where a digital alternative is available.
- 6 **agree** to remove the following three public transport principles in legislation:
 - 6.1 well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology,
 - 6.2 public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe,
 - 6.3 fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.
- 7 **authorise** the responsible Minister to issue drafting instructions to the Parliamentary Counsel Office to update cross references and address other editorial matters in the Civil Aviation Act 2023
- 8 **invite** the Minister and Associate Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to proposals in recommendations 2 to 5 (including for primary legislation and any associated regulations), including any necessary consequential amendments, savings and transitional provisions.
- 9 **authorise** the Minister and Associate Minister of Transport to make policy decisions that are consistent with the overall policy, provided that these decisions are confirmed when the Bill is considered for introduction.

Once the Minister has approved the draft Cabinet paper for lodgement for Cabinet or a Cabinet committee, this section should be updated to state 'Authorised for lodgement'.

Hon James Meager
Associate Minister of Transport

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Appendix One: Summary of final policy proposals for Cabinet agreement

Proposal	Description	Relevant legislation	Comment
Enabling digital driver licences (DDL)	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to enable the use of digital driver licences. This includes amending the definition of a driver licence and sections that require a physical licence. This change supports the Digitising Government approach that aims to promote a modern and efficient public service by providing people with a convenient alternative to carrying a physical copy of their driver licence.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs. There are outstanding privacy considerations that need to be worked through.
Better enabling NZTA to email regulatory notices and fees	Proposal to make a series of legislative amendments including to the Land Transport Act 1998 to facilitate the electronic issuing (e.g. emailing) of infringement and other regulatory notices. This includes sections that specify how regulatory notices are sent and making the provision of email addresses to NZTA mandatory upon request (as is the case for postal addresses). This change also supports the Digitising Government approach that aims to promote a modern and efficient public service and reduce unnecessary administration cost.	Land Transport Act 1998	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.
Enabling digital in-vehicle labels	Proposal to make a series of legislative amendments that would remove requirements to carry and display physical licences and labels. This is a dated practice that does not align with the future direction of the transport system and carries an unnecessary administration cost. This proposal would include amendments to the Land Transport Act 1998, Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, and Land Transport (Offences and Penalties) Regulations 1999 to provide flexibility by enabling digital in-vehicle labels to be displayed.	Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011; Land Transport (Offences and Penalties) Regulations 1999	RIS exemption This is an enabling provision. Implementation will take time and have associated costs, although these costs will, in part, be balanced by administrative savings in the long-term.

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<p>Re-focusing our public transport principles</p>	<p>Proposal to amend the Land Transport Management Act's (LTMA) public transport principles set out in Part 5, section 115 by removing three principles that add cost and complexity for public transport decision-makers. Removing these principles will help to improve alignment between the remaining public transport principles with Government priorities and the purpose of the LTMA, reduce compliance costs and improve regulatory certainty for public transport decision makers.</p>	<p>Land Transport Management Act 2003</p>	<p>RIS TBD</p>
<p>Amending an error in the Civil Aviation Act 2023 (Associate Minister responsible)</p>	<p>Proposal to authorise the Minister of Transport to update cross references and address other digital matters in the Civil Aviation Act 2023. This would enable two sets of consequential amendments:</p> <ul style="list-style-type: none"> a) allowing Wellington and Auckland airports to use the powers outlined under S230 of the Civil Aviation Act 2023 to set charges as intended. <p>The setting of charges is an important element of an airport's operation. However, a numbering error made when enacting the Civil Aviation Act 2023 has resulted in Wellington and Auckland airports not being able to set charges for 'identified aerodrome activities provided, operated, or managed by the airport operator', and</p> <ul style="list-style-type: none"> b) clarify that costs can be recovered via levies unless those same costs are otherwise collected or to be collected via the Airports (Cost Recovery for Processing of International Travellers) Act 2014. This would align the Civil Aviation Act with the Customs and Excise Act 1996 and the Biosecurity Act 1993, which already contain these clarifying statements. This amendment fills an unintended legislative gap that exists because the Civil Aviation Act 1990 was not consequentially amended to include this statement when the aviation security levies were later introduced 	<p>Civil Aviation Act 2023</p>	<p>RIS exemption</p>

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Appendix Two: Summary of proposals agreed to by Cabinet in November 2022 (CAB-22-MIN-0177)

Land proposals		
Proposal	Description	Relevant Legislation
Allow the NZTA to proactively close parts of the State Highway network to address safety concerns	Proposal to amend the Government Roding Powers Act 1989 (GRPA). This will align NZTA's powers with other Road Controlling Authorities.	Government Roding Powers Act 1989
Pedestrian access to approved areas within motorway corridors	The GRPA restricts pedestrian access to motorways. This proposal will update GRPA provisions to clarify that pedestrians may use approved areas and infrastructure (e.g. bus stops).	Government Roding Powers Act 1989
New offence and powers relating to Transport Service Licences (TSL)	Drivers and owners of freight, vehicle recovery, and passenger service vehicles are required to hold a TSL. The Land Transport Act 1998 (LTA) prohibits transferring, assigning, or leasing a TSL but there is no corresponding offence. Propose to amend the LTA to: add an offence, expand NZTA's audit ability, extend power to suspend a TSL, and require a fit/proper person check for a new person added to a TSL.	Land Transport Act 1998
Simplify the Rule consultation process to remove duplication	This proposal will remove duplicative consultation requirements in section 161(2)(c) of the LTA that are adequately covered in section 161(2)(b). The Maritime Transport Act 1994 (MTA) and Land Transport Management Act 2003 (LTMA) will be amended in the same way. This will align transport sector consultation practice with the Civil Aviation Act 2023.	Land Transport Act 1998
Introducing emergency powers for the Director of Land Transport	Enable the Director of Land Transport to extend the term of any land transport document when a state of national or local emergency has been declared, an Epidemic Notice is in force, or with the Minister of Transport's agreement. It will also introduce new powers for the Director of Land Transport to: require any vehicle, or class of vehicle, to present for inspection by a specified date, and be able to revoke the Certificate/Warrant of Fitness of a class of vehicles on the grounds of not meeting safety requirements.	Land Transport Act 1998
Increase the maximum level of fines and infringement fees that	This proposal will raise the maximum fees and fines that can be made through regulations under section 167 of the LTA. Maximum penalties for an individual will vary from \$2,000 to \$3,000 for infringement fees, and from \$10,000 to \$15,000 for fines before a court order. This would require	Land Transport Act 1998

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can be set through regulations	public consultation on proposed amounts for specific offences. (This is a separate initiative to the Fees and Penalties work)	
Amend a drafting error to enable NZTA to declare a road as being a state highway	A drafting oversight in the LTMA means NZTA cannot legally declare a new road it has constructed as a state highway. Proposal to amend the definition of road in the LTMA to correct this, and to ensure the validity of State highway declarations and any enforcement activities.	Land Transport Management Act 2003
Clarify the criteria and consultation requirements for when NZTA can declare a vehicle to not be a motor vehicle	The E-Scooters (Declaration not to be motor vehicles) Notice 2018 led to complaints to the Regulations Review Committee about a lack of transparency, and a lack of consultation by NZTA. Propose to amend the LTA to require that when NZTA declares a vehicle is not a motor vehicle, they have regard to how the declaration will contribute to a safe, inclusive and environmentally sustainable land transport system. The NZTA must also conduct an appropriate level of consultation prior to making a declaration.	Land Transport Act 1998
Introduce reactive investigation powers under the Railways Act 2005	Proposal to introduce new powers for NZTA to freeze a scene to preserve and collect evidence, access sites to investigate or carry out verification inspections, request materials to be supplied for examination, interview personnel involved in a safety occurrence and require identified failings to be remediated by the rail participant.	Railways Act 2005
Allowing rail safety case applications to be paused	All rail licence holders are required to have a safety system with an overarching safety case approved by NZTA. A 20-working day limit applies to applications for safety case approval. This proposal will amend the LTA to introduce a 'stop-the-clock' provision when NZTA requires further information from an applicant, either for a new application or a variation to a safety case.	Land Transport Act 11998

Maritime Proposals		
Proposal	Description	Relevant Legislation
Confer maritime safety powers on the Minister of Conservation in the Subantarctic and Kermadec Islands	This proposal extends the functions, duties, responsibilities and powers of a regional council relating to maritime safety under Part 3A the MTA to the Minister of Conservation. This will allow the Minister of Conservation to manage maritime safety at the Islands, with access to a system of powers in line with the rest of New Zealand.	Maritime Transport Act 1994

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<p>Update the definition of a 'convention' in the MTA</p>	<p>Under the MTA, amendments to an international convention to which New Zealand is a party are not defined as part of the convention. This proposal will amend the definition of 'convention' to incorporate subsequent amendments. This will avoid multiple Orders in Council being required to recognise that amendments have been made.</p>	<p>Maritime Transport Act 1994</p>
<p>Clarifying the threshold for starting an investigation of a maritime document holder</p>	<p>Currently section 54A of the MTA requires the Director of Maritime New Zealand (the Director) to have 'reasonable grounds to believe' non-compliance with the requirements of a maritime document before initiating an investigation. 'Belief' implies a substantial level of evidence, which does not enable the Director to uncover covert breaches. This proposal will amend the threshold to 'reasonable grounds to suspect'.</p>	<p>Maritime Transport Act 1994</p>
<p>Provide certainty that breaches of maritime document holders' duties are grounds for an investigation</p>	<p>This proposal will establish that the Director can investigate a maritime document holder under section 54A where there are reasonable grounds to suspect a breach of their general duties under section 17 of the MTA.</p>	<p>Maritime Transport Act 1994</p>
<p>Addressing an inconsistency with the Maritime Labour Convention 2006 (MLC) in respect to prohibiting charges for placing seafarers in employment</p>	<p>The MLC is an International Labour Organization treaty that sets out minimum standards to address the welfare and employment conditions of seafarers. The MLC came into force in New Zealand in 2017.</p> <p>The MLC allows charges for placing seafarers in employment provided charges are not borne directly or indirectly by the seafarer. Section 27 of the MTA prohibits people providing seafarer recruitment and placement services from charging for the service. This proposal will align the MTA with the MLC by removing the prohibition in section 27 of the MTA on charging for seafarer recruitment and placement services.</p>	<p>Maritime Transport Act 1994</p>
<p>Aligning seafarer employment agreement clauses with MLC requirements</p>	<p>This proposal will amend section 2 of the MTA to replace the definition of 'Articles of Agreement' with the MLC definition of 'seafarers' employment agreement'.</p>	<p>Maritime Transport Act 1994</p>
<p>Align the MTA with the MLC requirement that a seafarer's record of</p>	<p>Section 22(1)(d) of the MTA specifies that if requested by the seafarer, an employer on a New Zealand ship on an overseas voyage must provide a</p>	<p>Maritime Transport Act 1994</p>

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employment need not include any statement as to the quality of their work	certificate as to the quality of the seafarer's work. This proposal will repeal section 22(1)(d).	
Aligning with the MLC requirement to prohibit people younger than 16 years old from working on a ship and people under 18 from undertaking hazardous work	Section 26(3) of the MTA states that an employer may employ two persons under the age of 18 to take the place of a single trimmer or stoker, if reasonable steps have been taken to find someone 18 or over. Section 26(4) allows the Director of Maritime NZ to approve the employment of a school-aged person to carry out work on a training ship. These two provisions will be removed.	Maritime Transport Act 1994
Revising and reorganising Part 3 of the MTA to align it with the MLC	The MLC places a number of obligations on 'shipowners'. The MTA does not use this term and refers to 'employers'. This proposal will insert a definition of 'shipowner' into the MTA. All references to 'employers' in Part 3 of the MTA will be changed to 'shipowner'. Other changes to Part 3 to reflect MLC obligations include shifting the duty to provide food and drinking water from the employer to the shipowner; introducing a requirement for documentary evidence of financial security for the purposes of repatriation of seafarers to be set by maritime rules; and prohibiting advanced payments to cover costs of repatriation of a seafarer.	Maritime Transport Act 1994
Clarifying rule-making and compliance powers to support the implementation of MLC requirements	This proposal will amend the MTA to clarify that the scope of its rule-making powers extends to minimum requirements for seafarers to work on a ship; conditions of employment on a ship; repatriation of seafarers; and the liability of shipowners to assist seafarers in the event of abandonment.	Maritime Transport Act 1994
Amending the definition of unit of account	In section 2 of the MTA, the term 'unit of account' is used to represent an internationally defined value that can be used to calculate the limit of liability or recompense for damage or loss. Currently, section 2 of the MTA defines unit of account only with reference to Part 7 of the Act, when Parts 16, 25 and 26 are also relevant. This proposal seeks to make the definition of, and calculations for, 'units of account' in the four parts of the MTA consistent.	Maritime Transport Act 1994
Bring floating production and storage	An FPSO is a vessel used in the offshore oil and gas industry for the production, processing and storage of oil. This proposal seeks to ensure	Maritime Transport Act 1994

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and offloading units (FPSOs) within the maritime levy	FPSOs contribute to the maritime regulatory system when they enter New Zealand's territorial waters (there are currently no FPSOs in New Zealand's territorial waters).	
Update the maximum level of fines and infringement fees that can be set through regulations in the MTA	This proposal is to increase the maximum fines and infringement fees with respect to Maritime Rules or navigation bylaws, and breaches of the marine protection rules. The new maximum penalties for individuals will be \$3000 for infringements and \$15,000 for fines.	Maritime Transport Act 1994
Modernise the penalties for the safety offences in the MTA	This proposal would align the maximum financial penalties for MTA safety offences with the Health and Safety at Work Act 2015. This would enable foreign flagged and New Zealand ships and crew to be treated equally.	Maritime Transport Act 1994
Amend the Maritime (Offences) Regulations 1998 (Maritime Regulations) and the Marine Protection (Offences) Regulations 1998 (Marine Regulations)	This proposal is to update the maximum fines and fees in the Maritime Regulations and the Marine Regulations for the first time since 1998, to add penalties where none currently exist, and to tidy up inconsistencies created by changes to the Maritime Rules over time.	Maritime (Offences) Regulations 1998; Marine Protection (Offences) Regulations 1998

Proposals agreed in 2022 that will no longer be progressed

Proposal	Description	Relevant Legislation
Remove Road Controlling Authorities' (RCAs) restrictions on cost recovery charging for residential parking	The LTA requires that fees charged by RCAs for reserved residential parking cannot exceed the reasonable cost of the service involved in granting the permit. This proposal will amend the current restriction to require that the cost of residential parking be limited to a 'reasonable' amount.	Land Transport Act 1998
Include Waka Kotahi in NZTA's name in legislation	This proposal will replace 'New Zealand Transport Agency' in legislation with 'Waka Kotahi New Zealand Transport Agency'	Across legislation

Neha Pawar

From: James Little <james.little@dia.govt.nz>
Sent: Tuesday, 11 March 2025 1:19 pm
To: Bonnie Hayvice
Cc: cabinetpapers; Kelsea Whyte; Mike West
Subject: RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Follow Up Flag: Follow up
Flag Status: Flagged

Kia ora Bonnie

Thank you for the opportunity to provide feedback on this paper. Our feedback covers both the policy and Digital Identity Trust Framework Group of the Department of Internal Affairs.

- We're pleased that this Cabinet paper aligns with the work we are doing in DIA on digital identity. Your work on digital driver licences (proposal 1) is most relevant to us, so most of our comments relate to proposal 1.
- You raise in para 17 and 41-42 the potential for unintended privacy implications to be considered before implementation.
 - By aligning NZTA's digital driver licence with the *Digital Identity Services Trust Framework Act*, many of these privacy implications can be addressed in a consistent way shared across accredited services. You may wish to consider including this to indicate there is already a framework to manage these privacy implications. This is mentioned in para 42, but it might also be worth highlighting in 17.
 - You also mention data beaches and cybersecurity risks in Australia. Recent events have largely been caused by the insecure management of copies of physical documents, a problem digital identity seeks to partially address. It may be worth mentioning that although there are necessary considerations for digital identity, by and large, these practices are much more secure than existing processes based on physical documents.
 - In para 41 you raise the risk of "handing over smartphones to a person checking IDs". Under the Trust Framework and the relevant standards (ISO 18013-5) a user never hands over their phone, and the transaction is always undertaken by the user retaining their device. Could you please amend this.
- If recommendation 3 was not to be acceptable to Cabinet, that the recommendation could be changed to *in principle* agreement to enabling the use of digital driver licences. However, our strong preference is for the recommendation as currently drafted.
- Policy Group also want to note that proposals 1-3 all risk entrenching the impacts of digital exclusion (such as those seen for older or more rural communities who have less knowledge of or access to digital solutions). We are pleased you have raised this – if somewhat briefly – in para 48, and hope that that risk will be further considered through implementation.

James Little | Market Development Lead
Digital Identity Services Trust Framework Group

Duplication of email dated 5 March 2025 from Bonnie H

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Neha Pawar

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Friday, 9 May 2025 4:17 pm
To: Sarah Godwin
Cc: Bonnie Hayvice; Katrina Quickenden; Phoebe Moir; Eve Kennedy
Subject: OPC comments RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system
Attachments: OPC comments RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Kia Ora Sarah,

Thanks for checking in on the privacy section of this Cabinet paper - we appreciate the effort to accurately reflect our views!

From our earlier comments (attached), our main message was that the broader proposal to enable a digital driver licence raises significant privacy issues that need to be fully considered, but “[o]n the basis that relevant law changes in scope for approval here are minor and technical, and that there will be further Cabinet approvals and opportunities for us to engage through the development of any digital driver licence, we see the privacy risks presented at this stage as relatively minor and as not presenting a barrier to this work advancing.”

Our comments engaged specifically with the potential privacy risks, the need for privacy analysis as a part of broader work, and the limited privacy risk presented on the basis that immediate changes are minor and technical. We do not make any comment on the approach to developing this work more broadly, and we think that those bits of the proposed section are probably comments attributable to MoT.

Based on the above, we think it would more accurately reflect our involvement and our views to say something like the following (with new text highlighted and underlined):

1. *The Bill makes legislative changes to enable digital driver licences and labels in the future. When implemented, proposals to digitise licences and labels would significantly change the ways that personal information is collected, used and shared, raising potential privacy risks.*
2. *The Ministry of Transport has consulted the Office of the Privacy Commissioner (OPC) on the development of the digital modernisation proposals enabled by the Bill.*
3. *OPC said that while broader work to develop and implement digital driver licences will need substantial privacy analysis, on the basis that relevant law changes in scope for approval here are minor and technical, and that there will be further Cabinet approvals and opportunities for OPC to engage through the development of any digital driver licence, the privacy risks presented at this stage are relatively minor and do not present a barrier to this work advancing. OPC encourages the Ministry, NZTA and Department of Internal Affairs to continue work analysing privacy risks and mitigations as part of developing a digital driver licence^[1].*
4. *The Ministry's view is that this will support the Minister of Transport to return to Cabinet later this year with more detail on service design and delivery options, timeframes, and associated costs.*
5. *The Ministry has not identified any issues with the Bill itself complying with the principles and guidelines in the Privacy Act 2020, though compliance will need to continue to be considered during implementation of the digitisation proposals.*

I hope this is helpful!

Aku mihi,

James

James Ting-Edwards ([he/him](#))

Senior Policy Advisor | Kaitohutohu Tuakana Kaupapahere

Office of the Privacy Commissioner | Te Mana Mātāpono Matatapu

PO Box 10094, Wellington 6140

T +64 9 302 8680 DDI s 9(2)(a)

E james.ting-edwards@privacy.org.nz

privacy.org.nz



Consulting the OPC policy team?

Read how best to engage with us.

From: Sarah Godwin <S.Godwin@transport.govt.nz>

Sent: Friday, 9 May 2025 2:59 pm

To: James Ting-Edwards <james.ting-edwards@privacy.org.nz>

Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Katrina Quickenden <K.Quickenden@transport.govt.nz>;

Phoebe Moir <P.Moir@transport.govt.nz>

Subject: FW: OPC comments RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Kia ora James,

I have taken over from Bonnie leading the Regulatory Systems (Transport) Amendment Bill (RSTA Bill). Thanks again for your previous comments on the digital modernisation proposals in this Bill.

I am currently in the process of drafting the Cabinet paper that will introduce the Bill. I thought it would be good to test the privacy section with you, ahead of Departmental consultation so that OPC's views are represented accurately.

Draft text:

1. *The Bill makes legislative changes to enable digital driver licences and labels in the future. When implemented, proposals to digitise licences and labels would change the means in which information is collected, used and handled, raising potential privacy risks.*
2. *The Ministry of Transport consulted the Office of the Privacy Commissioner (OPC) throughout the development of the digital modernisation proposals, enabled by the Bill.*
3. *The OPC is satisfied at the level of privacy analysis at this stage and encourages the Ministry, NZTA and Department of Internal Affairs will continue to work through these risks and mitigations^[1]. This will support the Minister of Transport to return to Cabinet later this year with more detail on service design and delivery options, timeframes, and associated costs.*
4. *We have not identified any issues with the Bill itself complying with the principles and guidelines in the Privacy Act 2020, though compliance will need to continue to be considered during implementation of the digitisation proposals.*

^[1] For example, aligning digital driver licenses with the Digital Identity Services Trust Framework to ensure standards (such as privacy) are met, to give New Zealanders confidence that their digital ID can be safely and securely used.

Could you please let me know if you have any comments by midday Monday 12 May?

Happy to discuss if you have any questions

Thanks James,

Sarah Godwin (she/her)

Kaitohutohu Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

M: s 9(2)(a) E: s.godwin@transport.govt.nz | transport.govt.nz

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>

Sent: Monday, 17 March 2025 2:12 pm

To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>

Subject: RE: OPC comments RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Thanks Bonnie!

We don't always get an update on how these things develop after our feedback 😊

I'm sure if OPC will have anything more to say, but once again I'm grateful for your help providing info and responding to my questions – very much appreciated!

Aku mihi,

James

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>

Sent: Monday, 17 March 2025 2:09 pm

To: James Ting-Edwards <james.ting-edwards@privacy.org.nz>

Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>; Katrine Evans <Katrine.Evans@privacy.org.nz>

Subject: RE: OPC comments RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Kia ora James,

Thank you for your comments. You raise some important points for us an NZTA to consider as we determine how best to operationalise the proposals. In response to your points on proposals 1 and 2:

Comments on proposal 1: There are provisions in transport legislation that either explicitly or by implication limit their reference to physical documentation. Enabling provisions would extend these

to be neutral on the form of licences/labels, where appropriate. A number of amendments across legislation will be required to achieve this. We have not been prescriptive in the Cabinet paper as to not limit us should we find further amendments are required.

Comments on proposal 2: I have strengthened the privacy assessment section to clarify that there are potential privacy risks and mitigations associated with mandating the collection and provision of electronic addresses, see below:

NZTA assesses the impact of this proposal as 'medium'. Mandating the collection and provision of electronic addresses raises potential privacy risks such as potential reliance on inaccurate information (e.g., if email addresses are not kept up to date) and could further expose New Zealanders to cybersecurity risks, scams and phishing. However, NZTA considers these risks can be satisfactorily mitigated by applying similar safeguards as for other personal information they hold. NZTA also assesses that the proposal will reduce risks as e-servicing will enable emails and attachments to both be password-protected to enhance privacy. This has fewer privacy risks than the current practice of posting such notices to physical addresses, with no confirmation of receipt, and in envelopes that can be opened by anyone.

Thanks again,
Bonnie

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Friday, 14 March 2025 11:25 am
To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>; Katrine Evans <Katrine.Evans@privacy.org.nz>
Subject: OPC comments RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Kia Ora Bonnie,

Thank you for the opportunity to comment on this Cabinet paper, and for the very helpful engagement to understand the policy intent and the scope of work involved – our comments follow.

- We have said in previous comments that proactive work on privacy, including learning privacy and cybersecurity lessons from other jurisdictions, is critical for work on a digital driver licence to uphold New Zealanders' trust and operate as intended. We are pleased to see substantial consideration of privacy issues in this Cabinet paper.
- We are also grateful to MoT and NZTA for sharing the brief NZTA analysis of privacy issues. This has helped us understand the issues and formulate comments. As the Cabinet paper discusses, further work on privacy will be needed, but even a brief analysis early on can help to inform the people doing the work as well as decisionmakers.
- We are supportive of moves to enable well-considered use of digital technologies. Our comments below address some points of detail about the process here, but very much from a perspective on "how to" rather than "don't do".

Proposal 1: Form of driver licence

- The Cabinet paper refers to legislative steps to enable the adoption of a digital driver licence, but does not specify what law changes are in scope for this phase of work. We suggest the paper could be clearer on this point.

- From conversations with MoT, we understand the policy intent for this phase of work is to remove technical legal barriers to adoption of a digital driver licence as an initial step, but that the actual adoption of any digital driver licence solution would depend on further policy work, privacy analysis, and Cabinet approvals which OPC would have the chance to engage on.
- An example of the kind of change we understand to be in scope at this stage is an amendment to s 28(1) of the Land Transport Act 1998 which provides “a driver licence must be in the prescribed form and must have on it ...”, to remove the legal requirement implied by the word “on” that a licence be in a physical form.
- On the basis that relevant law changes in scope for approval here are minor and technical, and that there will be further Cabinet approvals and opportunities for us to engage through the development of any digital driver licence, we see the privacy risks presented at this stage as relatively minor and as not presenting a barrier to this work advancing.
- We are also encouraged to see that the brief privacy impact analysis discusses privacy issues and mitigations, with reference to experiences from Australia, the ISO standard, and alignment with the Digital Identity Trust Framework. We particularly note the references to potential enhancements to privacy from avoiding the physical handover of cards or devices, and the potential to disclose less information than a physical driver licence reveals.
- We do think it would be helpful to be more explicit in the Cabinet paper about what legal changes are in scope for this phase of work. We have relied on (and appreciate) conversations with MoT to understand the policy intention here, but decision-makers and consulted stakeholders need a clear understanding of what changes are being proposed at this time.

Electronic issuing of fees and notices – mandatory collection/provision of email addresses

- We understand the policy intention behind the proposal to mandate collection/provision of email addresses is to enable electronic service of regulatory notices, including for fees and infringements, by ensuring there is an email address to send them to.
- We are not opposed to this approach, but think Proposal 2 would benefit from further analysis of privacy risks and mitigations. This work would help to ensure that decisions here are fully informed on privacy, and could be added to NZTA’s brief privacy analysis.
- We understand efficiency and modernisation arguments for moving to digital communication methods. Our concern is the proposal to mandate collection of email addresses as opposed to allowing individuals to opt in on an informed voluntary basis. When a policy proposal involves an intrusion on New Zealanders’ privacy, we are looking to see a strong policy case (including analysis of privacy risks and mitigations) showing that the intrusion on privacy is in proportion to the benefits for individuals and for society.
- Moving from voluntary to mandated collection and provision of an email address involves an intrusion on New Zealanders’ privacy and also contributes to other potential privacy risks. As illustrative examples, some of those privacy risks relate to:
 - **Accuracy:** for a range of reasons, not least established barriers to full digital inclusion in New Zealand, not everyone maintains an active email account which they alone control and check regularly. Mandating that people provide a contact email creates a risk that people will provide an old, or shared, or irregularly checked email address. This creates risks of NZTA relying on inaccurate information about people, people missing infringement notices, and potential for catch-22 situations if email is relied upon to correct issues with email.
 - **Data breaches and email security:** Mandated use of email for NZTA notices may increase New Zealanders’ exposure to privacy and cybersecurity risks. Poor email hygiene (sending email to the wrong address, including bulk emails to wrong recipients) remains one of the leading causes of data breaches in New Zealand. Email providers and email recipients are

also open to phishing and other cybersecurity attacks. Shared email accounts (eg accounts for a household) create a risk of inappropriate disclosure to third parties.

- **Scams and phishing:** requiring an electronic point of contact for NZTA may escalate the risk New Zealanders face from inauthentic messages: scams, spam, and phishing. You may wish to consider how NZTA will build understanding and trust of email communications if this is to be a primary contact method.
- We agree with the Cabinet paper at [45] and the brief privacy impact analysis at 1.1(b) that in some situations electronic mail may enhance privacy compared with physical mail. We think adding discussion of potential privacy risks and mitigations to the work already done would help to ensure the coverage of privacy issues is balanced and support informed decisions on Proposal 2.
- Finally, as a background consideration, digital services can be complicated and hard for some New Zealanders to use and trust. In this context, as with digital driver licences, it may also be worth considering whether all New Zealanders are ready for a shift to electronic service of notices. Retaining physical and non-digital options may be important to maintain trust with some key demographics and to support their preferred approach to providing and accessing their personal information. You might consider this in any further analysis.

Aku mihi,

James

James Ting-Edwards ([he/him](#))

Senior Policy Advisor | Kaitohutohu Tuakana Kaupapahere

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privacy.org.nz

Sharing information with third-party providers?

Check your privacy responsibilities.



From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>

Sent: Thursday, 6 March 2025 9:38 am

To: "Monica Rogers" <Monica.Rogers@dia.govt.nz>; "Rachel Townrow" <Rachel.Townrow@dia.govt.nz>; "Ben Temple" <ben.temple@regulation.govt.nz>; "Linda Cameron" <Linda.Cameron@regulation.govt.nz>; "Gwen Rashbrooke" <gwen.Rashbrooke@regulation.govt.nz>; James Ting-Edwards <james.ting-edwards@privacy.org.nz>; leavers <leavers@privacy.org.nz>; Ewan Lincoln <Ewan.Lincoln@privacy.org.nz>; "Olivia Maxwell [TSY]" <Olivia.Maxwell@treasury.govt.nz>; Official Correspondence NZTA <official.correspondence@nzta.govt.nz>; "maddie.knight@justice.govt.nz" <Maddie.Knight@justice.govt.nz>; Brendan Gage [DPMC] <Brendan.Gage@dpmc.govt.nz>; June Ralphs <june.ralphs@caa.govt.nz>; james.little@dia.govt.nz; adriana.nickless@police.govt.nz; john.white@police.govt.nz; Hayden Glass <Hayden.Glass@dpmc.govt.nz>; Steve Penman <steve.penman@nzta.govt.nz>; Amanda Richards <Amanda.Richards@maritimenz.govt.nz>

Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>

Subject: RE: Cabinet paper for departmental consultation - Regulatory Systems (Transport) Amendment Bill - strengthening the efficiency of the transport system

Kia ora koutou,

Please note the extended timeframe for your feedback now due **COP Friday 14 March**. This reflects a delay in the commencement of ministerial consultation, and as a result, the intention for the paper to now be considered by ECO on 26 March.

Cheers
Bonnie

Duplication of email dated 5 March 2025 from Bonnie H

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Neha Pawar

From: James Little <James.Little@dia.govt.nz>
Sent: Thursday, 15 May 2025 4:04 pm
To: Laura Bender
Cc: Katrina Quickenden; john.white@police.govt.nz; ellie.argyle@justice.govt.nz; maddie.knight@justice.govt.nz
Subject: RE: Departmental consultation: Cabinet paper on Land Transport Rules Reform Programme

Follow Up Flag: Follow up
Flag Status: Completed

Kia ora Laura,

Thank you for the opportunity to provide feedback on the attached draft Cabinet paper.

From the perspective of the Digital Identity team within the Department of Internal Affairs we are highly supportive of the proposed workstream to enable a digital driver licence. As you are aware, we are working very closely with NZTA on the practical implementation of this, and its role in the wider NZ digital identity ecosystem.

Our key concern however is on the timing. We would strongly support workstream 5 “Enabling a digital driver licence, digital documents, and e-servicing” being progressed quicker than is proposed. We suggest this workstream should be brought forward to align with workstreams 2, 3, and 4a with consultation beginning in October 2025 and rules changes by May 2026. s 9(2)(g)(i)

Bringing this workstream forward would ensure the maximum amount of certainty for the wider public and private sector to invest in the infrastructure necessary to allow for them to receive/verify a digital driver licence and will ensure alignment with a best-case scenario for NZTA’s development of a digital driver licence.

Happy to discuss this further, don’t hesitate to reach out.

James Little | Market Development Lead
 Digital Identity Services Trust Framework Group
 Te Tari Taiwhenua | Department of Internal Affairs
 s 9(2)(a)

From: Laura Bender <L.Bender@transport.govt.nz>
Sent: Wednesday, 7 May 2025 3:47 pm
To: Olivia.Maxwell@treasury.govt.nz; Official Correspondence NZTA <official.correspondence@nzta.govt.nz>; Steve Penman <Steve.Penman@nzta.govt.nz>; James Little <James.Little@dia.govt.nz>; adriana.nickless@police.govt.nz; john.white@police.govt.nz; ellie.argyle@justice.govt.nz; maddie.knight@justice.govt.nz
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>
Subject: Departmental consultation: Cabinet paper on Land Transport Rules Reform Programme

You don't often get email from l.bender@transport.govt.nz. [Learn why this is important](#)

Tēnā koutou,

Please find attached a draft Cabinet paper on the Minister of Transport's Land Transport Rules Reform Programme, for departmental consultation. Please provide any feedback by the end of **Wednesday 21 May**. Ministerial consultation is set to occur in parallel.

The draft paper seeks Cabinet's agreement to:

- The Minister's programme of work to reform land transport rules
- Give the Minister of Transport authority to approve documents for public consultation on most of the workstreams, in line with policy direction signalled in the paper.

The intention is for the paper to be discussed at ECO on 4 June.

Please note that, since the paper was drafted, the Minister of Transport has delegated a further workstream to the Associate Minister (reviewing light vehicle warrant of fitness and certificate of fitness frequency and inspection requirements). Future versions of the paper will be updated to signal that the Associate Minister will return to Cabinet to seek agreement for any consultation in that workstream, rather than seeking authority for the Minister to approve consultation documents.

Let me know if you have any questions. If you're not the right person in your organisation to provide comment, please let me know so that I can send it to whoever is best placed to do so.

Ngā mihi,
Laura

Laura Bender (she/her)

Kaitohutohu Mātāmua | Principal Adviser
Kaupapahere mō ngā take Whakarite | Regulatory Reform
Te Manatū Waka Ministry of Transport

M: s 9(2)(a) | E: l.bender@transport.govt.nz | transport.govt.nz

MINISTRY OF TRANSPORT

Wellington (Head Office) | Ground Floor, 3 Queens Wharf | PO Box 3175 | Wellington 6011 | NEW ZEALAND | Tel: +64 4 439 9000 |

Auckland | NZ Government Auckland Policy Office | Level 7, 167B Victoria Street West | PO Box 106238 | Auckland City | Auckland 1143 | NEW ZEALAND | Tel: +64 4 439 9000 |

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Neha Pawar

From: Steve Penman <Steve.Penman@nzta.govt.nz>
Sent: Wednesday, 21 May 2025 12:54 pm
To: Laura Bender
Cc: Amy Moorhead; Official Correspondence NZTA
Subject: FW: Departmental consultation: Cabinet paper on Land Transport Rules Reform Programme
Attachments: OC250315 Land Transport Rules Reform Programme - Cabinet Paper (1) (002).docx

Kia ora Laura

Thank you for seeking NZTA feedback on the Departmental consultation version of the Cabinet paper on the Land Transport Rules Reform Programme. Please find attached our feedback in the form of comments and suggested track changes.

We note that the Recommendations section is yet to be finalised. We would appreciate the opportunity to provide further feedback on the final draft Recs once these are prepared.

Happy to discuss.

Thank you.

Ngā mihi

Steve Penman**Lead Advisor System Policy**

Te Tūāpae – System Leadership

Email: steve.penman@nzta.govt.nz

Phone: s 9(2)(a)

Mobile:

NZ Transport Agency Waka Kotahi

44 Bowen Street

Private Bag 6995, Wellington 6141, New Zealand

Duplication of email dated 7 May 2025 from Laura B

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4. Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting
 5. Enabling a digital driver licence, digital documents, and e-servicing
 6. Improving lane use and use of traffic control devices, and minor system improvements
 7. Overhauling the vehicle regulatory system.
- 5 Consultation has already occurred on Workstream 1 (vintage and motorhome WOFs/COFs). For Workstream 2 (Considering additional safety requirements) the Associate Minister of Transport will bring any proposals for public consultation to Cabinet for agreement.
- 6 To enable the remaining rule reforms to progress efficiently, I seek delegation from Cabinet for the Minister of Transport to approve the consultation materials for the remaining changes as they are drafted over the next 18 months (rather than returning to Cabinet for approval each time). They would need to be broadly consistent with the policy direction set out in this paper. If, following consultation, I intend to make changes that are significant or controversial, I will bring those proposals to Cabinet for agreement.

Background

- 7 The Government Policy Statement on land transport (GPS) includes a commitment to review the vehicle regulatory system to enable better management of the safety performance of the vehicle fleet, reduce regulatory burden, and ensure our domestic rules are fit for purpose.
- 8 In the current land transport regulatory system, updating rules and other system settings is time consuming and complex. This leads to a system that is slow to adapt to changing technology, a substantial administrative burden to keep rules up to date or operate under out-of-date rules, and frustration and uncertainty among stakeholders.
- 9 To address this, I have developed a work programme with the following objectives:
- **Improve consumer choice in the vehicle market:** for example, through reducing unnecessary vehicle import requirements
 - **Reduce regulatory compliance costs:** for example, by removing unnecessary WOF and COF inspections and increasing inspection effectiveness/efficiency
 - **Digitise and modernise government services:** for example, enabling digital alternatives to stickers for WOF/COF inspections and a digital driver licence
 - **Increase freight productivity:** for example, by enabling larger trucks on certain routes without needing to seek permits

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- **Improve the safety and quality of our vehicle fleet over time:** for example, by considering mandating certain safety features in new vehicle imports.

- 10 The work programme has been informed by engagement by the Ministry of Transport and NZTA with a range of vehicle sector stakeholders to better understand the transport sector's concerns and priorities for reform. Stakeholder feedback on the programme so far has been broadly supportive.
- 11 **Annex One** maps my objectives and workstreams to existing problems and opportunities.

I seek agreement to progress five workstreams to possible public consultation

- 12 The Minister of Transport may amend rules, generally following public consultation. I seek delegation of authority to approve consultation material on Workstreams 3-7. This is on the basis that:
- Most of the topics have general support or are uncontentious (with exceptions noted in the section below on Workstream 3 – paragraph 17)
 - This paper outlines the general policy direction of this work for Cabinet's consideration
 - Regulatory impact analysis requirements will be met for each workstream.
- 13 If, following consultation, I intend to make changes that are significant or controversial, I will bring those proposals to Cabinet for further discussion.
- 14 Consultation has already occurred on reducing the frequency of vintage/veteran and privately-owned heavy motorhome WOF and COF inspections (Workstream 1), with 98% of submitters supporting the changes for vintage/veteran vehicles and 89% supporting the proposals for privately-owned heavy motorhomes. I expect further advice on the rule change in June 2025.
- 15 I have delegated the workstream on considering additional safety requirements (Workstream 2) to the Associate Minister of Transport, who will bring any proposals for public consultation to Cabinet for your agreement.
- 16 The sections below outline the high-level policy direction for each of the remaining workstreams (3-7). A more detailed table of the scope and timeframes for each workstream is included in **Annex Two**.

Workstream 3: Reviewing WOF/COF frequency and inspection requirements for light vehicles

- 17 New Zealand's vehicle inspection system is not as effectively targeted to risk as it could be. We check some things too often and other high-risk issues insufficiently or not at all. New Zealand has one of the most ~~rigorous~~ frequent inspection programmes

Out of Scope

IN CONFIDENCE

in the world, and it is not clear if this is delivering sufficient safety benefits to justify the costs imposed. Reviewing inspection frequency while improving testing could make the system more fit-for-purpose and lower some compliance costs.

- 18 Building on the strong support for reducing WOF/COF frequency for vintage/veteran vehicles and privately-owned heavy motorhomes, it is timely to review the WOF/COF settings for all ~~other~~ light vehicles. This includes personal cars and motorbikes as well as light commercial vehicles like taxis and rental cars.
- 19 Any proposal to reduce WOF/COF frequency is likely to be contentious with the vehicle inspection industry, and other stakeholders concerned about safety, as was experienced during consultation on the current requirements (set in 2014). Subsequent NZTA monitoring of the previous changes has shown a small but statistically significant increase in deaths and serious injuries where vehicle faults were recorded as a contributing factor.
- 20 This previous experience highlights that the key will be striking a balance between reducing cost and inconvenience for vehicle owners ~~and ensuring while maintaining or improving vehicle related~~ road safety ~~outcomes~~. It may ~~also~~ be possible to somewhat mitigate the risk of negative effects on safety by improving the effectiveness of inspections and better targeting them to risk.

Out of Scope

Workstream 4: Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting

- 21 I aim to remove unnecessary heavy vehicle driver licence classes, reduce wait times and make it easier for commercial drivers to progress through licensing classes, as well as simplify and remove some technical requirements.
- 22 This workstream ~~also~~ looks to enable Class 1 licence holders to drive heavier vehicles ~~(and tow fully laden light trailers)~~ without requiring a Class 2 licence. This reflects that the risk of ~~those~~ slightly heavier vehicles ~~and towing combinations~~ has been offset by advances in vehicle technology like antilock braking systems, electronic stability control and trailer sway control. Changes to these settings could also better enable low/zero-emission heavy vehicles.
- 23 We have a prescriptive and overly burdensome approach to regulating heavy and special vehicles. This particularly relates to the permitting of heavy trucks, which may be able to be removed entirely. There are numerous rules that deliver little benefit ~~to the public~~ and impose an unnecessary cost on the sector. This includes the need to affix 'H plates' on what are now certain commonly-used heavy vehicles, which notify the public that a vehicle exceeds a set mass and dimensions.
- 24 My work programme also includes a review of the Vehicle Dimension and Mass Rule, which sets dimension and mass limits to enable vehicles, in particular, heavy truck and trailer combinations, to be operated safely on New Zealand's roads. However, the complexity of assessing the road maintenance issues associated with greater vehicle weights and alternative configurations means that significant research

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is required to understand the costs and benefits of any changes and inform policy decisions. For this reason, I do not anticipate public consultation within the 18-month timeframe that is the focus of this paper.

Workstream 5: Enabling a digital driver licence, digital documents, and e-servicing

- 25 Too much of our transport regulatory system relies on physical mail, stickers, licences, and other paperwork. This is unnecessary, inconvenient for the public, and a significant cost to businesses. I have heard from some companies that they receive up to 150 letters a day from government, with each one needing to be physically signed, witnessed, and sent back. Over the year to March 2025, NZTA sent out 14 million letters, reminders and labels at a cost of \$16.8 million including printing costs.
- 26 The Associate Minister of Transport is already progressing primary legislative change to enable a digital driver licence, greater use of digital documents and better e-servicing (CAB-25-MIN-0086 refers). In tandem, I will progress changes to rules and regulations to enable greater modernisation of these government services.
- 27 These changes are likely to receive widespread support from the public and sector stakeholders.

Commented [WT3]: Suggest add at end: "Over the year to March 2025, NZTA sent out 14 million letters, reminders and labels at a cost of \$16.8 million including printing costs."

Commented [WT4]: Would it be more accurate for the paper to say (instead of "in tandem...") "A number of the rule/regulation changes that I am now proposing will help give effect to these legislative changes" or similar?

Commented [SP5R4]: Yes, but 'in tandem' is also fine, the rule changes and primary legislation are best thought of as a package. The rules/regulation changes are not necessarily consequential to the primary legislation.

Workstream 6: Improving lane use and use of traffic control devices, and minor system improvements

- 28 The previous government consulted on various changes to path and lane use. We are supportive of progressing and potentially consulting on a small number of these proposals, including:
- Enabling e-scooters to be ridden in bike lanes (currently they can only legally be ridden on footpaths and roads)
 - Enabling children to ride bicycles on footpaths, which can have positive safety outcomes
 - Requiring drivers to give way to buses exiting bus stops.
- 29 There is also a range of minor options being explored by the Ministry of Transport and NZTA to improve the way our transport system operates. This includes improvements to regulating traffic control devices (e.g. road signs and markings).

Out of Scope

Workstream 7: Overhauling the vehicle regulatory system

- 30 There is a longer-term piece of work to overhaul the regulatory system, with a particular focus on entry requirements. New Zealand is a taker of vehicles and vehicle technology with limited influence over the vehicle manufacturing market. We generally seek to align our regulation with other jurisdictions. However, our

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~~regulations-rules and requirements~~ have not kept up with changes in the international automotive industry, and are overly prescriptive and slow to update.

31 We will look to reduce complexity by considering how to harmonise our regulations with other jurisdictions, for example by ~~using the same paperwork~~ adopting the same requirements and processes as they do (e.g. type approval). This could have a large impact over time by reducing compliance costs and making it easier to import new vehicle types. This could improve consumer choice and freight productivity.

Out of Scope

32 This is a longer-term programme than the other workstreams listed here, but I plan to consult on broad options in May 2026.

Implementation

33 This paper proposes staged consultation on a range of possible regulatory changes. The implementation timeframes for the possible changes will be determined following public consultation. Some of the changes may require substantial implementation programmes, system changes, and associated funding decisions, which I would discuss with Cabinet when seeking agreement to final proposals.

Cost-of-living Implications

34 Any cost-of-living implications of the various possible changes will be considered through the regulatory impact assessment process.

Financial Implications

35 Any financial implications of the various possible changes will be considered through the regulatory impact assessment process and as part of final decisions on progressing any changes to rules.

Legislative Implications

36 Each of the proposals will require amendments to land transport rules (secondary legislation). There may also be amendments to land transport regulations if new offences and penalties are required. The legislative implications of the workstream on overhauling the vehicle regulatory system will depend on the scope and approach for that work, which are still being developed.

37 While the main focus is on rules changes, it is possible that the work programme will eventually also lead to changes to primary legislation that would bind the Crown. <https://dpme.govt.nz/publications/co-02-4-acts-binding-crown-procedures-cabinet-decision>

Impact Analysis

Regulatory Impact Statement

38 The proposals will require regulatory impact analysis or exemptions prior to consultation. This analysis will be provided to me prior to the approval of consultation ~~documents, and documents and~~ must meet or partially meet requirements for consultation to proceed. This proposed approach has been agreed with the Ministry for Regulation.

Climate Implications of Policy Assessment

39 Any climate change implications of the various possible changes will be considered through the regulatory impact assessment process.

Population Implications

40 Any population implications of the various possible changes will be considered through the regulatory impact assessment process.

Human Rights

41 Any human rights implications of the various possible changes will be considered through the regulatory impact assessment process.

Use of external Resources

42 No external resources were used in policy development of the proposals.

Consultation

43 The Ministry of Transport and NZTA sought input from a range of stakeholder groups, and received general support for the work programme from the following:

- National Road Carriers Association (NRC)
- Heavy Haulage Association
- Imported Motor Vehicle Association (VIA)
- Ia Ara Transporting New Zealand (TNZ).

44 TNZ and the Heavy Haulage Association also provided detailed feedback about the scope and timing of specific work programme items.

45 [To update following departmental consultation]

Out of Scope

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Communications

46 I will announce the high-level programme of work in a press release in June 2025.

Proactive Release

47 I will proactively release this paper within the standard 30-day period following Cabinet Decisions.

Recommendations

The Minister of Transport recommends that the Committee:

- 48 **agree** to the direction for the land transport rules reform programme laid out in this paper.
- 49 **note** that consultation has already occurred on reducing the frequency of vintage/veteran and privately-owned heavy motorhome Warrant of Fitness and Certificate of Fitness inspections.
- 50 **note** that the Associate Minister of Transport will bring any proposals for public consultation on additional safety requirements for imported vehicles to Cabinet for your agreement.
- 51 **authorise** the Minister of Transport to approve, provided they are broadly consistent with the policy direction set out in this paper and its annexes, materials for public consultation on:
 - 51.1 Reviewing Warrant of Fitness and Certificate of Fitness frequency and inspection requirements for light vehicles (other than vintage/veteran vehicles);
 - 51.2 Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting, including
 - 51.3 Enabling the use of digital driver licences, digital documents, and e-servicing (in line with changes agreed by Cabinet in CAB-25-MIN-0086);
 - 51.4 Improving lane use and use of traffic control devices, and minor system improvements (previously consulted on as per DEV-19-MIN-0097); and
 - 51.5 Overhauling the vehicle regulatory system.

Out of Scope

Once the Minister has approved the draft Cabinet paper for lodgement for Cabinet or a Cabinet committee, this section should be updated to state 'Authorised for lodgement'.

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Hon Chris Bishop
Minister of Transport

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Annex One – Land transport regulatory system problems, objectives and workstreams

Problems and opportunities:

Objectives:

Workstreams:



Commented [AC11]: Suggestions:
Typo in top second bubble - 'Unnecessary'
Suggest replacement of 'freight' with 'heavy vehicle' to capture buses and agricultural vehicles
Workstream box 1:
suggest 'Reducing WOF/COF frequency for vintage/veteran and private heavy motorhomes'

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Annex Two – Scope and timing for each workstream

The diagram below summarises each workstream and outlines the time between when consultation starts, and the rule is in-place for each change.



Workstream	Included in scope	Expected timeframe
1) Reducing the frequency of <u>veteran</u> /vintage and motorhome WOF and COF inspections	<ul style="list-style-type: none"> Reduce the frequency of WOF inspections for vintage/<u>veteran</u> light vehicles from 6 months to 1 year Reduce the frequency of COF inspections for private heavy motorhomes from 6 months to 1 year 	Consultation is complete Rule <u>change-signed</u> in August 2025
2) Considering further safety requirements for vehicle imports	<ul style="list-style-type: none"> Consider mandating additional safety features in vehicle imports, including possible phased introduction 	Tentative timeframes (TBC): Consultation in October 2025; Rule change in May 2026
3) Reviewing WOF/COF frequency and inspection requirements for <u>other</u> light vehicles	<ul style="list-style-type: none"> Review the frequency of light vehicle WOF inspections Review the scope of light vehicle WOF inspections Review the frequency of light <u>passenger-commercial</u> vehicle (taxi and car rental agency) COF inspections Consider transitioning light commercial vehicle COF inspections to (lower-cost) WOF inspections, and other COF weight threshold issues 	Consultation in October 2025 Rule <u>change-signed</u> in May 2026
4) Simplifying heavy vehicle driver licencing, weight thresholds, and freight permitting	<ul style="list-style-type: none"> Reform permitting requirements for 50MAX trucks Review requirement to display H plates Review restrictions on overweight and over-dimension vehicle movements Review and consider adjusting weight thresholds for Class 1 and Class 2 licences Consider licence class adjustments where the Director of Land Transport has issued an exemption Improve the heavy vehicle driver licensing pathway for immigrants Simplify heavy vehicle driver licencing, including: <ul style="list-style-type: none"> Simplifying the progression from Class 2-5 licences Reviewing the Accelerated Licensing Process Reviewing the requirements for special-type vehicle endorsements Standardising speed thresholds for tractors and special-type vehicles Simplifying the rules for tractors that can be driven on a Class 1 licence Considering automatic renewal of general licences for some endorsement holders. 	(Some changes previously consulted on, per DEV-19-MIN-0009) Consultation in October 2025 (freight permitting) and Feb 2026 (weight thresholds) Rules <u>changes-signed</u> May 2026, June 2026 Possible consultation on heavy and special vehicle driver licencing TBC
5) Enabling a digital driver licence, digital documents, and e-servicing	<ul style="list-style-type: none"> Enable a digital driver licence <u>as an alternative to</u> in addition to a physical licence Enable <u>digital alternatives to</u> WOF/COF/Rego stickers <u>to be tied to licence plate recognition</u> Better enable NZTA to collect, store, and electronically transmit regulatory notices Enable online theory tests and digital temporary licences Simplify identification requirements for NZTA customers 	Consultation in February 2026 Rule <u>change-signed</u> in June 2026
6) Improving lane use and use of traffic control devices, and minor system improvements	<ul style="list-style-type: none"> Enable e-scooters to use cycle lanes and children to ride bikes on footpaths Minimum overtaking gap for passing cyclists, horse riders, etc. Require vehicles to give way to busses exiting bus stops Various updates to traffic control devices and minor/technical changes 	(Some changes previously consulted on, per DEV-19-MIN-0097) Consultation in February 2026 Rule <u>change-signed</u> in June 2026
7) Overhauling the vehicle regulatory system	<ul style="list-style-type: none"> Simplify and refocus import requirements e.g. automatic recognition of overseas standards Explore adoption of type approval Systematic review and overhaul of the vehicle regulatory system to make it more adaptable, e.g. to new technologies Note the proposed consultation would be on initial, high-level options, rather than a specific proposal and draft rule	Consultation on options in May 2026 Rule <u>change-signing</u> TBC in 2027

Out of Scope

Workstream 5:
 First bullet: Suggest to make clear the physical DL is still the primary/ 'always' going to be offered, that 'complementary offering' is a more accurate description re: the digital version.
 Second bullet suggest the text on WOF/COF rego stickers is extended to include the removal of requirement for their display.

Out of Scope

Commented [EC14]: If NZTA implements the Austroads digital driver licence solution, physical driver licence cards will continue to be issued to customers and it's likely most customers will need to use the physical card during the identity proofing process for a DDL. Although the intention is that customers will be able to use their DDL for the same purposes as the physical card, the DDL will be complimentary to the physical card (ie not issued as a stand alone document)

Neha Pawar

From: Rachel Townrow <Rachel.Townrow@dia.govt.nz>
Sent: Thursday, 29 May 2025 2:23 pm
To: Sarah Godwin; Phoebe Moir
Cc: Katrina Quickenden; Declan Lynch; Monica Rogers
Subject: RE: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper.

Categories: ongoing work

Kia ora Sarah

s 9(2)(h)

A practical thought on the proposal to enable digital registration and WoF documents, which you're likely already aware of – compliance monitoring and enforcement is relatively straightforward and requires little resource when it is simply a matter of looking at a vehicle's windscreen to determine compliance. If additional work is required (i.e. checking the licence plate in a database) this may increase the cost of monitoring and enforcement which may in turn reduce the amount of this work that is carried out. Our interest in this is on the basis of council officers having delegated authority to monitor and enforce compliance with registration and WoF requirements. If that authority is to continue council staff will need to be able to access the digital information, and we'd ask that the impacts of the change on their operating model be taken into account when considering the proposal. If that authority is not going to continue this could have an impact on resourcing for some councils and we'd ask that this be taken into account when considering any proposal to remove that authority. Very happy to discuss this further if that would be useful.

Ngā mihi nui

Rachel Townrow ([she/her](#)) Kaitātari Kaupapa Here Matua | Senior Policy Analyst
 Local Government Policy, Partnerships and Operations
 Policy and Te Tiriti
 Te Tari Taiwhenua | Department of Internal Affairs
 PO Box 805, Wellington 6140, New Zealand | www.dia.govt.nz



Internal Affairs
Te Tari Taiwhenua

My usual days of work are Monday-Wednesday

From: Sarah Godwin <S.Godwin@transport.govt.nz>
Sent: Tuesday, May 27, 2025 10:38 AM
To: James Little <james.little@dia.govt.nz>; Phoebe Moir <P.Moir@transport.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>; Shiyi Redpath <Shiyi.Redpath@dia.govt.nz>; Monica Rogers <Monica.Rogers@dia.govt.nz>; Rachel Townrow <Rachel.Townrow@dia.govt.nz>; Mike West <Mike.West@dia.govt.nz>

Subject: RE: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper.

You don't often get email from s.godwin@transport.govt.nz. [Learn why this is important](#)

Mōrena James,

Thank you for this feedback, and for providing it early – really appreciate it! good to hear there are no major red flags from DIAs perspective.

Phoebe – please see below for DIA’s feedback on the Bill.

I can make edits to the other documents accordingly.

I’ll also send you a separate email James – we are keen to catch up on DDL more broadly and next steps for this work.

Thanks,

Sarah Godwin (she/her)

Kaitohutohu Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

M: s 9(2)(a) E: s.godwin@transport.govt.nz | transport.govt.nz

From: James Little <james.little@dia.govt.nz>

Sent: Tuesday, May 27, 2025 10:27 AM

To: Sarah Godwin <S.Godwin@transport.govt.nz>

Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Phoebe Moir <P.Moir@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>; Shiyi Redpath <Shiyi.Redpath@dia.govt.nz>; Monica Rogers <Monica.Rogers@dia.govt.nz>; Rachel Townrow <Rachel.Townrow@dia.govt.nz>; Mike West <Mike.West@dia.govt.nz>

Subject: RE: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper.

Morning Sarah

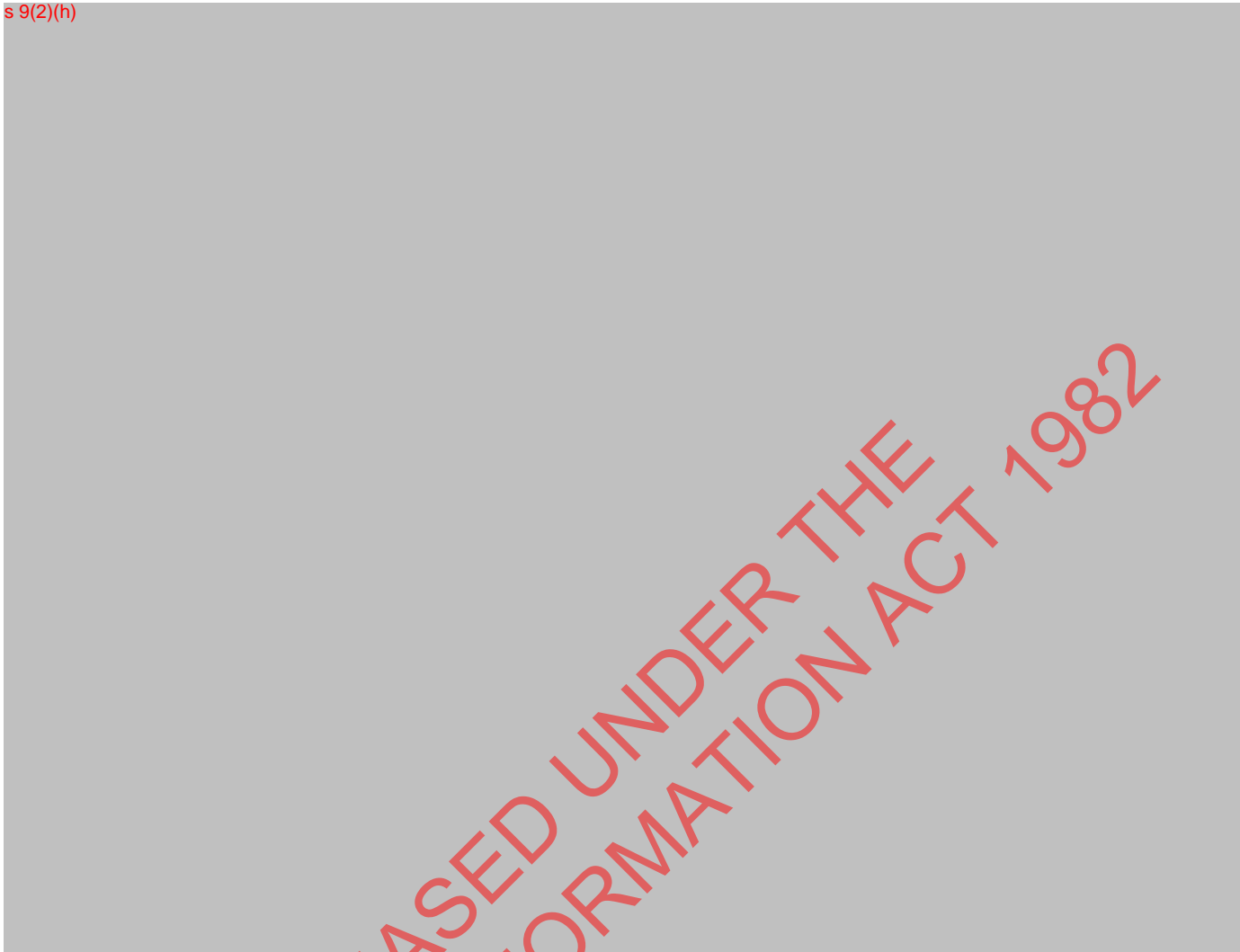
Thank you for the opportunity to provide feedback. The Department of Internal Affairs, and the Trust Framework Group, are very supportive of this work to progress changes to enable an electronic driver licence through the Land Transport Act.

I’ve provided some feedback below on the current drafted amendments as well as the departmental disclosure. It’s fair to say, they’re all small detail issues rather than substantive issues! But hopefully this will assist and save some time at select committee.

Cabinet paper

- Para 29 notes there has been no public consultation on introducing a digital driver licence. You may wish to include a further note that it is not expected this will be contentious and that existing engagements by NZTA and DIA on the subject have had strong support.

s 9(2)(h)



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Departmental Disclosure Statement

- There are several mentions in this document to the effect of “when this technology is available”. Regarding electronic driver licences, this technology is already available and widely used abroad. I recommend clarifying this to ensure we are not giving the impression that the technology necessary for mobile driver licences isn’t already available and widely used. Instead, you could refer to when NZTA is ready to implement, or similar.
- For 3.5.1, you may wish to mention that NZTA’s future accreditation of their digital driver licence will address many of the privacy considerations and requirements noted. Privacy is a substantively covered by the Digital Identity Services Trust Framework.

James Little | Market Development Lead
Digital Identity Services Trust Framework Group
Te Tari Taiwhenua | Department of Internal Affairs

s 9(2)(a)

From: Sarah Godwin <S.Godwin@transport.govt.nz>
Sent: Thursday, 22 May 2025 4:44 pm
To: Monica Rogers <Monica.Rogers@dia.govt.nz>; Rachel Townrow <Rachel.Townrow@dia.govt.nz>; James Little <james.little@dia.govt.nz>; ben.temple@regulation.govt.nz; Linda.Cameron@regulation.govt.nz;

Gwen.Rashbrooke@regulation.govt.nz; james.ting-edwards@privacy.org.nz; Kate.Rickerby@privacy.org.nz;
Ewan.Lincoln@privacy.org.nz; Olivia.Maxwell@treasury.govt.nz; Nicolas.Hall@treasury.govt.nz;
Maddie.Knight@justice.govt.nz; Brendan.Gage@dpmc.govt.nz; adriana.nickless@police.govt.nz;
john.white@police.govt.nz; Cameron.Gruschow@police.govt.nz; Hayden Glass <Hayden.Glass@dpmc.govt.nz>;
Phillip.Tasker@mpi.govt.nz; Dora Livas (Dora) <Dora.Livas@mpi.govt.nz>; shucker@doc.govt.nz;
amccubbinhowell@doc.govt.nz; trellis@doc.govt.nz; jgooding@doc.govt.nz; charlotte.defeijter@mbie.govt.nz;
adam.rossiter@mbie.govt.nz; Emily.McGeorge@mfat.govt.nz; Claire.Brighton@mfat.govt.nz;
Atanas.Tomovski@mfat.govt.nz; arek.wojasz@mfe.govt.nz

Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>; Phoebe Moir <P.Moir@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>

Subject: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper.

Kia ora koutou,

The Ministry of Transport seeks agency feedback on the draft *Regulatory Systems (Transport) Amendment Bill (the Bill)* and draft Cabinet paper.

Minister Meager intends to lodge on Thursday 5 June, for consideration at CBC Committee on 9 June. Ministerial consultation is being progressed simultaneously, to meet this lodgement date.

We would appreciate your feedback by 5pm Thursday 29 May.

- **If you have any substantive feedback, we would appreciate this as early as possible.**
- **The Ministry of Transport will continue to work with Parliamentary Council Office, agencies, and crown entities on the draft Bill during the consultation period.**
- The Draft Departmental Disclosure Statement is attached for your information.

Cabinet has agreed to progress the following proposals in the Bill

In March 2025 Cabinet agreed to progress the following policy proposals through the Bill:

- enable digital driver licences as a convenient alternative to physical documents and promote a modern and efficient transport system,
- enable electronic issuing of regulatory notices and fees to streamline services that will deliver significant customer benefits,
- remove unnecessary display requirements to update outdated processes that will reduce administrative costs,
- re-focus our public transport principles to reduce cost and complexity for public transport decision-makers,
- amend errors in the Civil Aviation Act 2023 to empower airports to set charges and cost-recover fees, in line with the original intent of the legislation.
- a number of technical fixes across land transport, maritime and aviation legislation that the Ministry of Transport developed under the previous Government, and
- decisions already made by Cabinet to both enable councils to set parking fees below maximum cap (CAB-24-MIN-0220) and enable adjustments to the Clean Vehicle Standard to save motoring costs for New Zealanders (CAB-24-MIN-0248).

The Bill gives effect to the proposals listed above, to maintain and improve the effectiveness and efficiency, modernise, and reduce the chance of regulatory failure of the transport regulatory system.

This Cabinet paper seeks approval for the Bill to be introduced, subject to final approval from the Business Committee. Cross-party support from the Business Committee will be required to progress the Bill. If any proposals prove contentious, the Minister intends to split these into separate bills.

Time-critical Aviation and Clean Vehicle Standard Amendments drive timelines of the Bill

s 9(2)(f)(iv)

Aviation

- Amendments to the Civil Aviation Act 2023 are required to correct an error that will exclude Auckland Airport and Wellington Airport from the ability to set charges under the Act for aerodrome activities. s 9(2)(g)(i)

[Redacted]

Clean vehicle standard

- It is necessary to enact the Clean Vehicle Standard amendments this year as Cabinet agreed to allow the transfer of CO2 emission credits between the new and used-import vehicle sectors with a 2026 start date for transfers. Currently transfers between the two sectors are prohibited.
- This decision was announced following Cabinet’s decisions on 1 July 2024 and the vehicle industry is expecting to be able to transfer CO2 emission credits between the two sectors.

s 9(2)(f)(iv)

[Redacted]

Implementation of digital modernisation proposals

While this Bill will progress the necessary legislative changes to enable digital drivers’ licences, notices, fees and display requirements, implementation for these proposals will take time. The Minister of Transport will return to Cabinet later this year with more detail on service design and delivery options, timeframes, and associated costs.

I appreciate I may have got some contacts wrong - please pass on to the appropriate person in your agency to respond.

Happy to answer any questions,

Thank you

Sarah Godwin (she/her)

Kaitohutu Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

M: s 9(2)(a) E: s.godwin@transport.govt.nz | transport.govt.nz

[Redacted]

Neha Pawar

From: JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>
Sent: Thursday, 29 May 2025 4:59 pm
To: Sarah Godwin
Cc: WHITE, John
Subject: RE: [EXTERNAL] In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper.

Follow Up Flag: Follow up
Flag Status: Completed

Kia ora Sarah,

Thank you for giving us the opportunity to provide feedback on the Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper.

Police do not have any feedback on the Bill or Cabinet paper itself. I believe we previously provided feedback on the digital modernisation proposals when they were first proposed. We are likely to provide feedback on the implementation of these proposals as more details come to light. If MOT can please continue to keep us informed of the progress of these proposals, that would be much appreciated.

Please do not hesitate to contact me if you have any queries or require any further information.

Ngā mihi,
Sarah

Sarah Jenkison
Policy Advisor
Policy Group
Police National Headquarters
E sarah.jenkison@police.govt.nz

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Neha Pawar

From: Cori Yap <Cori.Yap@nzta.govt.nz>
Sent: Thursday, 29 May 2025 5:00 pm
To: Sarah Godwin
Cc: Phoebe Moir; Declan Lynch; Steve Penman; Amy Moorhead; Darren Baars; Vanessa Bates
Subject: RE: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper
Attachments: NZTA comments for MOT - Regulatory Systems (Transport) Amendment Bill 2025 Approval for Introduction - Cabinet Paper .docx
Categories: ongoing work

Kia ora Sarah

Thank you for the opportunity to provide comments on the Draft Cabinet Paper for the **Regulatory Systems (Transport) Amendment (RSTA) Bill**. Please see attached NZTA's feedback embedded in the document via tracked changes.

NZTA feedback on the current draft:

- s 9(2)(g)(i)
- The remaining comments in document are largely focused on clarifying language (ie ensuring digital driver licences are additional not replacements to physical copies) and ensuring overall consistency across the paper.

Please do not hesitate to reach out if you have any questions about the feedback.

Ngā mihi,
Cori

Cori Alejandrino-Yap

Principal Advisor
Infrastructure and Stewardship Policy

s 9(2)(a)

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From: Sarah Godwin <S.Godwin@transport.govt.nz>
Sent: Tuesday, 27 May 2025 9:19 am
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Cc: Phoebe Moir <P.Moir@transport.govt.nz>; Declan Lynch <D.Lynch@transport.govt.nz>
Subject: RE: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper

Some people who received this message don't often get email from s.godwin@transport.govt.nz. [Learn why this is important](#)

My apologies – This appendix table wasn't attached to the Cabinet paper that was sent to you. Please find attached FYI.

Sarah Godwin ([she/her](#))

Kaitohutu Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

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From: Sarah Godwin

Sent: Thursday, May 22, 2025 5:30 PM

To: Steve Penman <Steve.Penman@nzta.govt.nz>; Eden Christie <eden.christie@nzta.govt.nz>; Anna Cleary <Anna.Cleary@nzta.govt.nz>; Caitlin Sinclair <Caitlin.Sinclair2@nzta.govt.nz>; Xavier Watts <Xavier.Watts@nzta.govt.nz>; Jeremy Smith <Jeremy.Smith@nzta.govt.nz>; Grace Bennett <Grace.Bennett@nzta.govt.nz>; Martien Duis <Martien.Duis@nzta.govt.nz>; Andrew Thompson <Andrew.Thompson@nzta.govt.nz>

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Subject: In confidence - Departmental consultation - Regulatory Systems (Transport) Amendment Bill and draft Cabinet paper

Kia ora NZTA colleagues

Please note this is shared in confidence and is subject to legal privilege.

The Ministry of Transport seeks feedback from NZTA on the draft *Regulatory Systems (Transport) Amendment Bill (the Bill)* and draft Cabinet paper.

The relevant provisions in the Bill have been shared with you. **We would appreciate your feedback by 5pm Thursday 29 May.**

Minister Meager intends to lodge on Thursday 5 June, for consideration at CBC Committee on 9 June. Ministerial consultation is being progressed simultaneously, to meet this lodgement date.

- **If you have any substantive feedback, we would appreciate this as early as possible.**
- **The Ministry of Transport will continue to work with Parliamentary Council Office, agencies, and crown entities on the draft Bill during the consultation period.**
- The Draft Departmental Disclosure Statement is attached for your information.

This Cabinet paper seeks approval for the Bill to be introduced, subject to final approval from the Business Committee. Cross-party support from the Business Committee will be required to progress the Bill. If any proposals prove contentious, the Minister intends to split these into separate bills.

s 9(2)(f)(iv)

Implementation of digital modernisation proposals

While this Bill will progress the necessary legislative changes to enable digital drivers' licences, notices, fees and display requirements, implementation for these proposals will take time. The Minister of Transport will return to Cabinet later this year with more detail on service design and delivery options, timeframes, and associated costs.

Thank you,

Sarah Godwin (she/her)

Kaitohutou Matua | Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport

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In Confidence

Office of the Minister of Transport

Cabinet Legislation Committee

Regulatory Systems (Transport) Amendment Bill 2025: Approval for Introduction**Proposal**

- 1 This paper seeks approval for the introduction of the Regulatory Systems (Transport) Amendment Bill 2025 (the Bill), subject to agreement of the Business Committee.

Policy

- 2 This omnibus Bill contains amendments to land transport, maritime and aviation legislation and aims to:
 - 2.1 maintain and improve the effectiveness and efficiency of the transport regulatory system;
 - 2.2 modernise the transport regulatory system; and
 - 2.3 reduce the chance of regulatory failure.
- 3 The Bill will achieve these objectives by:
 - 3.1 addressing transport regulatory duplication, gaps, errors, and inconsistencies within transport legislation;
 - 3.2 ensuring that regulators have effective tools to keep the transport regulatory system up to date and relevant, including modernising legislation to enable convenient digital service alternatives to physical licences and labels;
 - 3.3 removing unnecessary compliance costs from the transport system.
- 4 The Bill gives effect to policy proposals agreed to by Cabinet on 31 March 2025 (CAB-25-MIN-0086 refers) to amend legislation to:
 - 4.1 enable digital driver licences ~~as a convenient alternative to~~ in addition to physical documents, and to promote a modern and efficient transport system,
 - 4.2 enable electronic issuing of regulatory notices and fees to streamline services to deliver system efficiencies and customer benefits,
 - 4.3 enable digital alternatives to existing ~~remove unnecessary~~ paper-based display requirements (such as Warrant of Fitness and Certificate of Fitness); ~~where~~

Commented [EC1]: If NZTA implements the Austroads' digital driver licence solution, physical driver licence cards will continue to be issued to customers and it's likely most customers will need to use the physical card during the identity proofing process for a DDL. Although the intention is that customers will be able to use their DDL for the same purposes as the physical card, the DDL will be complimentary to the physical card (ie not issued as a stand alone document)

Out of Scope

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~~digital alternatives are available~~, to update outdated processes and reduce administrative costs.

Out of Scope

- 4.4 re-focus public transport principles to reduce costs and complexity for public transport decision-makers, and
- 4.5 address minor drafting errors in the Civil Aviation Act (CAA) 2023 to empower airports to set charges and cost-recover fees, and correct inconsistencies in the Transport Accident Investigation Commission Act (TAICA) 1990 in line with the original intent of the legislation.

5 The Bill also gives effect to:

- 5.1 policy proposals agreed to by Cabinet in June 2024 to enable councils to set parking fees below a maximum cap (CAB-24-MIN-0220 refers);
- 5.2 policy proposals agreed to by Cabinet in July 2024 to change the Clean Vehicle Standard to enable greater flexibility and reduce compliance costs (CAB-24-MIN-0248 refers); and
- 5.3 technical amendments to legislation that were developed by the Ministry of Transport under the previous Government (CAB-22-MIN-0177 refers) and endorsed by Cabinet on 31 March 2025.

Commented [OK4]: Suggest including a CAB Minute here if you have one

- 6 Amendments to transport legislation in the Bill span across land, maritime and aviation. A summary of the full list of policy proposals included in the Bill is attached in Annex 1.
- 7 Most of the matters included in the Bill are unlikely to be contentious and there will be adequate opportunity for the public to engage during the select committee process.

Some proposals in the Bill could be considered contentious

- 8 The proposal to **remove three public transport principles from Part 5, Section 115 of the Land Transport Management Act (LTMA) 2003**, may be considered contentious¹. Removing these principles does not prohibit participants in the sector from continuing to pursue these outcomes and attributes of public transport. The Government Policy Statement on Land Transport 2024, procurement guidance and letters of expectation, will continue to play an important role in supporting the sector to deliver efficient and effective public transport services.
- 9 The proposals to enable digital alternatives for licences and labels to enable broader policy change may be considered contentious due to potential privacy concerns, given these proposals would enable a new way to hold and use personal information. Further

Commented [VB5]: Suggested wording change as this should refer to 'enabling' digital licences and labels

¹ This proposal would remove the following three principles:

- (1)(a) – well-used public transport services reduce the environmental and health impacts of land transport, including by reducing reliance on single-occupant vehicles and using zero-emission technology;
- (1)(b) – public transport services support a mode shift from private motor vehicle use and equitable access to places, facilities, services, and social and economic opportunities if they are co-ordinated, integrated, reliable, frequent, accessible, affordable, and safe; and
- (1)(c) – fair and equitable employment or engagement of people in the public transport workforce should ensure that there is a sufficiently robust labour market to sustain and expand public transport services.

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due diligence and privacy analysis will be carried out prior to implementation, and privacy and security will be considered as part of service design and delivery options.

- 10 Some of the proposed **adjustments to the Clean Vehicle Standard** (the Standard) may be considered contentious given last year's easing of CO2 targets, and that consultation undertaken during the review of the Standard was targeted.
- 11 The select committee process will provide the opportunity to hear from anyone that may be affected by these proposals.
- 12 The Bill is not a type of omnibus **B**ill that may be introduced under Standing Order 266 or 267(1)(a) or (b). Consequently, the Business Committee must agree to the **B**ill's introduction as an omnibus **B**ill under Standing Order 267(1)(c). If the Business Committee identified any proposals that it does not agree with, I will remove them to **s 9(2)(f)(iv)**.

I seek Cabinet's confirmation to additional maritime and Clean Vehicle Standard decisions

- 13 On 31 March 2025, Cabinet granted me authorisation to make additional policy decisions that are consistent with the overall policy intent, subject to Cabinet's confirmation (CAB-25-MIN-0086 refers). I have made the following decisions based on this authorisation and seek confirmation from Cabinet to:
 - 13.1 **[subject to your approval in cover brief]** remove the proposal to 'revise and reorganise Part 3 of the Maritime Transport Act (MTA) 1994 to align it with requirements set under the Maritime Labour Convention (MLC) 2006'. Further analysis is required by the Ministry of Transport and Maritime New Zealand to address potential unintended consequences of this proposal on the rights and obligations of masters on ships. The Bill will continue to progress other proposals to align our domestic legislation with the MLC.
 - 13.2 revoke redundant Infringement Fees for Offences Regulations made under section 699A of the Local Government Act 1974. Four Regional and District Councils (Wellington, Canterbury, Marlborough and Taranaki) have updated their navigation bylaws since their corresponding Regulations were made. The previous navigation bylaws, to which each of the Infringement Fees for Offences Regulations relate, are therefore no longer in force and the Regulations are redundant.
 - 13.3 progress amendments to Maritime (Offences) Regulations 1998 and the Maritime Protection (Offences) Regulations 1998, following amendments to the MTA in the Bill. Further policy analysis is required for the necessary changes to be made to these regulations, which my officials will advise me on.
 - 13.4 CO2 emission credit transfers between the new and used-import sectors, under the Clean Vehicle Standard, occur with an "exchange rate" of two for one (i.e. a credit earned on a new vehicle would be worth twice as much as one earned on a used-import).

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Impact analysis

14 Regulatory Impact Statements (RIS) were previously provided to Cabinet on the following proposals in the Bill:

- 14.1 state Highway closure powers and Transport Service Licence enforcement powers,
- 14.2 the proposal to provide the rail regulator, the New Zealand Transport Agency with reactive investigatory powers,
- 14.3 improvements to the powers of the Director of Land Transport to respond to emergency and time-critical events,
- 14.4 the maritime proposals to modernise the penalties for the safety offences in the Maritime Transport Act 1994, and
- 14.5 changes to the Clean Vehicle Standard.

Commented [KH6]: Wasn't electronic service also considered?

Out of Scope

15 All RISs completed to date have received a meets or partially meets assessment by an independent quality assurance panel.

16 Annex 1 provides a list of the policy proposals which have been exempted from RIS requirements on the grounds that proposals have no or only minor impacts on businesses, individuals, and non-for-profit entities, or only minor economic, social or environmental impacts, or could be suitable to be included in a Statutes Amendment Bill (as provided for in Standing Orders).

A post-implementation review is required for the proposal to re-focus public transport principles

17 No RIS was provided for the proposal to remove three public transport principles from Part 5, Section 115 of the LTMA. This proposal is not exempt from RIS requirements and consistent with Cabinet's impact analysis requirements, a post-implementation review will be undertaken and provided to Cabinet in due course. The Ministry for Regulation and the Ministry for Transport will discuss and agree on the appropriate scope and timing of this assessment.

Consultation

18 The following agencies were consulted on the contents of this paper: [TBC] Civil Aviation Authority, Department of Internal Affairs, Department of the Prime Minister and Cabinet, Maritime New Zealand, Ministry of Justice, Ministry of Primary Industries, Ministry for Regulation, New Zealand Police, NZTA, Office of the Privacy Commissioner, Parliamentary Counsel Office and Treasury.

19 Public consultation took place between 1 June and 8 July 2022 on a package of 33 proposals to amend legislation across land and maritime modes (CAB-22-MIN-0177 and DEV-22-MIN-0110 refers). Feedback was received from 23 submitters comprising industry and sector representative groups, territorial authorities (district and regional councils), and sector participants. There was generally a high level of support from the transport sector and local government for the proposals.

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20 Proposals including introducing a digital driver licence, altering the Clean Vehicle Standard, facilitating the NZTA to email regulatory notices and fees, and revising the public transport operating principles have not been consulted on publicly.

Out of Scope

21 I do not propose to take further targeted or public consultation on the proposals in the Bill. I believe there will be adequate opportunity for the public to engage during the select committee process.

22 Annex 1 details the proposals in the Bill that have had public consultation.

Binding on the Crown

23 The Bill amends the Government Roading Powers Act 1989, Land Transport Act 1998, LTMA, MTA, Railways Act 2005, CAA and TAICA which bind the Crown. An exception to this is provided in section 4 of the MTA, which specifies how the MTA applies to ships and aircrafts used for defence and governmental purposes.

24 The Bill will be binding on the Crown, noting the exceptions provided in section 4 of the MTA, is consistent with the approach of the legislation that the Bill amends.

Creating new agencies or amending law relating to existing agencies

25 The Bill will not create any new agencies and will not amend the existing coverage of the Ombudsman Act 1975, the Official Information Act 1982, or the Local Government Official Information and Meetings Act 1987.

Associated regulations

26 No regulations are needed to bring the Bill into operation.

Out of Scope

27 It is possible that regulations will be needed at a later date to implement proposals related to the Bill. For example, regulations may be needed to set higher levels of fees, as enabled by the Bill, or to update offences and penalties related to the digitisation proposals. If there is a need for future regulations, I intend to return to Cabinet to seek further policy decisions.

Other instruments

28 The digital modernisation proposals enabled through the Bill will require subsequent rule changes to implement.

Commented [KH11]: As will the digital driver licence proposals.

Definition of Minister/department

29 The Bill does not contain or change a definition of Minister, department (or equivalent government agency), or chief executive of a department (or equivalent position).

Commencement of legislation

30 The Bill is drafted to commence on 1 January 2026.

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Parliamentary stages

31 I propose that the Bill be introduced in June 2025 § 9(2)(f)(iv).

32 There are two time-critical proposals driving the timeframes of the Bill:

32.1 the Clean Vehicle Standard needs be in force by the end of the year to deliver as we have committed.

32.2 amendments to numbering errors in the Civil Aviation Act 2023 need to be made as soon as possible to ensure airport operators can carry out important operational functions such as cost recovery of fees.

33 I propose that the Bill goes through a four month Select Committee process and be referred to the Transport and Infrastructure Select Committee.

34 The proposed timeline for the Bill is as follows:

Milestone	Timeframe
Business Committee	Post cabinet consideration on 16 June 2025
Introduction of Bill	Late June 2025
Select Committee	Late June – Late October 2025
§ 9(2)(f)(iv)	

Proactive Release

35 This Cabinet paper and its corresponding minute will be proactively released within 30 business days of final policy decisions being taken by Cabinet.

Recommendations

I recommend that the Cabinet Legislation Committee:

- note** that the Regulatory Systems (Transport) Amendment Bill (the Bill) § 9(2)(f)(iv)
- note** that the Bill will make amendments across transport legislation to support effective regulatory stewardship and an efficient transport system;
- confirm** the delegated policy decisions I have made, based on the authorisations I previously received from Cabinet (CAB-25-MIN-0086 refers).

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- 4 **approve** the Bill for introduction, subject to the final approval from the Business Committee;
- 5 **note** that if any proposals in the Bill need to be removed in order for it to receive the Business Committee's agreement to its introduction, the Bill may be amended prior to introduction to remove these proposals;
- 6 **note** that if any proposals are removed from the Bill under recommendation 5, the relevant Minister will return to the Cabinet Legislation Committee to seek decisions on alternative legislative vehicles for these proposals;
- 7 **agree**, subject to final approval from the Business Committee, that the Bill:
- 7.1 is referred to the Transport and Infrastructure Select Committee for consideration; and
- 7.2 s 9(2)(f)(iv)

Authorised for lodgement

Hon James Meager

Associate Minister of Transport

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Summary table of proposals of Regulatory Standards (Transport) Amendment Bill 2025

Proposal	Description	Legislation to be amended	Relevant clause in RSTA Bill	RIS requirements	Public consultation Y/N
Land transport proposals					
Highway and Motorway Amendments	<p>Provide the NZ Transport Agency (NZTA) with broader powers to close parts of the State Highway network to address safety concerns.</p> <p>Amend a mistake which prevents NZTA from declaring newly built roads into a state highway.</p> <p>Clarify that pedestrians may use approved areas and infrastructure within motorway corridors. E.g. bus stops.</p>	<p>Government Roothing Powers Act 1989; Land Transport Management Act 2003</p>	TBC	<p>RIS included for boarder power proposal.</p> <p>Exempt for other proposals.</p>	Y
Modernising the enforcement regime for Transport Service Licences (TSL)	<p>Create a new offence and an associated fine for transferring, assigning or leasing a TSL.</p> <p>Create a new power to enable NZTA to audit someone purporting to operate a transport service without a licence.</p> <p>Enable the immediate suspension of a TSL for health and safety concerns, when significant concerns are recognised or reported.</p> <p>Require a fit and proper person check for any new person in control of a transport service, which is required to be documented for a TSL.</p>	<p>Land Transport Act 1998; Land Transport (Regulatory Fees) Regulations 2023, the Land Transport (Offences and Penalties) Regulations 1999 and Land Transport Rule: Operator Licensing 2017.</p>	TBC	RIS included	Y

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Simplifying the rule consultation process to increase consistency	Clarify the consultation and notification requirements in rule-making powers in the Land Transport Act 1998	Land Transport Act 1998	TBC	Exempt	Y
Increasing maximum fines and infringement fees	Increase the maximum level of fines and infringement fees that can be set through regulations. The Ministry of Transport developed the Effective Financial Penalties Framework and Financial Penalties Categorisation Tool. The Bill will increase the maximum level of fines and infringement fees to align with this framework and tool.	Land Transport Act 1998	TBC	Exempt	Y
Declaration of Motor Vehicles	Strengthen the process through which NZTA can declare vehicles to not be a 'motor vehicle' under the Land Transport Act 1998. This change will improve the workability and transparency of the declaration process which has previously come under scrutiny regarding the E-Scooters (Declaration Not to be Motor Vehicles) Notice 2018.	Land Transport Act 1998	TBC	Exempt	N
Enabling parking fines below a maximum cap	Enable local authorities to set infringement fees for overstaying in a carpark below a maximum cap. This proposal fixes a technical issue with the Land Transport Act 1998 to give local authorities the necessary powers to set these lower fees, as it was originally intended.	Land Transport Act 1998; Land Transport (Offences and Penalties) Regulations 1999	TBC	RIS Included	N

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<p>Director emergency powers</p>	<p>Create new powers for the Director of Land Transport to respond to emergency and time critical events. The Director's ability to waive regulatory requirements for time-critical emergency situations is currently restricted. The Bill will expand these, e.g., extend the term of land transport documents (such as drivers licenses), or require vehicles to be presented for inspection (e.g. for a Warrant of Fitness) if a safety issue has been identified.</p>	<p>Land Transport Act 1998; Land Transport Rule: Vehicle Standards Compliance 2002</p>	<p>TBC</p>	<p>RIS Included</p>	<p>N</p>
<p>Reactive investigation powers under the Railways Act 2005</p>	<p>Introduce new reactive investigation powers for NZTA to investigate more effectively and efficiently, following rail accidents and incidents. For example:</p> <ul style="list-style-type: none"> • freeze a scene to preserve and collect evidence; • access sites to investigate or carry out verification inspections; • request materials to be supplied for examination; • interview personnel involved in a safety occurrence and; • require identified failings to be remediated by the rail participant. 	<p>Railways Act 2025</p>	<p>TBC</p>	<p>RIS Included</p>	<p>Y</p>
<p>Remove time constraints for rail safety case application process</p>	<p>Pause the statutory timeframes when further information is required from an applicant in relation to a Rail Safety Case either for a new application or a variation to an existing safety case. This 'stop-the-clock' provision allows enough time for information to be gathered. Reducing prescriptive timeframes for information will make this process more efficient.</p>	<p>Railways Act 2025</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Digital modernisation proposals</p>					

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Enabling Digital Driver Licences (DDL)	Enable the future implementation of digital driver licences. This includes amending sections that require a physical licence. This change supports the Digitising Government approach that aims to promote a modern and efficient public service.	Land Transport Act 1998	TBC	Exempt	N
Better enabling NZTA to email regulatory notices and fees	Better enable the electronic issuing of infringements and other regulatory notices. This would include requiring the provision of email addresses, mobile phone numbers, and the current requirements for postal addresses.	Land Transport Act 1998	TBC	Exempt	N
Enabling digital in-vehicle labels	Enable electronic alternatives to requirements to carry and display physical licences and labels, including Warrants of Fitness (WOFs), Certificates of Fitness (COFs) and alternative fuel inspection certificates.	Land Transport Act 1998; Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011, Land Transport (Offences and Penalties) Regulations 1999	TBC	Exempt	N
Public transport principles proposal					
Remove public transport principles	Remove three public transport principles from the Land Transport Management Act 2003 to reduce compliance costs and improve regulatory certainty for public transport decision makers.	Land Transport Management Act 2003	TBC	Post implementation review required	N
Clean Vehicle Standard proposals					

Out of Scope

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<p>Extending the lifespan of emission credits</p>	<p>Extend the lifespan of CO2 emission credits that are earned on low emission vehicles from three years to four years. This will encourage importers to overachieve targets, when possible, to increase credit buffers against future target underachievement.</p>	<p>Land Transport Act 1998; Land Transport (Clean Vehicle Standard) Regulations 2022</p>	<p>TBC</p>	<p>RIS Included</p>	<p>N – Targeted engagement with industry</p>
<p>Remove restriction on credit transfers between new and used importers</p>	<p>Remove the legislative restriction on credit transfers between the new and used import sectors, with a 2026 start date for transfers. This recognises that new low emission vehicles will be in use for on average, twice the period of time of an average used-import low emission vehicle. A credit earned on a new vehicle is to be worth twice as much as one earned on a used vehicle.</p>	<p>Land Transport Act 1998</p>	<p>TBC</p>	<p>RIS Included</p>	<p>N – Targeted engagement with industry</p>
<p>Remove restriction on weight-adjusted targets</p>	<p>Enable future targets to be set that are ‘uniform’ and not adjusted for vehicle weight. As the number of zero and low emission vehicles increases, the linear relationship between vehicle weight and a vehicle’s CO2 emissions will become weaker. It is important to stop weight-adjusting targets when there is no material linear relationship, to prevent distortion of the vehicle market. This proposal enables both uniform and weight-adjusted targets to be set with the expectation that weight-adjusted targets will eventually be replaced with uniform targets.</p>	<p>Land Transport Act 1998</p>	<p>TBC</p>	<p>RIS Included</p>	<p>N – Targeted engagement with industry</p>

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Extending payment obligation deferral beyond 2025	Extend the use of borrowing future target overachievement (payment obligation deferral) beyond 2025 (currently this provision is only available until 2025). With borrowing, importers who do not achieve their annual target can make up the underachievement the following year by overachieving the subsequent year's target by an equal amount. This flexibility only applies to importers that comply on an annual basis (category 1 light vehicle importers).	Land Transport Act 1998	TBC	RIS Included	N – Targeted engagement with industry
Aviation proposals					
Correct numbering errors in the Civil Aviation Act 2023	Correct a numbering error which unintentionally disappplied sections preventing airports to set charges. This proposal clarifies that costs can not be recovered via levies where those same costs are otherwise collected and makes a minor editorial change to cross-references.	Civil Aviation Act 2023	TBC	Exempt	N
Correct errors in the Transport Accident Investigation Commission Act (TAIC) 1990	Correct an error where “accident” and “accident and incident” are referred to inconsistently in the TAIC.	Civil Aviation Act 2023 Transport Accident Investigation Commission Act (TAIC) 1990	TBC	Exempt	N
Maritime proposals					

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<p>Amend and expand investigation powers</p>	<p>Amend the threshold for initiating an investigation from 'reasonable grounds to believe' to 'reasonable grounds to suspect.' This will allow Maritime NZ to conduct an investigation when it has reasonable cause to do so, but without requiring near certainty as under the current standard of 'belief'.</p> <p>Allow investigations under section 54A of the Act for non-compliance with the general duties for participants in the maritime system under section 17. This will support the existing power under section 43 to suspend a maritime document on the grounds of non-compliance with the requirements of section 17. This proposal will also provide clarity and certainty to Maritime NZ in carrying out its regulatory oversight of maritime document holders.</p>	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Update and amend maritime fines, infringement fees and offences</p>	<p>Align maritime penalties with the effective transport-related financial penalties policy framework to ensure penalties are consistent with international standards and are fair and effective. This includes:</p> <ul style="list-style-type: none"> • Increasing maximum level of fines and infringement fees. • Updating the maximum financial penalties available for safety offences. • Revoking bylaw infringement offence regulations that relate to revoked or replaced bylaws. 	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>RIS included</p>	<p>Y</p>

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<p>Technical maritime fixes</p>	<p>Amend a technical problem with the definition of 'unit of account' in section 2 of the MTA, to remedy a lack of clarity.</p> <p>Clarify the requirement for operators of a floating production storage and offloading unit (FPSO) to be required to pay the maritime levy. When a FPSO does enter our waters, they will contribute to our maritime regulatory system to ensure safety and environmental protection through the levy payment.</p>	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Aligning Maritime Transport Act 1994 with the Maritime Labour Convention (MLC)</p>	<p>Fix inconsistencies between the MTA and MLC relating to:</p> <ul style="list-style-type: none"> • Records of Employment that do not reference quality of work. • Prohibiting people younger than 16 years old from working on a ship and people under 18 from undertaking hazardous work. • The definition of employment agreements. • Clarify that seafarer recruitment can take place and to ensure that ship owners, not seafarers, are charged for this service. • Clarify the scope of rule-making powers to align with relevant aspects of the MLC. 	<p>Maritime Transport Act 1994</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>
<p>Updating service requirement for electronic service of documents</p>	<p>Enable documents and notices required to be served on any person under the MTA. This includes infringement notices to be served through traditional paper-based means or through electronic service. This future-proofs the regulatory framework and enables cost savings for the regulators.</p>	<p>Maritime Transport Act 1994; Marine Protection (Offences) Regulations 1998; Maritime (Offences) Regulations 1998</p>	<p>TBC</p>	<p>Exempt</p>	<p>Y</p>

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Simplifying the rule consultation process to increase consistency	Clarify the consultation and notification requirements in rule-making powers in the MTA.	Maritime Transport Act 1994	TBC	Exempt	Y
Minister of Conservation powers in Subantarctic and Kermadec Islands	Enable the Minister of Conservation to exercise functions, duties, and powers under Part 3A of the MTA in the Subantarctic and Kermadec Islands as if they were a regional council or unitary authority. This will allow the Minister of Conservation to manage maritime safety at the Islands e.g. the appointment of a Harbour Master and navigation bylaws. This will provide greater safety and assurance for masters, crew and passengers of ships operating the waters surrounding the Islands.	Maritime Transport Act 1994	TBC	Exempt	Y
Update definition of "convention"	Update the definitions of 'convention' and 'marine protection convention' in the MTA to ensure that when a convention that has previously been declared as a convention under the Act, no further declaration through an Order in Council is required. This will avoid unnecessary administrative procedures when New Zealand agrees to amendments to Conventions.	Maritime Transport Act 1994	TBC	Exempt	Y

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Out of Scope

From: Katrina Quickenden <K.Quickenden@transport.govt.nz>
Sent: Thursday, 10 April 2025 4:54 pm
To: Greig Epps <greig@via.org.nz>; Justin Tighe-Umbers <justin.tighe-umbers@natroad.co.nz>; dom@transporting.nz; james.mcdowall@mta.org.nz; lee.marshall@mta.org.nz; aimee@mia.org.nz; David Boyce <David.Boyce@trucking.nz>; Terence J. Collins (AA) <TJCollins@aa.co.nz>; Jonathan Bhana-Thomson <jonathan@hha.org.nz>
Cc: Jacob Ennis <J.Ennis@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>; Amy Moorhead <Amy.Moorhead@nzta.govt.nz>; Mike Hargreaves <Mike.Hargreaves@nzta.govt.nz>
Subject: IN CONFIDENCE: Draft transport rules reform work programme

Kia ora koutou

The Minister has approved us sharing the attached draft summary of the rules reform work programme, for your review and feedback. Please keep this in-confidence, not distributing this beyond your organisation.

We would appreciate feedback by 22 April to feed into advice we're planning to send to the Minister on finalising the scope of the work.

We do very much appreciate the time you've taken to provide specific proposals for reform. We believe we have incorporated the bulk of these, so if you feel something important is missing, please do let us know.

Amy and I are happy to meet with any of you to discuss the work.

Kind regards,
Katrina

Katrina Quickenden
Manager - Regulatory Reform Team | Kaiwhakahaere

Te Manatū Waka Ministry of Transport

M: ^{s 9(2)(a)} E: k.quickenden@transport.govt.nz | transport.govt.nz

April 2025

DRAFT RULES REFORM WORK PROGRAMME

This programme of work has been developed based on the priorities you and other transport sector stakeholders identified including through a series of meetings and submissions sent to the Ministry and NZTA in 2024. Thank you for your engagement and input we are pleased to share the resulting work programme with you for your feedback. Timing is indicative, and may change as the work progresses.

We have bundled up the issues you and others raised into workstreams. We have found a place for most of the suggestions we heard. If you do not see something you raised, it may still be included in the work. Please let us know if something important is missing and we will point you to where it is included if it is under a different heading or project, may be able to find a way to add it in, or will explain why it has not been prioritised at this time.

Some items have been excluded from the immediate work programme because:

- They require substantial analytical work and/or reform of primary legislation and cannot be completed alongside the substantial/longer-term work already included in the work programme (e.g. a major overhaul of the Transport Service Licence regime).
- We evaluated them to be a lower priority for the sector, had not previously scoped the work, or did not have immediate resource available to progress it. If you feel we have left out something critical, please let us know.
- The issue did not relate to transport rules, particularly if not a part of the transport portfolio (e.g. immigration settings and Health and Safety at Work Act 2015 issues).

What follows is a list of rule reform proposals organised under the following focus areas:

- Updating vehicle inspection requirements
- Modernising and digitising transport services and licencing
- Growing road freight productivity
- Overhaul of vehicle system and import requirements and ongoing regulatory stewardship.

Updating vehicle inspection requirements

New Zealand's vehicle inspection system is not as effectively targeted to risk as it could be. We check some things too often and other high-risk issues insufficiently or not at all. A rebalancing of inspection frequency with improvements to testing could make the system more fit-for-purpose and lower some compliance costs. Two projects are proposed:

Reduce vintage and motorhome inspection frequency

- Consultation: Started in February 2025 and closed 4 April 2025
- Scope: Review of frequency of inspections for vintage/veteran vehicles and privately owned heavy motorhomes.

April 2025

Reviewing Warrant of Fitness requirements for light vehicles and Certificate of Fitness requirements for light rental vehicles

- Consultation: October/November 2025.
- Scope: Review of what gets inspected and frequency of inspections for light vehicles and when WOF v COF applies.

Modernising and digitising transport services and licencing

Our transport regulatory system involves too many paper notices, stickers, and licences. We are looking to enable digital alternatives to many documents, stickers, licences, etc. We are also wanting to improve our driver licencing system. Three projects are proposed:

Enable digital documents, e-servicing, and other service improvements

- Consultation: February/March 2026 for the Rules, with enabling primary legislation planned for 2025.
- Scope:
 - Enabling digital labels for Motor Vehicle Licence, WoF/CoF, Transport Service Licence, Alternative Fuel Certificate, Certificate of Loading (note RUC label digitisation is progressing separately as part of the transition to RUC work programme)
 - Improving NZTA customer service by enabling more flexibility in legislation governing temporary licences, including enabling digital formats and longer validity periods (e.g. for RUC licences) and online theory tests
 - Enabling better e-servicing of transport related notices (e.g. infringements) to be sent via email or text, or to the NZTA App instead of to physical addresses
 - Improving identity requirements for driver licencing services to include new forms of identification.

Enable a digital driver licence

- Consultation: Late 2025 or early 2026
- Scope: Enabling a digital driver licence that can be used as well as or instead of a physical licence.

Improve driver licencing

- Consultation: Completed in 2019, may need to be consulted on again in mid 2025.
- Scope:
 - Simplifying the progression from Class 2 – 5 licences
 - Reviewing the Accelerated Licensing Process
 - Reviewing the requirements for special-type vehicle endorsements

April 2025

- Standardising speed thresholds for tractors and special-type vehicles
- Simplifying the rules for tractors that can be driven on a Class 1 licence
- Considering automatic renewal of general licences for some endorsement holders.

Note a separate review of the Graduated Driver Licensing System is underway covering a range of other improvements.

Growing road freight productivity

Freight drives economic productivity in New Zealand. It is subject to many outdated rules and regulations which often fail to target regulatory effort to risk and have become obstacles to technology change. Three projects are proposed:

Freight permitting reform

- Consultation: October 2025
- Scope:
 - 50MAX permitting reform including reviewing the requirement for a permit to operate a 50MAX vehicle up to 50 tonnes
 - Reviewing the requirement to display an H plate
 - Consider enabling over-dimension vehicles to operate on toll roads and Auckland Motorways
 - Reviewing permitting approach to enable rental stock to be delivered “just in time”
 - Reviewing settings for enabling HPMV vehicles to carry over-dimension loads
 - Review HPMV proforma permit requirement for vehicle recovery licence holders
 - Review of load pilots licences
 - Improve pilot vehicle rooftop signs.

Licence weight thresholds and immigrant driver settings

- Consultation: February/March 2026
- Scope:
 - Review and consider adjusting the weight threshold between Class 1 and Class 2 licences – to better match licence classes to risk.
 - Review the heavy vehicle licencing pathway for immigrants.

Comprehensive review of the Vehicle Dimension and Mass Rule

- Consultation: TBC in 2027. This timeframe is due to the complexity of assessing the road maintenance issues associated with greater vehicle/axle weights and alternative configurations. This will have an impact on RUC and driver licensing settings and future NZTA decision making on roading design.

April 2025

- Scope:
 - Review vehicle weight settings to better enable more productive trucks and low emission heavy vehicles
 - Review maximum vehicle width and height
 - Consider enabling 6X2 prime movers to operate at gross mass limits up to 50 tonnes

Overhaul of vehicle system and import requirements

New Zealand aligns most of its vehicle regulation with other jurisdictions since we have limited influence over the international vehicle market. We could look to reduce complexity through greater and/or more automatic recognition of standards in these jurisdictions. This could include refocusing our import requirements on the areas of highest impact. These potential changes could also be a starting point in overhauling the regulatory framework, consolidating rules and ensuring the system is agile and well adapted for the future.

Mandating modern vehicle safety features

- Consultation: June/August 2025
- Scope: This aims to improve the safety and quality of the vehicle fleet over time by mandating certain features. This may include AEB, LKS, ESC, and AVAS.

Overhaul of import requirements and vehicle regulatory system

- Consultation: May/June 2026 (on high level proposals)
- Scope:
 - Type approval and harmonisation with/automatic recognition of international standards and/or requirements
 - Overhaul of vehicle regulatory system with the aim of making our regulatory approach more agile and enabling. This may include shifting away from prescriptive rules and towards more performance-based regulation, removing and consolidating large numbers of rules, and limiting the focus/scope of the regulatory system.
 - This work programme may include multiple smaller changes, including reviewing lighting requirements, vehicle definitions e.g. trailers.

Minor system improvements

We will progress consultation on various minor proposals. For example:

- Allow for integral trailer brake control units on medium trailers
- Remove unintended movement restrictions on mobile cranes
- Add compliance with an approved standard as an alternative method of compliance for indirect steering systems.

Out of Scope

From: Dom Kalasih <Dom@transporting.nz>
Sent: Wednesday, 23 April 2025 5:01 pm
To: Katrina Quickenden <K.Quickenden@transport.govt.nz>
Subject: FW: IN CONFIDENCE: Draft transport rules reform work programme

Hi Katrina

Thank you for the small extension to provide our feedback after yesterday's deadline. It was much appreciated

I have attached Transporting New Zealand's feedback and if it is of any help, I would welcome further discussion on it.

Kind regards

Dom Kalasih
Chief Executive
Ia Ara Aotearoa Transporting New Zealand



Transporting New Zealand
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Wellington 6140

P: +64 4 471 8285
M: +64 27 441 4309
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W: www.transporting.nz

23 April 2025

Katrina Quickenden
Manager – Regulatory Reform Team
Ministry of Transport

Sent by email: k.quickenden@transport.govt.nz

Dear Katrina

Thank you for the opportunity to comment on the draft summary of the rules reform work programme and the advice to the Minister finalising the scope of that work.

I appreciate the work done by your team and NZTA over the last 12 to 18 months in this regard. We agree with the approach of organising the reforms under the four focus areas. It is also very helpful for us to see an indicative plan of when consultation on the respective areas is intended.

Our comments on the four areas follow

Out of Scope



Out of Scope

2. Modernising and digitising transport services and licencing

a) *Enabling digital documents, e-servicing and other service requirements* Feb/Mar 2026

b) *Enable a digital driver licence* Late 2025 /early 2026

We support these proposals in principle. We think it is good to keep up with modern practice and we are aware a number of other countries are taking this path.

c) *Improve driver licencing* Mid 2025

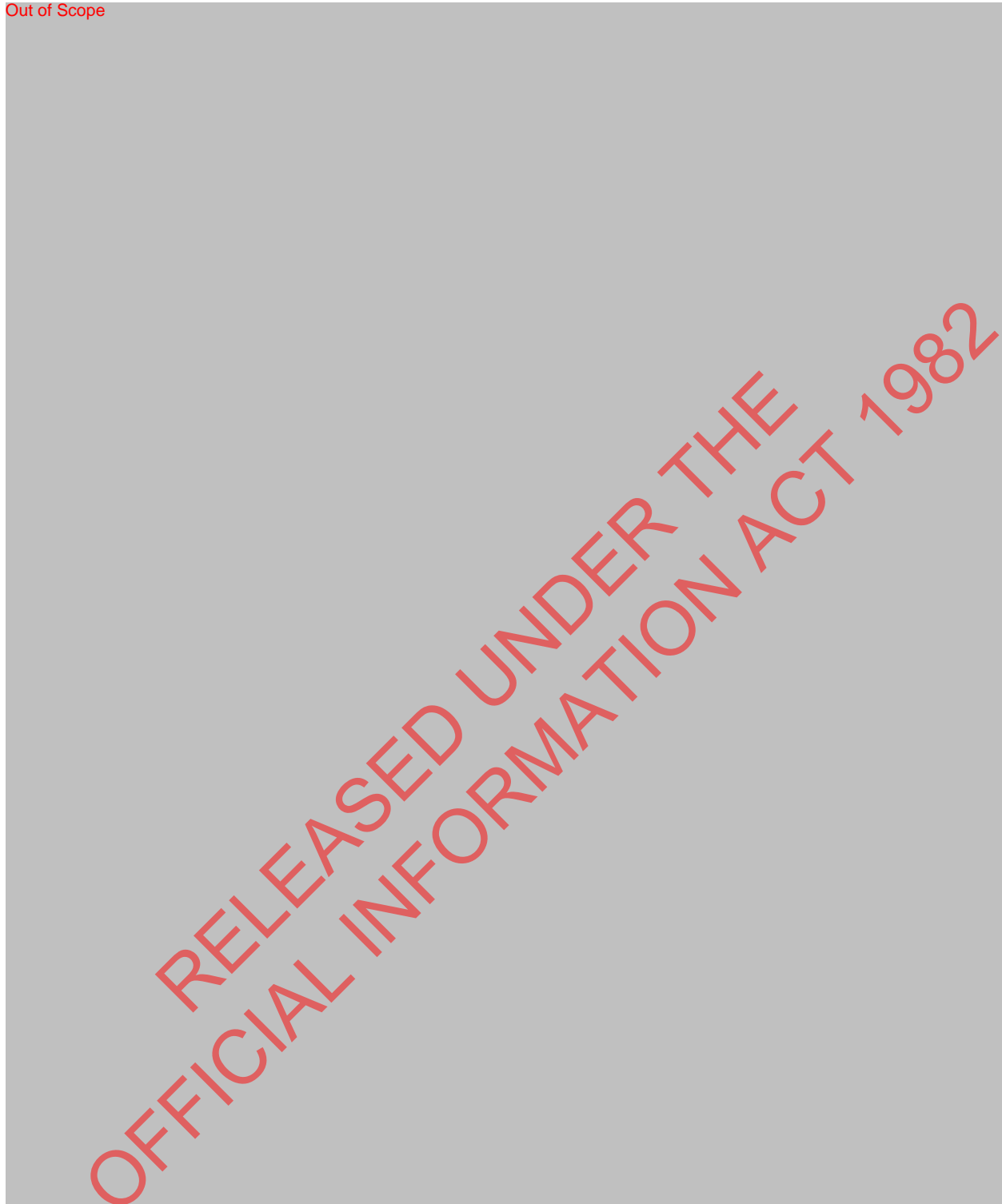
We strongly support this proposal.

We recommend that there should be consultation around the middle of 2025 and that at the same time the driver licence projects currently listed in in the *Growing road freight productivity* section, namely the review of the Class 1 threshold and the heavy vehicle licencing pathway for migrants, should be integrated with this work.

Out of Scope

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Out of Scope



We envisage the changes proposed in 2 a) and 2 b) may bring benefits, predominantly to compliance and enforcement. However, as with the changes above, in our opinion this change will make negligible difference to productivity.

We support the proposed change in 2 c) because we envisage these changes will reduce the barriers, particularly the cost and time, for drivers to obtain a heavy vehicle combination licence. As the economy recovers and more work, such as road construction, gets underway we anticipate our industry will experience a driver shortage therefore this change will make a meaningful difference.

Out of Scope

We are also concerned that with an election expected in late 2026, that traditionally tends to adversely impact the progress of legislative change, which could further delay any meaningful progress on the VDAM Rule as currently scheduled.

In summary, while we agree that all the proposals are beneficial, our concern is that the current order and prioritisation of the work programme does not reconcile with maximising the benefits to the nation. Despite considerable advancements in both heavy vehicle technology and trailer engineering it is about a decade since there was any significant change to the VDAM and our fear is that the opportunity cost of further delays to enabling our industry and nation to realise these benefits is not being fully appreciated by officials.

Transporting New Zealand would welcome further constructive collaboration with the Ministry of Transport on the implementation plan to ensure these rule changes, in particular that on VDAM reform, can progress as quickly as possible.

Please don't hesitate to contact me if we can be of any help in this regard.

Yours sincerely



Dom Kalasih
Chief Executive
la Ara Aotearoa Transporting New Zealand
027 441 4309
dom@transporting.nz

Out of Scope

From: Aimee Wiley <aimee@mia.org.nz>
Sent: Tuesday, 3 June 2025 3:28 pm
To: Katrina Quickenden <K.Quickenden@transport.govt.nz>
Cc: Jacob Ennis <J.Ennis@transport.govt.nz>; Laura Bender <L.Bender@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>; Mike Hargreaves <Mike.Hargreaves@nzta.govt.nz>; Amy Moorhead <Amy.Moorhead@nzta.govt.nz>; Brent Alderton <Brent.Alderton@nzta.govt.nz>
Subject: MIA Submission - Draft transport rules reform work programme

Kia ora Katrina,

Further to my note last week, please find attached the MIA's formal feedback on the draft transport rules reform work programme.

This is a significant and timely reform for our industry. We've taken care to prepare a considered and detailed response that clearly outlines the real-world challenges our members are facing, the regulatory barriers currently impeding progress, and the solutions we believe are needed to ensure the reform achieves its intended impact.

We've approached this with the seriousness and urgency it warrants and with a view to ensuring the final programme is both practical and transformative.

We hope our contribution adds value to the next stage of your advice to the Minister.

As always, I'm happy to meet/discuss any aspect further, please don't hesitate to get in touch to arrange a suitable time if/when you are ready to discuss further.

Ngā mihi,

Aimee Wiley
 Chief Executive Officer, **Motor Industry Association**



From: Katrina Quickenden <K.Quickenden@transport.govt.nz>
Sent: Thursday, 10 April 2025 4:54 pm
To: Greig Epps <greig@via.org.nz>; Justin Tighe-Umbers <justin.tighe-umbers@natroad.co.nz>; Dom Kalasih <Dom@transporting.nz>; james.mcdowall@mta.org.nz; Lee Marshall <lee.marshall@mta.org.nz>;

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**MOTOR INDUSTRY
ASSOCIATION**
INCORPORATED

Motor Industry Association (MIA)
Submission on the Draft Land Transport Rules Reform
April 2025

Submitted to:

Ministry of Transport Te Manatū Waka
Attention: Katrina Quickenden and Paul O'Connell
By email: K.Quickenden@transport.govt.nz; P.O'Connell@transport.govt.nz

New Zealand Transport Agency Waka Kotahi
Attention: Amy Moorhead, Brent Alderton and Mike Hargreaves
By email: Amy.Moorhead@nzta.govt.nz; Brent.Alderton@nzta.govt.nz; Mike.Hargreaves@nzta.govt.nz

Prepared by:

Aimee Wiley
Chief Executive Officer
Motor Industry Association of New Zealand
Wellington, Aotearoa New Zealand

Purpose of this Submission:

This submission provides the Motor Industry Association's detailed feedback on the Draft Rules Reform Work Programme. It sets out:

- A comprehensive summary of regulatory barriers currently faced by the new vehicle sector
- Specific, evidence-based proposals for reform
- Clear rationale and real-world examples drawn from MIA's membership base
- Recommendations designed to support a modern, future-ready land transport system

This submission reflects the depth of industry concern and the critical importance of getting this reform programme right. Not only to remove unnecessary friction but to enable innovation, safety, and sustainability in the New Zealand vehicle fleet.

Contact:

Aimee Wiley
Chief Executive
Email: aimee@mia.org.nz
Phone: s 9(2)(a)

About the Submitter

The Motor Industry Association (MIA) is the peak body representing New Zealand's new vehicle industry. We are an independent, apolitical, not-for-profit association comprising official importers and distributors of overseas vehicle manufacturers (OEMs). Our 46 members, spanning 91 brands, account for over 98% of all new vehicles sold in New Zealand, including passenger vehicles, light and heavy commercial vehicles, and motorcycles.

MIA members are committed to safety, environmental performance, and a robust regulatory framework that supports the delivery of safe, clean, and technologically advanced vehicles to New Zealand roads.

Executive Summary

The Motor Industry Association welcomes the Ministry of Transport's Rule Reform as a timely opportunity to address long-standing regulatory issues that are limiting industry progress and public benefit.

However, the current scope and timeframe of the proposed reforms are misaligned with the speed of technological change, the scale of international regulatory shifts, and New Zealand's own ambitions for safety, emissions reduction, and economic resilience.

This submission identifies specific reforms that are:

- **Urgent:** addressing rule misalignments and regulatory bottlenecks already constraining investment and fleet transformation.
- **Practical:** able to be implemented with minimal disruption and high impact across industry and government.
- **Globally aligned:** leveraging proven Australian and UNECE standards to eliminate duplication and improve vehicle availability.
- **Forward-facing:** enabling modern compliance methods, fair treatment of electrified vehicles, and proactive safety technologies.

Without accelerated reform, New Zealand risks falling further behind its international peers. With it, we can unlock significant transport, environmental, and economic gains. We urge the Ministry and Agency to bring forward action on consensus items, embed global alignment as standard practice, and partner with industry on co-designing practical, future-proofed rule frameworks.

Introduction

New Zealand's land transport rule framework is no longer fit for purpose. Regulatory delay and misalignment are increasingly at odds with the pace of technological innovation, consumer expectations, and international trade norms.

The MIA supports the Ministry's intent to modernise the system but urges a faster, broader, and more coordinated approach. Current reliance on exemptions, manual workarounds, and disconnected processes is undermining confidence and limiting public benefit.

This submission is built on direct industry input and lived experience, structured around the Ministry's reform programme. It identifies high-value changes that:

1. Align with Australia's ADR and UNECE global standards.
2. Improve digital access to compliance and certification processes.
3. Enable electrified and safety-advanced vehicle uptake.
4. Reduce unnecessary administrative duplication.

Above all, the submission outlines how smarter, more globally aligned regulation can reduce the compliance burden, support investment certainty, and deliver better safety and environmental outcomes for all New Zealanders.

Cross-Cutting Strategic Reform Themes

The issues raised in this submission are not isolated. They stem from five systemic challenges that, if addressed, can elevate the performance, coherence, and credibility of the entire transport regulatory system:

1. Advance Critical Rule Reviews Now

- Do not delay reform of the VDAM Rule and overhaul of the import requirements and vehicle regulatory system until 2026–27. These rules underpin vehicle access, safety, and compliance. Early action is essential.

2. Default to Global Equivalence

- Make recognition of ADR and UNECE standards the default position. Avoid bespoke local rulemaking unless there is a clear, evidence-based reason.

3. Digitise Core Regulatory Processes

- Replace paper-based, fragmented compliance systems with digital, real-time tools that increase transparency and reduce cost.

4. Adapt Rules to Enable Clean Technology

- Update GVM thresholds, dimensional allowances, and safety feature recognition to reflect the realities of modern vehicle design.

5. Reduce Reliance on Workarounds

- Codify common, safe configurations and eliminate overuse of exemptions. Build certainty into the rulebook, not around it.

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2. Modernising and Digitising Transport Services and Licensing

2.1 Digitise Vehicle Registration and Replace the MR2A

Problem

The current vehicle registration system is still reliant on paper-based processes, most notably the MR2A form. This creates inefficiencies, inconsistencies across dealerships, delays in processing, and unnecessary duplication - all of which are avoidable with modern digital infrastructure.

Examples

- MR2As must be printed, physically signed, and manually submitted — even when digital versions exist.
- Enforcement of scanned MR2A use varies by region and agent.

- “We are repeatedly told to re-submit physical MR2As even after uploading digital versions. This adds time, cost, and duplication.”
- OEMs and dealers have no dashboard or interface to manage VINs, check registration status, or track compliance in real time.”

Proposed Solutions

- Fully digitise the registration process and retire the MR2A form.
- Integrate MIAMI and LanData data to pre-fill VIN, emissions, and model attributes.
- Provide a live, centralised dashboard for dealers, distributors, and OEMs to manage vehicle registration and compliance.

Rationale

Streamlining registration improves efficiency, reduces form errors, enables faster delivery, and aligns transport services with broader public sector digital transformation. Transparency and compliance improve at every level.

2.2 Enable Industry Access to Manage VIN and Model Data

Problem

Importers, OEMs, and vehicle distributors are unable to manage their own VIN, model, or chassis data in real time. This centralised restriction causes unnecessary delays, errors, and creates inefficiencies for both regulators and industry.

Examples

- No platform exists to check Pre-Delivery Inspection (PDI) status, confirm VIN credit eligibility, or track pending liabilities.
- Vehicles exported after arrival remain visible in the Clean Car Standard (CCS) system, inflating liability calculations.
- “We can’t easily tell which VINs are fully cleared and which are still pending CCS - this affects how we plan fleet purchasing.”
- Stakeholders have requested anonymised visibility of credit flows by market segment to support fair procurement and pricing strategies.

Proposed Solutions

- Develop secure, role-based dashboards allowing approved users to view VIN credit status, eligibility, and emissions liabilities.
- Enable bulk removal of exported vehicles from CCS tracking.
- Provide anonymised, aggregated CCS credit flow data by segment to support commercial decision-making.

Rationale

Access to live, accurate data will increase confidence in the CCS system, reduce administrative overhead, and support industry in achieving both regulatory compliance and carbon reduction targets.

9. Conclusion and Strategic Recommendations

New Zealand's land transport rules must evolve to remain fit for purpose in a rapidly changing global landscape. This submission sets out a practical, evidence-based plan to improve the system's effectiveness, responsiveness, and credibility.

The Motor Industry Association recommends that the Ministry and Agency together:

1. Accelerate Priority Reforms

Advance early action on high-impact areas such as axle weight harmonisation, MR2A digitisation, and pro-forma streamlining.

2. Address Known System Gaps

Target reforms to legacy rule components that are driving unnecessary exemptions or delays—particularly VDAM, LVVTA certification, and Annex C processing.

3. Mandate Global Alignment

Implement mutual recognition of ADR and UNECE standards as a default compliance pathway across key certification and design domains.

4. Invest in Digital Transformation

Modernise compliance tools and rule access through digital dashboards, real-time vehicle tracking, and machine-readable rulebooks.

5. Formalise Industry Co-Design

Establish structured pathways for industry-government collaboration on rule development, test validation, and transitional guidance.

These reforms are not speculative. They are operationally grounded, internationally aligned, and supported by industry consensus. Their implementation will reduce regulatory churn, improve safety and emissions outcomes, and restore New Zealand's standing as a modern, high-integrity vehicle market.

We urge the Ministry and Agency to act with pace and purpose. The policy foundations are in place. The sector is aligned. What's needed now is implementation leadership.

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Neha Pawar

From: Katrina Quickenden
Sent: Thursday, 17 July 2025 5:54 pm
To: Amy Moorhead; Dom Kalasih; Greig Epps; Aimee Wiley; David Boyce; Terence J. Collins (AA); James Smith; Chris Rodley; Laura Bender; Keegan Taylor; Ryan McGowan
Cc: Mike Hargreaves; James McDowall
Subject: RE: Transport sector/NZTA/MoT stakeholder meeting: notes and actions from 15 July meeting
Attachments: Rules Reform Prog summary for sector stakeholders July 2025 to share.pptx

Kia ora koutou

Please find attached a slightly updated version of our slides – we took the opportunity to clarify a few points that we discussed yesterday. We are happy for you to use this information with your members.

Kind regards,
Katrina

Katrina Quickenden

Manager - Regulatory Reform Team | Kaiwhakahaere

Te Manatū Waka Ministry of Transport

M ^{s 9(2)(a)} [redacted] E: k.quickenden@transport.govt.nz | transport.govt.nz

[redacted]

Out of scope

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MINISTRY OF TRANSPORT
TE MANATŪ WAKA

Land Transport Rules Reform Programme

Overview and next steps

15 July 2025

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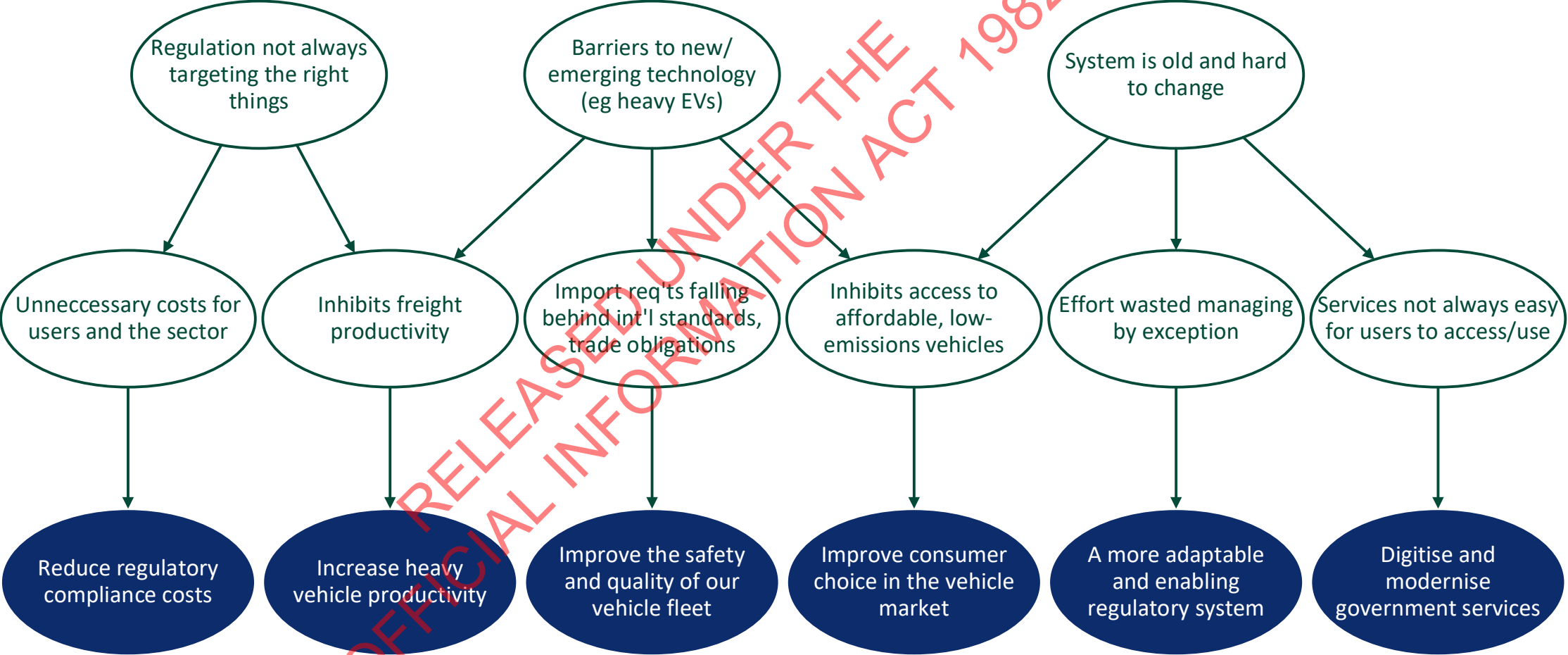
Overview

- Problems and objectives
- Programme overview
- Programme timelines
- Workstream updates
- Next steps

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The issues you've raised have informed the programme's objectives

Problems and opportunities:



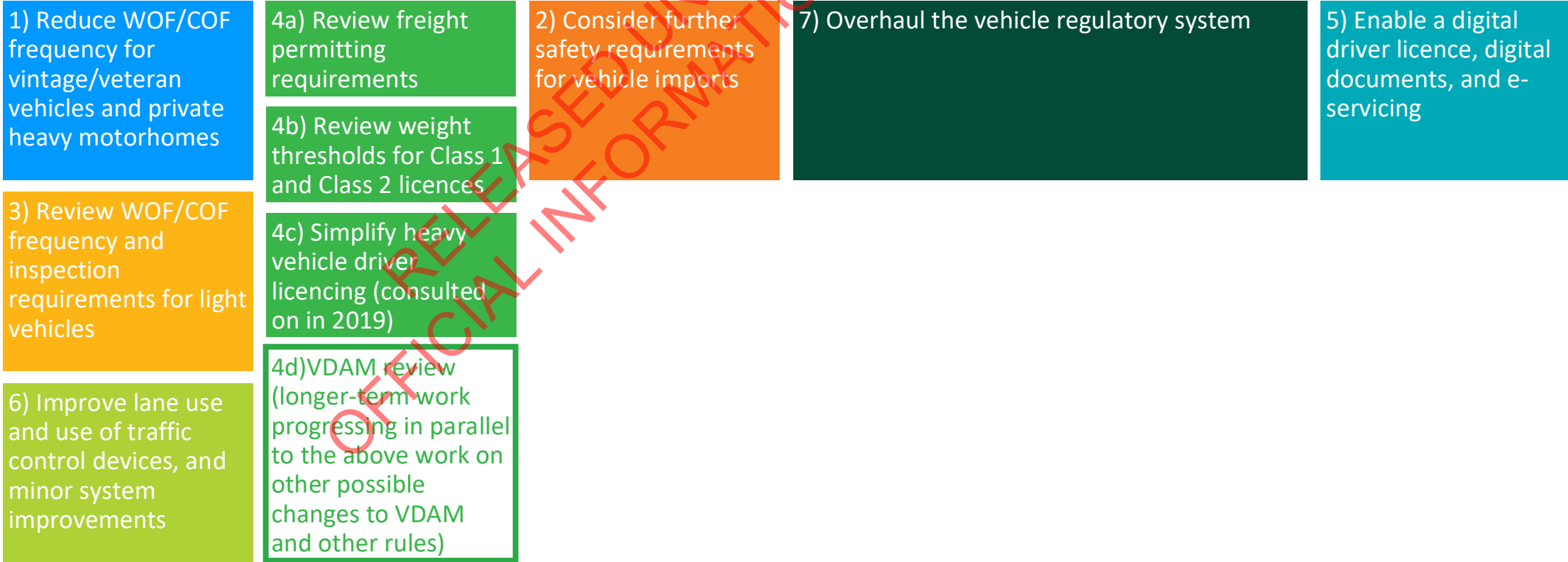
Objectives:

We have seven workstreams to help achieve the objectives

Objectives:

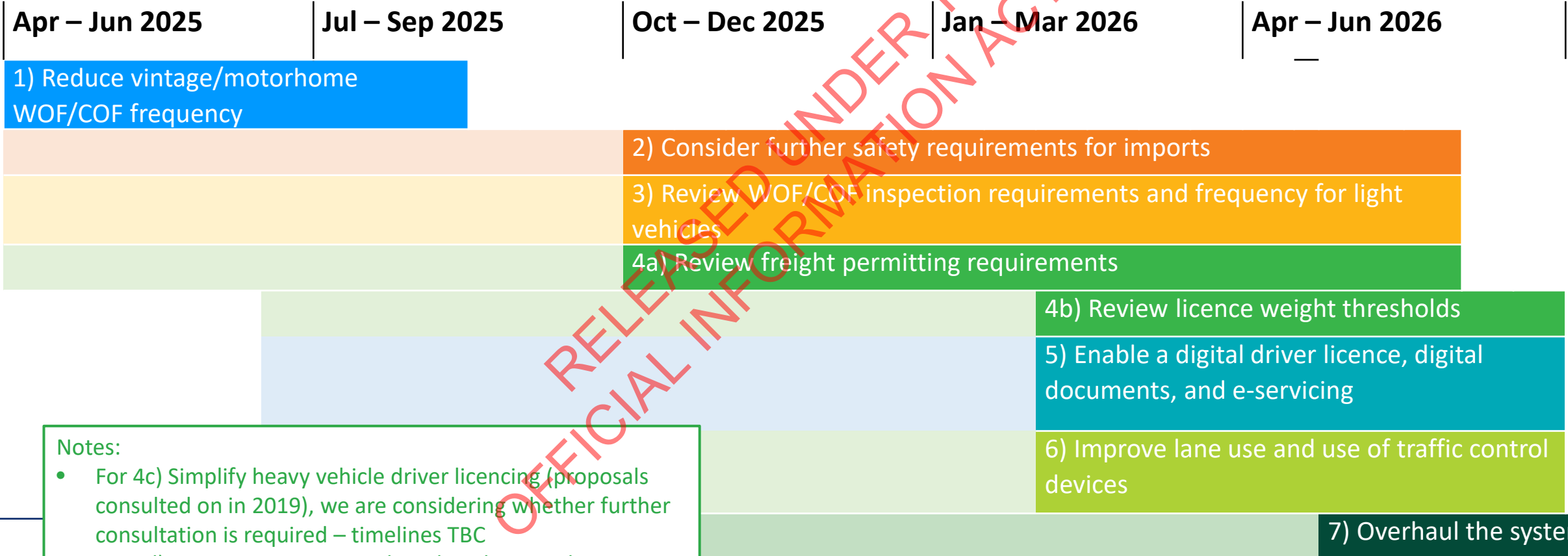


Workstreams:



There will be a series of opportunities for public consultation

Each box below goes from when we expect consultation to start, to when we expect rules to be signed for each change. **Though consultation is staged, the policy work is happening in parallel, and has already begun**



Notes:

- For 4c) Simplify heavy vehicle driver licencing (proposals consulted on in 2019), we are considering whether further consultation is required – timelines TBC
- For 4d) VDAM review, research and analysis are being commissioned to inform policy development

1) Reduce vintage/motorhome WOF/COF frequency

2) Consider further safety requirements for imports

3) Review WOF/COF inspection requirements and frequency for light vehicles

4a) Review freight permitting requirements

4b) Review licence weight thresholds

5) Enable a digital driver licence, digital documents, and e-servicing

6) Improve lane use and use of traffic control devices

7) Overhaul the system

Vintage/motorhome WOF/COFs

- Consultation is complete, with strong support for the proposals
- The Minister is considering final advice on the proposals

Apr – Jun 2025

Jul – Sep 2025

Oct – Dec 2025

Jan – Mar 2026

Apr – Jun 2026

1) Reduce vintage/motorhome WOF/COF frequency

2) Consider further safety requirements for imports

3) Review WOF/COF inspection requirements and frequency for light vehicles

4a) Review freight permitting requirements

4b) Review licence weight thresholds

5) Enable a digital driver licence, digital documents, and e-servicing

6) Improve lane use and use of traffic control devices

7) Overhaul the system

Mandating safety features

- Did some targeted engagement earlier in the year with stakeholders
- Working on further data and analysis
- Working toward open-ended consultation on multiple options

Apr – Jun 2025

Jul – Sep 2025

Oct – Dec 2025

Jan – Mar 2026

Apr – Jun 2026

1) Reduce vintage/motorhome WOF/COF frequency

2) Consider further safety requirements for imports

3) Review WOF/COF inspection requirements and frequency for light vehicles

4a) Review freight permitting requirements

4b) Review licence weight thresholds

5) Enable a digital driver licence, digital documents, and e-servicing

6) Improve lane use and use of traffic control devices

7) Overhaul the system

Light vehicle WOFs and COFs

- Developing and analysing options for:
 - Changes to inspection frequency
 - Checking increasingly common technologies/features that are not currently in scope
 - Rationalising which light vehicles require a COF vs a WOF

1) Reduce vintage/motorhome WOF/COF frequency

2) Consider further safety requirements for imports

3) Review WOF/COF inspection requirements and frequency for light vehicles

4a) Review freight permitting requirements

4b) Review licence weight thresholds

5) Enable a digital driver licence, digital documents, and e-servicing

6) Improve lane use and use of traffic control devices

7) Overhaul the system

Heavy vehicle productivity

- Considering timing and process for 2019 proposals on simplifying heavy vehicle licencing – e.g. whether any updates or further consultation are required
- Scoping and policy development for freight permitting and licence weight thresholds work (including NZTA engagement with Road Transport Policy Group)
- Commissioning research and analysis to inform longer-term VDAM review (impact of bigger, heavier vehicles on roads)

Timing TBC

4c) Simplify heavy vehicle driver licencing (consulted on in 2019)

4d) VDAM review (longer-term work progressing in parallel to the above work on other possible changes to VDAM and other rules)

Apr – Jun 2025

Jul – Sep 2025

Oct – Dec 2025

Jan – Mar 2026

Apr – Jun 2026

1) Reduce vintage/motorhome WOF/COF frequency

2) Consider further safety requirements for imports

3) Review WOF/COF inspection requirements and frequency for light vehicles

4a) Review freight permitting requirements

4b) Review licence weight thresholds

5) Enable a digital driver licence, digital documents, and e-servicing

6) Improve lane use and use of traffic control devices

7) Overhaul the system

Enabling digitisation

- Progressing enabling changes to primary legislation
- Scoping and planning required rule changes

Lane use and traffic control

- Scoping and planning policy work

Apr – Jun 2025

Jul – Sep 2025

Oct – Dec 2025

Jan – Mar 2026

Apr – Jun 2026

1) Reduce vintage/motorhome WOF/COF frequency

2) Consider further safety requirements for imports

3) Review WOF/COF inspection requirements and frequency for light vehicles

4a) Review freight permitting requirements

4b) Review licence weight thresholds

5) Enable a digital driver licence, digital documents, and e-servicing

6) Improve lane use and use of traffic control devices

7) Overhaul the system

System overhaul

- Scoping initial work on:
 - Simplified entry for vehicles subject to type approvals overseas
 - Streamlining recognition of international standards

Next steps

- Continuing to progress policy work
- Ongoing planning, including identifying any points where targeted stakeholder engagement is needed
- Briefing ministers prior to next wave of public consultation (due to begin in October)

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