OC260390

7 July 2026

[redacted]

Tēnā koe [redacted]

I refer to your email dated 11 May 2026 to the Ministry of Transport (the Ministry) now part of the Ministry were transferred to the Ministry for Cities, Regions, Environment and Transport (the MCERT) where you requested following information concerning automated infringement systems, safety-camera enforcement, ANPR use, and section 139AAB of the Land Transport Act 1998.

> "NZTA has advised MAGNZ in response to OIA-21746 that:
>
> 1. ANPR is currently used by average-speed cameras to detect average speed between two detection points;
> 2. there are no current plans to expand the use of safety-camera ANPR beyond average-speed enforcement;
> 3. any expansion of ANPR capability beyond average-speed cameras would require future policy, funding, and/or law changes;
> 4. NZTA has not submitted a request to the Minister of Transport to use an automated infringement system to produce an infringement notice under section 139AAB of the Land Transport Act 1998; and
> 5. NZTA holds no documents referring to expanding enforcement capability, introducing new offence detection categories, or integrating safety cameras with other compliance or regulatory systems.
>
> MAG NZ is seeking information held by the Ministry of Transport to understand whether any policy, legislative, privacy, ministerial, or Cabinet-level work exists in relation to those matters. This request is for existing information only. It does not require the Ministry to create new information or speculate about future policy.
>
> Please provide the following information from **1 January 2023 to the date of this request.**
>
> 20260511 OIA MoT 1 of 5
>
> **1. Automated infringement systems under section 139AAB**
>
> Please provide all information relating to approval, possible approval, proposed approval,

rejected approval, or consideration of automated infringement systems under section 139AAB of the Land Transport Act 1998.

This includes information relating to:

a. any request made by NZTA for approval of an automated infringement system;

b. any draft request by NZTA for approval of an automated infringement system;

c. any informal or preliminary discussion with NZTA about such an approval;

d. any decision that approval under section 139AAB was not required;

e. any decision not to seek or progress approval under section 139MB;

f. any advice to the Minister of Transport;

g. any advice from the Minister of Transport;

h. any draft or final certificate of approval; and

i. any internal Ministry advice about the operation or interpretation of section 139MB.

2. Privacy Commissioner consultation

Section 139AAB appears to require the Minister of Transport to consult the Privacy Commissioner before approving an automated infringement system.

Please provide all documents relating to actual, proposed, planned, draft, or considered consultation with the Privacy Commissioner concerning:

a. automated infringement systems;

b. safety-camera enforcement systems;

c. point-to-point average-speed systems;

d. ANPR systems;

e. systems linked to the Motor Vehicle Register;

f. automated production of infringement notices; or

g. expansion of camera-based enforcement beyond speed or red-light offences.

3. Safety-camera enforcement expansion

Please provide all information relating to policy, legislative, operational, privacy, or funding consideration of expanding safety-camera enforcement beyond speed or red-light offences.

This includes consideration of enforcement or compliance activities relating to:

a. vehicle registration status;

b. vehicle licence status;

c. vehicles on registration exemption or hold;

d. WOF or COF status;

e. RUC or eRUC compliance;

f. driver licence status;

g. vehicle class restrictions;

h. stolen vehicles;

i. prohibited vehicles; or

j. any other transport compliance offence.

4. ANPR and Motor Vehicle Register matching

Please provide all information relating to ANPR systems being linked, matched, compared, or integrated with the Motor Vehicle Register, Driver Licence Register, RUC systems, eRUC systems, or other transport compliance databases.

This includes:

a. policy advice;

b. legal advice summaries;

c. privacy advice;

d. data-sharing advice;

e. Cabinet material;

f. ministerial briefings;

g. inter-agency correspondence;

h. meeting notes;

i. project documentation;

j. business cases;

k. roadmaps; and

I. risk assessments.

5. Future policy, funding, or law changes

NZTA has advised that any expansion of **ANPR** capability beyond average-speed cameras would require future policy, funding, and/or law changes.

Please provide all information held by the Ministry of Transport relating to any such possible policy, funding, or law changes.

This includes documents discussing whether current law is sufficient or insufficient for:

a. wider ANPR enforcement;

b. automated infringement generation;

c. safety-camera use beyond speed or red-light offences;

d. linking camera data to the Motor Vehicle Register;

e. linking camera data to driver licence information;

f. linking camera data to RUC or eRUC systems; or

g. broader vehicle compliance enforcement.

6. Cabinet and ministerial material

Please provide all Cabinet papers, draft Cabinet papers, Cabinet committee papers,

aide-memoires, briefings, talking points, decision papers, ministerial notes, and internal Ministry papers relating to:

a. automated infringement systems;

b. section **139AAB** approvals;

c. safety-camera enforcement expansion;

d. **ANPR** enforcement;

e. point-to-point average-speed enforcement;

f. privacy implications of automated infringement systems;

g. camera data being matched with vehicle or driver registers; or

h. future transport compliance enforcement systems.

7. Inter-agency communications

Please provide all correspondence, meeting notes, agendas, minutes, briefing material, or file notes between the Ministry of Transport and any of the following agencies relating to automated infringement systems, ANPR, safety-camera enforcement expansion, or transport compliance data matching:

a. NZTA;

b. New Zealand Police;

c. Department of Internal Affairs;

d. Ministry of Business, Innovation and Employment;

e.ACC;

f. Office of the Privacy Commissioner;

g. Treasury;

h. Parliamentary Counsel Office;

i. Department of the Prime Minister and Cabinet; and

j. any relevant ministerial office."

On 13 and 19 May 2026, the Ministry sought clarification on your request. you clarified your request as below:

"For the purpose of this refined request, please treat the primary timeframe as:

1 March 2024 to 11 May 2026

being the period from the commencement of section 139AAB of the Land Transport Act 1998.

However, I do not intend to exclude earlier material where it was expressly carried forward, relied on, or referred to in post-1 March 2024 advice, implementation work, legal analysis, privacy analysis, Cabinet advice, ministerial advice, or inter-agency correspondence relating to section 139AAB, automated infringement systems, safety-camera enforcement, ANPR use, or related enforcement-system capability.

In relation to noise cameras, I confirm that I am not seeking duplicate copies of material already publicly available through the proactive release links you have identified.

However, I do still seek any further material within the refined timeframe that is not publicly available and that records or discusses:

1. the decision not to progress noise cameras;
2. any subsequent reconsideration, confirmation, implementation advice, or "no further work" advice;
3. privacy, legal, operational, technical, or enforcement risks associated with noise cameras or similar automated infringement technologies;
4. any connection between the noise-camera proposal and section 139AAB, automated infringement systems, safety-camera enforcement, ANPR, or wider enforcement-system integration.

To further assist, I am content for the Ministry to prioritise final or substantive documents over purely administrative correspondence. I am not seeking routine meeting scheduling emails, duplicate drafts, or internal transmittal emails unless they contain substantive comment or record a relevant decision, concern, risk, or instruction.

For clarity, the refined request remains concerned with the Ministry's advice, records, correspondence, and analysis concerning the legislative, operational, privacy, data-sharing, enforcement, and implementation implications of section 139AAB and related automated infringement or camera-based enforcement capability.

Please also treat this refinement as preserving the substance and purpose of the original request, rather than as a withdrawal of any issue not expressly abandoned above."

On 17 June 2026, we advised you that due to consultations necessary to make a decision on your request, a proper response could not reasonably be made within the original time limit. We advised that we would be extending the due date on your request by up to 15 working days.

We have now completed the necessary consultations to make a decision on your request.

There are 27 documents in scope of this request. Of those 25 are released with some information withheld and two are withheld in full.

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

6(c)	as release would be likely to prejudice the maintenance of the law, including the prevention, investigation, and detection of offences, and the right to a fair trial
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
18(d)	the information requested is or will soon be publicly available

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.

If you would like to discuss this decision with us, please do not hesitate to contact us at OIA@mcert.govt.nz.

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.

Please note that due to the public interest in our work, the Ministry publishes our Official Information Act responses and the information contained in our reply to you may be published on its website. Before publishing we will remove any personal or identifiable information.

Nāku noa, nā



Hilary Penman
Manager
Ministry for Cities, Environment, Regions, and Transport

Annex 1: Document Schedule

Doc #	Date	Title of Document	Decision on request
Documents relating to Enabling the use of noise camera technology			
1	14 August 2024	Email From: Jacob Ennis to Nathan de Lautour Subject: FW: 240712 Feedback on anti-social road users briefing Attachments: 240712 Feedback on anti-social road users briefing	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
2	26 August 2024	Email From: Chris Roblett to Bailey Smith; Matthew Green; Nathan de Lautour Subject: RE: Designing a provision for "noise cameras" in the LTA	Withheld in full under section 9(2)(h).
3	10 September 2024	Email From: Jacob Ennis to Nathan de Lautour; Chris Roblett; Matthew Green; Tessa Ayson; Michael Machin Subject: Fwd: Upcoming departmental consultation - strengthening powers against antisocial road users Attachments: OC240865 Strengthening powers against anti-social road users – Cabinet Paper	Released with some information withheld under sections 9(2)(a), 9(2)(f)(iv) and 9(2)(h). Some information has been marked out of scope.
4	11 September 2024	Email from: Jacob Ennis to Nathan de Lautour; Michael Machin; Chris Roblett Subject: FW: Summary of departmental feedback Attachments: Summary of departmental feedback	Released with some information withheld under section 9(2)(h). Some information has been marked out of scope.
5	24 September 2024	Cabinet Committee Background Information and Talking Points	Released in full. Some information has been marked out of scope.
6	16 October 2024	OC241165 BR/24/129 - Revised Options for Deterring Anti-Social Road Use	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.

Doc #	Date	Title of Document	Decision on request
7	3 December 2024	Email From: James Ting-Edwards to Jacob Ennis Subject: RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use Attachments: RE: Upcoming departmental consultation - strengthening powers against anti-social road users	Released in full. Some information has been marked out of scope.
8	16 February 2025	Email From: Bonnie Hayvice to Chris Roblett; Nathan de Lautour Subject: RE: ASRU cover brief and Cabinet paper - review input request by COP tomorrow	Withheld in full under section 9(2)(h).
9	18 February 2025	Email from: Bonnie Hayvice to Adriana Nickless, John White, Katrina Quickenden Subject: RE: FW: Cabinet paper for departmental consultation – strengthening penalties against anti-social road use	Released with some information withheld under sections 9(2)(a), 9(2)(g)(i) and 9(2)(h). Some information has been marked out of scope.
10	19 February 2025	Email From: Bonnie Hayvice to Ministers Office; Abby McRoberts - parliament Subject: ATTN Abby: OC241439 Draft Cabinet paper - Revised options for addressing antisocial road use Attachments: • OC241439 - cover brief - revised options anti-social road use • Regulatory Impact Statement- ASRU • OC241439 Appendix One - Draft Cabinet Paper – revised options to address anti-social road use – clean • OC241439 Appendix One - Draft Cabinet Paper - revised options to address anti-social road use - tracked	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope. Cover briefing OC241439 is out of scope of this request. Attachments are refused under section 18(d) as those are publicly available - https://www.transport.govt.nz/assets/Uploads/OC250097-Draft-Cabinet-paper-Revised-options-for-addressing-Anti-Social-Road-Use_Redacted.pdf
11	5 March 2025	Email From: James Ting-Edwards to Bonnie Hayvice Subject: RE: OPC comments RE: Cabinet paper for departmental consultation- strengthening penalties against anti-social road use	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.

Doc #	Date	Title of Document	Decision on request
Documents relating to Vehicle Surveillance Equipment			
12	19 November 2025	Email From: Hugo Beale to Angela Mortlock; Julia Harker; Angus Stallmann; Hassan Khan Subject: Follow up: Process for approval of vehicle surveillance equipment Attachments: SIGNED BRI-3238 Approval of Aceusensus Harmony camera system	Released with some information withheld under section 9(2)(a). Attachment is out of scope of this request.
Documents relating to the proposal to expand safety camera enforcement			
13	8 March 2024	OC240220 Options to Progress Fee Updates and Amendements for Parking, Road Safety and Towage and Storage	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope
14	12 June 2025	Email From: Hugh Mazey to Jessica Maynard; Jo Gould; Sophia Trewavas Subject: FW: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope
15	13 June 2025	Email From: Lily McSweeney (NZTA) to Hugh Mazey Subject: RE: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy Attachments: NZTA feedback OC250414 Scope of the Road Safety Penalties Review - Briefing	Released with some information withheld under section 9(2)(a).
16	2 July 2025	Email From: Quaid Forbes (Office) to Jessica Maynard (the Ministry) Subject: RE: OC250414 Scope of the Road Safety Penalties Review and Alcohol Interlock Programme Review Attachments: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
17	13 August 2025	Email From: Hugh Mazey (the Ministry) to Ministers Office Subject: ATTN Quaid: OC250632 REVIEW OF ROAD SAFETY PENALTIES - RECOMMENDATIONS TO PROGRESS TO CABINET - Briefing - Policy	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.

Doc #	Date	Title of Document	Decision on request
		Attachment: OC250632 REVIEW OF ROAD SAFETY PENALTIES - RECOMMENDATIONS TO PROGRESS TO CABINET - Briefing - Policy	
18	1 September 2025	Email From: Quaid Forbes (Office) to Hugh Mazey; Jo Gould Subject: CO250632 review of road safety penalties Attachment: OC250632 Review of road safety penalties.pdf	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope. The briefing attached was same as attachment to document #17, only difference was this was signed.
19	24 September 2025	Email From: Karl Laulu (NZTA) to Sophia Trewavas; Hugh Mazey; Joanna Heard; Jo Gould Subject: RE: Seeking feedback COP 24 September: Updating road safety penalties and reviewing the alcohol interlock programme Attachments: • (1) Draft for Consultation Oc250816 Update on Road Safety Penalties Review and Alcohol Interlocks Review - Cabinet Paper • (2) Draft for Consultation RIS Review of Penalties for High-Risk Traffic Offences 1.2 • (3) NZTA Response to MoT - Safety Camera Operation and Implementation	Released with some information withheld under sections 6(c) and 9(2)(a).
20	13 October 2025	Email From: James Ting-Edwards (OPC) to Jo Gould Subject: Further OPC comments RE: For consultation: Updating road safety penalties and reviewing the alcohol interlock programme	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
21	22 October 2025	Email from: Jo Gould (the Ministry) to Ministers Office Subject: Atten Quaid: OC250816 Update on Road Safety Penalties Review and Alcohol Interlocks Review Attachments: • OC250816 UPDATE ON ROAD SAFETY PENALTIES REVIEW AND	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.

Doc #	Date	Title of Document	Decision on request
		ALCOHOL INTERLOCKS REVIEW - Briefing - Policy • OC250816 UPDATE ON ROAD SAFETY PENALTIES REVIEW AND ALCOHOL INTERLOCKS REVIEW – Cabinet Paper • RIS Review of Penalties for High-Risk Traffic Offences 1.2_ (002)	
22	31 October 2025	Email From: Quaid Forbes (Office) to Jo Gould; Ministers Office Subject: RE: Atten Quaid: OC250816 Update on Road Safety Penalties Review and Alcohol Interlocks Review	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
23	10 December 2025	Email From: Karl Laulu (NZTA) to Jo Gould Subject: RE: Update on road safety penalties and reviewing the alcohol interlock programme cabinet paper Attachments: • 251204 Update road safety penalties and review alcohol interlock programme - Cabinet Paper • 251204 RIS Review of Penalties for High-Risk Traffic Offences NOV	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
24	19 December 2025	Email From: Sarah Jenkison (Police) to Jo Gould Subject: RE: update on road safety penalties and reviewing the alcohol interlock programme - revised Cabinet paper for comment	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.
25	4 February 2026	Email From: Hugh Mazey (the Ministry) to Ministers Office Subject: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1) Attachments: • OC260007 Road Safety Penalties and Alcohol Interlocks Reviews - Updated Draft Cabinet Paper • Update road safety penalties and review alcohol interlock programme - Cabinet Paper • RIS Review of Penalties for High-Risk Traffic Offences JAN 26 • OC260007 Road Safety Penalties and Alcohol Interlock Reviews -	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.

Doc #	Date	Title of Document	Decision on request
		Cabinet paper - Briefing - Policy	
26	25 February 2026	Email From: Hugh Mazey (the Ministry) to Quaid Forbes; Emma Wardle (Parliament) Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1) Attachments: • Updated 20-Feb-26 - road safety penalties and review alcohol interlock programme - Cabinet Paper • RIS Review of Penalties for High Risk Traffic Offences Feb 26 • RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope. RIS - The relevant material is being released in Doc #25 above (Draft RIS 04.02.2026) – the only different is a paragraph number, the relevant content is the same.
27	13 March 2026	Email From: Quaid Forbes (Minister's Office) to Hugh Mazey (MoT) Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)	Released with some information withheld under section 9(2)(a). Some information has been marked out of scope.

Neha Pawar

From: Jacob Ennis
Sent: Wednesday, 14 August 2024 8:44 am
To: Nathan de Lautour
Subject: FW: 240712 Feedback on anti-social road users briefing
Attachments: 240712 Feedback on anti-social road users briefing .docx

FYI some further context for noise cameras

From: Julia Harker
Sent: Monday, July 15, 2024 11:15 AM
To: Jacob Ennis
Cc: Amy Moorhead ; Warwick Terry ; Hassan Khan
Subject: 240712 Feedback on anti-social road users briefing

Kia ora Jacob

Please find attached NZTA's feedback on the draft anti-social road users briefing. You will see that our feedback is focussed on the excessive noise proposals.

We understand that an updated draft of the paper will be circulated but this is unlikely to be substantively different. NZTA is keen to be engaged on this work as the policy thinking progresses.

Ngā mihi nui

Julia Harker (she/her)

Principal policy advisor, Transport Policy
Te Tūāpae – System Leadership
Email: Julia.harker@nzta.govt.nz
s 9(2)(a)
NZ Transport Agency Waka Kotahi
Auckland, Level 5, AON Centre, 29 Customs Street West
Private Bag 106602, Auckland 1143, New Zealand
Connect with us on social media

NZ TRANSPORT AGENCY WAKA KOTAHI www.nzta.govt.nz

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

This message, together with any attachments, may contain information that is classified and/or subject to legal privilege. Any classification markings must be adhered to. If you are not the intended recipient, you must not peruse, disclose, disseminate, copy or use the message in any way. If you have received this message in error, please notify us immediately by return email and then destroy the original message. This communication may be accessed or retained by Waka Kotahi NZ Transport Agency for information assurance purposes.

Memo

New Zealand Transport Agency response to draft briefing – OC240761 Powers to deter anti-social road users

15 July 2024

Thank you for the opportunity for New Zealand Transport Agency Waka Kotahi (NZTA) to provide comment on the draft briefing to the Minister of Transport and Minister of Police – OC240761 Powers to deter anti-social road users.

Our key substantive feedback is set out below.

Excessive Noise

Out of Scope

Option 5- Noise cameras

While NZTA can see the value in future proofing legislation to enable the use of noise cameras, we do not consider the cameras currently available would be a viable option to address this problem. The technology is only being trialled overseas and is best suited to excessive drive-by noise (e.g. loud exhausts) on roads than localised incidents such as siren battles.

Our acoustic expert has identified the following key technical issues, which we consider should be reflected in the paper:

- Cameras can only cover a very small area, suited to observing a few lanes of road as vehicles pass by. A very large number of static cameras would be required to provide coverage of a suburb.
- To be viable for enforcement, the cameras must be able to accurately measure noise level, pinpoint the noise emission to a single vehicle, and identify that vehicle. This requires a very advanced camera, a single noisy vehicle at a time, and a predictable 'view' of the vehicle (location, orientation, speed, lighting). This is challenging, but viable, for pass-by of individual vehicles along a road. Cameras would struggle with the type of gatherings associated with siren battles.
- NZTA has used simple cameras to study engine braking by trucks along highways between 2013 and 2022, but cannot issue tickets, and our cameras would not be suitable for local gatherings.

We understand that legislative amendment would be required to issue a noise infringement notice based on unattended evidence from a noise camera. Before making any legislative changes, careful consideration is required of the types of noise the cameras would enforce (e.g. exhaust noise, stereo noise), the noise bounds of "excessive" for the camera calibrations, as well as approval of the noise camera technology as vehicle surveillance equipment. Overseas jurisdictions (e.g. France) have found it challenging to develop legislation and avoid loopholes (such as the legitimate use of horns for safety) being exploited by potential offenders to avoid fines.

If it is possible to establish a noise camera system to detect this type of behaviour and issue an offence notice, the costs of such a scheme would be significant and possibly take years to implement. The cost of the camera units is likely to be much greater than the figure of $5,000 per camera used in an earlier version of the briefing, given the advanced technology required to pinpoint a vehicle. Any costing would also need to include the cost to mount and connect power to cameras plus ongoing operational costs and maintenance.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Jacob Ennis
Sent: Tuesday, 10 September 2024 10:32 am
To: Nathan de Lautour; Chris Roblett; Matthew Green; Tessa Ayson; Michael Machin
Subject: Fwd: Upcoming departmental consultation - strengthening powers against anti-social road users
Attachments: OC240865 Strengthening powers against anti-social road users - Cabinet Paper.docx

Fyi OPC feedback

Get Outlook for Android

From: James Ting-Edwards
Sent: Tuesday, September 10, 2024 10:19:28 am
To: Jacob Ennis
Cc: Kate Rickerby
Subject: FW: Upcoming departmental consultation - strengthening powers against anti-social road users

Kia Ora Jacob,

This is James from the Policy team at OPC – good to be in touch!

Thanks for sharing this Cabinet paper for comment. Our comments follow.

Overall comments

- The proposed approach to enforcement will involve collection and use of personal information, and presents a range of privacy issues that need to be considered as part of the policy process. We discuss these further below.
- Our main concern is the lack of a clear policy case for the proposed approach. We have not seen a RIS or other analysis supporting the proposals here. Without details of the policy problem and an options analysis supported by evidence, we are unable to properly consider whether privacy impacts are in proportion to the benefits achieved.

Without a more detailed policy analysis we cannot properly assess potential privacy issues

- Our understanding is that these proposals aim to deter particular behaviours and thereby reduce harms. We have not seen evidence of the extent of these behaviours, the harms they cause, and the likely effectiveness of proposed measures in deterring them. Without this evidence we cannot give an informed view on whether benefits of the proposed approach would justify the intrusion on New Zealanders' privacy.
- In our view a full options analysis is needed, and this should include analysis of privacy impacts and mitigations (see, for example, LDAC guidance on considering impacts on privacy in the design of legislation).
- We encourage you to seek support from your privacy or legal team to carry out the required privacy analysis as part of this work.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

- We also note at [55] that the proposed approach will not include stakeholder consultation ahead of introducing the Bill. We would recommend engaging stakeholders at this policy development stage to better understand both the effectiveness of and social licence for the proposed approach, including the privacy issues we highlight below. This may include engagement with Māori, particularly in light of the disproportionate impacts discussed at [49].

Potential privacy risks: collection, accuracy, noise cameras

- Policy proposals relating to collecting, using, or sharing personal information should be consistent with the Privacy Act 2020 as the primary framework governing personal information, and in particular should consider and comply with the Information Privacy Principles (IPPs). Exceptions require a compelling policy case supported by strong evidence. Physical privacy, and being free from unjustified search and surveillance also needs to be considered as part of privacy analysis.
- The Cabinet paper proposes measures which present risks to privacy and to personal information. As a high-level summary, these include the following:

Out of Scope



  - **Noise cameras and related risks to accuracy:** we understand that noise cameras are a technology combining camera images with microphones, with the aim of detecting and proving excessive noise offences, sometimes in a wholly or partly automated way. In our view, before adopting this kind of technology it is critically important to establish the accuracy of noise cameras for the intended purpose, including testing of the thresholds to be applied in realistic settings. It is also important to consider the information flow for personal information and to test social licence for the use of the technology before it is put into use. Without this work there are risks to both privacy interests and public trust in the system of enforcing road rules.
- All of these privacy risks are heightened by the proposed combination of serious penalties and limited process requirements. This heightens the risk of unfair decisions based on inaccurate information about people without a chance to check it is correct. Loss of access to a vehicle may be a severe consequence for a family, and may lead to difficulties accessing work, education, and other basic necessities of life.
- In our view these privacy risks mean it is critically important to fully consider the policy case here, particularly in terms of an options analysis that engages with privacy risks and potential mitigations.

Please add mentions of privacy and a Privacy Commissioner comment to the Cabinet paper as below

s 9(2)(h)



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

s 9(2)(h)

- Please insert a Privacy Commissioner comment as below in the appropriate section of the paper:

> "While controlling the uses of vehicles and roads is a legitimate public policy goal, the proposed policy approach involves risks to New Zealanders' privacy that need to be carefully considered and supported with a strong policy case. I have not been provided with evidence to justify the proposals and so have significant concerns about the accurate collection and use of personal information in these proposals. For example, further policy work is needed to assure New Zealanders that penalties issued based on the use of noise camera technology will meet the requirement to check information is accurate before relying on it. Out of Scope

Aku mihi,

James

James Ting-Edwards (he/him)
Senior Policy Advisor | Kaitātari Kaupapa Here Matua
Office of the Privacy Commissioner | Te Mana Mātāpono Matatapu
PO Box 10094, The Terrace, Wellington 6143
s 9(2)(a)
E james.ting-edwards@privacy.org.nz
privacy.org.nz



Te Wiki o te Reo Māori
14–21 o Hepetema 2024

From: Jacob Ennis <J.Ennis@transport.govt.nz>
Sent: Thursday, September 5, 2024 9:39 AM
Subject: RE: Upcoming departmental consultation - strengthening powers against anti-social road users

Kia ora
Attached is a draft Cabinet paper for departmental consultation. Ministerial consultation is happening in tandem. Feedback appreciated by 10 September.
The paper seeks agreement to strengthen offences and penalties to better deter fleeing drivers, illegal street racing, intimidating convoys, unlawful dirt bike gatherings, and siren battles. The proposals require changes to the Land Transport Act 1998, Sentencing Act 2002, Policing Act 2008, and Land Transport (Offences and Penalties) Regulations 1999.
We propose:
Out of Scope

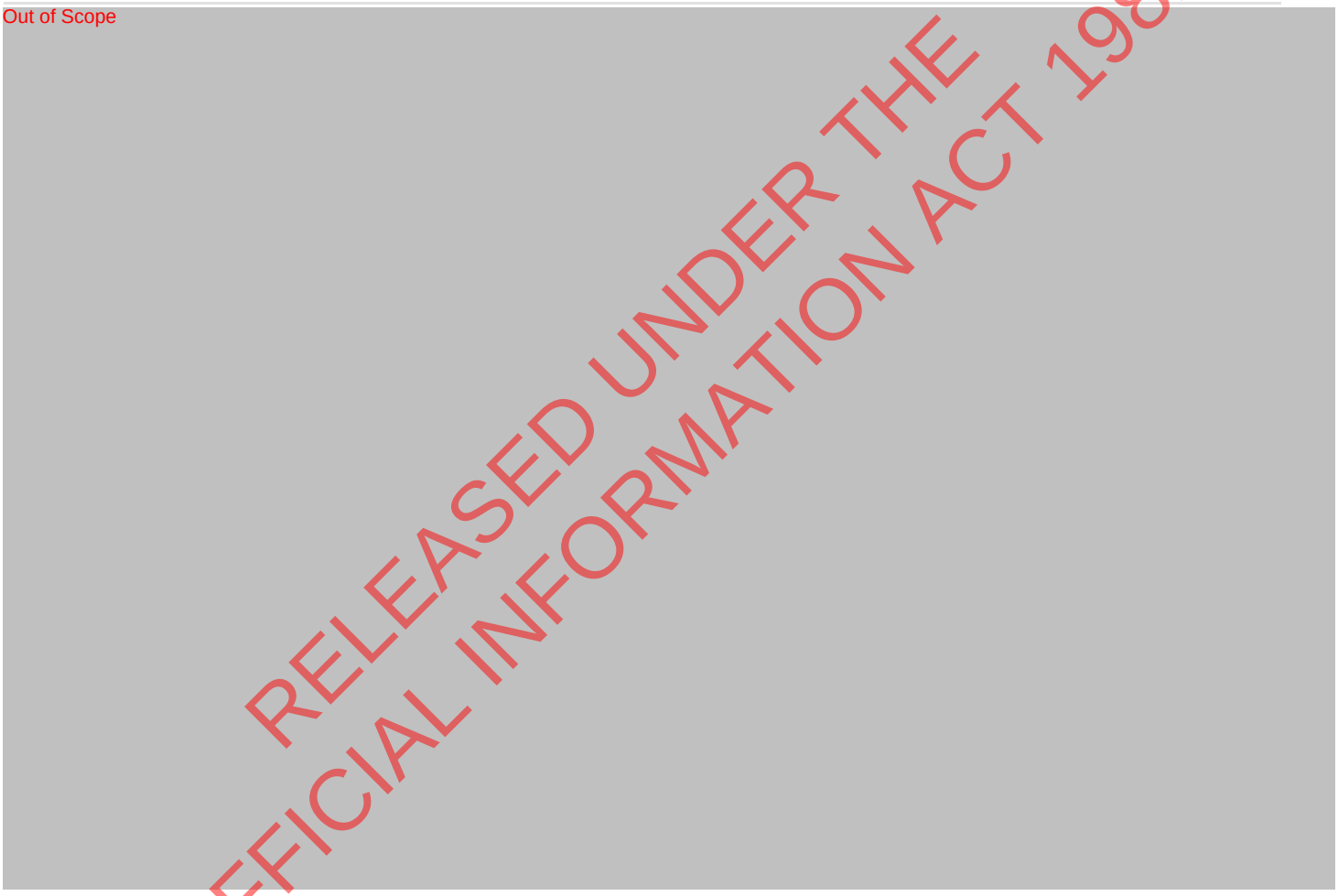
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



Subject to Cabinet agreement, we plan to have the new legislation introduced by Christmas this year.
We're planning to attend ECO on 25 Sep.
Very happy to discuss.
Kind regards,
Jacob

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

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 |

Disclaimer: This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it. Legal privilege is not waived because you have read this email.

Please consider the environment before printing this email.

Attachment

In Confidence

Offices of the Ministers of Transport and Police

Cabinet Economic Policy Committee

Strengthening powers against anti-social road users

Proposal

1 This paper seeks agreement to strengthen offences and penalties to better deter fleeing drivers, illegal street racing, intimidating convoys, unlawful dirt bike gatherings, and siren battles.

Relation to government priorities

2 The proposals in this paper deliver on the National – New Zealand First Coalition Agreement action to reform the fleeing driver laws to curb the increase in fleeing driver incidents.

Executive Summary

3 Gatherings of vehicles for unlawful and anti-social activities (illegal street racing, intimidating convoys, and unlawful dirt bike gatherings) and fleeing drivers create safety risks for the public. We need to take stronger action to deter offenders and prevent reoffending.

4 We consider that impounding and destroying vehicles can help deter these anti-social behaviours. In our view, the current powers to seize and dispose of offending vehicles are underused and inadequate. We propose:

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

Out of Scope

Out of Scope and to enable the use of noise cameras to issue infringement fees.

s 9(2)(h)

9 Subject to Cabinet agreement, we plan to have the new legislation introduced by Christmas this year.

Background

Existing penalties are insufficient to deter offenders[1]

10 Anti-social road user events cause harm to communities. Police reporting suggests that some types of events are growing in frequency and sophistication in some areas, spurred on in part by social media coverage.

11 Media reporting on large-scale events, which can include disorder and attacks on Police, may also be weakening public confidence in the rule of law.

12 Generally, existing powers enable Police to immediately impound the vehicles of participants for 28 days or 6 months for fleeing drivers. A court may apply a range of penalties (depending on factors like severity and previous offending) including fines, imprisonment, licence disqualification, permanent vehicle confiscation, and vehicle destruction. Further detail on existing powers is included in Appendix One.

[1] For ease of reference we refer to 'anti-social road users' as 'offenders'.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

13 This paper focuses on five types of anti-social road use:

Out of Scope

- **Siren battles**: Groups take speaker systems and attach them to cars, bicycles, or other vehicles. They compete by playing loud music

Out of Scope

14 We consider that several shortcomings in the current offences and penalties contribute to the increase in the above behaviours, including:

14.1 penalties for anti-social road user offences not providing adequate deterrence

14.2 attendees often support offenders, including by providing fuel and filming the event

14.3 impounded vehicles are returned to offenders after 28 days or 6 months pending a final decision by a court

14.4 there are gaps in the enforcement tools available, because offenders are in groups which need extensive resources to manage and because in some cases they flee Police.

15 Because of the size of these events, in some cases Police will record offending for later enforcement action. These offences and penalties will need to be designed in a way that enables enforcement after the event based on evidence (including, for example, posts of offending to social media).

We have identified a range of changes to strengthen penalties

16 New offences and penalties should provide Police and courts with a broader range of tools to respond to anti-social road user events, both during and after the event occurs. These tools should:

16.1 be strong enough to deter offenders and their supporters

16.2 be efficient, and quickly reduce public harm

16.3 reduce the ability of offenders to reoffend.

17 Below, we outline each proposed change. A summary of existing offences and proposed changes is included in Appendix One.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

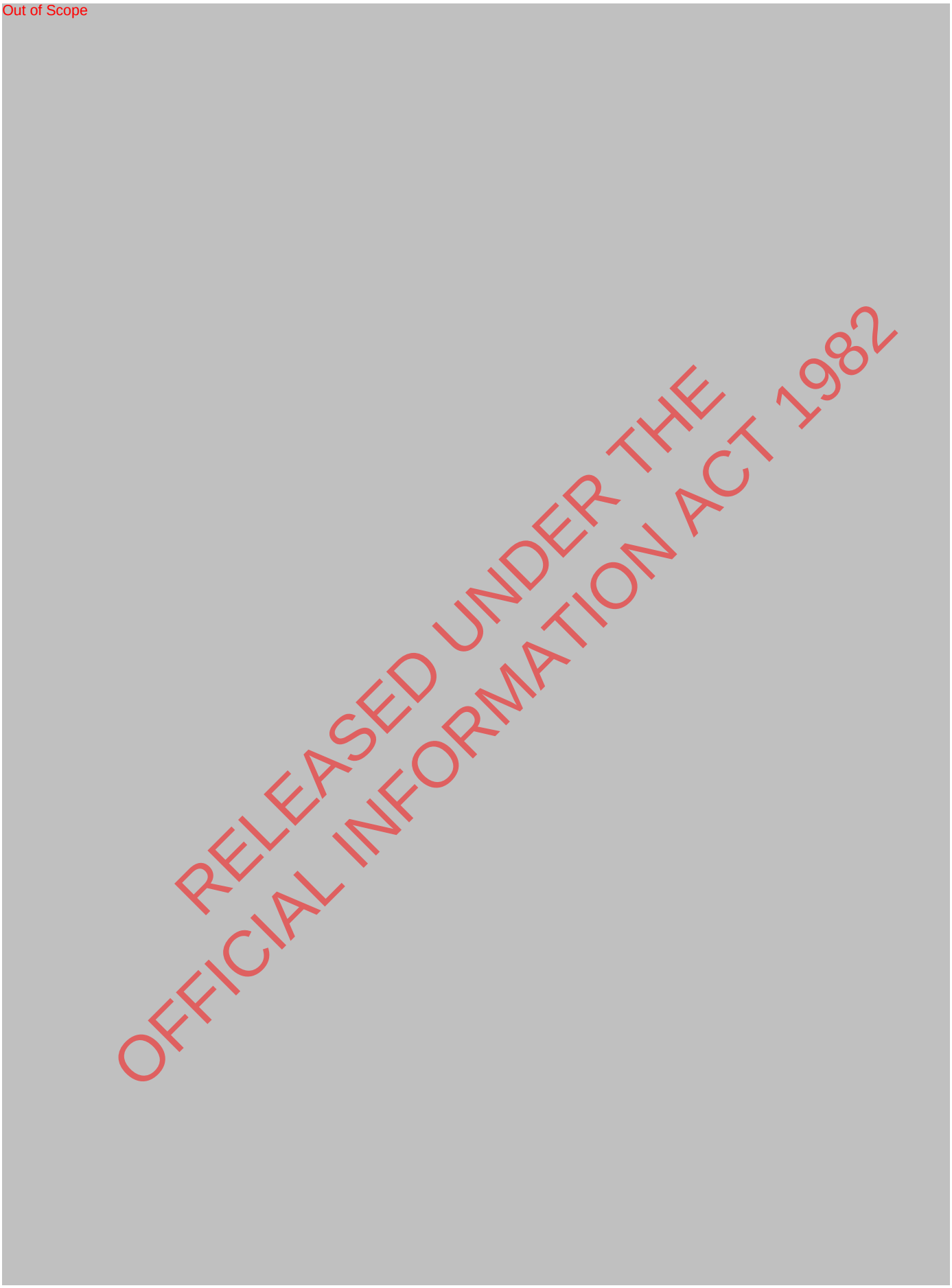
Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Strengthen penalties against those making noise from or within a vehicle and take advantage of emerging noise camera technology

Out of Scope

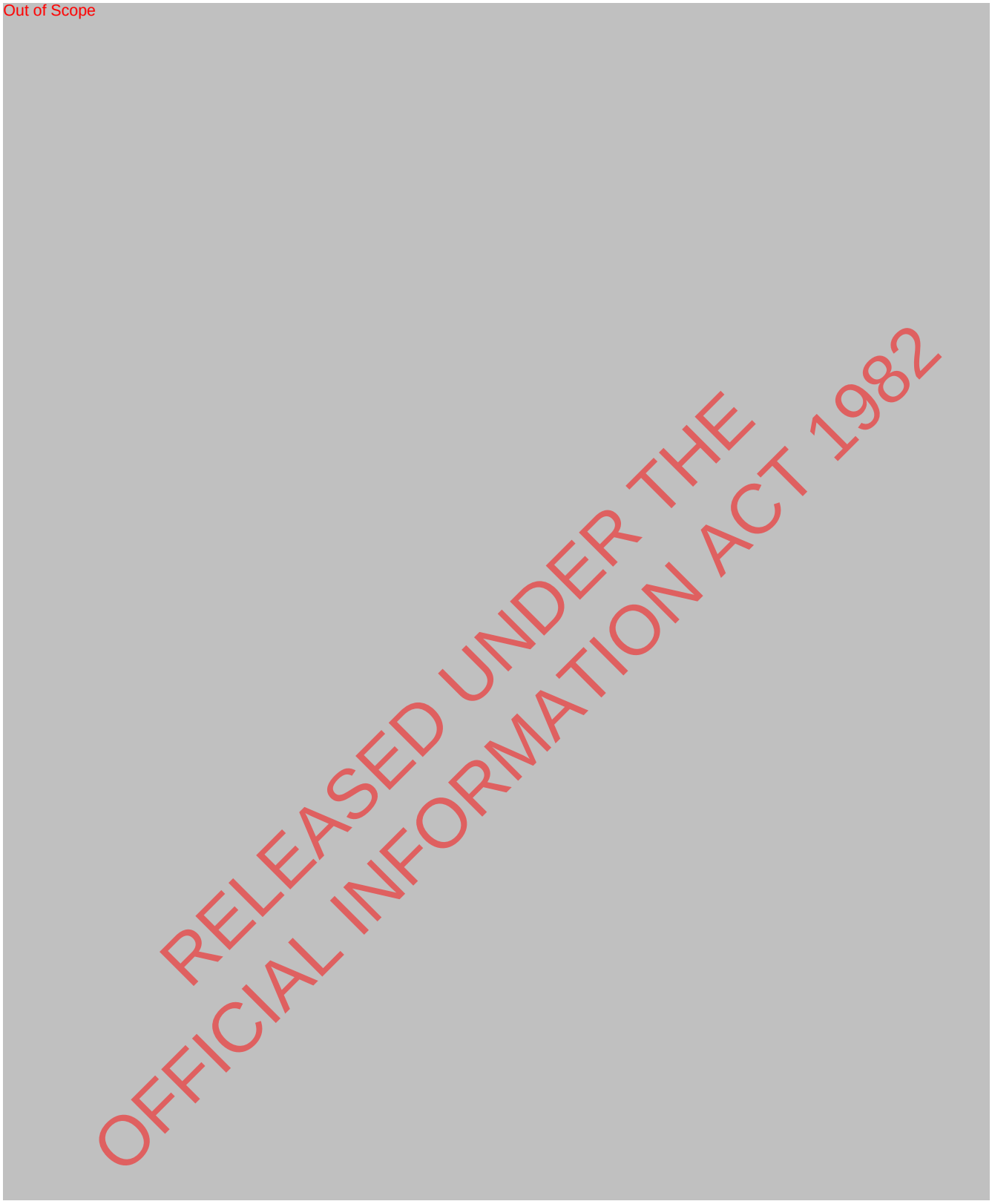


36 Additionally, in future, new technologies (noise cameras) may be able to record when a vehicle is making excessive noise and automatically issue an infringement fee.

37 We propose making the legislation more enabling of this emerging technology, so that it can be quickly adopted when it is viable.

38 Any new noise camera technology will require approval from the Minister of Transport prior to introduction. This will include a process to verify its accuracy.

31kqpdr3ee 2026-05-26 13:34:27



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Legislative Implications

47 The proposals in this paper will require changes to the Land Transport Act 1998, Sentencing Act 2002, Policing Act 2008, and Land Transport (Offences and Penalties) Regulations 1999.

31kqpdr3ee 2026-05-26 13:34:27

s 9(2)(f)(iv)

[redacted]

Out of Scope

[redacted]

50 The proposals in this paper will amend Acts that bind the Crown. Therefore, the proposals will bind the Crown also.

Impact Analysis

Regulatory Impact Statement

51 A quality assurance panel with members from the Ministry of Transport has considered the attached Regulatory Impact Statement and concluded, in the light of identified limitations, that it "partially meets" quality assurance criteria.

52 Ministers have instructed officials to consider a limited set of policy options. Within the scope of these directions, the panel considers that the Ministers' objectives and assessment criteria have been considered and applied. Where possible, use has been made of available evidence to make a logical case based on common assumptions. Out of Scope

[redacted]

Climate Implications of Policy Assessment

53 The Climate Implications of Policy Assessment (CIPA) team confirms that the CIPA requirements do not apply to this proposal.

Population Implications

54 The proposals within this paper will likely disproportionately affect Māori. For example, Māori made up about 50 percent of the people charged with fleeing Police in 2023, and so are likely to be disproportionately affected by the stronger powers, such as through the loss of transport.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

55 Offenders are also disproportionately young males: nationally in 2023, about 36% of people charged with one of the road safety offences covered in this paper were under 25, and 83% were male.

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Consultation

58 This paper has been developed jointly by the Ministry of Transport and New Zealand Police.

59 The paper has been consulted with the Department of Prime Minister and Cabinet, Treasury, Ministry for Regulation, Ministry of Justice, Office of the Privacy Commissioner, Te Puni Kōkiri, Department of Internal Affairs (Local Government), Crown Law, Parliamentary Counsel Office, and the Department of Corrections.

60 Treasury and the Ministry for Regulation have raised concerns about the limited evidence and impact analysis underpinning the proposals, and that implementation details and costs are incomplete. It is not clear how costs will be met or what trade-offs will be made.

61 Te Puni Kōkiri has raised concerns about the impacts of these proposals on New Zealanders including the disproportionate impacts on Māori. They specifically raise concerns for marae processions, freedom of expression, freedom of peaceful assembly, and manifestation of religion and belief.

31kqpdr3ee 2026-05-26 13:34:27

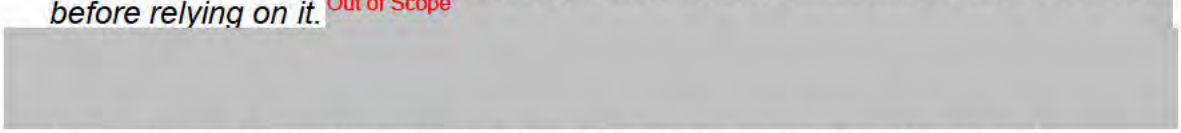
Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

63 The Privacy Commissioner requested the inclusion of this statement:

While controlling the uses of vehicles and roads is a legitimate public policy goal, the proposed policy approach involves risks to New Zealanders' privacy that need to be carefully considered and supported with a strong policy case. I have not been provided with sufficient evidence to justify the proposals and so have significant concerns about the accurate collection and use of personal information in these proposals. For example, further policy work is needed to assure New Zealanders that penalties issued based on the use of noise camera technology will meet the requirement to check information is accurate before relying on it. Out of Scope



64 No public or stakeholder consultation has been undertaken. We do not propose to consult ahead of the introduction of the amendment bill.

31kqpdr3ee 2026-05-26 13:34:27

Communications

65 The Ministers of Transport and Police intend to issue a media release following Cabinet's approval of the recommendations in this paper

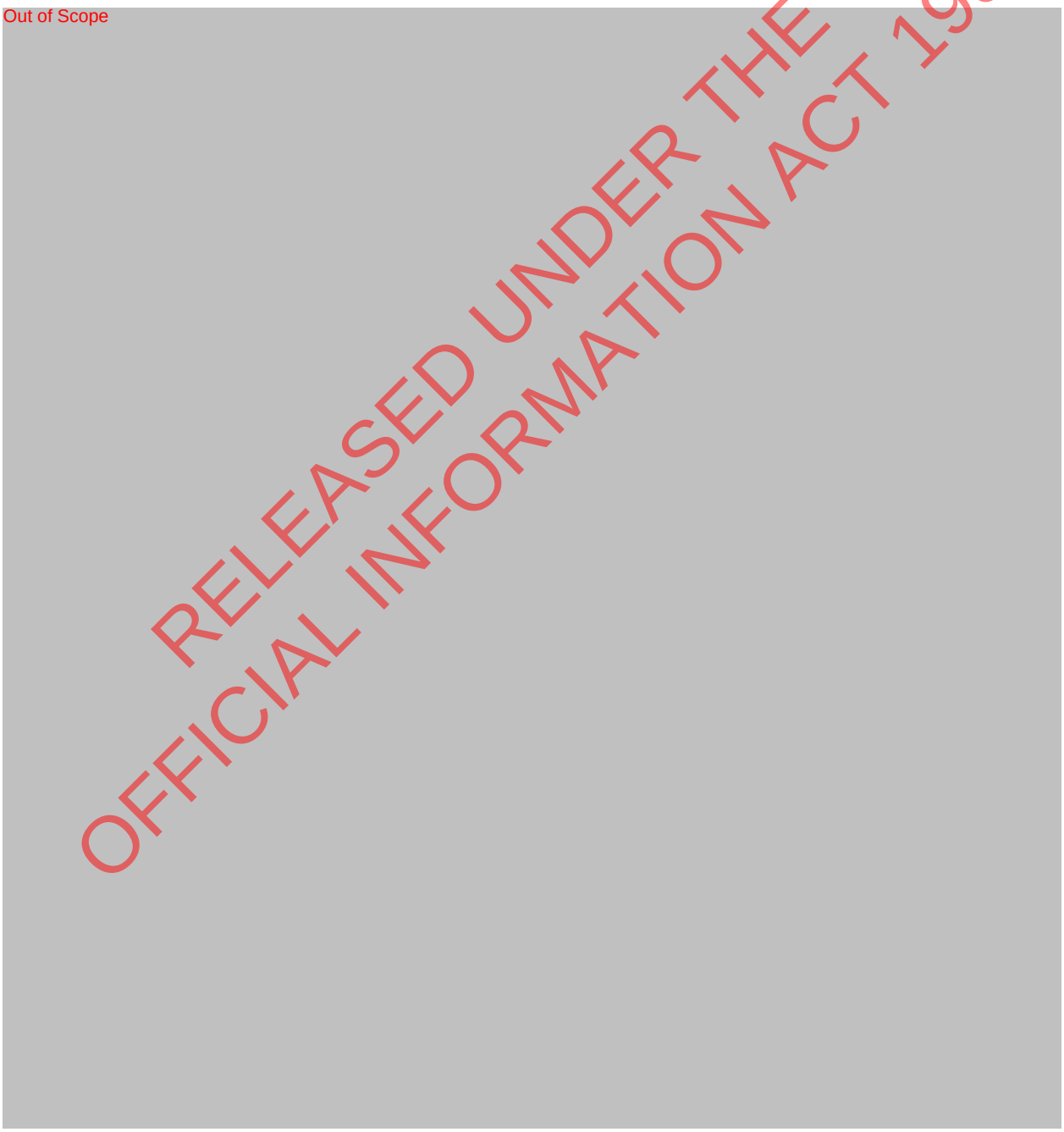
Proactive Release

66 We intend to release this Cabinet paper proactively, subject to any necessary redactions, at the same time as a public announcement on the policy changes.

Recommendations

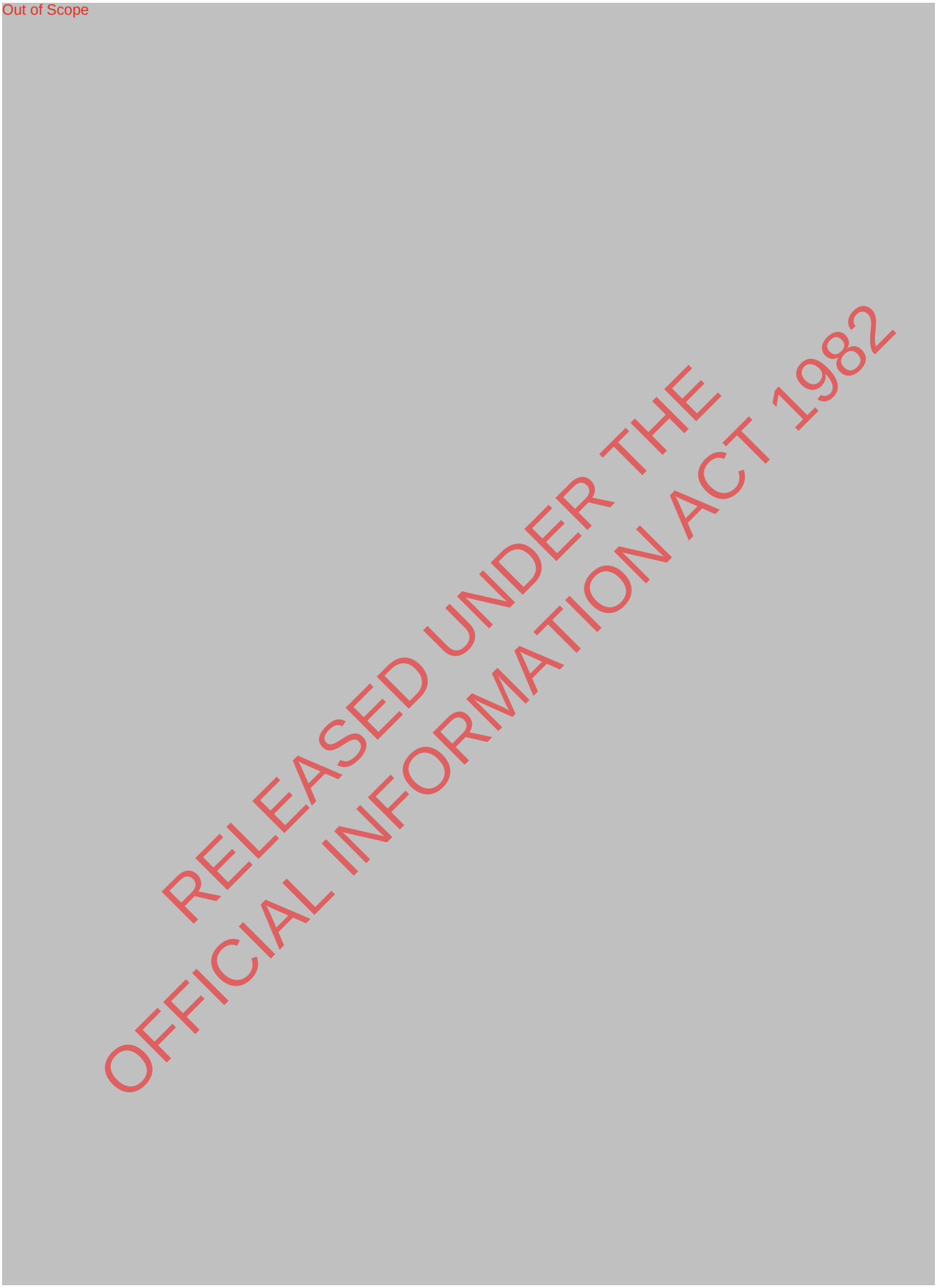
The Ministers of Transport and Police recommend that the Committee:

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

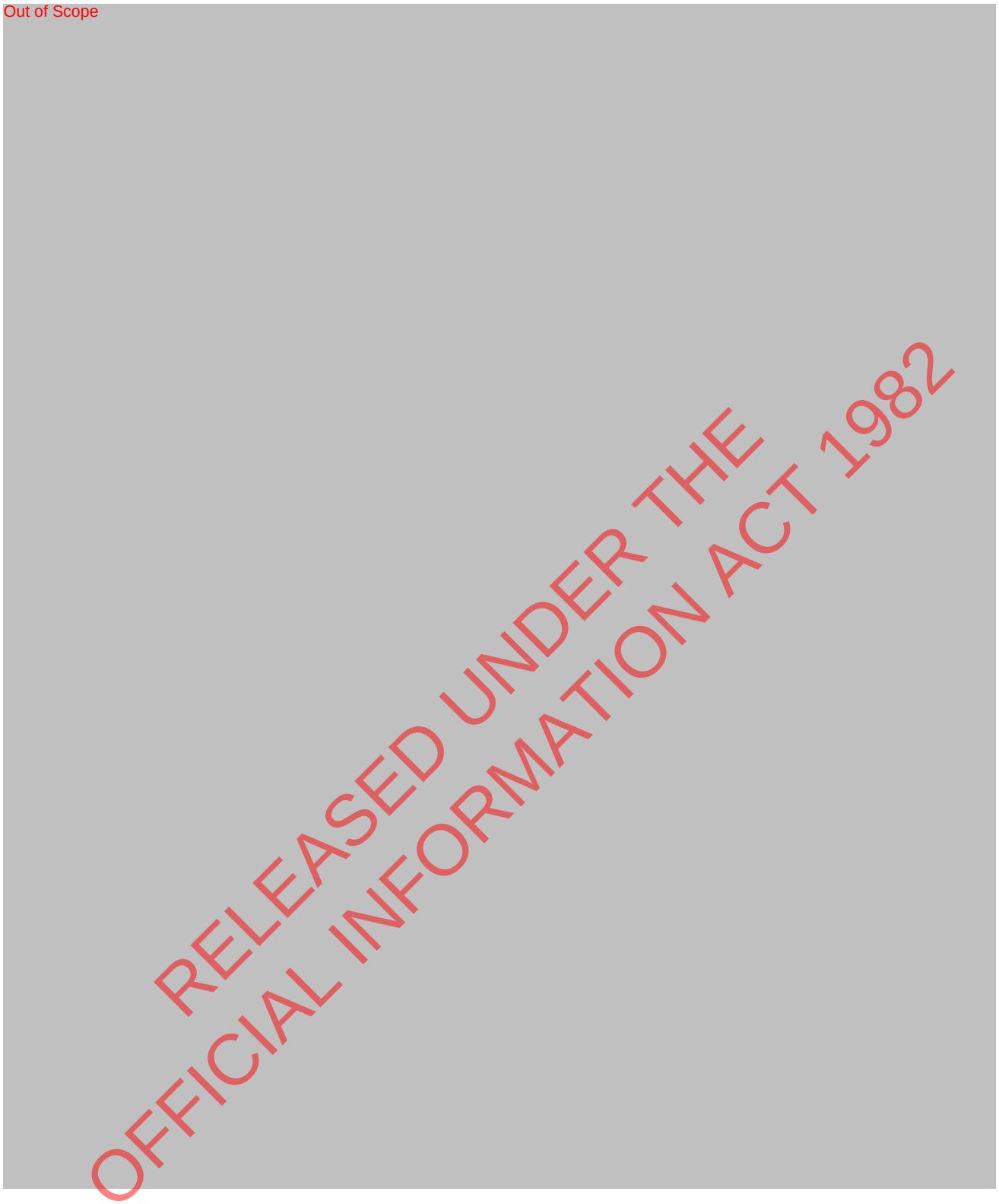
31kqpdr3ee 2026-05-26 13:34:27



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Excessive noise offences

Out of Scope



31kqpdr3ee 2026-05-26 13:34:27

and associated penalties set out in the Land Transport (Offences and Penalties) Regulations 1999

21 **agree** to amend the Land Transport Act 1998 to enable a noise camera to be certified as an automated infringement system

Legislative amendments

s 9(2)(f)(iv)

23 **invite** the Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to give effect to these decisions, (including for primary legislation and any associated secondary legislation), including any necessary consequential amendments, savings and transitional provisions

24 **authorise** the Minister of Police, Minister of Transport and Minister of Justice to make any further policy decisions that arise, relating to these recommendations, provided they are consistent with the direction agreed by Cabinet

25 **authorise** the Minister of Police, Minister of Transport and Minister of Justice to make any minor or technical amendments that arise during the drafting of the legislative amendments to give effect to these decisions

Communications

26 **note** that the Ministers of Transport and Police intend to issue a media release and proactively release this paper, following Cabinet's approval of the recommendations in this paper

Authorised for lodgement

Hon Simeon Brown
Minister of Transport

Hon Mark Mitchell
Minister of Police

Appendices

Appendix One: Summary of the existing penalties and proposed new penalties

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

Appendix One: Summary of the existing penalties and proposed new penalties

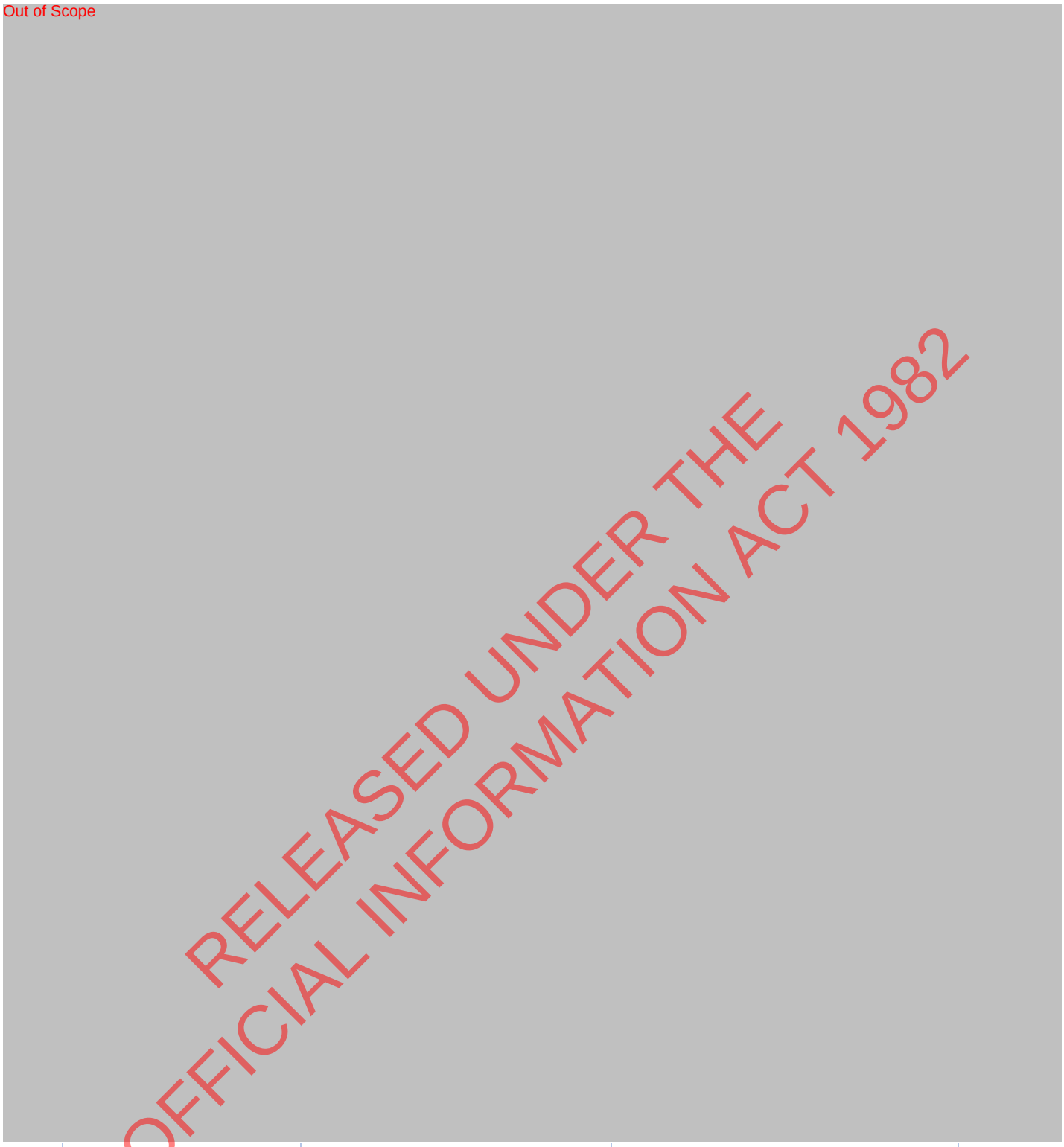
Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

31kqpdr3ee 2026-05-26 13:34:27

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Enabling noise cameras: Like existing road safety cameras but focused on noise offences.	Existing legislation does not enable noise cameras.	Noise cameras will be able to detect noise related offences and issue an infringement fee.

31kqpdr3ee 2026-05-26 13:34:27

Neha Pawar

From: Jacob Ennis
Sent: Wednesday, 11 September 2024 4:16 pm
To: Nathan de Lautour; Michael Machin; Chris Roblett
Subject: FW: Summary of departmental feedback
Attachments: Summary of departmental feedback.docx

Follow Up Flag: Follow up
Flag Status: Completed

Categories: Yellow category

FYI

From: Jacob Ennis
Sent: Wednesday, September 11, 2024 4:12 PM
To: Tessa Ayson
Subject: Summary of departmental feedback

Hi Tessa

Attached is a summary of feedback as discussed. I've cut it down considerably from what it was, but could cut further if required.

Suggest sending over this and a tracked change version which includes departmental comments, panel comments, and other minor edits.

The office have requested this tomorrow morning if possible. If not this whole thing then I think at least the departmental comments.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Summary of departmental feedback

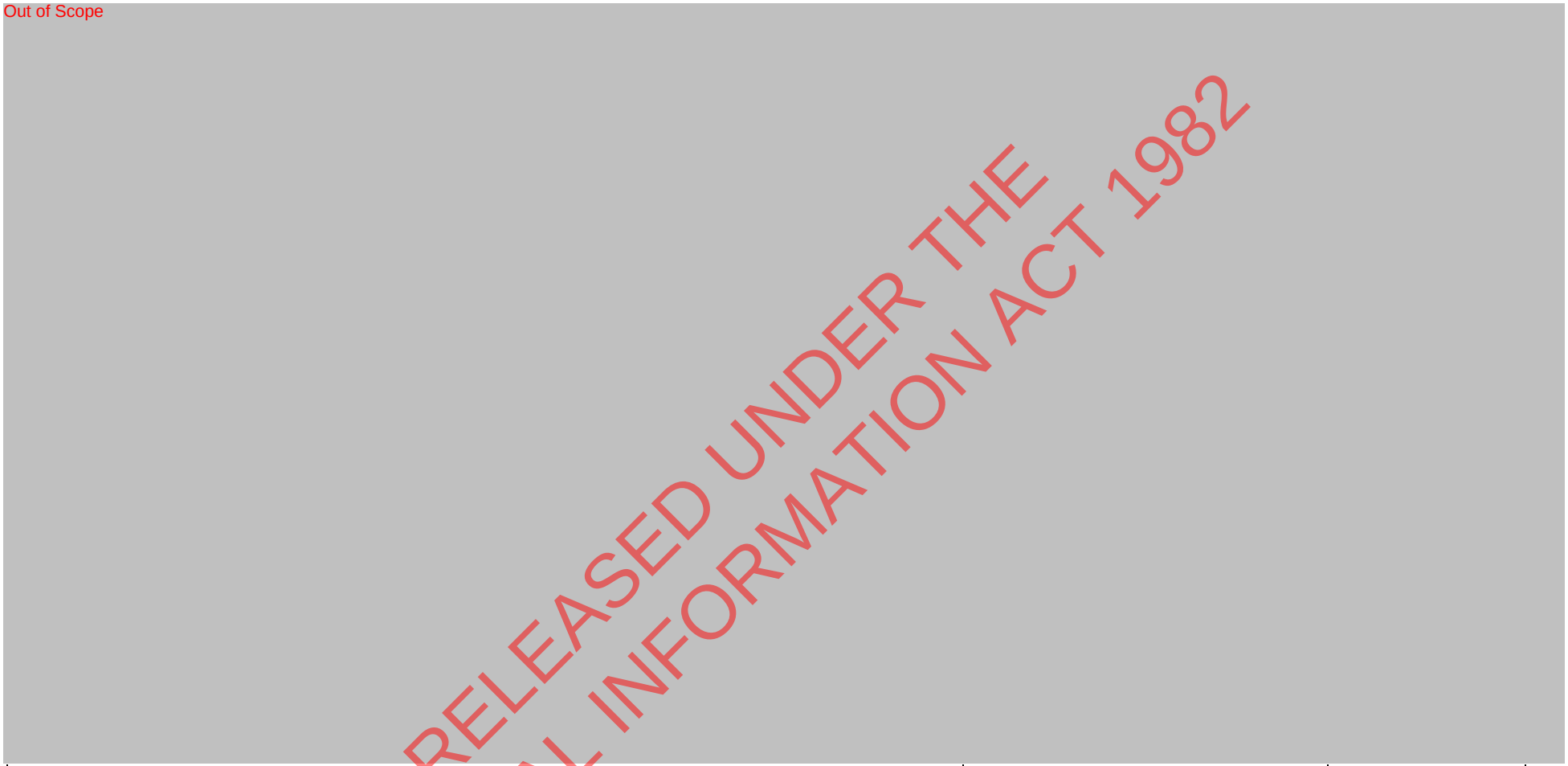
Feedback has been provided by: The Ministry of Justice (MOJ), the Office of the Privacy Commissioner (OPC), Parliamentary Counsel Office (PCO), NZTA, the Ministry for Regulation (MfR), and the Department of Internal Affairs (local government). Additionally, we undertook targeted council engagement which we summarise below.

Some minor edits have been made to the paper. Substantive concerns are included below.

Specific points by department	Comment	Proposed changes to paper
Out of Scope		

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

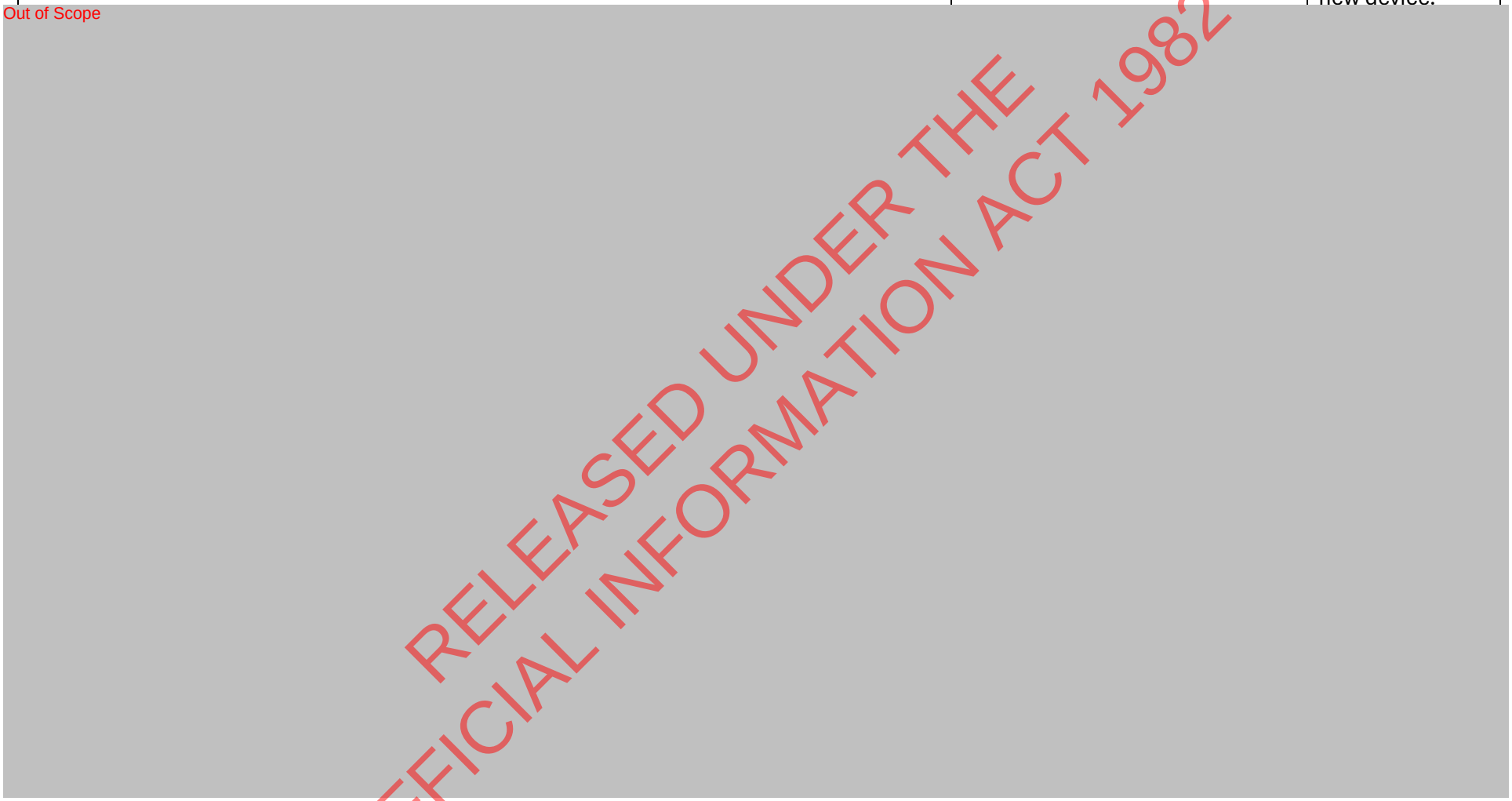


RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Noise cameras create novel privacy concerns OPC/MOJ - Noise cameras need to be put through an appropriate process to determine accuracy.	The intention is to have the Minister approve a specific device model following detailed assessment of effectiveness and privacy impact. This mitigates concerns over effectiveness.	Add a sentence on the need for an appropriate approval process, culminating in a ministerial

		decision, for approval of a new device.

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Three departments have requested verbatim comments be included in the paper. These would be added to the consultation section s 9(2)(h) s 9(2)(h)

We recommend including these comments so that Ministers are aware of the departments' concerns.

OPC: While controlling the uses of vehicles and roads is a legitimate public policy goal, the proposed policy approach involves risks to New Zealanders' privacy that need to be carefully considered and supported with a strong policy case. I have not been provided with evidence to justify the proposals and so have significant concerns about the accurate collection and use of personal information in these proposals. For example, further policy work is needed to assure New Zealanders that penalties issued based on the use of noise camera technology will meet the requirement to check information is accurate before relying on it Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Cabinet Committee Background Information and Talking Points

Cabinet Committee: Cabinet Economic Policy Committee (ECO)

Paper Title: Strengthening powers against anti-social road users

Portfolio: Transport

Officials Attending:

- Paul O'Connell, Deputy Chief Executive, Ministry of Transport
- Jevon McSkimming, Deputy Commissioner, New Zealand Police
- Jeremy Wood, Executive Director, New Zealand Police
- Matthew Green, Chief Legal Adviser, Ministry of Transport
- Tessa Ayson, Manager Regulatory Reform, Ministry of Transport
- Jason Frick, Manager Criminal Law Policy, Ministry of Justice
- Jacob Ennis, Principal Adviser, Ministry of Transport

- Gatherings of vehicles for unlawful and anti-social activities, as well as fleeing drivers, create serious safety risks for the public.
- We need to take stronger action to deter offenders and prevent reoffending. The current powers to seize and dispose of offending vehicles are underused, and are not strong or broad enough to effectively deter these behaviours.
- The Cabinet paper proposes:

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

nd to enable the use of noise cameras.

Out of Scope

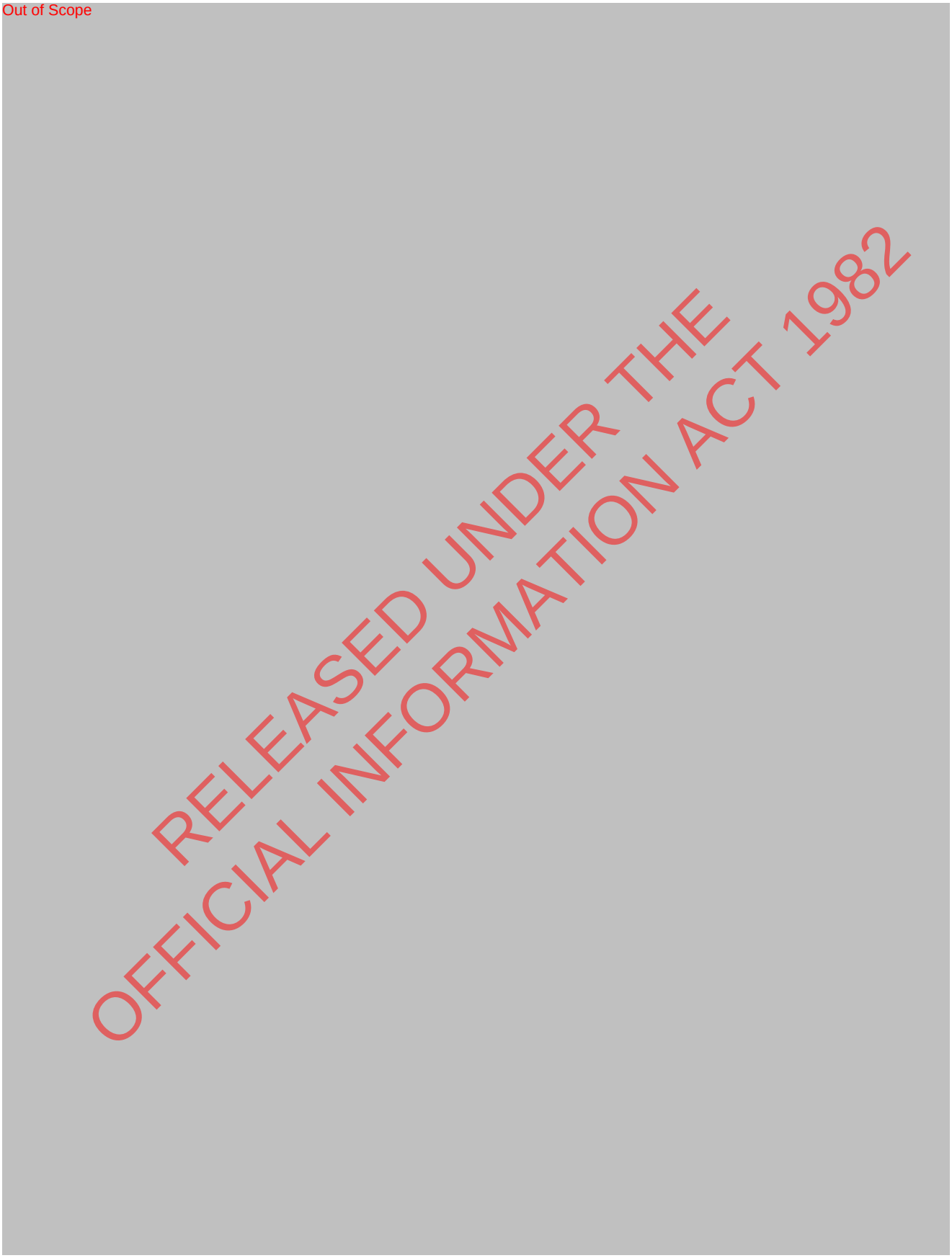
- Subject to your agreement, we will introduce this legislation in December this year.

Questions and answers are provided in Appendix One below.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Appendix One: Questions and Answers

Out of Scope



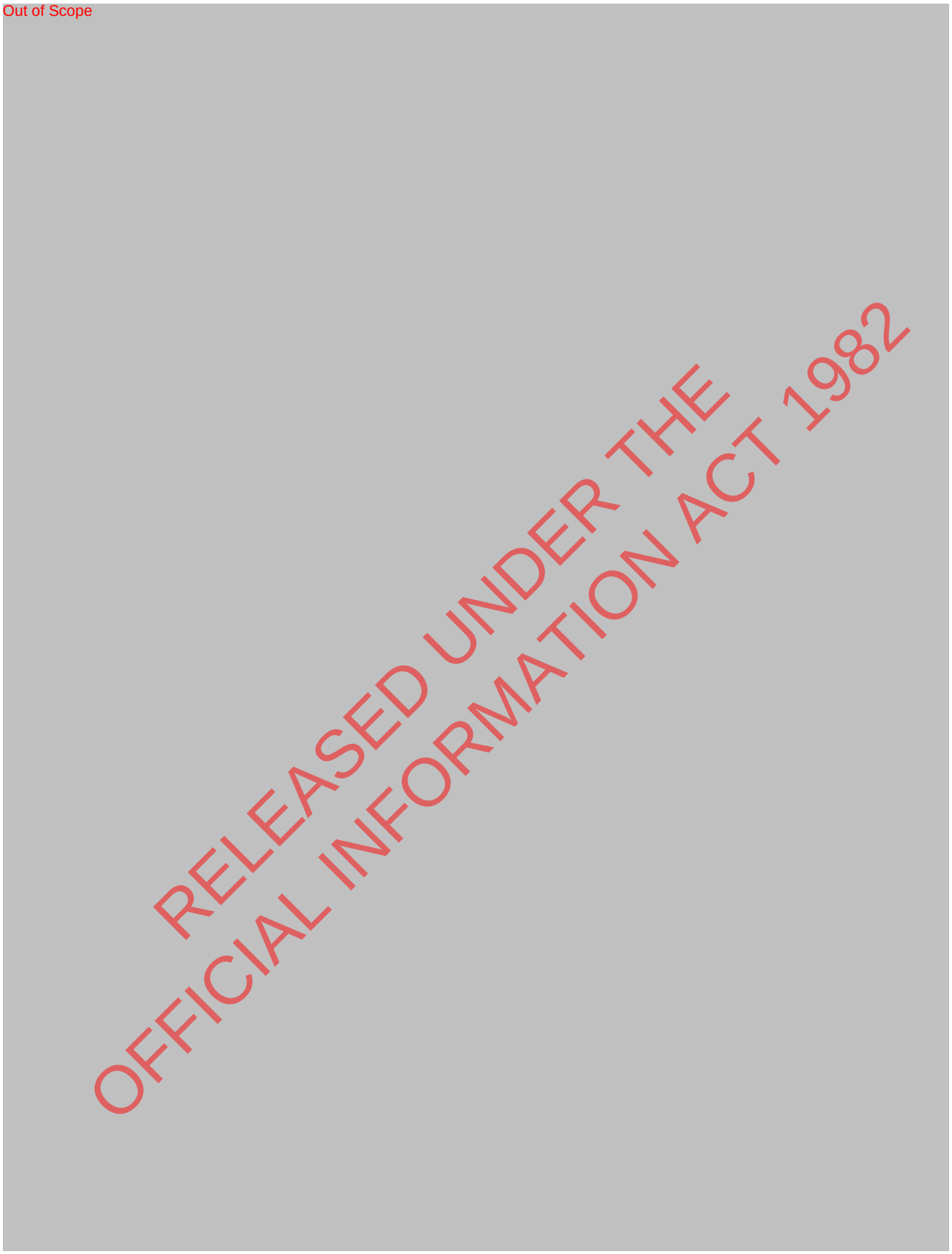
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Why are you legislating for a noise camera technology that isn't commercially viable yet?

We want to future-proof the legislation for this emerging technology. This means that when it becomes viable, we can implement noise cameras faster.

16 October 2024

BRIEFING

Hon Simeon Brown,
Minister of Transport

OC241165
BR/24/129

Hon Paul Goldsmith,
Minister of Justice

Hon Mark Mitchell,
Minister of Police

Action required by:
Monday, 21 October 2024

REVISED OPTIONS FOR DETERRING ANTI-SOCIAL ROAD USE

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

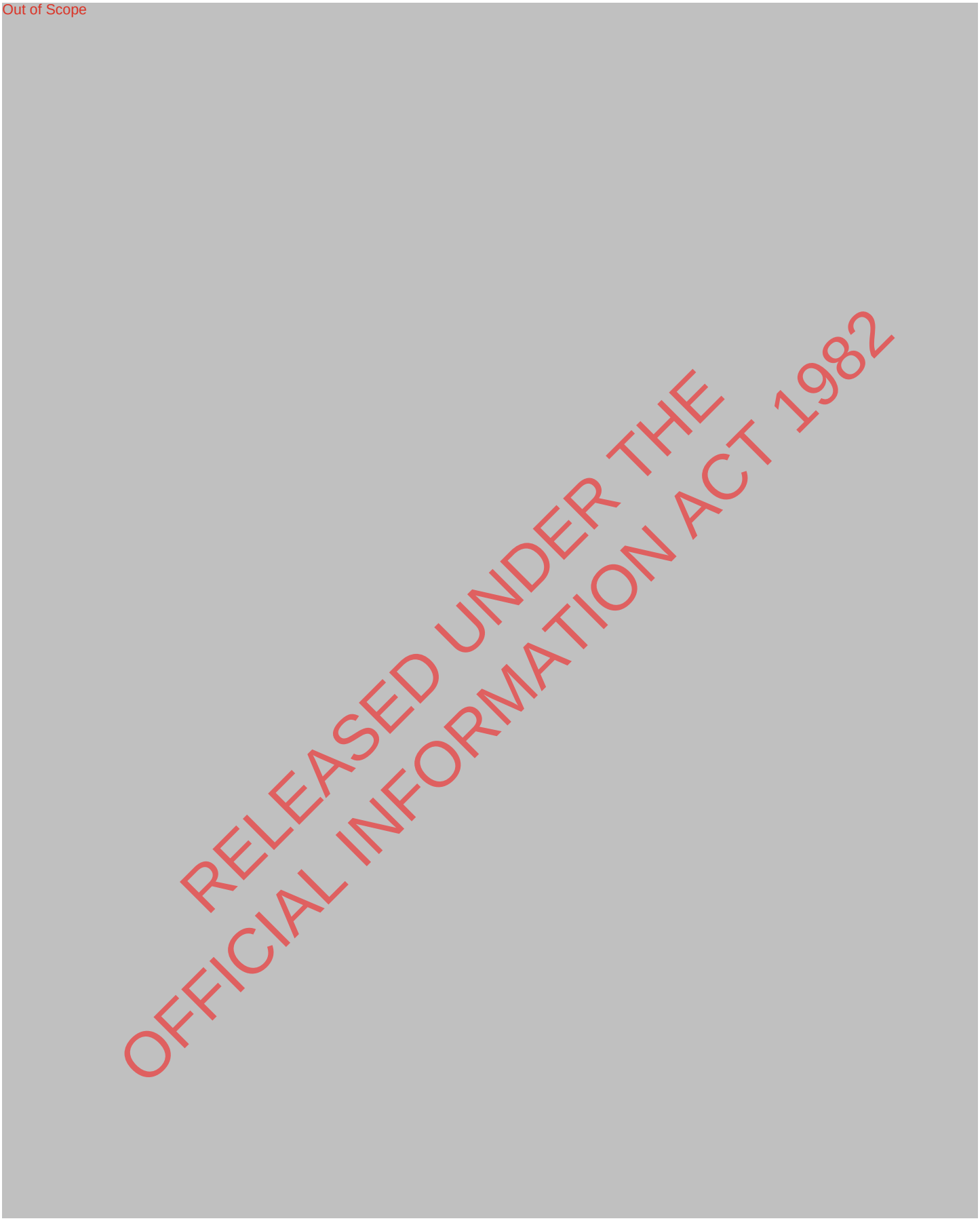
Purpose

This paper proposes an updated approach to deterring anti-social road use in response to Cabinet Committee feedback. A summary of the status quo and options is in Appendix One.

Key points

- This paper presents revised proposals that are legally clear and more consistent with constitutional norms, to ensure law enforcement has practical and workable tools to address anti-social road use and effectively hold offenders to account.
- Out of Scope
- Subject to your decisions, we will prepare a draft Cabinet paper by 30 October for the Cabinet Economic Policy Committee (ECO) meeting on 20 November.

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

9.	**agree** to progress legislative change to enable the future use of noise cameras	Yes / No	Yes / No	Yes / No

10. **note** that there remain policy, legal and financial questions to work through, and that officials will advise you of any further decisions needed prior to Cabinet.

Hon Simeon Brown **Minister of Transport** ..... / ..... /	Hon Paul Goldsmith **Minister of Justice** ..... / ..... /	Hon Mark Mitchell **Minister of Police** ..... / ..... / .....
Paul O'Connell **Deputy Chief Executive** **Ministry of Transport**	Alida Mercuri **General Manager,** **Criminal Justice Policy** **Ministry of Justice**	Jeremy Wood **Executive Director** **New Zealand Police**

Minister's office to complete: ☐ Approved ☐ Declined

☐ Seen by Minister ☐ Not seen by Minister

☐ Overtaken by events

Comments:

Contacts

Name	Telephone
Paul O'Connell, Deputy Chief Executive, Ministry of Transport	s 9(2)(a)
Alida Mercuri, General Manager Criminal Justice, Ministry of Justice	
Jeremy Wood, Executive Director, New Zealand Police	

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

REVISED OPTIONS FOR DETERRING ANTI-SOCIAL ROAD USE

1 Anti-social road use events cause road accidents and other harm to communities. Police reporting suggests that some types of events are growing in frequency and sophistication in some areas, spurred on in part by social media coverage.

2 Media reporting on large-scale events, which can include disorder and attacks on Police, may also be weakening public confidence in the rule of law.

3 Below, we propose options to strengthen powers against anti-social road use with the objectives of reducing offending, improving public safety, and improving confidence in the justice system.

4 Appendix One assesses these options against the following criteria:

- Effectiveness at achieving the policy objectives outlined above
- Legal workability, including consistency with BORA rights and freedoms
- Cost-efficiency.

Out of Scope



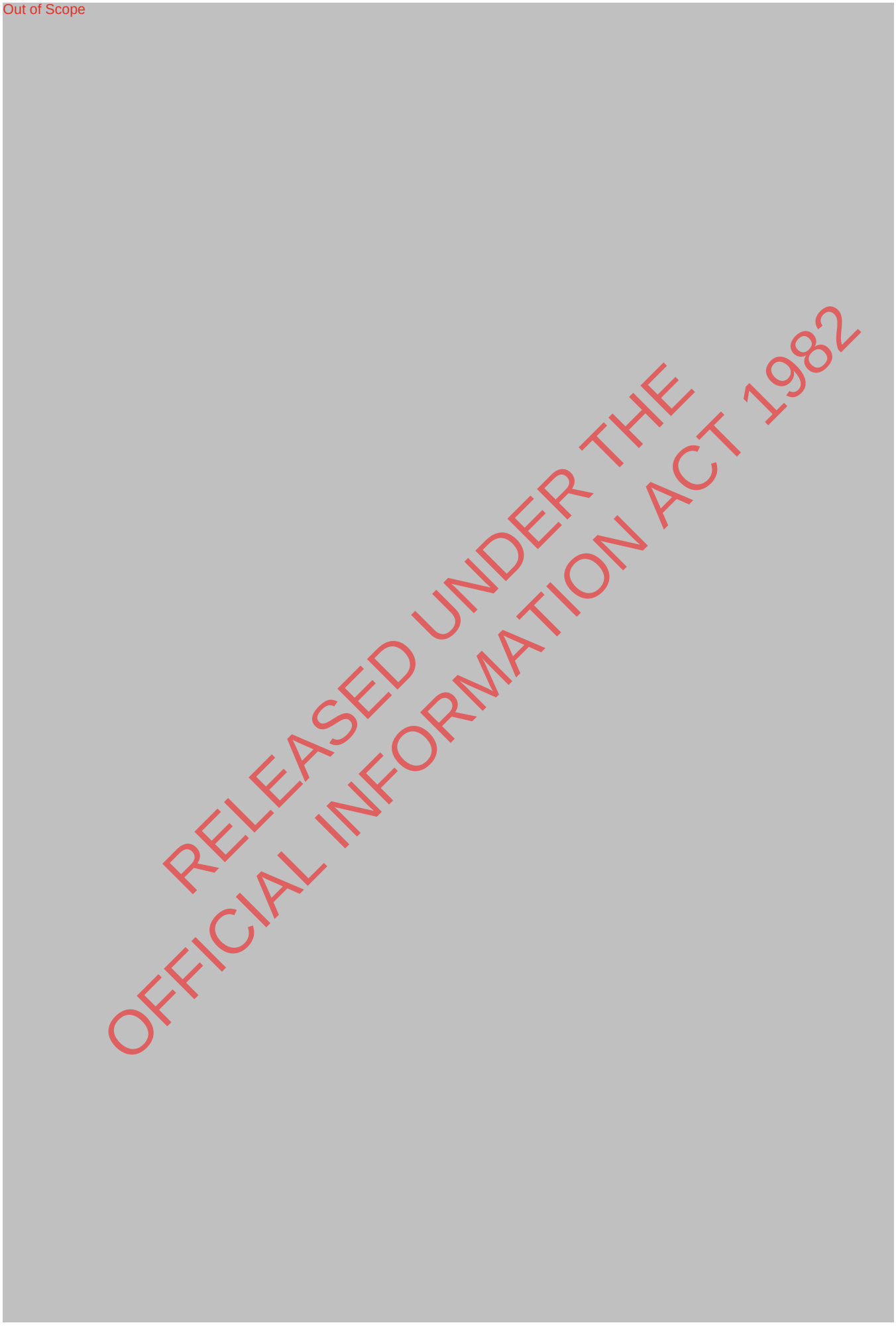
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

Noise

29 We previously proposed Out of Scope Out of Scope and enabling the future use of noise cameras.

30 The Privacy Commissioner expressed concerns about the limited information on the privacy impact of noise cameras.

Out of Scope

Next steps

34 Following your decisions on this paper, we will provide a draft Cabinet paper along the following timeline:

- 30 October - Draft to Ministers
- 4-11 November – Ministerial consultation
- 14 November – Lodge
- 20 November – ECO
- 25 November – Cabinet.

Appendices one to three are out of scope of this request.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Tuesday, 3 December 2024 7:12 am
To: Jacob Ennis
Cc: Michael Harrison; Policy; Katrina Quickenden
Subject: RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use
Attachments: RE: Upcoming departmental consultation - strengthening powers against anti-social road users

Attachment is out of scope of this request

Kia Ora Jacob,

Thank you for sharing the Cabinet paper and the updated RIS, and for the conversation yesterday confirming we could send our comments this morning! Thanks too to Anita for context on digital drivers' licences.

Our comments follow.

- Our earlier comments on the ECO paper (attached) recommended further policy work to ensure that decisionmakers are fully informed on privacy aspects of these proposals. In particular, we recommended further analysis of privacy risks and mitigations related to proposals Out of Scope to enable use of noise cameras to assign penalties.

- We requested the inclusion of a Privacy Commissioner comment in the paper for ECO as follows (and we acknowledge that this was included – thank you):

  > While controlling the uses of vehicles and roads is a legitimate public policy goal, the proposed policy approach involves risks to New Zealanders' privacy that need to be carefully considered and supported with a strong policy case. I have not been provided with sufficient evidence to justify the proposals and so have significant concerns about the accurate collection and use of personal information in these proposals. For example, further policy work is needed to assure New Zealanders that penalties issued based on the use of noise camera technology will meet the requirement to check information is accurate before relying on it. Out of Scope

- We are not aware of any further policy work or privacy impact analysis considering the issues we raised. As a result, we reiterate our earlier concerns. Advancing proposals without fully considering potential intrusions on New Zealanders' privacy may compromise the intended outcomes and present risks to social licence for enforcement of vehicle and road offences more generally.

- Out of Scope

<u>The RIS does not analyse privacy risks and mitigations</u>

- The RIS from MoT dated 26 November 2024 reflects some of the privacy issues we raised, but does not consider privacy impacts or mitigations as a part of the options analysis. Where there are specific privacy issues these could for example be considered as part of assessing options under "proportionality". As examples, we identify some privacy issues raised in the RIS below. To assure itself privacy requirements are being met, MoT might want to further analyse privacy impacts and mitigations to inform decisionmakers.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Examples of privacy issues raised in the RIS and deserving further analysis

Statement in RIS	Privacy issue raised	Privacy risk	Mitigation proposed
Out of Scope			
"the technology for noise cameras has not been developed yet" at Table 1 under Proposal 5.	Fairness of collection Accuracy	New technologies can present challenges for upholding privacy requirements for fair collection, accuracy, and access. In the enforcement context, it is particularly important to understand and mitigate risks with a proactive privacy impact assessment.	No mitigation proposed in the RIS. We would recommend requiring a full understanding of the technology, including privacy impact assessments based on a detailed implementation plan, before legislating to enable penalties based on noise cameras.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Bonnie Hayvice
Sent: Tuesday, 18 February 2025 3:22 pm
To: NICKLESS, Adriana; WHITE, John; Katrina Quickenden
Cc: SPACKMAN, Virginia; GRUSCHOW, Cameron; Chris Roblett; Nathan de Lautour
Subject: RE: FW: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Categories: Filed

Thanks Adriana,

FYI the cover brief and Cabinet paper that have been through signout refer to owner liability for the infringement offences detected by noise cameras and include Justice comments on this. As you note though, these proposals are likely to be dropped.

@Katrina Quickenden FYI.

Cheers
Bonnie

From: NICKLESS, Adriana
Sent: Tuesday, 18 February 2025 3:11 pm
To: Bonnie Hayvice ; WHITE, John
Cc: SPACKMAN, Virginia ; GRUSCHOW, Cameron ; Chris Roblett ; Nathan de Lautour
Subject: RE: FW: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Kia ora Bonnie

Thanks for confirming. I think if the intention is for the owner liability to only apply to infringement offences detected by noise cameras and it is likely the noise camera proposal will be dropped, then we probably don't need to pursue. I can't recall in previous options analysis whether there was an intention to extend owner liability to the excessive noise infringement offence regardless of mode of detection (camera or officer). If the concern is the ability for officers to issue infringements at the scene due to safety risks, this risk could arise in a broader range of situations. I think there would need to be further consideration of implications and in the time available, it may be better to defer.

@WHITE, John, FYI.

Ngā mihi

Adriana

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Sent: Tuesday, February 18, 2025 2:46 PM
To: NICKLESS, Adriana <Adriana.Nickless@police.govt.nz>
Cc: WHITE, John <john.white@police.govt.nz>; SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>; GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>; Chris Roblett <c.roblett@transport.govt.nz>; Nathan de Lautour <N.deLautour@transport.govt.nz>

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Subject: RE: FW: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Hi Adriana,

Confirming this is just in relation to the excessive noise proposal, on the assumption that Police may have difficulty in issuing an ION to a driver at a mass event. If Police don't think it would help, then we don't need to pursue it.

Cheers
Bonnie

From: NICKLESS, Adriana <Adriana.Nickless@police.govt.nz>
Sent: Tuesday, 18 February 2025 12:35 pm
To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Cc: WHITE, John <john.white@police.govt.nz>; SPACKMAN, Virginia <Virginia.Spackman@police.govt.nz>; GRUSCHOW, Cameron <Cameron.Gruschow@police.govt.nz>
Subject: RE: FW: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Kia ora Bonnie

Just picked up this separate query re owner liability for infringements. Just clarifying if this is just in relation to the excessive noise proposal or all proposed new infringement offences. I see there were earlier emails below about offending detected by noise cameras being treated similarly to current moving vehicle offences detected by safety cameras (although important to note with the transfer of the camera network from Police to NZTA that Police will no longer have capability to manage safety camera enforcement beyond 30 June 2025).

Ngā mihi

Adriana

Adriana Nickless
Senior Policy Advisor | National Security, Cyber & Criminal Justice Policy
Policy & Government Relations

s 9(2)(a)

E adriana.nickless@police.govt.nz

NEW ZEALAND POLICE
Ngā Pirihimana o Aotearoa

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

WARNING
The information contained in this email message is intended for the addressee only and may contain privileged information. It may also be subject to the provisions of section 50 of the Policing Act 2008, which creates an offence to have unlawful possession of Police property. If you are not the intended recipient of this message or have received this message in error, you must not peruse, use, distribute or copy this message or any of its contents. Also note, the views expressed in this message may not necessarily reflect those of the New Zealand Police. If you have received this message in error, please email or telephone the sender immediately.

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Sent: Monday, February 17, 2025 2:25 PM
To: NICKLESS, Adriana <Adriana.Nickless@police.govt.nz>
Subject: FW: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

CAUTION: This email originated from outside the New Zealand Police Network. DO NOT click links or open attachments unless you recognise the sender and are assured that the content is safe.

Hi Adriana,

FYI Maddie's feedback below re owner liability for infringements. Sharing with Police in the instance there was appetite to pursue an option with limited owner liability.

s 9(2)(h)

[redacted]

Cheers
Bonnie

From: Knight, Maddie <Maddie.Knight@justice.govt.nz>
Sent: Monday, 17 February 2025 12:15 pm
To: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>
Cc: Klinger, Sophie <Sophie.Klinger@justice.govt.nz>; Anderson, Helen <Helen.Anderson@justice.govt.nz>
Subject: RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Kia ora Bonnie,

Thanks for this update. I don't think it changes our feedback substantially, but there is a weaker case for extending owner liability to situations beyond automatic detection by noise cameras. This extension means Police will infringe owners despite being close enough to the vicinity to hear the offending and infringe the driver.
As noted in our original comments, while this is applying to an infringement rather than a full offence, it still engages section 25(c) of NZBORA because it presumes the owner committed the offence.

Out of Scope

[redacted]

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Thanks!
Maddie

Maddie Knight (she/her)
Senior Policy Advisor | Criminal Law Policy
Ministry of Justice | Tāhū o te Ture
s 9(2)(a)
Level 6, Justice Centre, Aitken Street | DX Box SX10088 | Wellington
maddie.knight@justice.govt.nz | justice.govt.nz

From: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Sent: Sunday, February 16, 2025 8:09 PM
To: Knight, Maddie <Maddie.Knight@justice.govt.nz>; Jacob Ennis <J.Ennis@transport.govt.nz>
Cc: Klinger, Sophie <Sophie.Klinger@justice.govt.nz>; Anderson, Helen <Helen.Anderson@justice.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>
Subject: RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Hi Maddie,

An update on this – I have clarified that owner liability would be broader than just when noise cameras are used. s 9(2)(h)

s 9(2)(h)

Let me know if this clarification changes anything in terms of MOJs feedback received Friday.

Cheers
Bonnie

From: Knight, Maddie <Maddie.Knight@justice.govt.nz>
Sent: Thursday, 23 January 2025 4:50 pm
To: Jacob Ennis <J.Ennis@transport.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>; Anderson, Helen <Helen.Anderson@justice.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>
Subject: RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Great, thanks Jacob. As flagged in your previous email, we'd support removal of the noise camera/owner liability proposals from the paper. Please let us know how you get on 😊

Ngā mihi,
Maddie

Maddie Knight (she/her)
Senior Policy Advisor | Criminal Law Policy
Ministry of Justice | Tāhū o te Ture
s 9(2)(a)
Level 6, Justice Centre, Aitken Street | DX Box SX10088 | Wellington
maddie.knight@justice.govt.nz | justice.govt.nz

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Jacob Ennis <J.Ennis@transport.govt.nz>
Sent: Thursday, January 23, 2025 4:47 PM
To: Knight, Maddie <Maddie.Knight@justice.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>; Anderson, Helen <Helen.Anderson@justice.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>
Subject: Re: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Hi Maddie. The owner liability is about enabling noise cameras to detect offences (similar to speeding cameras). We'll at least clarify that language in the paper s 9(2)(h)

From: Knight, Maddie <Maddie.Knight@justice.govt.nz>
Sent: Thursday, January 23, 2025 16:39
To: Jacob Ennis <J.Ennis@transport.govt.nz>
Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>; Anderson, Helen <Helen.Anderson@justice.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>
Subject: RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Thanks Jacob. To confirm, would you expect that owner liability only applies where noise cameras are used? Or is the expectation that Police would infringe the owner even when they show up at events and are capable of issuing infringements to drivers? To the extent that Police have to be present to issue excessive noise infringements, we are less convinced of the need to take an owner liability approach.

And hi, Bonnie- look forward to working with you!

Ngā mihi,

Maddie

Maddie Knight (she/her)
Senior Policy Advisor | Criminal Law Policy
Ministry of Justice | Tāhū o te Ture
s 9(2)(a)

Level 6, Justice Centre, Aitken Street | DX Box SX10088 | Wellington
maddie.knight@justice.govt.nz | justice.govt.nz

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Jacob Ennis <J.Ennis@transport.govt.nz>
Sent: Thursday, January 23, 2025 4:01 PM
To: Knight, Maddie <Maddie.Knight@justice.govt.nz>

Cc: Bonnie Hayvice <B.Hayvice@transport.govt.nz>
Subject: Re: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Thanks Maddie

s 9(2)(g)(i)

I think as with all other automated detection of offences in vehicles, owner-liability is the only way to make it work. Noting that the technology to implement noise cameras doesn't exist, substantive OPC concerns, and BORA concerns we might look at trying again to remove it from the paper.

We haven't had a chance to engage with our new Minister on the ASRU paper and currently don't have a timeframe for doing so. I think there's a good chance the paper is delayed.

Also introducing Bonnie who will be taking over ASRU from our side. Maddie is our point of contact at Justice for ASRU.

From: Knight, Maddie <Maddie.Knight@justice.govt.nz>
Sent: Thursday, January 23, 2025 14:40
To: Jacob Ennis <J.Ennis@transport.govt.nz>
Cc: Robertson, Kathleen <Kathleen.Robertson@justice.govt.nz>; Anderson, Helen <Helen.Anderson@justice.govt.nz>; Webb, Sheridan <Sheridan.Webb@justice.govt.nz>; Klinger, Sophie <Sophie.Klinger@justice.govt.nz>
Subject: RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Kia ora Jacob

Thank you for the opportunity to comment on the ASRU Cabinet paper and RIS. Comments are below:

Cabinet paper:

- We have noticed a new addition to the paper- owner liability for the excessive noise infringement

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

- This is a significant change. We think the paper needs to draw attention to this more, including the BORA implications and any defences that would apply.
- We note that while this is applying to an infringement, rather than a full offence, it still engages section 25(c) of NZBORA. More detail about this is included in the comments from our human rights team in the attached.
- We think engagement with 25(c) should be noted in the human rights section of the Cabinet paper

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Ngā mihi,

Maddie

Maddie Knight (she/her)
Senior Policy Advisor | Criminal Law Policy
Ministry of Justice | Tāhū o te Ture
s 9(2)(a)

Level 6, Justice Centre, Aitken Street | DX Box SX10088 | Wellington
maddie.knight@justice.govt.nz | justice.govt.nz

Maddie Knight (she/her)
Senior Policy Advisor | Criminal Law Policy
Ministry of Justice | Tāhū o te Ture
s 9(2)(a)

Level 6, Justice Centre, Aitken Street | DX Box SX10088 | Wellington
maddie.knight@justice.govt.nz | justice.govt.nz

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Bonnie Hayvice
Sent: Wednesday, 19 February 2025 2:53 pm
To: Ministers Office; Abby McRoberts - parliament
Cc: Katrina Quickenden; Jacob Ennis; Chris Nees; Nathan de Lautour; Chris Roblett; Brent Johnston; Nicole Rose; Anna Northcott; Paul O'Connell
Subject: ATTN Abby: OC241439 Draft Cabinet paper - Revised options for addressing anti-social road use
Attachments: OC241439 - cover brief - revised options anti social road use.pdf; Regulatory Impact Statement- ASRU.docx; OC241439 Appendix One - Draft Cabinet Paper - revised options to address anti social road use - clean.docx; OC241439 Appendix One - Draft Cabinet Paper - revised options to address anti social road use - tracked.docx

Categories: Filed

Kia ora Abby,

Please find attached:

- Cover briefing updating Minister Bishop on work to address anti-social road use (ASRU), and seeking his direction on next steps
- Draft Cabinet paper (tracked changed and clean versions). *NB this is the same paper Minister Brown approved with minor amendments to clarify proposals in response to departmental feedback, and a comment requested to be included from the Office of the Privacy Commissioner.*
- Regulatory Impact Statement for the Office's information/ in case the Minister wants to review

Let me know if you have any questions.

Cheers
Bonnie

Bonnie Hayvice (she/her)
Kaitohutohu Matua I Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: b.hayvice@transport.govt.nz | transport.govt.nz

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Cover briefing OC241439 is out of scope of this request.

The remaining attachments are refused under section 18(d) as those are publicly available here: https://www.transport.govt.nz/assets/Uploads/OC250097-Draft-Cabinet-paper-Revised-options-for-addressing-Anti-Social-Road-Use_Redacted.pdf

Neha Pawar

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Wednesday, 5 March 2025 11:03 am
To: Bonnie Hayvice
Subject: RE: OPC comments RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Kia Ora Bonnie,

Thank you very much for the update – appreciated!

Aku mihi,

James

From: Bonnie Hayvice
Sent: Wednesday, 5 March 2025 11:00 am
To: James Ting-Edwards
Subject: RE: OPC comments RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Hi James,

I hope you are well.

An update on the ASRU paper: Ministers Bishop and Mitchell have agreed not to progress the proposal to enable noise cameras as an automated infringement regime. As such, I have removed the Privacy Commissioner's requested comment from the most recent version of the paper.

Privacy Commissioner Comment

- *We request the inclusion of the following Privacy Commissioner comment at the appropriate section of the Cabinet paper:*

> *"My view as the Privacy Commissioner is that the use of noise cameras as an automated infringement system raises different and potentially more serious privacy risks than those posed by existing camera systems. Further analysis is needed to make sure that noise cameras would address the problem effectively, without raising unacceptable privacy risks such as overcollection of sounds which are not related to vehicle noise offences (for instance conversations of people passing on the street). At this stage, there is insufficient information about how the noise cameras would operate to be confident that the system could be designed to mitigate the risks."*

I am expecting this to be lodged tomorrow, pending the final authorisation of both Ministers.

Cheers
Bonnie

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Bonnie Hayvice (she/her)
Kaitohutohu Matua I Senior Policy Advisor – Regulatory Reform
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: b.hayvice@transport.govt.nz | transport.govt.nz

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Friday, January 24, 2025 08:58
To: Jacob Ennis <J.Ennis@transport.govt.nz>
Cc: Katrina Quickenden <K.Quickenden@transport.govt.nz>
Subject: OPC comments RE: Cabinet paper for departmental consultation - strengthening penalties against anti-social road use

Kia Ora Jacob,

Thanks again for sharing the updated papers for comment, and for confirming it's ok to send these this morning! Our comments follow.

Overall comments

Out of Scope

- We reiterate our high level comments on proposals responding to antisocial road users. Proposals in relation to noise cameras and mandating vehicle owners share information about drivers present potential privacy risks which we raised in earlier comments (see attached). We are still yet to see detailed privacy analysis which would allow decisionmakers to assess whether these intrusions on New Zealanders' privacy are in proportion to the policy benefits realised.

- As below, we request that an updated Privacy Commissioner be included in the appropriate section of the Cabinet paper, in line with Cabinet Manual requirements (see eg Cabinet Manual 2023 at 8.88).

Decisionmakers need robust analysis of privacy issues to make informed policy decisions

- The RIS reflects some of the privacy issues we have raised, but offers no analysis of impacts on New Zealanders' privacy, how these might be mitigated, and whether resulting intrusions on privacy are in proportion to the benefits realised. We previously suggested that MoT could better assure itself that privacy requirements are being met by improving analysis of privacy issues in the RIS, including with respect to the issues below:

Examples of privacy issues raised in the RIS and deserving further analysis

Statement in RIS	Privacy issue raised	Privacy risk	Mitigation proposed

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

"the technology for noise cameras has not been developed yet" at Table 1 under Proposal 5.	Fairness of collection Accuracy	New technologies can present challenges for upholding privacy requirements for fair collection, accuracy, and access. In the enforcement context, it is particularly important to understand and mitigate risks with a proactive privacy impact assessment.	No mitigation proposed in the RIS. We would recommend requiring a full understanding of the technology, including privacy impact assessments based on a detailed implementation plan, before legislating to enable penalties based on noise cameras.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Noise cameras

- As identified in the RIS, noise cameras are a new technology and evidence on their real-world accuracy and reliability is still developing. Recommendation 14 would allow for a noise camera to be certified as an automated infringement system under the LTA. As above, we are yet to see detailed analysis of privacy impacts and mitigations.

- We strongly recommend carrying out more detailed policy work before advancing law changes to enable the use of noise cameras as an automated infringement system. We see serious privacy risks related to:

    - **Potential overcollection of audio not related to vehicle noise offences**, requiring policy thinking and legal drafting to set clear rules for the governance of this information;

    - **Accuracy and reliability of noise cameras** compared with existing automated infringement systems;

    - **Difficulty applying existing legal provisions**, which are specifically designed to enable use of visual images to establish speeding offences in a way that is familiar and supported by decades of evidence as set out below.

- Existing LTA provisions allow the Minister of Transport to approve a new automated infringement system if satisfied that it meets specific requirements under s 139AAA, and after consulting the Privacy Commissioner (LTA, s 139AAB). There is a requirement to consult with the Privacy Commissioner.

- Lack of evidence on noise cameras, combined with the legal drafting issues below, would make it difficult or impossible for the Privacy Commissioner to adequately consider and advise on noise cameras in this context.

- Existing provisions on automated infringement systems appear to be specific to moving vehicle offences which can be verified by electronic images (LTA s 139AAA, s 139AAB). In our view, further policy work is likely to be needed to adapt these provisions for noise cameras, and particularly to do so in a way that is consistent with privacy requirements for accuracy of personal information and fairness of collection.

- If the decision is to continue with law changes, to be consistent with existing provisions we recommend that any legislation set out relevant requirements for accuracy and reliability which noise cameras would have to meet before being approved as automated infringement devices, as well as provisions to mitigate the risk of overcollection. This may require targeted policy work.

Recommended changes to the Cabinet paper

- If the proposal in relation to noise cameras is to proceed, we would suggest the highlighted changes to recommendation 14:

    14 agree to amend the Land Transport Act 1998 to enable a noise camera to be certified as an automated infringement system only if appropriate privacy protections are in place and

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

requirements for accuracy and reliability similar to that of existing automated infringement systems are met.

Privacy Commissioner Comment

- We request the inclusion of the following Privacy Commissioner comment at the appropriate section of the Cabinet paper:

> "My view as the Privacy Commissioner is that the use of noise cameras as an automated infringement system raises different and potentially more serious privacy risks than those posed by existing camera systems. Further analysis is needed to make sure that noise cameras would address the problem effectively, without raising unacceptable privacy risks such as overcollection of sounds which are not related to vehicle noise offences (for instance conversations of people passing on the street). At this stage, there is insufficient information about how the noise cameras would operate to be confident that the system could be designed to mitigate the risks."

Aku mihi,

James

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Document 12

Neha Pawar

From: Hugo Beale
Sent: Wednesday, 19 November 2025 11:47 am
To: Angela Mortlock; Julia Harker; Angus Stallmann; Hassan Khan
Cc: Paul Wilkins; Aimee Bell; Genevieve Woodall; Jamie Kendrick
Subject: Follow up: Process for approval of vehicle surveillance equipment
Attachments: SIGNED BRI-3238 Approval of Aceusensus Harmony camera system.pdf

Attachment is out of scope of this request.

Kia ora all,

Thanks for the meeting today. We've had a look at the requirements for the Minister to approve vehicle surveillance equipment with reference to the most recent approval.

The process is outlined in the attached NZTA briefing, it seems NZTA contracted a testing and certification supplier to test the equipment, then provided advice to the Minister about whether he could be satisfied that the equipment was appropriately tested, accurate and reliable.

The Minister then must publish a notice in the Gazette noting their approval which the Ministry handles the drafting of with PCO.

There is also a separate approval process for automated infringement offences (which automatically issue tickets from cameras) if satisfied they are capable of accurate detecting the offences and Agency must ensure there is annual assurance check of them. See sections 139AAA-AAC in the Land Transport Act 1998.

Feel free to let me know if there's any other questions.

Ngā mihi,

Hugo Beale (he / his / Mr)
Kaitohutohu | Adviser
Revenue
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: h.beale@transport.govt.nz | transport.govt.nz

TE MANATŪ WAKA MINISTRY OF TRANSPORT
Hāpaitia ana ngā tāngata o Aotearoa kia eke
Enabling New Zealanders to flourish

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Document 13

TE MANATŪ WAKA
MINISTRY OF TRANSPORT

8 March 2024 OC240220

Hon Simeon Brown **Action required by:**

Minister of Transport Friday, 15 March 2024

OPTIONS TO PROGRESS FEE UPDATES AND AMENDMENTS FOR PARKING, ROAD SAFETY, AND TOWAGE AND STORAGE

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Purpose

This paper seeks your approval to progress a regulatory amendment package of parking, road safety, and towage and storage fees as well as associated legislative amendments.

Key points

- Out of Scope
- You have also indicated an interest in consulting on legislative changes to:
  - Out of Scope
  - enable safety cameras to detect a broader range of offences (eg not wearing a safety belt and warrant of fitness).
- Out of Scope

Recommendations

We recommend you:

1 Out of Scope

2

3 **agree** for us to also consult on approaches Out of Scope Out of Scope Out of Scope and enable a greater range of offences to be detected by safety cameras (eg seatbelts, registration, and mobile phone use). **Yes/No**

Bronwyn Turley
Deputy Chief Executive - Regulatory Group
08 / 03 / 2024

Hon Simeon Brown
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
Bronwyn Turley, Deputy Chief Executive - Regulatory Group	s 9(2)(a)	✓
Jacob Ennis, Acting Manager, Regulatory Stewardship and Design		

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

Other legislative issues to consult on

26 As well as Out of Scope there are four areas you have asked us for advice which may require changes to primary legislation. We can consult on these alongside the other Out of Scope changes outlined above:

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Enabling safety cameras to detect a broader range of offences

38 Safety cameras can currently only be used to detect speeding and red-light running offences. Safety camera technology has advanced, with cameras now able to detect restraints (not wearing a safety belt) and distraction (using a mobile phone while driving) offences.

39 Safety Cameras could also be used to detect a range of vehicle-related offences such as not having a current warrant/certificate of fitness or current vehicle licence. Such use of cameras would be a new way to detect offences currently being enforced by NZ Police and local authority parking wardens.

40 In addition, cameras could be used to detect vehicles without RUC which will support the Governments initiative for all vehicles to be subject to RUC within the next 10 years. A similar approach could be used to detect heavy vehicle permit non-compliance.

41 Cameras play an important role in improving the deterrent effect of our regulations. They increase the likelihood of offences being detected and reduce the time between the offence happening and the penalty being received. This aligns with two key factors in deterrence which are the swiftness of the 'punishment' following the offence and certainty of punishment.

42 We can consult on expanding the offences that can be detected by safety cameras as part of the proposed package of fee updates and legislative changes. Consulting on it would not impact our timeframes Out of Scope

Recommended approach and timing

43 Out of Scope

Table II: Provisional timeline for fee changes

Milestones	Month
Complete remaining policy analysis and stakeholder engagement	April 2024
Cabinet Economic Policy Committee approval to consult	May 2024
Public consultation completed	August 2024
Submissions analysis and policy updates completed	September 2024
Cabinet Economic Policy Committee approval to draft new regulations	October 2024
Drafting by Parliamentary Counsel Office completed	February 2025
Legislative Cabinet Committee approval	March 2025
Regulations come into force	April 2025

44 We also recommend progressing consultation on the legislative changes you have outlined at the same time. However, following consultation and Cabinet decisions the timeframe for implementing these will diverge with introduction of an amendment Bill not likely until 2026. We can provide an updated timeframe on the legislative changes following consultation.

Next steps

45 If you agree to progress, we will provide a draft consultation document in April 2025 and accompanying material with more analysis of the policy options. At this time you will be able to make final decisions on what is included in consultation, including the Out of Scope specific legislative proposals.

Appendix is out of scope of this request.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Hugh Mazey
Sent: Thursday, 12 June 2025 4:30 pm
To: Jessica Maynard; Jo Gould; Sophia Trewavas
Subject: FW: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

Kia ora koutou,

Police (policy) comments, will send through National Road Policing Centre comments shortly 😊

Ngā mihi

Hugh

Hugh Mazey (he / him / Mr)
s 9(2)(a) | E: h.mazey@transport.govt.nz | transport.govt.nz

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

From: JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>
Sent: Thursday, 12 June 2025 4:21 pm
To: Hugh Mazey <H.Mazey@transport.govt.nz>
Cc: WHITE, John <john.white@police.govt.nz>
Subject: RE: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

Kia ora Hugh,

Thank you for giving us the opportunity to provide feedback on the briefing on the proposed review of road safety penalties and the alcohol interlock programme.

Police do not have any feedback on the briefing itself. I believe we were previously consulted on its development. I suspect we will provide feedback in the future once the findings of the reviews are known and recommendations are made. If MOT can please continue to keep us informed of the progress of the reviews, 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

From: WHITE, John <john.white@police.govt.nz>
Sent: Monday, June 9, 2025 9:18 AM

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

To: JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>
Subject: FW: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

HI Sarah

Can you please look after this one

Comments due by **COP Thursday 12 June 2025.**

Ngā mihi

John

John White
Policy Manager
Policy Group
Police National Headquarters
E john.white@police.govt.nz

From: Hugh Mazey <H.Mazey@transport.govt.nz>
Sent: Friday, June 6, 2025 1:18 PM
Cc: Jo Gould <J.Gould@transport.govt.nz>; Jessica Maynard <J.Maynard@transport.govt.nz>
Subject: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

CAUTION: This email originated from outside the New Zealand Police Network. DO NOT click links or open attachments unless you recognise the sender and are assured that the content is safe.

[IN-CONFIDENCE]

Kia ora koutou,

Further to my colleague Jess' email a few weeks ago please find attached a draft of our paper on the proposed review of road safety penalties and the alcohol interlock programme for your consideration.

Our intent is to provide the paper to our Minister on 18 June 2025, as such we would like any comments from you by **COP Thursday 12 June 2025.**

If you would like to discuss anything in the paper please let us know and we can try facilitate a meeting.

Nāku noa, nā

Hugh

Hugh Mazey (he / him / Mr)
Kaitohutohu Matua | Senior Adviser
Safety
Te Manatū Waka Ministry of Transport
s 9(2)(a) E: h.mazey@transport.govt.nz | transport.govt.nz

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Document 15

Neha Pawar

From:	Lily McSweeney <Lily.McSweeney@nzta.govt.nz>
Sent:	Friday, 13 June 2025 9:58 am
To:	Hugh Mazey
Cc:	Jo Gould; Jessica Maynard; Official Correspondence NZTA; Joanna Gordon; Olivia Kitson; Steve Penman
Subject:	RE: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy
Attachments:	NZTA feedback OC250414 Scope of the Road Safety Penalties Review - Briefing.docx

Kia ora Hugh,

Thank you for giving us a short extension on getting our feedback back to you.

We have provided comments on the document. In addition, we have outlined our feedback on a few extra matters:

Funding: We have added in a paragraph in the briefing on funding considerations. Our view is the briefing must flag that implementation of any changes is currently unfunded.

Out of Scope

Scope of the Road Safety Penalties review: Some of our SMEs asked whether this review could take a wider look at potential camera offences, such as non-RUC payment penalties and with the possibility of congestion charging, non-payment of these charges. While these are not road safety penalties and therefore outside the scope of this review, we think it might be good to check with the MoT revenue team to ensure the work is as aligned as far as is possible with the expected future policy direction on RUC. Out of Scope

Feel free to get in contact with Olivia, Steve, or I if you have any follow up questions.

Thank you,

Lily McSweeney (She/Her)

Policy Advisor, Users and Vehicles System Policy

System Policy | Te Tūāpae System Leadership

Email: lily.mcsweeney@nzta.govt.nz

s 9(2)(a)

Waka Kotahi NZ Transport Agency

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Auckland, Level 5, AON Centre, 29 Customs Street West
Private Bag 106602, Auckland 1143, New Zealand
Facebook | Twitter | LinkedIn

WAKA KOTAHI NZ TRANSPORT AGENCY www.nzta.govt.nz

From: Olivia Kitson <Olivia.Kitson@nzta.govt.nz>
Sent: Thursday, 12 June 2025 12:51 pm
To: Hugh Mazey <H.Mazey@transport.govt.nz>
Cc: Jo Gould <j.gould@transport.govt.nz>; Jessica Maynard <J.Maynard@transport.govt.nz>; Official Correspondence <Official.Correspondence@nzta.govt.nz>; Joanna Gordon <Joanna.Gordon@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>
Subject: RE: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

Ngā mihi nui e hoa, we'll take it! 😊

Ngā mihi
Olivia

From: Hugh Mazey <H.Mazey@transport.govt.nz>
Sent: Thursday, 12 June 2025 11:16 am
To: Olivia Kitson <Olivia.Kitson@nzta.govt.nz>
Cc: Jo Gould <j.gould@transport.govt.nz>; Jessica Maynard <J.Maynard@transport.govt.nz>; Official Correspondence <Official.Correspondence@nzta.govt.nz>; Joanna Gordon <Joanna.Gordon@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>
Subject: RE: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

Kia ora e hoa,

Āe, tomorrow by **11am** works if that is ok?

Ngā mihi

Hugh

Hugh Mazey (he / him / Mr)
s 9(2)(a) | E: h.mazey@transport.govt.nz | transport.govt.nz

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

From: Olivia Kitson <Olivia.Kitson@nzta.govt.nz>
Sent: Thursday, 12 June 2025 10:42 am
To: Hugh Mazey <H.Mazey@transport.govt.nz>
Cc: Jo Gould <J.Gould@transport.govt.nz>; Jessica Maynard <J.Maynard@transport.govt.nz>; Official Correspondence NZTA <official.correspondence@nzta.govt.nz>; Joanna Gordon <Joanna.Gordon@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>
Subject: RE: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Mōrena e hoa mā

We are getting our feedback on the briefing through sign-out; however, our National Manager is in an all-day hui today and cannot review our feedback until tomorrow morning. Would it be possible to have some more time to get our feedback to you?

Ngā mihi
Olivia

From: Hugh Mazey <H.Mazey@transport.govt.nz>
Sent: Friday, 6 June 2025 1:18 pm
Cc: Jo Gould <j.gould@transport.govt.nz>; Jessica Maynard <J.Maynard@transport.govt.nz>
Subject: OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy

Kia ora koutou,

Further to my colleague Jess' email a few weeks ago please find attached a draft of our paper on the proposed review of road safety penalties and the alcohol interlock programme for your cons deration.

Our intent is to provide the paper to our Minister on 18 June 2025, as such we would like any comments from you by **COP Thursday 12 June 2025**.

If you would like to discuss anything in the paper please let us know and we can try facilitate a meeting.

Nāku noa, nā

Hugh

Hugh Mazey (he / him / Mr)
Kaitohutohu Matua | Senior Adviser
Safety
Te Manatū Waka Ministry of Transport
s 9(2)(a) E: h.mazey@transport.govt.nz | transport.govt.nz

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

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 |

Disclaimer: This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it. Legal privilege is not waived because you have read this email.

Please consider the environment before printing this email.

NZTA feedback on proposal to expand scope of safety camera distraction in briefing OC250414

(Extract from attachment to NZTA's email of 13 June 2025)

- We recommend the review look at expanding the scope of what safety cameras can issue infringements for, to include restraint and distraction offences, and enabling demerit points to be issued for offences detected by safety cameras.

Commented [LM1]: SUGGEST:
Including an "e.g., mobile phone use" to make clear what "distraction" offences are.

Additionally - we recognise this may be out of scope - It might be worth also considering how this could play in with potential future changes in the road user charges space. See email for more on this point.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Wednesday, 2 July 2025 9:41 am
To: Jessica Maynard
Cc: Joanna Heard; Jo Gould; Hugh Mazey; Paul O'Connell; Ministers Office; Emma Wardle
Subject: RE: OC250414 Scope of the Road Safety Penalties Review and Alcohol Interlock Programme Review
Attachments: [SIGNED] OC250414 Scope of the Road Safety Penalties Review - Briefing - Policy.pdf

Mōrena team

Good news, the Minister has now signed OC250414 and –

- **Agreed to the proposed scopes of both reviews.**
- **Agreed to progress both reviews in line with the timelines provided.**

FYI, the Minister also left a comment thanking you for a good paper 😊

Please find attached the signed briefing. Sing out if there's any questions.

Cheers
Quaid

Quaid Forbes
Acting Private Secretary Coordinator (Transport) | Office of Hon Chris Bishop
Minister for Housing | Infrastructure | RMA Reform | Transport | Associate Finance | Associate Sports & Recreation | Leader of the House | MP for Hutt South

s 9(2)(a)

Email: quaid.forbes@parliament.govt.nz Website: www.Beehive.govt.nz
Private Bag 18041, Parliament Buildings, Wellington 6160, New Zealand

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Jessica Maynard <J.Maynard@transport.govt.nz>
Sent: Wednesday, 18 June 2025 11:37 AM
To: Ministers Office <MinistersOffice@transport.govt.nz>
Cc: Abby McRoberts <Abby.McRoberts@parliament.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Jo Gould <J.Gould@transport.govt.nz>; Hugh Mazey <H.Mazey@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>
Subject: OC250414 Scope of the Road Safety Penalties Review and Alcohol Interlock Programme Review

Tēna koe,

Please find attached the following briefing for Minister Bishop's weekend bag: **OC250414 Scope of the Road Safety Penalties Review and Alcohol Interlock Programme Review**.

If there is anything else you need, please let us know.

Ngā mihi,

Jessica Maynard
Senior Adviser | Kaitohutohu Matua

Safety | Ngā Momo Neke me ngā take Haumaru
Ministry of Transport Te Manatu Waka
s 9(2)(a) E: j.maynard@transport.govt.nz | transport.govt.nz

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

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 |

Disclaimer: This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it. Legal privilege is not waived because you have read this email.

Please consider the environment before printing this email.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

18 June 2025 OC250414

Hon Chris Bishop **Action required by:**

Minister of Transport Friday, 27 June 2025

SCOPE AND TIMEFRAMES FOR THE ROAD SAFETY PENALTIES REVIEW AND THE ALCOHOL INTERLOCK PROGRAMME REVIEW

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Purpose

Seek your agreement to the proposed scope and timeframes for the road safety penalties review and the alcohol interlock programme review.

Key points

- A review of road safety penalty levels and a review of the alcohol interlock programme are two actions for the Ministry of Transport under the Government's road safety objectives. These are also road safety priorities under the Government Policy Statement on land transport 2024. We have progressed several of the Government's strategic priorities for road safety and plan to undertake these two policy reviews in 2025/26.

- We seek your agreement to the proposed scope of these reviews (Appendices 1 and 2 refer), and the timeframes for progressing the reviews before the 2026 General Election (Appendix 3 refers).

Road safety penalties review

Out of Scope

Out of Scope

- In addition to addressing the points from Cabinet, we also recommend the review look at expanding the scope of what safety cameras can issue infringements for, to include restraint and distraction offences, Out of Scope

Out of Scope

- Subject to your agreement to the timing and scope, we will brief you next month Out of Scope other proposed changes.
- Appendix 1 outlines the proposed scope of the review. Appendix 3 outlines the proposed timeline for the review.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

Consultation

- We have consulted the NZ Transport Agency Waka Kotahi (NZTA), NZ Police, Ministry of Justice (MoJ), and Ministry of Health in the development of this briefing.

Out of Scope

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Recommendations

We recommend you:

1	agree to the proposed scope of the road safety penalties review, as per Appendix 1	Yes / No
2	Out of Scope	
3	agree to progress the road safety penalties review in line with the timeline in Appendix 3	Yes / No
4	Out of Scope	

Paul O'Connell
Deputy Chief Executive, Sector Strategy
18 /06 /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
Paul O'Connell, Deputy Chief Executive, Sector Strategy	s 9(2)(a)	
Joanna Heard, Manager, Safety		✓

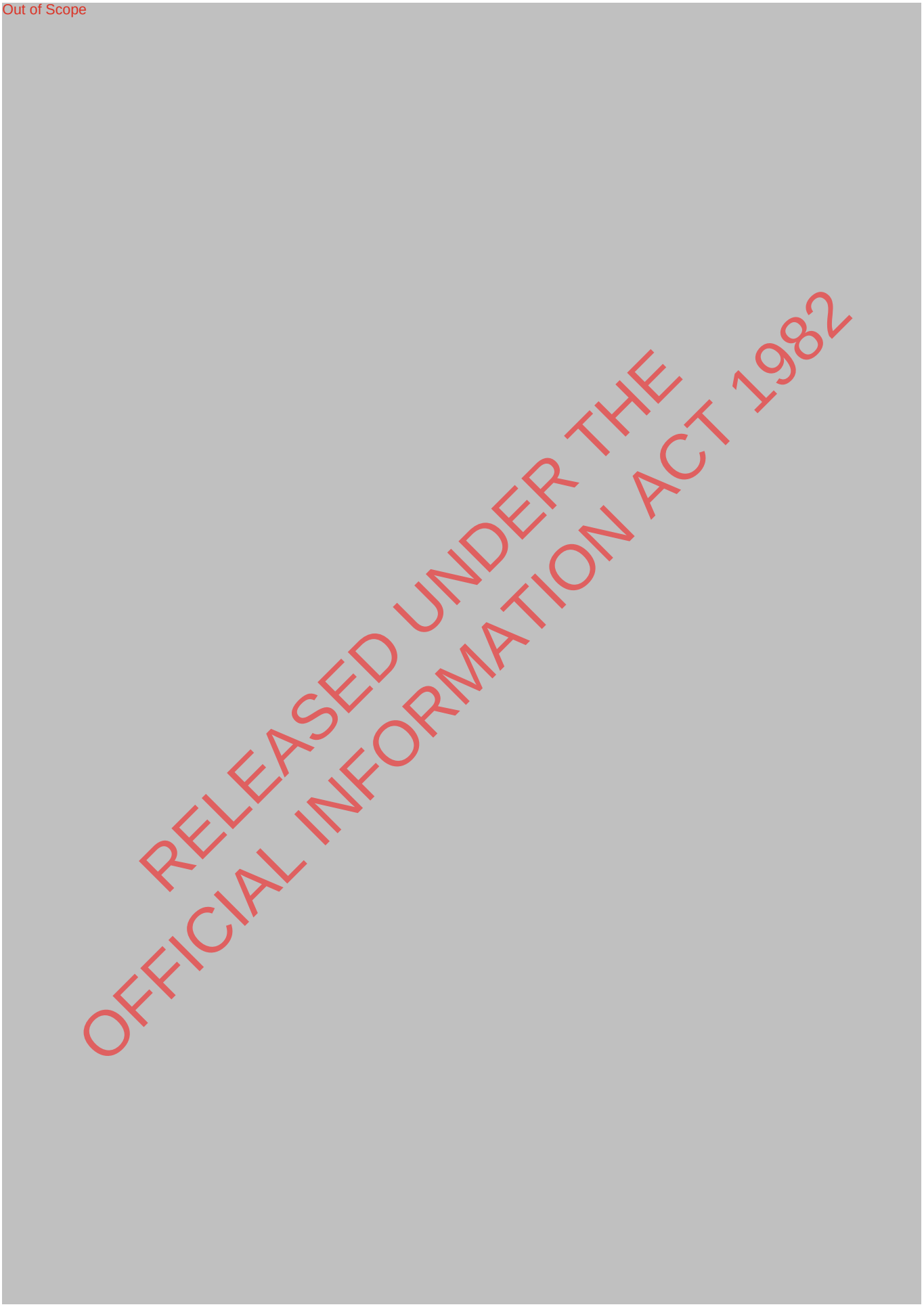
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

APPENDIX 1: Proposed scope of the road safety penalties review

Purpose	Out of Scope
Focus	We also recommend the review considers: • expanding the scope of what safety cameras can issue infringements for (currently only tolling, red light and speeding offences, but this could be expanded to include restraint and distraction offences); and Out of Scope
Other considerations	
Vehicle for implementing recommended changes	Changes Out of Scope to enable safety cameras to detect restraint and distraction offences, can be made through regulations. Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

APPENDIX 3: Recommended milestone dates for the road safety penalties and alcohol interlock programme reviews

Road Safety Penalties Review	Out of Scope
Investigate issues and develop policy proposals *July - September 2025*	
Cabinet agreement to policy proposals and drafting instructions *October 2025*	
Drafting instructions to the Parliamentary Counsel Office *October 2025*	
Draft Cabinet paper to Minister; departmental and Ministerial consultation *February 2026*	
Cabinet approval of the Land Transport (Offences and Penalties) Amendment Regulations *March 2026*	
Land Transport (Offences and Penalties) Amendment Regulations come into force *April 2026*	

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Document 17

Neha Pawar

From:	Hugh Mazey
Sent:	Wednesday, 13 August 2025 4:38 pm
To:	Ministers Office
Cc:	Paul O'Connell; Joanna Heard; Jo Gould; Anna Northcott
Subject:	ATTN Quaid: OC250632 REVIEW OF ROAD SAFETY PENALTIES - RECOMMENDATIONS TO PROGRESS TO CABINET - Briefing - Policy
Attachments:	OC250632 REVIEW OF ROAD SAFETY PENALTIES - RECOMMENDATIONS TO PROGRESS TO CABINET - Briefing - Policy.docx; OC250632 REVIEW OF ROAD SAFETY PENALTIES - RECOMMENDATIONS TO PROGRESS TO CABINET - Briefing - Policy.pdf

Kia ora Quaid,

Please find attached a briefing on the road safety penalties review.

This briefing Out of Scope

It also seeks agreement to progress legislative changes to enable safety cameras to issue infringement notices for driving without a seatbelt and distracted driving offences Out of Scope Out of Scope

Happy to discuss!

Nāku noa, nā

Hugh

Hugh Mazey (he / him / Mr)
Kaitohutohu Matua | Senior Adviser
Safety
Te Manatū Waka Ministry of Transport
s 9(2)(a) | E: h.mazey@transport.govt.nz | transport.govt.nz

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

13 August 2025 OC250632

Hon Chris Bishop **Action required by:**

Minister of Transport Friday, 22 August 2025

REVIEW OF ROAD SAFETY PENALTIES: RECOMMENDATIONS TO PROGRESS TO CABINET

Purpose

Out of Scope

We also seek agreement to progress legislative changes to enable safety cameras to issue infringement notices for driving without a seatbelt and distracted driving offences Out of Scope

Out of Scope

Subject to your agreement, officials will draft a Cabinet paper for your consideration with the aim of the proposals being considered by Cabinet in October 2025.

Key points

- In 2023, there were 2,794 deaths and serious injuries on New Zealand's roads. These tragedies left families devastated, communities mourning and resulted in significant costs to the Accident Compensation Corporation (ACC) and health system.
- As part of the Government's reset of its road safety approach, the Government has placed greater emphasis on ensuring road users are accountable for their actions on the roads. This aligns with the Government's overall approach to increase front-line policing and restore law and order. A review of road safety penalty levels is an action for the Ministry under the Government's road safety objectives. It is also a road safety priority in the Government Policy Statement on land transport 2024.
- Visible policing activity, appropriate infringement fee levels and demerit point levels, and the use of safety cameras should work together to deter unsafe road use. We have reset the Road Policing Investment Programme to align enforcement activity with high-risk road safety offences. NZ Police has exceeded its targets for 2024/25, with record levels of breath screening tests and speeding infringement notices issued. However, New Zealand is lagging in its approach Out of Scope Out of Scope the use of safety cameras.
- Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope New Zealand has also not kept pace with technological change in the use of safety cameras to detect and deter offending. Australian jurisdictions with better road safety records than New Zealand, such as Victoria and New South Wales, Out of Scope use cameras to capture a broader range of offences and enable safety cameras to issue demerit points.

- In June 2025, you agreed to the scope of a review of road safety penalties and the alcohol interlock programme [OC250414 refers]. We now seek your agreement to a preferred option to:
  - Out of Scope
  - expand the scope of infringement offences that can be detected by safety cameras; and
- Out of Scope
- With either option, we also recommend:
  - Out of Scope
  - progressing legislative changes:
    - to expand the range of infringement offences that can be detected by safety cameras to include driving without a seatbelt and distracted driving, and
    - Out of Scope
- Our recommended approach combines Out of Scope with more effective enforcement through the enhanced use of safety cameras.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

- Changes to the Land Transport Act 1998 will also be required to enable safety cameras to detect distracted driving and seatbelt offences. These will need to be progressed through the Land Transport (Road Safety) Amendment Bill. The current intent is for the Bill to be introduced in 2026.

Recommendations

We recommend you:

1 **agree** to officials preparing a draft Cabinet paper and undertaking departmental consultation on the proposals agreed below. Yes / No

2 Out of Scope

3

4

5 **agree** to amendments to the Land Transport Act 1998 to enable safety cameras to:

a) detect a wider range of offences (not wearing a seatbelt and distracted driving), and Yes / No

b) Out of Scope Yes / No

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

6 Out of Scope

Paul O'Connell
Deputy Chief Executive, Sector Strategy
13 August 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
Paul O'Connell, Deputy Chief Executive - Sector Strategy	s 9(2)(a)	
Joanna Heard, Manager - Safety		
Jo Gould, Principal Advisor - Safety		✓

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

REVIEW OF ROAD SAFETY PENALTIES: RECOMMENDATIONS TO PROGRESS TO CABINET

1 New Zealand's annual rate of road deaths per 100,000 people is higher than comparable jurisdictions in Australia. In 2022, New Zealand had 7.3 road deaths per 100,000 people. Victoria had 4.4 road deaths per 100,000 people, and Queensland had 5.1 road deaths per 100,000 people. These jurisdictions Out of Scope and make greater use of safety cameras for enforcement.

2 Traffic penalties including infringement fees, court-imposed fines, demerit points, and licence suspensions are used in New Zealand and internationally to deter and punish unsafe driving behaviour. The level of penalty, the chances of being caught, and the swiftness and certainty of punishment all influence the overall deterrent effect.

3 Enforcement strategies, including policing activity and the level of penalties, are designed to deter behaviour at two levels. Firstly, general deterrence of the public at large from committing an offence, and secondly, specific deterrence to prevent or discourage individuals who have been subject to a penalty from reoffending.

4 Penalties are generally graduated, meaning higher-risk offences attract increased penalties. For example, lower-level speeding results in a lower infringement fee and a lower number of demerit points than higher level speeding.

5 Through the Road Policing Investment Programme 2024-2027, we have reset the approach to road policing with activity-based targets (and delivery dependent funding) associated with the highest risk road safety offences.

6 In 2024/25, we saw record levels of enforcement activity by NZ Police (Police) on both speeding offences and alcohol breath screening tests. To ensure our enforcement strategy is effective, we Out of Scope need to ensure we are keeping pace with developing technology and using safety cameras for a broader range of offences to enable police officers to focus their resources where they are required most.

7 In July 2025, you agreed to the Ministry progressing a review of Out of Scope enforcement Out of Scope Out of Scope [OC250414 refers].

8 This briefing provides you with a recommended package that:

8.1 Out of Scope

8.2

8.3 expands the scope of what infringement offences can be detected by safety cameras, to include not wearing a seatbelt, and distracted driving (currently, only speeding, tolling and red-light running offences can be detected); and

8.4 Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

9 We have considered the proposals against the following criteria:

9.1 Effectiveness – the likelihood of discouraging high-risk driving behaviour.

9.2 Proportionality – is it a proportionate response to the level of harm involved in the offending, compared to other road safety offences?

9.3 Enduring – that penalties do not lose their value over time.

9.4 Efficiency – it enables efficient implementation and use of Police's resourcing.

10 We have provided a high-level summary of the recommended package in Annex 1. This shows how all the interventions for each of these offences work together.

11 We will undertake more robust analysis in the Regulatory Impact Assessment. This will be provided, alongside the draft Cabinet paper, intended to be considered by Cabinet in October 2025. As part of that analysis, we will engage with New Zealand Transport Agency Waka Kotahi (NZTA), Police, the Ministry of Justice and other agencies on the proposals. Out of Scope

Out of Scope

12

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

Out of Scope



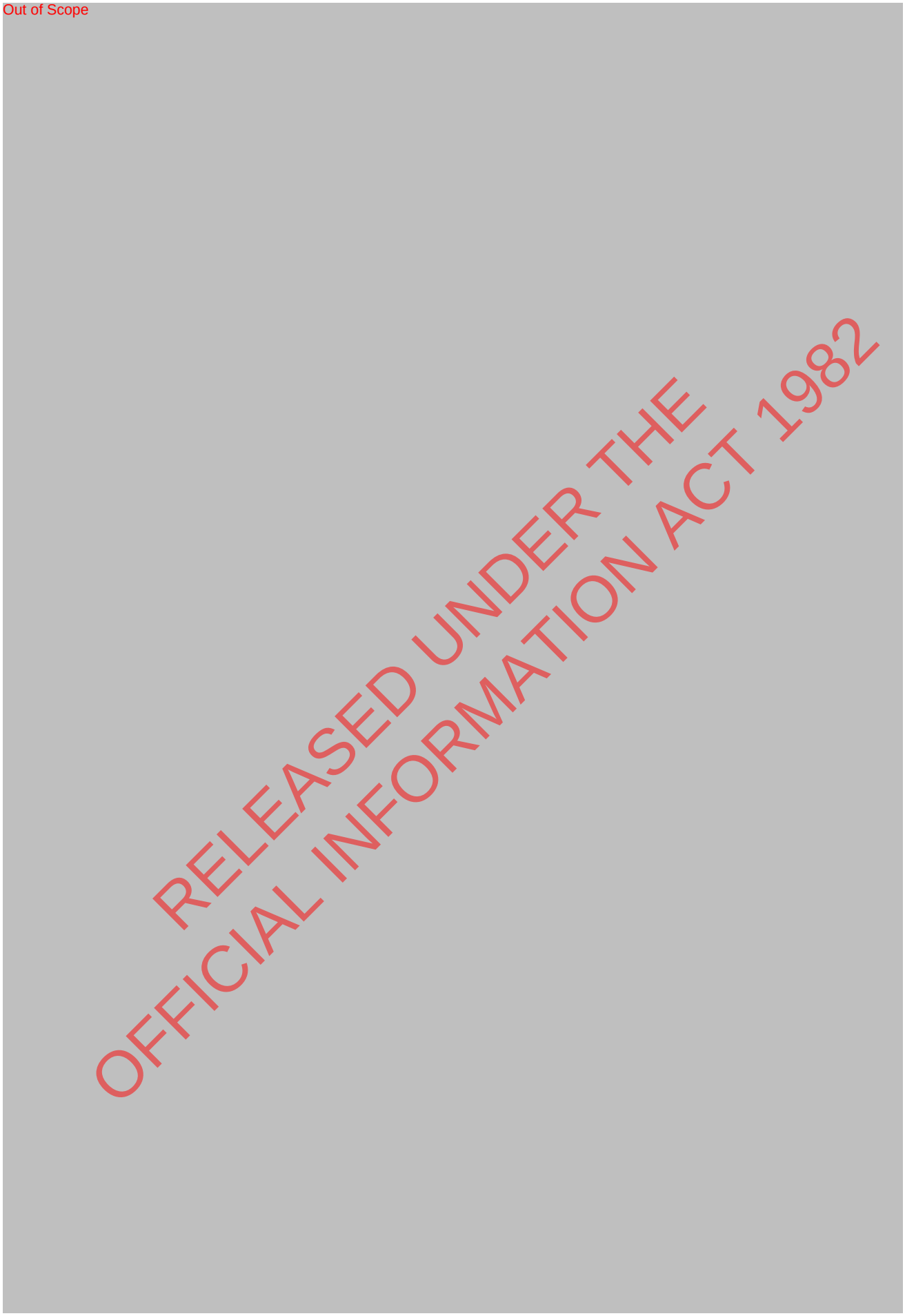
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Offending detected by safety cameras should be expanded Out of Scope

57 Most Australian states use safety cameras to detect drivers speeding and red-light running, like in New Zealand. However, most Australian states are now also using safety cameras to detect

drivers not wearing seatbelts and using mobile phones while driving. Out of Scope

58 Safety camera enforcement is more certain than officer detected offending.[4] Research has found, for example, the number of crashes and injuries reduced by 23% and 29% respectively one year after red-light running financial and demerit point penalties were increased in Hong Kong in 2005.[5]

59 Expanding the use of safety cameras could enable Police to focus its resources more effectively on activities that require officer enforcement.

60 In 2022, NZTA ran a trial in Auckland to quantify the rates of mobile phone use and not wearing a seatbelt while driving. The trial ran for six-months across three trial sites. Over the course of the trial, one in 42 drivers were shown using mobile phones and one in 95 of vehicles had occupants (driver or front seat passenger) not wearing seatbelts. The total detections over the trial period were 242,959.

61 The January 2025, AA members survey also asked members how many had used their mobile phone while driving in the past four weeks. The AA found 34 percent of members surveyed had checked their phone over that time. However, in the past 12 months only 1 percent had received an infringement for a mobile phone offence.

62 We recommend the scope of infringement offences detected by safety cameras is broadened to include mobile phone offences and drivers not wearing seatbelts. Out of Scope

Out of Scope

63 Out of Scope

64 While NZTA safety cameras do not currently have the capability to detect drivers not wearing seatbelts or mobile phone offences, these changes would enable NZTA to widen its safety camera programme in the future (if funding and other decisions allowed).

65 Implementing these changes will be through amendments to the Regulations and changes to the Act through the Land Transport (Road Safety) Amendment Bill (the Bill). These changes will be implemented following the Bill coming into force.

Next steps

66 Subject to your agreement, we will draft a Cabinet paper and Regulatory Impact Assessment on the recommended approach. We currently intend for this paper be considered by Cabinet in October 2025.

[4] Long-term effects of alternative deterrence policies: Panel data evidence from traffic punishments in Denmark, https://findit.dtu.dk/en/catalog/5ad9c9dc5010df6d082b2004

[5] Sze, N. N., Wong, S. C., Pei, X., Choi, P. W., & Lo, Y. K. (2011). Is a combined enforcement and penalty strategy effective in combating red light violations? An aggregate model of violation behaviour in Hong Kong. *Accident Analysis & Prevention, 43(1), 265-271.*

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

67 As part of developing the Cabinet paper, we will undertake departmental consultation. This will include Police and NZTA to understand any operational implications with changes Out of Scope Out of Scope

68 We will provide advice on implementation costs to agencies through the Regulatory Impact Assessment.

69 We anticipate that amendment regulations and the amendment rule could be in force by April 2026.

70 The current intent for the Bill, which is required for expanding the scope of infringement offences safety cameras can be used to detect Out of Scope is to have this introduced next year before the House rises for the 2026 General Election.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

ANNEX 1: SUMMARY OF RECOMMENDED PACKAGE

	Speeding *Contributes to 645 deaths and serious injuries (DSI) per year*	Drink / Drug-driving *Contributes to 624 DSI per year*	Mobile phone use *Contributes to 36 DSI per year*	No Restraint *Contributes to 184 DSI per year*	Red light Running *Contributes to 34 DSI per year*	Rationale
Out of Scope						
Camera enforcement	Already enabled	N/A – requires roadside Police officers for detection.	Enable	Enable	Already enabled	Camera technology is able to detect mobile phone use and drivers not wearing restraints improving deterrence. More efficient use of Police resources.
Out of Scope						

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

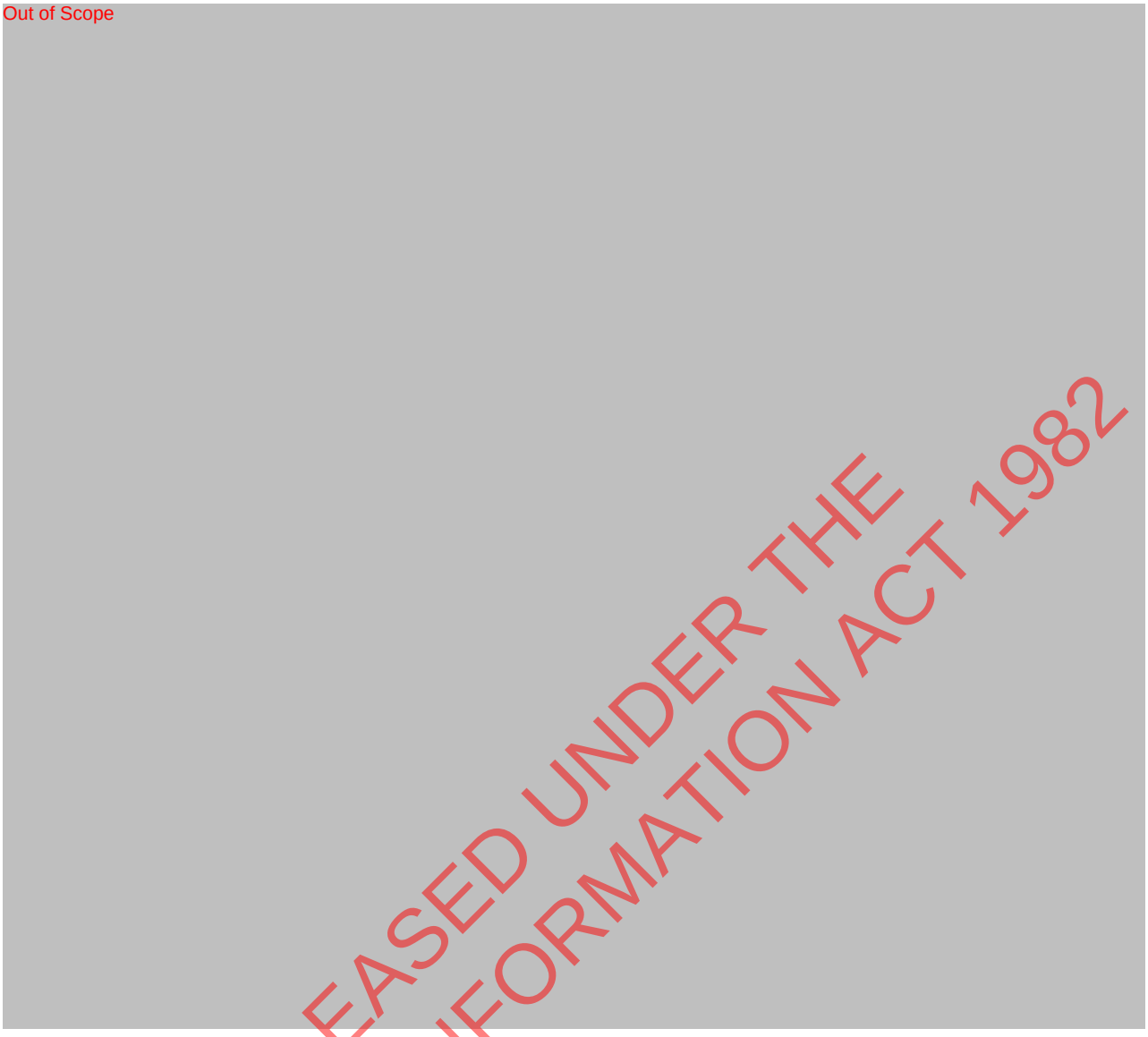
Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Document 18

Neha Pawar

From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Monday, 1 September 2025 9:16 am
To: Hugh Mazey; Jo Gould
Cc: Joanna Heard; Chris Nees
Subject: CO250632 review of road safety penalties
Attachments: OC250632 Review of road safety penalties.pdf

Kia ora e hoa mā

Hope you had a good weekend! The Minister has now considered your road safety penalties advice. He has agreed to all the recs Out of Scope

Out of Scope

Let me know if you need anything from me at this stage.

Thanks

Quaid Forbes
Private Secretary - Transport | Office of Hon Chris Bishop
s 9(2)(a)

The briefing attached was same as attachment to document #17, only difference was this was signed.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Karl Laulu <Karl.Laulu@nzta.govt.nz>
Sent: Wednesday, 24 September 2025 12:13 pm
To: Sophia Trewavas; Hugh Mazey; Joanna Heard; Jo Gould
Cc: Alexandro Sikiotis; Lily McSweeney; Olivia Kitson; officialcorrespondence@nzta.govt.nz
Subject: RE: Seeking feedback COP 24 September: Updating road safety penalties and reviewing the alcohol interlock programme
Attachments: (1) DRAFT FOR CONSULTATION OC250816 UPDATE ON ROAD SAFETY PENALTIES REVIEW AND ALCOHOL INTERLOCKS REVIEW - Cabinet Paper.docx; (2) DRAFT FOR CONSULTATION RIS Review of Penalties for High Risk Traffic Offences 1.2.docx; (3) NZTA Response to MoT - Safety Camera Operation and Implementation.docx
Importance: High

Kia ora Sophia et al,

Thank you for providing NZTA with the opportunity to comment on the Cabinet paper and associated Regulatory Impact Statement (RIS) for the Road Safety Penalties Review.

At a high level, NZTA is supportive of the proposals.

Our detailed response is comprised of the following attachments:

1) Cabinet paper with NZTA comments.
2) RIS with NZTA comments.
3) Summary of current operation of the safety camera system and operational implications, costs, and implementation timeframes for the proposed changes.

Out of Scope

We have separately consulted the Director of Land Transport on this suite of proposals. The Director is supportive of the package of road safety penalties proposed.

Cheers

Karl Laulu (He/Him)
Senior Policy Advisor, Users and Vehicles
System Policy | Te Tūāpae - System Leadership | s 9(2)(a)

From: Sophia Trewavas <S.Trewavas@transport.govt.nz>
Sent: Monday, 15 September 2025 3:44 pm
To: Karl Laulu <Karl.Laulu@nzta.govt.nz>; Alexandro Sikiotis <alexandro.sikiotis@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>; Olivia Kitson <Olivia.Kitson@nzta.govt.nz>; officialcorrespondence@nzta.govt.nz
Cc: Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <j.heard@transport.govt.nz>; Jo Gould <j.gould@transport.govt.nz>
Subject: Seeking feedback COP 24 September: Updating road safety penalties and reviewing the alcohol interlock programme

Some people who received this message don't often get email from s.trewavas@transport.govt.nz. Learn why this is important

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Tēnā koutou katoa,

Thank you for meeting with us last week to discuss Out of Scope and penalties review, and last month on the alcohol interlock programme.

Please find attached a draft Cabinet paper and RIS relating Out of Scope and penalties review, and the alcohol interlock programme review, for your feedback. The draft Cabinet paper sets out proposals Out of Scope and penalties review Out of Scope

Out of Scope

We are seeking any information NZTA may be able to provide on the operational implications of the proposals in the RIS, particularly those arising from the road safety penalties proposals. There are several paragraphs highlighted in the RIS relating to the operational costs and potential implementation timelines for proposals relating to safety cameras, which NZTA is best placed to provide input on.

Out of Scope

We would appreciate this information and any other comments by **Wednesday 24 September.**

Thank you again for engaging with us on this work to get it to this point. If you would like to discuss these proposals, please let me know and I will set up a meeting.

Ngā mihi,

Sophia Trewavas (she / her)
Adviser - Safety
Te Manatū Waka Ministry of Transport
s 9(2)(a) E: S.Trewavas@transport.govt.nz | transport.govt.nz

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

September 2025 NZTA Safety Camera specific feedback attachment to email sent on 24.09.2025

Operational Impacts of Proposals in the RIS and Cabinet Paper

The following table summarises the impact of Proposals outlined in these documents on the future NZTA operation of safety cameras. Additional details related to each proposal's impact are outlined in the subsequent pages:

NZTA are aware these proposals will impact public perception, and we are in the early stages of operating safety cameras. Our current public focus is gaining public trust and confidence as we implement new safety camera technology (including mobile trailers and average speed cameras). As a result, we suggest careful consideration is given to the timeframes for these proposed changes. We recommend discussions between ourselves, the Ministry of Transport, and the New Zealand Police about public education and engagement campaigns related to these proposals, and the possibility of additional funding to ensure these campaigns successfully support implementation activities.

Recommendation to support proposals

To support timely resolution of safety camera offences (including the mitigation of disputes and Court-requested hearings), NZTA recommends that the Ministry of Transport consider introducing mandatory e-mail addresses and enabling NZTA to use information from one database (eg. Vehicle registration) across multiple databases (such as driver registration). Accurate, updated contact information will mitigate the likelihood that a driver does not receive their offence notice. This is particularly as safety camera offences increase (from distracted driver and seatbelt offences), Out of Scope

NZTA's overarching feedback is:

- Safety camera system operation is funded from the NLTF and, while fee changes for existing moving vehicle offences could be absorbed in this period, provisions would be required for other additions (and operations) likely 2027-30 NLTP period.
- The proposed changes will be complex to implement across the system (NZTA, NZ Police, MoJ and third partes such as rental companies).
- There will be a need for strong communications to provide opportunities for behaviour change prior to these coming into effect, to reduce social impact with cumulative impact of non-compliant behaviours on the road.

Out of Scope

Specific feedback on the proposals is included in the table below.

Proposed Change	Current Legislative Timeframe	NZTA Implementation Factors	New Funding Required?	Proposed Implementation Timeline	Rationale
Enabling safety cameras to detect seatbelt and distracted driver offences	TBD 2026 (Primary legislation: *Land Transport Act 1998* – the Act)	Camera Expansion Camera Technology Procurement (new supplier) Technology Integration with existing systems Camera Implementation	Yes – will request in Business Case for NLTP 2027-30	Scope activities in 2026 (including costs, resources, policy, timeframes) Solution design starts July 2027 Implementation and go-live date TBD	Implementing seatbelt and distracted driver offences will require expansion of our current safety camera network. s 6(c) Additional funding would be needed to expand beyond the current 204 cameras in the approved Investment Proposal and procure a technology supplier for distracted driving infringement offences Out of Scope NZTA recommends discovery activities to determine implementation scope, timeframe and cost be completed in 2026 to support the 2027-30 NLTP funding Business Case (Case). This Case would include additional funds for solution design from July 2027. The Case would also outline any additional ongoing costs from forecast seatbelt and distracted driver offences – including processing and disputes.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Document 20

Neha Pawar

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Monday, 13 October 2025 10:22 am
To: Jo Gould
Cc: Eve Kennedy; Joanna Heard; Sophia Trewavas
Subject: Further OPC comments RE: For consultation: Updating road safety penalties and reviewing the alcohol interlock programme

Kia Ora Jo,

Thanks for that clarification on the systems involved!

The revised section of the paper you shared now clearly sets out the privacy considerations that were important to the NZTA trial. We also note the proposal that the Minister would be required to consult the Privacy Commissioner before approving a camera system for distraction and seatbelt offences. In earlier comments we also suggested considering a tightly scoped purpose limitation in the legislation, to ensure that information collected can only be used for this purpose. We think this is worth mentioning in the paper too, as an important safeguard that would help to uphold New Zealanders' privacy expectations.

Information on the issues we raised previously (eg accuracy, retention and permitted use, and ongoing attention to security and privacy in system design) will still be important for us to form a view when we are consulted under the proposed provisions.

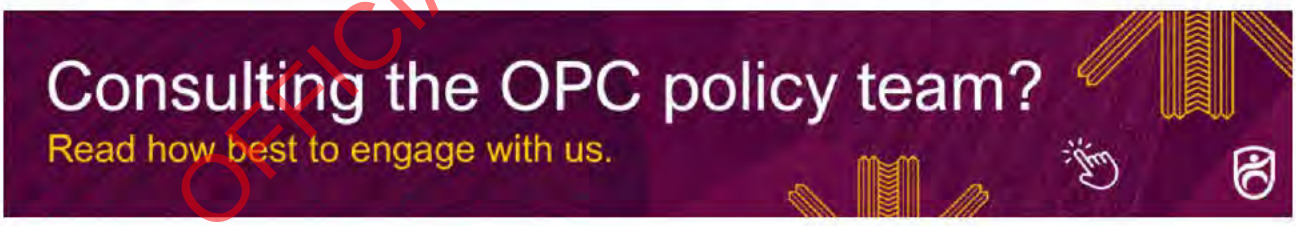
For now, as the paper addresses the main issues we raised, we think there is no longer a need for a Privacy Commissioner comment. Thanks again for your consideration and communication!

Aku mihi,

James

James Ting-Edwards (he/him)
Senior Policy Advisor | Kaitohutohu Tuakana Kaupapahere

Office of the Privacy Commissioner | Te Mana Mātapono Matatapu
PO Box 10094, Wellington 6140
s 9(2)(a)
E james.ting-edwards@privacy.org.nz
privacy.org.nz





Privacy is about protecting personal information, yours and others. To find out how, and to stay informed, subscribe to our newsletter. Have a privacy question? AskUs

Caution: If you have received this message in error please notify the sender immediately and delete this message along with any attachments. Please treat the contents of this message as private and confidential. Thank you.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Jo Gould <J.Gould@transport.govt.nz>
Sent: Thursday, 9 October 2025 11:20 am
To: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Cc: Eve Kennedy <Eve.Kennedy@privacy.org.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Sophia Trewavas <S.Trewavas@transport.govt.nz>
Subject: RE: OPC comments RE: For consultation: Updating road safety penalties and reviewing the alcohol interlock programme

Thank you for your helpful feedback James.

We have made some changes to the Cabinet paper in response. I've clipped the relevant section below. We are proposing to amend the Land Transport Act 1998 to require the Minister of Transport to consult the Privacy Commissioner before approving any safety camera that detects seatbelt and distraction offences. This will enable the relevant privacy issues you note below to be worked through before approval.

Given these changes, can you please confirm any comment you want included in the Cabinet paper to reflect the Privacy Commissioner's view. Ideally in the next couple of days please.

You refer to the provisions in the Act that relate to automated infringement systems. These are systems that verify the commission of an infringement offence using one or more electronic images, without any direct human intervention/involvement. In layperson's terms, this is an automated ticketing system. In this context, an annual quality assurance of the system is important. If any approved safety camera that detects seatbelt or distraction offences uses such a system to issue the infringement notices, it will be subject to these provisions.

This is different from authorised vehicle surveillance equipment (AVSE), which are the actual cameras that capture the electronic images. Testing of the accuracy of the AVSE is covered by the evidential provisions in the Act. Section 146 covers certification of the testing and accuracy of the equipment which, provided the testing is done within 12 months of any alleged offence, is treated as evidence of the accuracy of the equipment.

Happy to discuss any aspect of this if that would be helpful.

Extract from the updated Cabinet paper:

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Improved enforcement options to support the increased deterrence

I recommend expanding the offences that can be detected by safety cameras, Out of Scope

[redacted]

42 The Act enables safety cameras to detect tolling, speeding and red light running offences. Camera technology has developed in recent years and can now be used to detect drivers not wearing seatbelts and using mobile phones while driving. Most Australian states use safety cameras to detect drivers not wearing seatbelts and using mobile phones while driving

IN CONFIDENCE

[redacted]

IN CONFIDENCE

43 In 2022, NZTA tested this new technology in a six-month trial over three sites in Auckland. Over the course of the trial, one in 42 drivers were shown using mobile phones and one in 95 vehicles had occupants (driver or front seat passenger) not wearing seatbelts. The total detections over the trial period by the safety cameras were 245,498.

44 Privacy considerations, such as accuracy, data retention and controls on the use of personal images, were an important aspect of the NZTA trial. This is because the cameras capture vehicle licence plates (as is currently the case with safety cameras), as well as images of front-seat vehicle occupants.

45 I recommend broadening the scope of infringement offences detected by safety cameras to include distraction offences and drivers not wearing seatbelts. This would future-proof the legislation, so that new safety cameras procured by NZTA could potentially detect the broader range of offences.

46 To address privacy issues, I propose the Act is amended to require the Minister of Transport to consult the Privacy Commissioner about how the cameras are proposed to operate and any privacy implications, before the Minister approves the use of any safety camera to detect seatbelt and distraction offences.

Ngā mihi, Jo

From: James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Sent: Wednesday, 24 September 2025 2:32 pm
To: Sophia Trewavas <S.Trewavas@transport.govt.nz>
Cc: Eve Kennedy <Eve.Kennedy@privacy.org.nz>; Jo Gould <J.Gould@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Hugh Mazey <H.Mazey@transport.govt.nz>
Subject: OPC comments RE: For consultation: Updating road safety penalties and reviewing the alcohol interlock programme

Kia Ora Sophia,

Thank you for sharing the draft Cabinet paper and RIS for comment. Our comments follow.

- Proposals to expand the use of safety cameras for detecting infringement offences raise important privacy issues that need to be fully considered and made transparent to decisionmakers. Explicitly

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

thinking about privacy will help to ensure that the law changes and use of technology here work as intended and uphold New Zealanders' trust.

- While there are existing provisions for automated detection of infringement offences, these relate only to moving vehicle offences which can be assessed based on external images that capture a vehicle's licence plate. Compared with current use of cameras, detection of in-car offences like using a mobile phone involves images of people that create a higher level of privacy concern.

- OPC was involved in the NZTA trial. The papers refer to this trial as part of the evidence base, but do not mention that thinking about privacy and accuracy was a key aspect of the trial, even as short-term evidence-gathering exercise with no enforcement consequences, as discussed in NZTA's report.

- We would expect to see a similar or higher level of consideration for privacy as a part of the policy work here, but the draft Cabinet paper and RIS do not mention privacy at all. We think it is important that these papers include at least high-level mentions of privacy issues and how these will be considered in further policy work.

- Key privacy issues to work through include:

    - **Accuracy and evidence base (eg explaining how the NZTA trial relates to the proposed approach):** we welcome the discussion of the NZTA trial at [39] of the Cabinet paper, but the information presented does not allow an assessment of the accuracy and error rates of these systems. We think that if the NZTA trial is being relied on, it is important to mention that privacy considerations such as accuracy, data retention, and controls on use of personal information were critical aspects of the trial design. We would like to see the papers explicitly discuss this. As well as mentioning total values and overall detected offence rates, we would like to see some analysis of how the trial's findings bear on issues of accuracy and help to inform thinking on benefits and risks of wider use and use with enforcement consequences. Without this analysis it is unclear how the policy proposals relate to evidence from the NZTA trial and what if any further evidence might be needed.

    - **Retention and permitted use of images:** the policy case for detecting infringement offences to improve road safety does not extend to other uses of the underlying images. Images used to detect driving without a seatbelt or driving while using a device could in principle be used for a range of other purposes and present a higher level of privacy risk. We think it is important that the policy approach is clear about what personal information might be collected and how it can be used. This can inform a privacy-by-design approach to systems and information governance issues, for example, decisions over the retention, use of, and who can access raw images which present a higher level of privacy risk but are also important for checking accuracy of infringement notices. The NZTA trial report mentions a 48 hour retention period in the different context of trialling systems with no enforcement action.

    - **Proactive and ongoing attention to security and privacy in system design:** Proposals of this scope (over 200,000 detections in a six month trial in one region) require a full privacy assessment as a part of policy work. At the operational stage a full PIA is needed and should be published so that members of the public can understand how their personal information is being handled (including attention to access controls and other cybersecurity issues). As above, considerations for system design in the NZTA trial are likely to be relevant, but it is unclear whether and how they are informing the intended approach from the materials we have seen.

- We think these privacy issues will be important for eventual law changes. The papers set out a plan to amend the Land Transport Act 1998 (LTA), with drafting instructions expected in 2026. Existing LTA provisions on automated infringement devices set out explicit requirements that relate to the privacy issues above, in particular:

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

- **Purpose limitation:** under s 139AAA current use of automated infringement offences is limited to moving vehicle offences which can be assessed based on images that are of sufficient quality and a vehicle registration plate. A clear and tightly scoped purpose in legislation will help to mitigate a lot of the potential privacy risk from proposals here.

- **Approval requires considering accuracy and reliability:** to approve an automated infringement system, s 139AAB(1) requires the Minister of Transport is satisfied the system is capable of verifying the matters set out in s 139AAA(1).

- **Consultation with the Privacy Commissioner:** s 139AAB(2) requires that the Minister of Transport consult with the Privacy Commissioner before approving an automated infringement system.

- **Ongoing assurance:** s 139AAC requires an annual quality assurance on the capability of an automated infringement system to meet accuracy requirements and handle personal information in accordance with the Privacy Act 2020.

- We think it would make sense to extend those provisions and retain the existing process requirements, including consultation with the Privacy Commissioner, before new automated infringement systems could be approved. We would also like to see policy thinking on whether the novelty of using automated cameras to detect new types of infringement offences, combined with the types of images involved mean that different thresholds or requirements should apply to these systems.

- We request that you include the Privacy Commissioner comment below at the appropriate part of the Cabinet paper:

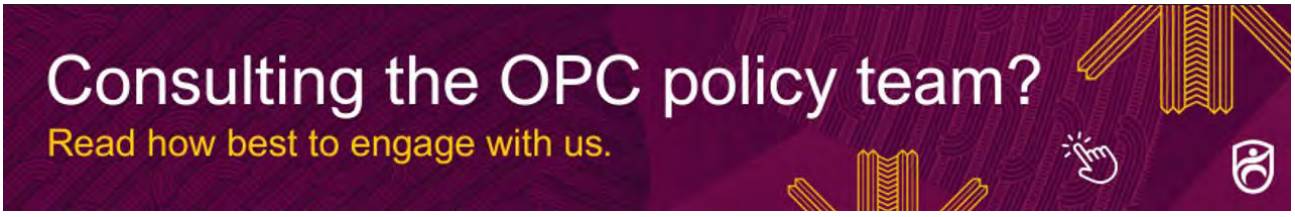
  The Privacy Commissioner supports road harm reduction measures. He commented that proposals to expand the use of safety cameras raise privacy issues which are not expressly considered in the policy work he has seen so far. Compared with speed cameras, detection of in-car activity like the use of a mobile phone relies on images of people and this raises privacy concerns that can be assessed in policy work and addressed through legislative design. The existing rules for speed and point-to-point cameras require steps to assess the accuracy and reliability of systems and consult with the Privacy Commissioner before they are approved. The Privacy Commissioner recommends that officials undertake further privacy analysis to ensure that there are comparable and sufficient safeguards in place prior to implementation.

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
s 9(2)(a)
E james.ting-edwards@privacy.org.nz
privacy.org.nz





RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Privacy is about protecting personal information, yours and others. To find out how, and to stay informed, subscribe to our newsletter. Have a privacy question? AskUs

Caution: If you have received this message in error please notify the sender immediately and delete this message along with any attachments. Please treat the contents of this message as private and confidential. Thank you.

From: Sophia Trewavas <S.Trewavas@transport.govt.nz>
Sent: Monday, 15 September 2025 4:07 pm
To: Alistair.Birchall@dpmc.govt.nz; Ministerial.Services@treasury.govt.nz; TPKinfo@tpk.govt.nz; officeruralcommunities@mpi.govt.nz; Policy_Office@msd.govt.nz; olivia.maxwell@treasury.govt.nz; Policy <Policy@privacy.org.nz>; James Ting-Edwards <james.ting-edwards@privacy.org.nz>
Cc: Jo Gould <J.Gould@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Hugh Mazey <H.Mazey@transport.govt.nz>
Subject: For consultation: Updating road safety penalties and reviewing the alcohol interlock programme

Kia ora,

We are seeking departmental feedback on a draft Cabinet paper and RIS, for the review of fines and penalties and the alcohol interlock programme. These reviews are a priority action in the Government's *Road Safety Objectives*.

Out of Scope

[redacted]

We welcome your feedback on the draft Cabinet paper and RIS by **Wednesday 24 September**.

Ngā mihi,

Sophia Trewavas (she / her)
Adviser - Safety
Te Manatū Waka Ministry of Transport
s 9(2)(a) [redacted] E: S.Trewavas@transport.govt.nz | transport.govt.nz

[redacted]

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Jo Gould
Sent: Wednesday, 22 October 2025 5:13 pm
To: Ministers Office
Cc: Joanna Heard; Sophia Trewavas; Ryan McGowan; Katrina Quickenden; Anna Northcott
Subject: Atten Quaid: OC250816 Update on Road Safety Penalties Review and Alcohol Interlocks Review
Attachments: OC250816 UPDATE ON ROAD SAFETY PENALTIES REVIEW AND ALCOHOL INTERLOCKS REVIEW - Briefing - Policy.docx; OC250816 UPDATE ON ROAD SAFETY PENALTIES REVIEW AND ALCOHOL INTERLOCKS REVIEW - Cabinet Paper.docx; RIS Review of Penalties for High Risk Traffic Offences 1.2_ (002).docx

Kia ora

Please find attached a cover briefing, draft Cabinet paper and draft regulatory impact statement for the review of road safety penalties and alcohol interlock programme. Subject to the Minister's agreement, we propose this is sent out for Ministerial consultation next week:

Proposed timeframe	Milestone
Tuesday 28 October – Wednesday 5 November 2025	Ministerial consultation on the draft cabinet paper and Regulatory Impact Statement
Monday 10 November 2025	Final Cabinet paper and Regulatory Impact Statement provided to your office
Thursday 13 November 2025	Cabinet paper lodged for consideration by the Cabinet Economic Policy Committee
19 November 2025	Cabinet Economic Policy Committee meeting
24 November 2025	Cabinet
November 2025	Officials prepare drafting instructions

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Happy to chat

Thanks, Jo

Jo Gould (she / her)
Principal Adviser | Kaitohutohu Mātāmua
Ministry of Transport Te Manatū Waka
s 9(2)(a) | E: j.gould@transport.govt.nz | transport.govt.nz

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

22 October 2025 OC250816

Hon Chris Bishop **Action required by:**

Minister of Transport Tuesday, 28 October 2025

ROAD SAFETY PENALTIES REVIEW AND ALCOHOL INTERLOCKS REVIEW: DRAFT CABINET PAPER FOR MINISTERIAL CONSULTATION AND FURTHER ADVICE

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Purpose

This briefing provides you with a draft Cabinet paper and draft Regulatory Impact Statement on the road safety penalties review and alcohol interlock review for Ministerial consultation. This follows departmental consultation on the papers. We also respond to your questions on the previous related briefing.

Key points

Road safety penalties review

- We have prepared a draft Cabinet paper and draft Regulatory Impact Statement in line with your preferred approach for the road safety penalties review, as set out in our last briefing (OC250632). The review covers high-risk infringement offences: driving while impaired by drugs or alcohol, speeding, running red lights, not wearing a seatbelt/restraint and distracted driving. The Cabinet paper proposes:
  - Out of Scope
  - amendments to the Land Transport Act 1998 (the Act) to enable safety cameras to detect a wider range of offences Out of Scope .
- Out of Scope
-

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

We have made other changes to the Cabinet paper following departmental consultation

- Overall, the agencies and departments consulted were supportive of the proposals, including NZ Police. In response to feedback from the Office of the Privacy Commissioner, the Cabinet paper now proposes requiring the Minister of Transport to consult the Privacy Commissioner before approving safety cameras for detecting seatbelt and distraction offences. This is due to privacy concerns from capturing images of drivers and front-seat passengers.

Next step – Ministerial consultation

- Subject to your agreement, we recommend your office circulate the draft Cabinet paper and draft Regulatory Impact Statement for Ministerial consultation. Running consultation from 28 October – 5 November 2025 would enable Cabinet Economic Policy Committee to consider the paper on 19 November 2025.

- The attached draft Regulation Impact Statement remains in draft due to late input from the Ministry of Justice. We intend to provide you with an updated version of the Regulatory Impact Statement prior to it being submitted to Cabinet, following a final assessment from the Ministry's Regulatory Impact Assessment Panel.

Recommendations

We recommend you:

1 **agree** to circulate the draft Cabinet paper and draft Regulatory Impact Statement for Ministerial consultation. Yes/No

Joanna Heard
Manager Safety
22 / 10 / 2025

Hon Chris Bishop
Minister of Transport
..... / ..... / .....

Minister's office to complete: ☐ Approved ☐ Declined

☐ Seen by Minister ☐ Not seen by Minister

☐ Overtaken by events

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Comments

Contacts

Name	Telephone	First contact
Joanna Heard, Manager, Safety	s 9(2)(a)	
Jo Gould, Principal Advisor, Safety		✓

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

In Confidence

Office of the Minister of Transport

Cabinet Economic Policy Committee

Updating road safety penalties and reviewing the alcohol interlock programme

Proposal

1 This paper seeks agreement to:

- update penalties and enforcement options for high-risk road safety infringement offences;
- Out of Scope

Relation to government priorities

2 This paper relates to actions in the Government Policy Statement on land transport and the Government's Road Safety Objectives to review penalties for traffic offences Out of Scope [ECO-24-MIN-0211 refers].

Executive Summary

Review of road safety penalties

3 High-risk road safety infringement offences contribute to around two-thirds of fatal crashes, including driving while impaired by drugs or alcohol, speeding, running red lights, not wearing a seatbelt and distracted driving. Out of Scope

4 Out of Scope

5

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

DRAFT – NOT GOVERNMENT POLICY

6 I also seek agreement to progress amendments to the Land Transport Act 1998 (the Act) to provide for more effective enforcement by:

6.1 enabling safety cameras to detect seatbelt and distracted driving offences (currently cameras can only be used to detect red light, speeding and tolling offences);

Out of Scope

7 These measures reinforce the significant investment from the National Land Transport Fund (NLTF) of $1.335 billion in road policing over 2024-27. Visible policing activity, Out of Scope and the use of safety cameras work together to discourage unsafe driving

Out of Scope

Background

9 Out of Scope

I propose to increase financial penalties and demerit points for behaviour that causes the most harm on our roads

10 In 2023, there were 341 deaths and 2,453 serious injuries on New Zealand's roads. This places a substantial burden on the economy, ACC and the health sector. The Government has committed to progressing actions to improve road safety, including a review of penalties for traffic offences, as included in the Government Policy Statement on land transport and our Road Safety Objectives.

11 High-risk road safety behaviour includes: impaired driving from alcohol and drugs, speeding, distracted driving (from mobile phone use), running red lights and not wearing seatbelts. Between 2019-2023, around two-thirds of road deaths had at least one of these factors as a reason for the crash.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

12 Out of Scope



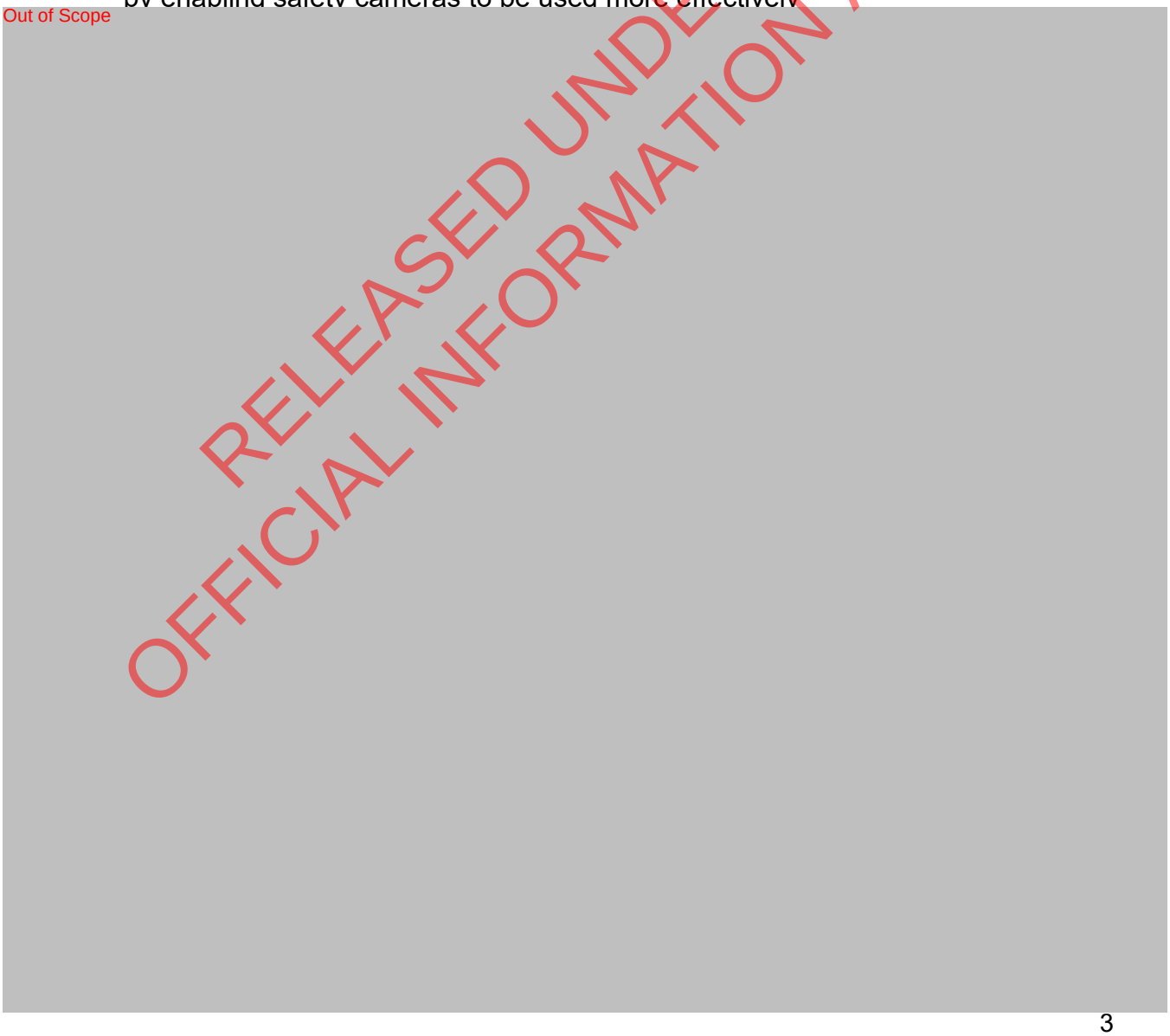
13

14

15

16 For effective deterrence, Out of Scope We need to ensure we keep pace with technology and use NZ Police resources efficiently by enabling safety cameras to be used more effectively

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

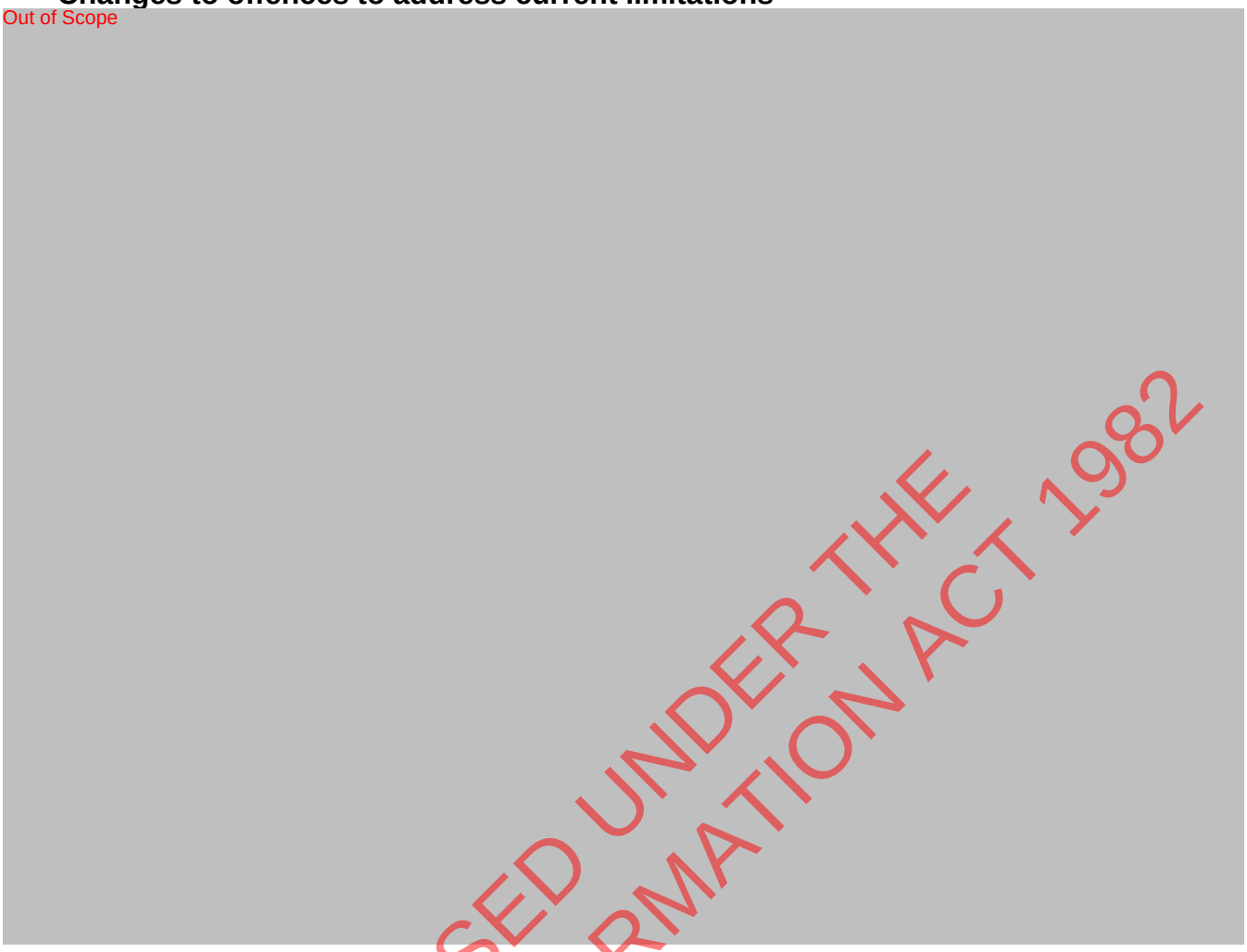
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Changes to offences to address current limitations

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Improved enforcement options to support the increased deterrence

29 Most Australian states now use safety cameras to detect drivers not wearing seatbelts and using mobile phones while driving.

30 In 2022, NZTA ran a six-month trial over three sites in Auckland. One in 42 drivers were using mobile phones and one in 95 vehicles had occupants (driver or front seat passenger) not wearing seatbelts. Total detections over the trial period by safety cameras were 245,498.

31 I recommend broadening the scope of infringement offences detected by safety cameras to include mobile phones and other distraction offences and drivers not wearing seatbelts. This would future-proof the legislation, so that new safety cameras procured by NZTA could potentially detect the broader range of offences. Expanding the use of safety cameras could enable NZ Police to focus resources on activities that require officer enforcement.

32 To address potential privacy issues, I propose the Act is amended to require the Minister of Transport to consult the Privacy Commissioner before the Minister approves the use of any safety camera to detect seatbelt and distraction offences.

33 Out of Scope

DRAFT – NOT GOVERNMENT POLICY

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Cost-of-living Implications

41 Out of Scope

Financial Implications

42 This paper does not seek new funding.

43 Out of Scope

44

Legislative Implications

45 Out of Scope

46 Enabling the changes to safety cameras Out of Scope require amendments to Act. These could be progressed through the Land Transport (Road Safety) Bill. This Bill has a category six priority (drafting instructions to be issued by the end of 2025) on the current Legislative Programme. My intention is to issue drafting instructions in 2026, after Cabinet decisions on Out of Scope .

Impact Analysis

Regulatory Impact Statement

47 The Regulatory Impact Statement attached to this paper has been reviewed by the Ministry of Transport's Regulatory Impact Assessment Panel (the Panel) and given a TBC rating under the quality assurance criteria. [insert panel comment]

Climate Implications of Policy Assessment

48 The Climate Implications of Policy Assessment (CIPA) team has been consulted and confirms that the CIPA requirements do not apply to these policy proposals, as the threshold for significance is not met.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

DRAFT – NOT GOVERNMENT POLICY

Population Implications

49 These proposals are intended to have positive effects on road safety, which will benefit the population in general.

Human Rights

50 Some proposals in this paper engage rights and freedoms recognised in and protected by the New Zealand Bill of Rights Act 1990 (BORA):

50.1 Enabling safety cameras to detect distraction offences and drivers not wearing seatbelts may affect the right to be free from unreasonable search under section 21 of BORA.

50.2 Proposals to expand the Out of Scope offences that can be detected by safety cameras, Out of Scope may affect the presumption of innocence in section 25(c) of BORA because these are strict liability offences.

51 I consider any limits on these rights are proportionate and necessary to address behaviour that poses a high risk to road safety. The Attorney-General will ultimately determine whether any proposal is inconsistent with BORA.

Use of external resources

52 No external resources were used in the production of this Cabinet paper or the supporting policy analysis.

Consultation

53 Ministries of Health, Justice, Social Development and Regulation, the Ministries for the Environment (CIPA team) and Primary Industries (Rural Communities), Te Puni Kōkiri, NZ Police, NZTA and the Office of the Privacy Commissioner were consulted. The Treasury and the Department of the Prime Minister and Cabinet were informed. There was broad support for the proposals. Out of Scope

Out of Scope

Communications and Proactive Release

54 I intend to issue a media statement and proactively release this paper at the time the Regulations and Road User Rule amendments are notified in the New Zealand Gazette.

Recommendations

The Minister of Transport recommends that the Committee:

1 Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

2 Out of Scope

3 **agree** to amend the Land Transport Act 1998 and any necessary secondary legislation to:

3.1 Out of Scope

3.2 expand the scope of infringement offences that can be detected by safety cameras to include distraction offences and drivers not wearing seatbelts; and

3.3 Out of Scope

4 **invite** the Minister of Transport to issue drafting instructions to the Parliamentary Counsel Office to draft amendments to give legislative effect to the policy proposals above, including any necessary consequential amendments, savings and transitional provisions;

5 **authorise** the Minister of Transport to make decisions on drafting changes broadly aligned to the policy intent of the proposals in this paper;

Out of Scope

Authorised for lodgement [TBC].

Hon Chris Bishop

Minister of Transport

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

Regulatory Impact Statement: Review of Road Safety Penalties

Decision sought	Cabinet approval for a package of changes to Out of Scope enforcement options for high-risk road safety infringement offences
Agency responsible	Ministry of Transport
Proposing Ministers	Hon Chris Bishop, Minister of Transport
Date finalised	*22 October 2025 [pending quality assurance review]*

Brief description of the Minister's regulatory proposal

This Regulatory Impact Statement (RIS) supports Cabinet decisions on a package of proposed changes to road safety penalties. The Minister proposes to:

Out of Scope

- amend the Land Transport Act 1998 (the Act) to enable safety cameras to detect distracted driving and restraint non-use, Out of Scope

Out of Scope

Summary: Problem definition and options

What is the policy problem?

In comparison to other similar jurisdictions, New Zealand has a high rate of annual road deaths (7.3 per 100,000 people). Failure to use seatbelts, red-light running, impairment, distraction, and speeding contributed to 63% of deaths on average between 2019-2023.

Out of Scope

New Zealand has also not kept pace with technological change to detect and deter offending. The Act currently only allows safety cameras to detect speeding, red light running and tolling offences

Out of Scope

What is the policy objective?

The objective of this policy is to improve road safety outcomes by ensuring Out of Scope

Out of Scope that the enforcement approach is up-to-date with current technology.

What policy options have been considered, including any alternatives to regulation?

This review focusses on road safety infringement offences that contribute to a high proportion of deaths and serious injuries.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

The Ministry has also developed proposals to Out of Scope enable safety cameras to detect a wider range of offences Out of Scope .

Out of Scope

What consultation has been undertaken?

The New Zealand Transport Agency (NZTA), the Ministry of Justice, the Ministry of Social Development, the Ministry for Primary Industries (Rural Communities), the Ministry for Regulation, the Treasury, Te Puni Kōkiri, NZ Police (Police) and the Office of the Privacy Commissioner have been consulted on these proposals. Agencies were generally supportive of proposals.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

Implementation costs

Out of Scope

Out of Scope

There are no immediate costs associated with enabling safety cameras to detect more offences.

Benefits (Core information)

Reducing deaths and serious injuries are the primary benefits of these proposed changes.

Out of Scope

Balance of benefits and costs (Core information)

Given low implementation costs and high potential benefits from improving road safety outcomes, the Ministry considers that the benefits of this proposal will outweigh the costs.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

[3] Elvik, R. (2016). Association between increase in fixed penalties and road safety outcomes: A meta-analysis. Accident Analysis & Prevention, 92, 202-210.

[4] The social cost of road crashes includes grief and suffering from loss of life/permanent disability, the economic cost of lost productivity, health system resources, legal and enforcement resources, and vehicle damages.

Implementation

This package will require amendments to:

Out of Scope

- the Land Transport Act 1998 (the Act) (enabling safety cameras to detect a wider range of offences Out of Scope

Out of Scope

Legislation to amend the Act is intended to be introduced in 2026. There is no set implementation date for Act changes at this stage. NZTA would need to request additional funding in the National Land Transport Plan 2027-30 to expand the safety camera network.

The Ministry and NZTA will monitor the effect of this policy on road safety outcomes.

Limitations and Constraints on Analysis

Out of Scope

I have read the Regulatory Impact Statement and I am satisfied that, given the available evidence, it represents a reasonable view of the likely costs, benefits and impact of the preferred option.

Responsible Manager(s) signature: _____

Joanna Heard
Manager, Safety
[Insert date]

Quality Assurance Statement

Reviewing Agency:	**QA rating:** [Meets, partially meets, does not meet]
Panel Comment:	

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Section 1: Diagnosing the policy problem

What is the context behind the policy problem and how is the status quo expected to develop?

1. As part of the Government's road safety strategy, the Government has placed greater emphasis on ensuring road users are accountable for their actions on the roads. This aligns with the Government's overall approach to increase front-line policing and restore law and order. A review of road safety penalty levels is an action for the Ministry under the *Government's Road Safety Objectives*. It is also a road safety priority in the *Government Policy Statement on land transport 2024*.

2. Visible policing activity, appropriate infringement fee and demerit point levels, and the use of safety cameras should work together to deter unsafe road use. The Government has reset the Road Policing Investment Programme to align enforcement activity with high-risk road safety offences. NZ Police has exceeded its targets for 2024/25, with high levels of breath screening tests and speeding infringement notices issued. However, New Zealand is lagging in its approach to road safety penalties and the use of safety cameras.

3. Traffic penalties (ie, infringement fees, court-imposed fines, demerit points, and licence suspensions) are used in New Zealand and internationally to deter and punish unsafe driving behaviours. The level of penalty, the chances of being caught, and the swiftness and certainty of punishment all influence the overall deterrent effect. Enforcement strategies, including policing activity and the level of penalties, are designed to deter behaviour at two levels. Firstly, general deterrence of the public at large from committing an offence, and secondly, specific deterrence to prevent or discourage individuals who have been subject to a penalty from reoffending.

4. Penalties are generally graduated, meaning higher-risk offences attract higher penalties. For example, lower-level speeding results in a lower infringement fee and a lower number of demerit points than higher-level speeding.

5. The maximum fines courts can issue for traffic infringement offences are set out in the Land Transport (Offences and Penalties) Regulations 1999. These fines apply in circumstances where a person unsuccessfully challenges an infringement notice after requesting a court hearing or is referred to the courts for failure to pay an infringement fee by the due date.

What is the policy problem or opportunity?

New Zealand has a high annual rate of road deaths compared to similar jurisdictions

6. In 2022, there were 7.3 road deaths per 100,000 people in New Zealand, placing us in the bottom 25% of OECD countries for road fatalities per 100,000 people.

7. Deaths and serious injuries incur costs to the health system, the transport system, and the Accident Compensation Corporation (ACC). In 2023, fatalities and injuries from road crashes cost the health system $130.4 million.

Failing to use seatbelts, impairment, distraction, speeding, and red-light running contribute to 63% of deaths on average

8. In 2023, a total of 341 people were killed and 2,453 were seriously injured because of road crashes. Of these, 217 fatalities and 957 serious injuries had failure to wear a seatbelt, red-light running, impairment by drugs or alcohol, distraction, and/or speeding as a contributing factor.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

9. The road safety penalties system is one of the key tools used to address these high-risk offending behaviours. The Road Policing Investment Programme targets enforcement to these high-risk offences. Out of Scope

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

These high-risk road safety infringement offences contribute to an average of 63% of deaths from 2019-2023

	Failure to use restraints	Drink/drug driving	Distracted driving	Red-light running	Speeding
Number of DSIs with these contributing factors	159 DSIs reported in 2023. 184 DSIs reported on average between 2019 - 2023.	649 DSIs reported in 2023. 624 DSIs reported on average between 2019 - 2023.	357 DSIs reported in 2023. 36 DSIs reported from mobile phone use on average* between 2019 - 2023.	44 DSIs reported in 2023. 34 DSIs reported on average between 2019 - 2023.	675 DSIs reported in 2023. 645 DSIs reported on average** between 2019 - 2023.
Additional risk factors	Young people, males, Māori, those who drive for work, and those based in rural locations are least likely to habitually wear a seatbelt.[6]	The risk of a crash involving alcohol is significantly higher for younger drivers, and the risk of a fatal crash rises exponentially as a driver's blood alcohol concentration level rises. This risk of a crash can be even higher if alcohol and drugs are used together. Between 2016 and 2021, 62% of driver fatalities with alcohol detected were not wearing a restraint at the time of the crash.	60% of New Zealanders admit to using a cell phone while driving.[7] The AA finds that looking at a cell phone for more than two seconds increases crash risk by a factor of four.[8] Young drivers are more likely to report using their electronic devices while driving.	Red light running at a 50 km/h intersection has been found to increase the risk of fatal crashes ten to fifteen times.[9]	Speeding increases the risk of crashes as well as the severity of injuries or fatalities in the event of a crash.[10] Even a one percent increase in average speed can lead to a four percent increase in fatalities.[11]

*Generally under-represented in police-reported crash systems, as it is difficult to prove a driver was using their phone before a crash.

** Research suggests that speed is significantly under-reported as a contributing factor in DSI crashes.[12]

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

[6] Hirsch, L., Waters, G., Scott, R. Mackie, H. and de Pont, J. (2017). *Vehicle occupants not wearing a seatbelt: An analysis of fatalities and traffic offences in New Zealand*.

[7] International Transport Forum (2024) *Road Safety Country Profile: New Zealand 2023*

[8] Australian AA (2020) *Drive in the Moment* www.aa.co.nz/content/dam/nzaa/about/research-foundation/inattention-distraction-fatigue/AAA-Distracted-Driving-Project-Overview-for-SADD-and-AARF-websites.pdf

[9] SWOV (2017) *Red light running seems to increase the risk of fatal crashes ten to fifteen times* https://swov.nl/en/nieuws/red-light-running-seems-increase-risk-fatal-crashes-ten-fifteen-times

[10] Road Safety Manual: *A manual for practitioners and decision makers on implementing safe system infrastructure* https://roadsafety.piarc.org/en/road-safety-management/safe-system-approach/safe-system-principles

[11] Elvik, R.; Christensen, P.; Amundsen, A. (2004). *Speed and road accidents: an evaluation of the power model*.

[12] Job, R. F. S. and Brodie, C. (2022) Understanding the role of speeding and speed in serious crash trauma: A case study of New Zealand, *Journal of Road Safety, 33*(1), 5-25

Other aspects of the penalty system could be updated for effectiveness

Out of Scope

Safety cameras could be expanded to detect more offences Out of Scope

22. Safety cameras are an important enforcement tool, helping to maintain and improve road safety.[17] Safety cameras can improve detection rates, which is a key aspect of the effectiveness

Out of Scope

[17] Global Road Safety Partnership (2020). Guide for Determining Readiness for Speed Cameras and other Automated Enforcement.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

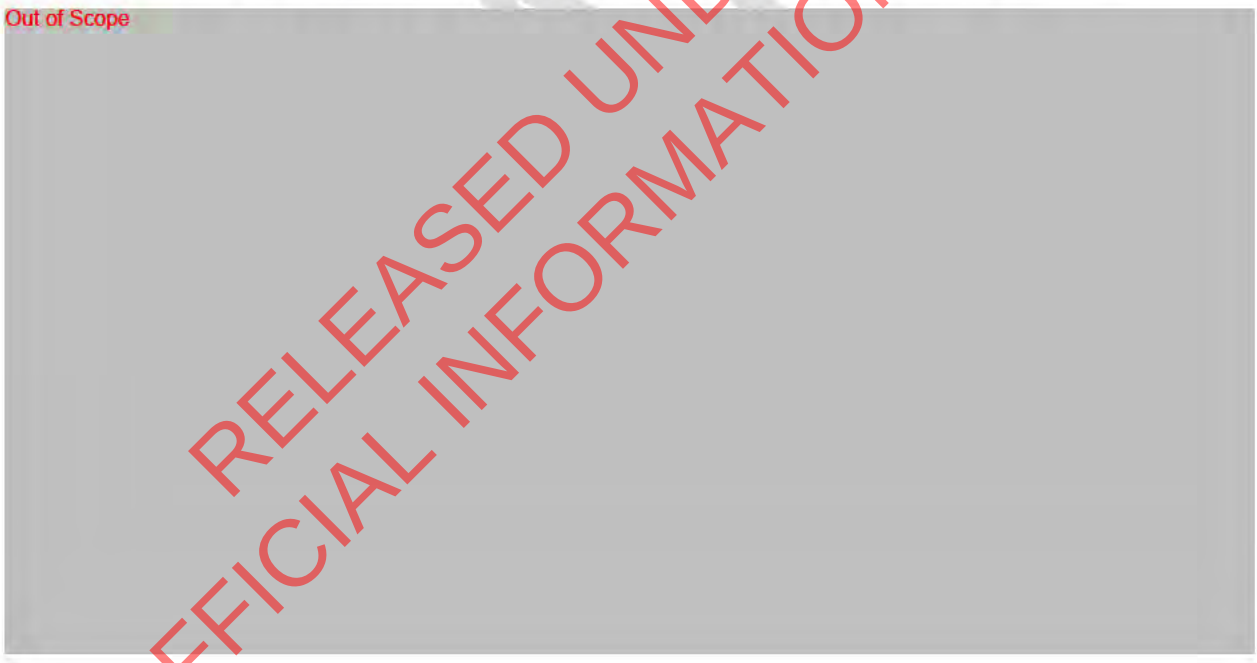
of the penalty system.[18] In New Zealand, all fixed safety cameras are sign-posted. We also use mobile safety cameras, which are not sign-posted.

23. Modern safety camera technology can detect offences such as mobile phone use and lack of restraint use. However, current legislation in New Zealand only allows safety cameras to detect and enforce speeding, red-light, and tolling offences. An AA member survey found that while 34% of respondents admitted to checking their mobile phone while driving in the last 4 weeks, only 1% received a fine in the last 12 months.

24. Other jurisdictions already use safety cameras to detect mobile phone use and not wearing a seatbelt. In Queensland, cameras detecting the use of mobile phones and seatbelts were introduced in 2022. In the first 12 months after introduction, more than 170,000 people were issued infringement offence notices. 119,862 drivers were detected using mobile phones and 52,542 drivers or front-seat passengers were detected not wearing a seatbelt or wearing it incorrectly. In 2022, NZTA conducted a trial in Auckland of safety cameras which could detect failure to wear a restraint and distraction offences. One in 42 drivers were detected illegally using mobile phones, and one in 95 vehicles had occupants not wearing seatbelts.[19]

25. Some studies suggest that increases to penalty levels are more effective for infringement offences enforced by safety cameras than for enforcement officers.[20] For example, infringement offence notices issued for offences detected by a safety camera are estimated to decrease by 0.14% for every 1% increase in financial penalty levels for the related offence.[21]

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

[18] Sakashita, C., Fleiter, J. J., Cliff, D., Flieger, M., Harman, B., & Lilley, M. (2021). A Guide to the Use of Penalties to Improve Road Safety. Geneva, Switzerland: *Global Road Safety Partnership.*

[19] NZTA (2023). Safety camera trial provides data on illegal mobile phone use and non-wearing of seatbelts.

[20] Elvik, R., Christensen, P. (2007). *The deterrent effect of increasing fixed penalties for traffic offences: the Norwegian experience.*

[21] Moolenaar, D. E. G. (2014). Motorist's Response to an Increase in Traffic Fines. *Journal of Criminology*

Out of Scope

[redacted]

What objectives are sought in relation to the policy problem?

33. The objective of this review is to improve road safety outcomes by ensuring Out of Scope [redacted] that the enforcement approach is up-to-date with current technology. We expect this to increase compliance and discourage unsafe driving behaviour.

What consultation has been undertaken?

34. Relevant government agencies were consulted on these proposals. The NZTA and Police were supportive of the proposals. Out of Scope [redacted] The Privacy Commissioner supports the proposals but recommends further privacy analysis prior to implementing safety cameras with expanded powers of detection. These recommendations have been addressed by including a requirement for the Minister of Transport to consult the Privacy Commissioner before approving safety cameras that detect seatbelt and distraction offences. Out of Scope the Department of Prime Minister and Cabinet, and the Treasury did not comment on the proposals.

Out of Scope

[redacted]

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Section 2: Assessing options to address the policy problem

What criteria will be used to compare options to the status quo?

37. The following criteria will be used to compare the options to the status quo:

    a. Road safety outcomes – is the option likely to discourage high-risk behaviours and improve road safety outcomes?
    b. Proportionality – is it a proportionate response to the level of harm involved in the offending?
    c. Efficiency – does the option enable efficient implementation and use of Police's resourcing?

What scope will options be considered within?

38. The scope of this review is high-risk infringement offences, including failure to use seatbelts, impairment, distracted driving, speeding, and red-light running. These road safety infringement offences contribute to a high proportion of deaths and serious injuries. This is consistent with the Government's *Road Safety Objectives* and its commitment to targeting the highest contributing factors to fatal crashes.

The Ministry considered other options to review penalties

Out of Scope

What options are being considered?

40. The effectiveness of Out of Scope penalties depends on several factors including enforcement levels and certainty of being caught. This is why the Ministry has prepared a package of changes to address the policy problem above, outlined in Annex 1. The package includes proposals to:

Out of Scope

    e. amend the Land Transport Act 1998 to enable safety cameras to detect offences related to distracted driving and not wearing a seatbelt, Out of Scope .

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

DRAFT
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

Proposals to expand the offences that can be detected by safety cameras, Out of Scope

57. Safety cameras that can detect infringement offences such as device use or not wearing a seatbelt are already implemented in Australia and are being trialled in the United Kingdom. New Zealand legislation does not currently allow safety cameras to detect these offences. Amending legislation would enable implementation of more sophisticated safety cameras. This is likely to improve enforcement for a wider range of offences. Out of Scope

Out of Scope

58. Enabling safety cameras to detect in-vehicle offences is likely to have implications for the right to privacy. Officials have consulted the Office of the Privacy Commissioner and will undertake further privacy analysis prior to implementation of these proposals.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

What are the marginal costs and benefits of the preferred option in the Cabinet paper?

Affected groups	Comment	Impact	Evidence certainty
Additional costs of the preferred option for updating financial penalties (option three) compared to taking no action			
Regulated groups - Drivers	Out of Scope For proposals relating to safety cameras (i.e., Out of Scope expanding the scope of safety camera-detected offences) there may be an increase in infringement fees, Out of Scope These costs are only incurred if drivers commit infringement offences.	Medium, due to the high volume of infringement offences already detected by cameras. In 2023, 989,928 infringement offence notices were issued for offences detected by safety cameras. However, offending rates are expected to decrease over time.	Medium
Regulators - NZTA	Increase in operational costs, Out of Scope , due to potential changes to safety cameras. Out of Scope Out of Scope	Out of Scope Implementation of safety camera changes is unknown and subject to business case development.	Medium
Enforcement agency - Police	Out of Scope	Low	High
Others – Justice sector		Medium	High
Total monetised costs	Unknown	Low to Medium	Medium

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Affected groups	Comment	Impact	Evidence certainty
Non-monetised costs	Unknown	Low to Medium	Low
Additional benefits of the preferred option (option three) compared to taking no action			
Regulated groups - Drivers	Estimated reduction in fatal crashes Out of Scope Estimated reduction in all crashes Out of Scope Out of Scope	High	Medium
Enforcement agency- NZTA and Police	Over time as compliance improves, costs associated with infringement processing and collection may be reduced, due to a decrease in offending.	Medium	Medium
Others - Health and ACC	Out of Scope Currently, the average cost of all fatal claims in ACC's Motor Vehicle Account is $102,000. A reduction in fatal crashes would save ACC Out of Scope We expect that the savings from reduced serious injuries claims would be higher, due to higher ongoing costs. Note this is not an economic benefit, but a financial transfer.	Medium	Medium
Total monetised benefits	Unknown	Unknown	Medium
Non-monetised benefits	Unknown	Unknown	Medium

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

Section 3: Delivering an option

How will the proposal be implemented?

Out of Scope

68. Amendments to the Land Transport Act 1998 will enable safety cameras that can detect a broader range of offences, Out of Scope

Implementation factors and timeframes

Out of Scope

70. We expect changes to the Act to be introduced in 2026. The passage of these amendments will depend on the legislative process after the 2026 general election.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

73. Implementing safety cameras that can detect a wider range of offences would require an expansion of the safety camera network to include camera technology to detect seatbelt and distracted driving offences. This is not part of this proposal and NZTA would need to progress a business case for this separately and seek funding from the NLTF in future.

How will the proposal be monitored, evaluated, and reviewed?

74. The Ministry proposes a review of the changes in five years' time from implementation. The Ministry will also monitor the ongoing effect of any changes on the rates of infringement offending, on rates of DSI, and for any unintended consequences.

DRAFT

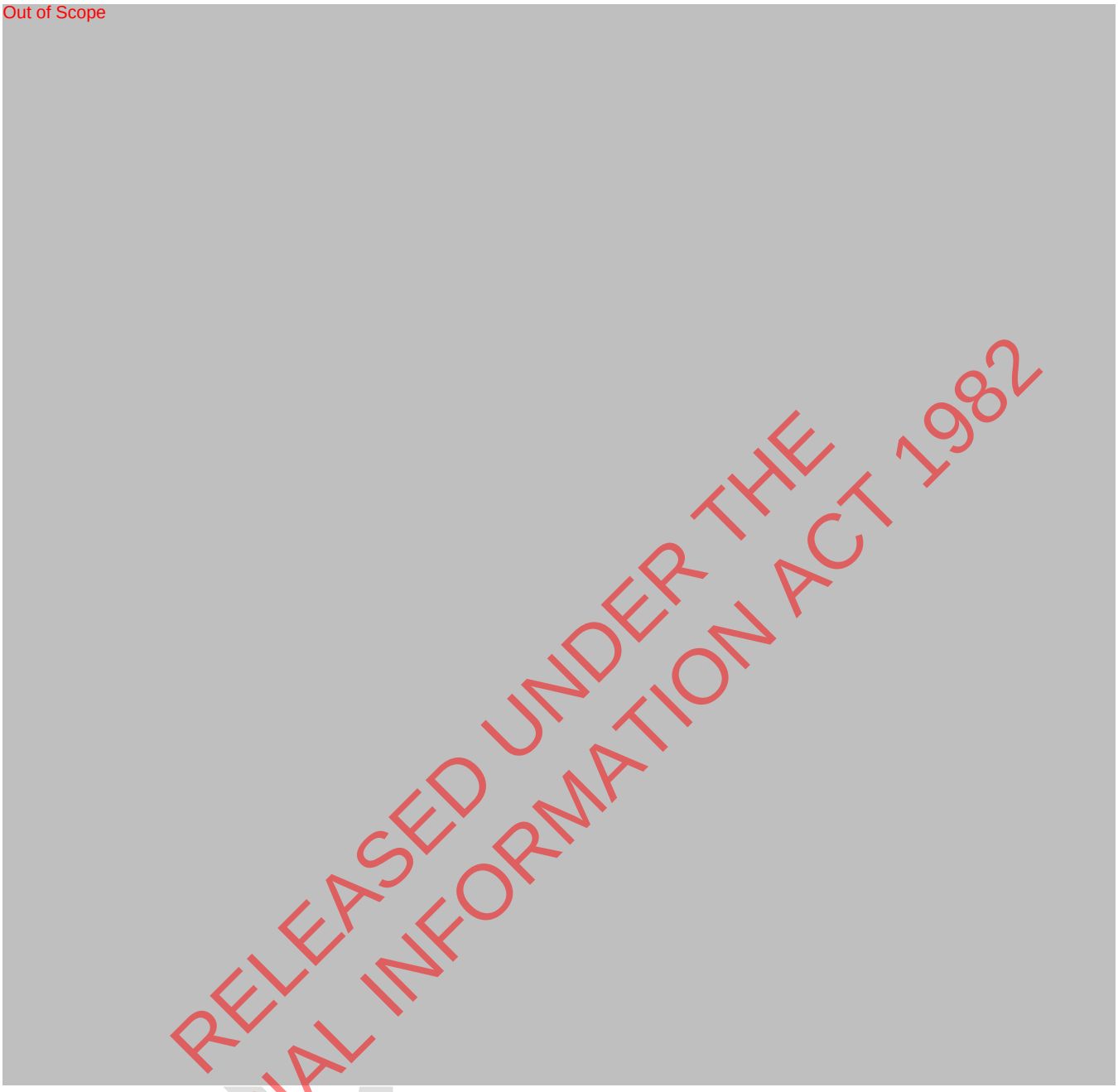
RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

ANNEX 1 PROPOSED PACKAGE OF CHANGES

	Speeding *Contributes to 645 deaths and serious injuries (DSI) per year*	Drink / Drug-driving *Contributes to 624 DSI per year*	Mobile phone use *Contributes to 36 DSI per year*	No restraint *Contributes to 184 DSI per year*	Red light running *Contributes to 34 DSI per year*	Rationale
Out of Scope						
Camera enforcement	Already enabled	N/A – requires roadside Police officers for detection.	Enable	Enable	Already enabled	Camera technology is able to detect mobile phone use and drivers not wearing restraints improving deterrence. More efficient use of Police resources.
Out of Scope						

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Friday, 31 October 2025 4:09 pm
To: Jo Gould; Ministers Office
Cc: Joanna Heard; Sophia Trewavas; Ryan McGowan; Katrina Quickenden; Anna Northcott; Paul O'Connell
Subject: RE: Atten Quaid: OC250816 Update on Road Safety Penalties Review and Alcohol Interlocks Review

Afternoon Jo!

Despite requesting a couple weeks to consider this advice in our recent officials meeting, the Minister has reviewed this paper as part of his plane bag. He's provided some pretty clear direction, outlined below. Given the Government's packed legislative agenda next year, the Minister has essentially decided to split this paper

Out of Scope

Can I please commission a redrafted Cabinet paper? I'll let you guys have a think about the timeframes you think will be feasible, and we can have a chat early next week. I'd assume we would now be working to a Cabinet date early next year, given the direction around December meetings being reserved for high priority matters.

Out of Scope

Things the Minister would like to pause (the updated Cabinet paper can note a case for doing these, and that they can be considered in due course)

Out of Scope

- Broadening the scope of infringement offences detected by safety cameras to include mobile phones and other distraction offences and drivers not wearing seatbelts
  - Out of Scope

Let me know your thoughts when you have them. Have a good weekend 😊

Quaid Forbes
Private Secretary - Transport | Office of Hon Chris Bishop
s 9(2)(a)

From: Jo Gould <J.Gould@transport.govt.nz>
Sent: Wednesday, 22 October 2025 5:13 PM
To: Ministers Office <MinistersOffice@transport.govt.nz>
Cc: Joanna Heard <J.Heard@transport.govt.nz>; Sophia Trewavas <S.Trewavas@transport.govt.nz>; Ryan McGowan <R.McGowan@transport.govt.nz>; Katrina Quickenden <K.Quickenden@transport.govt.nz>; Anna Northcott <A.Northcott@transport.govt.nz>
Subject: Atten Quaid: OC250816 Update on Road Safety Penalties Review and Alcohol Interlocks Review

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Kia ora

Please find attached a cover briefing, draft Cabinet paper and draft regulatory impact statement for the review of road safety penalties and alcohol interlock programme. Subject to the Minister's agreement, we propose this is sent out for Ministerial consultation next week:

Proposed timeframe	Milestone
Tuesday 28 October – Wednesday 5 November 2025	Ministerial consultation on the draft cabinet paper and Regulatory Impact Statement
Monday 10 November 2025	Final Cabinet paper and Regulatory Impact Statement provided to your office
Thursday 13 November 2025	Cabinet paper lodged for consideration by the Cabinet Economic Policy Committee
19 November 2025	Cabinet Economic Policy Committee meeting
24 November 2025	Cabinet
November 2025	Officials prepare drafting instructions

Happy to chat

Thanks, Jo

Jo Gould (she / her)
Principal Adviser | Kaitohutohu Mātāmua
Ministry of Transport Te Manatū Waka
s 9(2)(a) | E: j.gould@transport.govt.nz | transport.govt.nz

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

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 |

Disclaimer: This email is only intended to be read by the named recipient. It may contain information which is confidential, proprietary or the subject of legal privilege. If you are not the intended recipient you must delete this email and may not use any information contained in it. Legal privilege is not waived because you have read this email.

Please consider the environment before printing this email.

Neha Pawar

From: Karl Laulu <Karl.Laulu@nzta.govt.nz>
Sent: Wednesday, 10 December 2025 1:34 pm
To: Jo Gould
Cc: Hugh Mazey; Sophia Trewavas; Ryan McGowan; Joanna Heard; Official Correspondence NZTA; Olivia Kitson; Lily McSweeney; Anna Cleary
Subject: RE: Update on road safety penalties and reviewing the alcohol interlock programme cabinet paper
Attachments: 251204 Update road safety penalties and review alcohol interlock programme - Cabinet Paper.docx; 251204 RIS Review of Penalties for High Risk Traffic Offences NOV.docx

Importance: High

Follow Up Flag: Follow up
Flag Status: Flagged

Kia ora @Jo,

Thank you for providing NZTA with an opportunity to give feedback on the revised penalties package and alcohol interlock review.

NZTA acknowledges the revisions to the Cabinet paper and RIS. While we remain committed to implementing this revised package, we would like to reiterate our strong support for the original package (expanded safety camera detection Out of Scope . These future changes to the Land Transport Act should be prioritised to enable NZTA to fully realise the benefits of government's investment in its safety camera programme.

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

We have separately consulted the Director of Land Transport on the revised package. He has provided the following Director of Land Transport commentary for provision to the Ministry, and requests that the comments are provided to the Minister via the Ministry's briefing that accompanies the Cabinet paper. The Director is supportive of the package of road safety penalties proposed:

Out of Scope

- With reference to international evidence, I consider that enabling safety cameras to detect seatbelt and distracted driving offences, as is common in Australian states, Out of Scope Out of Scope are particularly important to progress from a safety perspective. The Cabinet Paper notes that most Australian states use safety cameras for these offences Out of Scope Out of Scope which has contributed to better road safety outcomes. I recognise that progressing these items is dependent upon prioritisation within the Government's legislative agenda. My view is that the significance of these items is such that they should be pursued as soon as practicable.

As always happy to discuss if required.

Happy holidays!

Karl Laulu (He/Him)

Senior Policy Advisor, Users and Vehicles
System Policy | Te Tūāpae - System Leadership | s 9(2)(a)

From: Jo Gould <J.Gould@transport.govt.nz>
Sent: Wednesday, 26 November 2025 1:36 pm
To: Karl Laulu <Karl.Laulu@nzta.govt.nz>
Cc: Hugh Mazey <H.Mazey@transport.govt.nz>; Sophia Trewavas <S.Trewavas@transport.govt.nz>; Ryan McGowan <r.mcgowan@transport.govt.nz>; Joanna Heard <j.heard@transport.govt.nz>
Subject: RE: Update on road safety penalties and reviewing the alcohol interlock programme cabinet paper

Kia ora Karl

Attached, for agency consultation purposes, is the revised draft Cabinet paper and RIS. These have been updated to reflect feedback from the Minister, as outlined below. Any comments Out of Scope Out of Scope Out of Scope before the end of this working year please.

Ngā mihi, Jo

From: Karl Laulu <Karl.Laulu@nzta.govt.nz>
Sent: Friday, 7 November 2025 10:43 am
To: Jo Gould <J.Gould@transport.govt.nz>; Sophia Trewavas <S.Trewavas@transport.govt.nz>; Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Cc: Alexandro Sikiotis <alexandro.sikiotis@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>; Olivia Kitson <Olivia.Kitson@nzta.govt.nz>; Todd Wylie <todd.wylie@nzta.govt.nz>
Subject: RE: Update on road safety penalties and reviewing the alcohol interlock programme cabinet paper

Thanks for the heads up @Jo – could I ask if you've got a rough timeline for when we should expect this amended Cabinet paper for our usual review process?

Happy to also meet in the coming weeks if easier re: implementation timeframes for the updated infringement fees.

Cheers

Karl Laulu (He/Him)

Senior Policy Advisor, Users and Vehicles
System Policy | Te Tūāpae - System Leadership | s 9(2)(a)

From: Jo Gould <J.Gould@transport.govt.nz>
Sent: Thursday, 6 November 2025 3:12 pm
To: Karl Laulu <Karl.Laulu@nzta.govt.nz>; Sophia Trewavas <S.Trewavas@transport.govt.nz>; Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <j.heard@transport.govt.nz>
Cc: Alexandro Sikiotis <alexandro.sikiotis@nzta.govt.nz>; Lily McSweeney <Lily.McSweeney@nzta.govt.nz>; Olivia Kitson <Olivia.Kitson@nzta.govt.nz>
Subject: RE: Update on road safety penalties and reviewing the alcohol interlock programme cabinet paper

Kia ora

Just a quick update on this paper. As a result of recent feedback from our Minister, we will be amending the cabinet paper Out of Scope Out of Scope

Policy decisions Out of Scope Out of Scope an expansion of the offences that can be detected by safety cameras won't be sought through this paper.

We are working through the timeframe for the updated cabinet paper, but it is unlikely to progress through Cabinet until early next year. Out of Scope Out of Scope We will keep you updated.

Ngā mihi, Jo

Jo Gould
s 9(2)(a) | E: j.Gould@transport.govt.nz | transport.govt.nz

Duplicate of email dated Wednesday, 24 September 2025 12:13 pm

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>
Sent: Friday, 19 December 2025 1:11 pm
To: Jo Gould
Cc: Sophia Trewavas; Hugh Mazey; Joanna Heard; Ryan McGowan; Peter McKennie; Stephen Greally; WHITE, John
Subject: RE: update on road safety penalties and reviewing the alcohol interlock programme - revised Cabinet paper for comment

Follow Up Flag: Follow up
Flag Status: Flagged

Kia ora Jo,

Thank you for giving us the opportunity to provide feedback on the revised draft Cabinet paper and RIS on the road safety penalties and alcohol interlock reviews.

Out of Scope

It could also be worth pointing out in paragraph 24 that the safety risk remains the same regardless of whether an offence is detected by an officer or a camera.

To clarify in paragraph 29 the benefit of expanding the use of cameras is not so much about resourcing as it is about complementing Police enforcement so that Police can use the best enforcement option (noting different environments are better suited to different enforcement options)

Out of Scope

Please don't hesitate to contact me if you have any queries or require any further information.

I hope you have a lovely Christmas and enjoy a nice, relaxing break 😊

Ngā mihi
Sarah

Sarah Jenkison
Policy Advisor
People and Communities
Police National Headquarters
E sarah.jenkison@police.govt.nz

Mon Tue Wed Thu Fri

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

✓ × ✓ ✓ ✓

From: Jo Gould <J.Gould@transport.govt.nz>
Sent: Wednesday, 26 November 2025 2:25 PM
To: MCKENNIE, Peter <Peter.Mckennie@police.govt.nz>; GREALLY, Stephen (Steve) <Stephen.Greally@police.govt.nz>; WHITE, John <john.white@police.govt.nz>; JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>
Cc: Sophia Trewavas <S.Trewavas@transport.govt.nz>; Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Ryan McGowan <R.McGowan@transport.govt.nz>
Subject: RE: update on road safety penalties and reviewing the alcohol interlock programme - revised Cabinet paper for comment

Kia ora

Attached, for agency consultation purposes, is the revised draft Cabinet paper and RIS on the road safety penalties and alcohol interlock reviews. These have been updated to reflect feedback from our Minister, as outlined below. Out of Scope [redacted] Out of Scope [redacted] Any further comments are welcome, before the end of this working year please.

We hope to progress this paper through Cabinet early next year, with timing TBC with our Minister's Office.

Ngā mihi, Jo

From: Jo Gould
Sent: Thursday, 6 November 2025 2:32 pm
To: 'MCKENNIE, Peter' <Peter.Mckennie@police.govt.nz>; Stephen Greally <stephen.greally@police.govt.nz>; WHITE, John <john.white@police.govt.nz>; JENKISON, Sarah <sarah.jenkison@police.govt.nz>
Cc: Sophia Trewavas <S.Trewavas@transport.govt.nz>; Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>
Subject: RE: update on road safety penalties and reviewing the alcohol interlock programme Cabinet paper

Kia ora

As discussed with you this morning Pete, because of recent feedback from our Minister, we will be amending the cabinet paper Out of Scope [redacted] Out of Scope [redacted] Policy decisions on Out of Scope [redacted] Out of Scope [redacted] can be detected by safety cameras won't be sought through this paper.

We are working through the timeframe for the updated cabinet paper, but it is unlikely to progress through Cabinet until early next year. Out of Scope [redacted] Out of Scope [redacted] We will keep you updated.

Ngā mihi, Jo

Jo Gould

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

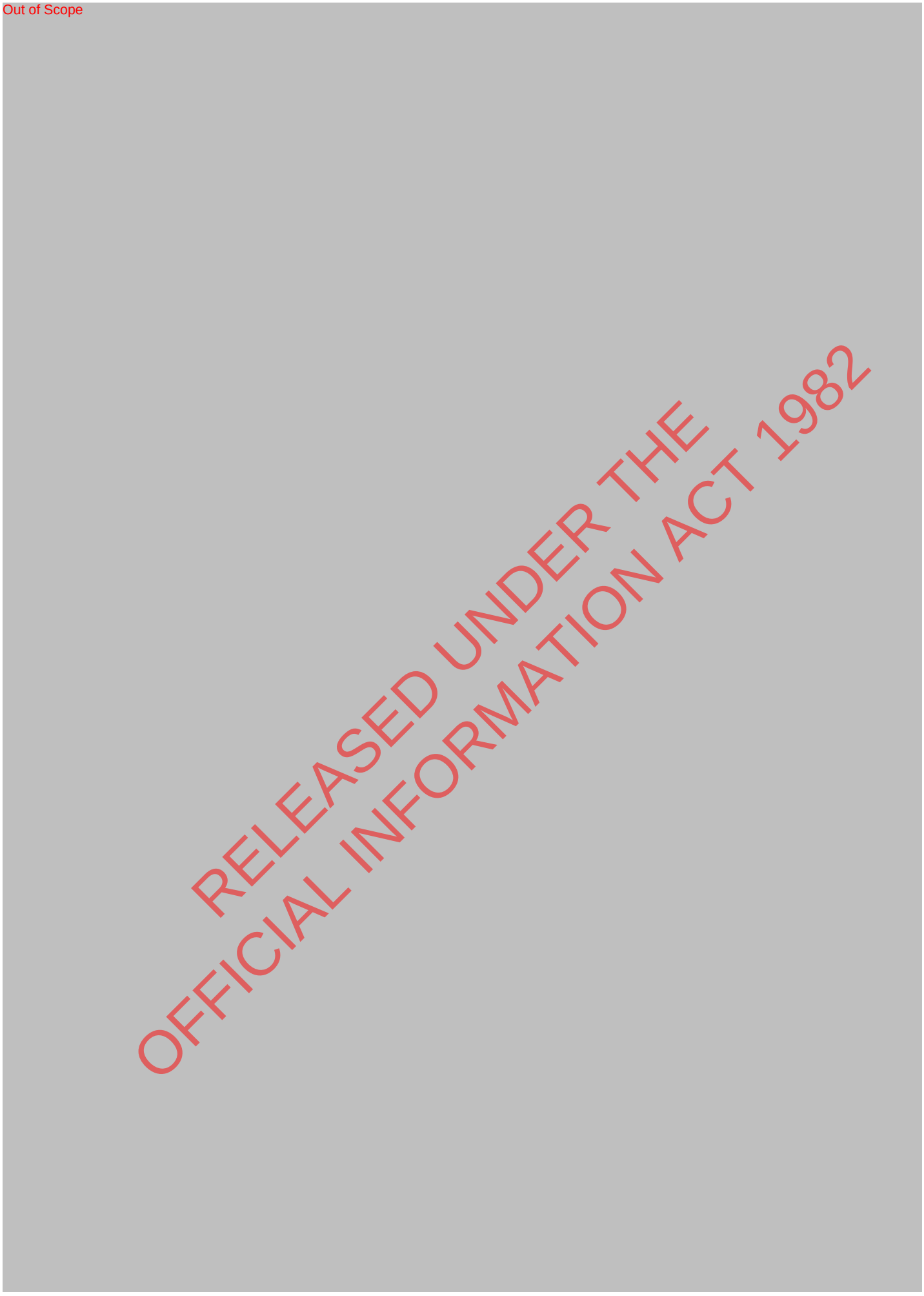
s 9(2)(a)

E: j.Gould@transport.govt.nz | transport.govt.nz

Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope

From: Sophia Trewavas <S.Trewavas@transport.govt.nz>
Sent: Thursday, 2 October 2025 1:55 PM
To: JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>; Ministerial Services <Ministerial.Services@police.govt.nz>; WHITE, John <john.white@police.govt.nz>
Cc: Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Jo Gould <J.Gould@transport.govt.nz>
Subject: RE: eeking Police feedback by COP 24 September: Updating road safety penalties and reviewing the alcohol interlock programme

Kia ora Sarah,

Thank you for your feedback.

We are working through the feedback received through departmental consultation and hope to provide a more substantive update on where we have landed when we are able.

Out of Scope

Thanks again,

Sophia Trewavas
Adviser - Safety
Te Manatū Waka Ministry of Transport
s 9(2)(a)

From: JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>
Sent: Wednesday, 24 September 2025 2:31 pm
To: Sophia Trewavas <S.Trewavas@transport.govt.nz>; Ministerial Services <Ministerial.Services@police.govt.nz>; WHITE, John <john.white@police.govt.nz>
Cc: Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Jo Gould <J.Gould@transport.govt.nz>
Subject: RE: Seeking Police feedback by COP 24 September: Updating road safety penalties and reviewing the alcohol interlock programme

Kia ora Sophia,

Thank you for giving Police the opportunity to provide feedback on the draft Cabinet paper *Updating road safety penalties and reviewing the alcohol interlock programme* and the accompanying RIS.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Overall, Police supports the changes to road safety penalties including the proposed timeframes for implementation. The proposed package reinforces the responsibility for drivers and passengers to comply with their obligations and influences safer driving decisions.

Police do not have any substantive feedback but note the following:

Out of Scope



For your consideration:

While the following may be out scope, Police propose the following changes for future consideration:

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Please let me know if you have any queries or require any further information.

Ngā mihi,
Sarah

Sarah Jenkison
Policy Advisor
People and Communities
Police National Headquarters
E sarah.jenkison@police.govt.nz

Mon	Tue	Wed	Thu	Fri
✓	×	✓	✓	✓

From: Sophia Trewavas <S.Trewavas@transport.govt.nz>
Sent: Monday, 15 September 2025 3:57 PM
To: Ministerial Services <Ministerial.Services@police.govt.nz>; JENKISON, Sarah <Sarah.Jenkison@police.govt.nz>; WHITE, John <john.white@police.govt.nz>
Cc: Hugh Mazey <H.Mazey@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Jo Gould <J.Gould@transport.govt.nz>
Subject: Seeking Police feedback by COP 24 September: Updating road safety penalties and reviewing the alcohol interlock programme

CAUTION: This email originated from outside the New Zealand Police Network. DO NOT click links or open attachments unless you recognise the sender and are assured that the content is safe.

Kia ora,

Out of Scope

Please find attached a draft Cabinet paper on the review of road safety penalties and the alcohol interlock programme, and a draft RIS Out of Scope Out of Scope for your feedback.

We are seeking information on the operational costs of implementation of these proposals in the RIS (ie, the costs to implement any changes, potential timelines for implementation, and potential impacts on allocation of Police resources).

Out of Scope

We would appreciate any input or comments by **Wednesday 24 September**.

We are happy to meet in the meantime to discuss any aspects of these proposals, if that would be helpful.

Ngā mihi,

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Document 25

Neha Pawar

From: Hugh Mazey
Sent: Wednesday, 4 February 2026 4:33 pm
To: Ministers Office
Cc: Safety; Paul O'Connell; Anna Northcott; Chris Nees
Subject: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)
Attachments: OC260007 Road Safety Penalties and Alcohol Interlocks Reviews - Updated Draft Cabinet Paper.pdf; Update road safety penalties and review alcohol interlock programme - Cabinet Paper.docx; RIS Review of Penalties for High Risk Traffic Offences JAN 26.docx; OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy.docx

Kia ora Quaid,

Please find attached a cover briefing for the draft Cabinet paper on the road safety penalties and alcohol interlock reviews.

Out of Scope

We have also attached the updated draft Cabinet paper and RIS following the Minister's feedback in September last year.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

MINISTRY OF TRANSPORT
TE MANATŪ WAKA

4 February 2026 OC260007

Hon Chris Bishop **Action required by:**

Minister of Transport Monday, 23 February 2026

ROAD SAFETY PENALTIES AND ALCOHOL INTERLOCK REVIEWS – UPDATED DRAFT CABINET PAPER

Purpose

This briefing provides you with:

- an updated draft Cabinet paper and draft Regulatory Impact Statement (RIS) on the road safety penalties review for Ministerial consultation,

Out of Scope

Advice

Road safety penalties review

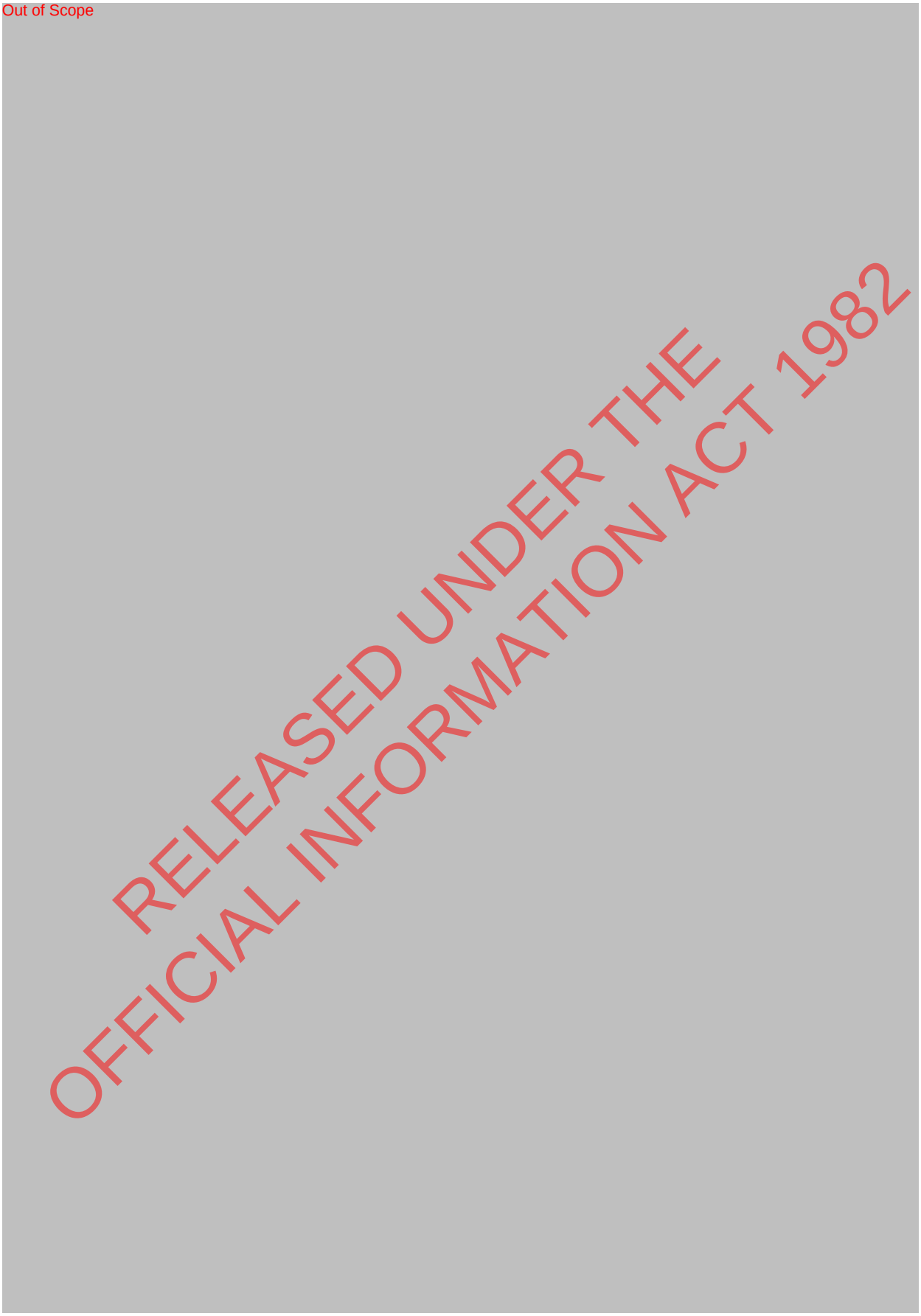
- We have updated the draft Cabinet paper and the draft RIS following your feedback on the earlier draft (briefing OC250816 refers). Specifically, you advised us:
  - Out of Scope
  - other potential primary legislative changes would not be progressed through this Cabinet paper, but could be reconsidered later in 2026, including:
    - enabling safety cameras to detect seatbelt and distraction infringement offences,

Out of Scope

  - the Cabinet paper should still note these proposals for future consideration, and

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Out of Scope



RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Next steps – Cabinet paper

- Subject to your agreement, we recommend your office circulate the draft Cabinet paper and draft RIS for Ministerial consultation. Running consultation from 23 February – 6 March 2026 would enable Cabinet Business Committee to consider the paper on 16 March 2026 and Cabinet on 23 March 2026.

Milestone	Date
Ministerial consultation (Cabinet paper and penalties RIS)	Mon 23 Feb – Fri 6 Mar 2026
Final papers provided to Minister's Office	Tuesday 10 March 2026
Papers submitted to Cabinet Office	10am Thurs 12 March 2026
CBC	Monday 16 March 2026
Cabinet	Monday 23 March 2026
Drafting instructions to PCO for amendments to the Land Transport (Offences and Penalties) Regulations (for infringement fee increases for high-risk road safety offences) and Land Transport (Road User) Rule change (to expand scope of distracted driver offence)	Early April 2026
Draft LEG paper to Minister, departmental and Ministerial consultation	End May 2026
LEG approval of the amendment Regulations and Rule change, Gazette notification	Mid June 2026
Amendment Regulations and Rule change come into force	Mid July 2026

Recommendations

We recommend you:

1 **agree** to circulate the draft Cabinet paper and Regulatory Impact Statement for Ministerial consultation. Yes / No

2 Out of Scope

Joanna Heard

Joanna Heard
Manager, Safety
4 / 02 / 2026

Hon Chris Bishop
Minister of Transport
..... / ..... / .....

Minister's office to complete: ☐ Approved ☐ Declined

☐ Seen by Minister ☐ Not seen by Minister

☐ Overtaken by events

Comments

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Contacts

Name	Telephone	First contact
Joanna Heard, Manager, Safety	s 9(2)(a)	✓
Ryan McGowan, Principal Advisor, Safety		

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

7. Draft Cabinet paper 04.02.2026

From page 5:

Other changes to improve the effectiveness of road safety penalties would likely require legislative amendments, and can be considered in due course

20 I outline below further issues that could strengthen the road safety penalty system. While there is merit in exploring these issues further, most can only be progressed through legislative change. Given the Government's busy legislative agenda for this year, these can be considered by Cabinet at a future date.

21 These issues include:

21.1 Enabling safety cameras to detect a broader range of road safety offences.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

8. Draft Regulatory Impact Statement 04.02.26



From p 2:

What policy options have been considered, including any alternatives to regulation?

The Ministry considered, but will not progress as part of this review, [...] proposals to expand safety camera enforcement [...].

From p 8:

What scope will options be considered within?

The Ministry considered other [...] enforcement options

18. The Ministry also considered options to:

- [...] amend the Land Transport Act 1998 (the Act) to enable safety cameras to detect distracted driving and restraint non-use [...]. These proposals require changes to primary legislation and will not be progressed at this stage.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Neha Pawar

From: Hugh Mazey
Sent: Wednesday, 25 February 2026 3:57 pm
To: Quaid Forbes; Emma Wardle (Parliament)
Cc: Paul O'Connell; Anna Northcott; Chris Nees; Joanna Heard; Jo Gould; Ryan McGowan; Sophia Trewavas
Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)
Attachments: Updated 20-Feb-26 - road safety penalties and review alcohol interlock programme - Cabinet Paper.docx; RIS Review of Penalties for High Risk Traffic Offences Feb 26.pdf; RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Kia ora Quaid,

Please find attached the updated Cabinet paper and RIS.

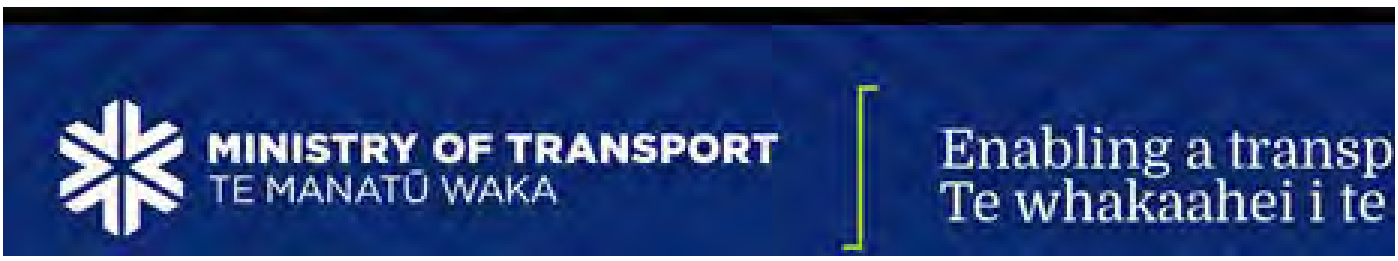
Out of Scope

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Ngā mihi

Hugh

Hugh Mazey (he / him / Mr)
s 9(2)(a) E: h.mazey@transport.govt.nz | transport.govt.nz



From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Monday, 16 February 2026 11:57 am
To: Hugh Mazey <H.Mazey@transport.govt.nz>; Emma Wardle (Parliament) <Emma.Wardle@parliament.govt.nz>
Cc: Safety <Safety@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>; Anna Northcott <A.Northcott@transport.govt.nz>; Chris Nees <C.Nees@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>
Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Hi Hugh

As discussed, sending through a delayed commission for this updated Cabinet paper Out of Scope Out of Scope

Could we please request the updated Cabinet paper by **Wednesday 25 February?** If you happen to have it to hand earlier that would be great.

We won't require a cover briefing, but up to you if you feel strongly that it needs one. Also happy to take any comments through a covering email to feed into our processes, if desired instead

Let me know if you have any questions!

Thanks

Timelines

- To Minister: 25 Feb (for weekend bag)
- Min consult: 2-9 Mar
- To lodge: 12 Mar
- To CBC: 16 Mar
- To Cab: 23 Mar
- AA conference: 27 Mar

Quaid Forbes
Private Secretary - Transport | Office of Hon Chris Bishop
s 9(2)(a)

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

From: Hugh Mazey <H.Mazey@transport.govt.nz>
Sent: Monday, 9 February 2026 10:31 AM
To: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>; Ministers Office <MinistersOffice@transport.govt.nz>
Cc: Safety <Safety@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>; Anna Northcott <A.Northcott@transport.govt.nz>; Chris Nees <C.Nees@transport.govt.nz>
Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Thanks Quaid, as discussed we will send an updated Cab paper through Out of Scope Out of Scope

Ngā mihi

Hugh

Hugh Mazey (he / him / Mr)
s 9(2)(a) | E: h.mazey@transport.govt.nz | transport.govt.nz



From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Monday, 9 February 2026 10:12 am
To: Hugh Mazey <H.Mazey@transport.govt.nz>; Ministers Office <MinistersOffice@transport.govt.nz>
Cc: Safety <Safety@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>; Anna Northcott <A.Northcott@transport.govt.nz>; Chris Nees <C.Nees@transport.govt.nz>
Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Mōrena Hugh

We put this to the Minister over the weekend, Out of Scope
Out of Scope

Overall, he thinks the paper is looking good Out of Scope
Out of Scope

Let me know if there are any questions – I've managed to translate all the comments if that proves a challenge!

Thanks

Quaid Forbes
Private Secretary - Transport | Office of Hon Chris Bishop
s 9(2)(a)

From: Hugh Mazey <H.Mazey@transport.govt.nz>
Sent: Wednesday, 4 February 2026 4:33 PM
To: Ministers Office <MinistersOffice@transport.govt.nz>
Cc: Safety <Safety@transport.govt.nz>; Paul O'Connell <P.O'Connell@transport.govt.nz>; Anna Northcott <A.Northcott@transport.govt.nz>; Chris Nees <C.Nees@transport.govt.nz>
Subject: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Kia ora Quaid,

Please find attached a cover briefing for the draft Cabinet paper on the road safety penalties and alcohol interlock reviews.
Out of Scope

We have also attached the updated draft Cabinet paper and RIS following the Minister's feedback in September last year.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

3. Final draft Cabinet paper 25.02.2026

From page 6:

Officials are also progressing work on other potential legislative changes

27 Officials have also considered a set of further changes which could strengthen the sanctions for road safety offences. These include:

27.1 enabling safety cameras to detect a broader range of road safety offences;

[...]

28 While there is merit in exploring these issues further, most can only be progressed through legislative change. Given the Government's busy legislative agenda for this year, these can be considered by Cabinet at a future date.

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

Jo Gould

From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Friday, 13 March 2026 10:00 am
To: Hugh Mazey; Emma Wardle (Parliament)
Cc: Paul O'Connell; Anna Northcott; Chris Nees; Joanna Heard; Jo Gould; Ryan McGowan; Sophia Trewavas
Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Morning team,

For completeness, confirming that we have not lodged this Cab paper. While there may be an opportunity to progress this paper at a later date, the Minister has decided to park it for now. The Minister also noted his appreciation for all the work officials have put in!

Many thanks

From: Hugh Mazey <H.Mazey@transport.govt.nz>
Sent: Friday, 27 February 2026 4:04 PM
To: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>; Emma Wardle <Emma.Wardle@parliament.govt.nz>
Cc: Paul O'Connell <P.O'Connell@transport.govt.nz>; Anna Northcott <A.Northcott@transport.govt.nz>; Chris Nees <C.Nees@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Jo Gould <J.Gould@transport.govt.nz>; Ryan McGowan <R.McGowan@transport.govt.nz>; Sophia Trewavas <S.Trewavas@transport.govt.nz>
Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Kia ora Quaid,

Amazing, thank you 😊

You too!

Ngā mihi

Hugh

Hugh Mazey (he / him / Mr)
s 9(2)(a) | E: h.mazey@transport.govt.nz | transport.govt.nz



From: Quaid Forbes <Quaid.Forbes@parliament.govt.nz>
Sent: Friday, 27 February 2026 4:02 pm
To: Hugh Mazey <H.Mazey@transport.govt.nz>; Emma Wardle (Parliament) <Emma.Wardle@parliament.govt.nz>
Cc: Paul O'Connell <P.O'Connell@transport.govt.nz>; Anna Northcott <A.Northcott@transport.govt.nz>; Chris Nees

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982

<C.Nees@transport.govt.nz>; Joanna Heard <J.Heard@transport.govt.nz>; Jo Gould <J.Gould@transport.govt.nz>; Ryan McGowan <R.McGowan@transport.govt.nz>; Sophia Trewavas <S.Trewavas@transport.govt.nz>
Subject: RE: ATTN Quaid: OC260007 Road Safety Penalties and Alcohol Interlock Reviews - Cabinet paper - Briefing - Policy (1)

Kia ora Hugh

As mentioned, the Minister has agreed to circulate the Road Safety Penalties Cabinet paper in its current form. We will action Ministerial consultation with Josh and keep you informed as substantive feedback arises. We'll aim to get this out first thing Monday to give as much room as possible on the other end.

Let me know if you have any questions or concerns.

Have a good weekend!
Quaid

Duplicate of email dated Wednesday, 25 February 2026 3:57 pm

RELEASED UNDER THE OFFICIAL INFORMATION ACT 1982