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New Zealand  
Automobile  
Association



# Driver Licensing Review 2016

*NZAA submission*

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NEW ZEALAND

3 June 2016

**SUBMISSION TO:** Ministry of Transport

**REGARDING:** **Driver Licensing Review**

**DATE:** 3 June 2016

  

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**NOTE TO REQUESTOR**

The NZAA would appreciate the opportunity to present this submission in person.

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**Background on the New Zealand Automobile Association**

The NZ Automobile Association (NZAA) is an incorporated society with 1.5 million Members. Originally founded in 1903 as an automobile users advocacy group today it represents the interests of road users who collectively pay over \$2 billion in taxes each year through fuel excise, road user charges, registration fees, ACC levies, and GST. The NZAA’s advocacy and policy work mainly focuses on promoting mobility, freedom of choice and rights of motorists, keeping the cost of motoring fair and reasonable, and enhancing the safety of all road users.

**Content of this Submission**

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<p>I request that the Ministry consider withholding the release of some or all of my submission</p> <p><del>YES</del> / NO</p>	<p>If yes – describe the reasons why:</p>
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**Executive Summary**

**PART 1: MOVING TO A DIGITAL LICENSING ENVIRONMENT**

**1. Requirements for online renewals and vision testing**

The NZAA:

- **supports** enabling online driver licence renewals (in addition to in person renewals)
- **opposes** removing ten yearly eye screening tests
- **opposes** requiring drivers to sign a declaration that their vision has not deteriorated (as drivers cannot detect this); this conflicts with basic WorkSafe principles
- **supports** Option 2, enabling online renewal with an online eye *screening* certificate (valid for 2 years)
- **supports** reducing the vision *screening* requirements through the GDLS, but not longer than 5 yearly
- **notes** that the DLR contains half a million expired licences; this indicates a serious, systemic flaw in processes for advising motorists about driver licence renewal
- **recommends** updating the Driver Licence and Motor Vehicle registers from paper-based to digital systems (e.g. using modern media contact details for renewal notices; introduction of electronic driver licence, WoF and registration)
- **recommends** considering imposing a lesser penalty for driving on an expired licence than for driving without ever having obtained a license.

**PART 2: SUPPORTING A MORE PRODUCTIVE COMMERCIAL DRIVING SECTOR**

**2. Simplify the pathway from the Class 2 licence to the Class 5 licence**

The NZAA:

- **supports** Option 4, along with removing Class 3 (Option 3);
- **endorses** the requirement for minimum driver training with an approved course provider under the fast-track option;
- **supports** strengthening the practical tests so a driver cannot obtain a Full Class 5 without undertaking sufficient supervised (and recorded) driving.

### 3. Review the Accelerated Licensing Process

The NZAA **supports** the proposal to remove the Accelerated Licensing Process.

## PART 3: STANDARDISE REGULATORY REQUIREMENTS TO REDUCE COMPLIANCE COSTS

### 4. Review the requirements for licence endorsements for drivers of 'special-type vehicles'

The NZAA **opposes** removing these endorsements at this time because it is unclear how proof of training will be verified e.g. for PCBUs hiring independent contractors.

### 5. Speed restrictions for tractors and 'special type vehicles'

The NZAA:

- provisionally **supports** standardising all tractor speed limits to reduce confusion and mitigate incidents involving inexperienced agricultural drivers
- **opposes** standardising all tractor speed limits to 40km/h; and
- **supports** standardising the speed restrictions for all tractors at the original 30km/h;
- **recommends** improving the advanced visibility of agricultural machines.

### 6. Simplify the rules for tractors that can be driven on a Class 1 licence

The NZAA **supports** aligning requirements for agricultural and non-agricultural tractors, provided the driver has a Full Class 1 licence OR has held a Restricted licence for at least two years (rather than a Class 1R licence with no minimum time as currently permitted).

### 7. Review the 'stand-down' requirements for (P) passenger endorsements

The NZAA **supports** Option 1 – retaining the status quo.

### 8. Automatic renewal of general licences for some endorsement holders

The NZAA **supports** this proposal.

### 9. Improve oversight of approved course providers

The NZAA **strongly supports** this proposal.

## PART 4 GENERAL COMMENTS

### 10. General comments on the Discussion Document proposals

The NZAA:

- **strongly recommends** modernising the legislation to make the driver licence process more flexible, responsive to change and better at integrating modern technology
- **strongly recommends** automatic progression to a Full licence after 3 years on a clean Restricted licence and completion of an attitudinal course
- **recommends** adding driver licence data into the Integrated Data Infrastructure to strengthen knowledge on the relationship between driver licences and wider social outcomes (such as employment).

## Part 1: Moving to a Digital Licensing Environment

1. The Government has an overarching goal of moving government transactions into a digital environment. The only part of the driver licensing process that can't be completed online currently is vision testing, which must be completed 'in-person'. Currently this can be at a driver licensing agent, or by presenting an eyesight certificate from an optometrist (valid for 60 days). Good vision is important for safe driving, but there is scant research evidence that ten-yearly vision screening for driver licence renewals reduces road crashes; many overseas jurisdictions with better road safety records than New Zealand do not require ongoing vision screening.

### *Online licence renewal*

2. NZAA Members strongly support having the option to renew their driver licence online (64%),
3. The convenience of online licence renewals is appealing to motorists; and we support this in principle. While 64% support the idea, not all these Members will actually renew online, and many will still want to renew at an agency. We see enabling online renewals as providing customers choice, convenience and lower costs (travel into licence agencies and time involved).
4. However, 73% of NZAA Members oppose the removal of eyesight screening. This indicates a perceived safety risk; the political reality is that strong public opinion is not dented by (a few fairly inconclusive) studies of actual safety risk. Members strongly support a 10-year eyesight screening (or more frequent); they are not comfortable with 15 years or more between tests.

## 1. Requirements for vision testing

### *There are two options in relation to requirements for vision testing:*

- *Option 1: Only require first-time driver licence applicants to have a vision test at a licensing agent or provide an eyesight certificate; and require a declaration at each licence renewal that vision has not deteriorated or is being managed.*
- *Option 2: An applicant who has provided an eyesight certificate for a licence application within the last five years does not need to have their vision rechecked.*

5. **The NZAA's preferred position is Option 2: support the ability to renew online (in addition to being able to renew in person) with either a current valid**

- **optician or medical eyesight certificate or**
- **eyesight screening test from a driver licensing agent.**

6. The NZAA would also recommend (for online or in-person renewals) enabling (optometrist, doctor and licensing agent) eyesight screening certificates to be uploaded electronically or be available online to driver licence agents for renewals, so motorists don't have to:

- remember to get a certificate at the time of their optometrist visit;
- file/remember to bring a physical piece of paper.

### *Why have you chosen Option 2 for Vision Testing?*

7. We often say to Government that if 75% of NZAA Members support a change, then they are "good to go" – it will be accepted and popular. In this case, with 73% of AA Members opposed to removal of the eye test at licence renewal, we would expect very strong concern and opposition from our Members and the wider New Zealand public if this change went ahead.

8. Online renewals will require technological changes to enable electronic submission of evidence of identity, photo ID and signature. A 2015 NZAA Member survey showed that 22% of Members had experience of RealMe and that half of them found it easy to use. Given that this is an online survey we would suggest that for the general population the experience with RealMe (or other online identity platform) would be less than 1 in 5. Hence online renewals will be a slow burn; while some would like the option, the vast majority are likely to continue to want an 'in person' option. We believe that Option 2 allows for this choice (online and in person renewals) while establishing a framework to move towards increasing online renewals over time.

#### **WorkSafe principles**

9. The new WorkSafe legislation will affect anyone who drives for employment regardless of frequency and/or duration. The AA believes that the legislation written since this Act has come into force should reflect these principles.
10. Option 1 is to "Require all applicants renewing their driver licence to make a declaration that they are not aware that their vision has deteriorated since their last renewal, or any deterioration is being managed by wearing corrective or contact lenses." The *Report on Driver Vision Screening in Europe, June 2011* says that "Many drivers do not notice a gradual change in their visual status (whether visual acuity, visual field or other visual functions), and can therefore be unaware that they fall below the required standard. Studies have shown a widespread lack of awareness about the current visual standards and the legal implications of driving with poor vision."
11. A consensus of international experts in driver vision screening has concluded that drivers cannot be relied on to judge if their eyesight is deteriorating. Hence applying WorkSafe principles, this would suggest that Option 1 is simply a way of deflecting blame onto an individual driver after the event, rather than an effective, safe system preventive measure.
12. It is possible that under the WorkSafe legislation, removing the (relatively low cost) eyesight screening test at licence renewal will place responsibility for vision testing (at a greater cost burden) on employers and PCBUs, who will have to ensure that anyone employed to drive or driving in their place of business is adequately evaluated to sign the declaration. PCBUs could include Road Controlling Authorities.
13. NZAA District comment: *In our experience most people are completely unaware of their eyesight has changed; given the increase in youth needing lenses it seems eye testing should remain in place.*"

#### **Cost Benefit Analysis: Eyesight crash risk**

14. The official Cost Benefit Analysis (Castalia) suggests that research on the safety outcomes of eyesight testing has a number of serious weaknesses. The data depends on 72 drivers, and the analysis carries a number of unproven assumptions about connections between whether people have or don't have a requirement to wear corrective lenses on their driver licence, and how that correlates with whether they wear or don't wear correcting lenses while driving, and whether they were or not wearing those lenses when they had a crash. For example, 25% of Australian motorists who are legally required to wear glasses to drive, admit they have driven without wearing them<sup>1</sup>.
15. The Castalia report indicates that, for most people, vision testing takes around 1.5 minutes every ten years. This is orders of magnitude less important to motorists than the social costs

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<sup>1</sup> Specsavers survey conducted in Oct 11 by Galaxy Research involving a representative sample of 1,000 Australian motorists aged 18-64 years

saved by reducing the frequency of 6 monthly warrant of Fitness. The Castalia report indicates that the potential social savings from online renewals could be wiped out if we underestimate the effect of removing vision testing on crash outcomes by only 10%. We believe this is entirely possible.

#### *Driver Licensing Review Crash Study: Impacts of Vision Testing*

16. The Driver Licence Review Crash Study: Impacts of Vision testing is an attempt to statistically evaluate whether eye testing has had any effect on crash rates. The Crash study analysis compares 7,437 drivers (0.97%) who failed an eyesight test at a licensing agent on the first attempt and were later granted a licence on condition of wearing glasses, who then had 72 crashes and
- a) the crash rate of 678,920 drivers of the general population who passed the test and had 7,762 crashes**
  - b) the crash rate of 73 from the same drivers who failed the test from the three years previously.**
17. The study claims to show that:
- The proportion crashing in **a)** is not statistically significant, meaning that those who fail the eyesight test are no different to general population, and
  - The proportion crashing in **b)** is not significantly different, meaning that in the years before their test they crashed just as much as afterwards.
18. Based on this study, the report suggests the eyesight testing regime makes no difference to the crash rate.

#### *Lack of Statistical Power in Crash Study*

19. Any statistical test is performed to a level of deemed statistical significance. Statistical significance is calculated as the probability that observed data might happen by chance. By convention, significance is claimed if the probability that there is a less than a 5% chance that there *is* an effect when there really *isn't* an effect (a type 1 mistake). However that is not the only kind of mistake possible.
20. By its nature statistics is about the probability of making a mistake. There are two types of error. Type 1: the assertion of an effect when there isn't one (as above) and, type 2, asserting that something is by chance when there is actually an effect. The probability that you have not made either mistake is termed the power of a statistical test. Power tests conventionally require 80% probability of no mistake.
21. In case a) the power calculation of independent samples shows that to be 80% sure of no mistake a sample of the general population of 1.6 million would have been needed. The 678,920 drivers means we can only be 43% sure of no mistake.
22. In case b) (before and after) the difference between the rate of crashes is 1 (72 vs 73). There is a test (McNemar z-test) to determine the probability of a mistake and the size of the sample needed to exclude the possibility of error based on two proportions. The test shows a sample of 7,792,820 would be needed to be 80% sure of no mistake. In fact the power calculation shows there is only a 5% chance of not making a mistake with a sample of 7,437.
23. There are not 7 million drivers in New Zealand so we clearly don't expect this level of certainty. But the flag this raises is that with the small samples sizes used, there is a high chance of error in the MoT calculations. Being out by only 10% in the social cost could wipe out any benefits of online licensing at all, let alone the lesser benefit of removing the vision test.



### **Methodological Errors in Crash Study**

24. Police reports in CAS show that vision is implicated in some crashes; a couple of fatal crashes/year (high social cost), plus higher numbers of injuries. We are not convinced that there is a systematic process for attending Police officers to collect and measure eyesight data. Police investigations are more intensive for fatal crashes than injury or minor crashes but even then we are not sure that vision would be considered for every fatal crash. The levels of vision related social cost of crashes in CAS is thus likely to significantly under-represent the true cost.
25. The relationship between eyesight and crashes is extremely hard to determine. Perceptual errors have a clearer relationship with crashes and while perception clearly begins with eyesight acuity it can be clouded by numerous other factors ranging from the illumination at the time to the state of mind of the driver.
26. Crashes can also occur regardless of perception. A driver can be involved in a crash when either they or another vehicle crosses the centre line (deliberately or due to drowsiness) or misunderstands another's intention in busy traffic. Combing the crash analysis system for perception related crashes would have been a helpful first step.
27. Crashes are also a very dubious metric. The NZTA Economic Evaluation Manual Appendix 6.3 has an adjustment factor to calculate total crashes from reported crashes. This ranges from 1 (no change) for fatal crashes up to 13 for minor crashes involving pedestrians in rural areas. The count of crashes should have been adjusted for by these factors.
28. Of the 114 crashes between 2009 and 2014 recorded in CAS where "defective vision" was coded as a cause, 14 involved alcohol, 30 involved failed to stop or give way, 14 poor handling, 14 involved the weather. Most involved "poor observation". CAS also reports that the social costs from Defective Vision crashes were: 2009: \$1.4m; 2010: \$16m; 2011: \$10m; 2012: \$9.7m; 2013: \$10.5m; 2014: \$21m, averaging \$11.58m per year. However to have any clear idea of how defective vision played a part each crash would have to be examined individually. For a policy change of this magnitude of importance, we would like to see an analysis of each of these 114 crashes undertaken.

### **AA District Comments**

29. NZAA District comment: "*People are getting eyesight checks in part because their driver licence is important to them, and the existence of the driver licence eye test incentivises them to check their eyesight.*" The concern is that removal of the test would remove this incentive. Statistics measured under the current eye-screening arrangements are not able to show the extent to which they instigate drivers to take preventive action.
30. NZAA District comment: "*We refer a number of applicants to optometrists and many have come back to us, very grateful that we screened their vision, as they were unaware that they did require correcting lenses.*"

### **Option 2 wording: Eyesight screening vs eyesight certificate**

31. Currently to renew a licence applicants have to pass a simple *eyesight screening test*, and only if they fail that do they have to obtain an *eyesight certificate* from a professional optometrist. Option 2 enables an applicant to produce an '*eyesight certificate*' valid within 5 years. NZAA Members support the current level of screening and timeframes but Option 2 risks requiring a higher standard. The NZAA urges caution that the wording for Option 2 should be a '*certificate that they have passed eyesight screening*', not an '*eyesight certificate*'. In today's terminology an eyesight certificate means a higher-standard eyesight test from a professional optometrist; we simply ask that drivers pass the current level of eyesight screening, not a higher level. We note that NZTA statistics show 96% pass the eyesight screening; requiring an optometrist's eyesight certificate would add significant cost.

### *Validity of eyesight certificates currently too short*

32. Currently eyesight certificates are only valid for 60 days, which is far too short (waiting lists for practical tests can be longer than that), and it is unlikely that eyesight would change in 60 days. Optometrists advise that vision can change and should be retested every 2 years.
33. Option 2 enables an applicant to provide an eyesight certificate that is up to 5 years old when renewing for 10 years; that eyesight certificate will be 15 years old when that licence is next due for renewal. We note that this timeframe is longer than the NZAA Member survey found acceptable, which was a maximum of 10 years. We recommend reviewing whether eyesight screening certificates should be valid for as long as 5 years, or whether 2 years might be a better cut off.

### *GDLS eyesight requirements*

34. Learner drivers have to prove their identity in person, have their photo taken, provide a signature and either pass the eyesight screening or provide a current valid optometrist certificate. If a person progresses to the Restricted licence in 6 months, and Full licence in another 12 months, it makes sense to not require them to do another eyesight test each time.
35. However, a huge number of drivers are ‘pooling’ at different stages of the GDLS. Up until 2011 drivers could remain 10 years at each stage, but renew to the same stage. Since 2011 the licences only last 5 years but if they do not progress they have to resit the theory test and may well have to re-start the process. Hence drivers can spend many years or even decades going through the GDLS. Internationally, there have been dramatic increases in the number of youth requiring correcting lenses (short-sightedness now affects around half of young adults in the United States and Europe double the rate of half a century ago. In Asia, 90% of youth now require glasses<sup>2</sup>).
36. Eyesight can change more quickly during teen and early adult growth spurts, and opticians advise checking eyesight every two years through this growth stage. We recommend that MoT seek optician input as to whether there is an issue that would require youth to be tested at a higher frequency than adults, irrespective of their stage in the licensing process; we have been advised that two years is an appropriate period. We suggest that for youth, five years should be an upper limit on vision retesting.

37. The L and R licence now expire after 5 years. The NZAA agrees that vision testing should not be done through the GDLS when a person progresses at the expected rate, but that a person who has pooled on the GDLS should be screened again at the next step, with a maximum of 5 years between GDLS eye-screenings.

### *Other comments on eyesight screening at renewal*

#### *Early detection of serious eyesight issues*

38. Optometrists have made strong representation to us that screening, which provides early detection of serious progressive vision problems, can reduce the risk of early blindness in a significant proportion of the population. In response to our original position that this is not a transport issue, they have argued that people’s mobility and economic productivity is significantly reduced by preventable blindness, as well as becoming “transport dependent”.
39. The cost-benefit assessment of the whole of government outcomes of driver vision screening should include the cost of early blindness. Macular Degeneration NZ asserts that 1 in 7 New Zealanders over 50 will get macular degeneration, and that this can be picked up with early testing. The Optometrists Association of Australia estimates that 300,000

<sup>2</sup> [www.thelancet.com/journals/lancet/article/PIIS0140-6736\(12\)60272-4/abstract](http://www.thelancet.com/journals/lancet/article/PIIS0140-6736(12)60272-4/abstract)

Australians have glaucoma and half are undiagnosed. Many sufferers lose most of their vision in one eye before they notice a problem.

### ***Class 6 licence***

40. The discussion document has not made any distinction between Class 1 car and Class 6 motorcycle licences with respect to the vision tests. Given smaller numbers the power of the analysis for motorcycles would be low; is there need to separately consider the need for vision tests for motorcyclists given their lower levels of passive protection, higher risk and costs of injury and death, and possibly greater visual needs (to detect hazards and provide the reaction time).

### ***Other Comment on Digital Licensing Environment***

#### ***Electronic Reminders of Licence Expiry***

41. Many responsible drivers are unaware of their licence expiry (*NZ Herald 3 Feb 2013: "Figures released to the Herald on Sunday show 488,781 licences on the national register have an 'expired' status"*). That nearly half a million drivers are not compliant indicates a failure in the system. The current process is that NZTA posts a reminder letter six weeks before the licence is due to expire to the postal address on the Driver Licence Register. The DLR postal addresses are not very accurate (people on average move more often than every 10 years and there is no cohesive system to capture postal address changes on the DLR). Compliance is completely delegated to individuals to understand their legal obligation to inform NZTA of their change of address with no reminder systems in place. Adding NZTA's DLR and MVR to the New Zealand Post Change of Address Forms is the best opportunity at this point.
42. The DLR does not hold any electronic contact details (mobile phone or email), NZTA does not allow DL agents to collect digital contact information and NZTA itself has no customer contact systems to capture this information. Most other New Zealand entities are now set up to do this; businesses would not survive without digital contact details. Driver licence agents collect electronic contact details from face to face clients for other purposes – there must be a way for the DLR and MVR to piggyback on this.
43. The purpose of the review is to improve electronic transactions with government; we strongly recommend that NZTA upgrade the DLR to include electronic channels for advising motorists to renew their driver licence (in addition to the paper process).

#### ***Penalty for Driving with an Expired Licence***

44. As a direct consequence of the archaic paper-based process (above) to alert drivers their licence is expiring, there are nearly half a million expired licences; it is clearly common for even compliant drivers to inadvertently miss their licence expiry date. The consequences of this simple oversight can be quite severe. While Police have discretion to offer compliance, the penalty is a \$400 fine and being forbidden to drive until compliant. This can have economic consequences for an individual's employment and flow on impacts for the wider family. If a licence is expired for more than five years drivers must re-sit parts of the exam. Insurance companies may also in some circumstances decline claims if a person is driving on an expired licence.
45. In a 2015 survey NZAA Members rated driving with an expired licence as a much less serious offence than driving never licensed. These are currently the same offence (driving without a valid licence) with the same penalty (\$400 and forbidden to drive any motor vehicle until they get their licence renewed). If they're caught driving before they've renewed their licence they can be prosecuted in Court and have the car impounded. Police may give 28 days to comply, but the issue is that the legal position is identical.

46. We propose the law should recognise the difference in these two offences by creating a distinct offence (e.g. 'driving with an expired licence'), with a lower penalty (e.g. \$100 fine).

## Part 2: Supporting a more Productive Commercial Driving Sector

### 2. Simplify the pathway from the Class 2 licence to the Class 5 licence

*Which option do you support to simplify the pathway from the Class 2 to Class 5 licence:*

- Option 1: Status Quo – two pathways for progressing to a Class 5 licence, namely the practical test pathway and the approved course pathway
- Option 2: Remove the Class 3 licence, strengthen practical tests, and remove the wait period before practical testing
- Option 3: Remove some learner licence classes (while retaining the Class 5 theory test) and allow drivers to begin learning to drive the next highest licence class under supervision
- Option 4: Direct progression from a Class 2 full licence to a Class 5 full licence for drivers 25 years and over.

*Why have you supported option 4?*

47. The NZAA's preferred option is Option 4, because it retains the status quo while also providing an option for faster progression to Class 5 than at present for those that need it. Additionally, we endorse the requirement for minimum driver training with an approved course provider under the fast-track option, and structuring the strengthened practical tests in such a way that a driver could not obtain a Full Class 5 without undertaking sufficient supervised (and recorded) driving.

48. However, we also see some merit in removing the Class 3 licence and merging it with class 5 (Option 3). **Therefore, the NZAA supports a hybrid of Option 4, along with also removing Class 3.**

*Are there potential safety impacts from removing the six month waiting period for drivers using the heavy vehicle practical test pathway?*

49. The NZAA has concerns with Option 3 in that the Class 4L and 5L will be removed along with approved courses that enable drivers to obtain the Full licence earlier. The 6-month Learner period before drivers can sit the practical test to obtain a Full licence is meant to build up supervised practice hours in that type of vehicle, although this may not currently be being done because of the cost of essentially employing two drivers for one truck. Failure to undertake supervised driving is not sufficient grounds to remove the Class 4L and 5L and should be discouraged. In addition there is a risk of unsupervised driving in the next licence class by a driver with insufficient experience in that vehicle class which poses risks to other road users, and it is unclear how this would be monitored.

### 3. Review the Accelerated Licensing Process

*Do you support the proposed approach to remove the Accelerated Licensing Process? If so, please explain why?*

50. The NZAA supports the proposal to remove the Accelerated Licensing Process due to the limited uptake, although this may have been in part due to few providers offering this option.

### Part 3: Standardise Regulatory Requirements & Reduce Compliance Costs

#### 4. Review requirements for licence endorsements for drivers of 'special-type vehicles'

*Why do you oppose the proposed approach to remove the requirement for drivers of Forklifts, Rollers or vehicles that run on self-laying Tracks or on Wheels to hold the relevant type of endorsement?*

51. While we acknowledge there may be some duplication between the endorsement qualifications and occupational safety training, the NZAA opposes this proposal at this time because it is unclear how proof of training will be verified e.g. for self-employed contractors. Currently the endorsements provide that proof. This needs to be addressed under the qualifications framework and alternative proof may be provided in the form of a unit standards qualification, but until this is clarified the NZAA is unable to support this proposal.

#### 5. Speed restrictions for tractors and 'special type vehicles'

*Why do you provisionally support standardising to a speed limit of 40kph for all types of tractors and special type vehicles?*

52. The NZAA provisionally supports standardising the speed restrictions for all tractors to 40km/h to reduce confusion. However, we note that the NZAA did not support previous Rule amendments to raise the 'agricultural tractor' speed limit to 40km/h, and that remains our view. While we understand that the current differential speed limits for tractors may cause confusion, we observe that this is a problem of the regulators own making by differentiating agricultural tractor speed limits in the first place. The NZAA's preferred option would in fact be to revise the agricultural tractor speed limit back down to 30km/h which would realign it with the current limit for all other (non-agricultural) tractors.

*Is there another option you prefer to standardising speed restrictions for different types of tractors and special type vehicles to a speed limit of 40kph?*

53. The NZAA does not consider raising the speed limit for all tractors in order to reduce the speed differential will meaningfully reduce motorists' risk of crashing into an agricultural machine as 40km/h is still too slow for a motorist approaching at 100km/h from a blind corner. We believe this risk would be better addressed by improving the advanced visibility of agricultural machines (e.g. through the greater use of flashing warning LED lights). Indeed, we consider the lower 30km/h limit could actually help mitigate incidents involving inexperienced agricultural drivers losing control, or simply failing to judge dimensions and tracking.

#### 6. Simplify the rules for tractors that can be driven on a Class 1 licence

*Do you support the proposed approach to simplify and align the licensing requirements for driving agricultural tractors and non-agricultural tractors using Class 1 licence? If so, please explain why?*

54. The NZAA supports aligning the requirements for agricultural and non-agricultural tractors, **on the proviso** that the driver has a **Full Class 1 licence OR has held a Restricted licence for at least two years** (rather than a Class 1R licence with no minimum time as currently permitted).

55. We note that in our previous submissions on agricultural transport rule changes, the NZAA did not support the changes that permitted inexperienced Class 1 licence holders to drive agricultural tractors weighing up to 18,000kg (or 25,000kg in combination). As with our comments in section 5 above, this proposal has been bought about as a result of the creation of differential rules for agricultural tractors in the first place, which is further diluting what were fit-for-purpose regulations.

## 7. Review the 'stand-down' requirements for (P) passenger endorsements

*Select the option you support in relation to the licensing requirements for (P) passenger endorsements:*

Option 1: Status Quo – Drivers continue to be required to hold a full New Zealand Driver licence for at least two years before applying for a passenger endorsement

Option 2: Drivers can apply for a passenger endorsement after holding a full New Zealand licence for one year, except drivers who convert overseas licenses to New Zealand licences and drivers under the age of 25.

*Why do you support Option 1: Status quo*

56. The NZAA supports Option 1 – retaining the status quo. This helps ensure that young or foreign professional passenger vehicle drivers have gained sufficient driving experience in NZ before carrying fare-paying passengers. In particular, it also provides reasonable time to monitor any traffic or criminal offending. In addition, the document has presented insufficient rationale or evidence to support a review of this requirement.

*Is there another option that you prefer in relation to requirements for (P) passenger endorsements? If so, please explain:*

57. We acknowledge the status quo may be a barrier for people to enter the passenger services sector. As an alternative, we suggest considering the requirement **to have held a clean Restricted New Zealand Driver licence for at least two years**, rather than a Full. This may achieve the same outcome as the status quo, but without an additional two-year delay for people who have been driving for some time but elected not to sit a Full licence test.

## 8. Automatic renewal of general licences for some endorsement holders

*Why do you support the proposed approach to require a photograph to be taken when a driver renews a 'large' P, I, O or D endorsement?*

58. This is a sensible approach and the NZAA supports this proposal.

## 9. Improve oversight of approved course providers

*Do you support the proposed approach to amend the approved course provider provisions?*

The NZAA strongly supports the amending the provisions in the Driver Licensing Rule for Approved Course Providers to manage risks associated with the conduct or behaviour of approved course providers and enable NZTA to suspend or revoke approved course providers. This is in the public interest as it will protect motorists as consumers of these services, protect motorists from the risks of sharing the road with inadequately trained road users, and raise the standards and professionalism of the industry.

## 10. Comments on the proposals in the Discussion Document

### Modernising the Legislative Framework

59. The NZAA strongly supported proposals in the early consultation engagement to modernise the now very dated legislation that governs the Driver Licensing process. Unfortunately, these proposals have been removed. The NZAA is extremely disappointed in the loss of a window of opportunity to increase flexibility of a very rigid outdated system that fails to enable new technology and modern legislative structures.

60. Currently the legislation around the driver licence process is extremely prescriptive, right down to the colour and text on a (physical) driver licence card. Even quite minor technical changes require full Cabinet approval. In the era when the photo driver licence was introduced, the public had high levels of sensitivity around the perceived 'Big Brother' photo ID which led to very tight and highly prescriptive legislation. From the perspective of 2016, privacy issues around the photo driver licence pale into insignificance when set against the intrusive electronic surveillance of our connected world, and loss of control of individual information. The worries about the driver licence seem trivial in hindsight.

61. The NZAA considered the proposals fairly mild, to delegate some aspects of the process to the Minister of Transport, and some to NZTA (e.g. to the well-respected Rule change process). **The NZAA strongly supported moves to enable the driver licence process to modernise, and for the system to be more flexible, within constraints.** For example, it is appropriate that political decisions such as the driver licence age remain in the hands of Cabinet, for the Minister to approve trialling different pathways to achieve driving standards, and delegating process issues to NZTA (e.g. NZTA to trial greater use of technology, enable 'layby' payments, or improve driver licence back-office systems).

62. The NZAA strongly supports devolving powers to the Minister and to NZTA, to give more flexibility to amend the DL process.

### Automatic Progression to Full Licence

63. The NZAA supports reducing barriers to progressing to Full licence. A Full licence is just removing two or three (what were intended to be) temporary restrictions (driving with passengers, at night or, for some, a manual car). The aim was to reduce short-term risk (1-3 years) for novice drivers while they gain experience. Now there are nearly half a million drivers 'pooling' on the GDLS, with some drivers on a Restricted licence for decades. Since lower socio-economic groups face higher barriers to licence progression, this sector likely to be over-represented in the 'pooling' group. Drivers who gained a licence under the old system of a 15 minute drive with a Police officer are not retested (whether or not they have been driving).

64. Despite this, and in the absence of data, the public over age 45 worry that a minority of Restricted drivers may not have been driving during the Restricted period. However, Restrictive drivers have already passed a more rigorous in-car practical test than the 45+ group did (particularly the tougher Restricted practical test from 2011) and are entitled to be on the road under most circumstances already. The Full licence test usefully filters out young novice drivers from progressing too quickly in the first five years. However, at renewal, there seems to be little safety evidence for retaining a costly compliance hurdle.

65. Good legislation requires a Regulatory Impact Statement that demonstrates that the benefit (of requiring drivers who have held Restricted licence drivers for 5 years to sit a Full licence test) exceeds the (considerable) compliance cost. To apply for a heavy vehicle, passenger service vehicle or agricultural vehicle driver licence requires a person to have held a Full car licence for two years. That nearly half a million people under age 45 have not progressed to a Full licence must be seriously impacting the pool of potential employees in the heavy

vehicle, passenger service vehicle and agricultural sectors, as well as some 70% of jobs in employment sectors such as building and construction, agriculture, sales and services,

66. The NZAA considers that this review should take the opportunity to enable drivers holding a clean Restricted licence for 3 years and have passed an attitudinal course to automatically progress to a Full licence; or that the review should enable NZTA to reduce the compliance barrier of the Full licence test (e.g. online, lower cost) for those renewing after 5 years.

#### Driver Licence as a qualification for employment

67. Another issue that the AA Research Foundation has identified is **to support better integration driver licence information with other government agencies through the secure “Integrated Data Infrastructure”**. This sharing would enable links between having a Restricted or Full driver licence and income, housing, education and other social outcomes (health, justice). Currently driver licence status is invisible as a qualification that influences social outcomes.

#### Conclusions

68. The NZAA appreciates the opportunity to submit on the Driver Licence Review. In general we support the intent of the review and would have been happy to see more of the original proposals progress to the next stages. We would be happy to answer any questions you might have, and would welcome the chance to talk to you.