



Meeting of the COVID-19 Ministerial Group

Minute of Decision

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Temporary Extension of Expired Driver Licences and Vehicle Certification Documents During COVID-19 Lockdown Period

The group of Ministers with Power to Act on COVID-19 matters [CAB-20-MIN 0130] convened on 7 April 2020 at 10.30am, and in accordance with their Power to Act:

- 1 **noted** that since the COVID-19 Alert Level 4 (AL4) was implemented, there has been public concern with vehicles driving or parked on a public road without a current warrant of fitness (WoF) or certificate of fitness (CoF);
- 2 **noted** that there are fines for operating a vehicle without the appropriate documents;
- 3 **noted** that although an official statement has been issued saying that requirements for current WoFs and CoFs would not be enforced, this relies on the discretion of individual enforcement officers, and that there are a number of other land transport documents that will also expire during this period;
- 4 **noted** that only essential workers are able to have their vehicles inspected during the period of AL4, and that vehicle owners who are not part of essential services are not able to have their vehicles repaired or maintained, or have a new WoF or CoF issued unless it is for travel that is considered essential;
- 5 **noted** that facilities to test drivers or carry out specialist inspections are not likely to be available in all parts of New Zealand, and that not all members of the public have access to online transactions where these are an option;
- 6 **agreed** that for a period of up to six months after the legislation comes into effect, there will be:
 - 6.1 a temporary extension of the following expired transport documents:
 - 6.1.1 warrants of fitness;
 - 6.1.2 certificates of fitness;
 - 6.1.3 other vehicle certifications issued under the Vehicle Standards Compliance Rule which will expire over the period, including alternative fuel inspection certificates, permits authorising use of vehicles with conditions, and heavy vehicle specialist certifications of towing connections and log bolster attachments;

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6.1.4 driver licences and endorsements;

6.2 a suspension of the requirement to display valid vehicle licences;

- 7 **agreed** that other than for endorsements, the extension would apply to all licence holders or vehicles where these documents expired on or after 1 January 2020;
- 8 **agreed** that for endorsements (including passenger endorsements held by taxi drivers and dangerous good endorsements held by some truck drivers), the extension would apply to endorsements that expired on or after 1 March 2020;
- 9 **agreed** that Waka Kotahi New Zealand Transport Agency (NZTA) be enabled to end the temporary extension period for specific documents identified in paragraph 6 above earlier than six months if this were necessary to ensure safety or to provide flexibility for managing the transition to compliance;
- 10 **noted** that legislation would not alter the separate requirement that a vehicle must be safe to operate on a public road or that a driver comply with road rules or any restrictions on their drivers licence, and that any licence suspensions, disqualifications and revocations would also continue to apply;
- 11 **noted** that NZTA and New Zealand Police will monitor the outcomes of these extensions to assess whether road safety outcomes are not affected;

Land Transport Rule: COVID-19 Response 2020

- 12 **noted** that the Minister of Transport may amend the Land Transport Rule: COVID-19 Response 2020, without further reference to Cabinet, to adjust period of validity of documents and any of the expiry dates for the extensions in the rule to address changing levels of COVID-19 alert and sector capacity issues;
- 13 **noted** that under section 152A of the Land Transport Act 1998 (LTA), ordinary land transport rules may be made, amended or revoked by the Governor-General by Order in Council, on the recommendation of the Minister of Transport;
- 14 **noted** that section 152A(2) of the LTA requires that the responsible Minister have regard to the criteria specified in section 164(2) of that Act before recommending the amendment to a rule, by Order in Council, under section 152A(1);
- 15 **noted** the advice of the Minister of Transport that this requirement has been met;
- 16 **agreed** the Land Transport Rule: COVID-19 Response (No 1) 2020 (the Rule) be the appropriate regulatory response to give effect to paragraphs 6 to 9 above;
- 17 **authorised** the submission of the Rule to the Executive Council;

Land Transport (Motor Vehicle Registration and Licensing) (COVID-19 - Extension of Duration of Motor Vehicle Licences) Amendment

- 18 **noted** that under section 269 of the LTA, the Governor-General may by Order in Council make regulations providing for the licensing and registration of motor vehicles;

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- 19 **agreed** that the Land Transport (Motor Vehicle Registration and Licensing) (COVID-19 - Extension of Duration of Motor Vehicle Licences) Amendment Regulations 2020 (the Amendment Regulations) give effect to paragraph 6 above;
- 20 **authorised** the submission of the Amendment Regulations to the Executive Council;

Waiver to 28-day rule

- 21 **noted** that a waiver of the 28-day rule is sought:
- 21.1 so that the Rule and Amendment Regulations can come into force the day after they are notified in the *New Zealand Gazette*;
- 21.2 on the grounds that the Rule and Amendment Regulations respond to an emergency and confers only benefits on the public;
- 22 **agreed** to waive the 28-day rule so that the Rule and Amendment Regulations can come into force the day after they are notified in the *New Zealand Gazette*;
- 23 **noted** that there will be a deferred collection of transport revenue by the NZTA for the period of AL4.

Rachel Hayward
for Secretary of the Cabinet

Distribution:

The Cabinet
Hon James Shaw

Copied to officials via mail