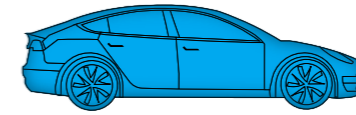


# The Land Transport Regulatory Work Programme



**Reshaping Streets**  
Regulatory changes to make it simpler and quicker for Road Controlling Authorities (RCAs) to make street changes that support public transport, active modes and placemaking.  
**Outcomes:** Accelerating widespread street changes in New Zealand to enabled mode shift, emission reduction, public health improvements and urban intensification.  
**Linkages:** Key deliverable under proposed Government's Emissions Reduction Plan.  
**Timeline:** Legislation entering the House from July 2022.  
**Current stage:** Scoping.  
**Next steps:** Briefing on summary of feedback from scoping and proposed changes for formal consultation expected October 2021.

**Update the Fuel Consumption Information Rule**  
To support the implementation of the Clean Vehicles Bill, we need to update the Fuel Consumption Information Rule (FCIR). Updating the FCIR will enable accurate, reliable and robust information to be collected about vehicle fuel consumption and carbon dioxide emissions – and it is needed to support the clean car policies.  
**Outcomes:** Informing accurate charges, rebates and data gathering as part of the Clean Vehicles Bill.  
**Linkages:** Clean Vehicles Bill.  
**Timeline:** Rule amendment in place by 1 April 2022.  
**Current stage:** Policy development – rule drafting.  
**Next steps:** Cabinet paper in October noting that the Rule will need to be updated to support the Clean Vehicles Bill, and permission to engage in targeted consultation on the rule changes.

**Bilingual Signage**  
Enabling the Traffic Control Devices Rule to allow for bilingual signage where appropriate.  
**Outcomes:** Greater visibility of te reo Māori to support revitalisation of the language in New Zealand.  
**Linkages:** Traffic Control Devices Rule Review, Setting of Speed Limits project.  
**Timeline:** Enable and implement a selection of bilingual signs by the end of this Government term.  
**Current stage:** Policy development.  
**Next steps:** Consultation on bilingual school signs expected October / November 2021.

**Waka Kotahi Funding Review (Waka Kotahi-led)**  
Waka Kotahi NZ Transport Agency is experiencing significant funding and resourcing pressures in its regulatory function. The lack of adequate funding was one of a number of issues identified as impacting Waka Kotahi's ability to deliver its regulatory function. Capital injections from Government are supporting a rebuild of the regulatory function. Waka Kotahi, with the support of the Ministry, is undertaking a funding review to develop funding proposals that sustain the strengthened regulatory function to deliver improved compliance and safety outcomes across the land transport system.  
**Outcomes:** Funding an effective regulator.  
**Linkages:** Regulatory stewardship, giving effect to the findings of the Waka Kotahi Review.  
**Timeline:** Review started 4<sup>th</sup> quarter of 2019 and is expected to be implemented by July 2023.  
**Current stage:** Policy development.  
**Next steps:** Briefing and Cabinet paper seeking approval to consult expected in October/November 2021. Consultation is planned for the 4<sup>th</sup> quarter of 2021.

**PTOM Review Phase Two**  
Policy & legislative review (including an assessment of how barriers to the de-carbonisation of the bus fleet can be reduced or removed).  
**Outcomes:** Inclusive access, economic prosperity, environmental sustainability, potential amendments to the Road User Charges Act, Land Transport Management Act, and the Employment Relations Act.  
**Linkages:** PTOM Review Phase One.  
**Timeline:** Likely to take 18-24 months.  
**Current stage:** Consultation closed 18 June 2021.  
**Next steps:** Briefing with summary of submissions and advice on next steps expected September 2021. Report back to Cabinet on outcomes of consultation and next steps expected 4<sup>th</sup> quarter of 2021 (oral item).

## Road to Zero Strategy

**Raise Vehicle Fleet Safety & Standards**  
Nearly half of New Zealand's vehicle fleet has a poor safety rating, and these vehicles are overrepresented in our road death statistics. This strategy aims to improve the safety of New Zealand's vehicle fleet. Many unsafe vehicles are also poor performers environmentally.  
**Outcomes:** Reducing death and serious injury on our roads.  
**Linkages:** Road to Zero Strategy.  
**Timeline:** Expected to take 24 months.  
**Current stage:** Initial scoping work underway.  
**Next steps:** Briefing on proposed approach to package expected to be provided by end of 2021.

**Review of Road Safety Penalties**  
Existing financial penalties may not be well aligned with the risk of harm and with society's expectations. This review of road safety penalties will prioritise distraction-related penalties – such as cell phone use while driving in the first instance. This will ensure that these penalties reflect the levels of road safety risk created by the offending behaviour.  
**Outcomes:** Reducing death and serious injury on our roads.  
**Linkages:** Road to Zero Strategy, Financial Penalties Framework.  
**Timeline:** Expected to take 12-18 months.  
**Current stage:** Policy development.  
**Next steps:** Ministry will run an initial cross-agency workshop.

**Tackling Unsafe Speeds**  
This project implements a new regulatory framework to create a more streamlined, transparent and coordinated approach to speed management.  
**Outcomes:** Reducing death and serious injury on our roads.  
**Linkages:** Road to Zero Strategy.  
**Timeline:** Rule and associated regulations expected to be in-force by early 2022, due to the changes sought via feedback received in consultation.  
**Current stage:** Rule and regulations finalisation.  
**Next steps:** Final policy advice on proposed changes to the Rule following consultation has been provided.

**Accessible Streets**  
This programme of work is designed to improve safety for footpath users, encourage active modes of transport (such as walking or cycling), and support the creation of more liveable and vibrant towns and cities. It clarifies types of vehicles allowed on footpaths, enables e-scooters to be used in cycle lanes and paths, bus egress, and improves the safety of vulnerable users at intersections.  
**Outcomes:** Reducing death and serious injury on our roads and reduce vehicle kms travelled.  
**Linkages:** Road to Zero Strategy, Emissions Reduction Plan.  
**Timeline:** Potential to introduce rule changes early to mid 2022 pending policy decisions.  
**Current stage:** Policy development – developing further advice  
**Next steps:** Draft Cabinet paper seeking approval to finalise the package is expected in November 2021.  
*Withheld under section 9(2)(f)(iv) of the Official Information Act 1982*

**Motorcycle Licensing**  
A 2018/19 Ministry of Transport review found high crash rates for both learner and full licensed motorcycle riders. Questions were raised about whether current licencing requirements adequately prepare novice motorcyclists for the risks they face on the road. There will be a review of the motorcycle licencing system intended to improve road safety outcomes for motorcyclists.  
**Outcomes:** Reducing death and serious injury on our roads.  
**Linkages:** Road to Zero Strategy.  
**Timeline:** Expected to take 12-24 months.  
**Current stage:** Initial discussions held between Ministry, Waka Kotahi and ACC.  
**Next steps:** Restart scoping in late 2021.

**Access to Driver Licensing**  
The Ministry is

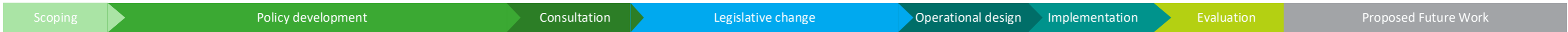
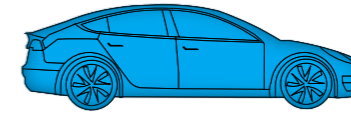
- undertaking a regulatory review of the graduated driver licensing system (GDLS), which looks to reduce barriers to entry and progression through the system while maintain road safety outcomes
- alongside Waka Kotahi, proposing to remove the time-limited licence policy
- looking to re-introduce the 2019 Land Transport (Driver Licensing) Amendment Rule into our work programme, likely as part of the GDLS regulatory review.

**Outcomes:** Improving equity in access, and reducing death and serious injury on our roads.  
**Linkages:** Road to Zero Strategy.  
**Timeline:** Expected to take 24-36 months.  
**Current stage:** Policy development.  
**Next steps:** Briefing on initial policy options expected in late 2021. Waka Kotahi is publicly consulting on the proposal to revoke the time-limited licence policy.

**Work Related Road Safety**  
This project aims to strengthen the current regulatory settings applying to commercial transport services, such as freight and passenger services.  
The project has three elements: the first is a review of logbook and work time requirements (particularly to address driver fatigue), the second is a review of the roles and powers of regulations (and the merits of designating Waka Kotahi to take on HSWA functions). The third piece of work will bring these threads together to recommend a draft designation to the Ministry and MBIE for their consideration.  
**Outcomes:** Reducing death and serious injury on our roads.  
**Linkages:** Road to Zero Strategy.  
**Timeline:** Work has restarted, due for completion by end of 2021.  
**Current stage:** Policy development and research.  
**Next steps:** Briefing on initial policy options for all elements expected in the last quarter of 2021.

**Drug Driving**  
The Bill establishes a new random roadside oral fluid testing regime for drug driving. It is consistent with the existing approach to drink driving enforcement.  
**Outcomes:** Reducing death and serious injury on our roads.  
**Linkages:** Road to Zero Strategy.  
**Timeline:** The Bill is expected to be enacted by October 2021 and the regime will be in force 12 months later.  
**Current stage:** Legislative change and implementation planning for Waka Kotahi and NZ Police.  
**Next steps:** The Bill passed its Second Reading on 11 August 2021. Next stage is the Committee of the Whole House.

# The Land Transport Regulatory Work Programme



**Vehicle Lighting Rule – Transport Instrument Pilot**

This project will put in place the first transport instrument in the land regulatory regime. The Vehicle Lighting Rule has been identified as a suitable candidate.

**Outcomes:** Regulatory stewardship.

**Linkages:** Maritime Drug & Alcohol Regime transport instrument pilot.

**Timeline:** Transport instrument likely in place late 2022/early 2023.

**Current stage:** Policy development.

**Next steps:** Policy development continues and will utilise learnings from the maritime pilot before progressing to consultation.

**Traffic Control Devices Rule Review**

This hugely detailed Rule would benefit from a content and structural review. This review could include the use of transport instruments and experimental traffic orders. This is also the Rule that would need changing to allow for signs in te reo Māori.

**Outcomes:** Maintenance and renewal of the land transport regulatory framework, including tools to support an effective regulator.

**Linkages:** Regulatory Systems (Transport) Amendment Bill One, Bilingual Signage.

**Timeline:** Likely to take 12-18 months. Scoping late 2021.

**Current stage:** Exploring options about how to progress this work most effectively.

**Next steps:** Information on this proposal and linkages expected in late 2021.

**Parking Regulation Review**

The legislative provisions relating to parking, and the associated issues of bylaw creation and towage and storage are very outdated, and have been identified as causing issues.

**Outcomes:** Maintenance and renewal of the land transport regulatory framework, including tools to support an effective regulator.

**Linkages:** Financial Penalties Framework, regulatory stewardship.

**Timeline:** Likely to take 18-24 months.

**Current stage:** Policy development.

**Next steps:** You received a briefing on the outcome of the scoping phase. The Ministry is developing a more detailed programme for regulatory change.

**Regulatory Systems (Transport) Amendment Bill Two**

The next Bill in our ongoing regulatory stewardship work. It contains a range of amendments to support an effective and efficient land transport system.

**Outcomes:** Maintenance and renewal of the land transport regulatory framework, including tools to support an effective regulator.

**Linkages:** Regulatory stewardship.

**Timeline:** Likely to complete the legislative process by mid-2023, with ongoing implementation work.

**Current stage:** Policy development.

**Next steps:** Further information on the proposal and links expected in late 2021.

**Digital Identity Licensing**

Assess the impact of the Digital Identity work, being led out of DIA, on driver licences.

**TSL Review**

Review of the regulatory framework associated with land transport service licensing.

**Regulatory System Transport Amendment Rules**

As part of our ongoing regulatory stewardship work, this project will contain a range of rule amendments to support an effective and efficient land transport system.

**Outcomes:** Maintenance and renewal of the land transport regulatory framework.

**Linkages:** Regulatory stewardship.

**Timeline:** TBC as project scoping begins.

**Current stage:** Scoping.

**Next steps:** on hold until resource allows.

**Autonomous Vehicles**

We are currently reviewing and building our understanding on the regulatory approaches being taken in other jurisdictions. Alignment with Waka Kotahi programmes is also underway. We have received Crown Law advice on liability for crashes using autonomous vehicles.

**Outcomes:** Realising the benefits of technology to support a safe system and compliance with international standards.

**Linkages:** Vehicle Repair Rule, Vehicle Safety Standards, International strategy and technology benefits, Clean Vehicles Package.

**Timeline:** Expected to take 24 months.

**Current stage:** Scoping of longer term work programme underway. Crown Law advice about liability confirms no immediate changes are required in the short term. Medium term, regulatory work will be required.

**Next steps:** Updates through weekly report while we continue scoping the issues.

**United Nations Type Approvals**

As a signatory to the 1958 Agreement, New Zealand complies with regulations developed through UN working parties to harmonise vehicle standards globally. New Zealand does not however provide for automatic recognition of UN type approvals. Accepting type approvals, which meet our specific safety and compliance standards, would reduce regulatory barriers and administrative overheads.

**Outcomes:** Realising the benefits of technology to support a safe system and compliance with international standards.

**Linkages:** International strategy and technological benefits.

**Timeline:** Expected to take 24-48 months.

**Current stage:** Policy development (ongoing discussions with MBIE and Waka Kotahi).

**Next steps:** Pending MFAT decisions on the EU FTA.

**Amendments to Road User Charges Act 2012**

This project proposes legislative and regulatory change that would extend enable the extension of the end date of road user charges (RUC) exemptions for heavy electric vehicles (EVs), enable exemption of low-emissions vehicles from RUC, and create the ability to set partial RUC rates for certain types of low emission vehicles.

Other amendments seek to simply the RUC systems and improve Waka Kotahi's regulatory functions in relation to the RUC Act.

**Outcomes:** Supporting transport's contribution to the Emissions Reduction Plan required under the Climate Change Response Act and improving efficiency. Incentivising EV uptake.

**Linkages:** Hikina te Kohupara and the Climate Change Response Act.

**Timeline:** Minister has agreed to the development of a package of potential reforms to RUC legislation.

**Current stage:** Consultation (TBC)

**Next steps:** A paper seeking approval to consult on possible changes will be put forward to once Cabinet is able to consider it with consultation to follow. Final decisions on scope of any legislative change are expected mid 2022.

**Vehicle Repair Rule**

Review and potential re-design of the Vehicle Repair Rule.

**Outcomes:** Maintenance and renewal of the land transport regulatory framework.

**Linkages:** Autonomous Vehicles, Raise Vehicle Fleet Safety Standards, and Road to Zero.

**Timeline:** Scoping to continue into first half of 2022.

**Current stage:** Scoping.

**Next steps:** On hold until resource allows.

**Entry to and exit from the Land Transport System**

Review entry and exit provisions in the land transport regulatory system, including fit and proper person test and vehicle classification work.

**Outcomes:** Maintenance and renewal of the land transport regulatory framework.

**Linkages:** Accessible Streets, Autonomous Vehicles, Raise Vehicle Fleet Safety Standards, Motorcycle Licensing, UN Type Approvals, Low Emissions Vehicles Package, and Road to Zero.

**Timeline:** Scoping to restart late 2021/early 2022.

**Current stage:** Scoping – paused.

**Next steps:** Restart once resource allows.

**Rail**

**Railway Rules Identification**

The National Rail Industry Advisory Forum has identified 24 safety focused initiatives to progress. The focus of these initiatives include, among other things, the promotion of safety systems, standards, and interoperability.

**Outcomes:** Supporting healthy and safe people – TAIC recommendation for rail.

**Linkages:** Protecting people from harm, improving the safety and efficiency of the land transport system.

**Timeline:** Likely to take 18-24 months.

**Current stage:** Scoping.

**Next steps:** The Forum is working to prioritise its work areas which may lead to the development of rules under the Railways Act 2005.

**Auckland Light Rail**

The public service delivery of Light Rail in Auckland connecting Māngere to Auckland CBD. This includes deciding the form of public service entity that will be responsible for the delivery of the project.

**Outcomes:** Improving the performance of the land transport network.

**Linkages:** Auckland Transport Alignment Project.

**Timeline:** Ministerial and Cabinet decisions over the next 12-18 months. Legislation likely to be introduced 2022 at earliest.

**Current stage:** Policy advice on next steps of the project.

**Next steps:** Direction to be provided by Ministers in 2021.

**Track User Charges**

Advice on track user charges for rail to be reflected in legislation. These changes support the new planning and funding framework for rail through recent changes to the Land Transport Management Act 2003.

**Outcomes:** Improving the performance of the land transport network.

**Linkages:** Future of Rail Review

**Timeline:** Implementation expected to be complete in late 2021.

**Current stage:** Regulations Gazetted.

**Next steps:** Review regulations when developing the GPS 2024.

**Clean Vehicles Package**

Reducing the emissions profile of New Zealand's light vehicle fleet by introducing a clean car standard and discount.

**Outcomes:** Supporting transport's contribution to the Emissions Reduction Plan required under the Climate Change Response Act 2002.

**Linkages:** Hikina te Kohupara (previously named the Transport Emissions Action Plan), Climate Change Response Act, Road User Charges Act and the Road to Zero Vehicle Safety Standards.

**Timeline:** The Bill is expected to be in force by April 2022. The Fuel Consumption and Information Rule will be amended alongside associated regulations.

**Current stage:** Legislative change is underway. The Bill has had its first reading. Drafting of related regulations and rule is also underway.

**Next steps:** The Bill is expected to pass by early 2022, in tandem with associated regulations and rules.

**Sustainable Biofuels**

This project progresses development of a biofuels mandate for the purposes of reducing emissions from transport fossil fuels through the uptake of sustainable biofuels. Note that this work may be transferred to MBIE following the legislative drafting process.

**Outcomes:** Supporting transport's contribution to the Emissions Reduction Plan required under the Climate Change Response Act.

**Linkages:** Hikina te Kohupara and the Climate Change Response Act.

**Timeline:** Cabinet consideration expected 31 October 2021. Mandate expected to be in force from 1 Jan 2023.

**Current stage:** Legislative change – preparing for final Cabinet decision.

**Next steps:** MBIE is preparing the Cabinet paper on the final design of the Sustainable Biofuels Mandate, with Cabinet consideration expected October 2021.