



**Iā Ara Aotearoa Transporting New Zealand's response to Land Transport  
(Driver Licensing) Amendment Rule (No 2) 2021 Overview for consultation and  
the draft rule released 13 September 2021**

Iā Ara Aotearoa Transporting New Zealand  
PO Box 1778  
Wellington  
Ph: (04) 472 3877  
Contact: Nick Leggett CE

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## **1. Representation**

- 1.1 Ia Ara Aotearoa Transporting New Zealand (Transporting New Zealand) is made up of several regional trucking associations for which Transporting New Zealand provides unified national representation. It is the peak body and authoritative voice of New Zealand's road freight transport industry which employs 32,868 people (2.0% of the workforce), and has a gross annual turnover in the order of \$6 billion.
- 1.2 Transporting New Zealand members are predominately involved in the operation of commercial freight transport services both urban and inter-regional. These services are entirely based on the deployment of trucks both as single units for urban delivery and as multi-unit combinations that may have one or more trailers supporting rural or inter-regional transport
- 1.3 According to Ministry of Transport research (National Freight Demands Study 2018) road freight transport accounts for 93% of the total tonnage of freight moved in New Zealand

## **2. Introductory comments**

- 2.1 As an alternative to commenting on the legislative draft rule, we have confined our comments to the commentary covered by the Overview for consultation. The reason for this approach is it is easier to raise questions about the philosophical approach to the proposed changes, as opposed to arguing the detail of the legislative framework. We will endeavour to outline our views around the two fundamental questions presented on page 11 of the Overview document.
  1. *Do you support revoking the time-limited licence policy? Please outline your reasons.*
  2. *Do you see any additional risks in revoking the time-limited licence policy?*
- 2.2 The key reason for focussing on the overview is that the regulatory provisions set out in the draft rule flow from the policy reasoning outlined in the overview.
- 2.3 The comments offered are in respect of the potential impact of the changes proposed (extending the learner and restricted expiry periods from five to 10 years) potentially inhibiting the move to full class 1 licences, which in our view may consequently impact on the uptake of employees in the road freight transport sector, specifically commercial freight vehicle driver trainees aspiring to Class 2 and above licences.

### **3. Purpose of graduated driver licensing**
- 3.1 To start we have to relook at the purpose and functionality of the graduated driver licensing system (GDLS) process and ask the question, is the present model still the

most appropriate? We are not entirely convinced it is and the back-log of time-limited licence candidates that suggests there needs to be some sort of fundamental rethink around possible solutions to prevent a backlog occurring again.

- 3.2 The changes proposed, extending the hold period for learner and restricted licences, do little, if anything, to ensure trainees gain driving skills or core competencies, nor will it ameliorate risky behaviours as the GDLS intended. Arguably, it removes driver licence administrative congestion and eases management work flows operating within the testing environment but overall, the whole approach suggested appears to be a version of doing the same thing over and over again and expecting different results.
- 3.3 Page 8 provides an explanation of the GDLS as a process to manage new driver risks by providing a staged approach to gaining skills prior to progressing to achieving a full driver licence. This system relies on competency testing and skill assessment at relevant threshold points or stages in the graduated process. This process in turn, assumes that the full licence applicant will be a driver capable of demonstrating cognitive and skill competencies sufficiently adequate to meet public safety expectations. These are aspirations that anyone would agree with.
- 3.4 However, given the reasons in favour of the changes proposed for extending the Amendment Rule, they appear tenuous, particularly when viewed against the previous experience of having had extended licence hold periods; reference page 8, paragraph marked Background. The problem of 'pooling' is outlined, that is, staying in a learner or restricted license level for an extended length of time. **4. Q1. Do you support revoking the time-limited licence policy?**
- 4.1 Transporting New Zealand is not opposed to the legislative changes proposed and on the face of it, they appear a realistic solution given the circumstances explained in the discussion under Background, pages 8 and 9. However, we seriously doubt the changes in the licence hold period in themselves are going to overcome the administrative burden outlined in the overview text, or encourage the driver trainees to upgrade expediently. Given the past experience with a 10-year timeframe, driver trainees will simply delay upgrading until the sunset date arrives, unless there is some aspect of external demand that forces, encourages, or motivates the trainee to upgrade to the full licence level. Even previous concessional options discussed on page 9, i.e. the two-year extension, failed to accelerate learner and restricted licensees to upgrade.
- 4.2 We appreciate the reasons for not taking advantage of the GDLS framework are documented in the overview, but apart from the general comments about costs and vehicle availability, and the cost for the practical tests, other reasons are less well defined, e.g., those wanting a licence for identification purposes and limited use such as transporting children. However, it is difficult to look past the reason listed of *being too lazy*. Without providing some numerical evidence of where the weight of numbers resides, we appreciate it is difficult to come up with any compelling options on how to commit resources to alleviate the problems of those with a genuine issue.
- 4.3 All we have is the global numbers alluded to in the current state paragraph. Being too lazy or unmotivated versus lack of necessity are two different propositions that should be separated within the context of the overview paper, but we have to assume the detail is unavailable.
- 4.4 Unfortunately, being too lazy completely undoes the concept that the proposed changes will assist economic development because we doubt these same individuals

will be any more motivated within an employment environment than in personal environment when confronted with a licence sunset.

- 4.5 There are number of points within the *assisting achievement of strategic objectives for transport* (page 5) that are questionable, but there is little point in arguing these as a number of these points reflect an underlying social agenda aspiration, not solely an employment or safety related agenda. The difficulty is, these two aspects are not necessarily mutually compatible and apart from those individuals who are motivated to move through the graduated system, the balance, for whatever reason, will just hold out until the expiry date and argue the need for relief at that point.

## **5. Background and current state**

- 5.1 When we look at the process in totality and the administrative challenges, including the burden of competency testing the graduated scheme presents, it raises an obvious question as to whether the present model is the right approach. Both learner level and restricted level for Class 1 have considerable similarities in the required operational conditions that drivers have to comply with and we question whether there is sufficient variation between the two to justify the need for a practical test to move from a Class 1L to Class 1R. We suggest a specified desktop online qualifying model test could be an adequate solution to determine whether a candidate can move up a graduation. The reason this option is suggested is because media and screen-based training and skill assessment technologies have moved forward significantly since the rule was initially promulgated in 1999.
- 5.2 Under current state, the impacts of the COVID-19 lock downs on GDLS progression are well identified, adding more weight to the need to review the way the capacity constraints can be effectively reduced.
- 5.3 Interestingly, the discussion (page 10) makes the point that safety benefits (crash rate reductions) of having a time limited licence policy are somewhat elusive and repeat theory testing for learner and restricted renewals is also questionable when it comes to determining safety improvement outcomes. The comments suggest that the GDLS scheme needs more than simply increasing time limited cycles to achieve the best outcomes for improving both safety and reducing the currently identified administrative burden, plus the amendments are just postponing the inevitable.

## **6. Q2. Do you see any additional risks in revoking the time-limited licence policy?**

- 6.1 In the discussion above, we have covered off many of the perceived or likely risks. In summary these are largely related to prolonging the delay in achieving the next licence level, including gaining a full licence for many GDLS participants.
- 6.2 We know from the overview's accompanying Q&As, that making the relevant theory tests repeatable at each licence renewal and setting a five-year expiry timeframe had no more impact on motivating those progressing through the GDLS scheme than the provisions of the previously mandated 10-year time frame. Admittedly, the changes proposed in the draft legislation, providing additional timeframe flexibility to renew licences and removal of the theory tests, will undoubtedly assist some individuals, but the actual number is far from clear. Therefore, we are not entirely convinced the proposed 10-year time frame and waiver on repeating theory tests will have a

significant influence on the individual's motivation to progress through the process, but it does remove what some might consider barriers to access.

- 6.3 The Q&As also allude to some hypothetical benefits such as, an increased likelihood of employment if individuals progress to a restricted licence and then onto a full licence. It is the latter licence level where the employment opportunities would be expected to arise. A restricted licence holder just presents the potential employer with another cost. The discussion implies a willingness that the employer would be prepared to fund training and testing for the employee to gain a full licence. In better economic times that view may be realistic, but in the COVID-19 environment, small businesses are under significant financial stress and they are seeking fit-for-work capability at the outset of employment relationships. In the trades and ancillary freight transport environment work, capability may be limited until the full licence is achieved.
- 6.4 From the road freight transport sector perspective, there is a prerequisite full licence period requirement before a driver candidate can be considered employable and able to progress through Transporting New Zealand's *Te ara ki tua Road to success* truck driver training programme. The Road to success programme is dependent on licensed Class 1 drivers coming available through completion of the GDLS. Transporting New Zealand sincerely hopes the increased timeframe achieves its predicted outcomes and doesn't have a measurable impact on numbers of potential employees for the training programme.

## **7. Concluding comments**

- 7.1 In summary, it safe to conclude that despite our concerns about the proposed changes, Transporting New Zealand supports them being implemented. However, we cannot ignore our dismay that this tinkering with the system represents only a very minor subset of everything that is wrong with GDLS system, particularly when the framework is viewed in its totality.
- 7.2 Transporting New Zealand has been advocating for the significant overhaul of the GDLS framework as it applied to Class 2 to 5 licences for many years, actually right from its inception in 1999.
- 7.3 The multiple levels of licence category have only served to load trainees with significant costs and delays in employment, and in part, contributed to the present heavy vehicle driver shortage in New Zealand. It has delivered marginal safety benefits.
- 7.4 It's also worth noting, Transporting New Zealand has been involved in various reviews of the GDLS including the 2016 initiative that resulted in the May 2019 draft rule being circulated for comment. The draft that was released for comment only partially met the heavy vehicle sector's needs, but offered some limited improvements over the present version of the driver licencing rule. Regrettably, the final rule amendment has never seen the light of day where it might have made a real difference to employment opportunities. Instead, we have considerable resources being put into resolving a problem that's technically, evidence of a lack of administrative resources and lack personal commitment of a number of applicants and learners to complete their driver licence training and assessments.