

27 January 2025

Geoff Waterhouse
fyi-request-29490-bb9837d1@requests.fyi.org.nz

REF: OIA-17175

Dear Geoff

Request made under the Official Information Act 1982

Thank you for your email of 8 December 2024 requesting the following information under the Official Information Act 1982 (the Act):

- (1) what is the enabling legislation which permits the issuance of pseudo driver licence?*
- (2) If there is no enabling legislation what is the legal basis for the issuance of pseudo driver licences?*
- (3) Can a pseudo driver licence be issued to a limited company?*
- (4) When did pseudo driver licences first come into existence?*
- (5) How many speed camera Infringement Notices have been issued since the inception of pseudo driver licences?*
- (6) How many speed camera Infringement Notices have been issued to limited companies by way of pseudo driver licences?*
- (7) How many speed camera Infringement Notices have been issued to individuals by way of pseudo driver licences?*
- (8) How many Infringement Notices, other than for speed camera offences, been issued both for limited companies and individuals, by way of pseudo driver licences?*
- (9) What is the total value of all Infringement Notices issued by way of pseudo driver licences?*
- (10) Going back quickly to (1) and (2) If there is no enabling legislation, are pseudo driver licences legal and if so, how are they legal?*
- (11) Why is there, apparently, no reference to pseudo driver licences either on your website or in the Land Transport Act 1998?*

As you are aware, questions 5 through 9 were transferred through the NZ Police for answering. I have responded to the remainder of your questions in turn below.

(1) What is the enabling legislation which permits the issuance of pseudo driver licence?

There is no legislation which permits the issuing of a pseudo driver licence as the term 'pseudo licence record' is a term for a unique identifier created in the driver licensing register system that hold information against it. It is not a licence that is issued to a person or company, it does not grant any rights to a person or company to drive. It is like a reference number. It is an administrative process that

is used when an offence is committed, and a unique identifier does not already exist or cannot be clearly identified.

(2) If there is no enabling legislation what is the legal basis for the issuance of pseudo driver licences?

Section 4 of the Land Transport (Offences and Penalties) Regulations 1999, Infringement offences States:

(1) A breach of a provision specified in the first column of Schedule 1 for which an infringement fee is specified in Schedule 1 is an infringement offence against the Act.

Speeding is an offence against the Act, therefore an infringement is issued to the individual or body corporate identified to have committed the breach to the fee or amount determined by the relevant scale specified within the Land Transport (Offences and Penalties) Regulations 1999.

(3) Can a pseudo driver licence be issued to a limited company?

Yes. If a traffic offence is identified as having been committed by a vehicle registered to a limited company, and the individual operating the vehicle cannot be identified, then a pseudo licence record is generated in the limited company's name. An example of this occurring would be when a vehicle registered to a limited company commits an offense that is recorded by a speed or safety camera.

(4) When did pseudo driver licences first come into existence?

The provision to create a pseudo licence record has been possible on the driver licensing register since sequential licence numbers have been in use. I am unable to provide an exact date.

(10) Going back quickly to (1) and (2) If there is no enabling legislation, are pseudo driver licences legal and if so, how are they legal?

A pseudo licence record is a term given to the unique identifier used within the driver licensing register to ensure that traffic offences are recorded against the correct individual or company.

(11) Why is there, apparently, no reference to pseudo driver licences either on your website or in the Land Transport Act 1998?

There is no reference to pseudo licence records within the Land Transport Act 1998, or on New Zealand Transport Agency Waka Kotahi's (NZTA) website, as this function of the driver licensing register is used under a power granted to enforcement officers.

If you would like to discuss this reply with NZTA, please contact Ministerial Services by email to official.correspondence@nzta.govt.nz.

Yours sincerely



Chris Rodley
National Manager Regulatory System Design