

Things to consider

Before you apply for an exemption, you should consider the following factors:

- You are applying for an exemption from complying with the law.
- The matters to be considered before an exemption can be granted are set out in law. This means exemptions are not automatically granted.
- The law does not provide for an exemption to be granted on the basis of inconvenience or hardship.
- The fee is non-refundable - regardless of whether your application is granted or declined. The fee covers the cost of processing your application.
- The NZ Transport Agency (NZTA) is not obliged to grant an exemption if it is not considered appropriate to do so.
- The NZTA may impose conditions to any exemptions issued.

It is unlikely that an exemption will be granted on a class 1 or 6 learner licence, or in the first six months of holding your restricted licence, or if you are under the age of 16.

How to apply

Print and complete this form and send it with your documentation and payment to the address below.

**Business Administration Team
NZ Transport Agency
Private Bag 11777
Palmerston North 4442**

If you are sending original evidence in support of your application, we recommend that you send the application by courier to the address below to ensure safe delivery.

**Business Administration Team
NZ Transport Agency
43 Ashley Street
Palmerston North 4410**

More information

The NZTA has a range of factsheets which give more information on a wide range of driver licensing topics. These are available on our website www.nzta.govt.nz.

We use our forms and factsheets to provide useful, common-sense advice and information in a concise format. They can't cover all aspects of a topic and should not be used instead of authoritative legal documents or legal advice.

What to enclose

If you do not supply all relevant information your application may be delayed or declined.

- Your completed application form** (this must be the original form that you have printed and completed). Faxes, photocopies, or scans of the completed form are not acceptable.
- A cheque or money order for \$27.20 to pay the application fee** (these must be made out to the Transport Registry Centre).
You can also pay by credit card over the phone by calling 0800 822 422 and you will be given a reference number to include in the *Payment options* section of this form.
- To ensure the safe return of your original documents, we recommend that you also provide a traceable courier bag marked with your return address.** If you do not provide a courier bag your original documents will be returned by standard mail.
- If you are applying for an exemption to obtain a class 1R/6R licence at an age younger than 16½ you must:**
 - be at least 16 years of age
 - have obtained your 1L/6L licence prior to 1 August 2011
 - have a clean driving record, and
 - have held your 1L/6L licence at least 6 months.
- If you are applying for an exemption to obtain a class 1F/6F licence at an age younger than 18 you must:**
 - be at least 16 years of age
 - have obtained your 1R/6R licence prior to 1 August 2011
 - have a clean driving record, and
 - have held your 1R/6R licence at least 18 months (reduced to 12 months if you have successfully completed an approved advanced driving course).
- If you are applying to be exempt from any of the graduated driver licensing system (GDLS) conditions, you must provide information about:**
 - Alternative travel methods that are available to you, and to any passengers that you wish to carry (eg bus routes)
 - Any travel arrangements that existed prior to the application for an exemption and why these arrangements are no longer appropriate
 - Addresses you wish to travel between (eg home address and work address), the distance to be travelled and the likely travel time
 - Days and times you wish to travel (eg between 10pm and 11pm on Sundays and Mondays), and
 - If you are under 18 and reside with your parents or guardians, you will need to provide a letter of authority from them. If you are under 18 and do not reside with your parents or guardians, you will need to include that information in your application.

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What to enclose

If you are applying for an exemption to drive alone when on a restricted licence between the hours of 10pm and 5am, you must provide:

- The reason you need to travel unsupervised outside the normal hours of the restricted licence.
- A letter from your employer confirming your start and/or finish times and the length of your employment if the request for an exemption is to travel to and from work.

If you are applying for an exemption to carry passengers, you must provide:

- The full name and age of each passenger.
- A letter of authority from each passenger or a letter of authority from their parents or guardians if they are under 18 years of age.
- A letter from the doctor of the person you are wanting to carry for medical reasons.

If you are applying for an exemption to recognise overseas driving experience, you must provide:

- Your original overseas driver licence.
- An original *Certificate of particulars* if your overseas licence does not have an issue date.
- An original approved translation if your overseas driver licence or *Certificate of particulars* is not in English.

Note: should the above exemption be granted, this does not guarantee the approval of any subsequent endorsements.

If you are applying for an exemption to convert a New Zealand driver licence without the original overseas licence, you must provide:

- An original *Certificate of particulars* from the overseas driver licensing authority.
- An original approved translation if your *Certificate of particulars* is not in English.
- Confirmation from the overseas licensing authority they will not issue you with replacement overseas licence while you are in New Zealand.

If you are applying for an exemption to convert an overseas special-type vehicle endorsement (eg forklift), or for recognition of an overseas driving instructor qualification, you must provide:

- Evidence of the overseas endorsement/qualification (eg course certificate or qualification certificate).
- Evidence of any overseas driving experience you have had (eg letter from your employer).

If you are applying for an exemption because you do not have any acceptable evidence of identity, you must provide:

- A certified copy or the original identification that you wish to use instead of an approved form of identification.
- Any other supporting evidence that confirms your identity.
- You will also need to provide a passport sized photo of yourself.

Legal questions

The *Legal information* section on page 5 will be used to assess your application against section 166 of the Land Transport Act 1998.

You **must** answer Question 1.

You must also answer **at least** one of the other questions:

Question 2: This question gives you the opportunity to prove you have substantially complied with the law and to justify why you should be exempt from complying with the remaining provisions of the law.

Question 3: This question gives you the opportunity to prove that you have taken alternative action which is equivalent to the action you are applying to be exempt from.

Question 4: This question gives you the opportunity to prove why a requirement is unreasonable or inappropriate in your case.

Question 5: This question gives you the opportunity to explain what events have occurred and to prove why these events now make it unnecessary or inappropriate for you to comply with the relevant legislation.

Passengers

If you hold a restricted car licence, you are entitled to carry certain passengers without obtaining an exemption. These passengers are:

- Your spouse (a person you live with in the nature of marriage)
- Children who live with you and who are under you or your spouse's care (you or your spouse support them financially)
- Relatives who live with you and who receive a social security benefit (domestic purposes, widow's, invalid's, sickness or unemployment benefit)
- Someone you look after as their primary caregiver.

Application

You should hear the outcome of your application within 20 working days of your application being received.

If your application is declined, you will receive a letter advising this. The letter will also advise you of your right to lodge an appeal with the district court.

If you wish to retain a copy of the details supplied on this form, please take a photocopy before submitting the application.

Privacy information

The particulars specified on the *Application for an exemption* will form part of the Driver Licence Register. Collection and dissemination of this information is authorised by the Land Transport Act 1998.

The NZTA may use some of the particulars specified on this application to provide you with information and/or publications related to driver licensing and driving.

Details supplied with your application may be used to make such enquiries as are deemed necessary to consider your exemption request.

By signing this application you authorise the NZTA to use your personal information for these purposes.

We may also disclose some of the particulars specified on this application to the NZTA's agents or contractors in relation to any of the above purposes and you authorise us to disclose that information to them.

Under the Electoral Act 1993, s 263B, the NZTA is authorised to release information for data matching purposes to the Electoral Enrolment Centre.

The NZTA also operates an authorised information matching programme with the Registrar of Births, Deaths and Marriages. The purpose of this programme is to assist in keeping the national Driver Licence Register up-to-date. Please refer to the Privacy section of our website for further information.

The Privacy Act 1993, s 6, provides rights of access to, and correction of, any readily retrievable personal information held by the NZTA. Should you wish to exercise these rights please contact the Transport Registry Centre, NZ Transport Agency, Private Bag 11777, Palmerston North 4442 or email: info@nzta.govt.nz.

Information relating to driver licence status (but not your signature) may be released under the Land Transport Act 1998, s 199-200).

Warning

It is an offence to supply false information and may lead to court action. The consequences can include losing your licence and/or paying a fine.

Your overseas licence documentation will be examined to determine its authenticity. **Documents will not be returned where there is any doubt regarding their authenticity.**

The NZTA has now adopted NZ Post's new standardised address formatting guidelines. This means the address printed on correspondence from the NZTA may differ slightly or display differently to the way you have written your address.

