



12 July 2017

His Excellency Ahmet Ergin  
Ambassador  
Embassy of the Republic of Turkey  
PO Box 12-248  
Wellington 6144

*C. Endean*  
*17/7*

Dear Ambassador

**BREACHES OF NEW ZEALAND TRANSPORT LAW**

The New Zealand Police and the New Zealand Transport Agency (NZTA) are responsible for enforcing transport laws within New Zealand to ensure that people operate in accordance with the relevant New Zealand legislation to help ensure the safety of tourists and other road users.

Creating a safe and desirable transport environment for tourists is very important and accordingly regular checks are carried out on individual and companies providing passenger services and the vehicles they use.

We are writing to you regarding recent breaches of New Zealand transport law by overseas-based tour operators, one of which recently resulted in a fatality. These incidents have put overseas visitors at risk.

We would be grateful if you could forward the attached information sheet to tourism industry associations within your country so that tour companies or individuals intending to operate in New Zealand are aware of our legal requirements, the penalties for non-compliance and that we will be monitoring them to ensure they comply with our legislation.

Please contact [visitingdrivers@nzta.govt.nz](mailto:visitingdrivers@nzta.govt.nz) if you would like any further information.

Thank you for your assistance.

Yours faithfully

Jim Harland  
Director Regional Relationships South Island

Inspector Kelly Ryan  
NZ Police



### New Zealand's transport legislation - need for compliance and consequences of breaches

The New Zealand Police and the New Zealand Transport Agency (NZTA) are responsible for enforcing transport laws within New Zealand to ensure that people operate in accordance with the relevant New Zealand legislation. This helps ensure the safety of tourists and other road users.

We are writing to you regarding recent breaches of New Zealand transport law by overseas-based tour operators, one of which recently resulted in a fatality. These incidents put tourists at risk.

Creating a safe and desirable transport environment for tourists is very important and accordingly regular checks are carried out on individuals and companies providing passenger services as well as the vehicles they use. It is critical that anyone involved in providing passenger services in New Zealand is aware of all of the legal requirements. To find out about them, please go to the NZTA website ([www.nzta.govt.nz](http://www.nzta.govt.nz)). Factsheets about a wide range of topics are available here: <https://www.nzta.govt.nz/resources/factsheets/category.html>.

While it is important that all aspects of the New Zealand transport regime are complied with, you should be aware of these key concerns:

(1) Passenger Service Licence requirement - anyone involved in transporting people for hire or reward or transporting more than 12 people provides a passenger service. All passenger service operators must hold a Passenger Service Licence. Licence holders must meet the fit and proper person requirements in the interests of public safety. As part of this their criminal history and traffic offence history, amongst other things will be checked. More information about Passenger Service Licences is available here: <https://www.nzta.govt.nz/commercial-driving/transport-service-licences/>.

(2) Passenger Endorsement requirement- everyone who drives a passenger service vehicle must hold a Passenger Endorsement on their driver licence. Passenger endorsement holders must be "fit and proper". They must, for example, hold a valid New Zealand driver licence and pass a Police vetting check, traffic offence history and medical checks. More information about Passenger Endorsements is available here: <https://www.nzta.govt.nz/resources/factsheets/42/>.

(3) Driver fatigue - all of these drivers must also comply with worktime requirements to ensure they are not tired. Driver fatigue is a significant safety issue. More information about worktime and logbook requirements is available here: <https://www.nzta.govt.nz/resources/factsheets/02/>.

(4) Passenger vehicle standards- all vehicles used to transport passengers must meet a higher safety standard and must display a current certificate of fitness. More information about passenger service vehicles is available here: <https://www.nzta.govt.nz/resources/factsheets/15/>.

Breaches of New Zealand transport law are taken seriously. The penalties reflect that. For not having a Passenger Service Licence, for example, a person can be fined up to \$10,000 and for a second or subsequent offence \$25,000 and the vehicle can be impounded for up to 90 days. Breaches of our legislation can also have serious consequences for tourists, aside from the obvious safety risks. Vehicles can be (and have been) impounded and non-compliant drivers can be prohibited from driving further with the result that tourists can find their trip immediately interrupted. Non-compliant tour companies have incurred significant expense from having to make alternative transport arrangements at short notice. This has also left passengers unhappy as they missed some of their planned activities due to the delays.