

## **Land Transport Amendment Bill (No 3)**

(Divided from the Health Practitioners (Replacement of Statutory References to Medical Practitioners) Bill)

Government Bill

As reported from the committee of the whole House

This Bill was formerly part of the Health Practitioners (Replacement of Statutory References to Medical Practitioners) Bill as reported from the Health Committee. The committee of the whole House has divided it into the following Bills:

- Accident Compensation Amendment Bill (No 2) comprising clauses 1 and 2, and Part 1
- Burial and Cremation Amendment Bill comprising Part 2 and Schedule 1
- Children, Young Persons, and Their Families Amendment Bill (No 2) comprising Part 3
- Holidays Amendment Bill (No 2) comprising Part 4
- this Bill comprising Part 5 and Schedule 2
- Medicines Amendment Bill comprising Part 5A
- Mental Health (Compulsory Assessment and Treatment) Amendment Bill comprising Part 6
- Misuse of Drugs Amendment Bill (No 2) comprising Part 7.



*Hon Dr Jonathan Coleman*

## **Land Transport Amendment Bill (No 3)**

Government Bill

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**The Parliament of New Zealand enacts as follows:**

**1 Title**

This Act is the Land Transport Amendment Act **2016**.

**2 Commencement**

- (1) This Act comes into force on a date appointed by the Governor-General by Order in Council, and 1 or more Orders in Council may be made bringing different provisions into force on different dates. 5
- (2) Any provision that has not earlier been brought into force comes into force on the day that is 2 years after the date on which this Act receives the Royal assent. 10
- . . . . .

**26 Principal Act**

This **Act** amends the Land Transport Act 1998 (the **principal Act**).

**27 Section 2 amended (Interpretation)**

- (1A) In section 2(1), repeal the definition of **doctor’s surgery**. 15
- (1B) In section 2(1), insert in its appropriate alphabetical order:  
**medical centre** means any place where a medical examination or medical care or treatment is carried out or given
- (1) In section 2(1), definition of **medical expenses**, replace “medical practitioner” with “health practitioner”. 20
- (2) In section 2(1), replace the definition of **medical officer** with:  
**medical officer** means a person acting in a hospital and who, in the normal course of the person’s duties, takes blood specimens
- (3) In section 2(1), repeal the definition of **optometrist**.

- 28 Section 13 amended (Drivers and other road users to comply with directions of enforcement officers, etc)**
- In section 13(3), replace “medical practitioner” with “health practitioner”.
- 29 Section 18 amended (Doctors and optometrists to give Agency medical reports of persons unfit to drive)** 5
- (1) In the heading to section 18, replace “**Doctors and optometrists**” with “**Health practitioners**”.
- (2) In section 18(1), replace “medical practitioner or optometrist” with “health practitioner”.
- (3) In section 18(2), replace “medical practitioner or optometrist” with “health practitioner” 10
- (4) In section 18(3), replace “medical practitioner or optometrist” with “health practitioner”.
- 30 Section 60 amended (Failure or refusal to permit blood specimen to be taken or to undergo compulsory impairment test)** 15
- (1) In section 60(1)(b), replace “medical practitioner” with “health practitioner”.
- (2) In section 60(1)(c), replace “medical practitioner” with “health practitioner”.
- 31 Section 64 amended (Defences)**
- In section 64(1), replace “medical practitioner” with “health practitioner”.
- 31A Section 68 amended (Who must undergo breath screening test)** 20
- In section 68(2), replace “doctor’s surgery” with “medical centre”.
- 31B Section 69 amended (Who must undergo evidential breath test)**
- In section 69(7), replace “doctor’s surgery” with “medical centre”.
- 32 Section 72 amended (Who must give blood specimen at places other than hospital or surgery)** 25
- (1A) In the heading to section 72, replace “**surgery**” with “**medical centre**”.
- (1) In section 72(1), replace “medical practitioner” with “health practitioner” in each place.
- (2) In section 72(2), replace “medical practitioner” with “health practitioner”.
- (3) In section 72(3), replace “medical practitioner” with “health practitioner” in each place. 30
- (4) In section 72(4)(a), replace “medical practitioner” with “health practitioner” in each place.
- (5) In section 72(5)(b), replace “medical practitioner” with “health practitioner”.

- 33 Section 73 amended (Who must give blood specimen in hospital or surgery)**
- (1A) In the heading to section 73, replace “**surgery**” with “**medical centre**”.
- (1) In section 73(1):
- (a) replace “doctor’s surgery” with “medical centre”; and 5
- (b) replace “medical practitioner” with “health practitioner” in each place.
- (2) In section 73(2):
- (a) replace “doctor’s surgery” with “medical centre”; and
- (b) replace “medical practitioner” with “health practitioner” in each place.
- (3) In section 73(3): 10
- (a) replace “medical practitioner” with “health practitioner” in each place; and
- (b) replace “doctor’s surgery” with “medical centre”.
- (4) In section 73(4), replace “medical practitioner” with “health practitioner” in each place. 15
- (5) In section 73(5), replace “medical practitioner” with “health practitioner”.
- (5A) In section 73(5)(a), replace “doctor’s surgery” with “medical centre”.
- (6) In section 73(6), replace “medical practitioner” with “health practitioner”.
- 34 Section 74 amended (Procedure for dealing with blood specimens)**
- In section 74(4), replace “medical practitioner” with “health practitioner”. 20
- 35 Section 75 amended (Certificates in blood-alcohol proceedings)**
- (1) In section 75(2), replace “medical practitioner” with “health practitioner”.
- (2) In section 75(3):
- (a) replace “medical practitioner” with “health practitioner” in each place; and 25
- (b) replace “doctor’s surgery” with “medical centre” in each place.
- (3) In section 75(4), replace “medical practitioner” with “health practitioner”.
- 36 Section 76 amended (Presumptions relating to blood specimens)**
- In section 76(1)(c), replace “medical practitioner” with “health practitioner”.
- 37 Section 79 amended (Circumstances in which certificate not admissible in proceedings)** 30
- In section 79(1), replace “medical practitioner” with “health practitioner” in each place.

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- 38 Section 99 amended (Court may reduce disqualification)**  
In section 99(3)(d), replace “medical practitioner” with “health practitioner”.
- 39 Section 100 amended (Agency to remove certain disqualifications)**  
In section 100(1)(a)(i), replace “medical practitioner” with “health practitioner”. 5
- 40 Section 100A amended (Agency to remove alcohol interlock requirements)**  
In section 100A(1)(a)(i), replace “medical practitioner” with “health practitioner”.
- 41 Section 209 (Taking of blood specimens for statistical or research purposes)** 10  
In section 209(1), replace “medical practitioner” with “health practitioner”.
- 42 Consequential amendments**  
The enactment specified in **Schedule 2** is consequentially amended in the manner indicated in that schedule.
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## Schedule 2

### Consequential amendments

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#### Land Transport (Driver Licensing) Rule 1999 (SR 1999/100)

In clause 38(1)(b), replace “optometrist or medical practitioner” with “health practitioner”.

In clause 41(1)(a) and (b), replace “medical practitioner, a optometrist, or a occupational therapist,” with “health practitioner”.

Replace clause 56(1)(d) with:

- (d) the person consults with a health practitioner who is a member of a designated class of health practitioners at intervals specified by the Agency.

After clause 56(2), insert:

- (3) In subclause (1)(d), **designated class of health practitioners** means a class of health practitioners designated by the Agency.

In clause 77(2), replace “medical practitioner, optometrist, occupational therapist,” with “health practitioner.”

In clause 82(1)(d), replace “optometrist, a medical practitioner, or a occupational therapist” with “health practitioner”.

#### Legislative history

11 October 2016

Divided from Health Practitioners (Replacement of Statutory  
References to Medical Practitioners) Bill (Bill 36–2) as Bill 36–  
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