

IR-01-22-11750

20 June 2022

Phil Pennington
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Dear Phil

I refer to your Official Information Act 1982 (OIA) request dated 26 April 2022 for information relating to restricted drivers carrying passengers when they should not be.

I have answered each part of your request below.

- 1. A list of any means (including records, intervention methods, data) police currently use to track/record etc the number of interventions they make in any given period (including fines or tickets issued) in relation to drivers who are on a restricted licence and who are carrying passengers when they should not be.*
- 2. From the above list, pls provide two of the latest and most comprehensive records or documents of any type police have that show how many such interventions there have been over the last 5 years.*
- 3. Pls provide the numbers of fines issued per year, over the last 5 years, by police to drivers who are on a restricted licence for carrying passengers when they should not be.*
- 4. Pls provide similar numbers for other non-fine interventions for such cases*

Please refer to Table 1 below which shows restricted driver licence holder offences relating to carrying passengers and interventions for the last five years. The table includes the following offences:

- Aided or abetted restricted driver to carry unauthorised passenger
- Aided or abetted restricted rider to carry pillion on motorcycle or moped
- Restricted driver carrying unauthorised passenger
- Restricted driver carried pillion passenger on motorcycle or moped.

Please note that New Zealand Police reports on the number of offences detected and recorded, and not on the number of people who commit offences.

Police National Headquarters

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Also note this part of my response contains provisional data which is drawn from a dynamic operational database on 5 May 2022. This is subject to change as new information is recorded or recoded.

Table 1: Annual number of offences recorded for breaching the conditions of a restricted driver licence relating to carrying passengers, 2017-2021.

	Infringements	Prosecution	Te Pae Oranga (TPO) Referral	Written Warning	Youth Referral
2017	13,672	3	2	387	1
2018	8,999	8	1	328	1
2019	7,716	2	1	336	1
2020	6,382	1	2	201	3
2021	5,022	1	0	10	2

Police encourages the appropriate application of supported resolutions or written traffic warnings in appropriate circumstances rather than taking a purely punitive approach.

You might find table 2 below useful as a comparison with other types of driving licence offences.

Please note that this part of my response also contains provisional data which is drawn from a dynamic operational database on 31 May 2022. This is subject to change as new information is recorded or recoded.

Table 2 includes offences where a person was driving without a licence and those where a person was driving with the wrong licence (e.g., driving a motorcycle on a car licence). There is no way to distinguish between these in the data.

This is an area where compliance is frequently offered to the offending driver. An example would be that a person was caught driving without a licence and was issued an infringement for that but is offered compliance so that the infringement is waived if the offending driver books themselves in and obtains a learner licence.

Table 2: Annual number of offences recorded for driving a motor vehicle on a road without an appropriate driver licence, 2017-2021.

	Infringements	Prosecution	Statute of Limitations	Te Pae Oranga (TPO) Referral	Written Warning	Youth Referral
2017	20,539	49	0	7	213	9
2018	15,739	50	2	16	202	27
2019	14,796	50	0	14	191	17
2020	14,255	36	0	9	163	21
2021	13,237	41	0	40	3	42

Referrals to driver licensing programmes across districts are proving to be a beneficial alternative to an infringement.

The aim of the programmes is to make the roads safer for all users. Driver licensing programmes contribute to reducing the number of people entering the justice system for driver licence breaches and reduce subsequent recidivist offences related to unlicensed driving. Not only does the individual become a legal road user it gives them a sense of accomplishment and confidence. Holding a driver licence also presents job opportunities that would otherwise be unavailable.

Driver licensing programmes help those who do not have the resources to learn to drive and achieve a driver licence. Driver licensing programmes are run across the country in partnership with communities, iwi, local councils, and agencies.

- 5. Pls detail any operations or suchlike in the last 5 years that police have run regionally and/or nationally that have had as an expressly documented target, deterring or apprehending drivers who are on a restricted licence and who are carrying passengers when they should not be.*
- 6. If the issue of restricted-licence drivers carrying passengers has come up as a discrete topic in NZP road safety reports in the last two years, pls provide details/links.*

Police has not undertaken any operations either regionally or nationally in the last five years that have expressly targeted drivers on a restricted licence and who are carrying passengers when they should not be.

The issue of restricted-licence drivers carrying passengers has also not come up as a discrete topic in Police road safety reports in the last two years.

These parts to your request are therefore refused pursuant to section 18(e) of the OIA in that the information does not exist.

I trust that this information is satisfactory in answering your request. If you are not satisfied with the way I have responded, you have the right, under section 28(3) of the OIA, to ask the Ombudsman to review my decisions. Information about how to do this is available at ombudsman.parliament.nz.

Yours sincerely



Superintendent Steve Greally
Director: National Road Policing Centre
Police National Headquarters