

# Submission: Regulatory Systems (Transport) Amendment Bill

## 1 Introduction

- 1.1. I welcome the chance to submit on this Bill. My Office has also been consulted by officials responsible for relevant policy work.
- 1.2. The Privacy Act 2020 is New Zealand's main privacy statute. Among the Privacy Commissioner's functions under the Privacy Act are examining proposed policies and technological developments that may affect the privacy of individuals.
- 1.3. My submission focuses on the digital modernisation aspects of the Bill, including provisions which:
  - Remove requirements that a driver licence be in a physical form.
  - Enable the collection and use of people's mobile phone numbers and email addresses for regulatory purposes.

## 2 Steps towards a digital driver licence

- 2.1. This Bill replaces current rules that assume a physical driver licence with rules that allow for a physical or electronic licence.
- 2.2. These legislative changes do not in themselves present significant privacy issues. However, longer term work to design and implement a digital driver licence does present substantial privacy issues which need to be fully considered.
- 2.3. Designing a digital driver licence system that New Zealanders can trust will require working through privacy issues related to:
  - **Cybersecurity**, including design and testing to protect against system failures, data breaches, and the potential for increased risk from scams.
  - **Transparency**, to give New Zealanders visibility and informed choices about how their information is collected, stored, and shared in digital formats which are likely to be less intuitive than physical cards for many people.



- **Accuracy**, including robust verification processes to reduce risks of impersonation and ensure digital documents can be relied on.
- **Data minimisation**, taking a privacy-by-design approach to avoid overcollection and over-sharing of personal information.

2.4. New Zealand's approach to digital driver licences can benefit from:

- Aligning to the Digital Identity Services Trust Framework, which has been established to support secure, transparent, and privacy preserving ways for New Zealanders to share their personal information.
- Taking lessons and best practices from digital driver licences overseas. For example, commenting on digital driver licences in Australia, cybersecurity experts have recommended aligning to international standards to ensure systems are secure, reliable, and resistant to forgery.<sup>1</sup>

2.5. My Office made comments to officials which are reflected in the Ministry of Transport's disclosure statement.<sup>2</sup> In summary, I am comfortable for the provisions in this Bill related to the form of driver licences to advance, on the basis that work to come will include substantial privacy analysis, and that there will be further Cabinet approvals and opportunities for my Office to engage.

### 3 Electronic notices and contact details

3.1. The Bill would allow the use of electronic notices and communications for regulatory purposes across several regulatory frameworks, for example:

- Adding mobile phone numbers to the information that may be requested and which people must supply in relevant situations. For example, clause 11 allows an enforcement officer to request a person's mobile phone number at the scene of an accident and requires a driver or passenger to provide their mobile phone number if they have one.
- Enabling the collection and use of electronic addresses. For example, Part 6 of the Bill allows for the collection and use of electronic addresses for the administration of road user charges under the Road User Charges Act 2012.

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<sup>1</sup> See ABC "Digital drivers licence anti-fraud technology described as 'cheap coding trick'" (25 June 2025) <[abc.net.au](https://www.abc.net.au)>.

<sup>2</sup> Ministry of Transport, [disclosure for Bill 2025-194](#) at "Privacy Issues" heading.



- Enabling regulatory notices to be sent electronically. For example, clause 27 amends the Land Transport Act 1998, allowing for a person who has agreed to receive electronic notices to be sent a notification advising them where they can access a notice or request electronically.
- Adding electronic addresses to the details recorded on registers. For example, clauses 150-163 add an electronic address (if a person has one) to the details recorded in relation to the register of motor vehicles.

- 3.2. Electronic communications are now a normal part of life. In my view, while there is a reasonable basis for provisions allowing the use of electronic communications for regulatory purposes as proposed here, it is also important that the operational approach proactively considers and upholds New Zealanders' privacy.
- 3.3. If it is not approached carefully, the proposed use of electronic contact details and electronic notices could lead to New Zealanders facing greater risks from phishing, scams, and cyberattacks that mimic genuine regulatory notices.
- 3.4. There are also potential privacy and safety risks from the recording of contact information on registers that people can request information from, including the register of motor vehicles.
- 3.5. I encourage the NZTA and other agencies involved to think carefully about how they will meet requirements under the Privacy Act 2020, keep the personal information entrusted to them safe, and how they can use electronic communications in ways that keep New Zealanders safe too.
- 3.6. Assuming that privacy can be addressed in the operational approach, I am comfortable with these provisions advancing into law.
- 3.7. My Office is ready to assist. I do not seek to be heard on this submission.



Michael Webster  
**Privacy Commissioner**

1 October 2025

