

14 March 2019

David Roos  
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REF: OIA-4699

Dear David,

**Request made under the Official Information Act 1982**

Thank you for your email. Your request was transferred to the NZ Transport Agency on 14 February 2019 from the New Zealand Police requesting the following information under the Official Information Act 1982 (the Act):

*"I am a resident of Auckland centra and I'm seeking details on the issuing of demerit points with regards to particular infringements. I'm specifically interested in the total number of each that have resulted in demerit points being issued.*

*I am seeking this information for Auckland, as well as specifically for the area within post code 1010.*

*The specific infringements in questions are listed below are below and wording is taken from NZTA at <https://www.nzta.govt.nz/driver-licences/driving-offences-and-penalties/demerit-points/> with the relevant legislation alongside in brackets.*

- 1. Driver fails to give way at pedestrian crossing (Land Transport (Road User) Rule 2004, 10.1 (1)(a) )*
- 2. Driver enters pedestrian crossing when passage blocked (Land Transport (Road User) Rule 2004, 10.1 (2) )*
- 3. Driver of vehicle fails to give way to pedestrian on shared zone (Land Transport (Road User) Rule 2004, 10.2 (1) )*
- 4. Driver fails to give way to road user on footpath when entering/exiting driveway (Land Transport (Road User) Rule 2004, 4.4 (1) )."*

*Further clarification of your request was sought, and you advised;*

*"I'd be interested in annual totals for the last 5 or 10 years if that is possible*

*Thanks for clarification - I still require this data as it exists with the stated caveats*

*As I'm not sure how it is coded I'd be after 'Auckland City Center', 'Auckland CBD', 'Auckland Downtown', 'Auckland Central' and any other variation of names for the CBD/City Centre. The raw data including the street names would be much appreciated."*

The data you requested has been provided to you in the attached spreadsheet:

- OIA-4699.xlsx

It is important to note the following caveats:

- The information was extracted from the Driver Licence Register (DLR) and the Traffic Offence History (ToH) database and is current as at 27 February 2019.
- The data is limited to offences with the following precedent codes:

Precedent Code	Precedent Code Description
D810	Failed to give way to road user on footpath, cycle path or shared path
F401	Failed to give way at a pedestrian crossing
F402	Passed vehicle stopped at pedestrian crossing
F404	Blocked a pedestrian crossing
F405	Failed to give way to pedestrian at shared zone

- The data is limited to offences from 1 January 2009 to 31 December 2018. Please note figures for 2018 may not be complete due to a lag between the offence incident and offence conviction (including finalisation of court processes).
- The figures do not represent the total number of infringements issued by the NZ Police for offences D810, F401, F402, F404, and F405. The data is limited to convicted offences recorded in DLR only.
- The data is limited to offences where the offence location has been regionalised to the Auckland territorial authority. The data is regionalised by the offence location as recorded by the NZ Police. A small number of addresses could not be regionalised due to an unrecognised address/insufficient address information recorded.
- Under the Land Transport Act 1998 Section 88 (3):

"If a person is convicted of 2 or more offences arising out of the same set of circumstances,

  - demerit points must be recorded in relation to 1 offence only; and
  - if those offences do not carry the same number of points, points must be recorded for the offence or one of the offences that carries the greatest number of points."

Due to the above, if an offence carrying a greater number of points is committed as a part of the same incident as a D810,F401,F402,F404 or F405 code offence, the demerit points associated to the D810,F401,F402,F404 or F405 code offence will not calculate towards a demerit suspension.

If you would like to discuss this reply with the NZ Transport Agency, please contact Kerry Greig, Manager, Data Services, by email to [kerry.greig@nzta.govt.nz](mailto:kerry.greig@nzta.govt.nz) or by phone on (04) 894 5251.

Yours sincerely



**Galina Mitchelhill**  
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