

9 September 2024

Chairperson of the Transport and Infrastructure Committee
Parliament Buildings
Wellington

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Dear Committee Members

ICNZ Submission Land Transport (Drug Driving) Amendment Bill

Thank you for the opportunity to accept our late submission on the Land Transport (Drug Driving) Amendment Bill.

1. Te Kāhui Inihua o Aotearoa / The Insurance Council of New Zealand (**ICNZ**) represents general insurers. ICNZ members provide insurance products ranging from those usually purchased by consumers (such as home and contents insurance, travel insurance, and **motor vehicle insurance**) to those purchased by small businesses and larger organisations (such as product and public liability insurance, professional indemnity insurance, cyber insurance, commercial property and **commercial motor insurance**, and directors and officers insurance).
2. ICNZ supports the intent of the Bill.
3. Motor insurance policies contain exclusions for claims where the driver has a proportion of alcohol in their breath or blood that exceeds the legal limit or is under the influence of any other intoxicating substance or drug. These legal limits need to be proven.
4. Currently there is not an effective regime for detecting or deterring drug impaired driving. The evidential process for drug impaired driving is insufficient compared to drunk (alcohol) driving.
5. We do note the issues that have been raised by the Attorney General concerning the section 7 of the New Zealand Bill of Rights Act 1990. We agree that the Attorney General has raised some important issues that will need to be worked through.
6. For the safety of all New Zealanders, it is important that New Zealand law is operationally effective for preventing drug impaired drivers from doing harm to themselves, other road users and damage to property.

Thank you again for the opportunity to make this submission. Please contact me (john@icnz.org.nz) if you require any further information about this submission.

Yours sincerely

John Lucas
Insurance Manager