



Forklift Operator Certification and Licencing ON-ROAD versus OFF-ROAD

OFF-ROAD

If a forklift is used solely within the confines of a company's premises and is not driven on a public road, the company and staff must comply with the provisions of the Health and Safety in Employment Act 1992. Specifically section 13 (Training and supervision) which requires that employees be adequately trained in the safe use of the plant and equipment they may be expected to use.

The Department of Labour's Approved Code of Practice for Training Operators and Instructors of Powered Industrial Lift Trucks (Forklifts) sets out the minimum standard of training for such operators.

Operators that are "certified" under the OSH Code of Practice are not "licenced" to drive on a public road - to do this, an operator must be "licensed" separately by the Land Transport Safety Authority to drive on the road.

ON-ROAD

If a forklift is at any time to be driven on a road, the operator needs to:

- * Be a "certified" operator in terms of the Approved Code of Practice and*
- * Be "licenced" by the LTSA to drive on a road*

This licence means a forklift endorsement known as "Endorsement F". A holder of a full Class 1 (light vehicle / car) licence with an Endorsement F may drive a forklift on a road with gross laden weight not exceeding 15,000 Kg.

To obtain Endorsement F applicants are required to pass a prescribed course comprising one NZQA Unit Standard: 18496 ("Demonstrate knowledge and skills for driving a forklift on a road for endorsement F (forklifts)").

Applicants who pass the course will receive certificates of competency, which they will then submit to a driver Licence Issuing Agent to have their licences endorsed.

We are pleased to offer courses that meet both OSH and Land Transport requirements under the new licencing regime. This programme is designed to qualify your personnel for Endorsement F as well as OSH certification.

What is a Road?

Definition of a road (Land Transport Act 1998)

“Road includes -

- (a) A Street; and*
- (b) A motorway; and*
- (c) A beach; and*
- (d) A place to which the public have access, whether as of right or not; and*
- (e) All bridges, culverts, ferries, and fords forming part of a road or street or motorway, or a place referred to in paragraph d; and*
- (f) All sites at which vehicles may be weighed for the purposes of the act or any other enactment”.*

Working Guide:

While the definition of a road appears to be very wide and open-ended the courts have imposed restrictions to make it workable. The following comments are a guide only in relation to (d) A place to which the public have access, whether as of right or not. This working guide will not cover every possible situation.

A road is essentially an area principally used for vehicle or pedestrian traffic, which the general public uses as a thoroughfare to gain access to another place. In practice this will generally be areas and thoroughfares that the general public use and expect to be able to use such as a road, street or supermarket car parks.

Access may be restricted by many devices including any or all of the following:

- * physical barriers e.g. gates, barrier arms;*
- * security checks e.g. guard or controlled barriers;*
- * signs limiting who may enter or conditions under which access is permitted.*

It is impossible to cover all situations therefore there will still be occasions for the courts to look at all the facts and make a decision.