



# Road User Charges (Applications for Exemption for Certain Classes of Light RUC Vehicles) Regulations 2013

Jerry Mateparae, Governor-General

## Order in Council

At Wellington this 22nd day of April 2013

Present:

The Right Hon John Key presiding in Council

Pursuant to section 89 of the Road User Charges Act 2012, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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## Regulations

### 1 Title

These regulations are the Road User Charges (Applications for Exemption for Certain Classes of Light RUC Vehicles) Regulations 2013.

### 2 Commencement

These regulations come into force on 6 June 2013.

### 3 Interpretation

(1) In these regulations, unless the context otherwise requires,—

**Act** means the Road User Charges Act 2012

**agricultural purposes** includes—

(a) cultivating land, growing or harvesting crops, rearing livestock, horticulture, and viticulture; and

(b) land management operations (other than forestry) connected with any of the activities described in paragraph

(a)

**defence purposes** means defence purposes under the Defence Act 1990

**owner**, in relation to a vehicle, has the same meaning as in section 2(1) of the Land Transport Act 1998

**registered person**, in relation to a vehicle, has the same meaning as in section 233 of the Land Transport Act 1998.

(2) Any term or expression that is defined in the Act and used, but not defined, in these regulations has the same meaning as in the Act.

### 4 Classes of light RUC vehicles in relation to which exemption may be granted

The classes of light RUC vehicles in relation to which an exemption may be granted under section 40 of the Act are vehicles that are operated—

(a) exclusively or almost exclusively off-road; and

(b) for 1 or more of the following purposes:

(i) agricultural purposes:

(ii) defence purposes:

(iii) educational purposes:

- (iv) forestry purposes:
- (v) industrial purposes:
- (vi) medical purposes:
- (vii) search and rescue purposes:
- (viii) tourism industry purposes.

## **5 Information to be included in application for exemption**

An application by the owner or an operator of a light RUC vehicle for an exemption under section 40 of the Act must contain the following information:

- (a) whether the application is made by the owner or the operator of the vehicle:
- (b) the name and address of the applicant and, if the applicant is an individual, the applicant's date of birth and driver licence number, if a driver licence is held:
- (c) if the applicant is not the registered person of the vehicle, the name and address of the registered person and, if the registered person is an individual, the registered person's date of birth and driver licence number, if a driver licence is held:
- (d) if the applicant is not the owner of the vehicle, details of the applicant's authority to make the application on behalf of the owner:
- (e) details of the vehicle, including its registration number:
- (f) the physical address where the vehicle is normally kept when not being operated (which may be a rural address property identification number):
- (g) the activity for which the vehicle will be operated most of the time:
- (h) information showing what proportion of the vehicle's annual travel will be—
  - (i) on-road; and
  - (ii) off-road:
- (i) the distance, in kilometres, that the vehicle has travelled as at the date of the application.

## **6 Terms and conditions of exemption**

- (1) An exemption granted under section 40 of the Act is subject to the following terms and conditions:

- (a) the vehicle must be operated exclusively or almost exclusively off-road:
- (b) the vehicle must not be operated on-road any further than 10 kilometres, by a straight line, from the nearest point on the legal boundary of the physical address where the vehicle is normally kept when not being operated:
- (c) the condition in paragraph (b) is subject to the following exceptions:
  - (i) travel by the most direct and practical route to a place for the purpose of—
    - (A) vehicle inspection or certification under the Land Transport Act 1998; or
    - (B) vehicle repair:
  - (ii) travel to comply with the directions of a constable:
  - (iii) travel to comply with any directions given under section 91 of the Civil Defence Emergency Management Act 2002:
  - (iv) if the vehicle is sold, travel to the address of the new owner:
- (d) the vehicle must display an exemption label issued by the RUC collector showing—
  - (i) that the vehicle is exempt from the requirement to pay road user charges:
  - (ii) the vehicle's registration number:
  - (iii) the locality of where the vehicle is normally kept:
- (e) the exemption label must be displayed on the vehicle in the same manner as a distance licence is required to be displayed:
- (f) if any information provided under regulation 5 subsequently becomes out of date, the holder of the exemption must provide to the RUC collector, as soon as practicable, the up-to-date information:
- (g) the holder of the exemption must, if requested by the RUC collector, provide to the RUC collector (as soon as practicable after receiving the request) the distance, in kilometres, that the vehicle has travelled as at the date

on which the holder of the exemption receives the RUC collector's request:

- (h) the holder of the exemption must provide to the RUC collector the distance recorded as at the time when the vehicle's exemption under section 40 of the Act is revoked or expires.
- (2) Subclause (1)(c)(iv) is subject to section 42(2) of the Act.

Michael Webster,  
for Clerk of the Executive Council.

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### **Explanatory note**

*This note is not part of the regulations, but is intended to indicate their general effect.*

These regulations, which come into force on 6 June 2013, specify—

- the classes of light RUC vehicles in respect of which the RUC collector can grant an exemption under section 40 of the Road User Charges Act 2012 from the requirement to pay road user charges:
  - the information to be provided in an application for exemption:
  - the terms and conditions on which an exemption is granted.
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These regulations are administered by the Ministry of Transport.

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