

# House of Representatives

# Supplementary Order Paper

**Tuesday, 1 August 2017**

## **Land Transport Amendment Bill (No 2)**

### *Proposed amendments*

Hon Simon Bridges, in Committee, to move the following amendments:

#### *Clause 2*

In *clause 2(1)(a)*, replace “**1 April 2018**” (page 7, line 8) with “**1 July 2018**”.

In *clause 2(2)(b)*, replace “**1 July 2017**” (page 8, line 2) with “**1 October 2017**”.

#### *Clause 55*

In *clause 55(7)*, definition of **facilitated cost-sharing arrangement**, paragraph (a), replace “may include actual costs” (page 35, line 11) with “may be”.

#### *Clause 56*

Delete *clause 56* (page 36, lines 1 to 3).

#### *Clause 69*

In *clause 69*, *new section 30Z(a)*, before “a facilitated cost-sharing arrangement” (page 39, line 23), insert “a vehicle used in”.

#### *New clause 69A*

After *clause 69* (page 39, after line 24), insert:

#### **69A Section 30ZB amended (Application of subpart)**

After section 30ZB(3), insert:

(4) This section is subject to **section 30Z**.

#### *New clause 70A*

After *clause 70* (page 40, after line 9), insert:

**70A Section 30ZE amended (Application of subpart)**

After section 30ZE(2), insert:

- (3) This section is subject to **section 30Z**.

**Explanatory note**

This Supplementary Order Paper makes minor and technical amendments to the Land Transport Amendment Bill (No 2) (the **Bill**).

The amendment to *clause 2(1)* relates to the Bill's changes to alcohol interlock sentences. These changes are to commence by Order in Council, with a default commencement date if no Order in Council is made. The default commencement date of 1 April 2018 is delayed by the Supplementary Order Paper to 1 July 2018. This allows time for administrative processes to be put in place so that the Bill can be implemented effectively. The processes concern subsidy arrangements for lower-income people who are given alcohol interlock sentences.

The amendment to *clause 2(2)* relates to the small passenger vehicle changes made in the Bill. Again, these changes are to commence by Order in Council, with a default commencement date if no Order in Council is made. This is because the timing of the Bill's changes needs to be synchronised with the commencement of delegated legislation (rules drafted by the New Zealand Transport Agency). Those rules will contain the detail of the new small passenger service regime and must be made before the Bill can be brought into force. The default commencement date of 1 July 2017 is delayed by 3 months to 1 October 2017 to allow an appropriate amount of time to notify the rules before they come into force.

The other 3 amendments made in this Supplementary Order Paper also relate to the Bill's small passenger vehicle changes. The first amendment is a minor adjustment to *paragraph (a)* of the definition of facilitated cost-sharing arrangement inserted by *clause 55*. The change is to replace the words "may include actual costs" with the words "may be". This is to clarify that driver's costs may be reimbursed up to a maximum per kilometre set in the *Gazette*, and to provide that the costs reimbursed need not be actual costs. The gazetted maximum will be set to be an average of actual costs.

The second amendment is a technical amendment. It is consequential on the amendments to the Land Transport Act 1998 (the **Act**) made by the Energy Innovation (Electric Vehicles and Other Matters) Amendment Act 2017, which commence on 1 July 2017.

The third amendment is a technical rewording of *new section 30Z(a)* inserted by *clause 69*. *New section 30Z* is concerned with the application of Part 4B of the Act. Part 4B provides for rules relating to drivers' work time and logbooks. *New section 30Z(a)* provides that Part 4B does not apply in relation to a facilitated cost-sharing arrangement. *New section 30Z(a)* is reworded by the Supplementary Order Paper to provide that Part 4B does not apply in relation to a vehicle used in a facilitated cost-sharing arrangement.

The rewording, relating to a vehicle rather than an arrangement, fits more exactly with the specific application provisions relating to work time (section 30ZB of the Act) and logbooks (section 30ZE of the Act). The rewording is to ensure that there is no doubt about the application of the rules relating to work time and logbooks. These rules are not to apply to drivers of vehicles used in facilitated cost-sharing arrangements. Sections 30ZB and 30ZE are consequentially amended to refer to *section 30Z* so that *section 30Z*, the general application provision, will not be missed by readers of the specific application provisions.

### **Departmental disclosure statement**

The Ministry of Transport considers that a departmental disclosure statement is not required to be prepared for this Supplementary Order Paper.