

**Reprint**  
**as at 15 October 2010**

**Road User Charges Act 1977**

Public Act 1977 No 124  
Date of assent 23 December 1977

**Contents**

	Page
Title	3
1 Short Title and commencement	4
2 Interpretation	4
3 Act to bind Crown	10
4 Motor vehicles exempted from this Act	10

**Part 1**

**Road user licences**

*Motor vehicles not to be on road unless licensed under  
this Act*

5 Certain motor vehicles to have distance licences	10
6 Certain motor vehicles to have time licences	11
7 Weight limit of distance licence may be increased by supplementary licence	12

---

**Note**

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this eprint.

A general outline of these changes is set out in the notes at the end of this eprint, together with other explanatory material about this eprint.

**This Act is administered in the Ministry of Transport.**

<i>Issue of licences</i>		
8	Applications for licences	13
9	Road User Charges	14
10	Issue of licences	14
10A	Current licence to be delivered to purchaser on sale of vehicle	15
11	Issue of new licence where mistake made	15
12	Issue of duplicate licence on loss, etc, of original licence <i>[Repealed]</i>	16
13	Issue of new licence where distance recorder replaced <i>[Repealed]</i>	16
<i>Refunds and surrender of licences</i>		
14	Refund of distance licence charge where supplementary licence issued	16
15	Refund of current distance licence charge where new distance licence issued	16
16	Refunds and remissions for off-road travel	17
16A	Remission of debt where off-road travel <i>[Repealed]</i>	18
17	Surrender of road user licences	18
17A	Verification of application for refund or remission	20
18	Further provisions relating to refunds	21
<i>Inquiry and assessment by District Court Judge</i>		
18A	District Court Judge may hold inquiry on application of chief executive	22
18B	Provisions relating to inquiries	23
18C	District Court Judge may make assessment	25
18D	District Court Judge may make assessment by consent	26
<i>General provisions</i>		
19	Display of licences	27
20	Power to alter rates of road user charges by Order in Council	28
21	Distance and supplementary licences for certain motor vehicles become invalid 1 month after road user charge rate increased	30
21A	Additional charges for default in payment of amounts due	30
22	Road user charges to be paid into national land transport fund	31
22AA	Other amounts received under this Act	31
22A	Restrictions on fitting and repair of hubodometers	32
22B	Restrictions on sale of hubodometers	33

23	Offences	33
23A	Evidence in proceedings	40
23B	Admissibility of certain statements	40
23C	Power to inspect records	41
23D	Delegation of chief executive's functions or powers to persons outside Ministry	42
24	Regulations and Orders in Council	43

**Part 2**

**Amendments to other Acts**

*Amendments to Transport Act 1962*

25	Powers of constables and traffic officers	45
26	Repeal of provisions relating to heavy-traffic licences	45
27	Refund of motor spirits duty <i>[Repealed]</i>	45
28	Amount of motor spirits duty credited to Consolidated Revenue Account, and refunds of such duty, may be altered by Order in Council <i>[Repealed]</i>	45
29	Repeal of provisions relating to mileage tax <i>[Repealed]</i>	45
30	Evidence of testing and accuracy of weighing devices <i>[Repealed]</i>	46
31	Consequential repeals	46

*Amendments to National Roads Act 1953*

32	Board to submit budget to Minister each year <i>[Repealed]</i>	46
33	Amount payable to local authorities for collection of heavy-traffic fees <i>[Repealed]</i>	46
34	National Roads Fund <i>[Repealed]</i>	46
35	Allocation of estimated revenue of Fund <i>[Repealed]</i>	46
36	Board to prepare programme of road works <i>[Repealed]</i>	47

**Schedule 1**

**Vehicle type numbers for distance and supplementary licences**

**Schedule 2**

**Off-road motor vehicles**

**Schedule 3**

**Road user charges**

---

**An Act to impose a charge for the use of roads by heavy vehicles and certain other vehicles; and to abolish mileage tax and heavy-traffic licensing**

## 1 Short Title and commencement

- (1) This Act may be cited as the Road User Charges Act 1977.
- (2) Section 26 shall come into force on 1 March 1978.
- (3) Sections 28 and 33 shall come into force on the day on which this Act receives the Governor-General's assent.
- (4) Subject to subsections (2) and (3), this Act shall come into force on 1 April 1978.

## 2 Interpretation

- (1) In this Act, unless the context otherwise requires,—

**biofuel** has the meaning given by section 1B of the Energy (Fuels, Levies, and References) Act 1989

**chief executive** means the chief executive of the Ministry of Transport; and, in relation to any particular function, duty, or power of the chief executive under this Act, includes any person for the time being authorised to exercise or perform that function, duty, or power

**distance licence** means a licence in the form prescribed for a distance licence that has been issued by an issuing officer in accordance with this Act

**distance recorder** means—

- (a) in the case of a motor vehicle that is required to be fitted with a hubodometer by regulations made under this Act, a hubodometer of the kind required to be fitted:
- (b) in the case of any other motor vehicle, a distance recorder that records in kilometres or miles and that is of a nature and accuracy sufficient to provide a reliable record of the distance travelled by the vehicle

**distance to which the licence relates**, in relation to a distance licence or a supplementary licence, means the distance arrived at by subtracting the minimum reading specified in the licence from the maximum reading specified in the licence

**gross laden weight**, in relation to a motor vehicle, means the greater of the following weights:

- (a) any weight specified (subsequent to the latest modification thereof, if any) as the gross laden weight of the vehicle by the manufacturer thereof:

- (b) any weight specified as the gross laden weight of the vehicle, or of a vehicle of that kind, by the Secretary for Transport, by notice in the *Gazette* or by notice to an owner of the vehicle:

provided that if, in respect of a motor vehicle, no evidence of any such weight has been adduced, the term **gross laden weight** means, in relation to that vehicle, the total of the unladen weight of the vehicle and the weight of the maximum load that the vehicle may safely carry

**gross weight**, in relation to a motor vehicle, means the weight which is transmitted to the road surface through the axle or group of axles of the vehicle, and includes all weight exerted on that vehicle by any other vehicle:

provided that—

- (a) without limiting the methods by which the gross weight of a vehicle may be determined, the gross weight of a motor vehicle may be determined by adding the weight transmitted to the road surface at different parts of the vehicle:
- (b) where the gross weight of any one of a combination of vehicles is to be ascertained, nothing in this Act shall require the vehicles comprising the combination to be detached from each other and be separately weighed

**issuing officer** means any person or member of a class of persons authorised by the chief executive to act as an issuing officer for the purposes of this Act

**licence** means a distance licence, a time licence, or a supplementary licence

**light electric motor vehicle** means a motor vehicle whose motive power is wholly or partly derived from an external source of electricity and whose gross laden weight is 3.5 tonnes or less

**maximum gross weight**, in relation to a licence, means the weight specified in the licence as the maximum gross weight

**maximum reading**, in relation to a distance licence or a supplementary licence, means the figure specified in the licence as the maximum reading

**minimum reading**, in relation to a distance licence or a supplementary licence, means the figure specified in the licence as the minimum reading

**motor vehicle** means a vehicle drawn or propelled by mechanical power, and includes a trailer; but does not include—

- (a) a vehicle that the Director has declared is not a motor vehicle under section 168A of the Land Transport Act 1998; or
- (b) a mobility device as defined in section 2(1) of the Land Transport Act 1998

**motor spirits duty** has the same meaning as in section 187(1) of the Transport Act 1962 (as substituted by section 2 of the Transport Amendment Act 1975)

**off-road motor vehicle** means a motor vehicle of a class specified in Schedule 2

**to operate** means to use or drive or ride on any road, or cause or permit to be driven or ridden on any road, or to permit to be on any road, whether the person operating is present in person or not

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

**petrol** means—

- (a) any motor spirits on which motor spirits duty is imposed, including motor spirits that are blended with a biofuel; and
- (b) compressed natural gas and liquefied petroleum gas on which sales tax is imposed;—

but does not include diesel or electricity

**prescribed** means prescribed by regulations made under this Act

**quarter** means a period of 3 months ending with the last day of March, June, September, or December in any year

**reading**, in relation to a distance recorder, means the amount of distance recorded on the distance recorder at any particular time

**Registrar** means the chief executive, and includes, where appropriate,—

- (a) any person to whom the chief executive has delegated any of the powers, duties, or functions of the Registrar under this Act:
- (b) any person for the time being authorised by the chief executive to exercise or perform any of the powers, duties, or functions of the Registrar under this Act

**registration plate** means a registration plate issued under the Transport Act 1962 or the Transport (Vehicle and Driver Registration and Licensing) Act 1986; and includes a trade plate and a personalised registration plate

**road** includes a highway (whether or not it has been declared to be a State highway) and a street

**supplementary licence** means a licence in the form prescribed for a supplementary licence that has been issued by an issuing officer in accordance with this Act

**time licence** means a licence in the form prescribed for a time licence that has been issued by an issuing officer in accordance with this Act

**trailer**—

- (a) means a vehicle without motive power that is capable of being drawn or propelled by a motor vehicle from which it is readily detachable; but
- (b) does not include—
  - (i) a sidecar attached to a motor cycle; or
  - (ii) a vehicle normally propelled by mechanical power while it is being temporarily towed without the use of its own power

**unladen weight**, in relation to a vehicle, means the weight of the vehicle together with the fuel in its fuel system (if any) and the equipment and accessories on the vehicle that are necessary for its operation for the purpose for which it was designed

**to use**, in relation to a motor vehicle, includes to drive, draw, or propel by means of another vehicle

**vehicle** has the same meaning as in section 2(1) of the Land Transport Act 1998

**vehicle type number**, in relation to a motor vehicle, means the number prescribed, in Schedule 2 (in the case of an off-road motor vehicle) or Schedule 1 (in the case of any other motor vehicle), as the vehicle type number for the class of motor vehicle to which the motor vehicle belongs

**weight**, in relation to an axle, a group of axles, or a motor vehicle, means the weight, or (as the case may be), the sum of the weights, recorded on a weighing device of a type approved by the Minister of Police for the purposes of the definition of the term **weight** in the Land Transport Act 1998, and used in a manner prescribed by the Minister of Police by notice in the Gazette for the purposes of that term under that Act

**year** means a period of 12 months ending with the last day of June.

- (2) For the purposes of this Act, every trailer (whether attached to another motor vehicle or not) shall be deemed to be a separate motor vehicle.
- (3) *[Repealed]*
- (4) For the purposes of this Act, at any particular time—
  - (a) a distance licence or supplementary licence is current only if the reading at that time on the distance recorder fitted to the motor vehicle to which the licence relates is more than the minimum reading, and not more than the maximum reading, specified in the licence:
  - (b) a time licence is current only if the licence specifies the quarter or year, as the case may be, that is the current quarter or year at that time.

Section 2(1) **biofuel**: inserted, on 1 October 2008, by section 17 of the Energy (Fuels, Levies, and References) Amendment Act 2008 (2008 No 60).

Section 2(1) **chief executive**: inserted, on 1 April 1988, by section 2(1) of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 2(1) **Commissioner**: repealed, on 1 April 1988, by section 2(1) of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 2(1) **distance licence**: amended, on 1 April 1993, by section 2(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 2(1) **distance to which the licence relates**: substituted, on 1 April 1993, by section 2(2) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 2(1) **gross laden weight**: amended, on 1 April 1982, by section 2(2) of the Road User Charges Amendment Act 1981 (1981 No 29).



Section 2(1) **gross weight**: substituted, on 28 October 1986, by section 2(1) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 2(1) **issuing officer**: substituted, on 1 April 1988, by section 2(2) of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 2(1) **licence category**: repealed, on 21 October 1982, by section 3(5) of the Road User Charges Amendment Act 1982 (1982 No 29).

Section 2(1) **light electric motor vehicle**: inserted, on 11 August 2009, by section 4 of the Road User Charges Amendment Act 2009 (2009 No 27).

Section 2(1) **motor vehicle**: amended, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **motor vehicle** paragraph (a): inserted, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **motor vehicle** paragraph (b): inserted, on 22 June 2005, by section 95(5) of the Land Transport Amendment Act 2005 (2005 No 77).

Section 2(1) **owner**: amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 2(1) **petrol**: substituted, on 1 October 1982, by section 4(1) of the Transport Amendment Act (No 2) 1982 (1982 No 10).

Section 2(1) **petrol** paragraph (a): amended, on 1 October 2008, by section 17 of the Energy (Fuels, Levies, and References) Amendment Act 2008 (2008 No 60).

Section 2(1) **Registrar**: substituted, on 30 April 1997, by section 2(1) of the Road User Charges Amendment Act 1997 (1997 No 7).

Section 2(1) **registration plate**: substituted, on 30 April 1986, by section 56(1) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986 (1986 No 6).

Section 2(1) **supplementary licence**: amended, on 1 April 1993, by section 2(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 2(1) **time licence**: amended, on 1 April 1993, by section 2(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 2(1) **trailer**: substituted, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 2(1) **unladen weight**: substituted, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 2(1) **vehicle**: amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 2(1) **weight**: substituted, on 28 October 1986, by section 2(2) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 2(1) **weight**: amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 2(1) **weight**: amended, on 30 April 1997, by section 2(2) of the Road User Charges Amendment Act 1997 (1997 No 7).

Section 2(1) **year**: amended, on 1 October 1989, by section 2 of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 2(3): repealed, on 1 October 1989, by section 3(1) of the Road User Charges Amendment Act 1989 (1989 No 79).

### **3 Act to bind Crown**

This Act shall bind the Crown.

### **4 Motor vehicles exempted from this Act**

Notwithstanding any other provision of this Act, nothing in Part 1 shall apply to—

- (a) any motor vehicle whose motive power is always wholly derived from petrol and whose gross laden weight is 3.5 tonnes or less; or
- (b) any trailer whose gross laden weight is 3.5 tonnes or less; or
- (c) any motor vehicle that is exempted from Part 1 by regulations made under this Act.

Section 4(a): amended, on 23 November 1979, by section 4(1) of the Road User Charges Amendment Act 1979 (1979 No 65).

## **Part 1 Road user licences**

*Motor vehicles not to be on road unless licensed  
under this Act*

### **5 Certain motor vehicles to have distance licences**

(1) Subject to section 7, no person shall operate a motor vehicle (other than an off-road motor vehicle, as defined in section 2) on a road unless—

- (a) there is carried on the motor vehicle in accordance with this Act a distance licence specifying—
  - (i) the number or distinguishing mark shown on the registration plate or plates of the motor vehicle; and
  - (ii) the serial number (if any) of the distance recorder fitted to the motor vehicle; and
  - (iii) the vehicle type number of the motor vehicle; and
  - (iv) such other information as is required to be specified therein by this Act; and

- (b) the gross weight of the motor vehicle is not more than the maximum gross weight specified in that licence; and
  - (c) the motor vehicle has attached to it a distance recorder which—
    - (i) is fitted in accordance with the provisions of any regulations made under this Act; and
    - (ii) is of a kind defined in any regulations made under this Act; and
    - (iii) is recording accurately the distance travelled by the vehicle; and
  - (d) the reading of the distance recorder is more than the minimum reading, and not more than the maximum reading, specified in that licence.
- (2) In this section, **road** includes the following:
- (a) a street;
  - (b) any place to which the public have access, whether as of right or not;
  - (c) all bridges, culverts, ferries, and fords forming part of any road, street, or such place.

Section 5(1)(a): amended, on 1 October 1989, by section 4 of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 5(1)(c): substituted, on 28 October 1986, by section 3 of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 5(2): added, on 1 April 1993, by section 3(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

## 6 Certain motor vehicles to have time licences

No person shall operate an off-road motor vehicle (as defined in section 2) on a road unless—

- (a) there is carried on the motor vehicle in accordance with this Act a current time licence specifying—
  - (i) the number or distinguishing mark shown on the registration plate or plates of the motor vehicle; and
  - (ii) the vehicle type number of the motor vehicle; and
  - (iii) such other information as is required to be specified therein by this Act; and
- (b) the gross weight of the motor vehicle is not more than the maximum gross weight specified in that licence.

Section 6(a): amended, on 1 October 1989, by section 4 of the Road User Charges Amendment Act 1989 (1989 No 79).

**7 Weight limit of distance licence may be increased by supplementary licence**

(1) Where—

- (a) a current distance licence and a supplementary licence are carried on a motor vehicle in accordance with this Act and both licences specify—
  - (i) the number or distinguishing mark shown on the registration plate or plates of the motor vehicle; and
  - (ii) the serial number (if any) of the distance recorder fitted to the motor vehicle; and
  - (iii) the vehicle type number of the motor vehicle; and
  - (iv) such other information as is required to be specified therein by this Act; and
- (b) the maximum gross weight specified in the supplementary licence is greater than the maximum gross weight specified in the distance licence—

the maximum gross weight specified in the distance licence shall be deemed to be increased to the maximum gross weight specified in the supplementary licence during the time that—

- (c) *[Repealed]*
- (d) the reading of the distance recorder fitted to the motor vehicle is not less than the minimum reading, and not more than the maximum reading, specified in the supplementary licence.

(2) *[Repealed]*

Section 7(1)(a): amended, on 1 October 1989, by section 4 of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 7(1)(c): repealed, on 1 April 1993, by section 4(1)(a) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 7(1)(d): amended, on 1 April 1993, by section 4(1)(b) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 7(2): repealed, on 1 April 1993, by section 4(2) of the Road User Charges Amendment Act 1992 (1992 No 114).

*Issue of licences*

**8 Applications for licences**

- (1) Every application for a licence for a motor vehicle shall—
  - (a) be in a form provided for the purpose by the chief executive; and
  - (b) contain such information as is prescribed by regulations made under section 24.
- (2) Without limiting subsection (1)(b), any such regulations may—
  - (a) specify the persons who are entitled to make applications and hold licences;
  - (b) require an applicant to furnish the chief executive with a completed bank authority, on a form provided by the chief executive or by a bank, directing a specified bank to effect an automatic transfer of funds to the Crown Bank Account, where an applicant wishes to make payments under this Act in that manner;
  - (c) prescribe the manner of calculating the distance to which the licence relates, in the case of a distance licence.
- (3) In every application under this section for a distance licence for a motor vehicle, the minimum reading to be specified in the licence shall not be greater than the maximum reading specified in the last properly issued licence for that vehicle. Where an application for a distance licence is made in contravention of this subsection, the amount arrived at by multiplying the distance in kilometres by which the minimum reading was overstated by the road user charge per kilometre for that licence shall, until paid in full to, or remitted by, the chief executive, constitute a debt to the Crown by the applicant for the licence, and may be recovered accordingly in any Court of competent jurisdiction.

Section 8: substituted, on 1 April 1993, by section 5(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 8(3): added, on 20 August 1993, by section 35(1) of the Land Transport Act 1993 (1993 No 88).

**9 Road User Charges**

- (1) Subject to subsection (3) and to any regulations made under this Act, every application under section 8 for a licence shall be accompanied by the appropriate road user charge for that licence calculated in accordance with Schedule 3 together with the prescribed administration fee.
- (2) Subject to subsection (3), where a licence is issued under this Act, the amount of the appropriate road user charge for the licence and the prescribed administration fee shall, until paid in full to the Registrar or the chief executive, constitute a debt due to the Crown by the applicant for the licence, and may be recovered accordingly in any Court of competent jurisdiction.
- (3) Where the chief executive is of the opinion, after considering the road wear that is likely to be caused by the vehicle to which the licence relates, that a road user charge calculated in accordance with Schedule 3 is excessive in respect of any particular licence, he may, in his absolute discretion, remit part of the charge; and if the full charge has been paid may cause the part remitted to be refunded to the applicant for the licence.

Section 9(2): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 9(3): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

**10 Issue of licences**

- (1) Every licence shall be in the prescribed form and colour and contain the prescribed information.
- (2) No licence shall relate to more than one vehicle.
- (3) Licences may be issued—
  - (a) by the chief executive in such manner as he or she thinks fit;
  - (b) by such persons (whether or not employed in the Ministry of Transport) and in such manner as the chief executive may authorise in that behalf.
- (4) Without limiting subsection (3), the chief executive may authorise any employee or agent of any such authorised person to issue licences.

- (5) Any person authorised by or under this section to issue licences may issue, in a form prescribed by the chief executive, proof of purchase of a licence.
- (6) The chief executive or any other person authorised to issue licences may decline to issue a licence in any case where—
  - (a) the applicant has an outstanding debt under this Act; or
  - (b) the weight specified in the application is less than the tare weight of the vehicle for which the licence is sought; or
  - (c) by virtue of regulations made under section 24, the applicant is not entitled to hold a licence.
- (7) Where the applicant has a history of failing to pay the appropriate road user charge or the prescribed administration fee, or both, when making an application for a licence, the issue of a licence may be made conditional on the payment in cash of the amounts due or the giving of an appropriate security in respect of those amounts.

Section 10: substituted, on 1 April 1993, by section 6 of the Road User Charges Amendment Act 1992 (1992 No 114).

#### **10A Current licence to be delivered to purchaser on sale of vehicle**

- (1) Any person who sells a motor vehicle to which this Act applies shall deliver to the purchaser on or before the date of delivery of the vehicle a licence that will be current when the vehicle is delivered.
- (2) This section is in addition to, and not in substitution for or in derogation of, any provision in any other enactment that requires a person to produce any other document before the sale of the vehicle.

Section 10A: inserted, on 1 April 1993, by section 6 of the Road User Charges Amendment Act 1992 (1992 No 114).

#### **11 Issue of new licence where mistake made**

Where an issuing officer is satisfied that a mistake has been made by an issuing officer in the issue of a licence, he may, upon receipt of the licence, cancel the licence and issue in its place a new licence containing the correct information.

Section 11: substituted, on 23 November 1979, by section 6 of the Road User Charges Amendment Act 1979 (1979 No 65).

**12 Issue of duplicate licence on loss, etc, of original licence**  
*[Repealed]*

Section 12: repealed, on 23 November 1979, by section 7(1) of the Road User Charges Amendment Act 1979 (1979 No 65).

**13 Issue of new licence where distance recorder replaced**  
*[Repealed]*

Section 13: repealed, on 23 November 1979, by section 7(1) of the Road User Charges Amendment Act 1979 (1979 No 65).

*Refunds and surrender of licences*

**14 Refund of distance licence charge where supplementary licence issued**

- (1) Where a supplementary licence is issued and the maximum gross weight specified in a distance licence is deemed to be increased to the maximum gross weight specified in the supplementary licence by virtue of section 7, the chief executive shall, as soon as practicable after the issue of the supplementary licence, refund or cause to be refunded to the applicant for the supplementary licence a refund calculated in accordance with subsection (2).
- (2) For the purposes of subsection (1), the refund of a road user charge shall be the amount arrived at by multiplying the distance in kilometres common to both licences by the road user charge per kilometre for the distance licence.

Section 14(1): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 14(2): amended, on 23 November 1979, by section 5(3) of the Road User Charges Amendment Act 1979 (1979 No 65).

**15 Refund of current distance licence charge where new distance licence issued**

- (1) Where 2 current distance licences that relate to the same motor vehicle both apply to a common distance and the maximum gross weight specified in the licence issued last is greater than or equal to that specified in the licence issued first, the chief



executive shall, as soon as practicable after the issue of the licence issued last, refund or cause to be refunded to the applicant for the licence issued last a refund calculated in accordance with subsection (2).

- (2) For the purposes of subsection (1), the refund of a road user charge shall be the amount arrived at by multiplying the distance in kilometres common to both licences by the road user charge per kilometre for the licence issued first.
- (3) No refund of a road user charge shall be made under this section after the expiry of 2 years from the date of issue of the distance licence issued first, unless—
  - (a) the distance licence issued last is issued before the expiry of that 2-year period; or
  - (b) the chief executive otherwise determines, in any particular case.

Section 15(1): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 15(1): amended, on 28 October 1986, by section 5 of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 15(2): amended, on 23 November 1979, by section 5(3) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 15(3): added, on 1 October 1989, by section 6 of the Road User Charges Amendment Act 1989 (1989 No 79).

## **16 Refunds and remissions for off-road travel**

- (1) Where a distance recorder fitted to a motor vehicle has recorded distance travelled by the motor vehicle while not on a road and—
  - (a) a distance licence relating to the motor vehicle was current at the time; or
  - (b) a debt is constituted under section 8(3) and a distance licence relating to that motor vehicle was not required at the time,—application may be made (after the expiry or surrender of the licence where applicable) to the chief executive for a refund or remission of the appropriate portion of the road user charge paid or debt incurred in respect of the licence.
- (2) Every application under subsection (1) shall be in a form prescribed by the chief executive, and shall contain such informa-

tion as the chief executive requires to substantiate the application and enable the refund or remission to be made.

- (3) The chief executive shall, as soon as practicable after being satisfied as to the accuracy of the application, refund or remit, or cause to be refunded or remitted, the appropriate portion of the road user charge paid or debt incurred.
- (4) For the purposes of subsection (1)—
  - (a) the proportion of a road user charge to be refunded shall be the proportion arrived at by dividing the distance recorded by the distance recorder while the motor vehicle was not on a road by the distance to which the distance licence relates; and
  - (b) the proportion of a debt to be remitted shall be the proportion that relates to the distance travelled while not on a road.
- (5) No refund of a road user charge shall be made under this section after the expiry of 2 years from the date of issue of the distance licence, unless the chief executive otherwise determines in any particular case.

Section 16: substituted, on 1 October 1989, by section 7(1) of the Road User Charges Amendment Act 1989 (1989 No 79).

## **16A Remission of debt where off-road travel**

*[Repealed]*

Section 16A: repealed, on 1 October 1989, by section 7(1) of the Road User Charges Amendment Act 1989 (1989 No 79).

## **17 Surrender of road user licences**

- (1) Where—
  - (a) a motor vehicle to which a current licence relates is destroyed or becomes permanently useless as a motor vehicle or is removed permanently beyond New Zealand and the vehicle's registration plates have been surrendered to the Registrar of Motor Vehicles; or
  - (b) *[Repealed]*
  - (c) the chief executive is satisfied, in respect of a current licence relating to a motor vehicle, that—

- (i) a mistake has been made in the application for the licence and a replacement licence has been purchased;
  - (ii) *[Repealed]*
  - (iii) *[Repealed]*
  - (iv) the distance recorder, or a registration plate, specified in the licence has been removed from the motor vehicle and a replacement licence has been purchased; or
  - (v) *[Repealed]*
- (d) the chief executive in his absolute discretion is satisfied, in respect of a licence relating to a motor vehicle, that for any other reason this section should apply—  
the chief executive shall, as soon as practicable after application to surrender the licence is made to him in accordance with this section, refund or cause to be refunded to the applicant a proportion (calculated in accordance with subsection (3)) of the road user charge paid in respect of the licence.
- (2) Every application under this section shall be in a form provided for the purpose by the chief executive and shall contain such information as the chief executive considers necessary to enable the refund to be made in accordance with this section. Every application under paragraph (c) (except subparagraph (ii)) or paragraph (d) of subsection (1) shall be accompanied by the licence.
- (3) For the purposes of subsection (1), the proportion of a road user charge to be refunded shall be—
- (a) in the case of a distance licence or a supplementary licence, the proportion arrived at by dividing the difference between the maximum reading specified in the licence and the reading of the motor vehicle's distance recorder at the time of application by the distance to which the licence relates:
  - (b) in the case of a time licence, the proportion arrived at by dividing the number of whole months between the time of application and the end of the period to which the licence relates by the total number of whole months to which the licence relates.

- (4) No refund of a road user charge shall be made under this section after the expiry of 2 years from the date of issue of the licence in respect of which the application is made, unless—
- (a) the application is made to the chief executive before the expiry of that 2-year period; or
  - (b) the chief executive otherwise determines, in any particular case.

Section 17(1): substituted, on 23 November 1979, by section 7(2) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 17(1): amended, on 1 April 1986, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 17(1)(a): amended, on 28 October 1986, by section 8(a) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 17(1)(b): repealed, on 25 March 2002, by section 5(2)(a) of the Road User Charges Amendment Act 2002 (2002 No 4).

Section 17(1)(c)(i): amended, on 28 October 1986, by section 8(b) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 17(1)(c)(ii): repealed, on 20 August 1993, by section 35(1) of the Land Transport Act 1993 (1993 No 88).

Section 17(1)(c)(iii): repealed, on 20 August 1993, by section 35(1) of the Land Transport Act 1993 (1993 No 88).

Section 17(1)(c)(iv): amended, on 28 October 1986, by section 8(b) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 17(1)(c)(v): repealed, on 1 April 1993, by section 7(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 17(1)(d): amended, on 28 October 1986, by section 8(d) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 17(2): amended, on 1 April 1986, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 17(2): amended, on 23 November 1979, by section 7(2) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 17(3)(a): amended, on 25 March 2002, by section 5(2)(b) of the Road User Charges Amendment Act 2002 (2002 No 4).

Section 17(3)(b): amended, on 25 March 2002, by section 5(2)(c) of the Road User Charges Amendment Act 2002 (2002 No 4).

Section 17(4): added, on 1 October 1989, by section 8 of the Road User Charges Amendment Act 1989 (1989 No 79).

#### **17A Verification of application for refund or remission**

- (1) The chief executive may at any time, whether before or after a refund or remission is made in accordance with section 14, section 15, section 16, or section 17, require the applicant to produce for inspection any books or records in the applicant's

possession or over which the applicant has control which the chief executive considers relevant in relation to the refund or remission.

- (2) The chief executive may take extracts from or make copies of any books or records so produced.
- (3) The chief executive may require verification of any information contained in books or records furnished under this section, and may decline to act on any information that is not verified to his or her satisfaction or recover any refund or cancel any remission granted in reliance upon incorrect or unverified information.

Section 17A: inserted, on 1 October 1989, by section 9 of the Road User Charges Amendment Act 1989 (1989 No 79).

## **18 Further provisions relating to refunds**

Notwithstanding any other provision of this Act,—

- (a) no refund of an amount less than \$2 shall be made under Part 1:
- (b) in calculating the amount of a refund payable in respect of a licence under any provision of Part 1, the chief executive shall make due allowance for any refund paid or payable in respect of that licence under any other provision of Part 1:
- (c) in calculating the amount of a refund payable in respect of a licence under any provision of Part 1, the chief executive shall make due allowance for any debt due by the applicant under any other provision of Part 1:
- (ca) where the refund payable is less than \$5,000, the refund shall be credited to the operator's road user charges account unless—
  - (i) the account is to be closed; or
  - (ii) the operator requests that the refund be paid directly to the operator:
- (cb) where an application for a refund under Part 1 is based in whole or in part on an alleged hubodometer failure,—
  - (i) the chief executive may, by notice in writing, require the operator to produce the hubodometer for inspection at a place appointed for the purpose by the chief executive; and

- (ii) no refund shall be made in respect of the alleged hubodometer failure if the hubodometer is not so produced within 3 months after the date of the making of the application:
- (d) all money refunded in error, whether of fact or of law, under any provision of Part 1, shall be recoverable by the chief executive under paragraph (c), or by action at law as a debt due to the Crown:
- (e) if a refund must be calculated by reference to the road user charge per kilometre for the licence and that rate of charge has been altered in the period between the time the licence was purchased and the time of making the application for a refund, the refund must be calculated by reference to the rate of charge that applied at the time the licence was purchased.

Section 18(b): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18(c): added, on 28 October 1986, by section 9 of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 18(c): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18(ca): inserted, on 1 April 1993, by section 8 of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 18(cb): inserted, on 1 April 1993, by section 8 of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 18(d): added, on 28 October 1986, by section 9 of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 18(d): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18(e): added, on 25 March 2002, by section 4 of the Road User Charges Amendment Act 2002 (2002 No 4).

### *Inquiry and assessment by District Court Judge*

Heading: inserted, on 22 December 1980, by section 6 of the Road User Charges Amendment Act 1980 (1980 No 71).

## **18A District Court Judge may hold inquiry on application of chief executive**

- (1) A District Court Judge may, on the application of the chief executive, hold an inquiry into the number and kind of licences that ought to have been obtained under this Act—

- (a) during a period specified in the application (being a period commencing not earlier than 6 years before the date of the application); and
  - (b) for motor vehicles specified in the application (being motor vehicles that the chief executive believes were owned during the whole or any part of the period by a person specified in the application).
- (2) The chief executive shall not make an application to a District Court for the purposes of subsection (1) unless he or she considers that it is likely that all the appropriate licences that ought to have been obtained during the period, and for the motor vehicles, specified in the application were not so obtained.
- (3) The chief executive may, in an application to a District Court Judge for the purposes of subsection (1), specify any convictions relating to offences under section 23 that have, during the period of 6 years immediately preceding the date of the application, been entered against the person specified in the application.

Section 18A: inserted, on 22 December 1980, by section 6 of the Road User Charges Amendment Act 1980 (1980 No 71).

Section 18A(1): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18A(2): substituted, on 1 April 1993, by section 9 of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 18A(3): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

### **18B Provisions relating to inquiries**

- (1) For the purposes of any inquiry under section 18A, the District Court Judge may, of his own motion or on application, by written notice served on the person,—
  - (a) summon before him any person or persons (including, where the inquiry relates to a body corporate, any director or employee of the body) to give evidence; and
  - (b) require any person to produce for the inspection of the Judge, or of any other person authorised by the Judge for this purpose, any books, papers, accounting records, or other documents, or things, that are relevant to the inquiry.

if any District Court Judge is satisfied that any person who has been summoned under paragraph (a) will not attend to give evidence without being compelled to do so, he may issue a warrant (in the same form, with all necessary modifications, as is prescribed for the purposes of section 20(4) of the Summary Proceedings Act 1957) for the attendance of that person at the inquiry.

- (2) At any inquiry under section 18A,—
  - (a) the District Court Judge may examine on oath any person; and for that purpose the Judge or a Registrar of a Court may administer an oath; and
  - (b) the District Court Judge may receive as evidence any statement, document, information, matter, or thing, that in his opinion may assist him to deal effectively with the subject of the inquiry, whether or not it would ordinarily be admissible as evidence; and
  - (c) the chief executive, and the person specified in the chief executive's application under section 18A, may each be represented by a counsel or agent; and
  - (d) the chief executive and the person specified in the chief executive's application, or any counsel or agent representing them, may examine, cross-examine, and re-examine, in accordance with the ordinary practice, any person summoned pursuant to subsection (1).
- (3) Every inquiry under section 18A shall take place in chambers and at such time or times as the District Court Judge determines.
- (4) The statement of every person examined under this section shall be taken down in writing, and signed by him in the presence of the District Court Judge and copies thereof shall be delivered to the chief executive and to the person specified in the chief executive's application. The statement shall not form part of the records of the Court.
- (5) No person examined under this section shall be excused from answering any question on the ground that the answer may incriminate him or render him liable to any penalty.
- (6) No statement made by any person in answer to any question put to him in examination under this section, or document or thing produced pursuant to a requirement under this section,



shall in criminal proceedings be admissible in evidence against him, except upon a charge of perjury against him in respect of his testimony upon that examination.

- (7) A District Court Judge may, for the purpose of assisting him in the exercise of his powers under section 18C, appoint any Registrar of a Court, chartered accountant, or other person or persons to inspect documents and things produced pursuant to a requirement under subsection (1)(b) and consider statements made during the inquiry, and to report to him thereon.
- (8) A District Court Judge may order that any costs (or such part thereof as is specified by the Judge) incurred by—
- (a) the chief executive; or
  - (b) the person specified in the chief executive's application; or
  - (c) any person summoned, or required to produce a document or thing under this section,—

in respect of an inquiry to which this section relates, shall be paid by the chief executive or the person specified in the chief executive's application, or both (in proportions specified by the Judge); and in any such case the costs so awarded shall be recoverable as a debt due by the person against whom they have been awarded to the person in whose favour they have been awarded.

Section 18B: inserted, on 22 December 1980, by section 6 of the Road User Charges Amendment Act 1980 (1980 No 71).

Section 18B(2): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18B(4): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18B(8): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

### **18C District Court Judge may make assessment**

- (1) Where, after holding an inquiry under section 18A and considering any reports obtained pursuant to section 18B(7), a District Court Judge considers, on the balance of probabilities, that all the appropriate licences that ought to have been obtained for the motor vehicles specified in the chief executive's application during the period, and while they were owned by the person, so specified were not obtained, he may make an as-

assessment of the amount of road user charges that in his opinion ought to have been, but were not, paid to the Crown in respect of those motor vehicles while they were owned by that person during that period.

- (2) In giving reasons for an assessment under this section a District Court Judge need not indicate how the assessment is calculated or what licences he considers ought to have been obtained.
- (3) Every assessment made by a District Court Judge under this section shall be delivered by him in open Court.
- (4) A District Court Judge may, when delivering an assessment, state the date from which the amount of the assessment shall be payable to the chief executive pursuant to subsection (5), which date may be earlier than the date the assessment is so delivered.
- (5) Where a District Court Judge makes an assessment under this section, the amount of the assessment shall, from the date the Judge delivers his assessment (or such other date, if any, as the Judge specifies pursuant to subsection (4)), be payable to the chief executive by the person specified in the chief executive's application under section 18A; and, until paid in full to the chief executive, the amount shall constitute a debt due to the Crown by the person and may be recovered accordingly in any Court of competent jurisdiction.

Section 18C: inserted, on 22 December 1980, by section 6 of the Road User Charges Amendment Act 1980 (1980 No 71).

Section 18C(1): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18C(4): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 18C(5): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

#### **18D District Court Judge may make assessment by consent**

A District Court Judge may, instead of holding an inquiry and making an assessment under sections 18A and 18C, make an assessment by consent of the chief executive and the person specified in the chief executive's application under section

18A, and subsections (2), (3), (4), and (5) of section 18C shall apply to the assessment by consent accordingly.

Section 18D: inserted, on 28 October 1986, by section 10 of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 18D: amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

### *General provisions*

#### **19 Display of licences**

- (1) Every licence shall be carried on the vehicle to which it relates or a vehicle attached to that vehicle and shall be displayed, in an upright and conspicuous position, as follows:
  - (a) in the case of a motor vehicle fitted with a windscreen, the licence shall be displayed behind the windscreen on the passenger side so that the side of the licence displaying the number or distinguishing mark shown on the registration plate or plates of the motor vehicle faces towards the foremost part of the motor vehicle and is easily visible from outside it:
  - (b) in the case of a motor vehicle not fitted with a windscreen, the licence shall be displayed either—
    - (i) behind the windscreen of a motor vehicle to which the vehicle is attached, as prescribed in paragraph (a); or
    - (ii) at the front of the left side of the vehicle—  
so that the side of the licence displaying the number or distinguishing mark shown on the registration plate of the vehicle is easily visible from outside the vehicle.
- (2) Every licence required to be carried and displayed pursuant to subsection (1) shall be produced by the driver or person in charge of the vehicle to which it relates forthwith on demand by a constable or traffic officer or any officer of the Ministry of Transport acting under a delegation from the chief executive.
- (3) Where a licence has been issued to an operator but the licence has not been received by the operator, the following provisions shall apply:
  - (a) until the close of 7 days after the date on which the licence is issued, a facsimile copy of the licence in the

prescribed form shall be sufficient evidence of the issue of the licence:

- (b) an enforcement officer may accept some other form of proof of the issue of a licence during the period referred to in paragraph (a), being a form of proof approved by the Secretary.
- (4) A road user charges label in the prescribed form and containing the correct details in respect of a licence shall be proof of purchase of a licence.

Section 19(1): amended, on 1 October 1989, by section 10(1) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 19(1)(a): amended, on 28 October 1986, by section 11(a) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 19(1)(b): amended, on 28 October 1986, by section 11(b) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 19(1)(b)(i): amended, on 28 October 1986, by section 11(c) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 19(2): added, on 1 October 1989, by section 10(2) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 19(3): added, on 1 April 1993, by section 10 of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 19(3): amended, on 20 August 1993, by section 35(1) of the Land Transport Act 1993 (1993 No 88).

Section 19(4): added, on 1 April 1993, by section 10 of the Road User Charges Amendment Act 1992 (1992 No 114).

## **20 Power to alter rates of road user charges by Order in Council**

- (1) The Governor-General may from time to time, by Order in Council, reduce or increase any or all of the rates of road user charges specified in Schedule 3.
- (1A) An Order in Council made under this section that increases all or any of the rates of road user charges specified in Schedule 3 comes into force 42 days after the date of its notification in the *Gazette*, or on any later date that may be specified in the order.
- (2) Every Order in Council made under this section shall be laid before the House of Representatives not later than the sixteenth sitting day of the House of Representatives after the day on which it is made.

- (3) Every Order in Council made under this section shall,—
- (a) where the Order in Council is made on or before the 30th day of June in any year, expire on the close of the 31st day of December of that year except so far as it is expressly validated or confirmed by Act of Parliament passed during that year; and
  - (b) where the Order in Council is made on or after the 1st day of July in any year, expire on the close of the 31st day of December in the following year except so far as it is expressly validated or confirmed by Act of Parliament passed before the end of that following year.
- (4) If any Order in Council or any provision of any Order in Council expires by virtue of subsection (3), the road user charge rate or rates altered by that Order in Council or provision shall, from the expiry of that Order in Council or provision and until it is or they are again altered, be the same as it was or they were immediately before that Order in Council or provision came into force.
- (5) If any Order in Council or any provision of any Order in Council expires by virtue of subsection (3), any charges collected under that Order in Council or provision in excess of the charges otherwise payable shall, except so far as any other provision is made by an Act of Parliament in respect thereof, be refunded upon application made to the chief executive.
- (6) Every application under subsection (5) shall be in a form provided for the purpose by the chief executive, and shall contain such information as the chief executive considers necessary to enable the refund to be made in accordance with this section.
- (7) The repeal of any Act of Parliament passed for the purpose of expressly validating or confirming any Orders in Council pursuant to subsection (3) shall not, unless there is any express provision to the contrary, affect the validity or confirmation of those Orders in Council.

Section 20: substituted, on 1 October 1989, by section 11 of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 20(1A): inserted, on 11 August 2009, by section 5 of the Road User Charges Amendment Act 2009 (2009 No 27).

**21 Distance and supplementary licences for certain motor vehicles become invalid 1 month after road user charge rate increased**

- (1) This section applies if a road user charge rate specified in Schedule 3 is increased under section 20 or by any other Act.
- (2) Despite any other provision of this Act, a distance licence or supplementary licence for a motor vehicle whose gross laden weight is more than 3.5 tonnes issued before the increase comes into force is no longer valid after the expiry of 1 month from the date of the increase.

Section 21: substituted, on 11 August 2009, by section 6 of the Road User Charges Amendment Act 2009 (2009 No 27).

**21A Additional charges for default in payment of amounts due**

- (1) Subject to subsection (3), if any debt due to the Crown by virtue of this Act (being a road user charge, administration fee, assessment under section 18C or section 18D, amount payable under section 8(3), or part thereof) is not paid to the Crown within 3 months of the date it first becomes due, an amount calculated in accordance with subsection (2) shall be added to the debt by way of an additional charge and may be recovered accordingly by the Crown from the person who owed the debt in any Court of competent jurisdiction.
- (2) For the purposes of subsection (1), an additional charge shall be an amount equal to 10% of the debt.
- (3) On written application for relief made by or on behalf of any person who has become liable under this section for the payment of any additional charge, the chief executive, if having regard to the circumstances of the case he thinks it equitable to do so, may grant relief to the person—
  - (a) by the remission of the whole or any part of the additional charge; or
  - (b) where the additional charge has been paid in whole or in part, by the refund to the person of the whole or any part of the additional charge that has been paid, with or without the remission of any part of the additional charge that has not been paid.

- (4) Any amount imposed by way of additional charge under this section shall be in addition to any other penalty to which the person may be liable.
- (5) For the purposes of this section, the expression **month** means the period commencing on the first business day in any calendar month and ending with the close of the last business day of that month.
- (6) In subsection (5), the expression **business day** means any day that is not a Saturday, Sunday, or public holiday.

Section 21A: inserted, on 1 July 1987, by section 9 of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 21A(1): amended, on 28 October 1986, by section 10(2) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 21A(1): amended, on 22 December 1980, by section 7(1) of the Road User Charges Amendment Act 1980 (1980 No 71).

Section 21A(2): substituted, on 1 October 1989, by section 12(1) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 21A(3): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 21A(5): added, on 1 October 1989, by section 12(2) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 21A(6): added, on 1 October 1989, by section 12(2) of the Road User Charges Amendment Act 1989 (1989 No 79).

## **22 Road user charges to be paid into national land transport fund**

All road user charges (excluding applicable refunds, and goods and services tax payable under the Goods and Services Tax Act 1985), any additional charges under section 21A, and any assessments under section 18C or 18D must be paid into a Crown Bank Account and treated as land transport revenue.

Section 22: substituted, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

### **22AA Other amounts received under this Act**

- (1) This section applies to amounts that are received under this Act and that are not referred to in section 22.
- (2) Amounts to which this section applies must be paid to the relevant prescribed recipient.

- (3) However, if there is no prescribed recipient to whom any amounts to which this section applies must be paid, those amounts must be paid into the Crown Bank Account.
- (4) For the purposes of this section, **prescribed recipient** means the person who is specified in regulations made under this Act or any other enactment as the person to whom any amounts to which this section applies are payable.

Section 22AA: inserted, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

#### **22A Restrictions on fitting and repair of hubodometers**

- (1) No person shall, without the written consent of the chief executive, fit a hubodometer to a motor vehicle for the purposes of this Act, if he knows or ought to know that the hubodometer has previously been fitted to the motor vehicle and that motor vehicle has been operated after the removal, loss, or displacement of the hubodometer from the motor vehicle.
- (2) No person shall, without the written consent of the chief executive, fit a hubodometer to a motor vehicle for the purposes of this Act, if he knows or ought to know that the hubodometer has previously been fitted to another motor vehicle for the purposes of this Act and that the other motor vehicle is still registered under Part 1 of the Transport (Vehicle and Driver Registration and Licensing) Act 1986.
- (3) No person, other than the manufacturer thereof or a person approved in writing for this purpose by the chief executive, shall repair or modify or attempt to repair or modify, or in any way tamper with any part of, a hubodometer of a kind that may be fitted to a motor vehicle for the purposes of this Act.
- (4) Any consent or approval given by the chief executive for the purposes of this section may be given on such terms and conditions as the chief executive thinks fit; and may at any time be varied or revoked by the chief executive by notice in writing to the person.

Section 22A: inserted, on 23 November 1979, by section 11(1) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 22A(1): amended, on 28 October 1986, by section 13 of the Road User Charges Amendment Act 1986 (1986 No 77).



Section 22A(2): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 22A(2): amended, on 30 April 1986, by section 56(2) of the Transport (Vehicle and Driver Registration and Licensing) Act 1986 (1986 No 6).

Section 22A(3): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 22A(3): amended, on 1 April 1988, by section 4(1) of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 22A(4): substituted, on 1 April 1988, by section 4(2) of the Road User Charges Amendment Act 1988 (1988 No 46).

## **22B Restrictions on sale of hubodometers**

- (1) Hubodometers shall be registered with the Ministry of Transport in accordance with this section.
- (2) No person shall sell a hubodometer if that person knows or ought to know that the make and serial number of the device are not registered with the Ministry of Transport.
- (3) Applications for registration under this section shall be in a form approved for the purpose by the chief executive.
- (4) In any case where a hubodometer is required to be registered, the chief executive shall—
  - (a) cause a unique identifier to be assigned to the hubodometer; and
  - (b) cause a label bearing that identifier to be affixed to the hubodometer to seal the device.
- (5) For the purposes of this section, **sell** includes supply for the purposes of fitting to a vehicle.

Section 22B: inserted, on 1 April 1994, by section 11(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

## **23 Offences**

- (1) Subject to subsections (3), (3A), (3B), (3C), and (4) but without limiting subsection (2), every person who—
  - (a) operates a motor vehicle on a road in contravention of section 5 or section 6; or
  - (b) subject to section 7(2), alters or defaces any licence; or
  - (ba) contravenes section 10A; or
  - (c) operates on a road any motor vehicle bearing a licence that has been altered or defaced or that is in any way obscured or not easily distinguishable; or

- (ca) operates on a road any motor vehicle for which a licence is required that does not have such a licence displayed as required by section 19; or
- (d) displays or causes to be displayed on any motor vehicle anything (not being a licence) that is likely to be mistaken for a licence; or any licence that is not current (other than a licence that immediately precedes, or immediately follows the current licence) or is no longer valid or that does not relate to the motor vehicle; or
- (e) operates any motor vehicle that has displayed on it anything (not being a licence) that is likely to be mistaken for a licence, or any licence that is not current (other than a licence that immediately precedes, or immediately follows the current licence) or is no longer valid or that does not relate to the motor vehicle; or
- (ea) fails without reasonable excuse to comply with any requirement made under section 17A(1); or
- (eb) fails to produce any licence when required to do so under section 19(2); or
- (f) makes any application under this Act that he knows or ought to know is incorrect in a material particular; or
- (fa) contravenes section 22A or section 22B; or
- (faa) operates a motor vehicle to which this Act applies with a hubodometer purchased on or after the commencement of this paragraph, unless the hubodometer is sealed in accordance with section 22B(4); or
- (fb) operates a motor vehicle to which this Act applies which is fitted with a hubodometer which is designed for a tyre size other than that on the wheel to which the hubodometer is fitted unless the prior written approval of the Secretary for Transport is obtained; or
- (fc) operates a motor vehicle on a road in circumstances in which the operator of the vehicle knew or ought to have known that the hubodometer fitted to that vehicle has been damaged in a manner that affects its accuracy, or has been tampered with, or has been modified or repaired other than as permitted under this Act; or
- (g) alters or wilfully damages any distance recorder fitted to a motor vehicle to which this Act applies—

commits an offence against this Act, and is liable on summary conviction to a fine not exceeding \$3,000.

- (1A) Without limiting subsection (1), every person who contravenes section 22A or section 22B with the intention of avoiding any liability of that person or any other person under this Act commits an offence against this Act and is liable on summary conviction to a fine not exceeding \$15,000.
- (2) Subject to subsections (3), (3A), (3B), (3C), and (4) but without limiting subsection (1), where—
- (a) a motor vehicle is operated on a road in contravention of section 5 or section 6; or
  - (b) an application for a licence for a motor vehicle is made that is incorrect in a material particular—
- the owner of the motor vehicle commits an offence against this Act, and is liable on summary conviction to a fine not exceeding \$15,000.
- (2A) It shall be a defence in proceedings for an offence against paragraph (d) or paragraph (e) or paragraph (eb) of subsection (1) of this section if the defendant produces proof of purchase of a licence under section 10(5).
- (3) It shall be a defence in proceedings for an offence of operating a motor vehicle on a road without the appropriate distance licence or supplementary licence if the defendant proves that—
- (a) it was not possible to obtain the licence at any time during the period between the time when the need for the licence was reasonably foreseeable by the defendant or any employee or agent thereof, and the time when the alleged offence was committed; and
  - (b) an appropriate licence covering the distance for which the motor vehicle was on a road in contravention of this Act was obtained for the motor vehicle forthwith after the commission of the alleged offence.
- (3A) It shall be a defence in proceedings for an offence of operating a motor vehicle on a road when the reading of the distance recorder is more than the maximum reading specified in the licence displayed in the vehicle at the time of the offence, if the Court is satisfied that—
- (a) the reading of the distance recorder did not exceed by more than 500 kilometres that maximum reading; and

- (b) the gross weight of the motor vehicle was not more than the maximum gross weight specified in that licence; and
  - (c) as soon as reasonably practical after the offence was drawn to the attention of the defendant, a further licence was purchased specifying not less than the maximum gross weight of the motor vehicle and for a distance of not less than the amount by which the reading of the distance recorder exceeded the maximum reading of the licence displayed in the vehicle at the time of the offence.
- (3B) It shall be a defence in proceedings for an offence of operating a motor vehicle on a road when the gross weight of that motor vehicle is more than the maximum gross weight specified in the licence carried or displayed on that motor vehicle, if the Court is satisfied that, having regard to the maximum gross weights specified in the licences carried or displayed on any other attached vehicles, and to the actual gross weights of those attached vehicles, sufficient payment has been made in total to cover the charges that apply for the actual loadings on the individual vehicles at the time of the offence.
- (3C) It shall be a defence in proceedings for an offence of operating a motor vehicle on a road when the distance licence carried or displayed on the motor vehicle specifies the wrong vehicle type number of that motor vehicle if the defendant proves that—
- (a) the vehicle was fitted with a lifting axle which was not transmitting a portion of the weight of the vehicle to the roadway at the time of the offence; and
  - (b) the vehicle was unladen, except for normal operating gear; and
  - (c) the lifting axle was capable of being altered by the fitted device so as to transmit to the roadway a portion of the weight of the vehicle; and
  - (d) if the lifting axle had been transmitting a portion of the weight of the vehicle to the roadway at the time of the offence, the vehicle type number specified on the licence would have been correct for the motor vehicle.

- (3D) For the purposes of subsection (3C), a **lifting axle** is an axle which is fitted with a device to alter the distribution of weight between the axles of a heavy motor vehicle.
- (4) It shall be a defence in proceedings for an offence of operating a motor vehicle on a road without a proper working distance recorder if the defendant proves that—
- (a) a distance recorder was fitted to the motor vehicle at the time; and
  - (b) it was not possible to obtain and fit a properly working distance recorder to the motor vehicle, or to repair the distance recorder fitted to the motor vehicle, during the period between the time of the damage to or malfunction of the distance recorder fitted to the motor vehicle and the time when the alleged offence was committed; and
  - (c) a properly working distance recorder was fitted to the motor vehicle, or the distance recorder fitted to the motor vehicle was repaired, forthwith after the commission of the alleged offence.
- (4A) Every person—
- (a) who is summoned under section 18B and who fails or refuses to appear before the Judge at the time specified by the Judge, or to take oath as a witness before the Judge; or
  - (b) who is sworn as a witness at an inquiry held under section 18A and who fails or refuses to answer any question put to him regarding the subject of the inquiry; or
  - (c) who fails or refuses to produce any document or thing for the inspection of the Judge, or of any person authorised by the Judge for this purpose, when required to do so pursuant to section 18B(1)(b)—
- commits an offence against this Act, and is liable on summary conviction to a fine not exceeding \$1,000:
- provided that no person shall be convicted of an offence against paragraph (a) unless, at the time of the service of the summons or at some other reasonable time before the date on which that person was required to attend, there was paid or tendered to that person a sum sufficient to provide for his reasonable travel expenses in attending the inquiry.

- (5) Notwithstanding section 14 of the Summary Proceedings Act 1957, any information in respect of any offence against this Act or against any regulations made thereunder may be laid at any time within 2 years from the time when the matter of the information arose.
- (6) Any offence against this Act that is specified in Part 4 of Schedule 2 to the Transport Act 1962 as an excess weight offence or a distance recorder offence or as an infringement offence under the Land Transport Act 1998 may be proceeded with as an infringement offence in accordance with section 42A of that Act or the Land Transport Act 1998.
- (7) For the avoidance of doubt, it is hereby declared that, in any proceedings for an offence of operating a motor vehicle on a road in contravention of section 5 or section 6, it is not necessary for the prosecution to prove that any licence required to be carried on the vehicle either had been or had not been displayed in accordance with section 19 of this Act.
- (8) Where a person breaches the requirements of a licence in more than one particular, each such breach, to the extent that it constitutes an offence against this Act, constitutes a separate offence.

Section 23(1): amended, on 28 October 1986, by section 14(4)(a) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(1): amended, on 23 November 1979, by section 12(1)(a) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 23(1)(ba): inserted, on 1 April 1993, by section 12(1) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 23(1)(ca): inserted, on 1 October 1989, by section 14(1) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(1)(d): substituted, on 28 October 1986, by section 14(1) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(1)(e): substituted, on 28 October 1986, by section 14(1) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(1)(ea): inserted, on 1 October 1989, by section 14(2) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(1)(eb): inserted, on 1 October 1989, by section 14(2) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(1)(fa): inserted, on 23 November 1979, by section 12(3) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 23(1)(fa): amended, on 1 April 1993, by section 12(2) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 23(1)(faa): inserted, on 1 April 1993, by section 12(3) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 23(1)(fb): inserted, on 28 October 1986, by section 14(2) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(1)(fc): inserted, on 1 October 1989, by section 14(3) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(1A): inserted, on 1 October 1989, by section 14(4) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(1A): amended, on 1 April 1993, by section 12(4) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 23(2): amended, on 28 October 1986, by section 14(4)(b) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(2): amended, on 23 November 1979, by section 12(1)(b) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 23(2A): inserted, on 1 April 1993, by section 12(5) of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 23(3): substituted, on 22 December 1980, by section 8 of the Road User Charges Amendment Act 1980 (1980 No 71).

Section 23(3A): inserted, on 21 September 1984, by section 2 of the Road User Charges Amendment Act 1984 (1984 No 5).

Section 23(3B): inserted, on 28 October 1986, by section 14(3) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(3B): amended, on 1 October 1989, by section 14(5) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(3C): inserted, on 28 October 1986, by section 14(3) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(3C): amended, on 1 October 1989, by section 14(5) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(3D): inserted, on 28 October 1986, by section 14(3) of the Road User Charges Amendment Act 1986 (1986 No 77).

Section 23(4): substituted, on 22 December 1980, by section 8 of the Road User Charges Amendment Act 1980 (1980 No 71).

Section 23(4A): inserted, on 22 December 1980, by section 8 of the Road User Charges Amendment Act 1980 (1980 No 71).

Section 23(6): added, on 1 October 1989, by section 14(6) of the Road User Charges Amendment Act 1989 (1989 No 79).

Section 23(6): amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 23(7): added, on 29 July 1995, by section 2 of the Road User Charges Amendment Act 1995 (1995 No 46).

Section 23(8): added, on 30 April 1997, by section 3 of the Road User Charges Amendment Act 1997 (1997 No 7).

**23A Evidence in proceedings**

- (1) A document certified by an officer or employee of the Ministry of Transport, or by a person authorised by the chief executive for the purpose, to be a record held for the purposes of this Act shall be received as prima facie evidence—
- (a) in any inquiry under section 18A:
  - (b) in any proceedings for an offence against this Act or the Transport Act 1962 or the Land Transport Act 1998 or any regulations made under any of those Acts:
  - (c) in any proceedings for the revocation of a transport services licence under the Transport Services Licensing Act 1989.
- (2) For the purposes of this section, a record held for the purposes of this Act includes a copy of a licence issued under this Act and a computer record held for the purposes of this Act; and, in this subsection, **computer record** includes a microfiche, a microfiche printout, a computer printout, or any other document produced by a device by means of which information is recorded or stored.

Section 23A: inserted, on 1 April 1993, by section 13 of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 23A(1): amended, on 30 April 1997, by section 4 of the Road User Charges Amendment Act 1997 (1997 No 7).

Section 23A(1)(b): amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

**23B Admissibility of certain statements**

- (1) Notwithstanding any enactment or rule of law, any statement that is made to a constable or a traffic officer who is a non-sworn member of the Police by the driver of any vehicle to which this Act applies that relates to—
- (a) the identity of the employer of that driver; or
  - (b) any matter that is by any enactment to be specified in any logbook—
- may be given in evidence by that constable or traffic officer and shall be admissible in any proceedings for an offence against this Act as evidence of the matters referred to in the statement.
- (2) Notwithstanding any enactment or rule of law, any statement that—



- (a) is made to an employee of New Zealand Transport Agency who is authorised in writing for the purpose by the Agency; and
- (b) is made by the driver of any vehicle to which this Act applies; and
- (c) relates to any matter that is by any enactment required to be specified in any logbook—

may be given in evidence by that authorised employee and shall be admissible in any proceedings for an offence against this Act as evidence of the matters referred to in the statement.

Section 23B: inserted, on 1 April 1993, by section 13 of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 23B(2): added, on 29 July 1995, by section 3 of the Road User Charges Amendment Act 1995 (1995 No 46).

Section 23B(2): amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 23B(2)(a): amended, on 1 August 2008, by section 50(1) of the Land Transport Management Amendment Act 2008 (2008 No 47).

Section 23B(2)(a): amended, on 1 December 2004, by section 19(1) of the Land Transport Management Amendment Act 2004 (2004 No 97).

Section 23B(2)(a): amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

### **23C Power to inspect records**

- (1) For the purpose of ascertaining whether the provisions of this Act have been or are being complied with by any person to whom this Act applies, the chief executive may require that person to produce for inspection any books or records in that person's possession or over which that person has control, including (but not limited to) logbooks, records associated with logbooks, financial records relating to expenditure on fuel, invoices, vehicle maintenance records, depreciation records for vehicles, time and wage records, and waybills.
- (2) The chief executive may take extracts from or make copies of any books or records so produced.
- (3) The powers conferred by this section are in addition to, and not in substitution for or in derogation of, the powers conferred by section 17A.

Section 23C: inserted, on 1 April 1993, by section 13 of the Road User Charges Amendment Act 1992 (1992 No 114).

**23D Delegation of chief executive's functions or powers to persons outside Ministry**

- (1) Subject to subsection (2), the chief executive may from time to time, either generally or particularly, delegate to such persons (not being employees of the Ministry) as he or she specifies any of his or her functions or powers under this Act.
- (2) The chief executive shall not delegate any function or power to any person or any class of persons not employed in the State services (within the meaning of the State Sector Act 1988), except with the consent in writing of the Minister.
- (2A) In any case where the chief executive has delegated any functions or powers to any person under this section, that person may, with the prior approval of the Minister, delegate to any other person such of those functions or powers as are so approved.
- (3) Subject to any general or special directions given or conditions imposed by the chief executive, any person to whom any functions or powers are delegated under this section may perform those functions and exercise those powers in the same manner and with the same effect as if they had been conferred or imposed upon the person directly and not by delegation.
- (4) The chief executive may delegate any power or function under this section to a specified person or class of persons or to the holder or holders of a specified office or class of office for the time being.
- (5) Every delegation under this section shall be given for a specific or indefinite period but in either case shall be revocable at will and no such delegation shall prevent the exercise of any power or the performance of any function by the chief executive.
- (6) Every delegation under this section shall, until revoked, continue in force according to its tenor, notwithstanding the fact that the chief executive by whom it was made may cease to hold office, and shall continue to have effect as if it were made by the person for the time being holding office as chief executive.
- (7) Every person purporting to act under any delegation under this section shall when reasonably requested produce evidence of his or her authority to do so.

- (8) In this section, the term **person** includes a body corporate, but does not include an unincorporated body of persons.

Section 23D: inserted, on 20 August 1993, by section 35(1) of the Land Transport Act 1993 (1993 No 88).

Section 23D(2A): inserted, on 29 July 1995, by section 4 of the Road User Charges Amendment Act 1995 (1995 No 46).

Section 23D(8): added, on 30 April 1997, by section 5 of the Road User Charges Amendment Act 1997 (1997 No 7).

## 24 Regulations and Orders in Council

- (1) The Governor-General may from time to time, by Order in Council, make regulations for all or any of the following purposes:
- (a) prescribing the forms of licences and empowering the Registrar to prescribe the colours of licences and labels:
  - (b) *[Repealed]*
  - (c) prescribing circumstances in which an issuing officer may issue a licence notwithstanding that the road user charge, or part thereof, payable in respect thereof has not been paid, or if he is satisfied that the charge has been or will be paid:
  - (d) empowering the Registrar to cancel any licence if the road user charge payable in respect thereof has not been paid:
  - (e) requiring motor vehicles, or any class or classes of motor vehicles, to be fitted with hubodometers from specified dates; prescribing the types of hubodometers to be fitted and the manner of fitting and maintenance; regulating the replacement of hubodometers; and prohibiting or restricting, for the purposes of this Act, certain actions in respect of hubodometers:
  - (f) requiring every person who issues a certificate of fitness or a warrant of fitness, or evidence of vehicle inspection under the Land Transport Act 1998, for a motor vehicle to report to the chief executive the reading of the motor vehicle's distance recorder at the time of issue of the certificate or warrant:
  - (g) regulating the endorsement of licences for the purposes of section 7:

- (ga) prescribing for the purposes of section 4(c), motor vehicles (including light electric motor vehicles) that are exempt from this Part:
  - (h) prescribing offences in respect of the contravention of or non-compliance with any regulations made under this Act; and prescribing the fines, not exceeding \$3,000, that may be imposed in respect of any such offence:
  - (i) providing for such other matters, not inconsistent with this Act, as are contemplated by or necessary for giving full effect to the provisions of this Act and for its due administration.
- (1A) Regulations made under subsection (1)(ga) relating to light electric motor vehicles—
- (a) must specify a date on which the exemption expires; and
  - (b) may, from time to time, be amended to provide for a later date.
- (2) The Governor-General may from time to time, by Order in Council, add to or omit from any of the categories specified in Schedule 2 any class of motor vehicle; and every reference in this Act to Schedule 2 shall be construed as a reference to that Schedule with any alterations made by any Order in Council for the time being in force under this subsection.

Section 24(1)(a): amended, on 1 April 1993, by section 14 of the Road User Charges Amendment Act 1992 (1992 No 114).

Section 24(1)(b): repealed, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 24(1)(f): amended, on 1 March 1999, by section 215(1) of the Land Transport Act 1998 (1998 No 110).

Section 24(1)(f): amended, on 1 April 1988, by section 3 of the Road User Charges Amendment Act 1988 (1988 No 46).

Section 24(1)(ga): inserted, on 11 August 2009, by section 7(1) of the Road User Charges Amendment Act 2009 (2009 No 27).

Section 24(1)(h): amended, on 23 November 1979, by section 12(1)(a) of the Road User Charges Amendment Act 1979 (1979 No 65).

Section 24(1A): inserted, on 11 August 2009, by section 7(2) of the Road User Charges Amendment Act 2009 (2009 No 27).

## **Part 2**

### **Amendments to other Acts**

#### *Amendments to Transport Act 1962*

#### **25 Powers of constables and traffic officers**

(1) *Amendment(s) incorporated in the Act(s).*

(2) *[Repealed]*

Section 25(2): repealed, on 1 August 1987, by section 22(5) of the Transport Amendment Act 1987 (1987 No 96).

#### **26 Repeal of provisions relating to heavy-traffic licences**

(1) *Amendment(s) incorporated in the Act(s)*

(2) Notwithstanding any other provision of this Act, heavy-traffic licences that are issued pursuant to regulations made under paragraphs (l) and (m) of section 77(1) of the Transport Act 1962 for a term expiring after 28 February 1978 may be surrendered, and part of the licence fee paid in respect thereof may be refunded to the licensee, as if this Act had not been passed.

#### **27 Refund of motor spirits duty**

*[Repealed]*

Section 27: repealed, on 6 August 1982, by section 5 of the Transport Amendment Act (No 2) 1982 (1982 No 10).

#### **28 Amount of motor spirits duty credited to Consolidated Revenue Account, and refunds of such duty, may be altered by Order in Council**

*[Repealed]*

Section 28: repealed, on 6 August 1982, by section 5 of the Transport Amendment Act (No 2) 1982 (1982 No 10).

#### **29 Repeal of provisions relating to mileage tax**

*[Repealed]*

Section 29: repealed, on 6 August 1982, by section 5 of the Transport Amendment Act (No 2) 1982 (1982 No 10).

**30 Evidence of testing and accuracy of weighing devices***[Repealed]*

Section 30: repealed, on 1 August 1987, by section 36(2)(d) of the Transport Amendment Act 1987 (1987 No 96).

**31 Consequential repeals**

The following enactments are hereby consequentially repealed—

- (a) section 13 of, and the Schedule to, the Transport Amendment Act 1965:
- (b) section 20 of the Transport Amendment Act 1971:
- (c) section 29 of the Transport Amendment Act 1974:
- (d) section 3 of the Transport Amendment Act 1975:
- (e) the Transport Amendment Act (No 2) 1976.

*Amendments to National Roads Act 1953***32 Board to submit budget to Minister each year***[Repealed]*

Section 32: repealed, on 1 October 1989, by section 116(1) of the Transit New Zealand Act 1989 (1989 No 75).

**33 Amount payable to local authorities for collection of heavy-traffic fees***[Repealed]*

Section 33: repealed, on 1 October 1989, by section 116(1) of the Transit New Zealand Act 1989 (1989 No 75).

**34 National Roads Fund***[Repealed]*

Section 34: repealed, on 1 October 1989, by section 116(1) of the Transit New Zealand Act 1989 (1989 No 75).

**35 Allocation of estimated revenue of Fund***[Repealed]*

Section 35: repealed, on 1 October 1989, by section 116(1) of the Transit New Zealand Act 1989 (1989 No 75).

**36 Board to prepare programme of road works**

*[Repealed]*

Section 36: repealed, on 1 October 1989, by section 116(1) of the Transit New Zealand Act 1989 (1989 No 75).

---

**Schedule 1**

s 2

**Vehicle type numbers for distance and supplementary licences**

Schedule 1: substituted, on 21 September 1984, by section 4(1) of the Road User Charges Amendment Act 1984 (1984 No 5).

Definitions—In this Schedule,—

**axle** means 1 or more shafts, spindles, or bearings in the same vertical transverse plane by means of which, in conjunction with wheels mounted on those shafts, spindles, or bearings, a portion of the weight of the vehicle is transmitted to the roadway; and in particular—

**oscillating axle** means any axle which complies with the following provisions:

- (a) the axle has 4 wheels attached thereto, consisting of 2 pairs of wheels; and
- (b) each such pair of wheels is mounted on a separate axle so affixed to the motor vehicle as to share the load equally between the 2 wheels and to permit oscillation of the separate axles in a vertical transverse plane which is at right angles to the longitudinal centre line of the vehicle; and
- (c) the centre of each such wheel is at least 50 cm distant from the centre of every other wheel fitted to the motor vehicle

**twin-tyred axle** means any axle, not being an oscillating axle, equipped with 4 or more tyres with 1.3 metres or more between the centres of the left side and right side wheels

**single-tyred axle** means any axle fitted with 2 or more wheels, but which is neither an oscillating axle nor a twin-tyred axle

**close**, in relation to 2 or more axles, means that the longitudinal centre lines of the axles are less than 2.4 metres apart

**spaced**, in relation to an axle, means that the longitudinal centre line of the axle is at least 2.4 metres distant from the longitudinal centre line of the nearest other axle.

<b>Class of motor vehicle</b>	<b>Vehicle type number</b>
1. Powered vehicles with 2 axles with:	
(a) 1 single-tyred spaced axle and 1 twin-tyred spaced axle	2
(b) any other configuration	1
2. Powered vehicles with 3 axles with:	



<b>Class of motor vehicle</b>	<b>Vehicle type number</b>
(a) 1 single-tyred axle and 2 twin-tyred axles	6
(b) any other configuration	5
3. Powered vehicles with 4 axles	14
4. Powered vehicles with 5 or more axles	19
5. Unpowered vehicles with 1 axle	24
6. Unpowered vehicles with 2 axles with:	
(a) single-tyred spaced axles	27
(b) twin-tyred close axles	29
(c) twin-tyred spaced axles	30
(d) any other configuration	28
7. Unpowered vehicles with 3 axles with:	
(a) twin-tyred close axles	33
(b) any other configuration	37
8. Unpowered vehicles with 4 or more axles	43

---

**Schedule 2**

s 2

**Off-road motor vehicles**

Schedule 2: substituted, on 21 September 1984, by section 4(2) of the Road User Charges Amendment Act 1984 (1984 No 5).

<b>Class of motor vehicle</b>	<b>Vehicle type number</b>
1. Trailer scrapers	70
2. Plant for servicing oil filled cables	71
3. Road rollers	72
4. Tractors other than those owned and operated by farmers on their own farms	73
5. Post debarkers	74
6. Saw bench apparatus	75
7. Forestry chippers	76
8. Sawing or shearing apparatus for tree cutting	77
9. Stone and gravel crushing and screening plant	78
10. Asphalt mixing and paving plant	79
11. Bulldozers and angle dozers	80
12. Tractor mounted mobile cranes and log skidders.	81
13. Front end loaders	82
14. Mobile pile drivers	83
15. Motor scrapers	84
16. Self-propelled water carts that are always unladen on the road	85
17. Self-propelled trench diggers and excavators	86
18. Self-propelled vehicles that are always unladen on the road and that are designed exclusively for carrying earth or other bulk materials	87
19. Mobile cranes (excluding mobile vehicle recovery units, truck mounted cranes, and cranes to which a distance recording device is or could readily be fitted)	88
20. Motor graders	89
21. Unregistered motor vehicles operated under trade plates	90
22. Cable jinkers	91

Schedule 2 item 12: amended, on 28 October 1986, by section 15 of the Road User Charges Amendment Act 1986 (1986 No 77).

Schedule 2 item 19: substituted, on 1 April 1993, by section 15 of the Road User Charges Amendment Act 1992 (1992 No 114).

**Schedule 3**  
**Road user charges**

s 9

**Part 1**

**Charge rates for distance licences**

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 1 000 kilometres or 621 miles of distance to which licence relates)				
	1	2	5	6	14
1	44.31	44.29	43.86	43.86	42.90
2	44.31	44.29	43.86	43.86	42.90
3	46.51	46.41	45.84	45.83	44.85
4	49.29	48.10	46.28	46.15	44.95
5	53.50	51.00	46.56	46.28	45.05
6	59.20	54.00	46.83	46.42	45.15
7	87.13	75.93	60.55	59.63	56.91
8	113.79	94.68	68.45	66.89	62.24
9	149.28	120.24	78.20	75.71	68.26
10	196.29	152.20	90.31	86.50	75.17
11	256.86	193.53	104.80	99.47	83.14
12	333.93	246.26	121.58	114.14	92.01
13	432.33	311.40	142.00	131.75	101.23
14	554.41	392.77	167.03	153.25	112.20
15	704.91	493.50	197.42	179.25	125.16
16	888.05	614.36	233.95	210.43	140.41
17	1,108.31	759.51	275.99	247.16	158.27
18	1,370.46	932.06	325.50	289.26	179.06
19	1,679.58	1,135.34	383.51	338.53	203.16
20	2,041.04	1,372.85	451.01	395.79	230.89
21	2,460.48	1,648.29	529.02	461.89	262.04
22	2,943.84	1,965.55	618.60	537.74	297.02
23	3,497.36	2,328.70	720.90	624.31	336.74
24	4,127.56	2,742.01	837.09	722.57	381.64
25	4,841.24	3,209.93	968.63	833.57	432.17
26	5,645.50	3,737.10	1,115.10	959.30	488.81

Part 1—*continued*

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 1 000 kilometres or 621 miles of distance to which licence relates)				
	1	2	5	6	14
27	6,547.75	4,328.36	1,279.10	1,097.92	552.07
28	7,555.64	4,988.75	1,462.01	1,252.45	622.46
29	8,677.17	5,723.45	1,665.26	1,424.12	700.52
30	9,920.57	6,537.89	1,890.32	1,614.17	786.81
Incremental rate	2,116.19	1,385.36	381.26	321.60	144.49
40	31,082.48	20,391.52	5,702.93	4,830.12	2,231.73
Incremental rate	4,458.72	2,917.72	800.49	674.69	300.15
50	75,669.68	49,568.70	13,707.87	11,577.01	5,233.26
Incremental rate	8,105.33	5,303.13	1,453.11	1,224.35	543.28
	19	24	27	28	29
1	42.44	15.57	15.11	15.08	15.00
2	42.44	15.57	15.11	15.08	15.00
3	44.37	21.51	19.18	19.03	18.61
4	44.44	31.82	24.49	23.96	22.68
5	44.49	49.86	31.96	30.67	27.53
6	44.57	76.59	42.11	39.58	33.42
7	55.68	119.89	53.97	49.51	38.58
8	60.14	190.37	74.87	67.39	49.07
9	64.89	286.75	102.98	90.80	61.47
10	70.02	420.08	145.08	124.09	77.38
Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 1 000 kilometres or 621 miles of distance to which licence relates)				
	19	24	27	28	29
11	75.61	599.02	199.33	170.14	97.65
12	81.77	833.12	267.04	226.38	123.25
13	87.39	1,132.86	353.16	297.16	158.71

Part 1—continued

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 1 000 kilometres or 621 miles of distance to which licence relates)				
	19	24	27	28	29
14	93.57	1,509.61	460.88	385.55	201.30
15	100.61	1,975.68	593.64	494.38	251.57
16	108.64	2,544.26	755.16	626.66	312.34
17	117.77	3,229.46	949.39	785.63	385.04
18	128.17	4,046.31	1,180.54	974.70	471.22
19	139.97	5,010.76	1,453.08	1,197.55	572.51
20	153.34	6,139.63	1,771.74	1,458.01	690.63
21	168.46	7,450.70	2,141.49	1,760.16	827.40
22	185.50	8,962.61	2,567.57	2,108.25	984.72
23	204.64	10,694.96	3,055.48	2,506.77	1,164.62
24	226.08	12,668.22	3,610.95	2,960.41	1,369.17
25	250.00	14,903.80	4,239.99	3,474.06	1,600.57
26	275.70	17,424.01	4,948.86	4,052.82	1,861.11
27	304.24	20,252.06	5,744.06	4,702.01	2,153.16
28	335.82	23,412.08	6,632.36	5,427.15	2,479.19
29	370.68	26,929.12	7,620.80	6,233.96	2,841.76
30	409.07	30,829.12	8,716.64	7,128.39	3,243.53
Incremental rate	63.59	6,642.33	1,864.94	1,521.80	682.48
40	1,044.96	97,252.45	27,366.08	22,346.44	10,068.38
Incremental rate	130.94	14,002.66	3,929.20	4,187.13	1,435.90
50	2,354.35	237,279.09	66,658.10	64,217.75	24,427.35
Incremental rate	234.20	25,460.50	7,142.63	4,845.47	2,608.74
Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 1 000 kilometres or 621 miles of distance to which licence relates)				
	30	33	37	43	
1	15.01	14.96	14.96	14.94	
2	15.01	14.96	14.96	14.94	

Part 1—*continued*

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 1 000 kilometres or 621 miles of distance to which licence relates)			
	30	33	37	43
3	18.69	18.37	18.40	18.33
4	22.90	21.92	21.98	21.76
5	28.09	25.68	25.84	25.30
6	34.53	29.79	30.12	28.99
7	40.54	32.17	32.73	30.82
8	52.42	38.14	39.09	35.85
9	66.72	44.28	45.77	40.67
10	85.39	51.19	53.46	45.51
11	109.39	59.26	62.64	50.61
12	142.31	68.67	73.59	56.42
13	184.70	79.93	86.66	63.06
14	234.30	93.37	102.24	70.68
15	295.06	109.21	120.70	79.43
16	368.63	127.62	142.49	89.50
17	456.78	149.09	169.50	101.04
18	561.39	175.33	201.84	114.27
19	684.45	206.36	238.08	129.38
20	828.06	241.09	280.04	146.57
21	994.44	280.98	328.32	166.09
22	1,185.93	326.56	383.58	188.17
23	1,404.97	378.37	446.49	213.05
24	1,654.13	437.00	517.76	241.01
25	1,936.08	503.06	598.15	272.30
26	2,253.61	577.18	688.42	307.21
27	2,609.61	660.01	789.38	346.06
28	3,007.12	752.23	901.86	389.12
29	3,449.25	854.57	1,026.74	436.74

Part 1—*continued*

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 1 000 kilometres or 621 miles of distance to which licence relates)			
	30	33	37	43
30	3,939.25	967.75	1,164.92	489.23
Incremental rate	832.79	190.80	233.40	87.42
40	12,267.17	2,875.76	3,498.91	1,363.41
Incremental rate	1,752.83	399.15	488.97	181.16
50	29,795.50	6,867.25	8,388.64	3,174.99
Incremental rate	3,185.06	723.49	886.82	327.09

Schedule 3 Part 1: amended, on 15 October 2010, by clause 4 of the Road User Charges (Rates) Order (No 2) 2010 (SR 2010/287).

Schedule 3 Part 1: amended, on 1 October 2010, by clause 4 of the Road User Charges (Rates) Order 2010 (SR 2010/243).

Schedule 3 Part 1: amended, on 1 October 2009, by clause 4 of the Road User Charges (Rates) Order 2009 (SR 2009/220).

Schedule 3 Part 1: amended, on 1 July 2008, by clause 4 of the Road User Charges (Rates) Order 2008 (SR 2008/178).

Schedule 3 Part 1: amended, on 1 April 2007, by clause 4 of the Road User Charges (Rates) Order (No 2) 2007 (SR 2007/82).

Schedule 3 Part 1: amended, on 1 April 2007, by clause 4 of the Road User Charges (Rates) Order 2007 (SR 2007/38).

Schedule 3 Part 1: amended, on 1 April 2006, by clause 4 of the Road User Charges (Rates) Order 2006 (SR 2006/31).

Schedule 3 Part 1: amended, on 1 April 2005, by clause 4 of the Road User Charges (Rates) Order 2005 (SR 2005/39).

Schedule 3 Part 1: amended, on 1 April 2002, by clause 7 of the Road User Charges (Rates) Order 2002 (SR 2002/48).

Schedule 3 Part 1: amended, on 1 July 1998, by clause 2 of the Road User Charges (Rates) Order 1998 (SR 1998/110).

Schedule 3 Part 1: amended, on 8 July 1996, by clause 2(1) of the Road User Charges (Rates) Order 1996 (SR 1996/138).

Schedule 3 Part 1: amended, on 1 July 1989, by clause 2 of the Road User Charges (Rates) Order 1989 (SR 1989/134).

Schedule 3 Part 1: amended, on 1 April 1987, by clause 2 of the Road User Charges (Rates) Order 1987 (SR 1987/65).

Schedule 3 Part 1: amended, on 1 February 1985, by section 3(1) of the Road User Charges Amendment Act (No 2) 1984 (1984 No 23).

**Part 2**  
**Charge rates for supplementary licences**

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 50 kilometres or 31 miles of distance to which licence relates)				
	1	2	5	6	14
1	2.24	2.23	2.20	2.20	2.16
2	2.24	2.23	2.20	2.20	2.16
3	2.36	2.35	2.31	2.30	2.26
4	2.64	2.53	2.35	2.35	2.27
5	3.03	2.79	2.40	2.37	2.29
6	3.58	3.11	2.46	2.43	2.32
7	5.68	4.66	3.26	3.18	2.93
8	7.88	6.21	3.83	3.68	3.26
9	10.93	8.27	4.56	4.33	3.65
10	14.89	11.06	5.50	5.16	4.13
11	20.14	14.58	6.62	6.14	4.70
12	26.98	19.11	8.06	7.37	5.33
13	35.72	24.88	9.86	8.91	6.10
14	46.70	32.11	12.07	10.81	7.03
15	60.25	41.03	14.63	13.06	8.14
16	76.78	51.89	17.71	15.68	9.47
17	96.67	64.96	21.40	18.81	11.03
18	120.38	80.52	25.77	22.51	12.83
19	148.35	98.88	30.90	26.86	14.84
20	181.09	120.34	36.89	31.93	17.16
21	219.09	145.26	43.81	37.79	19.84
22	262.91	173.97	51.78	44.52	22.91
23	313.10	206.86	60.89	52.22	26.40
24	370.27	244.31	71.25	60.97	30.35
25	435.02	286.72	82.96	70.86	34.81
26	508.01	334.52	96.15	81.99	39.82
27	589.90	388.14	110.94	94.47	45.43
28	681.41	448.05	127.44	108.39	51.67



Part 2—continued

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 50 kilometres or 31 miles of distance to which licence relates)				
	1	2	5	6	14
29	783.24	514.72	145.79	123.87	58.61
30	896.15	588.63	166.12	141.02	66.28
Incremental rate	192.25	125.82	34.53	29.11	12.96
40	2,818.69	1,846.79	511.46	432.12	195.90
Incremental rate	405.21	265.12	72.65	61.21	27.16
50	6,870.81	4,498.00	1,237.92	1,044.21	467.50
Incremental rate	736.72	481.98	131.98	111.18	49.26
	<b>19</b>	<b>24</b>	<b>27</b>	<b>28</b>	<b>29</b>
1	2.15	0.80	0.76	0.76	0.75
2	2.15	0.80	0.76	0.76	0.75
Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 50 kilometres or 31 miles of distance to which licence relates)				
	19	24	27	28	29
3	2.25	1.21	1.00	0.98	0.94
4	2.25	2.01	1.34	1.29	1.18
5	2.25	3.51	1.88	1.77	1.48
6	2.26	5.87	2.68	2.44	1.89
7	2.82	10.27	3.69	3.29	2.29
8	3.07	16.57	5.61	4.77	3.07
9	3.35	25.66	8.53	7.18	4.11
10	3.66	38.27	12.23	10.36	5.48
11	4.01	55.23	17.11	14.37	7.52
12	4.40	77.45	23.46	19.59	10.10
13	4.82	105.93	31.57	26.23	13.17
14	5.31	141.75	41.74	34.55	16.98
15	5.88	186.09	54.29	44.83	21.67

Part 2—*continued*

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 50 kilometres or 31 miles of distance to which licence relates)				
	19	24	27	28	29
16	6.53	240.21	69.59	57.34	27.36
17	7.29	305.45	88.01	72.39	34.19
18	8.17	383.24	109.95	90.32	42.30
19	9.18	475.11	135.83	111.46	51.86
20	10.33	582.66	166.12	136.20	63.02
21	11.64	707.58	201.27	164.91	75.96
22	13.10	851.66	241.80	198.00	90.85
23	14.68	1,016.76	288.22	235.90	107.90
24	16.46	1,204.83	341.09	279.05	127.31
25	18.46	1,417.92	400.97	327.93	149.27
26	20.69	1,658.16	468.47	383.02	174.01
27	23.17	1,927.75	544.20	444.82	201.75
28	25.93	2,229.00	628.81	513.87	232.74
29	28.99	2,564.29	722.96	590.71	267.21
30	32.36	2,936.11	827.36	675.90	305.42
Incremental rate	5.63	633.34	177.74	145.02	64.98
40	88.70	9,269.48	2,604.81	2,126.11	955.22
Incremental rate	11.71	1,335.25	374.60	305.60	136.83
50	205.78	22,622.00	6,350.82	5,182.13	2,323.50
Incremental rate	21.16	2,427.92	681.05	555.58	248.68
	<b>30</b>	<b>33</b>	<b>37</b>	<b>43</b>	
1	0.75	0.75	0.75	0.75	
2	0.75	0.75	0.75	0.75	
3	0.95	0.92	0.92	0.92	
4	1.20	1.11	1.11	1.09	
5	1.53	1.31	1.33	1.28	
6	1.99	1.55	1.58	1.48	
7	2.47	1.71	1.76	1.58	

Part 2—*continued*

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 50 kilometres or 31 miles of distance to which licence relates)				
	19	24	27	28	29
8	3.38	2.08	2.16	1.87	
9	4.60	2.52	2.66	2.18	
10	6.36	3.03	3.25	2.49	
11	8.84	3.66	3.97	2.86	
12	11.80	4.42	4.88	3.29	
13	15.51	5.35	5.99	3.80	
14	20.13	6.48	7.36	4.40	
15	25.82	7.90	9.17	5.11	
16	32.73	9.69	11.24	5.95	
17	41.03	11.70	13.67	6.92	
18	50.90	14.07	16.54	8.04	
19	62.53	16.85	19.92	9.37	
20	76.12	20.07	23.86	10.94	
21	91.88	23.85	28.36	12.69	
22	110.04	28.09	33.53	14.69	
23	130.82	32.92	39.42	16.96	
Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 50 kilometres or 31 miles of distance to which licence relates)				
	30	33	37	43	
24	154.48	38.41	46.11	19.53	
25	181.26	44.60	53.67	22.42	
26	211.44	51.57	62.18	25.66	
27	245.28	59.36	71.70	29.29	
28	283.09	68.05	82.32	33.31	
29	325.15	77.71	94.12	37.86	
30	371.77	88.39	107.20	42.76	
Incremental rate	79.31	18.09	22.15	8.23	

Part 2—*continued*

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per 50 kilometres or 31 miles of distance to which licence relates)			
	30	33	37	43
24	154.48	38.41	46.11	19.53
25	181.26	44.60	53.67	22.42
40	1,164.91	269.30	328.73	125.07
Incremental rate	167.05	37.96	46.53	17.17
50	2,835.44	648.90	793.98	296.78
Incremental rate	303.64	68.89	84.47	31.09

Schedule 3 Part 2: amended, on 1 October 2010, by clause 5 of the Road User Charges (Rates) Order 2010 (SR 2010/243).

Schedule 3 Part 2: amended, on 1 October 2009, by clause 5 of the Road User Charges (Rates) Order 2009 (SR 2009/220).

Schedule 3 Part 2: amended, on 1 July 2008, by clause 5 of the Road User Charges (Rates) Order 2008 (SR 2008/178).

Schedule 3 Part 2: amended, on 1 April 2007, by clause 5 of the Road User Charges (Rates) Order (No 2) 2007 (SR 2007/82).

Schedule 3 Part 2: amended, on 1 April 2007, by clause 5 of the Road User Charges (Rates) Order 2007 (SR 2007/38).

Schedule 3 Part 2: amended, on 1 April 2006, by clause 5 of the Road User Charges (Rates) Order 2006 (SR 2006/31).

Schedule 3 Part 2: amended, on 1 April 2005, by clause 5 of the Road User Charges (Rates) Order 2005 (SR 2005/39).

Schedule 3 Part 2: amended, on 1 April 2002, by clause 7 of the Road User Charges (Rates) Order 2002 (SR 2002/48).

Schedule 3 Part 2: amended, on 1 July 1998, by clause 3 of the Road User Charges (Rates) Order 1998 (SR 1998/110).

Schedule 3 Part 2: amended, on 8 July 1996, by clause 2(1) of the Road User Charges (Rates) Order 1996 (SR 1996/138).

Schedule 3 Part 2: amended, on 1 July 1989, by clause 2 of the Road User Charges (Rates) Order 1989 (SR 1989/134).

Schedule 3 Part 2: amended, on 1 April 1987, by clause 2 of the Road User Charges (Rates) Order 1987 (SR 1987/65).

Schedule 3 Part 2: amended, on 1 February 1985, by section 3(1) of the Road User Charges Amendment Act (No 2) 1984 (1984 No 23).

**Part 3**  
**Charge rates for time licences**

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per annum)		
	70-81	82-87	88-91
1	22.62	56.57	113.15
2	25.27	63.17	126.35
3	29.16	72.88	145.78
4	34.71	86.77	173.54
5	43.93	109.84	219.67
6	52.87	132.19	264.37
7	63.73	159.32	318.65
8	76.50	191.25	382.50
9	91.19	227.97	455.93
10	107.79	269.47	538.94
11	126.30	315.76	631.52
12	146.02	365.05	730.10
13	167.17	417.92	835.85
14	190.00	474.99	949.98
15	214.98	537.44	1,074.89
16	241.16	602.89	1,205.78
17	268.53	671.33	1,342.66
18	297.11	742.76	1,485.53
19	326.40	815.99	1,631.99
20	356.17	890.42	1,780.84
21	386.42	966.04	1,932.08
22	417.14	1,042.86	2,085.72
23	448.11	1,120.28	2,240.56
24	479.08	1,197.70	2,395.39
25	510.05	1,275.12	2,550.23
26	541.01	1,352.53	2,705.07
27	571.98	1,429.95	2,859.91
28	602.95	1,507.37	3,014.74

Part 3—*continued*

Maximum gross weight (in tonnes) to be specified in licence	Vehicle type number (\$ per annum)		
	70-81	82-87	88-91
29	633.92	1,584.79	3,169.58
30	664.88	1,662.21	3,324.42
Incremental rate	30.97	77.42	154.84

Schedule 3 Part 3: amended, on 1 April 2002, by clause 7 of the Road User Charges (Rates) Order 2002 (SR 2002/48).

Schedule 3 Part 3: amended, on 1 July 1998, by clause 4 of the Road User Charges (Rates) Order 1998 (SR 1998/110).

Schedule 3 Part 3: amended, on 8 July 1996, by clause 2(1) of the Road User Charges (Rates) Order 1996 (SR 1996/138).

Schedule 3 Part 3: amended, on 1 July 1989, by clause 2 of the Road User Charges (Rates) Order 1989 (SR 1989/134).

Schedule 3 Part 3: amended, on 1 April 1987, by clause 2 of the Road User Charges (Rates) Order 1987 (SR 1987/65).

Schedule 3 Part 3: amended, on 1 April 1985, by section 3(1) of the Road User Charges Amendment Act (No 2) 1984 (1984 No 23).

## Part 4

## Miscellaneous provisions

**1 Definition of incremental rate**

In this Schedule, the term **incremental rate** means the incremental rate per tonne for maximum gross weights between the immediately preceding maximum gross weight and the immediately following gross weight (if any).

**2 Provisions relating to road user charges for time licences**

In calculating the road user charges payable in respect of a time licence for a period that has already commenced, the amount arrived at in accordance with Part 3 shall be reduced by one-third (in the case of a licence for a quarter) or one-twelfth (in the case of a licence for a year) for every whole month between the commencement of the period and the date of issue.

Schedule 3 Part 4: amended, on 1 July 1989, by clause 2 of the Road User Charges (Rates) Order 1989 (SR 1989/134).

Part 4—*continued*

Schedule 3 Part 4: amended, on 1 April 1987, by clause 2 of the Road User Charges (Rates) Order 1987 (SR 1987/65).

Schedule 3 Part 4: amended, on 1 February 1985, by section 3(1) of the Road User Charges Amendment Act (No 2) 1984 (1984 No 23).

---

---

**Contents**

- 1 General
  - 2 About this eprint
  - 3 List of amendments incorporated in this eprint (most recent first)
- 

**Notes****1 General**

This is an eprint of the Road User Charges Act 1977. The eprint incorporates all the amendments to the Act as at 15 October 2010. The list of amendments at the end of these notes specifies all the amendments incorporated into this eprint since 3 September 2007.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the eprint are also included, after the principal enactment, in chronological order.

**2 About this eprint**

This eprint has not been officialised. For more information about eprints and officialisation, please *see* <http://www.pco.parliament.govt.nz/eprints/>.

**3 List of amendments incorporated in this eprint (most recent first)**

Road User Charges (Rates) Order (No 2) 2010 (SR 2010/287)

Road User Charges (Rates) Order 2010 (SR 2010/243)

Road User Charges (Rates) Order 2009 (SR 2009/220)

Road User Charges Amendment Act 2009 (2009 No 27)

Energy (Fuels, Levies, and References) Amendment Act 2008 (2008 No 60): section 17

Land Transport Management Amendment Act 2008 (2008 No 47): section 50(1)

Road User Charges (Rates) Order 2008 (SR 2008/178)

---