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Road User Charges Act 2012

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Note

The Parliamentary Counsel Office has made editorial and format changes to this version using the powers under subpart 2 of Part 3 of the Legislation Act 2019.

Note 4 at the end of this version provides a list of the amendments included in it.

This Act is administered by the Ministry for Cities, Environment, Regions, and Transport.

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Road User Charges Act 2012.

2 Commencement

(1) This Act comes into force on a date to be appointed by the Governor-General by Order in Council.

(2) One or more Orders in Council may be made appointing different dates for the commencement of different provisions and for different purposes.

(3) To the extent that it is not brought into force under subsection (1) or (2), the rest of this Act comes into force on 1 August 2012.

(4) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 2(2): section 87 brought into force, on 15 June 2012, by clause 2(1) of the Road User Charges Act Commencement Order 2012 (SR 2012/137).

Section 2(2): the rest of this Act brought into force, on 1 August 2012, by clause 2(2) of the Road User Charges Act Commencement Order 2012 (SR 2012/137).

Section 2(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Part 1
Preliminary provisions

3 Purpose

The purpose of this Act is to—

(a) continue the road user charges system by imposing charges on RUC vehicles for their use of the roads that are in proportion to the costs that the vehicles generate:

(b) modernise and simplify the road user charges system:

(c) improve compliance with, and the recovery of, road user charges:

(d) establish a framework for the electronic management of road user charges.

4 Overview

(1) This Act replaces the Road User Charges Act 1977.

(2) Part 1 provides for the commencement of the Act, states the purpose of the Act, defines certain terms used in the Act, and contains other preliminary provisions.

(3) Part 2 contains key provisions relating to—

(a) the requirement to pay road user charges; and

(b) the issue and display of a road user charges licence; and

(c) the payment and refund of road user charges; and

(d) exemptions from the requirement to pay road user charges; and

(e) other matters.

(4) Part 3 relates to assessments of unpaid road user charges by the RUC collector and provides for appeals against those assessments.

(5) Part 4 relates to the enforcement of road user charges, repeals the Road User Charges Act 1977, revokes the Road User Charges Regulations 1978, makes consequential amendments, and contains transitional provisions.

5 Interpretation

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

additional licence means an additional licence required under section 12

administration fee means a fee prescribed by regulations made under section 88

Agency means the New Zealand Transport Agency established under section 93 of the Land Transport Management Act 2003

assessment means an assessment for unpaid road user charges issued by the RUC collector under section 53(1)

chief executive means the chief executive of the Ministry

current, in relation to a distance licence, means a licence where the maximum reading specified on the licence is more than the reading of the distance recorder fitted to the RUC vehicle

distance licence means a licence required under section 9

distance recorder, in relation to a RUC vehicle, means—

(a) a hubodometer; or

(b) an electronic distance recorder; or

(c) an odometer that—

  (i) records in kilometres or miles; and

  (ii) is of a nature and accuracy sufficient to provide a reliable record of the distance travelled by the RUC vehicle; or

(d) any other kind of distance recorder approved by the RUC collector that—

  (i) records in kilometres; and

  (ii) is of a nature and accuracy sufficient to provide a reliable record of the distance travelled by the RUC vehicle

electronic distance recorder means a distance recorder provided by an electronic system provider

electronic licence means a licence displayed electronically on, or in conjunction with, an electronic distance recorder

electronic system means a system involving the use of electronic equipment and other technology situated in, or fitted to, a RUC vehicle and elsewhere that

has the capacity to measure, monitor, collect, store, display, analyse, communicate, and report information relating to—

(a) the identity, distance travelled by, and location of a RUC vehicle; and

(b) the purchase and issue of an electronic licence for the RUC vehicle; and

(c) the integrity, security, and normal operation of the system

electronic system provider means a person approved by the RUC collector under section 43 to—

(a) provide electronic distance recorders; and

(b) issue electronic licences

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

evidence, in relation to the registration of a RUC vehicle under an alternative payment scheme, means evidence as prescribed by regulations made under section 89

exempt vehicle means the following vehicles or classes of vehicle in respect of which road user charges are not payable:

(a) a trailer with a gross vehicle mass of 3 500 kilograms or less:

(b) any of the following for the period of the applicable exemption in respect of the vehicle or class of vehicle:

(i) light electric RUC vehicles exempted by an Order in Council made under section 37:

(ia) heavy electric RUC vehicles exempted by an Order in Council made under section 37A:

(ii) any 1 or more classes of RUC vehicles specified by an Order in Council made under section 38:

(iii) a particular RUC vehicle exempted by the RUC collector by notice in the *Gazette* under section 39:

(iv) a light RUC vehicle exempted by the RUC collector under section 40

fail, in relation to an electronic system,—

(a) means a failure of the system to perform as intended in terms of accuracy, security, reliability, verifiability, or any other performance indicator; and

(b) includes a permanent failure, a temporary failure, or the failure of the system on a particular occasion or in particular circumstances

former Act means the Road User Charges Act 1977

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

GST means goods and services tax payable under the Goods and Services Tax Act 1985

heavy electric RUC vehicle means a RUC vehicle with—

(a) a gross vehicle mass of more than 3 500 kilograms; and

(b) motive power wholly or partly derived from an external source of electricity

heavy RUC vehicle means a motor vehicle or trailer with a gross vehicle mass of more than 3 500 kilograms

hubodometer means a distance recorder that—

(a) is of a kind approved by the RUC collector under section 48; and

(b) is fitted to the axle or wheel of a RUC vehicle in accordance with regulations made under section 89

light electric RUC vehicle means a RUC vehicle with—

(a) a gross vehicle mass of more than 1 000 kilograms but not more than 3 500 kilograms; and

(b) motive power wholly or partly derived from an external source of electricity

light RUC vehicle—

(a) means a motor vehicle with a gross vehicle mass of 3 500 kilograms or less and with motive power that is not wholly derived from petrol; and

(b) includes a light electric RUC vehicle; and

(c) does not include a very light electric RUC vehicle

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

maximum reading, in relation to a licence, means a figure specified on the licence as the maximum reading

minimum reading, in relation to a licence, means a figure specified on the licence as the minimum reading

Minister means the Minister of the Crown who, under the authority of any warrant or with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

Ministry means the department of State that, with the authority of the Prime Minister, is for the time being responsible for the administration of this Act

motor spirits has the same meaning as in clause 23(3) of Schedule 3 of the Customs and Excise Act 2018

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

operate and **operator** have the same meanings as in section 2(1) of the Land Transport Act 1998

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

permit means a permit issued by a road controlling authority under section 5 of Part 1 of the VDAM Rule 2002 for a RUC vehicle that exceeds the mass limits prescribed in section 4 of that rule

petrol—

(a) means any motor spirits (including motor spirits blended with other fuels) or compressed natural gas or liquefied petroleum gas on which excise duty or excise-equivalent duty is payable under the Customs and Excise Act 2018; but

(b) does not include diesel or electricity

plug-in hybrid electric RUC vehicle means a light electric RUC vehicle with motive power partly derived from petrol and partly derived from an external source of electricity

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

records, in relation to a RUC vehicle or RUC vehicles, means the following documents that relate to the use and maintenance of the vehicle or vehicles:

(a) logbooks:

(b) records relating to maintenance of the vehicle or vehicles:

(c) invoices relating to expenditure on maintenance in relation to the vehicle or vehicles:

(d) invoices relating to expenditure on fuel in relation to the vehicle or vehicles:

(e) invoices relating to cartage by, or use of, the vehicle or vehicles:

(f) any permits issued under section 5 of Part 1 of the VDAM Rule 2002 in relation to the vehicle or vehicles

Registrar of Motor Vehicles has the same meaning as **Registrar** in section 233(1) of the Land Transport Act 1998

registration plate has the same meaning as in section 233(1) of the Land Transport Act 1998

rental service licence has the same meaning as in section 2(1) of the Land Transport Act 1998

road includes—

(a) a highway (whether or not it has been declared to be a State highway); and

(b) a street

road user charges means charges payable under this Act in respect of the distance travelled by a RUC vehicle on a road

RUC collector means—

(a) the chief executive; or

(b) the Agency, if appointed by an Order in Council made under section 87 to be the RUC collector for the purposes of this Act

RUC information—

(a) means information that is generated or collected by an electronic system provider for any purpose relating to the provision, by the electronic system provider, of services relating to road user charges; and

(b) includes information relating to—

(i) the identity and business address of a person who is operating a RUC vehicle and the name of the person who has purchased a RUC licence for a RUC vehicle:

(ii) the distance travelled by a RUC vehicle:

(iii) the location of a RUC vehicle for the purpose of verifying a refund for off-road travel:

(iv) the purchase of a RUC licence:

(v) a fault with an electronic distance recorder or tampering (including suspected tampering) with an electronic distance recorder

RUC licence or **licence**—

(a) means a distance licence or an additional licence issued for a RUC vehicle; and

(b) includes—

(i) an identical copy of a licence in a form approved by the RUC collector under section 20(2):

(ii) an electronic licence

RUC vehicle—

(a) means—

(i) a heavy RUC vehicle; or

(ii) a light RUC vehicle; but

(b) does not include an exempt vehicle for the period of the applicable exemption in respect of the vehicle

RUC vehicle type, in relation to a RUC vehicle, means the type prescribed by regulations made under section 89 as being the RUC vehicle type for the purposes of this Act

RUC weight, in relation to a RUC vehicle, means the lesser of the—

(a) gross vehicle mass for the RUC vehicle; or

(b) maximum allowable mass for the RUC vehicle under section 4.5(1) of Part 1 of the VDAM Rule 2002

sale has the same meaning as in section 233(1) of the Land Transport Act 1998

State services has the same meaning as in section 5 of the Public Service Act 2020

trailer has the same meaning as in section 233(1) of the Land Transport Act 1998

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

transport service licence has the same meaning as in section 2(1) of the Land Transport Act 1998

VDAM Rule 2002 means Land Transport Rule: Vehicle Dimensions and Mass 2002

vehicle inspection means a warrant of fitness or certificate of fitness carried out under Land Transport Rule: Vehicle Standards Compliance 2002

vehicle inspector means a person appointed under Land Transport Rule: Vehicle Standards Compliance 2002 to carry out warrant of fitness or certificate of fitness inspections and certifications

vehicle management system, in relation to a RUC vehicle, means an electronic control system situated in the vehicle that—

(a) receives inputs from the engine of the RUC vehicle; and

(b) may receive inputs from other sources or systems of the RUC vehicle; and

(c) controls 1 or more functions of the RUC vehicle; and

(d) stores data relating to the operation of the RUC vehicle

very light electric RUC vehicle means a RUC vehicle with—

(a) a gross vehicle mass of 1 000 kilograms or less; and

(b) motive power wholly or partly derived from an external source of electricity

Examples

An electric motorcycle or an electric moped.

working day means a day of the week except a Saturday, Sunday, or a public holiday (as specified in the Holidays Act 2003).

(2) For the purposes of this Act, a trailer (whether attached to another motor vehicle or not) must be treated as a separate RUC vehicle, except for the purpose of issuing an additional licence.

Section 5(1) **exempt vehicle** paragraph (b)(ia): inserted, on 1 July 2017, by section 21(1) of the Energy Innovation (Electric Vehicles and Other Matters) Amendment Act 2017 (2017 No 27).

Section 5(1) **gross vehicle mass**: amended, on 11 August 2017, by section 110(2) of the Land Transport Amendment Act 2017 (2017 No 34).

Section 5(1) **heavy electric RUC vehicle**: inserted, on 1 July 2017, by section 21(2) of the Energy Innovation (Electric Vehicles and Other Matters) Amendment Act 2017 (2017 No 27).

Section 5(1) **light electric RUC vehicle** paragraph (a): replaced, on 1 April 2024, by section 5(2) of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

Section 5(1) **light RUC vehicle** paragraph (c): inserted, on 1 April 2024, by section 5(3) of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

Section 5(1) **motor spirits**: amended, on 1 October 2018, by section 443(3) of the Customs and Excise Act 2018 (2018 No 4).

Section 5(1) **permit**: amended, on 5 December 2013, by section 4 of the Road User Charges Amendment Act 2013 (2013 No 130).

Section 5(1) **petrol** paragraph (a): amended, on 1 October 2018, by section 443(3) of the Customs and Excise Act 2018 (2018 No 4).

Section 5(1) **plug-in hybrid electric RUC vehicle**: inserted, on 1 April 2024, by section 5(1) of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

Section 5(1) **State services**: amended, on 7 August 2020, by section 135 of the Public Service Act 2020 (2020 No 40).

Section 5(1) **very light electric RUC vehicle**: inserted, on 1 April 2024, by section 5(1) of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

6 Act binds the Crown

This Act binds the Crown.

6AA Transitional, savings, and related provisions

The transitional, savings, and related provisions set out in Schedule 1AA have effect according to their terms.

Section 6AA: inserted, on 1 April 2024, by section 6 of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

6A Act is land transport Act

(1) This Act is a land transport Act under section 2(1) of the Land Transport Act 1998.

(2) This has the effect that—

(a) transport instruments may be made for the purposes of this Act under section 168G of that Act; and

(b) enforceable undertakings may be given for the purposes of this Act in accordance with section 112A of that Act; and

(c) a land transport record may be required to be created for the purposes of this Act in accordance with section 200B of that Act.

(3) This section is intended as a guide only and is not an exhaustive statement as to the effects of this Act being a land transport Act under that Act.

Section 6A: inserted, on 1 April 2021, by section 59(2) of the Regulatory Systems (Transport) Amendment Act 2021 (2021 No 9).

Part 2
Road user charges

Subpart 1—Key provisions

7 Requirement to pay road user charges

Road user charges are payable in respect of the operation of a RUC vehicle.

8 RUC vehicle must have distance recorder

(1) A person must not operate a RUC vehicle unless, at all times, the vehicle is fitted with a properly working distance recorder as specified in subsection (2), (3), or (4).

(2) A heavy RUC vehicle must be fitted with either—

(a) an electronic distance recorder that—

(i) is provided by an electronic system provider; and

(ii) is fitted in accordance with regulations made under section 89; and

(iii) accurately records the distance travelled by the RUC vehicle at all times; or

(b) a hubodometer that—

(i) is fitted in accordance with regulations made under section 89; and

(ii) accurately records the distance travelled by the RUC vehicle at all times.

(3) However, in the case of a heavy RUC vehicle that is not fitted with an electronic distance recorder under subsection (2)(a), the RUC collector may dispense with the requirement for the vehicle to be fitted with a hubodometer under subsection (2)(b), if the RUC collector is satisfied that—

(a) because of the construction of the heavy RUC vehicle it is impracticable to affix a hubodometer to the vehicle; and

(b) the heavy RUC vehicle is fitted with an odometer or another kind of distance recorder approved by the RUC collector.

(4) A light RUC vehicle may be fitted with any kind of distance recorder that accurately records the distance travelled by the RUC vehicle at all times.

(5) A person commits an offence if the person—

(a) operates a RUC vehicle where the RUC vehicle is not fitted with a properly working distance recorder; or

(b) operates a RUC vehicle where the electronic distance recorder or hubodometer fitted to the RUC vehicle has not been provided by an electronic

system provider or approved by the RUC collector (as the case may be); or

(c) operates a RUC vehicle where the hubodometer or electronic distance recorder fitted to the RUC vehicle is not fitted in accordance with regulations made under section 89; or

(d) operates a RUC vehicle where the distance recorder fitted to the RUC vehicle is not accurately recording the distance travelled by the RUC vehicle.

(6) A person who commits an offence against subsection (5) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

9 RUC vehicle must have distance licence

(1) A person must not operate a RUC vehicle on a road unless a distance licence has been issued for the vehicle.

(2) The distance licence must specify—

(a) the minimum and maximum distances covered by the licence; and

(b) the number or any other distinguishing mark shown on the registration plates of the RUC vehicle; and

(c) the serial number (if any) of the distance recorder fitted to the RUC vehicle; and

(d) the RUC vehicle type of the RUC vehicle; and

(e) any other information that is required to be specified on the licence by regulations made under section 89.

(3) However, subsection (1) does not apply if there is evidence that the RUC vehicle is registered under an appropriate alternative payment scheme.

(4) A person commits an offence if the person, without reasonable excuse,—

(a) operates a RUC vehicle on a road where the vehicle does not have—

(i) a distance licence that complies with subsection (2); or

(ii) evidence of registration under an appropriate alternative payment scheme; or

(b) operates a heavy RUC vehicle where the distance licence issued for the vehicle has expired in accordance with this Act.

(4A) For the purposes of subsection (4), a person has a reasonable excuse if—

(a) a RUC licence is displayed or carried on the RUC vehicle concerned; and

(b) the RUC licence is not the correct licence for the vehicle's RUC vehicle type and RUC weight; but

(c) having regard to the RUC licence displayed or carried, sufficient payment has been made to cover the RUC charges that applied to the vehicle at the time of the offence.

(4B) Subsection (4A) does not limit what constitutes a reasonable excuse for the purposes of subsection (4).

(5) A person who commits an offence against subsection (4) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

Compare: 1977 No 124 s 5

Section 9(4A): inserted, on 23 April 2014, by section 4 of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 9(4B): inserted, on 23 April 2014, by section 4 of the Road User Charges Amendment Act 2014 (2014 No 23).

10 Reading of distance recorder must not exceed maximum reading

(1) For the purposes of this Act, the reading of the distance recorder fitted to a RUC vehicle must be more than the minimum reading, but not more than the maximum reading, specified in the distance licence for the RUC vehicle.

(2) A person commits an offence if the person operates a RUC vehicle on a road where the reading of the distance recorder fitted to the vehicle exceeds the maximum reading specified in the distance licence for the vehicle by more than 500 kilometres.

(3) A person who commits an offence against subsection (2) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

11 RUC vehicle must have RUC vehicle type and RUC weight

The Agency must—

(a) assign a RUC vehicle type and RUC weight to a RUC vehicle; and

(b) record the RUC vehicle type and RUC weight assigned to the RUC vehicle on a land transport register.

12 RUC vehicles issued with permit must have distance licence for RUC vehicle type H or additional licence

(1) This section applies to the following RUC vehicles:

(a) a single heavy RUC vehicle issued with a permit:

(b) a heavy RUC vehicle towing 1 or more trailers (a **towing vehicle**) issued with a permit that covers both the towing vehicle and the trailer or trailers.

(2) A RUC vehicle to which this section applies must—

(a) have a distance licence (as required by section 9) specifically for RUC vehicle type H; or

(b) have an additional licence as well as the distance licence required by section 9.

(3) However, subsection (2) does not apply if there is evidence that the RUC vehicle is registered under an appropriate alternative payment scheme.

(4) An additional licence specified in subsection (2)(b) must—

(a) cover the difference between—

(i) the maximum allowable mass under section 4.5(1) of Part 1 of the VDAM Rule 2002 for the RUC vehicle and any trailers towed by the RUC vehicle; and

(ii) the maximum mass specified in the permit under which the RUC vehicle is operating; and

(b) contain the information prescribed by regulations made under section 89 and be displayed in accordance with regulations made under that section.

(5) A person commits an offence if the person, without reasonable excuse, operates a RUC vehicle to which this section applies on a road without a distance licence specifically for RUC vehicle type H, or an additional licence, or in accordance with an agreement under section 12A, or without evidence of being registered under an alternative payment scheme (as the case may be).

(6) A person who commits an offence against subsection (5) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

Section 12(4)(a)(i): replaced, on 5 December 2013, by section 5 of the Road User Charges Amendment Act 2013 (2013 No 130).

Section 12(5): amended, on 23 April 2014, by section 5 of the Road User Charges Amendment Act 2014 (2014 No 23).

12A Agreement to pay road user charges in relation to combination of vehicles

(1) This section specifies the requirements for an agreement to pay road user charges for the purposes of section 12(5).

(2) The requirements are that—

(a) the agreement is between the owner or operator of the vehicles concerned and the RUC collector; and

(b) the agreement relates to 2 or more vehicles (identified in the agreement by their registration numbers) combined to operate together temporarily; and

(c) each vehicle concerned has a distance licence; and

(d) any permit required under the Land Transport Act 1998 in relation to the combined operation of the vehicles has been issued; and

(e) under the agreement, the owner or operator agrees that (to the extent that all relevant information is not included in the agreement) the owner or operator will provide the information to the RUC collector under section 53(2) as soon as practicable after the information becomes available.

Section 12A: inserted, on 23 April 2014, by section 6 of the Road User Charges Amendment Act 2014 (2014 No 23).

Other offences relating to distance recorders

13 Offences relating to distance recorders

(1) A person commits an offence if the person—

(a) operates a RUC vehicle on a road if the person knows, or ought to have known, that the distance recorder fitted to the vehicle, or any equipment that is required for the operation of the distance recorder fitted to the vehicle, has been altered or damaged in a manner that affects, or is likely to affect, the accuracy of the distance recorder; or

(b) operates a RUC vehicle on a road if the person knows, or ought to have known, that the distance recorder fitted to the vehicle has been tampered with in a manner that affects, or is likely to affect, the accuracy of the distance recorder; or

(c) wilfully alters, damages, or tampers with a distance recorder fitted to a RUC vehicle, or any equipment that is required for the operation of the distance recorder fitted to the vehicle, in a manner that affects, or is likely to affect, the accuracy of the distance recorder; or

(d) operates a RUC vehicle on a road if the person knows, or ought to have known, that the distance recorder fitted to the RUC vehicle has been modified or repaired except as authorised by this Act or by regulations made under section 89; or

(e) modifies or repairs, or attempts to modify or repair, any part of a distance recorder fitted to a RUC vehicle except as authorised by this Act or by regulations made under section 89.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

Compare: 1977 No 124 s 23(1)(fc), (g)

14 Offence relating to interference with operation of distance recorder

(1) A person commits an offence if the person—

(a) operates any equipment in a RUC vehicle if the person knows, or ought to have known, the equipment will interfere with, or is likely to interfere with, the accurate operation of the distance recorder fitted to the vehicle:

(b) installs any equipment in a RUC vehicle that is designed to interfere with the accurate operation of the distance recorder fitted to the vehicle:

(c) possesses any equipment in a RUC vehicle that is designed to interfere with the accurate operation of the distance recorder fitted to the vehicle.

(2) A person who commits an offence against subsection (1)(a) or (b) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

(3) A person who commits an offence against subsection (1)(c) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

Subpart 2—Issue and display of RUC licence

15 Application for RUC licence

(1) An application for a RUC licence must—

(a) be made in the manner specified by the RUC collector; and

(b) contain the information prescribed by regulations made under section 89.

(2) A person commits an offence in respect of an application made under subsection (1), if the person provides information that the person knows, or ought to have known, is incorrect in a material particular.

(3) A person who commits an offence against subsection (2) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

Compare: 1977 No 124 s 8(1), (3)

16 Application must be accompanied by payment of road user charges

(1) An application for a RUC licence under section 15 must be accompanied by—

(a) payment of the appropriate road user charges for the licence calculated in accordance with regulations made under section 85; and

(b) the administration fee (if any) for the licence.

(2) However, subsection (1) does not apply if—

(a) there is evidence that the RUC vehicle to which the application relates is registered under an appropriate alternative payment scheme; or

(b) the licence has been issued, in accordance with regulations made under section 89, despite the road user charges (or part of the road user charges) payable for the licence not having been paid.

Compare: 1977 No 124 s 9(1)

17 Issue of RUC licence

(1) RUC licences may be issued by the RUC collector in the manner that the RUC collector thinks fit.

(2) A distance licence must not relate to more than 1 RUC vehicle.

Compare: 1977 No 124 s 10(1)–(3)

18 Form of licence

(1) The RUC collector may approve RUC licences in printed format or to be displayed electronically.

(2) A RUC licence approved under subsection (1) must—

(a) contain the information prescribed by regulations made under section 89:

(b) be notified in the *Gazette*.

(3) After approving a licence under subsection (1), the RUC collector must publish a copy of the licence, or in the case of an electronic licence, a facsimile of the display of the licence, on an Internet site maintained by, or on behalf of, the RUC collector.

19 Display or carriage of RUC licence

(1) A RUC licence must be displayed or carried in accordance with regulations made under section 89.

(2) A person commits an offence if the person operates a RUC vehicle on a road without displaying or carrying a RUC licence for the vehicle in accordance with subsection (1).

(3) A person who commits an offence against subsection (2) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $1,000:

(b) in the case of a body corporate, to a fine not exceeding $5,000.

Compare: 1977 No 124 s 19(1)

Section 19 heading: amended, on 23 April 2014, by section 7(1) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 19(1): amended, on 23 April 2014, by section 7(2) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 19(2): amended, on 23 April 2014, by section 7(3) of the Road User Charges Amendment Act 2014 (2014 No 23).

20 Proof of purchase if RUC licence issued but not received by operator

(1) This section applies if a RUC licence has been issued for a RUC vehicle under section 17 but the operator of the vehicle has not received the licence.

(2) Until the close of 7 days after the date on which the RUC licence was issued, an identical copy of the licence in a form approved by the RUC collector is sufficient evidence of the issue of the licence.

Compare: 1977 No 124 s 19(3)

21 RUC licence must be produced on demand

(1) The owner or operator of a RUC vehicle for which a RUC licence has been issued must produce the licence immediately on demand by an enforcement officer.

(2) The owner or operator of a RUC vehicle commits an offence if the owner or operator fails to comply with subsection (1).

(3) An owner or operator of a RUC vehicle who commits an offence against subsection (2) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

Compare: 1977 No 124 s 19(2)

22 Current distance licence to be provided to person who acquires RUC vehicle

(1) In order to prevent a seller of a RUC vehicle from passing on that person's liability for road user charges to the person who acquires the RUC vehicle, the seller must provide to the acquirer of the vehicle on, or before, the date of delivery of the vehicle a distance licence for the RUC vehicle that will be current when the vehicle is delivered.

(2) Subsection (1) is in addition to any provision in any other enactment that requires a person to produce any other document before the sale of the RUC vehicle.

(3) A person commits an offence if the person fails to comply with subsection (1).

(4) A person who commits an offence against subsection (3) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

Compare: 1977 No 124 s 10A

23 Offences relating to altering or defacing RUC licence

(1) A person commits an offence if the person—

(a) alters or defaces a RUC licence; or

(b) operates a RUC vehicle on a road where the RUC licence for the vehicle is altered or defaced.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

Compare: 1977 No 124 s 23(1)(b)–(e)

24 Offence of displaying anything on RUC vehicle likely to be mistaken for RUC licence

(1) A person commits an offence if the person, without reasonable excuse, displays, or causes to be displayed, on a RUC vehicle anything (not being a RUC licence) that is likely to be mistaken for a RUC licence.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

25 Offence of operating RUC vehicle on road with RUC licence obscured

(1) A person commits an offence if the person operates a RUC vehicle on a road with a RUC licence for the vehicle that is obscured or not easily distinguishable.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $1,000:

(b) in the case of a body corporate, to a fine not exceeding $5,000.

Subpart 3—Payment of road user charges

26 Road user charges are debt due to the Crown

If a RUC licence is issued under section 17, the amount of road user charges and the administration fee (if any) payable for the licence are, until paid in full to the RUC collector,—

(a) a debt due to the Crown by the applicant for the RUC licence; and

(b) recoverable by the RUC collector in a court of competent jurisdiction.

Compare: 1977 No 124 s 9(2)

27 Issue of RUC licence may be conditional on payment

If an applicant has a history of failing to pay the appropriate amount of road user charges at the time of making an application for a RUC licence, the issue of the licence may be made conditional on the applicant—

(a) paying the amount due for the licence by a method that is acceptable to the RUC collector; or

(b) giving an appropriate security in respect of that amount.

Compare: 1977 No 124 s 10(7)

28 Penalty for late payment

(1) If any road user charges for a licence remain unpaid 3 months after the date on which they are payable, the person liable to pay the road user charges must pay an additional amount (a **penalty**) equal to 10% of the unpaid amount.

(2) The RUC collector may recover the penalty from the person who owes the penalty in a court of competent jurisdiction.

(3) A person liable to pay a penalty may apply in writing to the RUC collector for the whole, or any part, of the penalty to be cancelled.

(4) The RUC collector may, if the RUC collector thinks it is appropriate in the circumstances of the case,—

(a) cancel the whole, or any part, of the penalty; or

(b) refund to the person who paid the penalty (either in whole or in part) the amount of the penalty, with or without the cancellation of any part of the penalty that has not been paid.

(5) A penalty under this section is in addition to any other penalty to which the person may be liable under this Act.

Compare: 1977 No 124 s 21A

29 Road user charges to be paid into national land transport fund

The following must be paid into a Crown bank account and treated as land transport revenue for the purposes of the Land Transport Management Act 2003:

(a) all road user charges (except a refund made under subpart 4 and GST payable in respect of a licence):

(b) a penalty imposed under this Act:

(c) any unpaid road user charges assessed as payable under section 53 (except GST payable in respect of those charges).

Compare: 1977 No 124 s 22

Subpart 4—Refund and waiver of road user charges

Refund of road user charges

30 Refund of road user charges for off-road travel

(1) A person may apply to the RUC collector for the refund of the appropriate amount of road user charges paid by the person for a RUC vehicle if—

(a) the distance recorder fitted to the RUC vehicle has recorded distance travelled by the RUC vehicle while it was not on a road or was on a road that the RUC collector is satisfied is not maintained by public funds (**off-road travel**); and

(b) a distance licence relating to the RUC vehicle was current at the time.

(2) An application under subsection (1) must—

(a) be in a form prescribed by the RUC collector; and

(b) contain the information required by the RUC collector to substantiate the application and enable the refund to be made.

(3) The RUC collector must, as soon as practicable after being satisfied as to the accuracy of the application and the quality of the information provided to substantiate the application, refund (or cause to be refunded) the appropriate amount of road user charges calculated in accordance with the following formula:

$$a \times b = c$$

where—

a is the distance recorded by the distance recorder fitted to the RUC vehicle relating to off-road travel

b is the road user charges per kilometre rate at the time the licence was purchased

c is the amount of the refund.

Compare: 1977 No 124 s 16

31 Refund of distance licence charge where new distance licence issued

If 2 distance licences that relate to the same RUC vehicle both apply to a common distance, the RUC collector must, as soon as practicable after issuing the second licence refund (or cause to be refunded) to the holder of that licence an amount calculated according to the following formula:

$$a \times b = c$$

where—

a is the distance in kilometres common to both licences

b is the road user charges per kilometre rate for the licence issued first

c is the amount of the refund.

Compare: 1977 No 124 s 15

32 Surrender of RUC licence

(1) This section applies if—

(a) a RUC vehicle has had its registration cancelled in accordance with Part 17 of the Land Transport Act 1998; or

(b) the RUC collector is satisfied, in respect of a RUC licence for a RUC vehicle, that—

(i) a mistake has been made in the application for the licence; or

(ii) the distance recorder, or a registration plate, specified on the RUC licence has been removed from the RUC vehicle and a replacement RUC licence has been purchased; or

(c) the RUC collector is satisfied, in respect of the licence relating to a RUC vehicle, that for any other reason this section should apply.

(2) The holder of the RUC licence may surrender the licence to the RUC collector.

(3) The RUC collector must, as soon as practicable after being satisfied that subsection (1) applies in relation to a RUC licence, refund (or cause to be refunded) to the holder of the licence the amount of road user charges paid for the licence calculated in accordance with the following formula:

$$(a - b) \times c = d$$

where—

a is the maximum reading specified on the licence

b is the reading of the RUC vehicle's distance recorder at the time the application is made

c is the road user charges per kilometre rate at the time the licence was purchased

d is the amount of the refund.

Compare: 1977 No 124 s 17

Section 32(3): amended, on 23 April 2014, by section 8 of the Road User Charges Amendment Act 2014 (2014 No 23).

33 RUC collector may waive or refund road user charges if satisfied charge is excessive

(1) This section applies if, on application by the owner of a RUC vehicle, the RUC collector is of the opinion that the RUC vehicle type for the RUC vehicle will, or is likely to, result in payment of road user charges that are excessive in the circumstances.

(2) The RUC collector may, in the RUC collector's absolute discretion, waive part of the road user charges payable for the RUC licence for the RUC vehicle.

(3) In forming an opinion under subsection (1), the RUC collector may only have regard to the road wear that is likely to be caused by the RUC vehicle.

(4) If, in respect of an application under subsection (1), the owner has paid all of the road user charges for the licence, the RUC collector may refund that part of the road user charges for the licence considered to be excessive.

Compare: 1977 No 124 s 9(3)

Other provisions relating to refunds

34 Application for refund or waiver to be verified

(1) The RUC collector may, before or after a refund or waiver of road user charges is made in accordance with any of sections 30 to 33, require the applicant to produce for inspection any document or other information in the applicant's possession or control that the RUC collector considers relevant to the application for refund or waiver.

(2) The RUC collector may take extracts from, make copies of, or remove any documents or other information produced under subsection (1) for the purpose of copying them.

(3) If any document or other information is removed under subsection (2), the RUC collector must return the document or other information as soon as practicable to the applicant.

(4) The RUC collector may require the applicant for a refund or waiver to verify any information contained in any document or other information produced by the applicant under subsection (1) and may—

(a) refuse to act on any information that is not verified to the RUC collector's satisfaction; and

(b) recover any refund or cancel any waiver if the refund or waiver was made in reliance on incorrect or unverified information.

Compare: 1977 No 124 ss 17A, 23(1)(ea)

35 Further provisions relating to refunds

(1) Despite any other provision of this Act,—

(a) no refund may be made for an amount that is less than $20:

(b) in calculating the amount of a refund payable for a licence, the RUC collector must allow for—

(i) any refund paid or payable for the licence under any other provision of this Act:

(ii) any debt due by the applicant to the Crown for road user charges under this Act:

(c) if an application for a refund is based wholly or in part on an alleged hubodometer failure,—

(i) the RUC collector may, by notice in writing, require the operator of the RUC vehicle to which the hubodometer relates to produce the hubodometer for inspection at a place appointed for the purpose by the RUC collector; and

(ii) the hubodometer must be retained by the applicant until the RUC collector has made a decision regarding the refund; and

(iii) no refund may be given if the hubodometer cannot be produced on demand:

(d) all money refunded or waived in error, whether of fact or of law, under any provision of this Act is recoverable by the RUC collector as a debt due to the Crown:

(e) if a refund is calculated by reference to the road user charges 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.

(2) Road user charges must not be refunded under section 30, 31, or 32 after the expiry of 2 years from the date of issue of the licence for which the application for a refund is made, unless—

(a) the application is made to the RUC collector before the expiry of that 2-year period; or

(b) the RUC collector otherwise determines in any particular case.

(3) Only 1 refund application per RUC licence may be made under section 30, unless the RUC collector otherwise determines in any particular case.

Compare: 1977 No 124 s 18(a)–(c), (cb)–(e)

36 Cancellation of debts

If the RUC collector is satisfied that the person held liable for a debt relating to unpaid road user charges was not the person responsible for incurring the debt, the RUC collector may cancel the person's liability for all or part of the debt.

Subpart 5—Exemptions from requirement to pay road user charges

Exemptions by Order in Council

37 Exemption of light electric RUC vehicles by Order in Council

(1) The Governor-General may, by Order in Council, specify the period during which road user charges are not payable in respect of light electric RUC vehicles.

(2) An order made under subsection (1)—

(a) must specify the date on which the exemption expires; and

(b) may, from time to time, be amended to provide for a later date.

(3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1977 No 124 s 24(1)(ga), (1A)

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 37(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

37A Exemption of heavy electric RUC vehicles by Order in Council

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister, specify the period during which road user charges are not payable in respect of heavy electric RUC vehicles.

(2) The Minister must not recommend the making of an order under this section unless the Minister is satisfied that the purpose of the exemption is to encourage and support the uptake of heavy electric RUC vehicles.

(3) An order made under this section must specify the date on which the period of exemption ends, and that date must be no later than,—

(a) in the case of the first order made under this section, 31 December 2025; and

(b) in the case of any subsequent order made under this section, the date that is 5 years after the date on which the period of exemption starts.

(4) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 37A: inserted, on 1 July 2017, by section 22 of the Energy Innovation (Electric Vehicles and Other Matters) Amendment Act 2017 (2017 No 27).

Section 37A(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

38 Exemption of RUC vehicles unsuitable for regular road use by Order in Council

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister, specify any 1 or more classes of RUC vehicles in respect of which road user charges are not payable.

(2) The Minister must not recommend the making of an order under subsection (1) unless the Minister is satisfied that—

(a) the exemption is necessary because the purpose or design of the class of RUC vehicle means that the class of vehicle is unsuitable for regular road use; and

(b) requiring road user charges to be paid in respect of the class of RUC vehicle would impose compliance costs that are disproportionate to the likely amount of road use by the class of vehicle.

(3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1977 No 124 s 24(1)(ga)

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 38(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

38A Exemption of RUC vehicles not required to be registered

(1) The Governor-General may, by Order in Council made on the recommendation of the Minister, specify the following RUC vehicles as vehicles in respect of which road user charges are not payable:

(a) all RUC vehicles that are exempt from registration under the Land Transport Act 1998; or

(b) 1 or more classes of RUC vehicles that are exempt from registration under the Land Transport Act 1998.

(2) For the purposes of subsection (1), vehicles that are operated in circumstances in which no liability arises from their not being registered are to be treated as vehicles that are exempt from registration under the Land Transport Act 1998.

(3) An order under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 38A: inserted, on 23 April 2014, by section 9 of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 38A(3): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Exemptions granted by RUC collector

39 RUC collector may exempt particular RUC vehicle unsuitable for regular road use

(1) The RUC collector may, by notice in the *Gazette*, grant an exemption from the requirement to pay road user charges in respect of any particular RUC vehicle specified in the notice.

(2) The RUC collector must not grant an exemption under subsection (1) unless the RUC collector is satisfied that—

(a) the exemption is necessary because the purpose or design of the particular RUC vehicle means that it is unsuitable for regular road use; and

(b) requiring road user charges to be paid in respect of the particular RUC vehicle would impose compliance costs that are disproportionate to the likely amount of road use by the RUC vehicle.

(3) An exemption granted under subsection (1)—

(a) expires on the date that is 5 years after the date on which the notice granting it was made; and

(b) must state—

(i) the registration number of the particular RUC vehicle (or any other alternative unique identifier for the vehicle) and the make and model (if known) of the vehicle; and

(ii) the reason for the exemption (including why the exemption is appropriate).

40 Exemption relating to light RUC vehicle operated almost exclusively off-road

(1) An owner or operator of a light RUC vehicle may apply to the RUC collector for an exemption from the requirement to pay road user charges in respect of the light RUC vehicle to which the application relates.

(2) An application under subsection (1) must—

(a) be made in the manner specified by the RUC collector; and

(b) contain the information prescribed by regulations made under section 89; and

(c) be accompanied by the prescribed fee (if any).

(3) The RUC collector may grant an exemption in respect of an application made under subsection (1) if the RUC collector is satisfied that the light RUC vehicle to which the application relates—

(a) is, under regulations made under section 89(l), a light RUC vehicle for which an exemption may be granted; and

(b) will be operated almost exclusively off-road; and

(c) satisfies any other criteria prescribed by regulations made under section 89 in order to qualify for the exemption.

(4) An exemption granted under subsection (3) may be subject to any terms and conditions prescribed by regulations made under section 89.

(5) A person commits an offence in respect of an application for an exemption under subsection (1) if the person provides information that the person knows, or ought to have known, is incorrect in a material particular.

(6) A person who commits an offence against subsection (5) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

(7) A person commits an offence who operates, or permits to be operated, a light RUC vehicle in breach of any condition of an exemption granted under this section in relation to the vehicle.

(8) A person who commits an offence against subsection (7) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $1,000:

(b) in the case of a body corporate, to a fine not exceeding $5,000.

Section 40(3)(a): replaced, on 23 April 2014, by section 10(1) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 40(6): amended, on 23 April 2014, by section 10(2) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 40(7): inserted, on 23 April 2014, by section 10(3) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 40(8): inserted, on 23 April 2014, by section 10(3) of the Road User Charges Amendment Act 2014 (2014 No 23).

41 Monitoring of exemption granted under section 40

If an exemption is granted in respect of a light RUC vehicle under section 40, the RUC collector may monitor the ongoing operation of the vehicle in accordance with any prescribed terms and conditions of the exemption to determine whether the vehicle is being operated—

(a) almost exclusively off-road; and

(b) in accordance with the terms and conditions of the exemption.

42 Revocation and expiry of exemption granted under section 40

(1) The RUC collector may, by notice in writing to the holder of the exemption, revoke an exemption granted under section 40 if the RUC collector is satisfied that—

(a) the holder of the exemption has supplied information that is incorrect in a material particular in respect of the application for the exemption; or

(b) the light RUC vehicle to which the exemption relates has not been, or is not being, operated in accordance with any terms and conditions of the relevant exemption.

(2) If the holder of an exemption granted under section 40 sells the vehicle to which the exemption relates, the exemption in respect of the vehicle expires on the date on which the Registrar of Motor Vehicles first receives notification of the particulars of the sale in accordance with section 247 of the Land Transport Act 1998 from either—

(a) the seller of the vehicle; or

(b) the person who acquires the vehicle.

(3) If an exemption is revoked under subsection (1), the RUC collector—

(a) must notify the owner or operator of the light RUC vehicle of the date on which the revocation takes effect; and

(b) may issue an assessment under section 53(1) to the owner or operator of the light RUC vehicle for any unpaid road user charges for any distance travelled by the vehicle that exceeds the distance permitted under any terms and conditions of the exemption.

(4) To avoid doubt, the RUC collector may not issue an assessment under section 53(1) until after the date on which the revocation takes effect.

Temporary reduction in rates of road user charges

Heading: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

42A Meaning of temporary reduction period and second temporary reduction period

(1) In sections 42B to 42G, unless the context otherwise requires, **temporary reduction period** means the period—

(a) beginning on 21 April 2022; and

(b) ending on—

(i) the date specified by an Order in Council made not later than 21 July 2022; or

(ii) if no order is made under subsection (2), 21 July 2022.

(2) The Governor-General may, by Order in Council, shorten or extend the temporary reduction period to a date specified in the order.

(2A) In sections 42B to 42G, unless the context otherwise requires, **second temporary reduction period** means the period—

(a) beginning on 1 March 2023; and

(b) ending on one of the following dates:

(i) the date specified by an Order in Council made under subsection (2B); or

(ii) if no Order in Council has been made under subsection (2B), 30 June 2023.

(2B) The Governor-General may, by Order in Council made before the second temporary reduction period ends, shorten or extend the second temporary reduction period to a date specified in the order.

(3) An order under subsection (2) or (2B) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 42A: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

Section 42A heading: amended, on 1 March 2023, by section 4(1) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42A(1)(b)(i): the temporary reduction period ends on 31 January 2023, as specified by clause 3 of the Road User Charges (Temporary RUC Reduction Scheme Extension) Order 2022 (SL 2022/188).

Section 42A(2A): inserted, on 1 March 2023, by section 4(2) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42A(2B): inserted, on 1 March 2023, by section 4(2) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42A(3): amended, on 1 March 2023, by section 4(3) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

42B Temporary reduction in rate of road user charges

(1) Subsection (2) applies to the purchase of a RUC licence in relation to applications received by the RUC collector during the temporary reduction period or second temporary reduction period.

(2) The RUC collector must apply the discounted rate.

(3) In this section and sections 42C to 42F,—

discounted rate means—

(a) a 36% discount applied to the normal rate; or

(b) a lower discount, as set by Order in Council under subsection (6), applied to the normal rate.

normal rate means,—

(a) for the temporary reduction period, the GST-inclusive rate—

(i) applying immediately before the commencement of the temporary reduction period; and

(ii) specified for the RUC licence—

(A) in the Road User Charges (Rates) Regulations 2015; or

(B) by notice given under section 90A(2); and

(b) for the second temporary reduction period, the GST-inclusive rate specified for the RUC licence—

(i) from time to time in regulations made under section 85; or

(ii) by notice given under section 90A(2).

(4) For the purpose of applying the discount to the normal rate, the amount calculated must be rounded up or down to the nearest dollar or cent as follows:

(a) for distance licences,—

(i) an amount of less than 50 cents must be rounded down to the nearest dollar:

(ii) an amount of 50 cents or more must be rounded up to the nearest dollar:

(b) for additional licences,—

(i) an amount of less than 0.5 cents must be rounded down to the nearest cent:

(ii) an amount of 0.5 cents or more must be rounded up to the nearest cent.

(5) The discounted rate must be treated as being calculated in accordance with regulations made under section 85.

(6) If the temporary reduction period is extended by an Order in Council under section 42A(2) or the second temporary reduction period is extended by an Order in Council under section 42A(2B), the Governor-General may, by Order in Council, reduce the discount specified in paragraph (a) of the definition of discounted rate set out in subsection (3).

(7) An order under subsection (6) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 42B: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

Section 42B(1): amended, on 1 March 2023, by section 5(1) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42B(3) **normal rate**: replaced, on 1 March 2023, by section 5(2) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42B(6): amended, on 1 March 2023, by section 5(3) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

42C Road user charges that apply after end of temporary reduction period or second temporary reduction period

The normal rate of road user charges applies to the purchase of a RUC licence in relation to applications received after the last day of the temporary reduction period or second temporary reduction period.

Section 42C: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

Section 42C heading: amended, on 1 March 2023, by section 7(1) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42C: amended, on 1 March 2023, by section 7(2) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Assessments for unpaid road user charges

Heading: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

42D When assessments may be issued

(1) The RUC collector may issue an assessment for unpaid road user charges to the owner or operator of a RUC vehicle.

(2) Subsection (1) applies if the collector forms the opinion that the owner or operator has, during the temporary reduction period or second temporary reduction period, purchased RUC for that vehicle for distances that are excessive or unreasonable or are an abuse of the temporary reduction scheme.

(3) In forming an opinion under subsection (2), the RUC collector may consider matters such as the following:

(a) the objective of the temporary reduction scheme, which is to provide a discount to the owner or operator of a RUC vehicle that is approximately equivalent to the discount on the excise and excise-equivalent duty on motor spirits provided for the owners and operators of vehicles that are not RUC vehicles under the Excise and Excise-equivalent Duties Table (Temporary Reduction of Motor Spirits Duty) Amendment Order 2022 or any subsequent orders made from time to time under clause 20 of Schedule 3 of the Customs and Excise Act 2018:

(b) whether, during the temporary reduction period or second temporary reduction period, the owner or operator of a RUC vehicle has purchased RUC licences consistent with the guidance issued by the RUC collector

as to what is considered to be reasonable, having regard to the type and use of the RUC vehicle and any other relevant circumstances:

(c) any other matter that the RUC collector considers relevant in the circumstances.

(4) Part 3 (other than sections 53(4) and 55(6)) applies, as far as it is relevant, to the assessment and collection of unpaid road user charges by the RUC collector under this section.

(5) In this section, **temporary reduction scheme** means the scheme for discounting road user charges—

(a) for the period specified in section 42A(1)and (2A); and

(b) in accordance with the discounted rate prescribed in accordance with section 42B.

Section 42D: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

Section 42D(2): amended, on 1 March 2023, by section 8(1) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42D(3)(a): amended, on 1 March 2023, by section 8(2) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42D(3)(b): amended, on 1 March 2023, by section 8(3) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Section 42D(5)(a): amended, on 1 March 2023, by section 8(4) of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

42E How assessments are to be calculated

For the purpose of section 42D(1), unpaid user charges must be calculated in accordance with the following formula:

$$(a - b) \times (c - d) = e$$

where—

a is the distance covered by RUC licences purchased at the discounted rate

b is the distance covered by RUC licences that the RUC collector considers would have been reasonable to purchase for the RUC vehicle during the temporary reduction period or second temporary reduction period

c is the normal rate

d is the discounted rate that applied at the date of purchase

e is the amount of the assessment of unpaid road user charges.

Section 42E: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

Section 42E formula item b: amended, on 1 March 2023, by section 9 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

42F When certain RUC licences are no longer valid

In the case of a RUC licence issued at the discounted rate for a heavy RUC vehicle, section 86(2) applies as if that provision applied to the increase from the discounted rate to the normal rate.

Section 42F: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

42G Repeal

(1) Sections 42A to 42F, the cross-headings above sections 42A and 42D, and this section are repealed on the date that is 5 years after the second temporary reduction period ends.

(2) Those repeals do not affect the completion of anything done or yet to be done under sections 42A to 42E.

(3) Subsection (2) does not limit section 33 of the Legislation Act 2019.

Section 42G: inserted, on 12 April 2022, by section 4 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13).

Section 42G(1): amended, on 1 March 2023, by section 6 of the Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2).

Subpart 6—Electronic system providers

43 RUC collector may approve electronic system provider

(1) The RUC collector may, on application in writing, approve an electronic system provider to—

(a) provide electronic distance recorders; and

(b) issue electronic licences.

(2) Before granting an approval under subsection (1), the RUC collector must be satisfied that—

(a) the applicant's electronic system is secure and reliable; and

(b) any electronic distance recorder provided by the applicant—

(i) is fit for the purpose; and

(ii) meets any requirements specified in regulations made under section 89.

(3) An approval under subsection (1)—

(a) must be notified in the *Gazette*; and

(b) may be on the terms and conditions that the RUC collector thinks fit; and

(c) may be varied or revoked by the RUC collector by notice in writing to the electronic system provider concerned.

(4) The RUC collector may, by notice in the *Gazette*, issue a code of practice to assist electronic system providers in complying with the requirement in subsection (2)(b)(i) for an electronic distance recorder to be fit for the purpose.

(5) If a code of practice is issued under subsection (4), the RUC collector must make a copy of the code of practice available on an Internet site maintained by, or on behalf of, the RUC collector.

44 Obligation of electronic system provider to report tampering

(1) An electronic system provider who knows, or has reasonable grounds to suspect, that any electronic system has been, or may have been, tampered with must, within 5 working days of becoming aware of the tampering or suspected tampering, report the matter to the RUC collector.

(2) A report under subsection (1) must—

(a) be made in the form approved by the RUC collector for the purpose; and

(b) contain any information required by the terms and conditions of the electronic system provider's approval under section 43(3)(b).

(3) If an electronic system provider has made a report to the RUC collector under subsection (1), the electronic system provider must not disclose to any person other than the RUC collector—

(a) that the electronic system provider has made that report; or

(b) any information from which the person to whom the disclosure is made could reasonably infer that the electronic system provider has made that report.

(4) In this section, **tamper**, in relation to an electronic system, means—

(a) engage in conduct that results in, or is likely to result in,—

(i) the system being altered; or

(ii) the system or any part of the system being used in a way that is not in accordance with the terms and conditions of the electronic system provider's approval under section 43; or

(iii) any road user charges data that the system uses internally being altered; or

(b) engage in conduct with the intention of causing the electronic system to—

(i) fail to collect RUC information; or

(ii) fail to record distances travelled by a RUC vehicle correctly; or

(iii) fail to store or report RUC information or to store or report RUC information correctly.

45 Disclosure and management of RUC information by electronic system provider

(1) This section applies if a person has failed to produce records or other information under section 66(1) in relation to a RUC vehicle, or if the RUC collector has reasonable grounds to believe that the records or other information produced is false, inaccurate, or misleading.

(2) An electronic system provider must, on written request by the RUC collector, disclose any RUC information to the RUC collector that is, or may be, required for the purposes of issuing an assessment under section 53(1).

(3) The provisions in Schedule 1 apply to the management of RUC information by an electronic system provider.

Offences

46 Offences relating to electronic system providers

(1) An electronic system provider commits an offence if the electronic system provider,—

(a) without reasonable excuse, fails to report to the RUC collector any tampering or suspected tampering with an electronic system as required by section 44(1); or

(b) knowingly provides false or misleading information to the RUC collector.

(2) An electronic system provider who commits an offence against subsection (1) is liable on conviction to a fine not exceeding $75,000.

47 Offences relating to electronic distance recorders

(1) A person commits an offence if the person operates a RUC vehicle on a road while displaying a thing (not being an electronic distance recorder) that the operator knows, or ought to have known, is likely to be mistaken for an electronic distance recorder.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

Subpart 7—Hubodometers

48 RUC collector may approve hubodometer

(1) The RUC collector may approve hubodometers for the purposes of this Act.

(2) An approval under subsection (1) may be on the terms and conditions that the RUC collector thinks fit.

(3) The RUC collector must maintain a list of hubodometers approved under subsection (1) on an Internet site maintained by, or on behalf of, the RUC collector.

(4) An approval under this section is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	The maker must: • notify it in the *Gazette* • comply with subsection (3)	LA19 ss 73, 74(1)(a), Sch 1 cl 14
Presentation	It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 48(2): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 48(4): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

49 Restrictions on fitting of hubodometer

(1) A person must not, without the consent of the RUC collector, fit a hubodometer to a RUC vehicle for the purposes of this Act if the person knows, or ought to have known, that—

(a) the hubodometer has previously been fitted to the RUC vehicle; and

(b) the RUC vehicle has been operated after the removal, loss, or displacement of the hubodometer from the RUC vehicle.

(2) A person must not, without the consent of the RUC collector, fit a hubodometer to a RUC vehicle for the purposes of this Act if the person knows, or ought to have known, that—

(a) the hubodometer has previously been fitted to another motor vehicle for the purposes of this Act; and

(b) the other motor vehicle is still registered under section 242 of the Land Transport Act 1998.

(3) A person commits an offence if the person contravenes subsection (1) or (2).

(4) A person who commits an offence against subsection (3) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

Compare: 1977 No 124 ss 22A, 23(1)(fa)

50 Removal and retention of hubodometer or licence by enforcement officer

(1) An enforcement officer may for the purposes of any criminal proceedings remove, or require the removal of, a hubodometer from a RUC vehicle for the purpose of inspection to determine whether the hubodometer—

(a) has been tampered with or modified; or

(b) is faulty or inaccurate; or

(c) has an obscured distance reading; or

(d) does not have a serial number, has an obscured serial number, or has a serial number that is identical to that of another hubodometer of the same make.

(2) An enforcement officer may seize and retain—

(a) a hubodometer removed from a RUC vehicle under subsection (1) if the enforcement officer has reasonable grounds to believe that any of the circumstances in that subsection apply:

(b) a licence displayed on a RUC vehicle, or produced to the enforcement officer by the operator of the vehicle, if the enforcement officer has reasonable grounds to believe that the licence—

(i) has been altered or forged; or

(ii) does not comply with section 9(2) or 10(1); or

(iii) has expired in accordance with this Act; or

(iv) is otherwise invalid.

(3) If a hubodometer or licence is seized and retained by an enforcement officer under subsection (2), the operator of the RUC vehicle from which the hubodometer or licence was removed may cause the RUC vehicle to be moved for a distance not exceeding 500 kilometres as may be necessary for the purpose of obtaining a replacement hubodometer or licence (or both).

(4) An enforcement officer who believes on reasonable grounds that a hubodometer fitted to a RUC vehicle does not comply with any requirements of this Act or regulations made under section 89 may give the owner or operator of the RUC vehicle a notice stating that the vehicle must be fitted, within a distance not exceeding 1 000 kilometres, with a replacement hubodometer that accurately records the distance travelled by the vehicle.

51 RUC collector may seize and retain hubodometer and licence

For the purposes of issuing an assessment under section 53(1), the RUC collector may seize and retain—

(a) a hubodometer fitted to a RUC vehicle, or a hubodometer removed from a RUC vehicle by an enforcement officer under section 50, if the RUC collector has reasonable grounds to believe that the hubodometer—

(i) has been tampered with or modified; or

(ii) is faulty or inaccurate; or

(iii) has an obscured distance reading; or

(iv) does not have a serial number, has an obscured serial number, or has a serial number that is identical to that of another hubodometer of the same make; and

(b) a RUC licence displayed on a RUC vehicle, or produced to an enforcement officer under section 21, if the RUC collector has reasonable grounds to believe that the licence—

(i) has been altered or forged; or

(ii) has expired in accordance with this Act; or

(iii) is otherwise invalid.

Compare: 1962 No 135 s 69D

Offences

52 Offences relating to hubodometers

(1) A person commits an offence if the person—

(a) operates a RUC vehicle on a road where the hubodometer fitted to the vehicle does not have a serial number, has an obscured serial number, or has a serial number that is identical to that of another hubodometer of the same make; or

(b) operates a RUC vehicle on a road where the distance reading of the hubodometer fitted to the vehicle is obscured; or

(c) operates, without the prior written consent of the RUC collector, a RUC vehicle on a road where the hubodometer fitted to the vehicle is underrecording the distance travelled because it is designed for a different tyre size than the tyre fitted to the wheel on which the hubodometer is fitted.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $3,000:

(b) in the case of a body corporate, to a fine not exceeding $15,000.

Compare: 1977 No 124 s 23(1)(fb)

Part 3
Assessment of unpaid road user charges

Subpart 1—RUC collector may issue assessment for unpaid road user charges

53 RUC collector may issue assessment for unpaid road user charges

(1) If the RUC collector forms the opinion that the owner or operator of a RUC vehicle is liable for any unpaid road user charges in respect of the RUC vehicle, the RUC collector may issue an assessment to the owner or operator for the amount of unpaid road user charges (including GST payable in respect of those charges).

(2) In forming an opinion under subsection (1), the RUC collector may use—

(a) any information provided voluntarily by the owner or operator of the RUC vehicle; or

(b) any RUC information disclosed to the RUC collector by an electronic system provider under section 45(2); or

(c) any information down-loaded from the RUC vehicle's vehicle management system and retained under section 63; or

(d) any distance recorder information reported to the RUC collector by a vehicle inspector following an inspection of the RUC vehicle under section 64 or provided by an enforcement officer; or

(e) any information provided during an inspection of records under section 66 or business records under section 67 relating to the RUC vehicle; or

(f) any information already held by the RUC collector relating to the RUC vehicle.

(3) The RUC collector must inform the owner or operator of the RUC vehicle who is issued with an assessment of—

(a) the reasons for the assessment; and

(b) how the assessment was calculated (including calculations for each individual RUC vehicle); and

(c) the right to seek a review of the assessment under section 55.

(4) For the purposes of subsection (3)(b), the assessment must be calculated using the rate of road user charges in force on the date on which the assessment is issued.

(5) The owner or operator of a RUC vehicle who is issued with an assessment must—

(a) pay the unpaid road user charges specified in the assessment within 2 months of the date specified on the assessment, unless the owner or

operator has entered into an instalment arrangement under section 61 in respect of the unpaid amount; or

(b) apply to the RUC collector, within 20 working days of the date specified on the assessment, for a review of the assessment under section 55.

(6) An owner or operator of a RUC vehicle who is issued with an assessment is not required to pay any unpaid road user charges for any period more than 6 years immediately before the date specified on the assessment.

Amendment of assessment

54 RUC collector may amend assessment

(1) The RUC collector may, at any time, amend an assessment issued under section 53(1), if the RUC collector considers it necessary in order to ensure that the assessment is correct, even though any amount of unpaid road user charges specified in the assessment may have been paid.

(2) If an amended assessment has the effect of—

(a) reducing or cancelling any liability for unpaid road user charges, the RUC collector must give notice of that reduction or cancellation to the owner or operator liable to pay the unpaid road user charges:

(b) imposing any fresh liability or increasing any existing liability for unpaid road user charges, the RUC collector must issue a new assessment under section 53(1) to the owner or operator liable to pay the unpaid road user charges.

(3) If an amended assessment has the effect of reducing or cancelling any liability of the owner or operator that has already been paid, the RUC collector must, within 5 working days of the date specified on the notice issued under subsection (2)(a), refund the difference between—

(a) the amount specified in the original assessment issued to the operator under section 53(1); and

(b) the amount specified in the amended assessment under subsection (1).

(4) To avoid doubt, the amount to be refunded under subsection (3) includes—

(a) any penalty that has already been paid in relation to the original assessment under section 56:

(b) any interest paid in relation to that amount, if an instalment arrangement has been entered into under section 61.

Compare: 1994 No 166 s 113

Review of assessment

55 Review of assessment

(1) The owner or operator of a RUC vehicle who is issued with an assessment under section 53(1), or a person authorised by the owner or operator in writing,

may apply to the RUC collector for a review of the assessment on the grounds that—

(a) the assessment is incorrect in a material particular; or

(b) the owner or operator of the RUC vehicle was not the person responsible for incurring the unpaid road user charges.

(2) An application for review must—

(a) be in writing; and

(b) include the applicant's full name, address, and any mobile phone number, other phone number, and electronic address that the applicant has; and

(c) if the applicant is not the owner or operator to whom the assessment was issued, include a written authorisation from the owner or operator for the applicant to act on the owner or operator's behalf; and

(d) specify the grounds for review; and

(e) provide any evidence that may be required to substantiate the grounds for review.

(3) If the RUC collector receives an application for a review, the RUC collector must, within 3 working days of receiving the application, confirm receipt of the application and specify the date on which the application was received.

(4) The RUC collector must, within 20 working days of receiving an application for a review (or any longer period that the RUC collector considers to be necessary or appropriate), arrange for an appropriately qualified independent person to review the assessment within a time specified by the RUC collector, taking into account any evidence provided under subsection (2)(e) by the applicant.

(5) If, following a review under subsection (4), the RUC collector—

(a) confirms, reduces, or cancels the assessment of any unpaid road user charges, the RUC collector must give, within 10 working days of the decision, notice of that confirmation, reduction, or cancellation to the person who applied for the review:

(b) increases the amount of the original assessment of unpaid road user charges, the RUC collector must issue a new assessment under section 53(1) to the owner or operator of the RUC vehicle.

(6) For the purposes of subsection (5)(b), the new assessment must be calculated using the rate of road user charges in force on the date on which the original assessment was issued.

Section 55(2)(b): replaced, on 19 May 2026, by section 118 of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Penalties

56 Penalty for failure to pay after assessment

(1) A person who fails to pay any unpaid road user charges specified in an assessment issued under section 53(1) must pay an additional amount (a **penalty**) as follows:

(a) for an amount that remains unpaid 2 months after the date specified on the assessment, 10% of the unpaid amount; and

(b) for an amount that remains unpaid after 3 months after the date specified on the assessment, 10% of the unpaid amount and the penalty imposed under paragraph (a).

(2) However, subsection (1) does not apply if—

(a) the person has applied for a review of the assessment under section 55; or

(b) the person has entered into an instalment arrangement under section 61 and the RUC collector is satisfied that the person is meeting the person's obligations under the arrangement.

57 Penalty for failure to pay after receipt of notice under section 55(5)(a)

(1) This section applies to a person who—

(a) has received a notice under section 55(5)(a) confirming or reducing the amount of the person's liability for unpaid road user charges following a review under that section; and

(b) fails to pay the amount of unpaid road user charges specified in the notice.

(2) The person must pay an additional amount (a **penalty**) as follows:

(a) for an amount that remains unpaid after 1 month of the date specified on the notice given under section 55(5)(a), 10% of the unpaid amount; and

(b) for an amount that remains unpaid after 2 months of the date specified on the notice given under section 55(5)(a), 10% of the unpaid amount and the penalty imposed under paragraph (a).

(3) However, subsection (2) does not apply if the person has entered into an instalment arrangement under section 61 and the RUC collector is satisfied that the person is meeting the person's obligations under the arrangement.

Section 57(1)(a): amended, on 23 April 2014, by section 11(1) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 57(3): inserted, on 23 April 2014, by section 11(2) of the Road User Charges Amendment Act 2014 (2014 No 23).

58 Penalty for failure to pay after issue of amended assessment or new assessment

(1) This section applies to a person who—

(a) has been issued with—

(i) an amended assessment for unpaid road user charges as provided in section 54(2)(b); or

(ii) a new assessment for unpaid road user charges following a review as provided in section 55(5)(b); and

(b) fails to pay the amount of unpaid road user charges specified in the amended assessment or new assessment (as the case may be).

(2) The person must pay an additional amount (a **penalty**) as follows:

(a) for an amount that remains unpaid after 2 months of the date specified on the amended assessment or new assessment, 10% of the unpaid amount; and

(b) for an amount that remains unpaid after 3 months of the date specified on the amended assessment or new assessment, 10% of the unpaid amount and the penalty imposed under paragraph (a).

(3) However, subsection (2) does not apply if—

(a) the person has applied for a review of the assessment under section 55; or

(b) the person has entered into an instalment arrangement under section 61 and the RUC collector is satisfied that the person is meeting the person's obligations under the arrangement.

59 RUC collector may cancel penalty

(1) A person who has become liable to pay a penalty under section 56, 57, or 58 may apply in writing to the RUC collector for the whole, or any part, of the penalty to be cancelled.

(2) The RUC collector may, if the RUC collector thinks it is appropriate in the circumstances of the case,—

(a) cancel the whole, or any part, of the penalty:

(b) refund to the person who has paid the penalty, the whole or any part of the penalty that has been paid.

Recovery of unpaid road user charges and penalties

60 Recovery of unpaid road user charges and penalties

An amount of unpaid road user charges specified by the RUC collector in the assessment issued under section 53(1) and any penalty imposed in relation to that amount under section 56, 57, or 58 are—

(a) a debt due to the Crown; and

(b) recoverable by the RUC collector in a court of competent jurisdiction.

Instalment arrangements

61 Instalment arrangements

(1) A person issued with an assessment under section 53(1) may request the RUC collector to enter into an arrangement where the person agrees to pay the amount specified in the assessment by instalment (an **instalment arrangement**).

(2) On receiving a request under subsection (1), the RUC collector may—

(a) accept the request if the RUC collector considers it necessary or desirable to do so in order to maximise recovery of unpaid road user charges; or

(b) seek further information from the person who made the request; or

(c) make a counter-offer to the person who made the request; or

(d) refuse the request.

(3) The RUC collector may refuse a request for an instalment arrangement under subsection (2)(d) if the RUC collector is satisfied on reasonable grounds that—

(a) entering into an instalment arrangement would not maximise the recovery of unpaid road user charges from the person; or

(b) the person who made the request is able to pay all of the unpaid road user charges immediately; or

(c) the request is frivolous or vexatious; or

(d) the person who made the request has not met the person's obligations under a previous instalment arrangement.

(4) The RUC collector may cancel an instalment arrangement with a person if—

(a) it was entered into on the basis of false or misleading information provided by the person; or

(b) the person is not meeting the person's obligations under the arrangement.

(5) To avoid doubt, if an instalment arrangement is cancelled under subsection (4) the amount of any outstanding unpaid road user charges at the time of cancellation—

(a) remains in force; and

(b) may be recovered by the RUC collector in accordance with section 60.

(6) A person who has entered into an instalment arrangement with the RUC collector under subsection (1) may request a renegotiation of the arrangement at

any time and, if a request for renegotiation of the instalment arrangement is made, subsection (2) applies to that request.

(7) An interest charge may be applied to any payments made under an instalment arrangement entered into under this section at the rate determined under section 120E(1)(a) of the Tax Administration Act 1994.

Other provisions

62 Validity of assessments

An assessment made by the RUC collector under section 53(1) is not invalid merely because of a failure by the RUC collector to comply with—

(a) section 54(3); or

(b) section 55(3) and (4).

Compare: 1994 No 166 s 114

63 RUC collector may take information from vehicle management system

For the purpose of issuing an assessment under section 53(1), the RUC collector may—

(a) apply an electronic device to a RUC vehicle to down-load information from the vehicle's vehicle management system; and

(b) retain information taken from the vehicle management system, but only as far as the information relates to the distance travelled by the RUC vehicle.

64 Vehicle inspector to provide report to RUC collector

Following a vehicle inspection of a RUC vehicle, the vehicle inspector must report the reading on the vehicle's distance recorder to the RUC collector.

Records

65 Certain persons must make and retain records

(1) This section applies to a person who holds, or has held, a transport service licence (other than a rental service licence).

(2) The person must—

(a) keep records in relation to each RUC vehicle that the person owns or operates; and

(b) retain those records for the purposes of this Act,—

(i) in the case of an entry in a logbook in respect of a RUC vehicle or RUC vehicles, for a period of 1 year from the date of entry:

(ii) in the case of any permit issued under section 5 of Part 1 of the VDAM Rule 2002 in respect of the RUC vehicle or vehicles, 1 year from the date of expiry of the permit:

(iii) in the case of records for maintenance in respect of the RUC vehicle or RUC vehicles, 2 years from the date of the record:

(iv) in the case of invoices for fuel and maintenance in respect of the RUC vehicle or RUC vehicles, for a period of 6 years from the date of the invoice:

(v) in the case of invoices relating to cartage by, or use of, the RUC vehicle or RUC vehicles, 6 years from the date of the invoice; and

(c) produce the records for inspection if required by the RUC collector under section 66.

(3) Records required to be kept under subsection (2)—

(a) may be used as evidence in a prosecution relating to compliance with requirements in relation to heavy vehicles or heavy traffic in the Land Transport Act 1998 or in regulations or rules made under that Act; but

(b) may not be used as evidence in a prosecution for a work time or logbook offence under the Land Transport Act 1998, except as provided for under Part 4B of that Act.

(4) A person commits an offence if the person, without reasonable excuse, fails to comply with subsection (2).

(5) A person who commits an offence against subsection (4) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $25,000:

(b) in the case of a body corporate, to a fine not exceeding $100,000.

Section 65(3): replaced, on 11 August 2017, by section 110(2) of the Land Transport Amendment Act 2017 (2017 No 34).

66 Inspection of records or other information

(1) For the purpose of issuing an assessment under section 53(1), or otherwise ascertaining whether the provisions of this Act have been, or are being, complied with by any person to whom this Act applies, the RUC collector may require that person to produce for inspection any records or other information in that person's possession or control (including records required to be kept by a transport service operator under section 65) that are relevant to the use and maintenance of a RUC vehicle.

(2) The RUC collector may, in relation to any records or other information produced under subsection (1),—

(a) take extracts from the records or other information:

(b) make copies of the records or other information at the place of inspection:

(c) remove the records or other information if the RUC collector is satisfied that it is impracticable to copy the records or other information at the place of inspection.

(3) If the RUC collector removes any records or other information under subsection (2)(c), the RUC collector must—

(a) issue a receipt for the records or other information to the person from whom the records or other information was taken; and

(b) return the records or other information as soon as practicable; and

(c) for as long as the records or other information is held by the RUC collector, allow the person from whom the records or other information was taken, at any reasonable time, to inspect, and obtain copies of, the records or other information at the premises where the records or other information is held.

(4) A person commits an offence if the person knowingly produces false records or information under subsection (1).

(5) A person who commits an offence against subsection (4) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $15,000:

(b) in the case of a body corporate, to a fine not exceeding $75,000.

67 Access to business records held by third parties in relation to RUC vehicle

(1) This section applies if a person has failed to produce records or other information under section 66(1) in relation to a RUC vehicle, or if the RUC collector has reasonable grounds to believe that the records or other information produced is false, inaccurate, or misleading.

(2) The RUC collector may require any person who has serviced, maintained, supplied, or contracted for the use of the RUC vehicle to produce that person's business records in relation to that RUC vehicle for the purpose of—

(a) verifying the records or other information produced under section 66(1); or

(b) establishing the RUC vehicle's use and maintenance history.

(3) The RUC collector may, in relation to any business records produced under subsection (2),—

(a) take extracts from the business records:

(b) make copies of the business records at the place of inspection:

(c) remove the business records if the RUC collector is satisfied that it is impracticable to copy the records at the place of inspection.

(4) The RUC collector may retain any business records produced under subsection (2), and, if any records are retained, the RUC collector must—

(a) issue a receipt for the business records to the person from whom the records were taken; and

(b) return the business records as soon as practicable; and

(c) for as long as the business records are held by the RUC collector, allow the person from whom the business records were taken, at any reasonable time, to inspect and obtain copies of the records at the premises where the records are held.

(5) A person commits an offence if the person, without reasonable excuse, fails to comply with subsection (2).

(6) A person who commits an offence against subsection (5) is liable on conviction to a fine not exceeding $15,000.

Subpart 2—Appeal against review of assessment

68 Appeal to District Court against notice issued under section 55(5)(a)

(1) A person may appeal to the District Court against a notice issued by the RUC collector under section 55(5)(a) that confirms or reduces an assessment of unpaid road user charges.

(2) If an appeal is made under subsection (1), the District Court must determine whether the notice issued by the RUC collector is appropriate.

Section 68(1): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

69 Procedure for appeal

(1) An appeal under section 68 must be brought no later than 28 days after the date on which the appellant was notified under this Act of the review decision appealed against.

(2) In considering an appeal,—

(a) the District Court may hear all evidence tendered and representations made by, or on behalf of, any party to the appeal that the Court considers relevant to the appeal, whether or not that evidence would be otherwise admissible in the Court; and

(b) the Court may—

(i) confirm, reverse, or modify the decision appealed against, and make the orders and give the directions to the RUC collector that may be necessary to give effect to the court's decision; or

(ii) refer the matter back to the RUC collector with directions to reconsider the whole or any part of the matter.

(3) Except as provided in this section, the appeal must be made and determined in accordance with the District Court Act 2016 and the District Court Rules 2014.

(4) Subject to sections 70 and 71, the decision of the District Court on an appeal under section 68 is final.

Compare: 1989 No 74 s 59

Section 69(2)(a): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Section 69(3): amended, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

Further appeals

70 Appeal to High Court on question of law

(1) A party to an appeal under section 68 who is dissatisfied with the decision of the District Court on the ground that it is wrong in law may appeal to the High Court on that question of law.

(2) The High Court Rules 2016 and sections 126 to 130 of the District Court Act 2016, with all necessary modifications, apply to an appeal under subsection (1) as if it were an appeal under section 124 of that Act.

Compare: 1989 No 74 s 60

Section 70(2): replaced, on 1 March 2017, by section 261 of the District Court Act 2016 (2016 No 49).

71 Further appeals to Court of Appeal or Supreme Court

(1) With the leave of the court appealed to, a party to an appeal under section 70 may appeal to the Court of Appeal or the Supreme Court against any decision of the High Court in the appeal.

(2) On an appeal under this section, the Court of Appeal or the Supreme Court has the same power to adjudicate on the proceedings as the High Court had.

(3) Subsection (1) is subject to section 75 of the Senior Courts Act 2016 (which provides that the Supreme Court must not give leave to appeal directly to it against a decision made in a court other than the Court of Appeal unless it is satisfied that there are exceptional circumstances that justify taking the proposed appeal directly to the Supreme Court).

Section 71(3): amended, on 1 March 2017, by section 183(b) of the Senior Courts Act 2016 (2016 No 48).

72 Notice issued under section 55(5)(a) to continue in force pending appeal

A notice issued by the RUC collector under section 55(5)(a) confirming or reducing an amount of unpaid road user charges continues in force pending the determination of the appeal under section 68, 70, or 71, and no person is excused from complying with a provision of this Act on the grounds that an appeal is pending.

73 Obligation to pay penalty not suspended by appeal

The obligation to pay and the right to receive and recover a penalty imposed under section 56, 57, or 58 are not suspended by any appeal under this subpart.

74 RUC collector must refund overpayment of road user charges

(1) If a person has received a notice under section 55(5)(a) that reduces or cancels the person's liability for unpaid road user charges or the person is successful in an appeal under section 68, 70, or 71, the RUC collector must refund to the person—

(a) any amount of road user charges that the person has paid but was not required to pay (an **overpayment**); and

(b) the amount of any penalty paid in respect of the overpayment.

(2) The RUC collector must pay interest on any refunded overpayment and any refunded penalty at a rate to be determined under section 120E(1) to (3) of the Tax Administration Act 1994.

(3) For the purpose of establishing the applicable interest rate under subsection (2), the formula in section 120E(1) of the Tax Administration Act 1994 applies with the following modifications:

(a) t is the refunded overpayment and any refunded penalty; and

(b) r is the RUC collector's paying rate, which is deemed to be the same as the Commissioner's paying rate as defined in section 120C(1) of the Tax Administration Act 1994.

Part 4
Enforcement and other matters

Subpart 1—Enforcement

75 Interpretation

In this subpart,—

infringement fee, in relation to an infringement offence, means the amount prescribed by regulations made under section 89 as the infringement fee for the offence

infringement notice means an infringement notice issued under section 139(1) of the Land Transport Act 1998 in respect of an infringement offence under this Act

infringement offence means—

(a) an offence against section 10(2):

(b) an offence against any other provision of this Act that is prescribed as an infringement offence for the purposes of this Act by regulations made under section 89

specified offence means an offence against this Act where a person is liable on conviction,—

(a) in the case of an individual, to a fine of $15,000 or more:

(b) in the case of a body corporate, to a fine of $75,000 or more.

Proceedings for offences generally

76 Proceedings for offences generally

(1) *[Repealed]*

(2) Despite section 25 of the Criminal Procedure Act 2011, the limitation period for—

(a) a specified offence ends on the date that is 5 years after the date on which the offence was committed:

(b) for any other offence against this Act ends on the date that is 1 year after the date on which the offence was committed.

Section 76(1): repealed, on 4 October 2013, by regulation 3(1) of the Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409).

Section 76(2): amended, on 4 October 2013, by regulation 3(1) of the Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409).

Section 76(2)(a): amended, on 4 October 2013, by regulation 3(1) of the Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409).

Section 76(2)(b): amended, on 4 October 2013, by regulation 3(1) of the Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409).

77 Admissibility of certain statements

(1) Despite any enactment or rule of law, a statement referred to in subsection (2) made to an enforcement officer by the driver of a RUC vehicle—

(a) may be given in evidence by the enforcement officer; and

(b) is admissible in any proceedings for an offence against this Act as evidence of the offence.

(2) The statements are—

(a) the identity of the driver's employer:

(b) a statement relating to a matter that must by any enactment be specified in a logbook.

Compare: 1977 No 124 s 23B

Defences

78 Defences

(1) It is a defence in proceedings for an offence of operating a RUC vehicle when the distance licence displayed on the RUC vehicle does not display the correct RUC vehicle type of the vehicle if the defendant proves that—

(a) the RUC vehicle was fitted with a lifting axle that was not transmitting a portion of the weight of the RUC vehicle to the roadway at the time of the offence; and

(b) the RUC 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 RUC weight of the RUC vehicle; and

(d) if the lifting axle had been transmitting a portion of the weight of the RUC vehicle to the roadway at the time of the offence, the RUC vehicle type number specified on the licence would have been correct for the RUC vehicle.

(2) For the purposes of subsection (1), a lifting axle is an axle that is fitted with a device to alter the distribution of weight between the axles of a heavy RUC vehicle.

(3) It is a defence in proceedings for an offence of operating a RUC vehicle without a properly working distance recorder under section 8(5)(a) or 13(1)(a) if the defendant proves that—

(a) a distance recorder was fitted to the RUC vehicle at the time; and

(b) it was not possible to obtain and fit a properly working distance recorder to the RUC vehicle, or to repair the distance recorder fitted to the RUC vehicle, during the period between the time the distance recorder was damaged, altered, or stopped properly working and the time when the alleged offence was committed; and

(c) a properly working distance recorder was fitted to the RUC vehicle, or the distance recorder fitted to the RUC vehicle was repaired, as soon as practicable after the commission of the alleged offence.

(4) Subsection (3) does not apply where the distance recorder stopped properly working because of tampering by the defendant.

Compare: 1977 No 124 s 23(2A), (3C), (3D), (4)

Search warrants

79 Power to issue search warrant in respect of alleged offence

(1) An issuing officer (within the meaning of section 3 of the Search and Surveillance Act 2012) may issue a search warrant in relation to a place, vehicle, or other thing if, on application made by a constable in the manner provided in subpart 3 of Part 4 of that Act, he or she is satisfied that there are reasonable grounds—

(a) to suspect that an offence has been, is being, or will be committed against this Act; and

(b) to believe that the search will find evidential material in respect of the offence in the place, vehicle, or other thing.

(2) The provisions of Part 4 of the Search and Surveillance Act 2012 apply.

(3) Despite subsection (2), sections 118 and 119 of the Search and Surveillance Act 2012 apply only in respect of a constable.

Section 79: replaced, on 23 April 2014, by section 12 of the Road User Charges Amendment Act 2014 (2014 No 23).

80 Offence relating to disclosing information acquired during inspection

(1) A person commits an offence if the person, except in the performance of the person's duties, knowingly discloses any information acquired during an inspection of records or other information under section 66 or 67.

(2) A person who commits an offence against subsection (1) is liable on conviction,—

(a) in the case of an individual, to a fine not exceeding $25,000:

(b) in the case of a body corporate, to a fine not exceeding $100,000.

Section 80 heading: amended, on 23 April 2014, by section 13(1) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 80(1): replaced, on 23 April 2014, by section 13(2) of the Road User Charges Amendment Act 2014 (2014 No 23).

Infringement offences

81 Infringement offences

(1) If a person is alleged to have committed an infringement offence, the person may either—

(a) be proceeded against by filing a charging document under section 14 of the Criminal Procedure Act 2011; or

(b) be issued with an infringement notice as provided in section 82.

(2) Proceedings commenced in the way described in subsection (1)(a) do not require leave of a District Court Judge or Registrar under section 21(1)(a) of the Summary Proceedings Act 1957.

Section 81(1)(a): amended, on 4 October 2013, by regulation 3(1) of the Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409).

Section 81(2): amended, on 4 October 2013, by regulation 3(1) of the Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409).

82 Issue of infringement notice and reminder notices

Sections 139 and 140 of the Land Transport Act 1998 apply with any necessary modifications to the issue of an infringement notice or a reminder notice for an infringement offence under this Act.

83 Infringement fees

(1) The infringement fee payable for an infringement offence is the fee prescribed for the offence by regulations made under section 89.

(2) To avoid doubt, in the case of an infringement offence against section 10(2), the person must pay the fee prescribed by the regulations made under section 89.

(3) All infringement fees received under this Act or recovered under the Summary Proceedings Act 1957 must be paid into a Crown bank account.

Compare: 1998 No 110 s 43(3)

84 Courts may impose appropriate fines for infringement offences

(1) This section applies to an infringement offence, except an offence against section 10(2).

(2) A court may impose a fine for the infringement offence that is not more than the maximum fine prescribed for that offence, whether the fine imposed is more than, the same as, or less than the prescribed infringement fee for that offence.

Compare: 1998 No 110 s 43A

Subpart 2—Other matters

Regulations

85 Regulations specifying rates of road user charges

(1) The Governor-General may, by Order in Council, make regulations specifying rates of road user charges (inclusive of GST) for the distance travelled by a RUC vehicle for the purposes of this Act.

(2) Regulations made under subsection (1) may specify different rates for—

(a) different RUC vehicle types and RUC weights; and

(b) distance licences and additional licences.

(2A) For the purposes of subsection (2)(a), regulations made under subsection (1) may specify, for plug-in hybrid electric RUC vehicles, a reduced rate that takes into account any excise duty or excise-equivalent duty payable under the Customs and Excise Act 2018 in relation to the amount of petrol likely to be used by the vehicle type.

(3) Regulations made under subsection (1)—

(aa) are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements); and

(a) come into force 42 days after the date of their publication under the Legislation Act 2019, or on any later date that may be specified in the order, unless, in the case of an increase to any existing rate, the increase relates only to the GST payable on the rate; and

(b) must be confirmed by an Act (*see* subpart 3 of Part 5 of the Legislation Act 2019).

(4) *[Repealed]*

(5) *[Repealed]*

(6) *[Repealed]*

Compare: 1977 No 124 s 20

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 85(2A): inserted, on 1 April 2024, by section 7 of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

Section 85(3)(aa): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 85(3)(a): amended, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 85(3)(b): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 85(4): repealed, on 1 January 2016, by section 14 of the Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120).

Section 85(5): repealed, on 1 January 2016, by section 14 of the Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120).

Section 85(6): repealed, on 1 January 2016, by section 14 of the Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120).

85A Regulations are confirmable instruments

[Repealed]

Section 85A: repealed, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

86 Licence for heavy RUC vehicle invalid 1 month after road user charges rate increased

(1) This section applies if a road user charges rate is increased by regulations made under section 85(1), unless the increase relates only to the GST payable on the rate.

(2) Despite any other provision of this Act, a licence for a heavy RUC vehicle that is issued before the increase comes into force is no longer valid after the expiry of 1 month from the date of the increase.

Compare: 1977 No 124 s 21

87 Appointment of RUC collector

The Governor-General may, by Order in Council, appoint the Agency as the RUC collector for the purposes of this Act instead of the chief executive.

88 Regulations relating to administration fees

(1) The Governor-General may, by Order in Council, make regulations prescribing administration fees payable by a person specified in subsection (2) to meet, or assist in meeting, the costs and expenses incurred by the RUC collector in the exercise of functions or powers, or in the performance of duties, or the provision of services under this Act, or regulations made under this Act.

(2) The persons are—

(a) an applicant for a RUC licence under section 15 or the holder of a licence issued under section 17:

(b) an applicant for an exemption under section 40(1) or the holder of an exemption granted under section 40(3):

(c) an owner or operator of a RUC vehicle that is registered under an alternative payment scheme.

(3) Different rates of administration fees may be prescribed for different types or forms of RUC licence, different payment methods, or on any other differential basis.

(4) Regulations made under subsection (1) may—

(aaa) provide for the fixing of fees (including a means by which they may be calculated and ascertained, or a rate at which they may be calculated or ascertained):

(aab) provide for the imposition by the person to whom the fees are payable of reasonable charges in connection with the administration of any payment:

(a) authorise the RUC collector to refund or waive administration fees in any particular case or class of case:

(b) prescribe the recipient to whom administration fees are payable under this Act.

(5) However, if there is no prescribed recipient to whom administration fees are to be paid, administration fees must be paid into a Crown bank account.

(6) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

(7) If the regulations authorise the RUC collector to refund or waive administration fees,—

(a) the instrument by which administration fees are refunded or waived is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements), unless it applies only to a particular case; and

(b) the regulations must contain a statement to that effect.

Legislation Act 2019 requirements for secondary legislation referred to in subsection (6)

Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)

Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Legislation Act 2019 requirements for secondary legislation referred to in subsection (7)(a)

Publication	See the relevant publication, presentation, and disallowance table in the secondary legislation referred to in subsection (6)	LA19 ss 73, 74, Sch 1 cl 14
Presentation	The Minister must present it to the House of Representatives, unless a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 88(4)(aaa): inserted, on 11 August 2017, by section 104(2) of the Land Transport Amendment Act 2017 (2017 No 34).

Section 88(4)(aab): inserted, on 11 August 2017, by section 104(2) of the Land Transport Amendment Act 2017 (2017 No 34).

Section 88(6): inserted, on 28 October 2021 , by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 88(7): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

89 Other regulations

(1) The Governor-General may, by Order in Council, make regulations for 1 or more of the following purposes:

RUC vehicle types and RUC weight bands

(a) prescribing RUC vehicle types for the purposes of this Act and bands of RUC weight for each RUC vehicle type:

RUC licences

(b) specifying the persons who may apply for a licence under section 15:

(c) prescribing the information that must be contained in an application for a RUC licence:

(d) prescribing the circumstances in which the RUC collector may issue a RUC licence despite the road user charges (or part of the road user charges) payable for the licence not having been paid:

(e) prescribing the information that must be included on a RUC licence:

(f) prescribing distance amounts (in kilometres) in which a RUC licence may be sold, including different amounts for different types or forms of licence:

Display of RUC licence

(g) specifying requirements for the display or carriage of a licence, including specifying different display or carriage requirements for different classes of RUC vehicle or different types or forms of licence:

Payments

(h) prescribing the methods of payment of road user charges, including different methods of payment for different types or forms of licence:

(i) prescribing alternative payment schemes for paying road user charges for RUC vehicles issued with an electronic distance recorder, including prescribing different alternative payment schemes for different RUC vehicles:

(j) specifying forms of evidence of registration under an alternative payment scheme for RUC vehicles fitted with an electronic distance recorder:

Refunds

(k) prescribing methods for refunding road user charges paid in respect of RUC vehicles fitted with an electronic distance recorder, which may be in addition to or in place of the provisions specified in this Act:

Exempt vehicles

(l) prescribing or specifying, in relation to exemptions that may be granted under section 40,—

(i) that an exemption may be granted for any light RUC vehicle or for 1 or more classes of light RUC vehicles as specified in the regulations:

(ii) any other criteria that a light RUC vehicle must satisfy in order for the vehicle to qualify for an exemption:

(iii) any terms and conditions that apply in respect of an exemption, including the information that the RUC collector may require in order to monitor the ongoing operation of the vehicle under section 41:

(iv) the information that must be contained in an application for an exemption:

(v) the fee payable for an application for an exemption (if any):

Electronic system providers

(m) regulating the collection, storage, use, or disclosure of information relating to road user charges that is held by an electronic system provider in addition to the provisions specified in this Act:

Distance recorders

(n) prescribing matters in relation to, or specifying requirements for, hubodometers, electronic distance recorders, odometers, or any other kind of distance recorder approved by the RUC collector, including—

(i) prescribing the manner of fitting and maintaining a hubodometer, electronic distance recorder, odometer, or other kind of distance recorder:

(ii) regulating the replacement of a hubodometer, electronic distance recorder, odometer, or other kind of distance recorder:

(iii) prohibiting or restricting certain actions in respect of a hubodometer, electronic distance recorder, odometer, or other kind of distance recorder:

(iv) prescribing permissible forms of modification or repair of a distance recorder:

Information down-loaded from vehicle management system

(o) regulating the management of information down-loaded and retained by the RUC collector from a vehicle management system under section 63:

Infringement offences

(p) prescribing infringement offences for the purposes of this Act:

(q) setting the infringement fee payable for an infringement offence, which—

(i) for an offence against section 10(2) involving a heavy RUC vehicle, may not exceed $3,000; and

(ii) for any other infringement offence, may not exceed—

(A) $1,000 in the case of an individual; or

(B) $2,000 in the case of a body corporate:

General

(r) providing for any other matters contemplated by this Act, necessary for its administration, or necessary for giving it full effect.

(2) Regulations under this section are secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Compare: 1977 No 124 s 24

Legislation Act 2019 requirements for secondary legislation made under this section		
Publication	PCO must publish it on the legislation website and notify it in the *Gazette*	LA19 s 69(1)(c)
Presentation	The Minister must present it to the House of Representatives	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 89(1)(g): amended, on 23 April 2014, by section 14(1)(a) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 89(1)(g): amended, on 23 April 2014, by section 14(1)(b) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 89(1)(l)(i): replaced, on 23 April 2014, by section 14(2) of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 89(2): inserted, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

90 Transitional regulations

(1) The Governor-General may, by Order in Council, make regulations—

(a) prescribing transitional and savings provisions concerning the commencement of this Act, which may be in addition to or in place of the provisions of this Act:

(b) providing that, subject to any conditions that may be specified in the regulations, during a specified transitional period,—

(i) specified provisions of this Act (including definitions) do not apply:

(ii) specified terms have the meaning given to them by the regulations:

(iii) specified provisions repealed or amended or revoked by this Act are to continue to apply:

(c) providing for any other matters necessary for facilitating or ensuring an orderly transition from the provisions of the former Act to the provisions of this Act.

(2) No regulations made under this section may be made, or continue in force, later than 1 year after the date on which this section comes into force.

RUC collector specifying rates of road user charges

Heading: inserted, on 23 April 2014, by section 15 of the Road User Charges Amendment Act 2014 (2014 No 23).

90A RUC collector may, in certain cases, specify rate of road user charges

(1) This section applies if—

(a) a vehicle is a RUC vehicle or combination vehicle; and

(b) the vehicle or combination vehicle requires a licence; and

(c) in the rates of road user charges specified in regulations under section 85, there is no rate that applies to the vehicle or combination vehicle.

(2) The RUC collector may, by notice, specify a RUC vehicle type and rate of road user charge payable in respect of the class of RUC vehicle that includes that vehicle.

(3) In specifying a rate of road user charge under subsection (2), the RUC collector must use the same methodology as used for the rates of road user charges specified in regulations made under section 85.

(4) A notice under subsection (2) is secondary legislation (*see* Part 3 of the Legislation Act 2019 for publication requirements).

Legislation Act 2019 requirements for secondary legislation made under this section

Publication	The maker must notify it in the *Gazette*	LA19 ss 73, 74(1)(a), Sch 1 cl 14

Presentation	It is not required to be presented to the House of Representatives because a transitional exemption applies under Schedule 1 of the Legislation Act 2019	LA19 s 114, Sch 1 cl 32(1)(a)
Disallowance	It may be disallowed by the House of Representatives	LA19 ss 115, 116

This note is not part of the Act.

Section 90A: inserted, on 23 April 2014, by section 15 of the Road User Charges Amendment Act 2014 (2014 No 23).

Section 90A(2): amended, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

Section 90A(4): replaced, on 28 October 2021, by section 3 of the Secondary Legislation Act 2021 (2021 No 7).

90B RUC collector to issue assessment for vehicles in respect of which rate specified under section 90A

(1) After specifying a rate of road user charge under section 90A, the RUC collector must issue to the owner or operator of the vehicle or combination vehicle concerned an assessment of the amount of road user charges payable (including GST payable in respect of those charges).

(2) The provisions of this Act apply, with any necessary modifications, to an assessment issued under this section as if it were an assessment issued under section 53(1).

Section 90B: inserted, on 23 April 2014, by section 15 of the Road User Charges Amendment Act 2014 (2014 No 23).

Delegations

91 Chief executive may delegate functions, duties, or powers to person outside Ministry

(1) This section applies if the chief executive is exercising the functions, duties, or powers of the RUC collector under this Act.

(2) The chief executive may, with the written consent of the Minister, delegate any of the chief executive's functions, duties, or powers as the RUC collector to a person who is not an employee of the Ministry.

(3) Despite subsection (2), the chief executive may, without the written consent of the Minister, delegate any of the chief executive's functions, duties, or powers as the RUC collector to—

(a) the Agency; or

(b) any person or class of persons employed in the State services.

(4) A delegation under subsection (2) or (3) may be—

(a) made on any terms and conditions that the chief executive thinks fit; and

(b) made to—

(i) a specified person or class of persons; or

(ii) the holder or holders for the time being of a specified office or specified class of offices; and

(c) for a specific period or an indefinite period; and

(d) revoked at any time by notice to the delegate.

(5) A person or class of persons, or the holder or holders for the time being of a specified office or class of offices, to whom any functions, duties, or powers are delegated under this section may perform those functions and duties, or exercise those powers, in the same manner and with the same effect as if they had been imposed or conferred on that person directly by this Act and not by delegation.

Compare: 1977 No 124 s 23D(1), (2)–(4), (6)

92 Further provisions relating to delegation

(1) A person to whom any functions, duties, or powers are delegated under section 91(2) may,—

(a) with the written consent of the chief executive, delegate to any person employed within the State services those functions, duties, or powers of the RUC collector approved by the chief executive:

(b) with the written consent of the Minister, delegate to any other person those functions, duties, or powers of the RUC collector approved by the Minister.

(2) A delegation under section 91 does not affect—

(a) the performance of any function or duty, or the exercise of any power, by the chief executive as the RUC collector; or

(b) the responsibility of the chief executive for the actions of a person acting under the delegation.

(3) A person purporting to act under any delegation under section 91 must, if reasonably requested to do so, produce evidence of the person's authority to act under the delegation.

Compare: 1977 No 124 s 23D(2A), (7)

Notice requirements

93 Notice requirements

(1) Part 1 of Schedule 2 applies to a notice given under this Act by the RUC collector.

(2) Part 2 of Schedule 2 applies to a notice given under this Act to the RUC collector.

Subpart 3—Consequential amendments, repeal and revocation, and transitional and savings provisions

94 Consequential amendments to other enactments

The enactments listed in Schedule 3 are consequentially amended in the manner indicated in that schedule.

95 Repeal and revocation

(1) The Road User Charges Act 1977 (1977 No 124) is repealed.

(2) The Road User Charges Regulations 1978 (SR 1978/30) are revoked.

Transitional and savings provisions

96 Transitional and savings provisions relating to licences issued under former Act

(1) On and from the commencement of section 17 of this Act, a distance licence issued for a light RUC vehicle under section 10 of the former Act and in force immediately before that commencement must be treated as if it were issued under section 17.

(2) On and from the commencement of section 17 of this Act, a distance licence issued for a heavy RUC vehicle under section 10 of the former Act and in force immediately before that commencement—

(a) continues in force for 1 month after that commencement; and

(b) must be treated as if it were issued under section 17.

(3) On and from the commencement of section 17 of this Act, an authorisation granted to a person to issue a licence under section 10(3) of the former Act and in force immediately before that commencement must be treated as if it were granted under section 17.

(4) If, after the commencement of section 53 of this Act, a distance recorder for a RUC vehicle is reading in excess of the maximum reading specified on the distance licence for the vehicle, an assessment may be issued by the RUC collector under section 53(1) for any portion of the unpaid road user charges that were incurred under the former Act in respect of the vehicle as if all of the unpaid road user charges had been incurred under this Act.

97 Transitional and savings provisions relating to electronic distance recorders and hubodometers approved under former Act

(1) On and from the commencement of section 43 of this Act, an electronic distance recorder approved under regulation 6A of the Road User Charges Regulations 1978 and in use immediately before that commencement must be treated as if it were an electronic distance recorder provided by an electronic system provider under section 43.

(2) On and from the commencement of section 48 of this Act, a hubodometer manufactured under a brand name specified in the definition of hubodometer in regulation 2 of the Road User Charges Regulations 1978 and in use immediately before that commencement must be treated as if it were approved by the RUC collector under section 48.

98 Other transitional and savings provisions

(1) Any road user charges that are assessable or payable under the former Act in relation to the period of 6 years immediately before the commencement of Part 3 of this Act must, despite the repeal of the former Act, be treated as remaining in force and proceedings for the recovery of those road user charges may be enforced, continued, or completed as if this Act had not been passed.

(2) An inquiry commenced under section 18A of the former Act that is pending or in progress immediately before the repeal of that section by this Act may be continued or completed (as the case may be) as if this Act had not been passed.

(3) An assessment for any unpaid road user charges made under section 18C or 18D of the former Act must, despite the repeal of those provisions, be treated as remaining in force and proceedings for the recovery of those road user charges may be enforced, continued, or completed in accordance with those provisions, as if this Act had not been passed.

(4) All proceedings in respect of an offence committed or alleged to have been committed under the former Act may, despite the repeal of those provisions, be enforced, continued, or completed (as the case may be) as if this Act had not been passed.

Schedule 1AA
Transitional, savings, and related provisions

s 6AA

Schedule 1AA: inserted, on 1 April 2024, by section 8 of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

Part 1
Provisions relating to Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024

Schedule 1AA Part 1: inserted, on 1 April 2024, by section 8 of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

1 Interpretation

In this Part, unless the context otherwise requires,—

exempt light electric RUC vehicle means a light electric RUC vehicle—

(a) registered under Part 17 of the Land Transport Act 1998 on or before 31 March 2024; and

(b) for which a distance licence has not previously been issued

transition period means the period between 1 April 2024 and 31 May 2024.

Schedule 1AA clause 1: inserted, on 1 April 2024, by section 8 of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

2 No licence held

(1) This clause applies to a person who, during the transition period, operates a light electric RUC vehicle that—

(a) is an exempt light electric RUC vehicle; and

(b) does not have a distance licence that complies with section 9(2).

(2) The person does not commit an offence against section 9(4)(a) if a distance licence that complies with section 9(2) is issued by the end of the transition period.

Schedule 1AA clause 2: inserted, on 1 April 2024, by section 8 of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

3 No licence displayed or carried

(1) This clause applies to a person who, during the transition period, operates a light electric RUC vehicle that was an exempt light electric RUC vehicle without displaying or carrying a RUC licence in accordance with section 19(1).

(2) The person does not commit an offence against section 19(2) if a RUC licence is displayed or carried in accordance with section 19(1) by the end of the transition period.

Schedule 1AA clause 3: inserted, on 1 April 2024, by section 8 of the Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12).

Schedule 1
Duties relating to management of RUC information by electronic system providers

s 45(3)

1 Duties of electronic system providers relating to collection of RUC information

(1) An electronic system provider must collect and store RUC information.

(2) An electronic system provider must—

(a) clearly identify the RUC information it collects; and

(b) keep the RUC information separate from other commercial information.

(3) In this clause, **other commercial information** means information relating to any telematics services or location-based services, including associated communication services that are provided to the transport operator by an electronic system provider that are not road user charges services.

2 Duties of electronic system provider relating to use and disclosure of RUC information

(1) An electronic system provider must not use or disclose RUC information collected under clause 1 except as required or authorised by or under this Act or any other enactment.

(2) An electronic system provider must take reasonable steps to ensure that the RUC information it collects is protected against unauthorised access or use, misuse, loss, modification, or unauthorised disclosure.

(3) An electronic system provider must on request from a transport operator disclose RUC information relating to the transport operator to that transport operator.

(4) Subclause (3) is subject to section 44(3) (which provides that an electronic system provider must not disclose that it has made a report to the RUC collector as required by that section).

3 Disclosure of RUC information to RUC collector

(1) An electronic system provider must, on request and on the receipt of payment of a reasonable fee by the RUC collector, supply to the RUC collector any specified traffic or transport information required by the RUC collector for transport network planning purposes.

(2) The information supplied under subclause (1) must—

(a) be in a form approved by the RUC collector; and

(b) be supplied only in aggregate form and in a way that does not identify any specific transport operator or electronic system provider.

4 Policy relating to management of RUC information

(1) An electronic system provider must prepare, and make publicly available, a document that sets out its policies on the management of RUC information.

(2) An electronic system provider must include in its contract of service with a transport operator details of the policy referred to in subclause (1).

Schedule 2
Notice requirements

s 93

Part 1
Notice given by RUC collector

1 Notice given by RUC collector

(1) This clause applies if this Act requires the RUC collector to give a notice to a person.

(2) The notice must be in writing and may be given—

(a) to either—

(i) the person; or

(ii) a representative authorised to act on behalf of the person; and

(b) using one of the methods specified in subclause (3).

(3) The methods are—

(a) by personal delivery to a person that is not a body corporate:

(b) by personal delivery to a person that is a body corporate, if the personal delivery is made to the person's office during working hours:

(c) by sending the notice to the person's electronic address:

(ca) by sending an electronic notification to the person that states where they can access the notice electronically (if the person has agreed to that method of electronic notification and access):

(d) by post—

(i) to the street address of the person's usual or last known place of residence; or

(ii) to the street address of any of the person's usual or last known places of business; or

(iii) to any other address, if the addressee has notified the RUC collector that the person accepts notices at that address.

(4) For the purposes of subclause (3), a notice sent—

(a) by post is, unless the contrary is shown, treated as having been given at the time the notice would have been delivered in the ordinary course of the post:

(b) to an electronic address is, unless the contrary is shown, treated as having been delivered at the time the electronic communication containing the notice first enters an information system that is outside the control of the person giving the notice:

(c) in the way described in subclause (3)(ca) is, unless the contrary is shown, treated as having been delivered at the time the electronic communication containing the notification of the notice is listed as sent in the information system used to send the electronic communication.

(5) For the purposes of subclause (4)(b) and (c), in proving the sending of an electronic communication, it is sufficient to prove that the electronic communication was properly addressed and sent.

(6) In this clause,—

electronic address, in relation to a person, means—

(a) an electronic address that the person has given to the RUC collector; or

(b) if no electronic address is given, the person's last known electronic address

information system means a system for producing, sending, receiving, storing, displaying, or otherwise processing electronic communications.

Schedule 2 clause 1(3)(c): replaced, on 19 May 2026, by section 119(1) of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Schedule 2 clause 1(3)(ca): inserted, on 19 May 2026, by section 119(1) of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Schedule 2 clause 1(4): replaced, on 19 May 2026, by section 119(2) of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Schedule 2 clause 1(5): inserted, on 19 May 2026, by section 119(2) of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Schedule 2 clause 1(6): inserted, on 19 May 2026, by section 119(2) of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Part 2
Notice given to RUC collector

2 Notice given to RUC collector

(1) This clause applies if this Act requires a person to give a notice to the RUC collector.

(2) The notice must be in writing and sent—

(a) to an address designated by the RUC collector by notice in the *Gazette*; and

(b) using one of the methods specified in subclause (3).

(3) The methods are—

(a) by personal delivery, if the delivery is made during working hours; or

(b) by sending the notice to a designated electronic address; or

(c) by post to the street address or post office box number for the office.

(4) For the purposes of subclause (3), a notice given—

(a) by post is, unless the contrary is shown, treated as having been given at the time the notice would have been delivered in the ordinary course of the post:

(b) to an electronic address under subclause (3)(b) is, unless the contrary is shown, treated as having been delivered at the time the electronic communication containing the notice first enters an information system that is outside the control of the person giving the notice and, in proving the sending, it is sufficient to prove that the electronic communication was properly addressed and sent.

Schedule 2 clause 2(3)(b): replaced, on 19 May 2026, by section 119(3) of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Schedule 2 clause 2(4): replaced, on 19 May 2026, by section 119(4) of the Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21).

Schedule 3
Consequential amendments to other enactments

s 94

Part 1
Amendments to other Acts

Canterbury Earthquake Recovery Act 2011 (2011 No 12)

Section 71(3)(s): repeal and substitute:

(s) the Road User Charges Act 2012:

Children, Young Persons, and Their Families Act 1989 (1989 No 24)

Paragraph (a) of the definition of **traffic offence** in section 2(1): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Fire Service Act 1975 (1975 No 42)

Definition of **motor vehicle** in section 47B: omit "any motor vehicle with a gross laden weight (as defined in section 2(1) of the Road User Charges Act 1977) exceeding 3.5 tonnes" and substitute "a heavy RUC vehicle (as defined in section 5(1) of the Road User Charges Act 2012)".

Goods and Services Tax Act 1985 (1985 No 141)

Section 5(6B): repeal and substitute:

(6B) For the purposes of this Act, any amount of road user charges paid pursuant to the Road User Charges Act 2012 is deemed to be a consideration for a supply of services in the course or furtherance of a taxable activity carried on by the New Zealand Transport Agency.

Land Transport Act 1998 (1998 No 110)

Definition of **land transport documents** in section 2(1): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Paragraph (a) of the definition of **land transport register** in section 2(1): insert ", or the Road User Charges Act 2012" after "Railways Act 2005".

Section 30ZH(1): omit "12 months" in each place where it appears and substitute in each case "36 months".

Section 30ZH: insert after subsection (1):

(1A) Despite anything in subsection (1), if the logbook only contains entries for a light RUC vehicle (as defined in section 5(1) of the Road User Charges Act 2012), the driver must retain the logbook only for a period of 12 months.

Section 113(1)(a): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Land Transport Act 1998 (1998 No 110)—*continued*

Section 125(1)(c): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Section 146(1): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012 (or any regulations made under that Act)".

Section 147(1): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012 (or any regulations made under that Act)".

Section 147(7): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012 (or any regulations made under that Act)".

Section 167(1)(e)(iii): repeal.

Section 168(1)(a): omit "the Road User Charges Act 1977,".

Section 168(6): repeal.

Section 208(1)(a): omit "; or" and substitute ":" and add:

(iv) the Road User Charges Act 2012; or

Section 218(4): omit "(other than rates of road user charges), which regulation is made under the Transport Act 1962, the Road User Charges Act 1977" and substitute "under the Transport Act 1962".

Land Transport Amendment Act 2011 (2011 No 31)

Section 7: paragraph (a) of the definition of **traffic offence** in new section 91A: omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Land Transport Management Act 2003 (2003 No 118)

Section 6(a): omit "Schedule 3 of the Road User Charges Act 1977, any additional charges under section 21A of that Act, and any assessments under section 18C or 18D of that Act" and substitute "regulations made under section 85 of the Road User Charges Act 2012 and any assessments for unpaid road user charges under Part 3 of that Act".

Land Transport (Road Safety Enforcement) Amendment Act 2001 (2001 No 104)

Section 3(b): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012 (or any regulations made under that Act)".

New Zealand Railways Corporation Act 1981 (1981 No 119)

Section 119A: omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Privacy Act 1993 (1993 No 28)

Third column of item relating to New Zealand Transport Agency records in Schedule 5: omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Sentencing Amendment Act 2011 (2011 No 47)

Section 27(4): new section 137(3)(fb) of the Sentencing Act 2002: omit "section 9 of the Road User Charges Act 1977" and substitute "the Road User Charges Act 2012".

Summary Proceedings Act 1957 (1957 No 87)

Paragraph (a) of the definition of **traffic offence** in section 100A(1): omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Summary Proceedings Amendment Act 2011 (2011 No 32)

Section 10: paragraph (a) of the definition of **traffic offence** in new section 79(1) of the Summary Proceedings Act 1957: omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Section 32: new section 100R(1)(i) of the Summary Proceedings Act 1957: omit "section 9 of the Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Part 2
Amendments to regulations

Consumer Information Standards (Used Motor Vehicles) Regulations 2008 (SR 2008/112)

Schedule 2: omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Land Transport Management (Apportionment and Refund of Excise Duty and Excise-Equivalent Duty) Regulations 2004 (SR 2004/238)

Definition of **licensed vehicle** in regulation 3(1): omit: "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Land Transport Rule: Vehicle Dimensions and Mass 2002

Section 5.1(4)(b): omit "Road User Charges Act 1977, have a current licence issued under that Act for the actual gross weight of the vehicle" and substitute "Road User Charges Act 2012, have a current licence issued under that Act (including any licence required by section 12 of that Act)".

Section 5.2(7)(c): omit "Road User Charges Act 1977, have a current licence issued under that Act for the actual gross weight of the vehicle" and substitute "Road User Charges Act 2012, have a current licence issued under that Act (including any licence required by section 12 of that Act)".

Part B of Schedule 2: omit "Ref. 5.1(1)(b)" and substitute "Ref. 5.2(6)(a)".

Land Transport Rule: Work Time and Logbooks 2007

Definition of **distance recorder** in Part 2: omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Land Transport Rule: Work Time and Logbooks 2007—*continued*

Definition of **road user charges** in Part 2: omit "Road User Charges Act 1977" and substitute "Road User Charges Act 2012".

Item relating to distance record in Part 4—Using the logbook form: omit "Hubodometer" and substitute "electronic distance recorder or hubodometer".

Notes

1 General

This is a consolidation of the Road User Charges Act 2012 that incorporates the amendments made to the legislation so that it shows the law as at its stated date.

2 Legal status

A consolidation is taken to correctly state, as at its stated date, the law enacted or made by the legislation consolidated and by the amendments. This presumption applies unless the contrary is shown.

Section 78 of the Legislation Act 2019 provides that this consolidation, published as an electronic version, is an official version. A printed version of legislation that is produced directly from this official electronic version is also an official version.

3 Editorial and format changes

The Parliamentary Counsel Office makes editorial and format changes to consolidations using the powers under subpart 2 of Part 3 of the Legislation Act 2019. See also PCO editorial conventions for consolidations.

4 Amendments incorporated in this consolidation

Regulatory Systems (Transport) Amendment Act 2026 (2026 No 21): Part 6

Road User Charges (Light Electric RUC Vehicles) Amendment Act 2024 (2024 No 12): Part 1

Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2023 (2023 No 2)

Road User Charges (Temporary RUC Reduction Scheme) Amendment Act 2022 (2022 No 13)

Regulatory Systems (Transport) Amendment Act 2021 (2021 No 9): section 59

Secondary Legislation Act 2021 (2021 No 7): section 3

Public Service Act 2020 (2020 No 40): section 135

Customs and Excise Act 2018 (2018 No 4): section 443(3)

Land Transport Amendment Act 2017 (2017 No 34): sections 104, 110(2)

Energy Innovation (Electric Vehicles and Other Matters) Amendment Act 2017 (2017 No 27): Part 4

District Court Act 2016 (2016 No 49): section 261

Senior Courts Act 2016 (2016 No 48): section 183(b)

Legislation (Confirmable Instruments) Amendment Act 2015 (2015 No 120): section 14

Road User Charges Amendment Act 2014 (2014 No 23)

Road User Charges Amendment Act 2013 (2013 No 130)

Criminal Procedure (Consequential Amendments) Regulations 2013 (SR 2013/409): regulation 3(1)

Road User Charges Act Commencement Order 2012 (SR 2012/137)

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