

Version  
as at 1 October 2024



# Land Transport (Storage and Towage Fees for Impounded Vehicles) Regulations 1999

(SR 1999/85)

Michael Hardie Boys, Governor-General

## Order in Council

At Wellington this 29th day of March 1999

Present:

The Right Hon Jenny Shipley presiding in Council

Pursuant to sections 97, 167, and 168 of the Land Transport Act 1998, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, makes the following regulations.

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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.

**These regulations are administered by the Ministry of Transport.**

## Schedule 1 Transitional, savings, and related provisions

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### Regulations

#### 1 Title and commencement

- (1) These regulations may be cited as the Land Transport (Storage and Towage Fees for Impounded Vehicles) Regulations 1999.
- (2) These regulations come into force on 3 May 1999.

#### 2 Interpretation

In these regulations, unless the context otherwise requires,—

**Act** means the Land Transport Act 1998

**public holiday** means a day listed as a holiday in section 44 of the Holidays Act 2003

**relevant person**, in relation to a motor vehicle, means—

- (a) the registered person for the vehicle if the vehicle is registered; or
- (b) if the vehicle is not registered, the owner of the vehicle.

Regulation 2 **Act** (previously **the Act**): amended, on 1 October 2024, by regulation 4(a) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 2 **Commissioner**: revoked, on 1 October 2024, by regulation 4(b) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 2 **public holiday**: substituted, on 1 April 2004, by section 91(2) of the Holidays Act 2003 (2003 No 129).

Regulation 2 **relevant person**: inserted, on 1 March 2024, by section 77 of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

#### 2A Transitional, savings, and related provisions

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

Regulation 2A: inserted, on 1 October 2024, by regulation 5 of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

#### 3 Towage fees for impounded vehicles

- (1) The relevant person in relation to a motor vehicle that is seized and impounded under section 96, 96AAA, 96AAB, 96A, or 122 of the Act is liable to pay the following towage fee:
  - (a) if the motor vehicle has a gross weight of 3,500 kilograms or less,—
    - (i) a fee not exceeding \$78.43, if the towage takes place between the hours of 7 am and 6 pm on any day other than a Saturday, Sunday, or public holiday; or

- (ii) a fee not exceeding \$104.61, if the towage takes place at any other time; or
- (b) if the motor vehicle has a gross weight of more than 3,500 kilograms,—
  - (i) a fee not exceeding \$194.26, if the towage takes place between the hours of 7 am and 6 pm on any day other than a Saturday, Sunday, or public holiday; or
  - (ii) a fee not exceeding \$298.87, if the towage takes place at any other time.
- (2) Despite subclause (1), the relevant person in relation to a motor vehicle that is seized and impounded under section 96, 96AAA, 96AAB, 96A, or 122 of the Act is liable to pay a fee not exceeding \$5.30 for each additional kilometre or part of a kilometre that the vehicle is towed in excess of 10 kilometres.
- (3) Despite subclauses (1) and (2), the relevant person in relation to a motor vehicle, in respect of which a direction for immediate release is issued under section 102(3) or section 110(3) of the Act as a consequence of the establishment of the ground of appeal specified in section 102(1)(b) of the Act, is not liable to pay any towage fee.
- (4) The towage fee must be paid to the vehicle recovery service operator or storage provider (*see* section 97(3) of the Act).

Regulation 3(1): amended, on 1 March 2024, by section 78(1) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(1): amended, on 1 March 2024, by section 78(2)(a) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(1): amended, on 1 March 2024, by section 78(2)(b) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(1): amended, on 1 October 2007, by regulation 4(1) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2007 (SR 2007/235).

Regulation 3(1)(a): amended, on 1 October 2024, by regulation 6(1) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 3(1)(a)(i): amended, on 1 October 2024, by regulation 6(2) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 3(1)(a)(ii): amended, on 1 October 2024, by regulation 6(3) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 3(1)(b): amended, on 1 October 2024, by regulation 6(4) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 3(1)(b)(i): amended, on 1 October 2024, by regulation 6(5) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 3(1)(b)(ii): amended, on 1 October 2024, by regulation 6(6) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 3(2): amended, on 1 October 2024, by regulation 6(7) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 3(2): amended, on 1 March 2024, by section 78(1) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(2): amended, on 1 March 2024, by section 78(2)(a) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(2): amended, on 1 March 2024, by section 78(2)(b) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(2): amended, on 1 October 2007, by regulation 4(2) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2007 (SR 2007/235).

Regulation 3(3): amended, on 1 March 2024, by section 78(1) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(4): inserted, on 1 March 2024, by section 78(3) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 3(4): amended, on 1 October 2024, by regulation 6(8) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

#### 4 Storage fees for impounded vehicles

- (1) The relevant person in relation to a motor vehicle that is seized and impounded under section 96, 96AAA, 96AAB, 96A, or 122 of the Act is liable to pay the following storage fee:
  - (a) in the case of a vehicle with a gross weight of 3,500 kilograms or less, a fee not exceeding \$21.13 per day; or
  - (b) in the case of a vehicle with a gross weight of more than 3,500 kilograms, a fee not exceeding \$49.30 per day.
- (1A) The relevant person in relation to a motor vehicle that is seized and impounded under section 96, 96AAB, 96A, or 122 of the Act must pay the charges specified in subclause (1) for each of the 28 days of the impoundment.
- (1B) The relevant person in relation to a motor vehicle that is seized and impounded under section 96AAA of the Act must pay the charges specified in subclause (1) for each of 182 days.
- (2) Despite subclauses (1) to (1B), no storage fee is payable by the relevant person in relation to a motor vehicle seized and impounded under section 96, 96AAA, 96AAB, or 96A of the Act for storage of the vehicle during the first 3 days of its storage.
- (3) Despite subclause (1), the relevant person in relation to a motor vehicle, in respect of which a direction for immediate release is issued under section 102(3) or section 110(3) of the Act as a consequence of the establishment of one of the grounds of appeal specified in section 102(1)(a) or section 102(1)(b) of the Act, is not liable to pay any storage fee.
- (4) The storage fee must be paid to the vehicle recovery service operator or storage provider (*see* section 97(3) of the Act).

Regulation 4(1): amended, on 1 March 2024, by section 79(1) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(1): amended, on 1 March 2024, by section 79(2)(a) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(1): amended, on 1 March 2024, by section 79(2)(b) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(1): amended, on 1 October 2007, by regulation 5(1) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2007 (SR 2007/235).

Regulation 4(1)(a): amended, on 1 October 2024, by regulation 7(1)(a) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 4(1)(a): amended, on 1 October 2024, by regulation 7(1)(b) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 4(1)(b): amended, on 1 October 2024, by regulation 7(2)(a) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 4(1)(b): amended, on 1 October 2024, by regulation 7(2)(b) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Regulation 4(1A): inserted, on 1 March 2024, by section 79(3) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(1B): inserted, on 1 March 2024, by section 79(3) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(2): amended, on 1 March 2024, by section 79(1) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(2): amended, on 1 March 2024, by section 79(4)(a) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(2): amended, on 1 March 2024, by section 79(4)(b) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(3): amended, on 1 March 2024, by section 79(1) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(4): inserted, on 1 March 2024, by section 79(5) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 4(4): amended, on 1 October 2024, by regulation 7(3) of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

## **5 Penalty for late payments**

- (1) If the relevant person, or a person authorised by the relevant person, in relation to an impounded motor vehicle enters into an arrangement under section 98(1)(b) of the Act to make payments for fees owing for towage and storage by instalment, a penalty may be imposed for the late payment of any instalment by the person with whom the arrangement has been entered.
- (2) The amount of any penalty imposed under subclause (1) must not exceed a rate calculated at 11% per annum on the amount of the instalment that is overdue.

Regulation 5(1): amended, on 1 March 2024, by section 80(a) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 5(1): amended, on 1 March 2024, by section 80(b) of the Land Transport (Road Safety) Amendment Act 2023 (2023 No 62).

Regulation 5(1): amended, on 1 May 2011, by section 35(5) of the Land Transport Amendment Act 2009 (2009 No 17).

## **6 Fees exclusive of GST**

The fees specified in these regulations are exclusive of goods and services tax.

Regulation 6: replaced, on 1 October 2024, by regulation 8 of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

## Schedule 1

### Transitional, savings, and related provisions

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Schedule 1: inserted, on 1 October 2024, by regulation 9 of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

### Part 1

#### Provisions relating to Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024

Schedule 1 Part 1: inserted, on 1 October 2024, by regulation 9 of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

#### 1 Interpretation

In this Part,—

**new storage fees** means the fees specified in regulation 4(1) as in force immediately after the commencement of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024

**old storage fees** means the fees specified in regulation 4(1) as in force immediately before the commencement of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024

**relevant person**, in relation to a motor vehicle, means—

- (a) the registered person for the vehicle if the vehicle is registered; or
- (b) if the vehicle is not registered, the owner of the vehicle.

Schedule 1 clause 1: inserted, on 1 October 2024, by regulation 9 of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

#### 2 Storage fee for vehicles impounded on or before 30 September 2024 if storage fee is paid in full by lump sum

- (1) This clause applies if—
  - (a) a motor vehicle is seized and impounded on or before 30 September 2024 under section 96, 96AAA, 96AAB, 96A, or 122 of the Act; and
  - (b) the relevant person pays the storage fee in full by a lump sum payment to the vehicle recovery service operator or storage provider.
- (2) If the payment is made on or before 31 December 2024, the storage fee continues to be determined in accordance with the old storage fees.
- (3) If the payment is made on or after 1 January 2025, the storage fee is determined in accordance with the new storage fees.

Schedule 1 clause 2: inserted, on 1 October 2024, by regulation 9 of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

**3 Storage fee for vehicles impounded on or before 30 September 2024 if storage fee is paid by arrangement**

- (1) This clause applies if—
- (a) a motor vehicle is seized and impounded on or before 30 September 2024 under section 96, 96AAA, 96AAB, 96A, or 122 of the Act; and
  - (b) the relevant person enters into an arrangement with the vehicle recovery service operator or storage provider for the payment of the storage fee.
- (2) If the arrangement is entered into on or after 1 October 2024 and provides for any amount of the storage fee to be paid on or after 1 January 2025, the storage fee is determined in accordance with the following formula:

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

where—

- a is the amount of the storage fee
  - b is the number of days in the impoundment period that fall before 1 January 2025
  - c is the old daily rate
  - d is the number of days in the impoundment period that fall after 31 December 2024
  - e is the new daily rate
- (3) In all other cases, the storage fee continues to be determined in accordance with the old storage fees.
- (4) In this clause,—

**new daily rate** means \$21.13 or \$49.30, whichever applies in relation to the vehicle under the new storage fees

**old daily rate** means \$12 or \$28, whichever applies in relation to the vehicle under the old storage fees.

Schedule 1 clause 3: inserted, on 1 October 2024, by regulation 9 of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178).

Marie Shroff,  
Clerk of the Executive Council.

## Notes

### **1** *General*

This is a consolidation of the Land Transport (Storage and Towage Fees for Impounded Vehicles) Regulations 1999 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*

Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2024 (SL 2024/178)

Land Transport (Road Safety) Amendment Act 2023 (2023 No 62): Part 3 subpart 4

Land Transport Amendment Act 2009 (2009 No 17): section 35(5)

Land Transport (Storage and Towage Fees for Impounded Vehicles) Amendment Regulations 2007 (SR 2007/235)

Holidays Act 2003 (2003 No 129): section 91(2)