

**Reprint
as at 1 August 2012**



**Road User Charges Amendment
Regulations (No 2) 2009**

(SR 2009/376)

Road User Charges Amendment Regulations (No 2) 2009: revoked, on 1 August 2012, pursuant to section 95(2) of the Road User Charges Act 2012 (2012 No 1).

Anand Satyanand, Governor-General

Order in Council

At Wellington this 30th day of November 2009

Present:
His Excellency the Governor-General in Council

Pursuant to section 24 of the Road User Charges Act 1977, His Excellency the Governor-General, acting on the advice and with the consent of the Executive Council, makes the following regulations.

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Note

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

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

These regulations are administered by the Ministry of Transport.

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Regulations

- 1 Title**
These regulations are the Road User Charges Amendment Regulations (No 2) 2009.
- 2 Commencement**
These regulations come into force on 1 January 2010.
- 3 Principal regulations amended**
These regulations amend the Road User Charges Regulations 1978.
- 4 Interpretation**
Regulation 2 is amended by inserting the following definitions in their appropriate alphabetical order:
“**electronic distance recorder** means a distance recorder approved by the Secretary under regulation 6A, fitted to a motor vehicle, that—
“(a) uses internal and external sensors to—

- “(i) accurately measure and record in kilometres the distance travelled by the motor vehicle; and
- “(ii) identify and record the location of the distance travelled by the motor vehicle; and
- “(b) uses 1 or more electronic display panels that show—
 - “(i) the distance travelled by the motor vehicle; and
 - “(ii) the distance licence for the motor vehicle; and
- “(c) electronically transfers to the server of an electronic service provider information relating to the distance travelled by the motor vehicle and the location of the distance travelled by the motor vehicle

“**electronic service provider** means a person authorised under section 10(3)(b) of the Act to issue a licence displayed electronically”.

5 Application for licences

- (1) Regulation 4(1) is amended by revoking paragraphs (h) and (i) and substituting the following paragraphs:
 - “(h) if the vehicle is fitted with a hubodometer,—
 - “(i) the make and serial number of the hubodometer; and
 - “(ii) the serial number of each official seal fitted to the hubodometer (if any);
 - “(i) if the vehicle is fitted with an electronic distance recorder, the make and serial number of the electronic distance recorder.”
- (2) Regulation 4(5) is amended by inserting “or electronic distance recorder” after “in respect of a replacement hubodometer”.
- (3) Regulation 4(5) is amended by revoking paragraphs (c) and (d) and substituting the following paragraphs:
 - “(c) if the vehicle is fitted with a hubodometer,—
 - “(i) the make and serial number of the hubodometer; and
 - “(ii) the serial number of each official seal fitted to the hubodometer (if any);

“(d) if the vehicle is fitted with an electronic distance recorder, the make and serial number of the electronic distance recorder.”

6 New regulation 5 substituted

Regulation 5 is revoked and the following regulation substituted:

“5 Form and colour of licences

“(1) A licence may be in printed format or displayed electronically and in each case the following requirements apply:

“(a) for a printed licence, the licence must be printed on a label supplied or approved by the Secretary:

“(b) for a licence displayed electronically, the licence must be displayed on an electronic display panel that operates in conjunction with an electronic distance recorder.

“(2) A distance licence and supplementary licence must be in one of the following forms set out in the Schedule:

“(a) form 1, in the case of a licence in printed format:

“(b) form 1A, in the case of a licence displayed electronically.

“(3) A time licence must be in form 2 set out in the Schedule.

“(4) The Registrar must determine the colour or colours of licences and different colours may be used for—

“(a) different kinds of licences:

“(b) licences issued during or for different periods.”

7 Hubodometers

Regulation 6 is amended by revoking subclause (6) and substituting the following subclause:

“(6) Despite subclause (1), a motor vehicle need not be fitted with a hubodometer if—

“(a) the Secretary has given written notice to the effect that he or she considers that because of the construction of the motor vehicle it is impracticable to affix a hubodometer to the vehicle in accordance with subclause (3), (4), or (5) and the motor vehicle is fitted with another kind of distance recorder that has been sealed to

the satisfaction of an automotive surveyor and records accurately the distance travelled; or

“(b) the motor vehicle is fitted with an electronic distance recorder.”

8 New regulation 6A

The following regulation is inserted after regulation 6:

“6A Secretary may approve electronic distance recorder as alternative to hubodometer

“(1) The Secretary may, on application in writing by an electronic service provider, approve an electronic distance recorder for use as an alternative to a hubodometer, if the Secretary is satisfied that the electronic distance recorder is fit for the purpose.

“(2) An approval under subclause (1)—

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

“(b) may be on the terms and conditions that the Secretary considers fit; and

“(c) may be varied or revoked by the Secretary by notice in writing to the electronic service provider to whom the approval was granted.”

9 Fees

Regulation 7A(3A) is amended by inserting the following paragraph after paragraph (b):

“(ba) a fee of \$3.38, if paid through an electronic service provider.”.

10 Cash payments to be rounded to nearest 5 cents

(1) The heading to regulation 7B is amended by omitting “5” and substituting “10”.

(2) Regulation 7B is amended by omitting “5” and substituting “10”.

11 Schedule amended

(1) The Schedule is amended by revoking form 1 and substituting the form 1 set out in Schedule 1 of these regulations.

- (2) The Schedule is amended by inserting the form 1A set out in Schedule 2 of these regulations after form 1.
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Schedule 1

r 11(1)

New form 1 substituted

Form 1

Form of distance licence for licence in printed
format

ROAD USER CHARGES		DISTANCE LICENCE	
AA99999			
MIN DIST RECORDER	999999	HUBODOMETER : AA999999	0000000000
MAX DIST RECORDER	999999	MAX GROSS WT (TONNES)	
VEHICLE TYPE NO	99	99	
LICENCE NO	999999999	SITEAAAA9999	HR:M:S D/M/Y

Schedule 2

r 11(2)

New form 1A inserted

Form 1A

Form of distance licence for licence displayed
electronicallyKm **09999999**

AA9999	Dist Lic	
Min 999999	DR	11/1111111
Max 999999	WT	11
V. TYP 099	03/11/09	
Lic 9999999999	12:00:00	
	Site	AAAA9999

Rebecca Kitteridge,
Clerk of the Executive Council.

Explanatory note

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

These regulations, which come into force on 1 January 2010, amend the Road User Charges Regulations 1978 to—

- enable the use of an electronic distance recorder as an alternative to a hubodometer:
- provide the Secretary for Transport with the power to approve electronic distance recorders and set, vary, and revoke conditions for their use:
- clarify that a road user charges distance licence may be in printed format or displayed electronically:
- prescribe a new fee for applications for a road user charges licence made through an electronic service provider:
- provide for cash payments in respect of applications for licences to be rounded to the nearest 10 cents:

- substitute *new form 1* to correct a spelling mistake:
- prescribe *new form 1A* for distance licences displayed electronically.

Issued under the authority of the Acts and Regulations Publication Act 1989.
Date of notification in *Gazette*: 3 December 2009.

Contents

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- 2 Status of reprints
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Notes**1 *General***

This is a reprint of the Road User Charges Amendment Regulations (No 2) 2009. The reprint incorporates all the amendments to the regulations as at 1 August 2012, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 *Status of reprints*

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 *How reprints are prepared*

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Road User Charges Act 2012 (2012 No 1): section 95(2)
