

Land Transport Amendment Bill (No 2)

Government Bill

As reported from the committee of the whole House

This bill was formerly part of the Local Government Law Reform Bill. This bill was reported from the Local Government and Environment Committee with unanimous and majority amendments, but the majority amendments were not agreed to by the House. The committee of the whole House has further amended the bill and divided it as follows:

- The Dog Control Amendment Bill, comprising Part 1, and Schedule 1AA
- The Litter Amendment Bill, comprising Part 2
- The Local Electoral Amendment Bill, comprising Part 3
- The Local Government Act 2002 Amendment Bill, comprising Part 4
- The Local Government Act 1974 Amendment Bill, comprising Part 5
- The Local Government (Rating) Amendment Bill, comprising Part 6, and Schedule 1
- The Rates Rebate Amendment Bill, comprising Part 7
- This bill, comprising Part 8.

Key to symbols used in reprinted bill

As reported from a select committee

(Subject to this Act.)

Words struck out unanimously

Subject to this Act.

Words inserted unanimously

Hon Mark Burton

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Land Transport Amendment Act (No 2) **2006**.

2 Commencement

- (1) **Section 72** comes into force on 1 July 2009.
- (2) This rest of this Act comes into force on the day after the date on which it receives the Royal assent. 5

69 Principal Act amended

This **Part** amends the Land Transport Act 1998.

70 Interpretation

- (1) Section 2(1) is amended by repealing the definition of **enforcement authority** and substituting the following definition:

“**enforcement authority**, in relation to an infringement offence, means—

“(a) the New Zealand Police, in any case: 15

- “(b) the Authority, in the case of an infringement offence for which an infringement notice is issued by an employee of the Authority or on behalf of the Authority:
- “(c) Transit, in the case of an infringement offence—
- “(i) that relates to the use of a special vehicle lane; 5
 and
- “(ii) for which an infringement notice is issued by an employee of Transit or on behalf of Transit:
- “(d) a local authority, in the case of an infringement offence— 10
- “(i) that relates to the use of a special vehicle lane; and
- “(ii) for which an infringement notice is issued by an employee of the local authority or on behalf of the local authority: 15
- “(e) a public road controlling authority that is an enforcement authority for the purposes of an Order in Council made under section 46 of the Land Transport Management Act 2003, in the case of an infringement offence that is a toll offence”. 20
- (2) Section 2(1) is amended by inserting the following definition in its appropriate alphabetical order:
- “**special vehicle lane** has the meaning given to it in clause 1.6 of the Land Transport (Road User) Rule 2004”.
- 71 Provisions relating to infringement fees** 25
- Section 141 is amended by inserting the following subsection after subsection (3):
- “(3A) However, an enforcement authority that is Transit or a local authority may also retain the portion of the infringement fees received by it under this Act— 30
- “(a) that the Minister of Finance from time to time approves; and
- “(b) that are fees received in respect of an infringement offence in relation to the use of a special vehicle lane.”
- 72 Repeal of amendments made by this Act to sections 2(1) and 141 of principal Act** 35
- (1) The following provisions are repealed:
- (a) **paragraphs (c) and (d)** of the definition of **enforcement authority** in section 2(1) of the (*Land Transport Act*

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- 1998*) principal Act (as inserted by **section 70 of this Act**);
and
- (b) **section 141(3A)** of the (*Land Transport Act 1998*) principal Act (as inserted by **section 71 of this Act**).
- (2) **Subsection (1)** does not affect any proceedings commenced by a local authority or Transit, or any infringement fees collected (or to be collected) by a local authority, before the commencement of this section. 5

Legislative history

21 June 2006

Divided from Local Government Law Reform Bill
(Bill 32-3) as Bill 32-4H



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