

1986/85



**THE TRANSPORT LICENSING REGULATIONS 1984,
AMENDMENT NO. 3**

PAUL REEVES, Governor-General

ORDER IN COUNCIL

At Wellington this 30th day of April 1986

Present:

HIS EXCELLENCY THE GOVERNOR-GENERAL IN COUNCIL

PURSUANT to sections 77, 178, and 199 of the Transport Act 1962, His Excellency the Governor-General, acting by and with the advice and consent of the Executive Council, hereby makes the following regulations.

ANALYSIS

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| <ul style="list-style-type: none"> 1. Title and commencement 2. Interpretation 3. Special provision for hire of motor vehicle for driving lessons or tests | | <ul style="list-style-type: none"> 4. Fees 5. New Sixth Schedule substituted 6. Consequential revocation Schedule |
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REGULATIONS

1. Title and commencement—(1) These regulations may be cited as the Transport Licensing Regulations 1984, Amendment No. 3, and shall be read together with and deemed part of the Transport Licensing Regulations 1984* (hereinafter referred to as the principal regulations).

(2) These regulations shall come into force on the 1st day of May 1986.

*S.R. 1984/119

Amendment No. 1: S.R. 1985/84

Amendment No. 2: S.R. 1985/113

2. Interpretation—Regulation 2 of the principal regulations is hereby amended by revoking the definition of the term “licensing year”.

3. Special provision for hire of motor vehicle for driving lessons or tests—The principal regulations are hereby amended by revoking regulation 36, and substituting the following regulation:

“36. Notwithstanding anything to the contrary in these regulations or the agreement prescribed in the Fifth Schedule to these regulations, any person may, with the general or specific consent of the holder of the rental-service licence, drive a rental vehicle for the purpose of learning to drive the vehicle or undergoing a test for a driver’s licence so long as, while the person who does not hold a licence to drive the vehicle is driving the vehicle, that person is at all times accompanied by a person who is the holder of a driver’s licence authorising that person to drive that vehicle.”

4. Fees—The principal regulations are hereby amended by revoking regulation 54, and substituting the following regulation:

“54. (1) Except as otherwise provided in this regulation, there shall be payable in respect of the items specified in the first column of the Sixth Schedule to these regulations the fee (if any) specified opposite that item in the second column of that Schedule.

“(2) Except as provided in subclause (3) of this regulation, the fees specified in the Sixth Schedule to these regulations shall be payable to the Secretary.

“(3) The fees prescribed in clauses 5, 6, 7, 8, and 10 of the Sixth Schedule to these regulations shall be payable to the Registrar of Motor Vehicles when application is made for a licence for the vehicle under Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986.

“(4) Where a vehicle commences operation under a transport licence during the currency of a licence issued under Part I of the Transport (Vehicle and Driver Registration and Licensing) Act 1986 or where a vehicle operated under a transport licence is issued with a licence under section 11 (5) of that Act, there shall be payable to the Registrar of Motor Vehicles the following fees for each remaining month or part of a month for which the licence for the vehicle will be current:

“(a) In respect of a vehicle to be used under a rental-service licence, \$1.58:

“(b) In respect of a vehicle to be used under a goods-service licence, passenger-service licence, or taxicab-service licence, \$3.08.

“(5) Where a vehicle ceases to be operated under a transport licence and a fee has been paid in respect of that vehicle under any of clauses 5 to 8 of the Sixth Schedule to these regulations or subclause (4) of these regulations, the Registrar of Motor Vehicles shall, on application made to the Registrar by the holder of the licence under which the vehicle was operated, pay to that person,—

“(a) In the case of a vehicle that had been operated under a rental-service licence, \$1.58 for each remaining month for which the licence for the vehicle will be current:

“(b) In the case of a vehicle that had been operated under a goods-service licence, passenger-service licence, or taxicab-service licence,

\$3.08 for each remaining month for which the licence for the vehicle will be current.

“(6) Where any vehicle is hired or borrowed for use under a goods-service or passenger-service licence for a period of not more than 28 days and the vehicle is operated in accordance with regulation 21 of these regulations, the hirer or borrower of the vehicle shall not be liable to pay an annual fee in respect of that vehicle.

“(7) Where the holder of a taxicab-service licence has paid fees in respect of the number in excess of the maximum number that the licensee is entitled to operate at any one time under the licence, the Secretary shall refund the fees paid by the licensee in respect of the number of taxicabs in excess of the maximum number that the licensee is entitled to operate at any one time under the licence.

“(8) The Secretary may remit or refund the whole or part of any fee payable under this regulation for any application or appeal on any of the following grounds:

“(a) That the application or appeal in respect of which the fee has been paid has been withdrawn or nullified:

“(b) That the application or appeal is of a minor nature and that the work and expense of the Department, any Licensing Authority, the Licensing Appeal Authority, or the Charges Appeal Authority is reduced to an extent that justifies the remission or refund.”

5. New Sixth Schedule substituted—The principal regulations are hereby amended by revoking the Sixth Schedule, and substituting the Sixth Schedule set out in the Schedule to these regulations.

6. Consequential revocation—The Transport Licensing Regulations 1984, Amendment No. 2 (S.R. 1985/113) are hereby consequentially revoked.

SCHEDULE

Reg. 5

NEW SIXTH SCHEDULE TO PRINCIPAL REGULATIONS

Reg. 54

“SIXTH SCHEDULE

“FEES

Item	Fee \$
1. For every application to a Licensing Authority (other than an application for a temporary licence or amendment of a timetable)	37
2. For every application for a temporary licence	6
3. For every appeal to the Charges Appeal Authority	70
4. For every appeal to the Licensing Appeal Authority	100
5. For every application to the Secretary to prescribe, review, or alter the charges for taxicab services—	
(a) Not more than 10 taxicabs	37
(b) More than 10 and not more than 50 taxicabs	111

SCHEDULE—*continued*

Item	Fee \$
(c) More than 50 taxicabs	189
6. In respect of a taxicab-service licence; Annual fee for each motor vehicle operated under the licence other than a trailer	37
7. In respect of a taxicab-service licence; Annual fee for each motor vehicle operated under the licence	37
8. In respect of a passenger-service licence; Annual fee for each motor vehicle operated under the licence	37
9. In respect of a rental-service licence; Annual fee for each motor vehicle operated under the licence other than a trailer	19
10. In respect of a harbour-ferry service licence; Annual fee for each ferry operated under the licence	37
11. Annual fee for certificate of fitness inspections—	
(a) For every passenger-service vehicle authorised to carry more than 9 and not more than 15 adult passengers	36
(b) For every passenger-service vehicle authorised to carry more than 15 adult passengers	59
(c) For every goods-service vehicle that is a heavy motor vehicle and that—	
(i) Has not more than 2 axles or is a semi-trailer	43
(ii) Has 3 axles or is a trailer to which subparagraph (i) of this clause does not apply	53
(iii) Has 4 or more axles and is not a trailer	63
(d) For every ambulance	43
(e) For every heavy motor vehicle other than a vehicle to which any of paragraphs (a) to (d) of this clause applies	43
(f) For every taxicab fitted with—	
(i) A single tariff meter	\$66 (which comprises a vehicle inspection fee of \$30 and a meter inspection fee of \$36)
(ii) A dual tariff meter	\$83 (which comprises a vehicle inspection fee of \$30 and a meter inspection fee of \$53)

SCHEDULE—*continued*

Item	Fee \$
(g) For every rental vehicle, taxicab, or other vehicle required to be issued with a certificate of fitness, other than a vehicle to which any of paragraphs (a) to (f) of this clause applies . .	30
12. Additional fee in respect of application for first certificate of fitness for a passenger-service vehicle authorised to carry—	
(a) Not more than 9 adult passengers . .	No fee
(b) More than 9 and not more than 15 adult passengers	43
(c) More than 15 adult passengers	59
13. For a duplicate of any document (other than a certificate of fitness or a permit)	4"

P. G. MILLEN,
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 increase the fees payable under the principal regulations, except the fees for appeals to the Charges Appeal Authority and the Licensing Appeal Authority which are reduced. The regulations also make a number of changes consequential upon the enactment of the Transport (Vehicle and Driver Registration and Licensing) Act 1986.

In addition, regulation 3 permits a person who does not have a licence to drive a rental vehicle to drive that vehicle, with the consent of the owner, for the purpose of learning to drive or undergoing a driving licence test. The person must be accompanied by a person holding an appropriate licence.

Issued under the authority of the Regulations Act 1936.

Date of notification in *Gazette*: 30 April 1986.

These regulations are administered in the Ministry of Transport.