**Road User Charges Amendment Bill**

10 June 2009

Attorney-General

LEGAL ADVICE

CONSISTENCY WITH THE NEW ZEALAND BILL OF RIGHTS ACT 1990:
ROAD USER CHARGES AMENDMENT BILL

1. We have considered whether the Road User Charges Amendment Bill (PCO 13802/4.1) (the “Bill”) is consistent with the New Zealand Bill of Rights Act 1990 (the “Bill of Rights Act”). We understand the Bill is likely to be considered by the Cabinet Legislation Committee on Thursday, 18 June 2009.

2. The Bill amends the Road User Charges Act 1977 to achieve two distinct outcomes. The first is to enable the exemption of light electric motor vehicles from the requirement to pay road user charges. This is designed to remove barriers that could prevent or delay the uptake of electric motor vehicle technology.

3. The second purpose of the Bill is to provide diesel motor vehicle owners with 42 days notice of any increases in road user charges. This is intended to improve equity and stability in the heavy road freight industry by notifying operators of proposed increases in road user charges in advance. However, to minimise the potential for revenue loss to the Crown from prepayment of road user charges, heavy motor vehicle licences purchased prior to the date of road user charges increases will expire within one month of the increase.

4. This advice has been prepared by the Public Law Group and the Office of Legal Counsel. We have concluded that the Bill appears to be consistent with the rights and freedoms affirmed in the Bill of Rights Act.

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