

30 July 2019

Jo

fyi-request-10663-947381da@requests.fyi.org.nz

Ref: OIA-5392

Dear Jo

Request made under the Official Information Act 1982

Thank you for your email of 3 July 2019 requesting the following information under the Official Information Act 1982 (the Act):

I want to know the following details under the Official Information Act for the period 1 April 2017 - 1 April 2019.

- 1. How many motor vehicle registrations have been cancelled in accordance with Section 7 of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011. I.e. How many motor vehicles have had their registration cancelled because they were unlicensed for a period of 12 months.*
- 2. Did ALL of the cases above result in fees being generated for 12 months' licensing (commonly referred to as rego) given there is a requirement for a vehicle to be licensed at all times. What percentage of the fees have been recovered?*
- 3. Given that an unlicensed vehicle is not legally allowed on the road, what is the rationale behind collecting licensing fees for any period when the vehicle has been off road, specifically after a 12-month period?*
- 4. Does the NZTA have ANY discretion in waiving/refunding 12 months' worth of licensing fees when a vehicle's registration is cancelled in accordance with the regulations outlined in Question 1. Particularly given the vehicle has not been permitted on the road for 12 months so there is no possible use for that money when compared with a vehicle that is active on road. Isn't it basically just free money to NZTA?*

I have answered your questions under the headings below:

- 1. How many motor vehicle registrations have been cancelled in accordance with Section 7 of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011.*

As at 9 July 2019, between 1 April 2017 and 1 April 2019 (inclusive), a total of 152,975 vehicle registrations were cancelled under section 7 of the Land Transport (Motor Vehicle Registration and Licensing) Regulations 2011 (the Regulations) as a result of them being unlicensed for a period of at least 12 months.

- 2. Did ALL of the cases above result in fees being generated for 12 months' licensing? What percentage of the fees have been recovered?*

When a vehicle's registration is cancelled under section 7 of the Regulations because it has not been licensed for a period of at least 12 months, the licence fee for the period until the date of cancellation is payable and becomes a debt. Because of the way such debts are recorded by the Transport Agency, it is not possible to separate out the amounts collected against debt incurred in that manner. Accordingly, this part of your request is refused under section 18(e) of the Act as the information requested does not exist.

3. *Given that an unlicensed vehicle is not legally allowed on the road, what is the rationale behind collecting licensing fees for any period when the vehicle has been off road, specifically after a 12-month period?*

The current continuous vehicle licensing (CVL) system came into effect in 1997. Unless an exemption has been given or its registration has been cancelled, the law requires most vehicles in New Zealand to be continuously licensed, regardless of whether, or how frequently, the vehicle is used.

The CVL system removed a loophole in the old system whereby a vehicle's licence started from the date on which the licensing fee was paid, and not from the date of the licence's expiry. This created a disincentive against the prompt re-registering of vehicles.

4. *Does the NZTA have ANY discretion in waiving/refunding 12 months' worth of licensing fees when a vehicle's registration is cancelled in accordance with the regulations outlined in Question 1. Particularly given the vehicle has not been permitted on the road for 12 months so there is no possible use for that money when compared with a vehicle that is active on road. Isn't it basically just free money to NZTA?*

Section 242(2) of the Land Transport Act 1998 provides that the owner of a motor vehicle must keep it licensed at all times and ensure the prescribed fee and accident insurance levies are paid for the time that the vehicle is required to be licensed. The Transport Agency does not have any discretion as to the requirement that a vehicle remain licensed. In certain circumstances, and where safety is not a factor, the Transport Agency has used its discretion reviewed and written-off CVL debt.

If you would like to discuss this matter further with the NZ Transport Agency you are welcome to contact Chelsea Wehipeihana, Customer Advisor - Ministerials, at Chelsea.Wehipeihana@nzta.govt.nz or on 0800 108 809.

Yours sincerely



Michelle Charlton
Senior Manager Customer Services