

3 February 2015

Jennifer Schwartzfeger  
Via [fyi-request-2378-5612a28b@requests.fyi.org.nz](mailto:fyi-request-2378-5612a28b@requests.fyi.org.nz)

Dear Jennifer

**Information request- WCC Parking Policies and Bylaws for Vehicle WOF and Registration**

Thank you for your request to Wellington City Council dated 9 January 2015. I have asked the Council's Parking Services team to collate the relevant information.

You have asked for the following information:

***'Parking policies and administration procedures for Infringements on Vehicle WOF and registration***

***Dear Wellington City Council,***

***Please can you provide information regarding the bylaw and parking infringement policies for vehicle inspection and registration.***

***Information about the administration procedures is also being sought'.***

You should be aware that License label (vehicle 'Registration') and Warrant of Fitness offences are not Council Bylaws, as these are set by Central Government as part of the Land Transport Act 1998.

*Offence: Did operate a motor vehicle in contravention of section 242(1) of the Land Transport Act 1998 by using the motor vehicle on a road when there was not affixed to it and displayed in the manner prescribed by the Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011 the current license issued to the vehicle and appropriate for its use. The infringement fee for this offence is \$200.00.*

If the Council has understood your request correctly, there are 3 attachments enclosed with this request as outlined below:

Attachment 1: Relevant pages from the parking & enforcement guidelines used by the Parking Officers for license label offences.

Attachment 2: This is the back office procedures for infringement appeals related to license label and warrant of fitness offences.

Attachment 3: Relevant pages from the parking & enforcement guidelines used by the Parking Officers for warrant of fitness offences.

The discretionary waivers are considered on a case by case basis depending on the circumstances and evidence at the time of the infringement. The Council's enforcement practice is that it allows 1 calendar month before issuing an infringement e.g. if the warrant and/or license label expires on 1 February 2015 then an infringement notice could be issued on 2 March 2015.

Please contact me if you have further questions. I trust this fulfils your request.

Yours sincerely



Deborah Howse

**Manager- Issues Resolution Office**

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<b>CODE</b>	<b>Offence</b>
<b>P409</b>	<b>Obscured or indistinguishable licence label – parked vehicle</b>
<i>(Infringement = \$200)</i>	
Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 87(2)	
<b>NOP</b>	Operated a motor vehicle by causing or permitting it to be on a road when the motor vehicle had affixed to it a licence that was obscured, or rendered or allowed to become not easily distinguishable

**Enforcement Guideline**

- Infringement applies to any vehicle (including those with trade licences):
- Displaying a license label that cannot be easily read or is hidden or partially hidden.

Grace period for vehicles		Infringement	Notes and additional info
Attended	Unattended		
NA	NA	<ul style="list-style-type: none"> <li>• Issue notice if label cannot be read clearly from the outside of the vehicle</li> </ul>	<ul style="list-style-type: none"> <li>• Note expiry date</li> <li>• 2 Photos min</li> </ul>



Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 87(2)

Operated a motor vehicle by causing or permitting it to be on a road when the motor vehicle had affixed to it a licence that was obscured, or rendered or allowed to become not easily distinguishable

<b>CODE</b>	<b>Offence</b>
<b>WP411</b>	<b>Warning - Current licence label not affixed in prescribed manner – parked vehicle</b>
<i>(Infringement = \$0)</i>	
Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(b)(ii)	
<b>NOP</b>	Operated a motor vehicle on a road when the current licence issued to the vehicle and appropriate for its use was not affixed to it in the manner prescribed by the Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011

**Enforcement Guideline**

- Infringement applies to any vehicle (including those with trade licences):
- Displaying an expired licence label

Grace period for vehicles		Infringement	Notes and additional info
Attended	Unattended		
NA	NA	<ul style="list-style-type: none"> <li>• Issue Warning as soon as offence can be detected if:</li> <li>• Today's date is within the calendar month following the month of expiry.</li> <li>• <i>Note: only one warning notice can be issued per month</i></li> </ul>	<ul style="list-style-type: none"> <li>• Note expiry date</li> <li>• If warning already issued – issue P411</li> </ul>



Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(b)(ii) (as at 01 May 2011)

Did operate a motor vehicle in contravention of section 242(1) of the Land Transport Act 1998 by using the motor vehicle on a road when there was not affixed to it and displayed in the manner prescribed by the Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011 the current licence issued to the vehicle and appropriate for its use

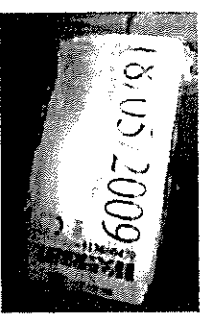
CODE	Offence
P411	Current licence label not affixed in prescribed manner – parked vehicle
(Infringement = \$200) Land Transport (Motor-Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(b)(ii)	
NOP	Operated a motor vehicle on a road when the current licence issued to the vehicle and appropriate for its use was not affixed to it in the manner prescribed by the Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011

**Enforcement Guideline**

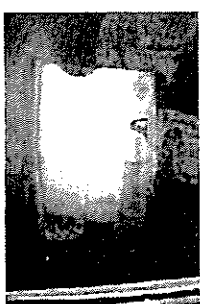
Infringement applies to any vehicle (excluding trade licences):

- Displaying an expired licence label
- Not displaying a licence label

Grace period for vehicles		Infringement	Notes and additional info
Attended	Unattended	<ul style="list-style-type: none"> <li>• Issue notice on the 29th day after expiry unless a warning has previously been issued, in which case you will be prompted to issue a five infringement</li> </ul>	<ul style="list-style-type: none"> <li>• Note expiry date</li> <li>• Note previous warning date</li> <li>• 2 Photos min</li> </ul>
NA	NA		



No longer valid



Not displayed at all

Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011, regulation 77(2)(b)(iii)  
(as at 01 May 2011)

Did operate a motor vehicle in contravention of section 242(1) of the Land Transport Act 1998 by using the motor vehicle on a road when there was not affixed to it and displayed in the manner prescribed by the Land Transport (Motor Vehicle Registration & Licensing) Regulations 2011 the current licence issued to the vehicle and appropriate for its use

### 26.4 WOF / COF and Licence Label Waives

Use this table to determine when you may waive WOF/COF/Licence label related offences.

Please Note: Any infringement notices issued to taxi's should include the company name and / or the cab number within the Parking Officer's notes.

IF THE EVIDENCE SHOWS...	YOU MAY...
The vehicle had a current / WOF / COF / Licence Label when the infringement notice was issued.	Auto Waive
Less than 1 calendar month had passed after the WOF / COF / Licence Label had expired <b>and the Parking Officer recorded</b> an expiry date that fell within that month's timeframe.	Waive as a Parking Officer Error
The WOF or COF was issued on the same day that the infringement notice was issued.	Discretionary Waive
The Licence was purchased within 1 hour of the infringement notice being issued.	Discretionary Waive
A Moped (50cc and under) was issued a WOF related infringement notice.	Waive as a Parking Officer Error
The owner of an abandoned vehicle arranged a voluntary tow <b>before</b> a WOF / COF / Licence Label infringement notice was issued.	Auto Waive
A vehicle was being rebuilt or restored - but not being driven - when it was issued the infringement notice in the CBD or away from the owner's address.	Discretionary Waive
A vehicle was parked within 50 meters of a vehicle testing station or garage for the <u>sole purpose</u> of obtaining a warrant of fitness and/or a licence label.	Auto Waive

<b>CODE</b>	<b>Offence</b>
<b>CI01</b>	<b>No evidence of inspection - private vehicle</b>
Land Transport Act 1998 s.34(1)(b) (Infringement = \$200)	
<b>NOP</b>	Operated a private vehicle on a road when that vehicle was not displaying current evidence of vehicle inspection


**Enforcement Guideline**


Infringement applies to any private vehicle:

- Displaying expired evidence of vehicle inspection (WOF)
- Not displaying evidence of vehicle inspection (WOF)

Grace period for vehicles	Infringement	Notes and additional info
Attended	Unattended	
NA	NA	Issue notice as soon as offence can be detected if: <ul style="list-style-type: none"> <li>• Today's date is 2 or more calendar months from the month of expiry; or</li> <li>• No hole is punched out; or</li> <li>• There is more than 1 hole punched out</li> </ul> Note: <i>only one notice can be issued per month</i>
		<ul style="list-style-type: none"> <li>• Note expiry date</li> <li>• 2 Photos min -EVI label -Vehicle on road</li> </ul>

Expire month  
July





No hole or more than 1 hole punch? Not legal

**Land Transport Act 1998**  
**Section 34(1)(b) Contravention of section 6**  
 (1) A person commits an offence if the person -  
 (b) operates a vehicle on a road without displaying current evidence of vehicle inspection or a certificate of loading or both (as may be required by the regulations or the rules);

**Section 6. Vehicles to be safe and operated in compliance with rules---**  
 (1) A person may not operate an unsafe motor vehicle on a road.  
 (2) If the regulations or the rules require a vehicle to have current evidence of vehicle inspection or a current certificate of loading, or both, a person may not operate the vehicle on a road without the appropriate current evidence of vehicle inspection or certificate or both (as the case may require).  
 (3) A person operating a motor vehicle that is required to have current evidence of vehicle inspection or a certificate of loading must comply with the provisions in the regulations and the rules concerning such evidence or certificate, and the operation of the vehicle.  
 (4) Evidence of vehicle inspection must be displayed on the vehicle to which it applies.

<b>CODE</b>	<b>Offence</b>
<b>WC201</b>	<b>Warning - No evidence of inspection - commercial vehicle</b>
Land Transport Act 1998 s.34(1)(b) (Infringement = \$600)	
<b>NOP</b>	Operated a vehicle being a heavy motor vehicle or a vehicle used in a transport service on a road when that vehicle was not displaying current evidence of vehicle inspection

**Enforcement Considerations**

Note:

If you have reason to believe the cof may not be current and the date is not visible, request a query on the expiry date, stating the reason. If motochek is used to determine the expiry date before issuing a notice, add 'QVR' and '[date]' to notes field.

**Enforcement Guideline**

Infringement applies to a heavy motor vehicle or vehicles used in a transport service:

- Displaying expired evidence of vehicle inspection (COF)
- Not displaying evidence of vehicle inspection (COF)

Grace period for vehicles	Infringement	Notes and additional info
Attended	Unattended	
NA	NA	Issue Warning as soon as offence can be detected if: <ul style="list-style-type: none"> <li>• Today's date is within the calendar month following the month of expiry.</li> </ul> Note: <i>only one warning notice can be issued per month</i>
		<ul style="list-style-type: none"> <li>• Note expiry date</li> <li>• 2 Photos min -EVI label -Vehicle on road</li> </ul>



**Land Transport Act 1998**  
**Section 34(1)(b) Contravention of section 6**  
 (1) A person commits an offence if the person -  
 (b) operates a vehicle on a road without displaying current evidence of vehicle inspection or a certificate of loading or both (as may be required by the regulations or the rules);

**Section 6. Vehicles to be safe and operated in compliance with rules---**  
 (1) A person may not operate an unsafe motor vehicle on a road.  
 (2) If the regulations or the rules require a vehicle to have current evidence of vehicle inspection or a current certificate of loading, or both, a person may not operate the vehicle on a road without the appropriate current evidence of vehicle inspection or certificate or both (as the case may require).  
 (3) A person operating a motor vehicle that is required to have current evidence of vehicle inspection or a certificate of loading must comply with the provisions in the regulations and the rules concerning such evidence or certificate, and the operation of the vehicle.  
 (4) Evidence of vehicle inspection must be displayed on the vehicle to which it applies.

Please find below a list of licence types that are available and also the types of vehicles they are issued to.

**Label Issued to the following vehicles**

- T Vehicles subject to a transport licence fee and a Wof or Cof, but does not require a Certificate of Loading
- K Vehicles subject to a Cof
- L Vehicles subject to a transport licence fee, Certificate of Loading and a Cof
- A Exempt Class A
- B Exempt Class B and subject to a Wof or Cof
- X Exempt Class B and not subject to any fitness inspection
- G All other vehicles including motorcycles
- N Vehicles not subject to any fitness inspection

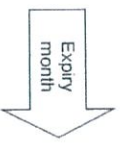
3 Conf...

CODE	Offence
WC101	Warning - No evidence of inspection - private vehicle
Land Transport Act 1998 s.34(1)(b) (Infringement = \$0)	
NOP	Operated a private vehicle on a road when that vehicle was not displaying current evidence of vehicle inspection (WOF)

**Enforcement Guideline**

Infringement applies to any private vehicle:  
 • Displaying evidence of vehicle inspection that has expired for more than 28 days (WOF)

Grace period for vehicles	Infringement	Notes and additional info
Attended	Unattended	Issue Warning as soon as offence can be detected if: • Today's date is within the calendar month following the month of expiry. Note: only one warning notice can be issued per month
NA	NA	• Note expiry date



**Land Transport Act 1998 Section 34(1)(b) Contravention of section 6**

(1) A person commits an offence if the person -  
 (b) operates a vehicle on a road without displaying current evidence of vehicle inspection or a certificate of loading or both (as may be required by the regulations or the rules);

Section 6. Vehicles to be safe and operated in compliance with rules---

- (1) A person may not operate an unsafe motor vehicle on a road.
- (2) If the regulations or the rules require a vehicle to have current evidence of vehicle inspection or a current certificate of loading, or both, a person may not operate the vehicle on a road without the appropriate current evidence of vehicle inspection or certificate or both (as the case may require).
- (3) A person operating a motor vehicle that is required to have current evidence of vehicle inspection or a certificate of loading must comply with the provisions in the regulations and the rules concerning such evidence or certificate, and the operation of the vehicle.
- (4) Evidence of vehicle inspection must be displayed on the vehicle to which it applies.