

Passed by both Houses



New South Wales

Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Bill 2001

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I certify that this PUBLIC BILL, which originated in the LEGISLATIVE ASSEMBLY, has finally passed the LEGISLATIVE COUNCIL and the LEGISLATIVE ASSEMBLY of NEW SOUTH WALES.

*Clerk of the Legislative Assembly.
Legislative Assembly,
Sydney, , 2001*



New South Wales

Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Bill 2001

Act No , 2001

An Act to amend the *Road Transport (Heavy Vehicles Registration Charges) Act 1995* and the *Motor Vehicles Taxation Act 1988* with respect to motor vehicle taxation and heavy vehicle registration charges; and for other purposes.

I have examined this Bill, and find it to correspond in all respects with the Bill as finally passed by both Houses.

Chairman of Committees of the Legislative Assembly.

The Legislature of New South Wales enacts:

1 Name of Act

This Act is the *Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Act 2001*.

2 Commencement

This Act commences on a day or days to be appointed by proclamation.

3 Amendment of Road Transport (Heavy Vehicles Registration Charges) Act 1995 No 72

The *Road Transport (Heavy Vehicles Registration Charges) Act 1995* is amended as set out in Schedule 1.

4 Amendment of Motor Vehicles Taxation Act 1988 No 111

The *Motor Vehicles Taxation Act 1988* is amended as set out in Schedule 2.

Schedule 1 Amendment of Road Transport (Heavy Vehicles Registration Charges) Act 1995

(Section 3)

[1] Part 2, Division 1

Omit the Division. Insert instead:

Division 1 Amount of charges

7 Registration charges

- (1) The annual registration charge for a vehicle or combination of vehicles specified in Part 2 of Schedule 1 is the charge specified in that Part for that kind of vehicle or combination, as varied from time to time in accordance with section 9.
- (2) The registration charge for a vehicle or combination of vehicles for a period of less than one year is the amount calculated by multiplying the relevant annual registration charge by the number of days for which registration is to have effect and dividing the result by 365.
- (3) If registration of a vehicle or combination of vehicles is to have effect for a period of less than one year, the Authority may impose an additional administration fee of not more than 10 per cent of the relevant registration charge for that period.
- (4) If an amount of a charge or fee comprises, in addition to a number of dollars, a number of cents, that number of cents:
 - (a) if it is less than 50 cents, is to be disregarded, and
 - (b) if it is 50 cents or more, is to be taken to be another dollar.

8 Heavy vehicle permit charges

- (1) The charge for a heavy vehicle permit is the charge calculated in accordance with Part 3 of Schedule 1, as varied from time to time in accordance with section 9.

- (2) If an amount of a charge comprises, in addition to a number of dollars, a number of cents, that number of cents:
 - (a) if it is less than 50 cents, is to be disregarded, and
 - (b) if it is 50 cents or more, is to be taken to be another dollar.

9 Variations in charges

- (1) The charges specified, or calculated in accordance with, Parts 2 and 3 of Schedule 1 may be varied from time to time by the regulations.
- (2) Before such a regulation is made, the Minister must cause notice to be published in the Gazette of the maximum registration charges that may be imposed for the time being, as calculated:
 - (a) in accordance with such procedures as are for the time being approved, and
 - (b) subject to such parameters as are for the time being set, by the Australian Transport Council under the *Heavy Vehicles Agreement*.
- (3) The charges specified, or calculated in accordance with, Parts 2 and 3 of Schedule 1 may not be varied so as to exceed the maximum amounts published in the most recent notice referred to in subsection (2).
- (4) A regulation that varies the charges specified, or calculated in accordance with, Parts 2 and 3 of Schedule 1 must indicate, in respect of each such charge:
 - (a) the amount of the charge, as so varied, and
 - (b) the maximum amount for such a charge, as published in the most recent notice referred to in subsection (2).
- (5) In this section, *Australian Transport Council* and *Heavy Vehicles Agreement* have the same meanings as they have in the *National Road Transport Commission Act 1991* of the Commonwealth.

10 Registration charges for primary producers' vehicles

- (1) If the registration charge for a primary producer's vehicle that, but for this section, would be payable under this Act (the *charge under this Act*) is more than the motor vehicle tax that, but for section 3B (1) of the *Motor Vehicles Taxation Act 1988*, would be payable under that Act (the *tax under the 1988 Act*), the registration charge for the vehicle is not the charge under this Act but the tax under the 1988 Act.
- (2) The effect of:
 - (a) any exemption granted under section 17 of the *Motor Vehicles Taxation Act 1988*, and
 - (b) clause 3 (c) of Schedule 1 to that Act (to the extent to which it excludes motor lorries from the operation of that clause), and
 - (c) clause 9 of Schedule 1 to that Act,may be ignored for the purpose of calculating the motor vehicle tax referred to in subsection (1).
- (3) In this section, *primary producer's vehicle* has the same meaning as it has in the *Motor Vehicles Taxation Act 1988*.

[2] Section 30 Exemptions granted by Minister

Insert at the end of the section:

- (2) The Minister may grant an exemption or partial exemption from charges in respect of a vehicle for which there is no other provision for exemption (other than partial exemption) under this Act if the vehicle is registered conditionally under the regulations under the *Road Transport (Vehicle Registration) Act 1997*.

Road Transport Legislation Amendment (Heavy Vehicle Registration Charges and Motor Vehicle Tax) Bill 2001

Schedule 1 Amendment of Road Transport (Heavy Vehicles Registration Charges) Act 1995

[3] Schedule 1 Charges

Omit Part 2 of the Schedule. Insert instead:

Part 2 Annual registration charges

1 Load carrying vehicles

Item	Vehicle type	2-axle	3-axle	4-axle	5-axle
1	Truck (type 1)	\$310	\$620	\$930	\$930
2	Truck (type 2)	\$516	\$826	\$2,066	\$2,066
3	Short combination truck	\$568	\$2,066	\$2,066	\$2,066
4	Medium combination truck	\$3,925	\$3,925	\$4,235	\$4,235
5	Long combination truck	\$5,423	\$5,423	\$5,423	\$5,423
6	Short combination prime mover	\$1,343	\$3,512	\$4,545	\$4,545
7	Medium combination prime mover	\$4,132	\$5,165	\$5,681	\$5,681
8	Long combination prime mover	\$5,165	\$5,165	\$5,681	\$5,681

2 Load carrying trailer, converter dolly and low loader dolly

The charge for a load carrying trailer, converter dolly or low loader dolly is \$310 multiplied by the number of axles of the trailer or dolly.

3 Buses

Item	Bus type	2-axle	3-axle	4-axle
1	Bus (type 1)	\$310	Not applicable	Not applicable
2	Bus (type 2)	\$516	\$1,291	\$1,291
3	Articulated bus	Not applicable	\$516	\$516

4 Special purpose vehicles

Item	Special purpose vehicle type	Charge
1	Special purpose vehicle (type p)	No charge
2	Special purpose vehicle (type t)	\$207
3	Special purpose vehicle (type o)	\$258, plus \$258 times the number of axles in excess of 2

5 Vehicles in 2 or more categories

If a vehicle falls within 2 or more categories, the charge for the vehicle is the higher or highest of the charges applicable to the vehicle.

Schedule 2 Amendment of Motor Vehicles Taxation Act 1988

(Section 4)

[1] Section 5 Amount of tax

Omit section 5 (2) and (3). Insert instead:

- (2) The amount of motor vehicle tax applicable to a motor vehicle for a period of less than one year is the amount calculated by multiplying the relevant motor vehicle tax for one year by the number of days for which registration or renewal of registration is to have effect and dividing the result by 365.
- (3) If registration or renewal of registration of a motor vehicle is to have effect for a period of less than one year, the Authority may impose an additional administration fee of not more than 10 per cent of the relevant motor vehicle tax for that period.

[2] Section 17 Exemptions granted by Minister

Insert at the end of section 17 (1):

- , or
- (p) any motor vehicle that is registered conditionally under the regulations under the *Road Transport (Vehicle Registration) Act 1997*.