

c2021-081E  
GRNS--The Greens

LEGISLATIVE COUNCIL

Electric Vehicles (Revenue Arrangements) Bill 2021

Second print

Proposed amendments

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- No. 1      **Parliament's intention**  
Page 2. Insert after line 19—  
        **6A Parliament's intention**  
                It is Parliament's intention that the total amount of revenue collected under this Act from road user charges be paid into the Consolidated Fund.
- No. 2      **Tolls**  
Page 4, clause 13. Insert after line 42—  
        (3A) The amount of the road user charges payable in relation to a relevant zero or low emissions vehicle for a period is to be reduced by the total amount paid in tolls in relation to that vehicle during that period.
- No. 3      **Privacy—odometer readings**  
Page 5, clause 16. Insert after line 34—  
        (5A) At least one of the ways in which an odometer reading may be given under subsection (5) must be by using a device or system that does not transmit information to Transport for NSW without the intervention of the registered operator of the vehicle or another person.
- No. 4      **Pre-payment of road user charges**  
Page 5, clause 16. Insert after line 42—  
        (6A) Despite subsection (6), a registered operator of a relevant zero or low emissions vehicle does not commit an offence under subsection (6) if the operator—  
            (a) travels no more than 500 kilometres more than the number of kilometres for which the road user charge for the vehicle has been paid, and  
            (b) pays the road user charges for the additional kilometres within 21 days after the operator is given written notice by Transport for NSW that the charges are payable.
- No. 5      **Pre-payment of road user charges—financial hardship**  
Page 5, clause 16. Insert after line 44—

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- (8) Without limiting subsection (7), the regulations may provide—
- (a) that a reasonable excuse may include financial hardship, and
  - (b) for the circumstances or criteria that constitute financial hardship, and
  - (c) for conditions that apply to a reasonable excuse of financial hardship.

No. 6 **Failure to provide odometer reading for post-paid option**

Page 6, clause 17(3), lines 14–16. Omit all words on those lines. Insert instead—

- (4) If the registered operator of a relevant zero or low emissions vehicle fails to provide a current odometer reading for the vehicle as required by subsection (3), the vehicle cannot be sold or otherwise transferred, or registered or the vehicle's registration renewed, until—
  - (a) the registered operator has complied with that subsection, or
  - (b) Transport for NSW has assessed the amount of the road user charges payable based on an estimate of the kilometres travelled that Transport for NSW considers reasonable in the circumstances.

No. 7 **Failure to provide odometer reading as required**

Page 6, clause 18, lines 28–30. Omit all words on those lines. Insert instead—

- (2) If the registered operator of a relevant zero or low emissions vehicle fails to provide a current odometer reading for the vehicle as required by subsection (1), the vehicle cannot be registered or the vehicle's registration renewed, or the vehicle sold or otherwise disposed of, until—
  - (a) the registered operator has complied with that subsection, or
  - (b) Transport for NSW has assessed the amount of the road user charges payable based on an estimate of the kilometres travelled that Transport for NSW considers reasonable in the circumstances.

No. 8 **Sale or other disposal of vehicles**

Page 6, clause 19(3), lines 42–45. Omit “the person must pay” on line 42 and all words on lines 43–45. Insert instead—

- the person cannot do any of the following until the charges are paid—
- (a) register, or renew the registration of, the vehicle,
  - (b) sell or otherwise dispose of the vehicle.

No. 9 **Period for providing information and documents**

Page 8, clause 22(1), line 9. Insert “, not less than 21 days,” after “period stated”.

No. 10 **Privacy—restriction on information that may be requested**

Page 8, clause 22. Insert after line 13—

- (1A) To avoid doubt, information or a document may be requested under subsection (1) only if the information or document is reasonably necessary for the administration of this Act.

No. 11 **Privacy—restriction on disclosure of information**

Page 8. Insert after line 17—

**22A Disclosure of information**

A person must not disclose any information obtained in connection with the administration or execution of this Act unless the disclosure is—

- (a) made with the consent of the person from whom the information was obtained, or

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- (b) made in connection with the administration or execution of this Act, or
  - (c) made under an arrangement under section 23, or
  - (d) otherwise authorised or required by law.

Maximum penalty—

- (a) for an individual—20 penalty units, and
- (b) for a body corporate—100 penalty units.

No. 12 **Power to require information and documents**

Page 8, clause 22(2), lines 15–17. Omit all words on those lines. Insert instead—

- (2A) For the purposes of subsection (2), if a person fails, without reasonable excuse, to comply with a notice in relation to a relevant zero or low emissions vehicle, the vehicle cannot be sold or otherwise transferred, or registered or the vehicle's registration renewed, until the person complies with the notice.

No. 13 **Penalty notices**

Pages 8 and 9, clause 26, lines 40–42 on page 8 and lines 1–18 on page 9. Omit all words on those lines.

No. 14 **Regulation-making powers**

Page 9, clause 27(2), lines 38–40. Omit all words on those lines.

No. 15 **Regulation-making powers to create offences**

Page 10, clause 27(3), lines 10–12. Omit all words on those lines.

No. 16 **Restriction of power to make regulations**

Page 10, clause 27. Insert after line 12—

- (4) To avoid doubt—
  - (a) the regulations may not provide for the payment of fees under this Act, and
  - (b) regulations providing for the payment of road user charges, the assessment of road user charges or the payment of interest and penalties in relation to road user charges may not include a requirement to pay administrative costs that are more than the costs reasonably incurred in producing notices and statements to persons required to pay the road user charges, interest or penalties.