

**Reprint
as at 1 June 2013**



**Road User Charges (Classes of
RUC Vehicles) Exemption Order
2012**

(SR 2012/139)

Jerry Mateparae, Governor-General

Order in Council

At Wellington this 11th day of June 2012

Present:

His Excellency the Governor-General in Council

Pursuant to section 38 of the Road User Charges Act 2012, His Excellency the Governor-General makes the following order, acting—

- (a) on the advice and with the consent of the Executive Council; and
- (b) on the recommendation of the Minister of Transport after having been satisfied of the matters referred to in section 38(2) of that Act.

Note

Changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in this reprint.

A general outline of these changes is set out in the notes at the end of this reprint, together with other explanatory material about this reprint.

This order is administered by the Ministry of Transport.

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	Classes of RUC vehicles in respect of which road user charges are not payable	

Order

1 Title

This order is the Road User Charges (Classes of RUC Vehicles) Exemption Order 2012.

2 Commencement

This order comes into force on 1 August 2012.

3 Interpretation

(1) In this order, unless the context otherwise requires,—

Act means the Road User Charges Act 2012

agricultural purposes includes—

- (a) cultivating land, growing or harvesting crops, rearing livestock, horticulture, and viticulture; and
- (b) land management operations (other than forestry) connected with any of the activities described in paragraph (a)

all-terrain vehicle means a motor vehicle (with or without motorcycle controls and equipment) that—

- (a) is principally designed for off-road use; and
- (b) has 3 or more wheels; and
- (c) has an engine capacity exceeding 50 ml; and
- (d) has a gross laden weight less than 1 000 kg

forklift means a motor vehicle that is not fitted with self-laying tracks and that is designed principally for lifting, carrying, and stacking goods by means of 1 or more tines, platens, or clamps

gross laden weight has the same meaning as in section 2(1) of the Land Transport Act 1998

mobile crane does not include—

- (a) a mobile vehicle recovery unit;
- (b) a truck mounted crane;
- (c) a crane to which a distance recorder is, or could readily be, fitted

self-propelled machine designed for industrial purposes means the following self-propelled machines that are designed and constructed, and not merely adapted, for industrial purposes:

- (a) aerodrome runway sweepers;
- (b) aero engine test benches;
- (c) electrical substations;
- (d) filters for transformer oil;
- (e) log haulers that are stationary when hauling logs

self-propelled vehicle or towed vehicle designed for agricultural purposes—

- (a) means a self-propelled vehicle or towed vehicle that is designed and constructed, and not merely adapted, for agricultural purposes; but
- (b) does not include—
 - (i) a tractor;
 - (ii) a self-propelled or towed vehicle designed for spreading fertiliser if used on a road for the cartage of fertiliser;
 - (iii) a self-propelled vehicle designed as a weed sprayer built on a truck chassis

traction engine has the same meaning as in section 2(1) of the Land Transport Act 1998

tractor means a motor vehicle (other than a traction engine) that is designed and constructed, and not merely adapted, for traction and powering implements.

- (2) Terms or expressions used and not defined in this order but defined in the Act have, in this order, the same meaning as in the Act.

Clause 3(1) **tractor**: replaced, on 1 June 2013, by clause 4 of the Road User Charges (Classes of RUC Vehicles) Exemption Amendment Order 2013 (SR 2013/134).

4 Classes of RUC vehicles in respect of which road user charges are not payable

For the purposes of section 38(1) of the Act, the classes of RUC vehicles in respect of which road user charges are not payable are the classes of RUC vehicles specified in the Schedule.

Schedule

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**Classes of RUC vehicles in respect of
which road user charges are not payable**

Aerodrome crash fire tenders used on road only in emergencies
All-terrain vehicles
Asphalt mixing and paving plants
Bulldozers and angle dozers
Cable jinkers
Forestry chippers used exclusively in forestry operations or management of a forest
Forklifts
Front end loaders
Log forwarders
Log haulers that are not self-propelled and are stationary when hauling logs
Log processors
Mobile cranes
Mobile pile drivers
Motor graders
Motor vehicles propelled and supported solely by self-laying tracks
Plant for servicing oil filled cables
Post debarkers
Road rollers
Saw bench apparatus
Sawing or shearing apparatus used for tree cutting
Self-propelled machines designed for industrial purposes
Self-propelled motor scrapers

Self-propelled trench diggers and excavators

Self-propelled vehicles or towed vehicles designed for agricultural purposes, for example,—

- (a) combine harvesters:
- (b) cultivation equipment:
- (c) feed troughs:
- (d) hay balers:
- (e) hay rakes:
- (f) maize harvesters:
- (g) pea viners:
- (h) silage choppers:
- (i) silage wagons:
- (j) windrowers

Self-propelled vehicles that are always unladen on the road and designed exclusively for carrying earth or other bulk materials

Self-propelled water carts that are always unladen on the road

Sidehandlers

Stone and gravel crushing and screening plants

Telehandlers

Traction engines

Tractors

Trailer scrapers that are not self-propelled

Trailers towed by a traction engine, forklift, telehandler, sidehandler, or self-propelled machine designed for industrial purposes

Michael Webster,
for Clerk of the Executive Council.

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Notes**1 General**

This is a reprint of the Road User Charges (Classes of RUC Vehicles) Exemption Order 2012. The reprint incorporates all the amendments to the order as at 1 June 2013, as specified in the list of amendments at the end of these notes.

Relevant provisions of any amending enactments that contain transitional, savings, or application provisions that cannot be compiled in the reprint are also included, after the principal enactment, in chronological order. For more information, see <http://www.pco.parliament.govt.nz/reprints/>.

2 Status of reprints

Under section 16D of the Acts and Regulations Publication Act 1989, reprints are presumed to correctly state, as at the date of the reprint, the law enacted by the principal enactment and by the amendments to that enactment. This presumption applies even though editorial changes authorised by section 17C of the Acts and Regulations Publication Act 1989 have been made in the reprint.

This presumption may be rebutted by producing the official volumes of statutes or statutory regulations in which the principal enactment and its amendments are contained.

3 How reprints are prepared

A number of editorial conventions are followed in the preparation of reprints. For example, the enacting words are not included in Acts, and provisions that are repealed or revoked

are omitted. For a detailed list of the editorial conventions, see <http://www.pco.parliament.govt.nz/editorial-conventions/> or Part 8 of the *Tables of New Zealand Acts and Ordinances and Statutory Regulations and Deemed Regulations in Force*.

4 Changes made under section 17C of the Acts and Regulations Publication Act 1989

Section 17C of the Acts and Regulations Publication Act 1989 authorises the making of editorial changes in a reprint as set out in sections 17D and 17E of that Act so that, to the extent permitted, the format and style of the reprinted enactment is consistent with current legislative drafting practice. Changes that would alter the effect of the legislation are not permitted. A new format of legislation was introduced on 1 January 2000. Changes to legislative drafting style have also been made since 1997, and are ongoing. To the extent permitted by section 17C of the Acts and Regulations Publication Act 1989, all legislation reprinted after 1 January 2000 is in the new format for legislation and reflects current drafting practice at the time of the reprint.

In outline, the editorial changes made in reprints under the authority of section 17C of the Acts and Regulations Publication Act 1989 are set out below, and they have been applied, where relevant, in the preparation of this reprint:

- omission of unnecessary referential words (such as “of this section” and “of this Act”)
- typeface and type size (Times Roman, generally in 11.5 point)
- layout of provisions, including:
 - indentation
 - position of section headings (eg, the number and heading now appear above the section)
- format of definitions (eg, the defined term now appears in bold type, without quotation marks)
- format of dates (eg, a date formerly expressed as “the 1st day of January 1999” is now expressed as “1 January 1999”)

- position of the date of assent (it now appears on the front page of each Act)
- punctuation (eg, colons are not used after definitions)
- Parts numbered with roman numerals are replaced with arabic numerals, and all cross-references are changed accordingly
- case and appearance of letters and words, including:
 - format of headings (eg, headings where each word formerly appeared with an initial capital letter followed by small capital letters are amended so that the heading appears in bold, with only the first word (and any proper nouns) appearing with an initial capital letter)
 - small capital letters in section and subsection references are now capital letters
- schedules are renumbered (eg, Schedule 1 replaces First Schedule), and all cross-references are changed accordingly
- running heads (the information that appears at the top of each page)
- format of two-column schedules of consequential amendments, and schedules of repeals (eg, they are rearranged into alphabetical order, rather than chronological).

5 *List of amendments incorporated in this reprint
(most recent first)*

Road User Charges (Classes of RUC Vehicles) Exemption Amendment Order
2013 (SR 2013/134)
