

Act No. 99

**STATE ROADS (MOTOR VEHICLES TAXATION)
AMENDMENT BILL 1987**

NEW SOUTH WALES



EXPLANATORY NOTE

(This Explanatory Note relates to this Bill as introduced into Parliament)

This Bill is cognate with the Motor Vehicles Taxation (Amendment) Bill 1987.

The object of this Bill is to amend the State Roads Act 1986 so as—

- (a) to alter (as a consequence of the enactment of the proposed Motor Vehicles Taxation (Amendment) Act 1987) the provisions of that Act dealing with payments of motor vehicles taxation into the Country and Metropolitan Roads Funds so that the proportion of that taxation paid into each fund will remain approximately the same as it is currently;
- (b) to provide a system for the issue of permits to enable certain heavy vehicles to exceed applicable weight limits and to make provision for a charge to recoup the extra cost of road maintenance thereby made necessary;
- (c) to empower regulations to be made prescribing fees in respect of exemptions and authorities granted under the regulations; and
- (d) to increase the maximum penalties which may be imposed for a breach of the regulations.

Clause 1 specifies the short title of the proposed Act.

State Roads (Motor Vehicles Taxation) Amendment 1987

Clause 2 provides for the commencement of the proposed Act. Formal provisions will commence on assent. Provisions concerning the proposed excess vehicle weight permit scheme will commence on a day to be appointed by the Governor-in-Council. Other provisions will commence on 1 July 1987.

SCHEDULE 1—AMENDMENTS TO THE STATE ROAD ACT 1986

Schedule 1 (1) inserts proposed sections 72A and 72B into the Principal Act:

- (a) Proposed section 72A provides for the issue of excess vehicle weight permits by the Commissioner for Main Roads. Such a permit enables a vehicle to which it applies to exceed weight limits otherwise applicable to it when using State roads.
- (b) Proposed section 72B provides for the charge which is payable for an excess vehicle weight permit. The charge is calculated in accordance with the regulations and is based on the extra cost of road maintenance attributable to the use of State roads by a vehicle which exceeds otherwise applicable weight limits. Charges collected will be paid into the Metropolitan and Country Roads Funds.

Schedule 1 (2) (a) alters the provision under which the tax, imposed by the Motor Vehicles (Taxation) Act 1980, is payable into the Metropolitan Roads Fund. Currently the amount payable is calculated as a proportion of motor vehicles tax levy together with a different proportion of motor vehicles weight tax. Those taxes will be replaced with a single motor vehicles tax by the proposed Motor Vehicles Taxation (Amendment) Act 1987. The new proportion of the single motor vehicles tax which will now be required to be paid into that Fund will give approximately the same result as the current requirements.

Schedule 1 (2) (b) provides for the payment into the Metropolitan Roads Fund of a proportion of excess vehicle weight permit charges paid under proposed section 72A.

Schedule 1 (3) and (5) require money paid into the Metropolitan and Country Roads Funds out of charges for excess vehicle weight permits to be used only for maintenance of public roads in the State including by way of advances to councils to defray increased costs of road maintenance caused by the use of local roads by heavy vehicles.

Schedule 1 (4) (a) makes a similar amendment to that effected by Schedule 1 (2) (a) in relation to the Country Roads Fund.

Schedule 1 (4) (b) provides for the payment into the Country Roads Fund of a proportion of excess vehicle weight permit charges paid under proposed section 72A.

Schedule 1 (6) (a) and (b) empower the making of regulations under the Principal Act to fix the fees to be paid in connection with exemptions granted and permits and authorities issued under the regulations.

Schedule 1 (6) (c) increases the maximum penalties which may be imposed for an offence against the regulations. The maximum penalty for a first offence increases from \$1,000 to \$1,500. The maximum penalty for a second or subsequent offence increases from \$2,000 to \$3,000.
