

Land Transport (Vehicle User Safety) Amendment Bill

Member's Bill

Explanatory note

General policy statement

The washing of vehicle windows has been a long-running problem in parts of New Zealand where motor vehicle users have been subjected to intimidation and safety hazards caused by groups of people soliciting money in exchange for washing car windows.

Some local authorities have attempted to stop this practice by way of a bylaw; however, the legislation enabling a local authority to create bylaws does not generally allow a local authority to make offences against a bylaw an infringement offence. By making the washing of vehicles in a way that is unsafe, intimidating, or causing a nuisance an infringement offence, enforcement authorities will have greater ability to stop and penalise individuals for such behaviour.

This Bill proposes using the existing infringement regime established under the Land Transport Act 1998, which is well known to the New Zealand Police, by amending that Act, the Land Transport (Road User) Rule 2004, and the Land Transport (Offences and Penalties) Regulations 1999, to put in place an enforcement regime against window washing.

Clause by clause analysis

Clause 1 is the Title clause.

Clause 2 provides that the Bill comes into force on the day after the date on which it receives the Royal assent.

Clause 3 provides that the purpose of the Bill is to provide for greater safety of road users by prohibiting the washing of vehicles in certain circumstances.

Clause 4 amends the Land Transport Act 1998 to provide for the Minister of Transport to make rules to regulate or prohibit road user behaviour that poses a safety hazard, threat of a safety hazard, or nuisance to any other road user.

Clause 5 amends the Land Transport (Road User) Rule 2004 to provide that a road user must not use a road to wash or offer to wash a vehicle, or any part thereof, in a manner that may be unsafe, that may intimidate or cause a nuisance to any person, or may cause an obstruction to vehicles.

Clause 6 amends the Land Transport (Offences and Penalties) Regulations 1999 to provide penalties for committing an offence of washing vehicles in certain circumstances.

Jami-Lee Ross

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The Parliament of New Zealand enacts as follows:

1 Title

This Act is the Land Transport (Vehicle User Safety) Amendment Act **2016**.

2 Commencement

This Act comes into force on the day after the date on which it receives the Royal assent. 5

3 Purpose

The purpose of this Act is to provide for greater safety of road users by prohibiting the washing of vehicles in a manner that may be unsafe, that may intimidate or cause a nuisance to any person, or may cause an obstruction to vehicles. 10

4 Amendment to Land Transport Act 1998

- (1) This section amends the Land Transport Act 1998.
- (2) After section 153(d), insert:
 - (e) regulate or prohibit road user behaviour that poses a safety hazard, threat of a safety hazard, or nuisance to any other road user.

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5 Amendment to Land Transport (Road User) Rule 2004

- (1) This section amends the Land Transport (Road User) Rule 2004.
- (2) After clause 11.19, insert:

Part 12

Washing of vehicles

12.1 Washing of vehicles

A road user must not use a road to wash or offer to wash a vehicle, or any part thereof, in a manner that may be unsafe, that may intimidate or cause a nuisance to any person, or may cause an obstruction to vehicles.

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6 Amendment to Land Transport (Offences and Penalties) Regulations 1999

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- (1) This section amends the Land Transport (Offences and Penalties) Regulations 1999.
- (2) In Schedule 1, under the heading “*Land Transport (Road User) Rule 2004 (61001)*.”, after the item relating to clause 11.17, insert:

12.1	Washing of vehicles	1,000	—	150	—
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