



SUBMISSION

Submission: Antisocial Road Use Legislation Amendment Bill

To: Justice Committee
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Ia Ara Aotearoa Transporting New Zealand submission on the Antisocial Road Use Legislation Amendment Bill

Introduction

- 1 Ia Ara Aotearoa Transporting New Zealand (Transporting New Zealand) welcomes the opportunity to make a submission to the Justice Committee on the Antisocial Road Use Legislation Amendment Bill (the Bill).
- 2 Transporting New Zealand supports the principle of draft legislation, to give police more powers to respond to antisocial driving behaviour and to introduce stronger penalties to further help deter offending, particularly illegal street racing or gatherings, as these can often occur in industrial areas and private roads where truck fleets visit depots or may be domiciled, and these events can damage the road surface or other property and leave tyre debris.
- 3 There is nothing confidential in our submission and we permit it to be published in full.
- 4 Transporting New Zealand does not wish to speak to this submission in hearings conducted by Justice Committee on this Bill.

Comments on the draft Bill

Part 1: Amendments to Land Transport Act 1998

Clause 10: New section 39A inserted (Dangerous or reckless activity offence conduct in frightening or intimidating convoy)

- 5 Transporting New Zealand supports the inclusion of the definitions in the Bill into the Land Transport Act for dangerous or reckless activity, including sustained loss of traction (previously defined in other legislation) which covers street racing and burn-outs which can occur in industrial areas frequented by trucks. This offending not only affects the occupiers of these areas and visitors, but also the noise can disturb neighbouring residential areas where typically this behaviour occurs late at night.
- 6 Dangerous or reckless driving also tends to occur at night, and so can pose a particular risk to the safety of truck drivers who frequently operate at night. In the 2025 National Road Freight Industry Survey¹ conducted by Research NZ for Transporting New Zealand, the health safety and wellbeing of drivers was ranked as the third-highest concern (42% of respondents) of road freight businesses.

Part 2: Amendments to Sentencing Act 2002

¹ <https://www.transporting.nz/news/national-road-freight-industry-survey-2025>

Clause 36: New sections 142AAG to 142AAN and cross-heading inserted

- 7 Transporting New Zealand is supportive in principle of the new clauses which introduces the presumptive sentence of mandatory forfeiture, or destruction, of motor vehicles used in specific types of offences, including by first-time offenders. We think the penalties for these offences, including vehicle owners failing to provide details of the offender using the vehicle, may help act as a deterrent to extreme antisocial road behaviour.

Part 3: Amendments to other legislation and consequential amendments

Subpart 1 – Amendments to Policing Act 2008

Clause 42: Section 35 replaced (Temporary closing of roads)

- 8 Transporting New Zealand supports the ability for police to temporarily close roads where antisocial driving may be occurring (or is imminent), under the narrow grounds specified in the clause.

Subpart 3 – Amendments to Land Transport (Offences and Penalties) Regulations 1999

Clause 48: Schedule 1 amended

- 9 Transporting New Zealand cautions about raising the infringement fee for an individual who creates excessive noise within or on a vehicle, from \$50 to \$300, in that in order for penalties to have a deterrent effect, people firstly need to know what the penalty is.
- 10 Within the ‘boy racer’ community, regular offenders may be familiar with the current penalty – albeit currently the number of noise infringements issued is low (59 in 2023) – and thus raising the penalty amount may have the desired deterrent effect and be generally supported by the public. But for first time offenders, including those accidentally or unknowingly playing music in a car too loud for example, a \$300 penalty may come as a surprise and represents a 600% increase from the current penalty.
- 11 We suggest that a hierarchy of fees could be applied; such as a lower penalty (e.g. \$50 or \$100) with a warning for a first infringement, and the higher penalty applying for subsequent infringements against the same person.

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About Ia Ara Aotearoa Transporting New Zealand

Ia Ara Aotearoa Transporting New Zealand is a national membership association representing the road freight transport industry. Our members operate urban, rural and inter-regional commercial freight transport services throughout the country.

As the peak body and authoritative voice of the road freight sector, Transporting New Zealand's purpose is creating the environment where trucking operators can drive successful, safe, sustainable businesses. Our focus areas for the period 2025 to 2027:

- Advocacy and policy
- Improving infrastructure to improve productivity
- Making our industry and our members businesses stronger and more resilient
- Sustainability
- Transporting New Zealand business performance

New Zealand's road freight transport industry employs 33,000 people (1.2% of the total workforce), and has a gross annual turnover in the order of \$6 billion. This is part of a wider transport sector that employs 108,000 people and contributes 4.8 percent of New Zealand's GDP. Road freight transport accounts for 93% of the total tonnage of freight moved in New Zealand (MoT National Freight Demands Study 2018).