

Early resolution of a toll fee imposed on previous vehicle owner

Legislation	Ombudsmen Act 1975
Agency	Waka Kotahi (New Zealand Transport Agency)
Ombudsman	Peter Boshier
Case number(s)	545816
Date	31 March 2021

Toll fee charged by Waka Kotahi to a previous vehicle owner who had left the country — Ombudsman inquiries with Waka Kotahi resulted in the toll fee being waived — complaint resolved without need for formal investigation

Background

The complainant sold her car and left New Zealand in December 2019.

In 2020, she received correspondence from a debt collection agency that she had an outstanding debt with Waka Kotahi for toll fees incurred that year. The complainant contacted Waka Kotahi to explain that at the time the toll was incurred, she was not the owner of the car, nor physically in New Zealand. She provided evidence of the car sale agreement and flight documents.

Waka Kotahi explained that because she was the registered vehicle owner at the time the fee was incurred, she was liable for the charges.

Preliminary inquiries

Waka Kotahi's decision was raised as a complaint to the Ombudsman. Inquiries were made to Waka Kotahi about the circumstances surrounding the decision, and to ask if there was any discretion to waive toll fees.

As a result of these inquiries, Waka Kotahi further investigated the options available to resolve the matter. Based on the evidence of the vehicle sale, they contacted the complainant to

advise that the toll debt had been waived. Waka Kotahi advised that they would inform the debt collection agency of this change, and that her credit rating would not be affected.

Outcome

As the Ombudsman's inquiries resolved the complaint, no investigation was necessary.

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