

**2000**

**THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY**

**ROAD TRANSPORT (DRIVER LICENSING) ACT 1999  
ROAD TRANSPORT (DRIVER LICENSING) REGULATIONS  
2000**

**ROAD TRANSPORT (GENERAL) ACT 1999  
ROAD TRANSPORT (GENERAL) REGULATIONS 2000  
ROAD TRANSPORT (OFFENCES) REGULATIONS 2000**

**ROAD TRANSPORT LEGISLATION REGULATIONS  
AMENDMENT**

**Subordinate Law No. 32 of 2000**

**EXPLANATORY STATEMENT**

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Brendan Smyth MLA  
Minister for Urban Services

# AUSTRALIAN CAPITAL TERRITORY

## ROAD TRANSPORT (DRIVER LICENSING) ACT 1999 ROAD TRANSPORT (DRIVER LICENSING) REGULATIONS 2000

### ROAD TRANSPORT (GENERAL) ACT 1999 ROAD TRANSPORT (GENERAL) REGULATIONS 2000 ROAD TRANSPORT (OFFENCES) REGULATIONS 2000

### ROAD TRANSPORT LEGISLATION REGULATIONS AMENDMENT

### SUBORDINATE LAW No. 32 OF 2000

### EXPLANATORY STATEMENT

#### Amendment of the Road Transport (Driver Licensing) Regulations 2000

The amendments have been made to incorporate the Road Ready Program that is being introduced by the Road Transport Authority (Authority).

#### **Part1 - Preliminary**

1. These regulation amendments will commence on 1 August 2000.

#### **Part 2 – Amendments of Road Transport (Driver Licensing) Regulations**

2. Part 2 of the amendments is amending the Road Transport (Driver Licensing) Regulations 2000.
3. Regulation 16 is amended to reflect the new terminology used under the Road Ready Program and the fact that these courses will be conducted by external sources.
4. Regulation 26 is repealed and replaced with a new regulation 26. The new regulation sets out what courses the Authority may approve.
5. Regulation 29 is amended to allow the Authority to exempt persons from this regulation under special circumstances.
6. Regulation 30 is amended to allow the Authority to exempt persons from this regulation under special circumstances.

7. Regulations 36 and 37 are repealed and replaced with new regulations for 36, 36A, 37 and 37A. These new regulations expand the repealed regulations for provisional licence holders of motorcycle and motor vehicles respectively by incorporating the new requirements for provisional licence holders who obtain their provisional licence on or after 1 August 2000. The new requirements include the completion of an approved provisional driver training course to be eligible for an increase in demerit point allocation and dispensing with the displaying of the P-plate after 6 months.
8. A notation has been placed at the end of regulation 38 to explain the regulation more fully in light of these amendments.
9. Regulation 38A is inserted to allow the Authority to approve courses for the training of provisional licence holders.
10. Regulation 67 is amended to expand the reasons for the Authority to exempt persons from the eligibility requirements.
11. Regulation 123 is amended to reflect the Road Ready Program in that as from 1 August 2000, a provisional licence holder will only be entitled to an allowance of 4 demerit points which will be increased to 8 once the person has completed an approved provisional driver training course.
12. Regulation 124 is amended for the same reasons as set in clause 11 above.
13. Regulation 165 is repealed and replaced with Regulations 165, 166, 167, 168, 169, 170 and 171 to clarify requirements of a person that holds a provisional licence issued before 1 August 2000.

### **Part 3- Amendments to Other Road Transport Regulations**

14. A schedule is attached to these amendments that sets out additional minor amendments.

#### **Schedule 1**

- 1.1 To clarify Regulation 33 by stating that a person obtaining an additional provisional licence class is not required to hold the licence for three years.
- 1.2 Rename the note to note 1 at Regulation 45 to allow for the inclusion of an additional note.
- 1.3 The inclusion of an additional note to Regulation 45 to demonstrate further examples of why a person would not be eligible to apply for a restricted licence.
- 1.4 Clarifies where the Authority obtains the power.
- 1.5 The amendment of the note at Regulation 87(2) is to clarify the process when a payment is not honoured.
- 1.6 Regulation 106(1)(e) is expanded to account for requirements under the Act for applications.
- 1.7 Regulation 107A is a new regulation to allow the Authority the power to issue a replacement certificate of accreditation.
- 1.8 Note omitted as Regulation 112(2) is a "show cause" provision.
- 1.9 Heading amended.
- 1.10 Heading amended.
- 1.11 Heading amended.
- 1.12 Heading amended.
- 1.13 As regulations commenced on 1 March 2000, date of termination of division is now stated as 1 March 2006 rather than 6 years after commencement.

- 1.14 As regulations commenced on 1 March 2000, date of termination of division is now stated as 1 June 2001 rather than 15 months after commencement.
- 1.15 As regulations commenced on 1 March 2000, date of termination of division is now stated as 1 June 2001 rather than 15 months after commencement.
- 1.16 As regulations commenced on 1 March 2000, date of termination of division is now stated as 1 June 2001 rather than 15 months after commencement.
- 1.17 Definition of “approved heavy vehicle training course” amended to reflect changes to Regulation 26.
- 1.18 Definition of “provisional licence” amended to reflect changes in regulations.
- 1.19 Addition of definitions for “approved provisional driver training course” and “approved road ready training course”.

## **Schedule 2**

### **Amendment of the Road Transport (General) Regulations 2000**

2.1 The reviewable decisions for the Authority to refuse to approve a course are amended to reflect to the courses under the Road Ready Program.

### **Amendment of the Road Transport (Offences) Regulations 2000**

- 2.2 Amendment to offence details.
- 2.3 Amendment to offence details.