

Australian Capital Territory

Road Transport (General) (Driver Licensing)

Exemption 2006 (No 1)

Disallowable Instrument DI 2006- 20

EXPLANATORY STATEMENT

Overview

Learner and Provisional Motorcycle Rider Training and Assessment

Currently, a person seeking to obtain an ACT motorcycle rider licence is required to undertake a nine hour pre-licence motorcycle training course and ride as a learner rider for a minimum of three months before being eligible to attempt a rider assessment for a provisional motorcycle licence. Should a learner rider fail the rider assessment, he or she is then required to undertake and pass a six hour pre-provisional riding course before any further assessments can be attempted.

Learner and provisional licence holders are restricted to riding a motorcycle with a power to weight ratio of no greater than 150 kilowatts per tonne. Provisional licence holders can move to a motorcycle with an unrestricted power to weight ratio after the first 12 months as a provisional rider. Riders with a full car licence are only provisional motorcycle licence holders for 12 months before upgrading to a full motorcycle licence.

Australian Federal Police Motorcycle Rider Training

Australian Federal Police (AFP) officers currently undertake an intensive six week (240 hour) Pursuit Motorcycle Course (PMC). This program is designed to train police officers (some of whom may never have ridden a motorcycle before) to the demanding standards required in traffic and pursuit operations.

Legislative Context

Section 13 of the *Road Transport (General) Act 1999* states that the Minister may, in writing, declare that a provision of the road transport legislation does not apply to a person in a place or circumstance. Such a declaration is a Disallowable Instrument.

Exemption from Road Transport Legislation

The purpose of this instrument is to exempt AFP officers who undertake the PMC from complying with certain requirements of the *Road Transport (Driver Licensing) Regulation 2000*. The instrument will enable participants to:

- be issued with a learner licence after the first four days of the training course;
- be issued with a full motorcycle licence after successfully completing the remainder of the motorcycle training course, thereby being exempted from the requirement to hold a provisional licence and the mandatory three month waiting period on a learner licence;
- be exempted from the requirement to display ‘L’ plates during the on-road phase of the course; and
- be exempted from the 150 kilowatt power to weight ratio requirement during and after the training course.

Details

The contractor who delivers the PMC is the Transport Industry Skills Centre (TISC). TISC instructors conducting the course include ex-AFP officers with significant background and experience in motorcycle skills training. The course is conducted at a three to one student to instructor ratio.

Before an officer is accepted for the training course, he or she must have a full car driver licence and have completed a nine-day police car driver’s course, which includes urgent duty pursuit driving in a six-cylinder police car. Officers are not eligible to apply for motorcycle training until at least 12 months after completing the car course.

The PMC involves four days intensive training at the Sutton Road Driver Training Centre (SRDTC) to ACT competency standards required for an ACT motorcycle licence. On completion of the four day period, training officers will decide if trainees have reached the desired level of competency to continue the course, those that have not will be returned to normal duties. More advanced training is then conducted at SRDTC (80%) and on public roads (20%).

In terms of the on-road training component, AFP officers who do not already have a motorcycle licence will need one to ride on a public street. Additionally, these officers will often be riding motorcycles in the AFP fleet that do not meet the power to weight ratio required of a learner or provisional rider. Motorcycles used for training border on (or are just over) the 150 kilowatts per tonne power to weight ratio, depending on the model.

Road Transport legislation requires ‘L’ and ‘P’ plates to be displayed by learner and provisional licence holders. Due to the intensive training AFP officers are required to undertake both in car pursuit training and motorcycle rider training, it is considered that this requirement for AFP officers is unnecessary.

The in-depth training undertaken by police motorcycle trainees far outweighs the training undertaken by the average civilian motorcyclist (9 to 15 hours versus 240 hours). It is considered that the motorcycle training undertaken by the police places them in a position that advances them to full licence status in a short time, particularly given that the course also includes high speed pursuit and advanced manoeuvrability training.