

Australian Capital Territory

Road Transport (Driver Licensing) Amendment Regulation 2006 (No 1)

Subordinate Law SL2006-50

made under the

Road Transport (Driver Licensing) Act 1999

EXPLANATORY STATEMENT

OVERVIEW

The *Road Transport (Driver Licensing) Amendment Regulation 2006 (No 1)* (the Amendment Regulation) amends the *Road Transport (Driver Licensing) Regulation 2000*.

The main features of the Amendment Regulation are:

- the minimum age that a person is eligible to obtain a licence to drive a public passenger vehicle is reduced from 21 years to 20 years;
- a person must have held a provisional licence, or a combination of a provisional and full licence, for a minimum of 3 years before being eligible for a public vehicle driver licence; and
- a person must hold a full licence to obtain a public vehicle driver licence.

The objective of the Amendment Regulation is to improve driver licensing standards for public passenger vehicle drivers (ie the drivers of taxis, buses and hire cars) to optimise road safety and to ensure licensing arrangements in the ACT are consistent with those in other jurisdictions.

DETAIL

1 Name of regulation

Clause 1 provides the name of the regulation, the *Road Transport (Driver Licensing) Amendment Regulation 2006 (No 1)*.

2 Commencement

Clause 2 specifies that the regulation commences on 1 December 2006.

3 Legislation amended

Clause 3 notes that the regulation amends the *Road Transport (Driver Licensing) Regulation 2000*.

4 Section 6 (1)

Clause 4 amends section 6 (1) which deals with provisional, full, restricted or probationary licences being varied to become a conditional or public vehicle licence. The current provision allows a provisional licence to be varied to a public vehicle licence. The amendment removes this option with the result that a provisional licence holder is not eligible to apply for a public vehicle licence.

5 Section 6 (2)

Clause 5 amends section 6 (2) which provides that a learner licence may be issued or varied to become a conditional licence. As a consequence of clause 4, the provision that a provisional licence may also be issued or varied to become a conditional licence, previously in section 6 (1), is now contained in section 6 (2).

6 Section (3) and (4)

Clause 6 inserts a new section 6 (3) and (4) to provide that if a provisional licence was varied before the commencement of the amendments at Clause 5, the licence will remain valid. These subsections will expire after 3 years.

7 Section 62 (3) (a)

Clause 7 amends section 62 (3) (a) which specifies the age at which a person is eligible to apply for a public vehicle licence. The amendment reduces the age a person is eligible to hold a public vehicle licence from 21 years to 20 years.

8 Section 62 (3) (f), (g) and (h)

Clause 8 amends section 62 (3) (f), (g) and (h) which deal the period of time a person must hold a provisional or full licence before being eligible to for a public vehicle licence.

The amendment substitutes new section 62 (3) (f), (g) and (h) to provide that to be eligible for a public vehicle licence a person must have held a provisional or full car licence for at least 3 years, replacing the current period of 1 year. In addition, applicants must hold current full licences of the relevant kind, for example, a full motorcycle licence for a licence to drive a hire car that is a motorcycle.

The amendment also includes provisions about people from overseas. A person from overseas, who has previously held an overseas driver licence, will be eligible for a public vehicle licence if they have held a full Australian licence for a period of at least 1 year in the last 5 years.