

Australian Capital Territory

Road Transport (Driver Licensing) Amendment Regulation 2006 (No 2)

Subordinate Law SL2006-60

made under the

Road Transport (Driver Licensing) Act 1999

EXPLANATORY STATEMENT

OVERVIEW

The *Road Transport (Driver Licensing) Amendment Regulation 2006 (No 2)* (the Amendment Regulation) amends the *Road Transport (Driver Licensing) Regulation 2000*.

The main features of the Amendment Regulation are:

- the requirement that an applicant for a learner licence must have completed the road ready training course in the two years prior to the date of the application;
- a requirement for a person whose licence has expired by more than five years and who applies for the issue of a driver licence to provide evidence that the person has successfully passed the road rules knowledge test component of an approved road ready training course, within the preceding two years;
- an amendment to clarify when an application for licence renewal can be made; and
- a requirement for a person who applies for the renewal of a learner licence to provide evidence that the person has successfully passed the road rules knowledge test component of an approved road ready training course during the two year period before the date of the application.

The objective of the Amendment Regulation is to ensure that inexperienced or out of practice drivers can demonstrate a recent understanding of the road rules.

DETAIL

1 Name of regulation

Clause 1 provides the name of the regulation, the *Road Transport (Driver Licensing) Amendment Regulation 2006 (No 2)*.

2 Commencement

Clause 2 specifies that the regulation commences on the day after its notification day.

3 Legislation amended

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

4 Section 16 (3)

Clause 4 amends section 16 (3) which outlines the eligibility requirements for a learner motorcycle licence. The amendment introduces the requirement that an applicant must have completed an approved road ready training course within the two years prior to the application date. As a consequence of the amendment, the provisions relating to the approved road ready training course and the pre-learner rider training course are now contained within section 16 (3) (b).

5 Section 16 (4) (b)

Clause 5 amends section 16 (4) (b) which outlines the eligibility requirements for a learner car licence. The amendment introduces the requirement that an applicant must have completed an approved road ready training course within the two years prior to the application date.

6 Section 16 (5)

Clause 6 inserts a new section 16 (5) to provide that subsection (3) (b) (i) and subsection (4) (b), that deal with the requirement for a person to complete an approved road ready training course, do not apply if the person holds a driver licence of another kind.

7 Section 67 (1) (a)

Clause 7 amends section 67 (1) (a) as a consequence of the amendment to section 16 (3). Section 67 (1) (a) provides that the Authority may exempt a person from the eligibility requirements to apply for a learner licence. The amendment omits the reference to section 16 (3) (c) from this section as a result of the renumbering to section 16 (3).

8 Section 69 (3A)

Clause 8 inserts a new section 69 (3A) which includes a requirement for the issue of a driver licence where a person's licence has expired by more than five years (other than a restricted driver licence) that the person must provide the Road Transport Authority with evidence that the person has successfully completed the knowledge test component of an approved road ready training course within the two years prior to the application.

9 Section 85 (1)

Clause 9 amends the provisions relating to the application procedure for the renewal of a driver licence (other than a restricted driver licence). The amendment sub divides section 85 (1) into two separate subsections, 85 (1) and 85 (1A). Currently section 85 (1) provides that a driver licence can be renewed any time during the five year period after the driver licence expires. Clause 9 amends this provision to allow for renewal of a driver licence within the 12 month period before the licence expiry.

Clause 9 also includes the introduction of a requirement under subsection (1A) (c) that for an application to renew a learner licence, a person must provide evidence that they have successfully completed the knowledge test component of an approved road ready training course during the 2 year period before the day the application is made.