

# Road Transport (Driver Licensing) Driving Instruction Code of Practice 2006 (No 1)

## Disallowable Instrument DI2006-269

made under the

**Road Transport (Driver Licensing) Regulation 2000, Section 118 (Code of Practice for Driving Instruction)**

## EXPLANATORY STATEMENT

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The Code of Practice provides a set of rules for the conduct, standard and presentation of vehicles of Accredited Driving Instructors (ADI's) participating in the ACT's Competency Based Training and Assessment (CBT & A) Scheme for learner drivers.

The Code of Practice came into effect on 23 October 1997 under the then *Motor Traffic (Amendment) Act (No 8) 1997*. This legislation was repealed on 1 March 2000 and the Code of Practice became part of the *Road Transport (Driver Licensing) Regulation 2000*. The Code is a disallowable instrument.

Consultation between industry stakeholders (Australian Driver Training Association) and the Road Transport Audit Office has identified a problem with some vehicles being used by ADIs being unsuitable for driver instruction and audit purposes. These vehicles preclude RTA auditors from sitting in the rear seating position because of insufficient room. This necessitates a change to Section 6.1 of the Code of Practice for Driving Instruction, which clarifies the requirements for ADIs ensuring that only suitable vehicles having four legal adult seating positions are used for CBT&A and audit purposes.

The objective of the Code of Practice is to ensure driver training and assessments are conducted to the Road Transport Authority's standards and audit requirements.

The following section of the Code has been amended:

### **Section 6 1– Presentation and Vehicle**

A vehicle provided by an instructor to be used for instruction or assessment must be clean and tidy, both inside and outside, having regard to prevailing weather conditions. The vehicle must have a minimum of four legal adult seating positions fitted with seat belts and be capable of comfortably carrying an adult observer in a rear seating position in accordance with the list of approved vehicles agreed between the Road Transport Authority and the ADTA and the requirements of 8.2 and 8.3 of the Code of Practice.”

The Road Transport Authority has prepared a list of suitable vehicles currently used by ADIs in which Auditors can be seated in the rear. This list is applicable to all vehicles entering ADI service from 1 January 2007 and all ADI Vehicles from 1 January 2008. The list will be regularly updated as newer model suitable vehicles arrive on the market. It is proposed that ADIs seeking to update their vehicles in the future would contact the RTA Audit Office to ensure the vehicle being purchased for driving instruction purposes complies with the Code of Practice.

This declaration is a disallowable instrument, and must be presented to the Legislative Assembly within 6 sitting days after its notification in pursuance of section 64 of the *Legislation Act 2001*.