

**2003**

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

**ROAD TRANSPORT (DRIVER LICENSING) AMENDMENT  
REGULATIONS 2003**

**EXPLANATORY STATEMENT**

Circulated by authority of

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# AUSTRALIAN CAPITAL TERRITORY

## ROAD TRANSPORT (DRIVER LICENSING) AMENDMENT REGULATIONS 2003 SL2003-34

### EXPLANATORY STATEMENT

#### Overview

The Road Transport (Driver Licensing) Amendment Regulations 2003 (No. 1) amend the Road Transport (Driver Licensing) Regulations 2000. The amendments facilitate the introduction of the revised driver licence medical guidelines, “Assessing Fitness to Drive 2003”. These replace the “Assessing Fitness to Drive (1998)” and “Medical Examinations of Commercial Vehicle Drivers (November 1994)” publications.

The new national driver medical standards aim to contribute to improved road safety in Australia by facilitating management of drivers in relation to their health. “Assessing Fitness to Drive 2003” has been developed by the National Road Transport Commission and Austroads and is the result of extensive consultation with health organisations, licensing authorities, the trucking industry, unions and lay groups. The new document reflects current medical knowledge, the current transport environment and other requirements in relation to privacy and anti-discrimination.

The new standards have been formally approved by all State and Territory Licensing Authorities, the transport industry, unions and endorsed by the Royal Australian College of General Practitioners, the Royal Australasian College of Physicians and the Australian Medical Association.

The key changes to the standards have been made in relation to: vision, HIV/AIDS, diabetes and sleeping disorders.

#### Detail

##### Clause 1 – Name of Regulations

This clause names the amendment Regulations.

**Clause 2 – Commencement**

This clause provides for the commencement date of the changes to the regulations. The commencement date is 1 October 2003 to match implementation in NSW, South Australia and Tasmania.

**Clause 3 – Regulations amended**

Specifies that the Road Transport (Driver Licensing) Regulations 2000 are the regulations being amended.

**Clause 4 – Regulation 15 (2)**

This amendment reflects the definition of the new medical guidelines.

**Clause 5 – Regulation 62 (4)**

This is a consequential amendment reflecting the definition of the new medical guidelines, in respect of medical standards for public vehicle drivers.

**Clause 6 – Regulation 63(2)(a), 69(5)(d) and 78(2)(c)**

These are consequential amendments reflecting the definition of the new medical guidelines.

**Clause 7 – Regulation 78(3)**

This is a consequential amendment reflecting the definition of the new medical guidelines.

**Clause 8 – Regulation 104(2)**

This is a consequential amendment reflecting the definition of the new medical guidelines, in respect of medical standards for accredited driving instructors.

**Clause 9 – Regulation 120(1)(b)(iii)**

This is a consequential amendment.

**Clause 10 – Regulation 120(2)**

This is a consequential amendment.

**Clause 11 – New division 10.2**

This amendment proposes a new section to allow for a transitional period of six months for the new medical guidelines.

**Clause 12 – Dictionary, definition of required medical standards**

This amendment inserts the new definition used in regard to medical guidelines into the dictionary.