

Road Transport (Driver Licensing) Rider Training Course Approval 2018 (No 1)

Notifiable instrument NI2018-624

made under the

Road Transport (Driver Licensing) Regulation 2000, sections 26 (1) (b) and 26 (1) (c)
(Approval of training courses)

1 Name of instrument

This instrument is the *Road Transport (Driver Licensing) Rider Training Course Approval 2018 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Approval

1) I approve the **Pre-Learner Rider Training Course** delivered by Stay Upright Motorcycle Techniques Pty Ltd for the purposes of section 26 (1) (b) of the *Road Transport (Driver Licensing) Regulation 2000* subject to the conditions contained in Schedule 1 to this instrument.

2) I approve the **Pre-Learner Rider Training Course** delivered by Ascent Training Services Pty Ltd trading as Revolution Rider Training for the purposes of section 26 (1) (b) of the *Road Transport (Driver Licensing) Regulation 2000* subject to the conditions contained in Schedule 1 to this instrument.

3) I approve the **Pre-Provisional Rider Training Course** delivered by Stay Upright Motorcycle Techniques Pty Ltd for the purposes of section 26 (1) (c) of the *Road Transport (Driver Licensing) Regulation 2000* subject to the conditions contained in Schedule 1 to this instrument.

4) I approve the **Pre-Provisional Rider Training Course** delivered by Ascent Training Services Pty Ltd trading as Revolution Rider Training for the purposes of section 26 (1) (c) of the *Road Transport (Driver Licensing) Regulation 2000* subject to the conditions contained in Schedule 1 to this instrument.

5) Schedule 2 of this instrument contains the application process for approval under section 26 (1) (b) and section 26 (1) (c) of the *Road Transport (Driver Licensing) Regulation 2000*.

4 Revocation

This instrument revokes *Road Transport (Driver Licensing) (Rider Training Course) Approval 2012 NI2012-357*.

Kerry Bell
Delegate of the Road Transport Authority
13 November 2018

Schedule 1

Conditions of Approval to deliver a Pre-Learner Rider Training Course and/or a Pre-Provisional Rider Training Course

The failure to comply with any of the items listed in this part of the Schedule by an Approved Course Provider may, at the discretion of the Territory, give rise to a ground for repeal of the approval in this instrument.

Approved Course Providers must ensure all courses and assessments are undertaken in accordance with the restrictions on learner motorcycle licence riders in section 20 of the *Road Transport (Driver Licensing) Regulation 2000*.

Item 1 Pre-Learner Licence Training Course

- 1) An Approved Course Provider must provide people who wish to apply for a learner motorcycle licence with a Pre-Learner Licence Training Course (**Pre-Learner Course**) that includes both theory and practical components and totals seven (7) hours of instruction.
- 2) The Pre-Learner Course must:
 - a. reduce the learner rider's vulnerability to crashes;
 - b. develop the learner rider's knowledge and skills to a level whereby they can operate a motorcycle in an on road situation without having to concentrate on the basic manipulatory skills;
 - c. instil in the learner rider a responsible attitude to road use as a motorcyclist; and
 - d. be conducted using the NSW RTA Pre-Learner Rider Training Manual 2008 edition.
- 3) An Approved Course Provider must seek the Territory's prior written approval if it proposes to use material different from the approved Training Manual.
- 4) An Approved Course Provider must commence the Pre-Learner Course within 14 days of booking by the learner rider.
- 5) An Approved Course Provider must ensure that people booking to attend the Pre-Learner course have the following as proof of eligibility to undertake the Pre-Learner Course:

- a. a driver's licence or learner licence; or
 - b. have completed an approved road ready training course within the past 18 months.
- 6) An Approved Course Provider must ensure that there are no more than 6 learners to one instructor.

Item 2 Pre-Provisional Licence Training Course

- 1) An Approved Course Provider must provide learner riders with a Pre-Provisional Licence Training Course (Pre-Provisional Course) that includes both theory and practical components and totals seven (7) hours of instruction.
- 2) An Approved Course Provider must conduct the Pre-Provisional Course using the Pre-Provisional Rider Training Manual Version 3 – NSW RTA- May 2008 edition.
- 3) An Approved Course Provider must seek the Territory's prior written approval if the Course Provider proposes to use material different from the approved Training Manual.
- 4) An Approved Course Provider must commence the Pre-Provisional Course within 14 days of booking for the course by the learner rider.
- 5) An Approved Course Provider must ensure that there are no more than 6 learners to one instructor.

Item 3 The Provisional Motorcycle Licence Assessment

- 1) An Approved Course Provider must provide a Provisional Motorcycle Licence Assessment (Provisional Assessment) by appointing a Motorcycle Rider Assessor to assess motorcycle licence applicants in accordance with the ACT Motorcycle Operators Skills Test (MOST) or as otherwise advised by the Territory.
- 2) Provisional Assessments can only be undertaken between 7.00am – 7.00pm Mondays to Thursdays, 7.00am – 9.00pm Fridays and 7.00am – 7.00pm Saturdays.
- 3) An Approved Course Provider must ensure that Provisional Assessments are undertaken in appropriate conditions including suitable lighting and appropriate weather conditions.

- 4) An Approved Course Provider must commence the Provisional Assessment within 14 days of booking for this assessment by the learner rider.
- 5) An Approved Course Provider must ensure the details of all students attempting the final assessment (the MOST) is provided to the Territory at least 48 hours prior to the assessment, including name and licence number of each student and the location and time of the assessment.
- 6) An Approved Course Provider must ensure the details of any substitution of an assessor, cancellation of a booked auditable assessment or a change in the start time should be advised to the Territory within 2 hours (where possible) prior to the MOST assessment being undertaken.

Item 4 Minimum Standards for Instructors

- 1) An Approved Course Provider must ensure that its Instructors meet the following minimum standards:
 - a. hold a current full motorcycle licence;
 - b. have held a full motorcycle licence for a minimum of three (3) years of the last four (4) years;
 - c. have a satisfactory traffic record and a clear criminal record;
 - d. have appropriate training and skills to deliver the Pre-Learner Course and Pre-Provisional Course;
 - e. have an appropriate ACT working with vulnerable people clearance; and
 - f. are of good character.
- 2) Records demonstrating that Instructors meet these minimum standards may be sought by the Territory at any time and must be provided by an Approved Course Provider within 14 days of receipt of the request from the Territory.

Item 5 Minimum Standards for Assessors

- 1) An Approved Course Provider must ensure that its Assessors meet the following minimum standards:
 - a. hold a current full motorcycle licence;
 - b. have held a full motorcycle licence for a minimum of three (3) years of the

last four (4) years

- c. have a satisfactory traffic record and a clear criminal record
 - d. have appropriate training and skills to undertake assessments
 - e. have an appropriate ACT working with vulnerable people clearance; and
 - f. are of good character
- 2) Records demonstrating that Assessors meet these minimum standards may be sought by the Territory at any time and must be provided by an Approved Course Provider within 14 days of receipt of the request from the Territory.

Item 6 Booking Service

- 1) An Approved Course Provider is responsible for providing a booking service that:
- a. provides bookings for:
 - i. the Pre-Learner course;
 - ii. the Pre-Provisional course;
 - iii. the Provisional Assessment; and
 - b. is available to the public during the hours of 9.00am to 5.00pm Monday to Friday (excluding public holidays).

Item 7 Training Site

- 1) An Approved Course Provider is required to have its training site approved. The training site will be approved through the application for approval process.
- 2) Training sites must include:
- a. An asphalt area of a suitable size and good condition for conducting practical exercises and demonstrations; and
 - b. A comfortable “office type” training centre located close to the practical area for conducting lessons involving theory.
- 3) Training sites must be available for the duration of the approval period and a request for approval of a training site must provide all information necessary to assess the suitability of the site including its location, size, and proof of availability. Additional information may be sought by the Territory.

- 4) An Approved Course Provider must seek the Territory's prior written approval if it proposes to use an alternate site to that approved.
- 5) An Approved Course Provider must inform the Territory of any changes to the approved training site.

Item 8 Equipment Required to be provided by an Approved Course Provider

- 1) An Approved Course Provider must, at its own expense, provide:
 - a. protective clothing for learner riders;
 - b. protective clothing for instructors and assessors including uniforms and identification cards;
 - c. all motorcycles for use by learner riders during the Pre-Learner Course;
 - d. all motorcycle maintenance for provided motorcycles, including fuel, oil, motorcycle insurance and any associated maintenance required to ensure the provided motorcycles are roadworthy; and
 - e. have available for hire, motorcycles for use by riders attending the pre-provisional course.
- 2) Motorcycles supplied must not have an engine capacity greater than 260 millilitres or a power to weight ratio greater than 150 kilowatts per tonne.

Item 9 Certificates of Completion

- 1) An Approved Course Provider must issue each learner rider who successfully completes a Pre-Learner Course, Pre-Provisional Course, or passes the Provisional Assessment with a completion certificate that is numbered and dated, in a format that is advised by the Territory as acceptable to the Territory.
- 2) The certificate must be signed by an instructor or assessor that meets the standards in items 4 and 5.

Item 10 Quality Assurance

- 1) An Approved Course Provider must maintain quality assurance certification to AQTF 2007.

Item 11 Fees

- 1) Course attendees are responsible for all costs associated with attending an approved course and provisional assessment. Fees are to be paid directly to the approved course provider.
- 2) Course fees must be set at an affordable level.
- 3) An Approved Course Provider must not vary approved course fees without prior approval from the Territory.
- 4) The Territory will not approve more than one fee increase in any 12 month period.
- 5) Applications by an Approved Course Provider to increase course fees will be assessed by the Territory against the following factors:
 - a. Increases in consumer price index or insurance rates;
 - b. Increases in costs associated with conducting the approved courses and assessments;
 - c. When the last increase was approved

Item 12 Information Requests from the Territory

- 1) An Approved Course Provider must inform the Territory as soon as practicable if it is unable to comply with the terms of this approval contained in Items 1 to 11.
- 2) The Territory may seek information and/or records from an Approved Course Provider in relation to the approval in this instrument and compliance with the conditions of approval in this Schedule at any time. This includes
 - a. the number of Pre-Learner Courses and Pre-Provisional Courses conducted;
 - b. the number of attendees at conducted courses;
 - c. number of cancellations for each conducted course;
 - d. rates of re-bookings for each cancellation;
 - e. the average number of days riders have to wait before a course or assessment commences; and
 - f. the pass and fail rates for the courses and the Provisional Assessment.

- 3) A response to a request for information and/or records from the Territory must be provided by an Approved Course Provider within 14 days of receipt of the request from the Territory, unless agreed otherwise.

Schedule 2

Application Process for Approval to deliver a Pre-Learner Rider Training Course and/or a Pre-Provisional Rider Training Course

1. Applications for approval are to be submitted to the Road Transport Authority at:

Transport Solutions

Access Canberra

PO Box 582

Dickson ACT 2602

2. The application must address each of the conditions of approval set out in Schedule 1 of this instrument and demonstrate the ability to meet those conditions.
3. Information provided about the proposed training site must address the requirements set out in Item 7 and should include the following information about the proposed site: location, size, period of availability, proof of availability and any other information considered necessary to assist the Territory in determining the suitability of the site.
4. Applications must include a schedule of proposed fees for each service for approval by the Territory.