
TRANSPORT

TR301*

Road Traffic Act 1974

Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2001

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2001*.

2. Commencement

These regulations come into operation on 2 April 2001.

3. The regulations amended

The amendments in these regulations are to the *Road Traffic (Drivers' Licences) Regulations 1975**.

[* Reprinted as at 18 February 2000.

For amendments to 24 January 2001 see Gazette 17 May, 8 September and 1 December 2000.]

4. Regulation 2 amended

Regulation 2 is amended as follows:

- (a) by deleting the full stop at the end of the definition of “seniors’ card” and inserting instead a semicolon;
- (b) inserting in the appropriate alphabetical positions the following definitions —

“

“**axle**” means the axis of rotation of any of the wheels on which a vehicle is or may be driven, regardless of whether the wheel is power driven or freely rotating and regardless of the number of wheels rotating on that axis, and if 2 or more wheels have substantially the same axis of rotation, or intersecting axes of rotation, when the vehicle is being driven in a straight line those wheels are to be regarded as being on the same axle;

“**drive**” includes ride;

“**GVM**” (which stands for “gross vehicle mass”) means the maximum loaded mass of a vehicle —

- (a) as specified by the manufacturer; or
- (b) as specified by the relevant authority if —
 - (i) the manufacturer has not specified a maximum loaded mass;
 - (ii) the manufacturer cannot be identified; or
 - (iii) the vehicle has been modified to the extent that the manufacturer’s specification is no longer appropriate;

“**learner’s permit**” means a permit under section 48C of the Act;

“**moped**” means a motor cycle that —

- (a) has a propelling engine with an engine capacity not exceeding 50 ml; and
- (b) is designed so as not to be capable of a speed exceeding 60 km/h,

whether or not it is also capable of being propelled by pedalling, except that it does not include a power assisted pedal cycle;

“motor carrier” has the meaning given by the First Schedule to the Act;

“motor cycle” has the meaning given by the First Schedule to the Act;

“motor vehicle” means a self-propelled vehicle that is not operated on rails but does not include a power assisted pedal cycle, and the expression does not include a trailer attached to the vehicle;

“prime mover” means a motor vehicle having 2 or more axles and a GVM greater than 8 t, that is built to tow a semi-trailer;

“relevant authority”, in relation to a vehicle, means —

- (a) if the vehicle has never been licensed or registered but the vehicle is used or is intended to be used in this State — the Director General;
- (b) if the vehicle was last licensed in this State — the Director General; or
- (c) if the vehicle was last licensed or registered in another State or a Territory — the authority in that State or Territory whose functions most nearly correspond to those of the Director General;

“semi-trailer” means a trailer (including a pole-type trailer) that has —

- (a) one axle group or single axle to the rear; and
- (b) a means of attachment to a prime mover that results in some of the load being imposed on the prime mover;

“trailer” means a vehicle that is built to be towed, or is towed, by a motor vehicle, whether by attachment to the motor vehicle directly or to another trailer towed by the motor vehicle, but does not include a motor vehicle that is being towed.

”.

5. Regulation 3 replaced

Regulation 3 is repealed and the following regulation is inserted instead —

“

3. Driver’s licence vehicle classifications

- (1) For the purposes of Part IVA of the Act, a motor vehicle described in Schedule 1 column 2 is classified as specified in column 1 opposite that description.

- (2) When Schedule 1 column 2 describes a motor vehicle, it means a motor vehicle of the kind described, whether or not it is attached to a trailer that the motor vehicle may be used to tow according to Schedule 7.

”.

6. Regulation 4 replaced

Regulation 4 is repealed and the following regulations are inserted instead —

“

4. Classes of vehicles covered by driver's licence

A person who holds a driver's licence for a motor vehicle of a class specified in Schedule 2 column 1 is entitled to drive on a road a motor vehicle of that class and any motor vehicle specified in column 2 opposite that class.

4A. Motor vehicles used to demonstrate an ability to control a class

- (1) A person who demonstrates an ability to drive a motor vehicle of a kind described in Schedule 3 column 2 is to be taken to have demonstrated an ability to control the class of motor vehicle specified in column 1 opposite that description.
- (2) A person may use a moped to demonstrate an ability to control class R motor vehicles, however a driver's licence granted on the basis of that demonstration is to be endorsed as of class N.
- (3) A person may use a motor cycle with an engine capacity of at least 100 ml but not exceeding 250 ml to demonstrate an ability to control class R motor vehicles, however a driver's licence granted on the basis of that demonstration is to be endorsed as of class E.

4B. Prerequisite driver's licences

- (1) A person is not to be granted a driver's licence appropriate to a motor vehicle of a class specified in Schedule 4 column 1 unless the person has held the driver's licence specified in column 2 opposite that class for the period specified in column 3 opposite that class.
- (2) Subregulation (1) does not apply to the issuing of a driver's licence appropriate to class R that is endorsed as of class N or class E.

4C. Driver's licences under sections 48D and 48E

Despite regulation 4B, if an applicant for a driver's licence was, immediately before the application —

- (a) regarded as the holder of a driver's licence applicable to a particular type or class of motor vehicle under section 48D of the Act; or
- (b) authorised to drive a motor vehicle of a particular type or class under section 48E of the Act,

the person is to be granted a licence to drive a motor vehicle of that type or class.

4D. Minimum age for moped licence

For the purposes of section 42(2)(a) of the Act, the minimum age for a person to qualify for a Class R driver's licence that is endorsed as of class N is 16 years.

”.

7. Regulation 5 replaced

Regulation 5 is repealed and the following regulation is inserted instead —

“

5. Carrying passengers for reward

- (1) The authority given by a driver's licence does not include the authority to drive a motor vehicle for the purpose of carrying passengers for reward unless the licence is endorsed under this regulation to confer that authority.
- (2) For the purposes of this regulation —
 - (a) a person does not carry passengers for reward if the amount received by the person for carrying those passengers is not intended to exceed the running costs of the motor vehicle; and
 - (b) an amount is not intended to exceed the running costs of the motor vehicle if it does not exceed an amount calculated according to the relevant rate per kilometre specified in Schedule 5.
- (3) A driver's licence may be endorsed —
 - (a) as of class F, in which case the licence confers the authority to drive a motor vehicle to which the licence is appropriate for the purposes of carrying passengers for reward except as a taxi under the *Taxi Act 1994* or the *Transport Co-ordination Act 1966*; or

- (b) as of class T, in which case the licence confers the authority to drive a motor vehicle to which the licence is appropriate for the purposes of carrying passengers for reward, whether or not as a taxi under the *Taxi Act 1994* or the *Transport Co-ordination Act 1966*.
- (4) The Director General may, on an application by a person and on payment of the relevant fee prescribed in Schedule 11 item 5, endorse a driver's licence held by the person as of class F or class T if the Director General is satisfied that the person —
 - (a) has reached the age of 21 years;
 - (b) has held the licence for a period of, or periods amounting in the aggregate to, 4 years;
 - (c) does not hold the licence on probation;
 - (d) is of good character;
 - (e) is mentally and physically fit to drive a motor vehicle for the purposes of carrying passengers for reward; and
 - (f) in the case of a class T endorsement, has successfully completed a training course or test approved by the Director General.
- (5) The holder of a driver's licence endorsed as of class F or class T is to submit himself or herself to a medical examination —
 - (a) at intervals of 5 years until reaching the age of 45 years;
 - (b) at intervals of 2 years after reaching the age of 45 years until reaching the age of 65 years;
 - (c) annually after reaching the age of 65 years.
- (6) A driver's licence endorsement under this regulation is to have effect for a period determined by the Director General having regard to the intervals at which the holder of the licence is required to submit himself or herself to a medical examination under subregulation (5).

”.

8. Regulation 5A replaced

Regulation 5A is repealed and the following regulations are inserted instead —

“

5A. Period of licence

- (1) Unless subregulation (2) applies, a driver's licence may be issued or renewed to have effect for —
 - (a) if paragraph (b) does not apply, a period of 12 months or 5 years, as elected by the applicant for the licence; or

- (b) if a driver's licence is issued to a person who holds a corresponding licence in another State or a Territory —
 - (i) a period equal to the period for which the corresponding licence still has effect; or
 - (ii) a period of 5 years,whichever is the lesser.
- (2) A driver's licence which is subject to any condition or limitation under section 44 or section 48(5) or (6) of the Act is to be issued or renewed to have effect for a period, not exceeding 5 years, determined by the Director General, being a period that the Director General considers appropriate having regard to the grounds on which any such condition or limitation was imposed.
- (3) If a driver's licence is issued to a person who holds a corresponding licence in another State or a Territory, the period determined under subregulation (2) cannot be more than the period for which the corresponding licence still has effect.

5B. Prescribed classes of licence conditions or limitations

For the purposes of section 43(1)(ab) of the Act, a condition or limitation set out in Schedule 6 column 2 has the classification specified in column 1 opposite that description.

5C. Prescribed notations

- (1) A licence may be endorsed with the notation "X" to show that the licence is subject to conditions or limitations set out in a notice under section 44(3)(a) of the Act.
- (2) If the notice is to the effect that the licence holder must not drive a motor vehicle unless it is fitted with certain appliances as set out in a notice under section 44(3)(a) of the Act, the licence may instead be endorsed with the notation "V".

5D. Trailer towing limits

The authority given by a driver's licence appropriate to a class of motor vehicle includes the authority to drive a motor vehicle of that class while towing a trailer but only if the trailer is one that the motor vehicle may be used to tow according to Schedule 7.

9. Regulation 8 amended

Regulation 8(2) is amended by deleting “First Schedule” and inserting instead —

“ Schedule 8 ”.

10. Regulation 8A inserted

After regulation 8 the following regulation is inserted —

“

8A. Proof of identity and residential address in this State of applicant for issue or renewal of a licence

An application for the issue or renewal of a driver’s licence is to be accompanied by such proof of the applicant’s identity and residential address in this State as the Director General may require.

”.

11. Regulation 9A amended

Regulation 9A is amended as follows:

- (a) by deleting “and” after paragraph (b);
- (b) in paragraph (c), by deleting “\$7.00,” and inserting instead —

“

\$10.00; and

- (d) the provision of the photograph and signature referred to in section 42B of the Act,

”.

12. Regulation 9B inserted

After regulation 9A the following regulation is inserted —

“

9B. Director General may issue or renew a driver’s licence without a photograph or signature in certain circumstances

The Director General may issue or renew a driver’s licence even though the applicant for the licence has not provided the Director General with a photograph as described in section 42B(2) of the Act if, as at 2 April 2001, the applicant has reached 60 years of age.

”.

13. Regulation 10 amended

Regulation 10(1) is amended by deleting “the Second Schedule” and inserting instead —

“ Schedule 9 ”.

14. Regulations 12A and 12B inserted

After regulation 12 the following regulations are inserted —

“

12A. Service of notice of disqualification

For the purposes of section 103(4a)(b) of the Act, a person is served with a notice of disqualification in the prescribed manner if the person is given the notice either —

- (a) personally; or
- (b) by a form of mail that involves the person taking personal delivery of the notice and acknowledging in writing having taken delivery of it.

12B. Learner's permit

- (1) If a licence for a particular class of motor vehicle would authorise the holder to drive on a road a motor vehicle of another class, a learner's permit for the particular class also authorises the holder to drive on a road, in the course of driving instruction, a motor vehicle of that other class for which the holder of the learner's permit does not hold a driver's licence.
- (2) A learner's permit may authorise the driving of a motor vehicle in the course of driving instruction by —
 - (a) in the case of a moped and no other motor vehicle, a person who has for 2 years held a driver's licence authorising the person to drive a moped; or
 - (b) in any other case, a person who has for 4 years held a driver's licence authorising the person to drive the motor vehicle.
- (3) A person has to have reached the age of 16 years if the person is to be granted a learner's permit, other than under section 48C(1a) of the Act, to drive —
 - (a) a motor vehicle of class C; or
 - (b) a motor vehicle of class R.
- (4) A person is not to be granted a learner's permit appropriate to a motor vehicle of a class specified in Schedule 10 column 1 unless the person has satisfied the prerequisite specified in column 2 opposite that class.
- (5) Subregulation (4) does not apply to a driver's licence appropriate to a motor vehicle of class R where the licence is endorsed as of class N or class E.

”.

15. Regulation 14A amended

Regulation 14A(1) is repealed and the following regulation is inserted instead —

“

- (1) The fees specified in Schedule 11 are payable in respect of the matters set out in that Schedule.

”.

16. Regulation 14B amended

- (1) Regulation 14B(2) is amended by deleting “fees prescribed in items 1(a) or 2 of regulation 14A” and inserting instead —

“ fee prescribed in Schedule 11 item 1(a) or 2 ”.

- (2) Regulation 14B(5) is amended by deleting “item 2 of regulation 14A” and inserting instead —

“ Schedule 11 item 2 ”.

17. Regulation 15B amended

- (1) Regulation 15B(4) is amended as follows:

- (a) by deleting “item 3 of regulation 14A” and inserting instead —

“ Schedule 11 item 4(a) ”;

- (b) by deleting “item 4 of regulation 14A” and inserting instead —

“ Schedule 11 item 4(b) ”.

- (2) Regulation 15B(5) is amended by deleting “item 4 of regulation 14A” and inserting instead —

“ Schedule 11 item 4(b) ”.

- (3) Regulation 15B(6) is repealed and the following subregulation is inserted instead —

“

- (6) If the applicant is a person to whom this regulation applies, the fee payable under Schedule 11 item 4(c) is to be calculated as if “the fee under paragraph (b)” referred to the fee under Schedule 11 item 4(b) as reduced under subregulation (5).

”.

18. Schedules 1 to 7 inserted

After regulation 16 the following Schedules are inserted —

“

Schedule 1 — Classification of motor vehicles

[r. 3]

Column 1 Column 2

Class Motor vehicle description

R A motor cycle or a motor carrier.

<i>Column 1</i>	<i>Column 2</i>
Class	Motor vehicle description
C	A motor vehicle, other than a motor cycle or motor carrier, that has a GVM not exceeding 4.5 t and that is equipped to seat not more than 12 adults including the driver.
LR	A motor vehicle, other than a motor cycle or motor carrier, that — <ul style="list-style-type: none"> (a) has a GVM not exceeding 4.5 t and that is equipped to seat more than 12 adults including the driver; or (b) has a GVM exceeding 4.5 t but not exceeding 8 t.
MR	A motor vehicle, other than a motor cycle or motor carrier, that has 2 axles and a GVM exceeding 8 t.
HR	A motor vehicle, other than a motor cycle or motor carrier, that has 3 or more axles and a GVM exceeding 8 t.
HC	A motor vehicle that is attached to — <ul style="list-style-type: none"> (a) a semi-trailer; or (b) a trailer that has a GVM exceeding 9 t.
MC	Any other motor vehicle.

Schedule 2 — Scope of a driver's licence

[r. 4]

<i>Column 1</i>	<i>Column 2</i>
Class	Other motor vehicles licence holder is entitled to drive
MC	A motor vehicle of class HC, HR, MR, LR or C or a moped.
HC	A motor vehicle of class HR, MR, LR or C or a moped.
HR	A motor vehicle of class MR, LR or C or a moped.
MR	A motor vehicle of class LR or C or a moped.
LR	A motor vehicle of class C or a moped.
C	A moped.

Schedule 3 — Motor vehicles used to demonstrate an ability to control a class

[r. 4A]

<i>Column 1</i>	<i>Column 2</i>
Class	Motor vehicle description
R	A motorcycle with an engine capacity exceeding 250 ml.
C	A motor vehicle of class C.
LR	A motor vehicle of class LR.
MR	A motor vehicle of class MR except a prime mover.
HR	A motor vehicle of class HR, except a prime mover, that has 3 or more axles and a GVM exceeding 15 t.

<i>Column 1</i>	<i>Column 2</i>
Class	Motor vehicle description
HC	<p>A prime mover that —</p> <ul style="list-style-type: none"> (a) has 3 axles and a GVM exceeding 15 t; and (b) is attached to one semi-trailer that has at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 10 m. <p>OR</p> <p>A motor vehicle, other than a prime mover, that —</p> <ul style="list-style-type: none"> (a) has 3 or more axles and a GVM of more than 15 t; and (b) is attached to a trailer that has an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 7 m.
MC	<p>A prime mover —</p> <ul style="list-style-type: none"> (a) that — <ul style="list-style-type: none"> (i) has 3 axles and a GVM exceeding 15 t; (ii) is attached to a semi-trailer and a trailer that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 10 m; or (b) that — <ul style="list-style-type: none"> (i) has 3 axles and a GVM exceeding 15 t; and (ii) is attached to 2 semi-trailers that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t; and (iii) together with the semi-trailers has a length of not less than 22 m. <p>OR</p> <p>A motor vehicle of class HR that —</p> <ul style="list-style-type: none"> (a) has 3 axles and a GVM of more than 15 t; and (b) is attached to 2 trailers that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 7 m.

Schedule 4 — Prerequisite driver's licences

[r. 4B]

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Class	Prerequisite licence	Period
R	A licence that is appropriate to a motor cycle (other than a moped) that has an engine capacity not exceeding 250 ml.....	one year
LR	A licence that is appropriate to a motor vehicle of class C.....	one year
MR	A licence that is appropriate to a motor vehicle of class C.....	one year

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
Class	Prerequisite licence	Period
HR	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class C	2 years
HC	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class C	3 years
	AND	
	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class MR or HR	one year
MC	A licence that is appropriate to a motor vehicle of class HR or HC	one year

Schedule 5 — Vehicle running costs

[r. 5(2)(b)]

Description of vehicle	Rate per kilometre
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity that does not exceed 1 600 cm ³ ; or	
(b) a rotary engine with a capacity that does not exceed 800 cm ³	45.9 cents
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity exceeds 1 600 cm ³ but does not exceed 2 600 cm ³ ; or	
(b) a rotary engine with a capacity that exceeds 800 cm ³ but does not exceed 1 300 cm ³	54.9 cents
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity that exceeds 2 600 cm ³ ; or	
(b) a rotary engine with a capacity that exceeds 1 300 cm ³	55.8 cents

Schedule 6 — Prescribed classes of licence conditions or limitations

[r. 5B]

<i>Column 1</i>	<i>Column 2</i>
Class	Condition or limitation
A	The holder of a driver's licence appropriate to a motor vehicle may drive the motor vehicle if and only if it is fitted with automatic transmission.

<i>Column 1</i>	<i>Column 2</i>
Class	Condition or limitation
B	The holder of a driver's licence appropriate to a motor vehicle may drive the motor vehicle if and only if it is fitted with automatic or synchromesh transmission.
E	The holder of a driver's licence appropriate to a motor cycle may drive the motor cycle if and only if it has an engine capacity not exceeding 250 ml.
N	The holder of a driver's licence appropriate to a motor cycle may drive the motor cycle if and only if it is a moped.
S	The holder of a driver's licence is not to drive a motor vehicle to which the licence is appropriate unless the licence holder wears corrective eye lenses while driving.
Z	The holder of a driver's licence may drive a motor vehicle to which the licence is appropriate if and only if the licence holder has a blood alcohol concentration less than 0.02%.

Schedule 7 — Trailer towing limits

[r. 5D]

1. Motor vehicles of class C

- (1) A motor vehicle of class C may be used to tow one trailer that has a GVM specified in this clause, and no other trailer.
- (2) The GVM of the trailer is not to exceed that recommended by the manufacturer of the motor vehicle as the maximum laden mass of a trailer that may be towed by the motor vehicle.
- (3) If no such mass has been recommended by the manufacturer, or if that recommended mass is not ascertainable, the GVM of the trailer is not to exceed the unladen mass of the motor vehicle, unless the trailer is equipped with brakes, in which case —
 - (a) if an aggregate mass is prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed the GVM of the motor vehicle;
 - (b) if an aggregate mass is not prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed 1.5 times the unladen mass of the motor vehicle.

2. Motor vehicles of class LR

- (1) A motor vehicle of class LR may be used to tow one trailer that has the GVM specified in this clause, and no other trailer.

- (2) The GVM of the trailer is not to exceed that recommended by the manufacturer of the motor vehicle as the maximum laden mass of a trailer that may be towed by the motor vehicle.
- (3) If no such mass has been recommended by the manufacturer, or if that recommended mass is not ascertainable, the GVM of the trailer is not to exceed the unladen mass of the motor vehicle, unless the trailer is equipped with brakes, in which case —
 - (a) if an aggregate mass is prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed the GVM of the motor vehicle;
 - (b) if an aggregate mass is not prescribed in relation to the motor vehicle under Part 14 of the *Road Traffic (Vehicle Standards) Regulations 1977*, the GVM of the trailer is not to exceed 1.5 times the unladen mass of the motor vehicle.

3. Motor vehicles of class MR

A motor vehicle of class MR may be used to tow one trailer that has a GVM not exceeding 9 t, and no other trailer.

4. Motor vehicles of class HR

A motor vehicle of class HR may be used to tow one trailer that has a GVM not exceeding 9 t, and no other trailer.

5. Motor vehicles of class HC

A motor vehicle of class HC may be used to tow one, but no more than one, trailer in addition to the trailer or semi-trailer because of which it is classified as of class HC if the additional trailer —

- (a) has a gross vehicle mass not exceeding 9 t; or
- (b) is an unladen converter dolly trailer as defined in the *Road Traffic (Vehicle Standards) Regulations 1977*.

”.

19. First Schedule amended

The First Schedule is amended by deleting the heading and inserting instead —

“ **Schedule 8 — Forms** ”.

20. Second Schedule amended

The Second Schedule is amended by deleting the heading and inserting instead —

“

Schedule 9 — Offences prescribed for section 103 of the Act

[r. 10]

”.

21. Schedules 10 and 11 inserted

After Schedule 9 the following Schedules are inserted —

“

Schedule 10 — Prerequisites for the grant of a learner's permit

[r. 12B(4)]

<i>Column 1</i>	<i>Column 2</i>
Class	Prerequisite
R	The person is to hold a driver's licence appropriate to a class R motor vehicle with a class E endorsement.
LR	The person is to hold a driver's licence appropriate to a class C motor vehicle.
MR	The person is to hold a driver's licence appropriate to a class C.
HR	The person is to have held a driver's licence appropriate to a class C motor vehicle for a period of one year.
HC	The person is to have held a driver's licence appropriate to a class C motor vehicle for a period of 2 years.
	AND
	The person is to hold a driver's licence appropriate to a class MR or HR motor vehicle.
MC	The person is to hold a driver's licence appropriate to a class HR or HC motor vehicle.

Schedule 11 — Fees

[r. 14A(1)]

\$

1. Application for a driver's licence —
 - (a) including one driving test to satisfy the Director General that the applicant is able to control a motor vehicle of the appropriate class —
 - (i) where the motor vehicle is not of class HC or MC 47.30
 - (ii) where the motor vehicle is of class HC or MC 135.95
 - (b) where the motor vehicle is of class MC (in which case a driving test is conducted by someone other than the Director General) or where a driving test is not required to satisfy the Director General that the applicant is able to control a motor vehicle of the appropriate class 36.95

	\$
2. Each additional driving test required to satisfy the Director General that an applicant is able to control a motor vehicle of the appropriate class, or that a condition or limitation endorsed on a driver's licence should be revoked —	
(a) where the motor vehicle is not of class HC or MC.....	24.25
(b) where the motor vehicle is of class HC or MC	99.00
3. For each duplicate tax invoice provided in respect of fees paid for any additional driving tests referred to in item 2	6.50
4. Grant or renewal of a driver's licence —	
(a) where the licence is granted or renewed for a period of 12 months	30.65
(b) where the licence is granted or renewed for a period of 5 years	97.10
(c) for a period determined under regulation 5A(2), not being a period provided for by paragraph (a) or (b)	for each year or part of a year to which the licence relates, $\frac{1}{5}$ of the fee under paragraph (b)
5. Application for the endorsement of a driver's licence as of class F or class T under regulation 5 —	
(a) where the application is made within 15 days of the expiry of an endorsement of that class on the licence	nil
(b) in any other case.....	71.70

22. Transitional and saving

Schedules 1 and 2 have effect.

Schedule 1 — Transitional and saving

[r. 22]

1. Interpretation

In this Schedule —

“**commencement day**” means the day on which these regulations come into operation;

“continuing driver’s licence” means a driver’s licence granted before the commencement day that would have continued after the beginning of that day had these regulations not come into operation;

“continuing learner’s permit” means a learner’s permit granted before the commencement day that would have continued after the beginning of that day had these regulations not come into operation;

“learner’s permit” means a permit under section 48C of the Act.

2. Transition of drivers’ licences

- (1) A continuing driver’s licence that, immediately before the commencement day, was appropriate to a motor vehicle of a class specified in Schedule 2 column 1 continues as if these regulations had not come into operation, but as a driver’s licence —
 - (a) for a motor vehicle of a class specified in column 2 opposite the class specified in column 1;
 - (b) subject to any condition or limitation specified in column 3 opposite the class specified in column 2 (in addition to any condition or limitation to which the licence may have been subject before the commencement day); and
 - (c) endorsed with any class of authorisation specified in column 4 opposite the class specified in column 2.
- (2) If the driving authorised by a continuing driver’s licence is, as a result of subclause (1), more restricted than it would have been if these regulations had not come into operation, the licence also authorises driving that the licence authorised before the commencement day, but that authorisation is limited to the transitional period.
- (3) The transitional period for a driver’s licence is the period during the year commencing on the commencement day while the licence, or the licence as renewed, continues in force.

3. Applications to vary continuing driver’s licences

- (1) A person whose driver’s licence authorises additional driving under clause 2(2) may, at any time while the additional driving is authorised, apply to the Director General for the licence to be varied as necessary to authorise the additional driving without the limitation referred to in clause 2(2).
- (2) An application under subclause (1) is to be —
 - (a) in a form approved by the Director General; and
 - (b) accompanied by such proof of the applicant’s driving experience as the Director General may require, verified by statutory declaration.
- (3) On an application under subclause (1), the Director General is to grant the variation if the Director General is satisfied that the applicant has demonstrated his or her ability to control a motor vehicle to which the variation applies and satisfied any requirements prescribed in relation to a licence for the vehicle.
- (4) The Director General may, in satisfaction of the requirement that the applicant demonstrate an ability to control the motor vehicle, accept evidence other than that obtained from a driving test.

4. Transition of learner's permits

- (1) A continuing learner's permit that, immediately before the commencement day, was appropriate to a motor vehicle of a class specified in Schedule 2 column 1 continues as if these regulations had not come into operation, but as a learner's permit —
- (a) for a motor vehicle of a class specified in column 2 opposite the class specified in column 1; and
 - (b) subject to any condition or limitation specified in column 3 opposite the class specified in column 2 (in addition to any condition or limitation to which the permit may have been subject before the commencement day).
- (2) Regulation 4B of, and Schedule 4 to, the *Road Traffic (Drivers' Licences) Regulations 1975* do not apply to the holder of a continuing learner's permit.

Schedule 2 — Table of motor vehicle classes, limitations and endorsements

[r. 22]

<i>Column 1</i> Former class	<i>Column 2</i> Present class	<i>Column 3</i> Condition or Limitation	<i>Column 4</i> Authorisation
A	C		
B	HR		
C	HC		
E	C	class A	
F	MR		class F
H	LR		
I	C	The holder of the licence or permit may drive a tractor (not prime mover type) that has a GVM not exceeding 4 500 kg, but no other motor vehicle of class C.	
J	MR	The holder of the licence or permit may drive a tractor (not prime mover type) that has a GVM exceeding 4 500 kg and that has 2 axles, but no other motor vehicle of class MR.	
K	R		
L	R	class E	
M	R	The holder of the licence or permit may drive a motor cycle with an engine capacity not exceeding 100 ml and that is not fitted with a hand or foot operated clutch, but no other motor cycle.	

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
Former class	Present class	Condition or Limitation	Authorisation
N	R	class N	
T	C		class T

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.
