
TRANSPORT

TN301

Road Traffic (Authorisation to Drive) Act 2008

**Road Traffic (Authorisation to Drive)
Amendment Regulations 2018**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Authorisation to Drive) Amendment Regulations 2018*.

2. Commencement

These regulations come into operation as follows —

- (a) regulations 1 and 2 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 5 November 2018.

3. Regulations amended

These regulations amend the *Road Traffic (Authorisation to Drive) Regulations 2014*.

4. Regulation 3 amended

In regulation 3 insert in alphabetical order:

car licence means a driver's licence that authorises the holder to drive a motor vehicle of class C;

restricted motor cycle licence means a driver's licence that authorises the driving of a motor vehicle of class R endorsed with condition E;

5. Regulation 6 amended

In regulation 6(1)(d) delete “driver's licence that authorises the person to drive a motor vehicle of class R and is endorsed with condition E.” and insert:

restricted motor cycle licence.

6. Regulation 16 amended

In regulation 16(1) delete “16B” and insert:

16B, 16BA

7. Regulation 16A amended

(1) Delete regulation 16A(1) and insert:

- (1) This regulation applies to a new driver's licence applicant for —
- (a) a car licence if the applicant has not reached 25 years of age; or
 - (b) a restricted motor cycle licence.

(2) In regulation 16A(2)(c) delete “by a test” and insert:

a test

Note: The heading to amended 16A is to read:

New driver's licence applicant: car licence for person under 25 years of age or restricted motor cycle licence

8. Regulation 16B amended

(1) Delete regulation 16B(1) and insert:

- (1) This regulation applies to a new driver's licence applicant for a car licence if the applicant has reached 25 years of age.

(2) At the end of regulation 16B insert:

- (3) An applicant wanting to satisfy the CEO under subregulation (2)(b) by means of a driving test must do so not less than 6 months after the learner's permit was granted in relation to the application.

Note: The heading to amended 16B is to read:

New driver's licence applicant: car licence for person 25 years of age and over

9. Regulation 16BA inserted

(1) After regulation 16B insert:

16BA. New driver's licence applicant: moped licence

- (1) This regulation applies to a new driver's licence applicant for a moped licence.

- (2) The applicant may demonstrate sufficient ability to safely drive a motor vehicle as the licence would authorise by —
- (a) having reached 15 years and 6 months of age, a test approved by the CEO, satisfying the CEO that the applicant has sufficient ability to recognise hazards on roads; and
 - (b) after completing the requirements set out in paragraph (a) and having reached 16 years of age, satisfying the CEO that the applicant is able to control the motor vehicle.

10. Regulation 16C amended

Delete regulation 16C(2) and insert:

- (2) The applicant may demonstrate sufficient ability to safely drive a motor vehicle as the licence would authorise by —
- (a) in the case of a restricted motor cycle licence, a test approved by the CEO and conducted not less than 6 months after the learner's permit was granted in relation to the application, satisfying the CEO that the applicant has sufficient ability to recognise hazards on roads; and
 - (b) in any case, satisfying the CEO that the applicant is able to control the motor vehicle.

11. Regulation 16D inserted

After regulation 16C insert:

16D. Tests for recognition of hazards

For the purposes of regulations 16A(2)(c), 16B(2)(a), 16BA(2)(a) and 16C(2)(a), the CEO must approve a test applicable to an applicant for —

- (a) a car licence; and
- (b) a restricted motor cycle licence or moped licence.

12. Regulation 17 amended

In regulation 17(3) delete “driver's licence to authorise the person to drive a motor vehicle of class R while the licence is endorsed with condition E.” and insert:

restricted motor cycle licence.

13. Regulation 18 amended

In regulation 18(a) delete “16B(2)(b), 16C(2); and” and insert:

16B(2)(b), 16BA(2)(b) or 16C(2)(b); and

14. Regulation 21 amended

In regulation 21(4) delete “driver’s licence to authorise the person to drive a motor vehicle of class R while the licence is endorsed with condition N or E.” and insert:

moped licence or a restricted motor cycle licence.

15. Regulation 22 amended

After regulation 22(4) insert:

- (4A) The CEO may in a particular case waive the requirement to demonstrate sufficient ability to safely drive a motor vehicle in a test referred to in regulation 16D if denial of a licence would occasion undue hardship.

16. Regulation 44 amended

In regulation 44(2) delete “motor vehicle of class R that may be driven by the holder of a driver’s licence endorsed with condition N.” and insert:

moped.

17. Regulation 46 amended

In regulation 46(5) delete “driver’s licence endorsed with condition N or E.” and insert:

restricted motor cycle licence or moped licence.

18. Schedule 6 amended

- (1) In Schedule 6 in the row relating to Class R:
- (a) in Column 2 delete “licence that authorises a person to drive a motor vehicle of class R and is endorsed with condition E” and insert:

restricted motor cycle licence

(b) in Column 2 delete “one year” and insert:

2 years

(2) In Schedule 6 in the rows relating to Classes LR and MR delete “A licence that authorises a person to drive a motor vehicle of class C” and insert:

A car licence

(3) In Schedule 6 in the row relating to Class HR delete “A licence that is not provisional and authorises a person to drive a motor vehicle of class C” and insert:

A car licence that is not provisional

(4) In Schedule 6 in the row relating to Class HC delete “A licence that is not provisional and authorises a person to drive a motor vehicle of class C” and insert:

A car licence that is not provisional

19. Schedule 8 amended

In Schedule 8 in the rows relating to Classes LR, MR, HR and HC delete “A driver’s licence that authorises a person to drive a motor vehicle of class C” and insert:

A car licence

20. Schedule 9 amended

(1) In Schedule 9 in the Terms used delete the definition of *hazard perception test*.

(2) In Schedule 9 in the Terms used insert in alphabetical order:

car hazard perception test means a test referred to in regulation 16D(a);

hazard perception test means —

- (a) a car hazard perception test; or
- (b) a motor cycle hazard perception test;

motor cycle hazard perception test means a test referred to in regulation 16D(b);

(3) In Schedule 9 item 9 after “First” insert:

car

(4) After Schedule 9 item 9 insert:

9A. First motor cycle hazard perception test in
respect of a driver’s licence application 21.20

R. KENNEDY, Clerk of the Executive Council.
