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**TRANSPORT**

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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.

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