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ROAD TRAFFIC ACT, 1974.

ROAD TRAFFIC (DRIVERS' LICENCES) REGULATIONS, 1975.

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ROAD TRAFFIC ACT, 1974.

ROAD TRAFFIC (DRIVERS' LICENCES) REGULATIONS, 1975.

1. These regulations may be cited as the Road Traffic (Drivers' Licences) Regulations, 1975.

2. In these regulations, "the Act" means the Road Traffic Act, 1974.

3. For the purposes of Part V of the Act, motor vehicles are classified as follows:—

- A. (i) Any motor car equipped to seat eight or less adult persons (including the driver) except where the motor car comes within Class G or Class H of this classification;
- (ii) any motor wagon having an aggregate of 4 350 kg or less; and
- (iii) any tractor (not prime mover type) having a tare of 4 572 kg or less.
- B. (i) Any motor car equipped to carry more than eight adult persons (including the driver) except when the motor car is being used to carry passengers for hire or reward;
- (ii) any motor wagon (not being articulated type); and
- (iii) any tractor.
- C. Any articulated vehicle.
- E. Any motor car fitted with automatic transmission.
- F. Any vehicle licensed or used as an omnibus.
- G. Any vehicle licensed or used as a taxi-car or private taxi-car except where the driver is a registered driver under the provisions of the Taxi-cars (Co-ordination and Control) Act, 1963.
- H. Any motor car equipped to carry more than eight adult persons (including the driver) not being an omnibus, taxi-car or private taxi-car.
- I. Any tractor (not prime mover type) having a tare of 4 572 kg or less.
- J. Any tractor (not prime mover type).
- K. (i) Any motor cycle with or without side car attachment; and
- (ii) any motor carrier.
- L. Any—
- (i) motor cycle with or without side car attachment; or
- (ii) motor carrier,
- with engine capacity not exceeding 250 c.c.

Interpre-
tation.

Classification
of vehicles.
Amended by
G.G. 3/9/76,
p. 3280;
G.G. 18/2/77,
p. 489;
G.G. 3/6/77,
p. 1649;
G.G. 10/11/77,
p. 4191;
G.G. 11/5/79,
p. 1221.

M. Any—

- (i) moped; and
- (ii) motor cycle with an engine capacity not exceeding 100 c.c. that is not fitted with a hand or foot operated clutch.

N. Any moped only.

Driver to demonstrate ability.
Amended by G.G. 18/2/77, p. 489; G.G. 3/6/77, p. 1649; G.G. 22/6/79, p. 1700.

4. (1) In order to satisfy the Authority that he is qualified to obtain the driver's licence sought, the applicant shall demonstrate his ability to control—

- (a) in the case of a licence appropriate to Class A, a motor car, or a motor wagon, fitted with manual gears;
 - (b) in the case of a licence appropriate to Class B, a motor wagon or tractor (prime mover type) having an aggregate exceeding 4 350 kg or an omnibus having a tare exceeding 2 032 kg;
 - (c) in the case of a licence appropriate to Class K, either vehicle of that class;
 - (d) in the case of a licence appropriate to Class L, either vehicle of that class;
- and
- (e) in the case of a licence appropriate to Class M, either vehicle of that class.

(2) A person, being the holder of a licence appropriate to a class set out in Column 1, hereunder, is entitled to drive, on a road, any vehicle of a class set out in the correspondingly opposite position in Column 2, hereunder, subject, however, to any conditions in the latter column mentioned.

Column 1.	Column 2.
Class A	Class E and, if the vehicle is not carrying passengers, or plying, for hire or reward, Classes G and H.
Class B	Classes A and E, and, if the vehicle is not carrying passengers, or plying, for hire or reward, Classes F, G and H.
Class C	Classes A, B and E, and, if the vehicle is not carrying passengers, or plying, for hire or reward, Classes F, G and H.

(3) An applicant for a licence to drive a Class K vehicle, shall have been the holder of a driver's licence for a Class L vehicle for a period of not less than twelve months, but where the applicant was immediately before the application—

- (a) regarded as the holder of a driver's licence applicable to a Class K vehicle pursuant to section 79 of the Act; or
- (b) authorized to drive a Class K vehicle pursuant to section 80 of the Act,

he shall be issued with a licence to drive a Class K vehicle.

Minimum age of licensee.
Amended by G.G. 6/2/76, p. 296; G.G. 11/5/79, p. 1221.

5. Subject to the exercise of the powers conferred on the Authority, by section 42 of the Act, a licence appropriate to a class set out in Column 1, hereunder, shall not be issued to a person, unless he has attained the age set out in the correspondingly opposite position in Column 2, hereunder.

Column 1.	Column 2.
Class A	17 years
Class B	18 years
Class C	20 years
Class E	17 years
Class F	21 years
Class G	21 years
Class H	21 years

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Class I	17 years
Class J	18 years
Class K	17 years
Class L	17 years
Class M	17 years
Class N	16 years

6. Every licence issued on probation shall be endorsed, in the space set apart for conditions, with the words, "ON PROBATION until", followed by the date on which, but for the provisions of section 51 of the Act, the period of probation would ordinarily expire.

Endorsement on probationary licence.

7. The several regulations or parts of regulations, designated in the First Schedule to these regulations, are those prescribed for the purposes of section 51 of the Act.

Prescribed regulations for s. 51.

8. The forms to be used for the purposes of these regulations are such as may be approved by the Authority.

Forms.

9. Where a person satisfies the Authority that a driver's licence issued to him has been lost or destroyed, he may obtain a duplicate thereof, on payment of an amount of \$2.

Duplicate licence.
Amended by G.G. 30/12/77, p. 4751.

10. (1) The several offences set out in the Second Schedule to these regulations are those prescribed for the purposes of section 103 of the Act and the numeral appearing in the final column of that Schedule, directly opposite an offence, is, subject to subregulation (2) of this regulation, the prescribed number of points to be recorded against a person convicted of that offence.

Offences prescribed for s. 103.

(2) Where a court, in exercise of the powers conferred by section 74 of the Act, suspends the driver's licence of a person convicted of any offence in connection with the driving of a motor vehicle, points shall not be recorded against that person under the provisions of this regulation, in respect of that offence.

11. For the purposes of subsection (1) of section 103 of the Act, the prescribed aggregate of points recorded against a person that will occasion his driver's licence to be suspended and occasion him to be disqualified from holding or obtaining a driver's licence, by operation of that section, is 12.

Points for various offences.

12. For the purposes of subsection (1) of section 103 of the Act, the period for which a person's driver's licence is suspended and for which he is disqualified from holding or obtaining such a licence, upon the points recorded against him amounting to 12, is three months.

Period of suspension, etc.

13. (1) Subject to subregulation (2) of this regulation, a person who has held a driver's licence under the Act, for a period of, or for periods amounting in the aggregate to less than one year shall not drive a motor vehicle, unless a plate issued by the Authority, bearing the letter "P", in red on a white ground, is displayed on the front and on the rear of the vehicle, so as to be readily visible, in the one case, from the front and, in the other, from the rear.

"P" plates.

Penalty: Fifty dollars.

(2) Subregulation (1) of this regulation does not apply to a person—

- (a) who, being the holder of a driver's licence under the Act, has been authorised, under the law in force in another State or in a Territory of the Commonwealth or in some other country, for a period of, or for periods, amounting in the aggregate to, one year or more, to drive a motor vehicle; or

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(b) whose only authority to drive a motor vehicle in the State is that conferred by section 79 or 80 of the Act, but where, on the hearing of a complaint of an offence against subregulation (1) of this regulation, the defendant sets up that he is a person mentioned in this subregulation, the proof of that fact lies upon him.

(3) A person who, not being a person required by this regulation to do so, displays on a motor vehicle driven by him a plate such as is mentioned in subregulation (1) of this regulation commits an offence.

Penalty: Twenty dollars.

(4) The Authority shall issue plates such as are mentioned in subregulation (1) of this regulation free of charge.

Drivers,
seventy-
five years
or more.
Added by
G.G. 11/1/75,
p. 2365-6.

14. (1) The prescribed intervals for the purpose of subsection (7) of section 48 of the Act are—

- (a) before the first renewal of a driver's licence after a licence holder has reached 75 years of age;
- (b) before the first renewal of a driver's licence after a licence holder has reached 78 years of age; and
- (c) before each renewal of a driver's licence, after a licence holder has reached 80 years of age.

(2) Where a person has, within a period of three years immediately prior to the first renewal of his licence after reaching the age of 75 years, complied with the requirements of paragraph (c) of subsection (2) of section 42 of the Act, or of paragraph (c) of subsection (2) of section 23 of the Traffic Act, 1919, then the provisions of paragraph (a) of subregulation (1) of this regulation shall not apply.

Fees for
extra-
ordinary
licences.
Added by
G.G. 5/9/75,
p. 3201.
Amended by
G.G. 25/8/78,
p. 3115.

15. For the purposes of subsections (3) and (6) of section 76 of the Act the prescribed fee for the issue or renewal of an extraordinary licence is—

- (a) where the licence is issued or renewed for a period not exceeding six months—three dollars and fifty cents;
- (b) where the licence is issued or renewed for a period exceeding six months—seven dollars.

FIRST SCHEDULE.

Road Traffic Code Regulation.	Nature of Offence.
502 (5).....	Overtaking by driving to the right of centre of a carriageway when that side is not free from oncoming traffic.
502 (6).....	Racing with another vehicle.
504.....	Passing a vehicle travelling in opposite direction, on wrong side.
505 (2).....	Preventing a vehicle overtaking.
510.....	Driving on wrong carriageway of a road divided by a median strip.
602.....	Failing to give way to a vehicle on the right.
603 (1).....	Failing to give way when turning right across the path of an oncoming vehicle.
1001.....	Exceeding the speed limit (applicable only where the excess is greater than 30 km/h).

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SECOND SCHEDULE.

Item No.	Authority	Nature of Offence	Points	Second Schedule. Substituted by
1.	Road Traffic Act, S. 61	Dangerous driving, first offence	9	G.G. 11/7/75, p. 2366.
2.	Road Traffic Act, S. 89	Unauthorised use of a motor vehicle	9	Amended by G.G. 7/11/75, p. 4130;
3.	Road Traffic Act, S. 54	Failing to stop at scene of an accident	9	G.G. 14/11/75, p. 4185;
4.	Road Traffic Code, Part X	Exceeding the speed limit—		G.G. 30/4/76, p. 1343;
		(a) by more than 10 km/h but not more than 20 km/h	1	G.G. 24/12/76, p. 5040;
		(b) by more than 20 km/h but not more than 30 km/h	2	G.G. 1/4/77, p. 922;
		(c) by more than 30 km/h but not more than 40 km/h	4	G.G. 22/7/77, p. 2358;
		(d) by more than 40 km/h but not more than 50 km/h	5	G.G. 10/11/77, p. 4191;
		(e) by more than 50 km/h	6	G.G. 2/2/79, pp. 305-6.
5.	Road Traffic Code, Regulation 1001(7)	Notwithstanding higher speeds permitted, exceeding 80 km/h whilst holder of a driver's licence issued on probation for less than 12 months—		
		(a) by more than 10 km/h but not more than 20 km/h	1	
		(b) by more than 20 km/h but not more than 30 km/h	2	
		(c) by more than 30 km/h but not more than 40 km/h	4	
		(d) by more than 40 km/h but not more than 50 km/h	5	
		(e) by more than 50 km/h	6	
6.	Road Traffic Code, Part VI	Failing to yield right of way	4	
7.	Road Traffic Act, S. 62	Careless driving	4	
8.	Road Traffic Code, R. 202	Failing to obey signal of a patrolman	3	
9.	Road Traffic Code, R. 401	Failing to obey traffic control signal (light)	4	
10.	Road Traffic Code, R. 402-901(1) (c)	Failing to obey traffic sign	3	
11.	Road Traffic Code, Part V	Failing to keep to the left	3	
12.	Road Traffic Code, Part V	Racing another driver	3	
13.	Road Traffic Code, Part V	Improperly overtaking another vehicle	2	
14.	Road Traffic Code, Part V	Failing to permit another driver to overtake	3	
15.	Road Traffic Code, R. 506	Improper driving in a laned carriageway or single line of traffic or at the approach side of an intersection	2	

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16. Road Traffic Code, R. 508	Code,	Crossing double lines, except for the purpose of making a lawful turn	3
17. Road Traffic Code, R. 509	Code,	Following too closely behind another vehicle	3
18. Road Traffic Code, R. 511	Code,	Crossing centre line of carriage-way when there is insufficient visibility ahead	3
19. Road Traffic Code, R. 606	Code,	Failing to give way to vehicles and pedestrians when entering a road from, or leaving a road to enter, land abutting on the road	2
20. Road Traffic Code, R. 607	Code,	Driver entering or attempting to cross blocked intersection	2
21. Road Traffic Code, R. 701(1)	Code,	Failing to give way at a pedestrian crossing	3
22. Road Traffic Code, R. 701(2)	Code,	Overtaking and passing a vehicle that is stopped at a pedestrian crossing	4
23. Road Traffic Code, R. 705(1) and (3)	Code,	Failing to stop at a children's crossing, or overtaking a vehicle that is stopped at a children's crossing	4
24. Road Traffic Code, R. 801-802	Code,	Turning improperly	2
25. Road Traffic Code, R. 803	Code,	Failing to give proper signal	2
26. Road Traffic Code, R. 804	Code,	Improper use of signalling devices	1
27. Road Traffic Code, R. 805	Code,	Making a U turn when movement cannot be made safely or without obstruction or making a U turn on an intersection at which a traffic control signal is operating	3
28. Road Traffic Code, R. 901(3)	Code,	Driving around or under a gate, boom or barrier at a level crossing	4
29. Road Traffic Code, R. 1604	Code,	Driving a vehicle without being in position to have full control or uninterrupted view, etc	2
30. Road Traffic Code, R. 1607	Code,	Offences relating to the wearing of protective helmets by motor cyclists and passengers	2
31. Road Traffic Code, R. 1619	Code,	Creating excessive noise	4
32. Road Traffic Code, R. 1620	Code,	Failing to comply with the signal to stop given by a patrolman or not stopping where approaching such a person from his front or rear, while he is controlling traffic	3
33. Road Traffic Code, R. 1621	Code,	Offences by driver relating to the wearing of seat belts and the occupying of seat positions in vehicles	2
34. Vehicle Standards Regulations, 1977 R. 107		Driving a vehicle which has been declared unroadworthy	3
35. Road Traffic (Drivers' Licences) Regulations, 1975 R. 13(1)		Failing to display "P" plates	2