
TRANSPORT

TN301*

Road Traffic (Authorisation to Drive) Act 2008

**Road Traffic (Authorisation to Drive)
Amendment Regulations 2016**

Made by the Governor in Executive Council.

1. Citation

These regulations are the *Road Traffic (Authorisation to Drive) Amendment Regulations 2016*.

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 the day after that day.

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:

Defence Force family member card means a card issued by the Department of Defence of the Commonwealth that identifies the holder as a member

of the family of a current member of the Defence Force of the Commonwealth;

Defence Force member card means a card issued by the Department of Defence of the Commonwealth that identifies the holder as a current member of the Defence Force of the Commonwealth;

5. Regulation 29 amended

In regulation 29(3)(b) delete “destroyed or cannot be found.” and insert:

lost, stolen or destroyed.

6. Regulation 32 replaced

Delete regulation 32 and insert:

32. Return of driver’s licence document to CEO

- (1) The CEO may, by written notice, require a person to return to the CEO within the period specified in the notice (the *specified period*) a driver’s licence document issued to the person if —
 - (a) the person has been disqualified from holding or obtaining a driver’s licence; or
 - (b) the person’s driver’s licence is suspended or cancelled; or
 - (c) the CEO needs the document in order to correct or replace it or to otherwise change it for any other reason.
- (2) A person must comply with a requirement under subregulation (1).

Penalty for this subregulation: a fine of 6 PU.
Modified penalty for this subregulation: 2 PU.
- (3) Subregulation (2) does not apply if, within the specified period, the person notifies the CEO in writing that the driver’s licence document has been lost, stolen or destroyed.

7. Regulation 35 amended

In regulation 35(2) in the Penalty delete “Penalty:” and insert:

Penalty for this subregulation:

8. Regulation 61 amended

- (1) In regulation 61(3)(a) delete “State, other than as a member of the Defence Force of the Commonwealth; and” and insert:

State; and

- (2) After regulation 61(3) insert:

- (3A) Despite subregulation (3), a driving authorisation recognised under regulation 59 authorises the person who holds it to drive in this State if the person is the holder of a Defence Force member card or a Defence Force family member card.

9. Regulation 63 amended

In regulation 63:

- (a) delete paragraph (a) and insert:

- (a) while driving a motor vehicle on a road, carry —
- (i) the official document that is evidence of the authorisation; and
 - (ii) the Defence Force member card or Defence Force family member card held by the person if the card is required, under regulation 61(3A), for the authorisation to be recognised under regulation 59;

and

- (b) in paragraph (b) after “document” insert:

or card

Note: The heading to amended regulation 63 is to read:

Other jurisdiction’s driving authorisation document, Defence Force card, to be carried and produced

10. Various penalties amended

- (1) In the provisions listed in the Table:

- (a) delete “Penalty:” and insert:

Penalty for this subregulation:

(b) delete “Modified penalty:” and insert:

Modified penalty for this subregulation:

Table

r. 29(3)	r. 31(5)
r. 36(1)	r. 48(2)
r. 49(1) and (3)	r. 64(2), (3) and (4)

(2) In the provisions listed in the Table in the Penalty and the Modified penalty delete “an offence under”.

Table

r. 36(6)	r. 40(2)
r. 49(4)	r. 64(5)

K. H. ANDREWS, Clerk of the Executive Council.
