

TR302\*

Road Traffic Act 1974

## **Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2001**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2001*.

**2. Commencement**

These regulations come into operation on 5 February 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 12 January 2001 see Gazette 17 May, 8 September and 1 December 2000.]

**4. Regulation 4E inserted**

After regulation 4 the following regulation is inserted —

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**4E. Requirements prescribed under section 42(2)(c)**

- (1) Except as provided in subregulation (3), an applicant is required under section 42(2)(c) to —
  - (a) record at least 25 hours of driving under subregulation (2); and
  - (b) after recording that driving, and being at least 17 years of age, satisfy the Director General, by a test approved by the Director General, that the applicant has an ability to recognise hazards on roads.
- (2) Driving is to be recorded under this subregulation in a logbook in a form approved by the Director General and can only be recorded if —
  - (a) before the driving was performed the applicant had satisfied the Director General that the applicant had an ability to control the class of motor vehicle and had reached the age of 16 years and 6 months; and
  - (b) the driving was supervised by the holder of a licence issued under the *Motor Vehicle Drivers Instructors Act 1963* or a person prescribed in regulation 12C.
- (3) This regulation does not apply to an applicant who had reached the age of 16 years on 4 February 2001.

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**5. Regulation 12C inserted**

After regulation 12 the following regulation is inserted —

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**12C. Driving instructors prescribed under section 48C(1)(b)**

- (1) A person is prescribed under section 48C(1)(b) of the Act if —
  - (a) the person is an instructor in a youth driver education course conducted or supervised by a body authorised by the Director General for that purpose; or

- (b) the person has held a driver's licence appropriate to the class of vehicle specified in the relevant learner's permit —
  - (i) in the case of a moped, for at least 2 years; or
  - (ii) in any other case, for at least 4 years.
- (2) If the learner's permit is issued to someone who has an incapacity of the kind referred to in section 44(1)(a) of the Act, subregulation (1)(b) does not apply to a person unless the person is approved by the Director General.

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**6. Regulation 13 amended**

Regulation 13(2)(a) is amended by deleting “one year” and inserting instead —

“ 2 years ”.

**7. Transitional**

Regulation 4E of the *Road Traffic (Drivers' Licences) Regulations 1975* does not apply to a person who holds a learner's permit issued before the day on which these regulations come into operation.

By Command of the Governor,

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

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