

Western Australia

**Road Traffic (Drivers' Licences)  
Regulations 1975**

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## **Road Traffic (Drivers' Licences) Regulations 1975**

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Western Australia

Road Traffic Act 1974

## **Road Traffic (Drivers' Licences) Regulations 1975**

### **1. Citation**

These regulations may be cited as the *Road Traffic (Drivers' Licences) Regulations 1975*<sup>1</sup>.

### **2. Interpretation**

- (1) In these regulations, unless the contrary intention appears —
- “age pension”** means an age pension from the Department of Social Security, or the Department of Veterans' Affairs, of the Commonwealth;
- “axle”** means the axis of rotation of any of the wheels on which a vehicle is or may be driven, regardless of whether the wheel is power driven or freely rotating and regardless of the number of wheels rotating on that axis, and if 2 or more wheels have substantially the same axis of rotation, or intersecting axes of rotation, when the vehicle is being driven in a straight line those wheels are to be regarded as being on the same axle;
- “drive”** includes ride;
- “GVM”** (which stands for “gross vehicle mass”) means the maximum loaded mass of a vehicle —
- (a) as specified by the manufacturer; or
  - (b) as specified by the relevant authority if —

- (i) the manufacturer has not specified a maximum loaded mass;
- (ii) the manufacturer cannot be identified; or
- (iii) the vehicle has been modified to the extent that the manufacturer's specification is no longer appropriate;

**“holiday period”** has the meaning given in subregulation (2);

**“learner's permit”** means a permit under section 48C of the Act;

**“moped”** means a motor cycle that —

- (a) has a propelling engine with an engine capacity not exceeding 50 ml; and
- (b) is designed so as not to be capable of a speed exceeding 60 km/h,

whether or not it is also capable of being propelled by pedalling, except that it does not include a power assisted pedal cycle;

**“motor carrier”** means —

- (a) a motor vehicle that —
  - (i) is designed to travel on 3 wheels; and
  - (ii) has an unladen mass of not more than 1 016 kg; and
  - (iii) is designed with a significant portion of its steering mechanism and other controls similar to those of a motor cycle;

or

- (b) a motorised wheelchair other than a motorised wheelchair that is designed so as not to be capable of a speed exceeding 10 km/h;

**“motor cycle”** has the meaning given to that term in the *Road Traffic (Licensing) Regulations 1975* regulation 3(1);



**“motor vehicle”** means a self-propelled vehicle that is not operated on rails but does not include a power assisted pedal cycle, and the expression does not include a trailer attached to the vehicle;

**“pension”** means a pension from the Department of Social Security, or the Department of Veterans' Affairs, of the Commonwealth;

**“pensioner concession card”** means a pensioner concession card issued by the Department of Social Security, or the Department of Veterans' Affairs, of the Commonwealth;

**“prime mover”** means a motor vehicle having 2 or more axles and a GVM greater than 8 t, that is built to tow a semi-trailer;

**“relevant authority”**, in relation to a vehicle, means —

- (a) if the vehicle has never been licensed or registered but the vehicle is used or is intended to be used in this State — the Director General;
- (b) if the vehicle was last licensed in this State — the Director General; or
- (c) if the vehicle was last licensed or registered in another State or a Territory — the authority in that State or Territory whose functions most nearly correspond to those of the Director General;

**“semi-trailer”** means a trailer (including a pole-type trailer) that has —

- (a) one axle group or single axle to the rear; and
- (b) a means of attachment to a prime mover that results in some of the load being imposed on the prime mover;

**“seniors' card”** means a seniors' card issued by the Office of Seniors' Interests in this State;

**“seniors' health card”** means a Commonwealth seniors' health card, issued by the Department of Social Security of the Commonwealth;

**“trailer”** means a vehicle that is built to be towed, or is towed, by a motor vehicle, whether by attachment to the motor vehicle directly or to another trailer towed by the motor vehicle, but does not include a motor vehicle that is being towed;

**“weekend”** means a Saturday and the following Sunday.

(2) In this regulation —

**“holiday period”** means —

- (a) a 4 day period, comprising a public holiday specified, or appointed under the power, in the Second Schedule to the *Public and Bank Holidays Act 1972* that falls on a Friday or a Monday, together with —
    - (i) (where the public holiday is a Friday) the Thursday before it, and the weekend following it; or
    - (ii) (where the public holiday is a Monday) the Friday before it, and the weekend before it;
- and
- (b) any period set out in the Table to this subregulation.

**Table**

- 1. The period of Thursday 20 March 2008 to Monday 24 March 2008 (inclusive).
- 2. The period of Friday 19 December 2008 to Sunday 4 January 2009 (inclusive).

*[Regulation 2 inserted in Gazette 24 Nov 1995 p. 5455-6; amended in Gazette 9 Feb 2001 p. 776-7; 15 Jun 2001 p. 2975-6; 8 Jan 2002 p. 37; 8 Mar 2002 p. 944-5; 16 Apr 2003 p. 1239; 12 Dec 2003 p. 5049; 10 Dec 2004 p. 5918; 28 Nov 2006 p. 4914; 8 Feb 2008 p. 321.]*

**3. Driver's licence vehicle classifications**

- (1) For the purposes of Part IVA of the Act, a motor vehicle described in Schedule 1 column 2 is classified as specified in column 1 opposite that description.
- (2) When Schedule 1 column 2 describes a motor vehicle, it means a motor vehicle of the kind described, whether or not it is attached to a trailer that the motor vehicle may be used to tow according to Schedule 7.

*[Regulation 3 inserted in Gazette 9 Feb 2001 p. 777-8.]*

**4. Classes of vehicles covered by driver's licence**

A person who holds a driver's licence for a motor vehicle of a class specified in Schedule 2 column 1 is entitled to drive on a road a motor vehicle of that class and any motor vehicle specified in column 2 opposite that class.

*[Regulation 4 inserted in Gazette 9 Feb 2001 p. 778.]*

**4A. Motor vehicles used to demonstrate an ability to control a class**

- (1) A person who demonstrates an ability to drive a motor vehicle of a kind described in Schedule 3 column 2 is to be taken to have demonstrated an ability to control the class of motor vehicle specified in column 1 opposite that description.
- (2) A person may use a moped to demonstrate an ability to control class R motor vehicles, however a driver's licence granted on the basis of that demonstration is to be endorsed as of class N.
- (3) A person may use a motor cycle with an engine capacity of at least 100 ml but not exceeding 250 ml to demonstrate an ability to control class R motor vehicles, however a driver's licence granted on the basis of that demonstration is to be endorsed as of class E.

*[Regulation 4A inserted in Gazette 9 Feb 2001 p. 778.]*

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**4B. Prerequisite driver's licences**

- (1) A person is not to be granted a driver's licence appropriate to a motor vehicle of a class specified in Schedule 4 column 1 unless the person has held the driver's licence specified in column 2 opposite that class for the period specified in column 3 opposite that class.
- (2) Subregulation (1) does not apply to the granting of a driver's licence appropriate to class R that is endorsed as of class N or class E.

*[Regulation 4B inserted in Gazette 9 Feb 2001 p. 778; amended in Gazette 28 Nov 2006 p. 4916.]*

**4C. Driver's licences under sections 48D and 48E**

Despite regulation 4B, if an applicant for a driver's licence was, immediately before the application —

- (a) regarded as the holder of a driver's licence applicable to a particular type or class of motor vehicle under section 48D of the Act; or
- (b) authorised to drive a motor vehicle of a particular type or class under section 48E of the Act,

the person is to be granted a licence to drive a motor vehicle of that type or class.

*[Regulation 4C inserted in Gazette 9 Feb 2001 p. 779.]*

**4D. Minimum age for moped licence**

For the purposes of section 42(2)(a) of the Act, the minimum age for a person to qualify for a class R driver's licence that is endorsed as of class N is 16 years.

*[Regulation 4D inserted in Gazette 9 Feb 2001 p. 779.]*

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

- (1) 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 obtained from 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.

[Regulation 4E inserted in Gazette 30 Jan 2001 p. 621; amended in Gazette 8 Jan 2002 p. 37; 28 Nov 2006 p. 4914.]

## 5. Carrying passengers for reward

- (1) The authority given by a driver's licence does not include —
- (a) the authority to operate a taxi within the meaning of the *Taxi Act 1994*;
  - (b) the authority to operate an omnibus or other public vehicle within the meaning of the *Transport Co-ordination Act 1966*; or
  - (c) the authority to drive any other motor vehicle for the purpose of carrying passengers for reward,

unless the licence is endorsed under this regulation to confer that authority.

- (2) For the purposes of subregulation (1)(c), a person does not carry passengers for reward if —

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- (a) the amount received by the person for carrying those passengers is not intended to exceed the running costs of the motor vehicle;
  - (b) that person is —
    - (i) driving a vehicle in the course of his or her general employment; and
    - (ii) carrying passengers in that vehicle as an incidental part of his or her main employment duties,  
but only if he or she is driving a vehicle that does not seat more than 12 persons (including the driver);
  - (c) that person is the holder of a licence or permit authorising the provision of a child care service issued under section 17B of the *Community Services Act 1972*, and is providing a child care service as the holder of the licence or permit;
  - (d) that person is employed by the holder of a licence or permit authorising the provision of a child care service issued under section 17B of the *Community Services Act 1972*, and is acting in the course of his or her employment by the holder of the licence or permit; or
  - (e) that person is —
    - (i) providing a child care service outside school hours for school age children; and
    - (ii) entitled to continue to operate that service by virtue of registration under regulation 102 of the *Community Services (Outside School Hours Care) Regulations 2002*<sup>2</sup>.
- (2a) For the purposes of subregulation (2), an amount is not intended to exceed the running costs of the motor vehicle if it does not exceed an amount calculated according to the relevant rate per kilometre specified in Schedule 5.
- (3) A driver's licence may be endorsed —

- (a) as of class F, in which case the licence confers the authority to drive a motor vehicle to which the licence is appropriate for the purposes of carrying passengers for reward except as a taxi under the *Taxi Act 1994* or the *Transport Co-ordination Act 1966*; or
  - (b) as of class T, in which case, if the holder of the licence has reached 21 years of age, the licence confers the authority to drive a motor vehicle to which the licence is appropriate for the purposes of carrying passengers for reward, whether or not as a taxi under the *Taxi Act 1994* or the *Transport Co-ordination Act 1966*; or
  - (c) as of class T, in which case, if the holder of the licence has not reached 21 years of age, the licence confers the authority to drive a motor vehicle to which the licence is appropriate for the purposes of carrying passengers for reward as a taxi under the *Taxi Act 1994* or the *Transport Co-ordination Act 1966*.
- (4) The Director General may, on an application by a person and on payment of the relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006*, endorse a driver's licence held by the person as of class F if the Director General is satisfied that the person —
- (a) has reached the age of 21 years; and
  - (b) has held the licence for a period of, or periods amounting in the aggregate to, 4 years; and
  - (c) does not hold the licence on probation; and
  - (d) is of good character; and
  - (e) is mentally and physically fit to drive a motor vehicle for the purposes of carrying passengers for reward.
- [(f) deleted]*
- (4a) The Director General may, on an application by a person and on payment of the relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006*, endorse a driver's

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licence held by the person as of class T if the Director General is satisfied that the person —

- (a) has reached the age of 20 years; and
  - (b) has held the licence as an unrestricted licence for a period of, or periods amounting in the aggregate to, one year; and
  - (c) is of good character; and
  - (d) is mentally and physically fit to drive a motor vehicle for the purposes of carrying passengers for reward; and
  - (e) has successfully completed a training course or test approved by the Director General.
- (5) The holder of a driver's licence endorsed as of class F or class T is to submit himself or herself to a medical examination —
- (a) at intervals of 5 years until reaching the age of 45 years;
  - (b) at intervals of 2 years after reaching the age of 45 years until reaching the age of 65 years;
  - (c) annually after reaching the age of 65 years.
- (6) A driver's licence endorsement under this regulation is to have effect for a period determined by the Director General having regard to the intervals at which the holder of the licence is required to submit himself or herself to a medical examination under subregulation (5).

*[Regulation 5 inserted in Gazette 9 Feb 2001 p. 779-80; amended in Gazette 24 Apr 2003 p. 1274 and p. 1275-6; 28 Nov 2006 p. 4915; 9 Nov 2007 p. 5615-16.]*

**5A. Period of licence**

- (1) Unless subregulation (2) applies, a driver's licence may be granted or renewed to have effect for —
- (a) if paragraph (b) does not apply, a period of 12 months or 5 years, as elected by the applicant for the licence; or



- 
- (b) if a driver's licence is granted to a person who holds a corresponding licence in another State or a Territory —
- (i) a period equal to the period for which the corresponding licence still has effect; or
  - (ii) a period of 5 years,
- whichever is the lesser.
- (2) A driver's licence which is subject to any condition or limitation under section 44 of the Act is to be granted or renewed to have effect for a period, not exceeding 5 years, determined by the Director General, being a period that the Director General considers appropriate having regard to the grounds on which any such condition or limitation was imposed.
- (3) If a driver's licence is granted to a person who holds a corresponding licence in another State or a Territory, the period determined under subregulation (2) cannot be more than the period for which the corresponding licence still has effect.

*[Regulation 5A inserted in Gazette 9 Feb 2001 p. 780-1; amended in Gazette 30 Dec 2004 p. 6955; 28 Nov 2006 p. 4916.]*

**5B. Prescribed classes of licence conditions or limitations**

For the purposes of section 43(1)(ab) of the Act, a condition or limitation set out in Schedule 6 column 2 has the classification specified in column 1 opposite that description.

*[Regulation 5B inserted in Gazette 9 Feb 2001 p. 781.]*

**5C. Prescribed notations**

- (1) A licence may be endorsed with the notation "X" to show that the licence is subject to conditions or limitations set out in a notice under section 44(3)(a) of the Act.
- (2) If the notice is to the effect that the licence holder must not drive a motor vehicle unless it is fitted with certain appliances

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as set out in a notice under section 44(3)(a) of the Act, the licence may instead be endorsed with the notation "V".

*[Regulation 5C inserted in Gazette 9 Feb 2001 p. 781.]*

**5D. Trailer towing limits**

The authority given by a driver's licence appropriate to a class of motor vehicle includes the authority to drive a motor vehicle of that class while towing a trailer but only if the trailer is one that the motor vehicle may be used to tow according to Schedule 7.

*[Regulation 5D inserted in Gazette 9 Feb 2001 p. 781.]*

**6. Endorsement on probationary licence document**

Every licence document 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.

*[Regulation 6 amended in Gazette 28 Nov 2006 p. 4916.]*

*[7. Repealed in Gazette 1 Jun 1993 p. 2729.]*

**8. Forms**

- (1) The forms to be used for the purposes of these regulations are such as may be approved by the Director General.
- (2) The form set out in the Schedule 8 is prescribed under section 49A(3) of the Act.

*[Regulation 8 amended in Gazette 2 Feb 1982 p. 400; 31 Jan 1997 p. 680; 25 Jan 2001 p. 594; 9 Feb 2001 p. 782.]*

**8A. Proof of identity and residential address in this State of applicant for grant or renewal of a licence**

An application for the grant or renewal of a driver's licence is to be accompanied by such proof of the applicant's identity and

residential address in this State as the Director General may require.

*[Regulation 8A inserted in Gazette 9 Feb 2001 p. 782; amended in Gazette 28 Nov 2006 p. 4916.]*

**9. Duplicate licence document**

Where a person satisfies the Director General that a driver's licence document issued to him has been lost or destroyed, he may obtain a duplicate of the licence on payment of the relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006*.

*[Regulation 9 amended in Gazette 30 Dec 1977 p. 4751; 18 Dec 1981 p. 5194; 2 Feb 1982 p. 400; 21 Oct 1983 p. 4269; 23 Dec 1988 p. 4983; 7 Sep 1990 p. 4701; 20 Sep 1991 p. 4948; 24 May 1996 p. 2171; 31 Jan 1997 p. 680; 13 May 1997 p. 2340; 17 May 2000 p. 2425; 29 Jun 2001 p. 3252; 17 May 2002 p. 2566; 20 May 2003 p. 1797; 20 Apr 2004 p. 1299; 26 May 2006 p. 1882; 28 Nov 2006 p. 4915 and 4916.]*

*[9AA. Repealed in Gazette 28 Nov 2006 p. 4915.]*

**9A. Replacement of licence by licence document in new form**

Where the Director General has approved a new form of licence document under section 42A of the Act, it may on —

- (a) application being made in a form approved by the Director General by the holder of a driver's licence;
- (b) the surrender of that licence document;
- (c) payment of the relevant fee prescribed under the *Road Traffic (Charges and Fees) Regulations 2006*; and
- (d) the provision of the photograph and signature referred to in section 42B of the Act,

issue to the applicant a driver's licence document in the new form to the same effect as the surrendered licence document.

*[Regulation 9A inserted in Gazette 23 Dec 1988 p. 4983; amended in Gazette 31 Jan 1997 p. 680; 9 Feb 2001 p. 782; 29 Jun 2001 p. 3252; 17 May 2002 p. 2566; 20 May 2003 p. 1797; 26 May 2006 p. 1882; 28 Nov 2006 p. 4915 and 4916.]*

**10. Offences prescribed for s. 103**

- (1) In addition to the offences described in subregulation (2), the several offences set out in Schedule 9 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) the prescribed number of points to be recorded against a person convicted of that offence.
- (2) Further offences are prescribed for the purposes of section 103 of the Act in the *Road Traffic Code 2000*, and points recorded against a person convicted of an offence under the *Road Traffic Code 2000* are to be counted when determining the number of points recorded against a person under regulation 11.

*[Regulation 10 amended in Gazette 1 Dec 2000 p. 6761; 9 Feb 2001 p. 782.]*

**11. Points for various offences**

For the purposes of section 103(1) 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.

**12. Period of suspension, etc.**

For the purposes of section 103(1) 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 3 months.

**12A. Service of notice of disqualification**

For the purposes of section 103(4a)(b) of the Act, a person is served with a notice of disqualification in the prescribed manner if the person is given the notice either —

- (a) personally; or
- (b) by a form of mail that involves the person taking personal delivery of the notice and acknowledging in writing having taken delivery of it.

*[Regulation 12A inserted in Gazette 9 Feb 2001 p. 783.]*

**12B. Learner's permit**

- (1) If a licence for a particular class of motor vehicle would authorise the holder to drive on a road a motor vehicle of another class, a learner's permit for the particular class also authorises the holder to drive on a road, in the course of driving instruction, a motor vehicle of that other class for which the holder of the learner's permit does not hold a driver's licence.
- (2) A learner's permit may authorise the driving of a motor vehicle in the course of driving instruction by —
  - (a) in the case of a moped and no other motor vehicle, a person who has for 2 years held a driver's licence authorising the person to drive a moped; or
  - (b) in any other case, a person who has for 4 years held a driver's licence authorising the person to drive the motor vehicle.
- (3) A person has to have reached the age of 16 years if the person is to be granted a learner's permit, other than under section 48C(1a) of the Act, to drive —
  - (a) a motor vehicle of class C; or
  - (b) a motor vehicle of class R.
- (4) A person is not to be granted a learner's permit appropriate to a motor vehicle of a class specified in Schedule 10 column 1

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unless the person has satisfied the prerequisite specified in column 2 opposite that class.

- (5) Subregulation (4) does not apply to a driver's licence appropriate to a motor vehicle of class R where the licence is endorsed as of class N or class E.

*[Regulation 12B inserted in Gazette 9 Feb 2001 p. 783.]*

**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 granted 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.

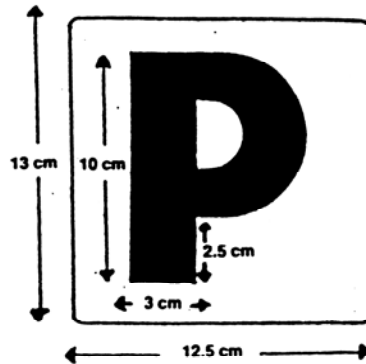
*[Regulation 12C inserted in Gazette 30 Jan 2001 p. 621-2; amended in Gazette 28 Nov 2006 p. 4916.]*

**13. "P" plates**

- (1) Subject to subregulation (2), a person shall not drive a motor vehicle in respect of which he is the holder of a driver's licence granted on probation unless —
- (a) a plate that bears the letter "P", in red on a white ground, where the plate and the "P" are of at least the same size as shown in the diagram below, is displayed on the front of the vehicle so as to be readily visible from the front; and

- (b) another plate identical to that described in paragraph (a) is displayed on the rear of the vehicle so as to be readily visible from the rear.

Penalty: Two penalty units (2 PU).



- (2) Subregulation (1) 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, 2 years or more, to drive a motor vehicle; or
- (b) whose only authority to drive a motor vehicle in the State is that conferred by section 48D or 48E of the Act,

but where, on the hearing of a complaint of an offence against subregulation (1), 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) commits an offence.

Penalty: One penalty unit (1 PU).

- (4) The Director General shall issue plates such as are mentioned in subregulation (1) free of charge.

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*[Regulation 13 amended in Gazette 2 Feb 1982 p. 400; 14 Aug 1987 p. 3168; 31 Mar 1988 p. 960-1; 29 Jul 1988 p. 2540; 31 Jan 1997 p. 679 and 680; 23 Dec 1997 p. 7452; 12 May 1998 p. 2772; 30 Jan 2001 p. 622; 28 Nov 2006 p. 4916.]*

**14. Drivers, 75 years or more**

- (1) The prescribed intervals for the purpose of section 48(7) 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 3 years immediately prior to the first renewal of his licence after reaching the age of 75 years, complied with the requirements of section 42(2)(c) of the Act, or of section 23(2)(c) of the *Traffic Act 1919*<sup>3</sup>, then the provisions of subregulation (1)(a) shall not apply.

*[Regulation 14 inserted in Gazette 11 Jul 1975 p. 2365-6.]*

*[14A. Repealed in Gazette 28 Nov 2006 p. 4915.]*

**14B. Driving tests**

- (1) In this regulation —

**“allocated time”** means the date and time appointed by the Director General for a particular applicant to attend for a driving test.
- (2) The payment of the relevant fee prescribed in the *Road Traffic (Charges and Fees) Regulations 2006* entitles an applicant to a driving test at the allocated time.
- (3) The Director General may change the allocated time either at the request of, or with the consent of, an applicant.



- (4) Any request by an applicant to change the allocated time must be made more than 48 hours before the allocated time.
- (5) Subject to subregulation (6), if an applicant fails to attend at the allocated time, the applicant's entitlement to a driving test is forfeited and the relevant fee prescribed in the *Road Traffic (Charges and Fees) Regulations 2006* must be paid before he or she is entitled to a driving test.
- (6) The Director General may permit an applicant to attend a driving test at a reallocated time if satisfied that there were extenuating circumstances which prevented the applicant from attending at the allocated time or having that time changed in accordance with subregulations (3) and (4).

*[Regulation 14B inserted in Gazette 25 May 1999 p. 2072; amended in Gazette 9 Feb 2001 p. 784; 28 Nov 2006 p. 4915.]*

*[15-15D. Repealed in Gazette 28 Nov 2006 p. 4916.]*

#### **15E. Statutory declarations**

The Director General may, in order to be satisfied that a person is entitled to an exemption, refund or reduction under these regulations, require any information contained in an application to be verified by statutory declaration.

*[Regulation 15E inserted in Gazette 24 Nov 1995 p. 5457; amended in Gazette 31 Jan 1997 p. 680.]*

#### **16. Change of address**

- (1) The holder of a driver's licence shall, within 21 days after every change of his address as stated in the licence, give notice in writing of the change to the Director General.
- (2) A person who commits a breach of subregulation (1) is liable, for a first offence, to a penalty not exceeding four penalty units (4 PU) and, for a subsequent offence, to a penalty not exceeding eight penalty units (8 PU).

*[Regulation 16 amended in Gazette 13 Mar 1981 p. 939  
(corrigendum in Gazette 20 Mar 1981 p. 999); 2 Feb 1982  
p. 400; 31 Jan 1997 p. 680; 23 Dec 1997 p. 7452.]*

**17. Duty to reveal things that might impair ability**

- (1) In this regulation —
- “driving impairment of the person”** means any permanent or long-term mental disorder or physical disability that is likely to impair the person’s ability to control a motor vehicle either —
- (a) in all circumstances; or
  - (b) except under certain conditions or subject to certain limitations; or
  - (c) unless measures are taken to overcome the impairment.
- (2) A person applying for the grant of a learner’s permit or a driver’s licence is required, when applying, to inform the Director General of any driving impairment of the person.
- (3) If a person who holds a learner’s permit or a driver’s licence becomes affected by any driving impairment of the person of which the person has not already informed the Director General, the person is required, as soon as practicable, to inform the Director General in writing of the impairment.
- (4) If a person who has informed the Director General of a driving impairment of the person —
- (a) becomes affected by the impairment to a degree that is substantially different from that of which the Director General was most recently informed; or
  - (b) informs the Director General that the person has ceased to be affected by the impairment and subsequently becomes again affected by it,
- the person is required, as soon as practicable, to inform the Director General in writing of the development.

- (5) Subregulation (4)(a) does not apply if the only difference is a reduction in the extent of the impairment.

Penalty: 10 penalty units (10 PU).

*[Regulation 17 inserted in Gazette 17 Mar 2008 p. 860-1.]*

## **Schedule 1 — Classification of motor vehicles**

[r. 3]

*[Heading inserted in Gazette 9 Feb 2001 p. 784.]*

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Motor vehicle description</b>
R	A motor cycle or a motor carrier.
C	A motor vehicle, other than a motor cycle or motor carrier, that has a GVM not exceeding 4.5 t and that is equipped to seat not more than 12 adults including the driver.
LR	A motor vehicle, other than a motor cycle or motor carrier, that — (a) has a GVM not exceeding 4.5 t and that is equipped to seat more than 12 adults including the driver; or (b) has a GVM exceeding 4.5 t but not exceeding 8 t.
MR	A motor vehicle, other than a motor cycle or motor carrier, that has 2 axles and a GVM exceeding 8 t.
HR	A motor vehicle, other than a motor cycle or motor carrier, that has 3 or more axles and a GVM exceeding 8 t.
HC	A motor vehicle that is attached to — (a) a semi-trailer; or (b) a trailer that has a GVM exceeding 9 t.
MC	Any other motor vehicle.

*[Schedule 1 inserted in Gazette 9 Feb 2001 p. 784-5.]*

**Schedule 2 — Scope of a driver's licence**

[r. 4]

*[Heading inserted in Gazette 9 Feb 2001 p. 785.]*

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Other motor vehicles licence holder is entitled to drive</b>
MC	A motor vehicle of class HC, HR, MR, LR or C or a moped.
HC	A motor vehicle of class HR, MR, LR or C or a moped.
HR	A motor vehicle of class MR, LR or C or a moped.
MR	A motor vehicle of class LR or C or a moped.
LR	A motor vehicle of class C or a moped.
C	A moped.

*[Schedule 2 inserted in Gazette 9 Feb 2001 p. 785.]*

**Schedule 3 — Motor vehicles used to demonstrate an ability to control a class**

[r. 4A]

*[Heading inserted in Gazette 9 Feb 2001 p. 785.]*

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Motor vehicle description</b>
R	A motorcycle with an engine capacity exceeding 250 ml.
C	A motor vehicle of class C.
LR	A motor vehicle of class LR.
MR	A motor vehicle of class MR except a prime mover.
HR	A motor vehicle of class HR, except a prime mover, that has 3 or more axles and a GVM exceeding 15 t.
HC	A prime mover that — <ul style="list-style-type: none"><li>(a) has 3 axles and a GVM exceeding 15 t; and</li><li>(b) is attached to one semi-trailer that has at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 10 m.</li></ul>
	OR
	A motor vehicle, other than a prime mover, that — <ul style="list-style-type: none"><li>(a) has 3 or more axles and a GVM of more than 15 t; and</li><li>(b) is attached to a trailer that has an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 7 m.</li></ul>

<b>Column 1</b>	<b>Column 2</b>
<b>Class</b>	<b>Motor vehicle description</b>
MC	<p>A prime mover —</p> <p>(a) that —</p> <p>(i) has 3 axles and a GVM exceeding 15 t;</p> <p>(ii) is attached to a semi-trailer and a trailer that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 10 m;</p> <p>or</p> <p>(b) that —</p> <p>(i) has 3 axles and a GVM exceeding 15 t; and</p> <p>(ii) is attached to 2 semi-trailers that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t; and</p> <p>(iii) together with the semi-trailers has a length of not less than 22 m.</p> <p>OR</p> <p>A motor vehicle of class HR that —</p> <p>(a) has 3 axles and a GVM of more than 15 t; and</p> <p>(b) is attached to 2 trailers that each have at least 2 axles, an unladen mass exceeding 4 500 kg, a GVM of not less than 16 t and a length of not less than 7 m.</p>

*[Schedule 3 inserted in Gazette 9 Feb 2001 p. 785-6.]*

**Schedule 4 — Prerequisite driver's licences**

[r. 4B]

*[Heading inserted in Gazette 9 Feb 2001 p. 786.]*

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>
<b>Class</b>	<b>Prerequisite licence</b>	<b>Period</b>
R	A licence that is appropriate to a motor cycle (other than a moped) that has an engine capacity not exceeding 250 ml .....	one year
LR	A licence that is appropriate to a motor vehicle of class C .....	one year
MR	A licence that is appropriate to a motor vehicle of class C .....	one year
HR	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class C .....	2 years
HC	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class C .....	3 years
	AND	
	A licence that is unrestricted for the purposes of section 45(4) of the Act and that is appropriate to a motor vehicle of class MR or HR .....	one year
MC	A licence that is appropriate to a motor vehicle of class HR or HC .....	one year

*[Schedule 4 inserted in Gazette 9 Feb 2001 p. 786-7.]*



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**Schedule 5 — Vehicle running costs**

[r. 5(2a)]

*[Heading inserted in Gazette 9 Feb 2001 p. 787; amended in Gazette 24 Apr 2003 p. 1275.]*

<b>Description of vehicle</b>	<b>Rate per kilometre</b>
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity that does not exceed 1 600 cm <sup>3</sup> ; or	
(b) a rotary engine with a capacity that does not exceed 800 cm <sup>3</sup> .....	55.0 cents
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity exceeds 1 600 cm <sup>3</sup> but does not exceed 2 600 cm <sup>3</sup> ; or	
(b) a rotary engine with a capacity that exceeds 800 cm <sup>3</sup> but does not exceed 1 300 cm <sup>3</sup> .....	66.0 cents
A motor vehicle powered by —	
(a) an engine (other than a rotary engine) with a capacity that exceeds 2 600 cm <sup>3</sup> ; or	
(b) a rotary engine with a capacity that exceeds 1 300 cm <sup>3</sup> .....	67.0 cents

*[Schedule 5 inserted in Gazette 9 Feb 2001 p. 787; amended in Gazette 24 Apr 2003 p. 1275; 27 May 2005 p. 2305; 23 Dec 2005 p. 6279; 28 Nov 2006 p. 4893.]*

**Schedule 6 — Prescribed classes of licence conditions or limitations**

[r. 5B]

*[Heading inserted in Gazette 9 Feb 2001 p. 788.]*

<i>Column 1</i>	<i>Column 2</i>
<b>Class</b>	<b>Condition or limitation</b>
A	The holder of a driver's licence appropriate to a motor vehicle may drive the motor vehicle if and only if it is fitted with automatic transmission.
B	The holder of a driver's licence appropriate to a motor vehicle may drive the motor vehicle if and only if it is fitted with automatic or synchromesh transmission.
E	The holder of a driver's licence appropriate to a motor cycle may drive the motor cycle if and only if it has an engine capacity not exceeding 250 ml.
N	The holder of a driver's licence appropriate to a motor cycle may drive the motor cycle if and only if it is a moped.
S	The holder of a driver's licence is not to drive a motor vehicle to which the licence is appropriate unless the licence holder wears corrective eye lenses while driving.
Z	The holder of a driver's licence may drive a motor vehicle to which the licence is appropriate if and only if the licence holder does not have a blood alcohol content of or above 0.02 g of alcohol per 100 mL of blood.

*[Schedule 6 inserted in Gazette 9 Feb 2001 p. 788; amended in Gazette 14 Mar 2008 p. 833.]*

## **Schedule 7 — Trailer towing limits**

[r. 5D]

*[Heading inserted in Gazette 9 Feb 2001 p. 788.]*

**1. Motor vehicles of class C or class LR**

- (1) A motor vehicle of class C or class LR may be used to tow one trailer that complies with this clause and no other trailer.
- (2) A trailer complies with this clause if —
  - (a) the GVM of the trailer does not exceed —
    - (i) the mass recommended by the manufacturer of the motor vehicle as the maximum loaded mass of a trailer that may be towed by the motor vehicle; or
    - (ii) if no such mass has been recommended by the manufacturer, or if the recommended mass is not ascertainable, the mass specified in Schedule 1 clause 5(2) of the *Road Traffic (Vehicle Standards) Regulations 2002*;
  - and
  - (b) the loaded mass of the trailer does not exceed the limit imposed by Schedule 1 clause 6 of the *Road Traffic (Vehicle Standards) Regulations 2002*.

*[Clause 1 inserted in Gazette 1 Nov 2002 p. 5388-9.]*

*[2. Repealed in Gazette 1 Nov 2002 p. 5389.]*

**3. Motor vehicles of class MR**

A motor vehicle of class MR may be used to tow one trailer that has a GVM not exceeding 9 t, and no other trailer.

*[Clause 3 inserted in Gazette 9 Feb 2001 p. 789.]*

**4. Motor vehicles of class HR**

A motor vehicle of class HR may be used to tow one trailer that has a GVM not exceeding 9 t, and no other trailer.

*[Clause 4 inserted in Gazette 9 Feb 2001 p. 789.]*

**cl. 5**

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**5. Motor vehicles of class HC**

A motor vehicle of class HC may be used to tow one, but no more than one, trailer in addition to the trailer or semi-trailer because of which it is classified as of class HC if the additional trailer —

- (a) has a gross vehicle mass not exceeding 9 t; or
- (b) is an unladen converter dolly or low loader dolly as defined in the *Road Traffic (Vehicle Standards) Regulations 2002*.

*[Clause 5 inserted in Gazette 9 Feb 2001 p. 789; amended in Gazette 1 Nov 2002 p. 5389.]*



**Road Traffic (Drivers' Licences) Regulations 1975**  
**Schedule 8 Forms**

<b>Other relevant comment:</b>			
<b>Driver's signature:</b>		<b>Time Signed:</b>	
<b>Police Officer issuing Permit:</b>	<b>Signature:</b>		
	<b>Name:</b>		
	<b>Rank/Reg:</b>		
	<b>Station:</b>	<b>Phone No:</b>	

**THIS PERMIT/AUTHORISATION IS STRICTLY RESTRICTED TO THE TIME AND CONDITIONS STIPULATED ON THIS FORM**

This permit or authorisation to drive or travel is granted under section 49A(4) of the *Road Traffic Act 1974* or regulation 241(1) of the *Road Traffic Code 2000*, whichever relates to the persons mentioned on this form.

***Travel is strictly restricted to the time, route and destination specified on this form.***

Driving contrary to a time, route, destination, purpose or condition endorsed on this form by the issuing officer is an offence of the same nature as the alleged offence that gave rise to grant of the permit/authorisation.

A permit or authorisation will be granted by the apprehending police officer only where the officer has reasonable grounds to believe that to cease driving or the journey is impracticable in the circumstances. The officer will have regard to such matters as the remoteness of the location, the safety of persons mentioned on this form and the absence of persons (other than police personnel) who can assist and lawfully drive the persons mentioned on this form. No further permit can be granted after the expiry of this permit.

**Details of:**

- (a) relevant fines suspension items; OR
- (b) children not in child restraint or passengers in an open load space that are subject of this authorisation to travel and the associated conditions.

(a) FINEPRO Start Date		CASE NUMBER	SUSP TYPE
OR			
(b) PASSENGER Name		ADDRESS	& D.O.B.
1			
2			
3			
4			

5			
6			
7			
8			
9			
10			

Applicable Legislation:

1.    Sections 49(2)(a)(iv) & 49A *Road Traffic Act 1974*      Drivers Licence suspended  
for non-payment of fine.
  
2.    Part 16 *Road Traffic Code 2000*                              Persons travelling on or in a  
vehicle.

*[Schedule 8, formerly inserted as First Schedule in Gazette  
25 Jan 2001 p. 595-6; renumbered as Schedule 8 and amended in  
Gazette 9 Feb 2001 p. 789; 28 Nov 2006 p. 4916.]*

**Schedule 9 — Offences prescribed for section 103 of the Act**

[r. 10]

*[Heading inserted in Gazette 9 Feb 2001 p. 789.]*

<b>Item No.</b>	<b>Authority</b>	<b>Nature of Offence</b>	<b>Points</b>
	<i>Road Traffic Act 1974.</i>		
	section —		
1.	61	Dangerous driving, first offence	6
2.	62	Careless driving	3
2A.	62A	Causing excessive noise, smoke	3
3.	64AA	Driving or attempting to drive a motor vehicle while having a blood alcohol content —	
		(a) of or above 0.05 g of alcohol per 100 mL of blood but less than 0.06 g of alcohol per 100 mL of blood —	
		(i) during a holiday period	6
		(ii) other than during a holiday period	3
		(b) of or above 0.06 g of alcohol per 100 mL of blood but less than 0.07 g of alcohol per 100 mL of blood —	
		(i) during a holiday period	8
		(ii) other than during a holiday period	4
		(c) of or above 0.07 g of alcohol per 100 mL of blood —	
		(i) during a holiday period	10
		(ii) other than during a holiday period	5
4.	64AC	Driving or attempting to drive a motor vehicle while a prescribed illicit drug is	



**Road Traffic (Drivers' Licences) Regulations 1975**  
 Offences prescribed for section 103 of the Act      **Schedule 9**

Item No.	Authority	Nature of Offence	Points
		present in the person's oral fluid or blood —	
		(a) during a holiday period	6
		(b) other than during a holiday period	3
5.	67AB	Failing to comply with a requirement under section 66D or 66E by either failing to provide a sample of oral fluid for drug testing, or failing to allow a medical practitioner or registered nurse to take a sample of blood for analysis —	
		(a) during a holiday period	6
		(b) other than during a holiday period	3
<i>[Heading and items 6-85 deleted]</i>			
<i>Road Traffic (Vehicle Standards) Regulations 2002.</i>			
86.	66(1)	Failure to comply with compliance notice	3
<i>[Schedule 9, formerly inserted as Second Schedule in Gazette 23 Dec 1997 p. 7452-7; amended in Gazette 1 Dec 2000 p. 6761-2; renumbered as Schedule 9 and amended in Gazette 9 Feb 2001 p. 789; 8 Mar 2002 p. 945; 1 Nov 2002 p. 5389; 11 Oct 2007 p. 5480; 14 Mar 2008 p. 833-4; amended by Act No. 10 of 2004 s. 16(2).]</i>			

**Schedule 10 — Prerequisites for the grant of a learner's permit**

[r. 12B(4)]

*[Heading inserted in Gazette 9 Feb 2001 p. 790.]*

<b>Column 1</b>	<b>Column 2</b>
<b>Class</b>	<b>Prerequisite</b>
R	The person is to hold a driver's licence appropriate to a class R motor vehicle with a class E endorsement.
LR	The person is to hold a driver's licence appropriate to a class C motor vehicle.
MR	The person is to hold a driver's licence appropriate to a class C.
HR	The person is to have held a driver's licence appropriate to a class C motor vehicle for a period of one year.
HC	The person is to have held a driver's licence appropriate to a class C motor vehicle for a period of 2 years.
	AND
	The person is to hold a driver's licence appropriate to a class MR or HR motor vehicle.
MC	The person is to hold a driver's licence appropriate to a class HR or HC motor vehicle.

*[Schedule 10 inserted in Gazette 9 Feb 2001 p. 790.]*

*[Schedule 11 repealed in Gazette 28 Nov 2006 p. 4916.]*

**Notes**

<sup>1</sup> This is a compilation of the *Road Traffic (Drivers' Licences) Regulations 1975* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

**Compilation table**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Road Traffic (Drivers' Licences) Regulations 1975</i>	29 May 1975 p. 1533-6	1 Jun 1975
Untitled regulations	11 Jul 1975 p. 2365-6	11 Jul 1975
Untitled regulations	5 Sep 1975 p. 3201	5 Sep 1975
Untitled regulations	7 Nov 1975 p. 4130	7 Nov 1975
Untitled regulations	14 Nov 1975 p. 4185	14 Nov 1975
Untitled regulations	6 Feb 1976 p. 296	6 Feb 1976
Untitled regulations	30 Apr 1976 p. 1343	30 Apr 1976
Untitled regulations	3 Sep 1976 p. 3280	3 Sep 1976
Untitled regulations	18 Feb 1977 p. 489	18 Feb 1977
Untitled regulations	1 Apr 1977 p. 922	1 Apr 1977
Untitled regulations	3 Jun 1977 p. 1649	3 Jun 1977
Untitled regulations	22 Jul 1977 p. 2358	22 Jul 1977
Untitled regulations	10 Nov 1977 p. 4191	14 Nov 1977
Untitled regulations	30 Dec 1977 p. 4751	30 Dec 1977
Untitled regulations	25 Aug 1978 p. 3115	25 Aug 1978
Untitled regulations	2 Feb 1979 p. 305-6	2 Feb 1979

## Road Traffic (Drivers' Licences) Regulations 1975

Citation	Gazettal	Commencement
Untitled regulations	11 May 1979 p. 1221	25 May 1979 (see <i>Gazette</i> 25 May 1979 p. 1377)
Untitled regulations	22 Jun 1979 p. 1699-700	22 Jun 1979
Untitled regulations	23 Nov 1979 p. 3648	23 Nov 1979
<b>Reprint of the Road Traffic (Drivers' Licences) Regulations 1975 authorised</b>		
<b>15 Jul 1980</b> (see <i>Gazette</i> 22 Jul 1980 p. 2471-8) (includes amendments listed above except those in <i>Gazette</i> 23 Nov 1979)		
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1980</i>	12 Dec 1980 p. 4215	1 Jan 1981 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1981</i>	13 Mar 1981 p. 939 (corrigendum 20 Mar 1981 p. 999)	13 Mar 1981
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1981</i>	25 Sep 1981 p. 4098	25 Sep 1981
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1981</i>	2 Oct 1981 p. 4186 (erratum 9 Oct 1981 p. 4240)	2 Oct 1981
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 1981</i>	18 Dec 1981 p. 5194	18 Dec 1981
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1982</i>	2 Feb 1982 p. 399-400	2 Feb 1982 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1982</i>	20 Aug 1982 p. 3271	1 Oct 1982 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1982</i>	1 Oct 1982 p. 3890	1 Oct 1982
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 1982</i>	14 Jan 1983 p. 213-14	1 Feb 1983 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1983</i>	21 Oct 1983 p. 4269	1 Nov 1983 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1984</i>	19 Oct 1984 p. 3365	1 Nov 1984 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1984</i>	26 Oct 1984 p. 3457	1 Nov 1984 (see r. 2)

**Road Traffic (Drivers' Licences) Regulations 1975**

Citation	Gazettal	Commencement
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1984</i> <sup>4</sup>	14 Dec 1984 p. 4130	14 Dec 1984
<b>Reprint of the Road Traffic (Drivers' Licences) Regulations 1975 as at 11 Jun 1986</b> (see <i>Gazette</i> 2 Jul 1986 p. 2263-75) (includes amendments listed above)		
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1986</i>	26 Sep 1986 p. 3690	1 Oct 1986 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1986</i>	19 Dec 1986 p. 4877	19 Dec 1986
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1987</i>	14 Aug 1987 p. 3168	14 Aug 1987
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1987</i>	18 Dec 1987 p. 4460	15 Jan 1988 (see r. 2 and <i>Gazette</i> 18 Dec 1987 p. 4459)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1988</i>	31 Mar 1988 p. 960-1	31 Mar 1988
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 1988</i>	17 Jun 1988 p. 1950	1 Jul 1988 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1988</i>	29 Jul 1988 p. 2540	1 Oct 1988 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1988</i>	29 Jul 1988 p. 2540	29 Jul 1988
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 5) 1988</i>	23 Dec 1988 p. 4983-4	r. 9: 1 Jan 1989 (see r. 2(2)); balance: 1 Feb 1989 (see r. 2(1) and <i>Gazette</i> 23 Dec 1988 p. 4937)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1989</i>	8 Sep 1989 p. 3170	1 Oct 1989 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 1989</i>	8 Sep 1989 p. 3170	1 Jan 1990 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1990</i>	30 Mar 1990 p. 1660	30 Mar 1990
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1990</i>	3 Aug 1990 p. 3786-9	31 Aug 1990 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1990</i>	7 Sep 1990 p. 4701	1 Oct 1990 (see r. 2)
<i>Regulations Amendment (Towed Agricultural Implements) Regulations 1990 Pt. 3</i>	28 Sep 1990 p. 5071-3	1 Nov 1990 (see r. 2 and <i>Gazette</i> 28 Sep 1990 p. 5073)

## Road Traffic (Drivers' Licences) Regulations 1975

Citation	Gazettal	Commencement
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 5) 1990</i>	9 Nov 1990 p. 5584-5	9 Nov 1990
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 1990</i>	23 Nov 1990 p. 5851	1 Jan 1991 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1991</i>	20 Sep 1991 p. 4947-8	1 Oct 1991 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1991</i>	20 Sep 1991 p. 4948-9	1 Jan 1992 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1991</i>	29 Nov 1991 p. 6041-2	29 Nov 1991
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 1991</i>	20 Dec 1991 p. 6372	20 Dec 1991
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1992</i>	31 Dec 1992 p. 6395	1 Jan 1993 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1993</i>	1 Jun 1993 p. 2728-9	16 Jun 1993 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1993</i>	26 Nov 1993 p. 6388-9	1 Jan 1994 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1994</i>	13 Dec 1994 p. 6756-7	1 Jan 1995 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1995</i>	10 Jan 1995 p. 65-6	10 Jan 1995 (see r. 2 and <i>Gazette</i> 10 Jan 1995 p. 73)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1995</i>	24 Nov 1995 p. 5455-7	25 Nov 1995 (see r. 2 and <i>Gazette</i> 24 Nov 1995 p. 5390)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1995</i>	19 Jan 1996 p. 250	1 Feb 1996 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1996</i>	24 May 1996 p. 2171-2	1 Jun 1996 (see r. 2)
<b>Reprint of the Road Traffic (Drivers' Licences) Regulations 1975 as at 29 Oct 1996</b> (includes amendments listed above)		
<i>Road Traffic Regulations Amendment (Greenmount Hill Speed Restriction) Regulations 1996 r. 3</i>	1 Nov 1996 p. 5795-7	1 Nov 1996
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1997</i>	31 Jan 1997 p. 679-80	1 Feb 1997 (see r. 2 and <i>Gazette</i> 31 Jan 1997 p. 613)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1997<sup>5</sup></i>	26 Mar 1997 p. 1649	1 Apr 1997 (see r. 2)

**Road Traffic (Drivers' Licences) Regulations 1975**

Citation	Gazettal	Commencement
<i>Road Traffic (Amendments to Fees) Regulations 1997 Div. 2</i>	13 May 1997 p. 2340-3	1 Jul 1997 (see r. 2)
<i>Road Traffic Regulations Amendment (Pilots of Over-dimensional Vehicles) Regulations 1997 r. 8</i>	30 May 1997 p. 2499-501	1 Jul 1997 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 1997</i>	23 Dec 1997 p. 7452-7	1 Jan 1998 (see r. 2 and <i>Gazette</i> 23 Dec 1997 p. 7400)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 1997</i>	23 Jan 1998 p. 424	23 Jan 1998
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1998</i>	12 May 1998 p. 2772	1 Jul 1998 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1999</i>	25 May 1999 p. 2071-2	25 May 1999
<i>Road Traffic (Drivers' Licences) Amendment Regulations 1999<sup>6</sup></i>	28 Sep 1999 p. 4706-7	1 Jan 2001 (see r. 2)
<b>Reprint of the Road Traffic (Drivers' Licences) Regulations 1975 as at 18 Feb 2000</b> (includes amendments listed above)		
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 2000</i>	17 May 2000 p. 2424-5	1 Jul 2000 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2000</i>	8 Sep 2000 p. 5192-4	18 Sep 2000 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2000</i>	1 Dec 2000 p. 6761-2	1 Dec 2000 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 2001</i>	25 Jan 2001 p. 594-6	5 Feb 2001 (see r. 2 and <i>Gazette</i> 30 Jan 2001 p. 615)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2001<sup>7</sup></i>	30 Jan 2001 p. 620-2	5 Feb 2001 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2001<sup>8</sup></i>	9 Feb 2001 p. 775-94 (as amended 23 Mar 2001 p. 1667 and 3 May 2002 p. 2311)	7 May 2001 (see r. 2 and <i>Gazette</i> 23 Mar 2001 p. 1667)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 7) 2001</i>	15 Jun 2001 p. 2975-6	1 Jul 2001 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 6) 2001</i>	29 Jun 2001 p. 3252-3	1 Aug 2001 (see r. 2)

**Road Traffic (Drivers' Licences) Regulations 1975**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 8) 2001</i> <sup>9</sup>	8 Jan 2002 p. 36-7	5 Feb 2002 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 2002</i>	8 Mar 2002 p. 944-5	8 Mar 2002
<b>Reprint of the Road Traffic (Drivers' Licences) Regulations 1975 as at 5 Apr 2002</b> (includes amendments listed above except those to the <i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2001</i> in <i>Gazette</i> 3 May 2002 p. 2311)		
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2002</i>	17 May 2002 p. 2565-7	1 Jul 2002 (see r. 2)
<i>Road Traffic (Vehicle Standards) (Consequential Provisions) Regulations 2002 Pt. 2</i>	1 Nov 2002 p. 5388-400	1 Nov 2002 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2003</i>	16 Apr 2003 p. 1239	16 Apr 2003
<i>Road Traffic (Drivers' Licences) Amendment Regulations 2003</i>	24 Apr 2003 p. 1273-5	24 Apr 2003
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 2003</i>	24 Apr 2003 p. 1275-6	28 Aug 2003 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2003</i>	20 May 2003 p. 1797-8	1 Jul 2003 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 6) 2003</i>	12 Dec 2003 p. 5048-9	12 Dec 2003
<i>Road Traffic (Drivers' Licences) Amendment Regulations 2004</i>	20 Apr 2004 p. 1298-9	20 Apr 2004
<i>Road Traffic Amendment (Impounding and Confiscation of Vehicles) Act 2004 s. 16</i> <sup>10</sup>	23 Jun 2004 assented to	4 Sep 2004 (see s. 2 and <i>Gazette</i> 3 Sep 2004 p. 3849)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2004</i>	25 Jun 2004 p. 2247-9	1 Jul 2004 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 5) 2004</i>	10 Dec 2004 p. 5918	10 Dec 2004
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2004</i>	30 Dec 2004 p. 6955	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)
<b>Reprint 6: The Road Traffic (Drivers' Licences) Regulations 1975 as at 18 Mar 2005</b> (includes amendments listed above)		
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 2005</i>	27 May 2005 p. 2302-3	1 Jul 2005 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations 2005</i>	27 May 2005 p. 2305	27 May 2005



## Road Traffic (Drivers' Licences) Regulations 1975

Citation	Gazettal	Commencement
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 5) 2005</i>	23 Dec 2005 p. 6277	1 Jan 2006 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2005</i>	23 Dec 2005 p. 6279	23 Dec 2005
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 2006</i>	26 May 2006 p. 1881	1 Jul 2006 (see r. 2)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2006</i>	26 May 2006 p. 1882-3	1 Jul 2006 (see r. 2)
<b>Reprint 7: The Road Traffic (Drivers' Licences) Regulations 1975 as at 3 Nov 2006</b> (includes amendments listed above)		
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2006</i>	28 Nov 2006 p. 4893	28 Nov 2006
<i>Road Traffic (Drivers' Licences) Amendment Regulations 2006</i>	28 Nov 2006 p. 4913-16	Regulations other than r. 5: 4 Dec 2006 (see r. 2(1) and <i>Gazette</i> 28 Nov 2006 p. 4889); r. 5: 1 Jan 2007 (see r. 2(2))
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2007</i>	11 Oct 2007 p. 5479-80	r. 1 and 2: 11 Oct 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 12 Oct 2007 (see r. 2(b) and <i>Gazette</i> 11 Oct 2007 p. 5475)
<i>Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 2007</i>	9 Nov 2007 p. 5615-16	r. 1 and 2: 9 Nov 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 10 Nov 2007 (see r. 2(b))
<i>Road Traffic Amendment (Holiday Periods) Regulations 2008 r. 3</i>	8 Feb 2008 p. 321-2	9 Feb 2008 (see r. 2(b))
<i>Road Traffic Legislation Amendment Regulations 2008 Pt. 4</i>	14 Mar 2008 p. 832-4	15 Mar 2008 (see r. 2(b) and <i>Gazette</i> 14 Mar 2008 p. 829)
<i>Road Traffic (Drivers' Licences) Amendment (Revealing Impairments) Regulations 2008</i>	17 Mar 2008 p. 859-61	17 Mar 2008 (see r. 2)

<sup>2</sup> Repealed by the *Children and Community Services Act 2004* s. 250(2)(c). See the *Children and Community Services (Outside School Hours Care) Regulations 2006*.

<sup>3</sup> Repealed by the *Road Traffic Act 1974* s. 4.

<sup>4</sup> The *Miscellaneous Regulations (Validation) Act 1985* applied to these regulations. It deems the regulations not to have ceased to have effect as a result of the failure to comply with section 42(1) of the *Interpretation Act 1984*, subject to their being

laid before the Legislative Assembly. The *Interpretation Act 1984* s. 42(2) then applied as if the words “or if any regulations are not laid before both Houses of Parliament in accordance with subsection (1)” had been omitted.

<sup>5</sup> The *Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 1997* r. 3(c) and (d) disallowance published in *Gazette* 2 September 1997 p. 5001 has no effect as the relevant provision was subsequently amended prior to disallowance.

<sup>6</sup> The amendment to the Second Schedule does not have effect because the item that the *Road Traffic (Drivers' Licences) Amendment Regulations 1999* would have amended was deleted in *Gazette* 1 Dec 2000 p. 6762.

<sup>7</sup> The *Road Traffic (Drivers' Licences) Amendment Regulations (No. 3) 2001* r. 7 reads as follows:

“

**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.

”.

<sup>8</sup> The *Road Traffic (Drivers' Licences) Amendment Regulations (No. 4) 2001* r. 22 (as amended by the *Road Traffic (Drivers' Licences) Amendment Regulations (No. 2) 2002* published in *Gazette* 3 May 2002 p. 2311), which gives effect to Sch. 1 and 2, read as follows:

“

**22. Transitional and saving**

Schedules 1 and 2 have effect.

”.

Schedules 1 and 2 read as follows:

“

**Schedule 1 — Transitional and saving**

[r. 22]

**1. Interpretation**

In this Schedule —

“**commencement day**” means the day on which these regulations come into operation;

“**continuing driver's licence**” means a driver's licence granted before the commencement day that would have continued

after the beginning of that day had these regulations not come into operation;

**“continuing learner’s permit”** means a learner’s permit granted before the commencement day that would have continued after the beginning of that day had these regulations not come into operation;

**“learner’s permit”** means a permit under section 48C of the Act.

**2. Transition of drivers’ licences**

- (1) A continuing driver’s licence that, immediately before the commencement day, was appropriate to a motor vehicle of a class specified in Schedule 2 column 1 continues as if these regulations had not come into operation, but as a driver’s licence —
  - (a) for a motor vehicle of a class specified in column 2 opposite the class specified in column 1;
  - (b) subject to any condition or limitation specified in column 3 opposite the class specified in column 2 (in addition to any condition or limitation to which the licence may have been subject before the commencement day); and
  - (c) endorsed with any class of authorisation specified in column 4 opposite the class specified in column 2.
- (2) If the driving authorised by a continuing driver’s licence is, as a result of subclause (1), more restricted than it would have been if these regulations had not come into operation, the licence also authorises driving that the licence authorised before the commencement day, but that authorisation is limited to the transitional period.
- (3) The transitional period for a driver’s licence is the period during the 18 months commencing on the commencement day while the licence, or the licence as renewed, continues in force.

**3. Applications to vary continuing driver’s licences**

- (1) A person whose driver’s licence authorises additional driving under clause 2(2) may, at any time while the additional driving is authorised, apply to the Director General for the licence to be varied as necessary to authorise the additional driving without the limitation referred to in clause 2(2).
- (2) An application under subclause (1) is to be —
  - (a) in a form approved by the Director General; and
  - (b) accompanied by such proof of the applicant’s driving experience as the Director General may require, verified by statutory declaration.

- (3) On an application under subclause (1), the Director General is to grant the variation if the Director General is satisfied that the applicant has demonstrated his or her ability to control a motor vehicle to which the variation applies and satisfied any requirements prescribed in relation to a licence for the vehicle.
- (4) The Director General may, in satisfaction of the requirement that the applicant demonstrate an ability to control the motor vehicle, accept evidence other than that obtained from a driving test.

**4. Transition of learner's permits**

- (1) A continuing learner's permit that, immediately before the commencement day, was appropriate to a motor vehicle of a class specified in Schedule 2 column 1 continues as if these regulations had not come into operation, but as a learner's permit —
  - (a) for a motor vehicle of a class specified in column 2 opposite the class specified in column 1; and
  - (b) subject to any condition or limitation specified in column 3 opposite the class specified in column 2 (in addition to any condition or limitation to which the permit may have been subject before the commencement day).
- (2) Regulation 4B of, and Schedule 4 to, the *Road Traffic (Drivers' Licences) Regulations 1975* do not apply to the holder of a continuing learner's permit.

*[Schedule 1 amended in Gazette 3 May 2002 p. 2311.]*

**Schedule 2 — Table of motor vehicle classes, limitations and endorsements**

[r. 22]

<i>Column 1</i>	<i>Column 2</i>	<i>Column 3</i>	<i>Column 4</i>
<b>Former class</b>	<b>Present class</b>	<b>Condition or Limitation</b>	<b>Authorisation</b>
A	C		
B	HR		
C	HC		
E	C	class A	
F	MR		class F
H	LR		

<i>Column 1</i> <b>Former class</b>	<i>Column 2</i> <b>Present class</b>	<i>Column 3</i> <b>Condition or Limitation</b>	<i>Column 4</i> <b>Authorisation</b>
I	C	The holder of the licence or permit may drive a tractor (not prime mover type) that has a GVM not exceeding 4 500 kg, but no other motor vehicle of class C.	
J	MR	The holder of the licence or permit may drive a tractor (not prime mover type) that has a GVM exceeding 4 500 kg and that has 2 axles, but no other motor vehicle of class MR.	
K	R		
L	R	class E	
M	R	The holder of the licence or permit may drive a motor cycle with an engine capacity not exceeding 100 ml and that is not fitted with a hand or foot operated clutch, but no other motor cycle.	
N	R	class N	
T	C		class T

”.

<sup>9</sup> The *Road Traffic (Drivers' Licences) Amendment Regulations (No. 8) 2001* r. 7 reads as follows:

“

**7. Transitional**

Regulation 4E(1)(a) of the *Road Traffic (Drivers' Licences) Regulations 1975* does not apply to a person —

- (a) who had reached the age of 16 years on 4 February 2001; and
- (b) who holds a learner's permit issued before the day on which these regulations come into operation.

”.

<sup>10</sup> The *Road Traffic Amendment (Impounding and Confiscation of Vehicles) Act 2004* s. 16(3) reads as follows:

“

- (3) Nothing in this Act prevents any of the *Road Traffic (Drivers' Licences) Regulations 1975* from being amended in accordance with the *Road Traffic Act 1974*.

”.