

# Supplementary Order Paper

## HOUSE OF REPRESENTATIVES

Tuesday, the 9th Day of November 1971

### TRANSPORT AMENDMENT BILL

#### *Proposed Amendments*

Hon. Mr GORDON, in Committee, to move the following amendments:

*Clause 2, subclause (1):* To omit the proposed definitions of the expressions "containerbase" and "containerbase operator".

*Clause 3:* To insert in the proposed new section 29, after paragraph (e), the following paragraph:

"(ea) Providing for the issue of provisional motor drivers' licences authorising the holder to drive a motor vehicle other than a motor cycle; and prescribing the terms and conditions upon or subject to which those licences may be issued; and prescribing the fees for those licences; and prescribing that such a provisional licence may not be issued until the applicant has demonstrated by written and oral examination that he has a knowledge of traffic law; and prescribing that the holder of such a provisional licence may not drive a motor vehicle, unless he is accompanied by a person who holds a motor driver's licence for that class of vehicle and is engaged in teaching the holder of the provisional licence to drive; and prescribing that a person may not drive any motor vehicle on any road as a learner driver, unless he is in possession of such a provisional motor driver's licence:".

*Clause 5:* To insert, after subclause (3) (on page 13), the following subclause:

(3A) Section 188 of the principal Act (as substituted by section 24 of the Transport Amendment Act (No. 2) 1969) is hereby amended by omitting from paragraph (a) of subsection (2) the words "dealers' plates", and substituting the words "trade plates".

*Clause 15:* To omit subclause (2), and substitute the following subclause:

(2) Section 113 of the principal Act is hereby further amended by repealing paragraph (d) of subsection (1), and substituting the following paragraphs:

“(d) A goods service carried on exclusively—

“(i) In connection with funerals; or

“(ii) In connection with the repair or wreckage of vehicles which have met with mishap:

“(da) A goods service so far as it consists of the carriage of newspapers:”.

To omit from the proposed paragraph (p) in subclause (2) the words “containerbase operator” in line 32, and substitute the words “container operator”.

*Clause 18:* To omit this clause, and substitute the following clause:

**18. Certificates of fitness or permits—**(1) Section 143 of the principal Act is hereby amended by omitting from subsection (1), the words “which is used in connection with a licensed goods service or”.

(2) Section 143 of the principal Act is hereby further amended by adding the following subsection:

“(4) If the tractive unit and trailing unit of an articulated motor vehicle together weigh more than 2 tons, each shall be deemed to be a heavy motor vehicle for the purposes of this section.”

*Clause 23:* To add the following subclauses:

(3) The First Schedule to the principal Act (as so substituted) is hereby further amended by inserting in Part I, after clause 1, the following clause:

“1A. For any motor vehicle manufactured after 31 December 1918 but not later than 40 years before the date of registration ..... \$10”.

(4) The First Schedule to the principal Act (as so substituted) is hereby further amended by inserting in Part II, after clause 3, the following clause:

“3A. For any motor vehicle manufactured after 31 December 1918 but not later than 40 years before the commencement of the licensing year ..... \$5”.

(5) The First Schedule to the principal Act (as so substituted) is hereby further amended—

(a) By inserting in that part of Part I that was added by paragraph (c) of section 23 of the Transport Amendment Act (No. 2) 1969, after the words “clause 1”, the words “or clause 1A”:

(b) By inserting in that part of Part II that was added by paragraph (e) of section 23 of the Transport Amendment Act (No. 2) 1969, after the words “clause 3”, the words “or clause 3A”.

## EXPLANATORY NOTE

*Clause 2, subclause (1):* These definitions, which were inserted for the purposes of *clauses 15 and 17*, have now been found to be unduly restrictive, as, for the purposes of road transport, containerbases are not necessarily Customs containerbases. The clauses can effectively operate using these terms in their ordinary sense without precise definition.

*Clause 3:* This amendment gives effect to recommendation (7) in the Report of the Road Safety Committee 1971 (Parliamentary Paper I. 17) that a provisional licence system for learner drivers be introduced.

It enables regulations to be made for the issue of provisional motor drivers' licences for learner drivers, to be issued after the applicant has passed an examination in traffic law. The regulations may provide that a learner may not be taught to drive unless he holds a provisional licence.

*Clause 5:* This is a further consequential amendment required as a result of the new section 22 providing for trade plates instead of dealers' plates.

*Clause 15:* The effect of the substituted subclause (2) is that a goods service carried on for the carriage of newspapers, instead of being exempt from transport licensing only if it is carried on exclusively for that purpose, will be exempt so far as it consists of the carriage of newspapers.

The amendment to subclause (3) is a minor drafting amendment only.

*Clause 18:* The effect of the new subclause (1) is that a goods-service vehicle must have a certificate of fitness or a permit if it is a heavy motor vehicle. At present, a goods-service vehicle must have a certificate of fitness or a permit if it is either a heavy motor vehicle or is used in a licensed goods service.

The effect of the new *subclause (2)* is that if the combined weights of the tractive unit and the hauling unit of an articulated motor vehicle exceeds 2 tons, each unit must have a separate certificate of fitness or permit.

*Clause 23* fixes special registration fees and annual licence fees for vintage motor vehicles manufactured after 31 December 1918 but not later than 40 years before the date of registration or, as the case may be, the commencement of the relevant licensing year.

The registration fee will be \$10, and the annual licence fee will be \$5.

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