

House of Representatives  
Supplementary Order Paper

Tuesday, 12 April 2011

Land Transport (Road Safety and Other Matters)  
Amendment Bill

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*Proposed amendments*

Hon Steven Joyce, in Committee, to move the following amendments:

*Clause 2*

*Subclause (1)*: to omit “**12**,” (line 2 on page 6).

To insert the following subclause after *subclause (2)* (after line 6 on page 6):

(2A) **Sections 12 and 97(4)** come into force on **1 August 2011**.

*Clause 12: new section 25(2)*

To omit “**1 July 2011**” (line 35 on page 23) and substitute “**1 August 2011**”.

*Clause 97*

To add the following subclause (after line 13 on page 71):

(4) The enactments specified in **Schedule 4** are consequentially amended in the manner indicated in that schedule.

*Item relating to the Land Transport (Driver Licensing) Rule 1999 in Schedule 1*

To omit this item (line 5 on page 72 to line 32 on page 74).

*New Schedule 4*

To add the following schedule (after line 17 on page 101):

**Schedule 4**

**s 97(4)**

**Consequential amendments that come into  
force on 1 August 2011**

**Land Transport (Driver Licensing) Rule 1999 (SR 1999/100)**

Definition of **on-road safety test** in clause 2: omit “Part F of Schedule 6” and substitute “clause 49”.

**Land Transport (Driver Licensing) Rule 1999 (SR 1999/100)—continued**

Paragraph (a) of the item relating to Class 1L in clause 15: omit “15” and substitute “16”.

Paragraph (a) of the item relating to Class 6L in clause 15: omit “15” and substitute “16”.

Clause 16(1)(d)(ii)(B): omit “clause 48(5)” and substitute “**clause 48**”.

Paragraph (a) of the item relating to Class 1R in clause 17: omit “holds,” and substitute “is 16 years and 6 months of age or over on the date of application”.

Paragraph (a) of the item relating to Class 6R in clause 17: omit “holds,” and substitute “is 16 years and 6 months of age or over on the date of application”.

Paragraph (a) of the item relating to Class 1 in clause 19: revoke and substitute:

- “(a) if under 25 years of age,—
  - “(i) is 18 years of age or over and holds, and has held for at least 18 months, a Class 1R licence; or
  - “(ii) is 17 years and 6 months of age or over and holds, and has held for at least 12 months, a Class 1R licence, if the person provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(a) that was undertaken at least 6 months after the person’s restricted licence was issued”.

First paragraph (b) of the item relating to Class 2 in clause 19: omit “clause 48(2)” and substitute “**clause 48**”.

First paragraph (b) of the item relating to Class 3 in clause 19: omit “clause 48(2)” and substitute “**clause 48**”.

First paragraph (b) of the item relating to Class 4 in clause 19: omit “clause 48(2)” and substitute “**clause 48**”.

First paragraph (b) of the item relating to Class 5 in clause 19: omit “clause 48(2)” and substitute “**clause 48**”.

Paragraph (a) of the item relating to Class 6 in clause 19: revoke and substitute:

- “(a) if under 25 years of age,—
  - “(i) is 18 years of age or over and holds, and has held for at least 18 months, a Class 6R licence; or
  - “(ii) is 17 years and 6 months of age or over and holds, and has held for at least 12 months, a Class 6R licence, if the person provides a certificate showing successful completion by the person of an approved course of a type specified in clause 93(a)

**Land Transport (Driver Licensing) Rule 1999 (SR 1999/100)**—*continued*

that was undertaken at least 6 months after the person's restricted licence was issued".

Clause 23(1)(d): omit "clause 48(1)" and substitute "**clause 48**".

Clause 27(1)(c): omit "subclause (1) of".

Clause 31(ba): omit "clause 48(1)" and substitute "**clause 48**".

Clause 34(1)(c): omit "subclause (1) of".

Clause 48: revoke and substitute:

**48 Practical skills tests required**

"(1) An applicant for a Class 6L licence must take a basic handling skills test approved by the Agency.

"(2) An applicant for a Class 1R or 6R licence must take the appropriate restricted licence test approved by the Agency in relation to the class of licence sought.

"(3) An applicant for a Class 1, 2, 3, 4, 5, or 6 licence must take the appropriate full licence test approved by the Agency in relation to the class of licence sought.

"(4) Except as provided in **subclause (5)** or clause 53, the applicant must, in accordance with Schedule 3, take the practical driving test in a vehicle to which the class of licence sought relates.

"(5) An applicant may take the practical driving test in an appropriately configured or loaded vehicle of a class other than that to which the class of licence sought relates if the Agency approves the use of that other vehicle for the test."

Clause 51: revoke and substitute:

**51 Standard for passing practical test**

An applicant passes a practical test approved by the Agency if the applicant passes the test to the standard determined by the Agency."

Clause 52(2): omit "the basic motorcycle handling skills test specified in Part D of Schedule 6" and substitute "a basic motorcycle handling skills test approved by the Agency".

Clause 54: revoke and substitute:

**54 Certification test for testing officer**

An applicant for a testing officer endorsement must complete the certification test approved by the Agency to the standard determined by the Agency."

Clause 57: omit "clause 48(5)" and substitute "**clause 48**".

Clause 58(b): omit "clause 48(5)" and substitute "**clause 48**".

Clause 67(2)(f)(ii): omit "clause 48(3), (4), (5), or (5A)" and substitute "**clause 48**".

**Land Transport (Driver Licensing) Rule 1999 (SR 1999/100)—*continued***

Clause 67A(2)(g)(ii): omit “clause 48(3), (4), (5), or (5A)” and substitute “**clause 48**”.

Clause 89A: insert after subclause (2):

“(2A) However, a driver licence may not be issued to a person who applies for a driver licence under clause 89 for a class of vehicle if the effect of doing so would allow the person to obtain the driver licence at an age earlier than the minimum age for a person who complies with the requirements set out in clauses 15, 17, and 19 for that class of vehicle.”

Schedule 6: revoke.

Schedule 7: revoke.

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**Explanatory note**

This Supplementary Order Paper amends the Land Transport (Road Safety and Other Matters) Amendment Bill. The purpose of the amendments is to bring the provisions related to raising the minimum driving age into force on 1 August 2011 (rather than 90 days after the date of Royal assent).

The amendment to *clause 2* provides that *clauses 12 and 97(4)* come into force on 1 August 2011.

The amendment to *clause 12: new section 25(2)* changes the specified date from 1 July 2011 to 1 August 2011.

The amendment to *clause 97* sets up *new Schedule 4*.

The amendment to *Schedule 1* omits the item relating to the Land Transport (Driver Licensing) Rule 1999 to accommodate its transfer to *new Schedule 4*.

*New Schedule 4*, which comes into force on 1 August 2011, sets out the item relating to the Land Transport (Driver Licensing) Rule 1999 that is to be transferred from *Schedule 1*.

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