



Queensland

# **Transport Operations (Road Use Management—Driver Licensing) Amendment Regulation (No. 1) 2013**

**Explanatory Notes for SL 2013 No. 74**

made under the

*Transport Operations (Road Use Management) Act 1995*

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## **General outline**

### **Short title**

*Transport Operations (Road Use Management—Driver Licensing) Amendment Regulation (No. 1) 2013.*

### **Authorising law**

Section 150 of the *Transport Operations (Road Use Management) Act 1995*.

### **Policy objectives and the reasons for them**

The purpose of this regulation is to reduce the regulatory burden associated with certain driver licensing matters. Specifically, the regulation will:

- allow a person who has held a P1 type driver licence for longer than the required minimum period to claim credit towards the period they must hold a P2 type licence; and

- exempt all licence holders from Bosnia and Herzegovina and licence holders aged 25 years or over from specified countries from having to undertake a road rules test or a practical driving test to obtain a Queensland car or motorbike licence.

## **Achievement of policy objectives**

### *P2 time credit*

The policy intent of Queensland's graduated licensing scheme is for young novice drivers to spend 12 months on a P1 provisional licence before obtaining a P2 licence for up to 2 years and then progressing to an Open licence. That is, the policy intent is that they spend a maximum of 3 years on a provisional licence before progressing to an Open licence.

However, there have been instances where people have held a P1 provisional licence for longer than the required minimum period of one year. In these circumstances, it can seem unjust to require the person to subsequently hold a P2 provisional licence for the relevant required minimum period (either one or two years) before graduating to an Open licence. The amendment will allow people to apply to the chief executive for credit towards the time they must hold a P2 type licence based on the extended period they held the P1 type licence.

### *Recognition of overseas driver licences*

The Association of Australian and New Zealand Road Transport and Traffic Authorities (known as Austroads), on behalf of state and territory driver licensing agencies, assesses the equivalence of overseas driver licensing schemes with Australian licensing schemes. As a result of recent Austroads' assessments, all licence holders from Bosnia and Herzegovina and licence holders aged 25 or over from the following countries will be exempt from having to undertake a road rules test or a practical driving test when applying for a Queensland car or motorbike licence:

- Bulgaria;
- Cyprus;
- Hungary;

- Latvia;
- Lithuania;
- Poland;
- Republic of South Africa;
- Romania;
- Slovakia; and
- Slovenia.

### **Consistency with policy objectives of authorising law**

The amendments are consistent with the policy objectives in section 3 of the *Transport Operations (Road Use Management) Act 1995* which include providing for the effective and efficient management of road use in the state and improving road safety.

### **Benefits and costs of implementation**

People who have held their P1 type licence for longer than the required minimum period will benefit from these amendments as they will be able to progress to an Open licence once they have spent the desired period in the provisional licence stage.

Licence holders from the overseas countries identified above will yield cost and time savings from not having to undertake a road rules test or a practical driving test to obtain a Queensland car or motorbike licence.

There are no additional costs for government or the community from implementing these amendments.

### **Consistency with fundamental legislative principles**

The amendments are consistent with fundamental legislative principles.

### **Consultation**

Consultation on the proposed amendments was undertaken with the Department of the Premier and Cabinet, the Department of Justice and

Attorney-General, the Queensland Police Service and Queensland Treasury  
and Trade.

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#### ENDNOTES

- 1 Laid before the Legislative Assembly on . . .
- 2 The administering agency is the Department of Transport and Main Roads.

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