



New South Wales

Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2000

under the

Road Transport (Driver Licensing) Act 1998

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport (Driver Licensing) Act 1998*.

CARL SCULLY, M.P.,

Minister for Roads

Explanatory note

The objects of this Regulation are:

- (a) to provide that is not an offence for a provisional licence holder to drive a vehicle that does not have automatic transmission contrary to a licence condition if he or she is accompanied by a fully licensed driver, and
- (b) to prescribe an offence under clause 47A (Passengers on motor bikes not permitted unless driver holds licence for at least 12 months) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* to be a demerit point offence.

This Regulation is made under the *Road Transport (Driver Licensing) Act 1998*, including sections 19 (the general regulation-making power) and 20.

2000 No 308

Clause 1 Road Transport (Driver Licensing) Amendment (Miscellaneous)
Regulation 2000

Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2000

1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2000*.

2 Commencement

This Regulation commences on 1 July 2000.

3 Amendment of Road Transport (Driver Licensing) Regulation 1999

The *Road Transport (Driver Licensing) Regulation 1999* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 56 Licence conditions

Insert at the end of clause 56:

- (2) Subclause (1) does not apply to the holder of a provisional licence who is driving a motor vehicle contrary to a condition of that licence restricting the holder to driving motor vehicles with automatic transmissions if the seat next to the holder of the licence is occupied by a person who holds an Australian driver licence (not being an Australian learner licence or provisional licence) authorising him or her to drive such a vehicle.
- (3) For the purposes of subclause (2), a person does not hold an Australian driver licence if (whether under a law of this or another jurisdiction):
 - (a) the licence has been suspended, or
 - (b) the person has been disqualified from holding a licence.

[2] Schedule 1 Demerit points offences and penalties

Omit the matter in Column 3 in Part 2 relating to the unauthorised carriage of a pillion passenger on a motor bike or motor trike.

Insert instead “Clause 12 (2) of the *Road Transport (Driver Licensing) Regulation 1999*, clause 47A (1) of the *Road Transport (Safety and Traffic Management) (Road Rules) Regulation 1999* or rule 271 (4) of the *Australian Road Rules*”.