



# Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2001

under the

Road Transport (Driver Licensing) Act 1998

Her 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 an application for issue or variation of a driver licence may be refused if the applicant is a person who, if already licensed, would be liable to have action taken against the person because of the number of demerit points incurred, and
- (b) to provide for the correction of mistakes, errors or omissions in the driver licence register, and
- (c) to include 26 December 2001 and 27 December 2001 in the long weekend demerit points period for Christmas and New Year 2001–2002, so that the period will extend from midnight 20 December 2001 until midnight 1 January 2002, and
- (d) to prevent a driver whose driver licence has expired during the period while it is suspended from obtaining a new licence during the period of suspension, and

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- (e) to repeal a redundant provision relating to cancellation or suspension of licences for speeding (which is now covered by section 33 of the *Road Transport (Driver Licensing) Act 1998*), and
- (f) to omit a provision that created an exemption from the requirement to hold a licence for the driver of a vehicle under the control of the NSW Fire Brigades (being a provision that expired on 1 March 2000).

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

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## **Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2001**

### **1 Name of Regulation**

This Regulation is the *Road Transport (Driver Licensing) Amendment (Miscellaneous) Regulation 2001*.

### **2 Amendment of Road Transport (Driver Licensing) Regulation 1999**

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

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Schedule 1 Amendments

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### Schedule 1 Amendments

(Clause 2)

**[1] Clause 18 When application for driver licence can be refused**

Insert “or 16A (8)” after “16 (9)” in clause 18 (2) (d).

**[2] Clause 24 Driver licence register**

Insert after clause 24 (3):

- (4) The Authority may correct any mistake or error in, or omission of, matter recorded in the driver licence register, subject to any requirements of the Act or this Regulation.

**[3] Clause 36 Demerit points and offences**

Omit “29 December 1999” from paragraph (b) of the definition of *over a long weekend* in clause 36 (5).

Insert instead:

26 December 2001

27 December 2001

**[4] Clause 38 Variation, suspension or cancellation of driver licence**

Insert after clause 38 (2):

- (3) If a person’s driver licence expires during a period of suspension for the licence imposed under section 17 of the Act or this Regulation, the person cannot apply to the Authority for another driver licence during the unexpired portion of the period of licence suspension.

**[5] Clause 38B Cancellation or suspension of licences for speeding offences**

Omit the clause.

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**[6] Clause 55D Other exemptions from licensing**

Omit clause 55D (1) (a) and (2).