



New South Wales

Road Transport Legislation Amendment (Mobile Phones—P2 Licences) Regulation 2016

under the

Road Transport Act 2013

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Road Transport Act 2013*.

DUNCAN GAY, MLC
Minister for Roads, Maritime and Freight

Explanatory note

The objects of this Regulation are:

- (a) to amend the *Road Rules 2014* to extend the restriction on drivers who are holders of learner or provisional P1 licences from using a mobile phone while driving a vehicle (whether or not the mobile phone is held by the driver) to include drivers who are holders of provisional P2 licences, and
- (b) to make consequential amendments to the *Road Transport (Driver Licensing) Regulation 2008*.

This Regulation is made under the *Road Transport Act 2013*, including sections 23 (the statutory rule-making power), 24 and 32 (1) and Schedule 1.

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1 Name of Regulation

This Regulation is the *Road Transport Legislation Amendment (Mobile Phones—P2 Licences) Regulation 2016*.

2 Commencement

This Regulation commences on 1 December 2016 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Road Rules 2014

[1] Rule 300 Use of mobile phones

Insert “or P2” after “P1” in rule 300 (3–1).

[2] Rule 300 (3–1), note 1

Omit “*Provisional P1 licence* is”.

Insert instead “*Provisional P1 licence* and *provisional P2 licence* are”.

[3] Rule 300 (3–1), note 2

Insert “or P2” after “P1”.

[4] Rule 300–1 NSW rule: use of mobile phones by drivers who are holders of learner and provisional P1 or P2 licences

Omit “provisional P1 licence” from rule 300–1 (1).

Insert instead “a provisional P1 or P2 licence”.

[5] Rule 300–1 (1), note

Omit “and *provisional P1 licence*”.

Insert instead “, *provisional P1 licence* and *provisional P2 licence*”.

Schedule 2 Amendment of Road Transport (Driver Licensing) Regulation 2008

[1] Clause 35A Additional conditions on learner and provisional licences

Omit “in the case of the holder of a NSW learner licence or provisional P1 licence—” from clause 35A (1) (d).

[2] Schedule 1 National schedule of demerit point offences

Omit “(other than learner or P1 driver)” from Column 2 of the matter relating to rule 300 of the *Road Rules 2014*.

Insert instead “(other than learner, P1 or P2 driver)”.

[3] Schedule 2 Additional demerit point offences

Omit “Learner or P1 driver” from Column 2 of the matter relating to rule 300–1 of the *Road Rules 2014*.

Insert instead “Learner, P1 or P2 driver”.