



New South Wales

# Road Transport (Driver Licensing) Amendment (Digital Driver Licences) Regulation 2019

under the

Road Transport Act 2013

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

ANDREW CONSTANCE, MP  
Minister for Transport and Roads

## Explanatory note

The object of this Regulation is to amend the *Road Transport (Driver Licensing) Regulation 2017* to authorise the holder of a digital driver licence to use the licence for the purpose of proving the holder's identity or date of birth to a NSW Government agency. The amendment will allow a NSW Government agency to refuse to accept a digital driver licence in certain circumstances.

This Regulation is made under the *Road Transport Act 2013*, including sections 61A (definition of **relevant purpose**) and 23 (the general statutory rule-making power).

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### 1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment (Digital Driver Licences) Regulation 2019*.

### 2 Commencement

This Regulation commences on the commencement of Schedule 1[5] to the *Road Transport and Other Legislation Amendment (Digital Driver Licences and Photo Cards) Act 2018* and is required to be published on the NSW legislation website.

### 3 Amendment of Road Transport (Driver Licensing) Regulation 2017

#### Clause 125A

Omit the clause. Insert instead—

#### 125A Additional relevant purposes for use of digital driver licence

- (1) For the definition of *relevant purpose* in section 61A(d) of the Act, the following are prescribed as purposes for which a person may use a digital driver licence by displaying the licence—
  - (a) to provide proof of the person's identity to a NSW Government agency,
  - (b) to provide proof of the person's date of birth to a NSW Government agency.
- (2) For the purposes of subclause (1), a NSW Government agency may refuse to accept a digital driver licence as proof of a persons identity or date of birth if accepting a digital driver licence—
  - (a) would be incompatible with a requirement of the Act or another law, or
  - (b) is impractical having regard to the purpose for which the proof of identity or date of birth is required.