



New South Wales

Road Transport (Driver Licensing) Amendment Regulation 2022

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*.

NATALIE WARD, MLC
Minister for Metropolitan Roads

Explanatory note

This Regulation amends the *Road Transport (Driver Licensing) Regulation 2017* to allow Transport for NSW to do the following—

- (a) vary, suspend or cancel a person's NSW driver licence if the person's privileges to drive in another jurisdiction have been suspended or withdrawn by the driver licensing authority in the other jurisdiction,
- (b) withdraw a visiting driver's privileges to drive in NSW where the driver has elected to be of good behaviour under the Act, section 36 and incurs 2 or more demerit points during the 12 months' good behaviour period.

This Regulation is made under the *Road Transport Act 2013*, including section 23, the statutory rule-making power.

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1 Name of Regulation

This Regulation is the *Road Transport (Driver Licensing) Amendment Regulation 2022*.

2 Commencement

This Regulation commences on the day on which it is published on the NSW legislation website.

3 Amendment of Road Transport (Driver Licensing) Regulation 2017

(1) Clause 65 Variation, suspension or cancellation of driver licence by TfNSW

Insert after clause 65(1)(j)—

- (ja) the person's visiting driver privileges in another jurisdiction have been suspended or withdrawn by the driver licensing authority in the jurisdiction, or

(2) Clause 65(1A)

Insert after clause 65(1)—

- (1A) If a person's driver licence is varied or suspended under subclause (1)(ja), the period of the variation or suspension is the period for which the person's visiting driver privileges in the other jurisdiction have been suspended.

(3) Clause 96 Interstate and international visitors

Insert after clause 96(4)(n)—

- (na) the visiting driver has made an election under the Act, section 36(1) and incurs 2 or more demerit points during the 12 months' good behaviour period,

(4) Clause 96(7AA)

Insert after clause 96(7)—

- (7AA) If subclause (4)(na) applies to a visiting driver, the cessation of the exemption applies for the same period that is or would be specified in a notice given under the Act, section 36(4).

(5) Clause 96(9)

Insert “, (na)” after “(n)”.