

Transport Operations (Road Use Management—Driver Licensing) (Road Rules Test) Amendment Regulation 2017

Explanatory notes for SL 2017 No. 124

made under the

Transport Operations (Road Use Management) Act 1995

General Outline

Short title

Transport Operations (Road Use Management—Driver Licensing) (Road Rules Test) Amendment Regulation 2017

Authorising law

Section 171 of the *Transport Operations (Road Use Management) Act 1995*

Policy objectives and the reasons for them

Road Rules Test for learner drivers

The *Transport Operations (Road Use Management—Driver Licensing) (Road Rules Test) Amendment Regulation 2017* will introduce an interactive online learning and assessment program to replace the current written road rules test that must be passed before a person can be issued with a class C (car) learner licence.

The *Safer Roads, Safer Queensland: Queensland's Road Safety Action Plan 2015–17* commits the government to help young drivers improve their road safety knowledge and skills through online tools.

The current written road rules test, that must be passed before a person can be issued with a learner licence for a car, focuses on a basic knowledge of road rules. This is not the most effective means to develop higher order thinking which shapes safer attitudes and on-road behaviour by novice drivers.

The new online program will provide learner licence applicants with improved educational outcomes by promoting engagement with content through participation and interaction. It will also facilitate reflection and the use of higher order thinking. This should help develop a stronger understanding of road rules and licensing requirements, embed safe driving attitudes and behaviours and better equip young, novice drivers to deal with over-confidence, peer pressure and deliberate risk taking behaviours.

Customer experience will be improved by allowing learner licence applicants to complete the online program and assessment anywhere, anytime and at their own pace, reducing the amount of time required to be spent in Customer Service Centres. This also removes the need to take time off from work or study to sit the written test in person at a Customer Service Centre, further reducing costs for many, applicants and their families.

Medical certificates for drivers 75 years or older

The *Transport Operations (Road Use Management—Driver Licensing) Regulation 2010* requires that drivers aged 75 years or older must carry a valid medical certificate and drive in accordance with any conditions or restrictions stated in the certificate. A medical certificate may be issued for a maximum period of 12 months.

The Department of Transport and Main Roads (DTMR) has received feedback that drivers are often losing four to six weeks on their 12 month medical certificate, as the time it takes for a person to see a health professional and undertake any testing requires that an appointment be made before the 12 month period expires. The objective of the amendment is to increase the time period of the certificate to 13 months so that drivers may rely on a medical certificate for at least 12 months even when medical appointments are required.

Achievement of policy objectives

To achieve the policy objectives, the *Transport Operations (Road Use Management—Driver Licensing) (Road Rules Test) Amendment Regulation 2017* will make the following amendments:

- A person can enrol in the online learning and assessment program at 15 years and 11 months. This provides a month to complete the program and assessment for those who want their learner licence issued when they turn 16.
- A person caught cheating on the written or online road rules test will be suspended from completing any form of road rules test for 6 months, and if enrolled, will have their enrolment cancelled.
- A person caught completing the written or online road rules test on behalf of another person may be fined up to 40 penalty units (equal to \$5,046).
- A person can apply for a review of a decision to cancel their enrolment or suspend them from taking a road rules test for cheating.
- The definition of *road rules test* will be amended to include the online program.
- The reference to 12 months in the definition of *valid medical certificate* will be changed to 13 months.

Consistency with policy objectives of authorising law

The amendment regulation is consistent with the policy objectives of the *Transport Operations (Road Use Management) Act 1995*, in particular the objective of improving road safety.

Inconsistency with policy objectives of other legislation

The amendment regulation is not inconsistent with the policy objectives of other legislation.

Benefits and costs of implementation

The online program and assessment will enhance educational outcomes by promoting engagement with content through participation and interaction. It will also facilitate reflection and the use of higher order thinking. It is hoped that this will help develop a stronger understanding of road rules and licensing requirements, embed safe driving attitudes and behaviours and better equip young, novice drivers to deal with over-confidence, peer pressure and deliberate risk taking behaviours.

Customer experience will be improved by allowing applicants to complete the online program and assessment anywhere, anytime and at their own pace, reducing the amount of time required to be spent in Customer Service Centres. This also removes the need to take time off from work or study to sit the written test in person at a Customer Service Centre, further reducing costs for many learner licence applicants and their families.

Consistency with fundamental legislative principles

The amendment regulation is consistent with the fundamental legislative principles.

Consultation

The Queensland Education for New Drivers Advisory Group whose membership includes RACQ, Queensland Police Service, University of Sunshine Coast, Centre for Accident Research and Road Safety - Queensland, University of New South Wales and the Australian Driver Trainers Association Queensland, has been consulted. Its members are supportive of the online learning and assessment program and have actively contributed to its development.

The amendment to extend the currency of medical certificates to 13 months was in response to feedback from customers and medical practitioners.

In accordance with *The Queensland Government Guide to Better Regulation*, the Office of Best Practice Regulation was not consulted in relation to either of the amendments. The Department of Transport and Main Roads applied a self-assessable exclusion from undertaking further regulatory impact analysis (Category G—Regulatory proposals that are of a machinery nature).