

Motor Car (Licences) Bill

EXPLANATORY MEMORANDUM

Outline

The purpose of this Bill is to introduce a new form of driver's licence and to adopt measures to assist with the detection of unlicensed drivers.

Notes on Clauses

Clause 1. States the short title of the Act.

Clause 2. Provides for the Act to come into operation on a day or days to be fixed by proclamation of the Governor in Council published in the *Government Gazette*.

Clause 3. States that in the Act, the *Motor Car Act 1958* is referred to as the Principal Act.

Clause 4. Amends section 22 of the Principal Act by substituting a new sub-section (5) and inserting a new sub-section (5A). The new sub-section (5) provides for indorsements made on a licence to be in the prescribed form. The new sub-section (5A) provides for licences issued by the Road Traffic Authority to contain the name, address, signature and colour photograph of the licence holder. The clause makes a consequential amendment to sub-section (8) of section 22.

Clause 5. Sub-clause (1) amends section 22 of the Principal Act by substituting new sub-sections (9) and (9A). The new sub-section (9) enables a driver's licence to be renewed at any time before or after the licence expires on payment of the appropriate fee. The new sub-section (9A) provides for a renewed licence to remain in force until six years from the date of expiry of the previous licence.

Sub-clause (2) provides for licences renewed after the commencement of the Act but prior to March 1986, the expiry dates of which are odd numbers, to remain in force for three years only.

Sub-clause (3) enables a person who otherwise would be entitled to renewal of a driver's licence for a period of three years or six years, to request the Authority to renew the licence for six years or three years respectively.

Sub-clause (4) provides for the Authority in its discretion to determine the period for which a licence is to be renewed following a request under sub-clause (3).

Sub-clauses (5) and (6) provide for the manner in which the Principal Act is to be applied where a determination is made by the Authority under sub-clause (4).

Sub-clause (7) provides for the relevant date in relation to a licence to be the expiry date of the licence.

Sub-clause (8) provides for sub-clauses (2), (3), (4), (5), (6), (7) and (8) to be repealed on 1 March 1986.

Sub-clause (9) provides for the repeal of certain provisions of the *Motor Car (Registration and Drivers' Licences) Act 1982* on the commencement of Clause 5.

Clause 6. Inserts new sub-sections (12), (13), (14), (15) and (16) in section 22 of the Principal Act. The new sub-section (12) provides for the Authority with the approval of the Minister to enter into an agreement or arrangement for a person to act as an agent of the Authority in the collection of fees, taking photographs and keeping records relating to the licensing of drivers.

The new sub-section (13) provides for the misuse of information relating to the licensing of drivers to be an offence.

The new sub-section (14) provides that officer of the Authority may only require a driver's licence to be produced to establish the identity of the holder of the licence for the purposes of the Act or the *Transport Act 1983*.

The new sub-section (15) provides for the issue of licence receipts where the Authority has not issued a driver's licence.

The new sub-section (16) provides for the particulars to be contained in a licence receipt, its duration and for it to have the same force and effect as a licence.

Clause 7. Makes a number of amendments to section 23AA of the Principal Act to provide for the issue of a separate learner's permit to the holder of an existing motor car or motor cycle licence, rather than as at present endorsing that licence to enable the holder to learn to drive a motor cycle or motor car.

Clause 8. Amends section 25 (1) of the Principal Act by inserting a new paragraph (aa) to enable the Authority to refuse to issue a driver's licence where a person has failed to comply with the prescribed requirements for obtaining that licence.

Clause 9. Amends section 29 (2) of the Principal Act to make provision of a specimen signature a requirement for avoiding the offence of failing to produce a licence on request.

Clause 10. Amends section 93 (1) of the Principal Act to enable regulations to be made with regard to the issue of licences.

Clauses 11 and 12. Provide for consequential amendments to the Principal Act following from the provisions of the Bill.

The Schedule lists a number of consequential amendments to the Principal Act.