

Submission to Senate Rural and Regional Affairs and Transport References Committee - Aspects of Road Safety in Australia.

This submission includes;

1. Overseas Drivers
2. Standardisation of towing and speed & type restrictions for P platers
3. Bicycle road rules
4. Driver training during logbook period

1. Overseas Drivers

Tourists and visa holders make a significant participation of road users in Far North Queensland and in other areas of Australia. Currently there is no requirement for these road users to understand the Australian road rules and are allowed to drive on overseas licences for the duration of their visit or in some cases indefinitely while on visas.

In Far North Queensland, overseas drivers contribute to many road accidents and near misses.

In Australia, laws and driving regulations differ from state to state. Some states require you to carry an International Licence with your current foreign licence. Other states request you carry your current foreign driver's licence together with a formal translation of your licence into English. (see Appendix A)

In most Australian states and territories you are able to drive on an overseas licence as long as it is current. You can only drive vehicles which your overseas licence authorises you to drive and you must drive according to any conditions on your overseas licence.

Many backpackers are purchasing vehicles and continually moving between states with no permanent residency.

Recommendations to standardise regulations nationally;

1. Tourists visiting Australia temporarily (less than 3 months) must display a T plate on the vehicle they are driving with an overseas licence. (Similar to L & P plates. This will help to identify and tolerate drivers who may not be familiar with local road rules and conditions).
2. If you're a temporary overseas visitor (ie not an Australian citizen and not a permanent resident of Australia) and not residing in any state or territory for more than 3 months, within 3 months of arriving in Australia, you must apply for a Temporary Overseas Visitor Licence in any state or Territory. This should include a pass of the written road rules test before the licence is issued.

3. If an overseas visitor is resident in any state or territory for more than 3 months, they must obtain a licence valid for that state or territory.
4. All overseas licence conversions to an Australian drivers licence must include a pass of the written road rules test.
5. If an overseas visitor purchases a vehicle in Australia, they require a valid Australian Drivers Licence for the registration to be issued to that owner. (Many backpackers are purchasing vehicles and driving around Australia on their overseas licences for a long time, many with little understanding of the Australian road rules).
6. A driver with an overseas licence or a Temporary Overseas Visitor Licence cannot supervise a learner driver.

2. Standardisation of towing and speed & type restrictions for P platers

P platers have limited experience in vehicle operation and yet there is no national conformity on towing restrictions. In North Queensland we have the instances of red P plate drivers in 8-cylinder turbo diesel 4WD vehicles towing loaded 2 tonne horse floats on wet hilly roads and in Victoria P platers cannot tow any trailer.

Some state P platers are able to travel interstate and tow with no restrictions whilst their state counterparts maybe restricted. There is a lack of consistency.

Learner drivers should be able to have supervised driving with a trailer.

Reducing the maximum speed for a learner or provisional driver increases the danger of unsafe driving on roads, when other motorists may undertake risky passing manoeuvres.

See Appendix B for state and territory towing restrictions for learner and provisional licence holders

See Appendix C for state and territory speed restrictions for learner and provisional licence holders

Licence Type Considerations

In most states, new drivers who elect to take their drivers licence test in an automatic will have their licence endorsed for automatic vehicles only. In fact, South Australia is the only state that allows drivers who pass their test in an automatic vehicle to be immediately eligible to drive manual

Almost all of the states allow drivers who have gained their licence on an automatic to drive a manual transmission vehicle after a period of time or on achieving a full licence. Each state requires a different level of experience in order to be allowed to drive a manual transmission vehicle without retesting.

In New South Wales, a new driver who was tested in an automatic vehicle is only allowed to drive a manual once they attain their provisional P2 licence, after a minimum of one year's driving experience on their P1 licence. In Victoria, drivers wanting to drive a manual without a retest on a manual need to attain their full licence first: that means waiting at least three years on their probationary P1 and P2 licences. Queensland and Western Australia, however, will not permit the driving of a manual vehicle at all without a retest.

This means a NSW P2 automatic licence holder can drive a manual transmission car in Queensland with no testing or training and yet a Queensland licence holder cannot drive a manual transmission without a retest.

Recommendations to standardise regulations nationally;

1. Learners and P1 licence holders must not drive a vehicle that is towing any other vehicle with unladen mass of more than 250kg.
2. Learners and P1 drivers can tow trailers either loaded or unloaded, however the unladen mass of the trailer itself (excluding the load) must not be over 250 kilograms and they must display a P plate on the back of the trailer while towing.
3. Learners and P1 drivers should be allowed to drive to the gazetted speed limit to an absolute maximum of 100kph.
4. Licences issued for automatic transmissions can be changed to an open class C licence after a retest in a manual transmission vehicle.

3. Bicycle Road Rules

There should be standardisation of the road rules, the same for all road users whether on a bicycle, motor bike, car or truck.

In Queensland we have a dangerous rule applying to bicycles only that states;

At multi-lane roundabouts, motor vehicle drivers who want to turn right must enter the roundabout and turn from the right lane (unless signs or road markings indicate otherwise). However, when you are riding a bicycle, you may enter the roundabout and turn right from the left or right lane.



*Bicycle rider turning right at
a roundabout*

Recommendations to standardise regulations nationally;

1. Review road rules applying to cyclists and ensure they confirm to the same road rules applicable to other road users.

4. Driver training during logbook period

Currently there is no requirement for any professional driver training during the logbook and learner period.

Supervised driving is undertaken by friends or relatives that may not understand the various safe driving initiatives used for the driving test assessment. This means unsafe driving habits are often taught to the student resulting in an unsuccessful driving test that puts increased pressure on driving assessor resources and undermines the confidence of the student.

The Keys2Drive initiative should be continued and expanded to allow 2 lessons funded by the federal or state for professional driving instructors to deliver a safe driving program within the first 10 hours of logbook entries.

	Logbook hours	Night Driving
NT	0	0
ACT	n/a	
NSW	120	20
QLD	100	10
SA	75	15
TAS	50	0
VIC	120	10
WA	25	0

Recommendations to standardise regulations nationally;

1. Logbook requirements be standardised nationally.
2. 2 hours of professional driving instruction required within the first 10 hours unless an approved exemption is obtained (due to remote areas or no driving instructors available).

Appendix A – State requirements for overseas drivers

Northern Territory

You must transfer your interstate or overseas driver licence within three months of living in the Northern Territory (NT)

ACT

Visiting drivers are not required to obtain an ACT driver licence provided your overseas licence and international driving permit remain current and your tourist or visitor status remains unchanged.

NSW

If you're a **permanent Australian resident**, or hold a **permanent visa** under the *Commonwealth Migration Act 1958*, and you intend to stay in NSW, you are not considered to be a visitor. As such, you are allowed to drive in NSW on a current overseas licence for a maximum of three months. After that, you will need to apply for a NSW licence to continue driving or riding.

If you do not hold permanent Australian residency, but will be in NSW for more than 3 months, you can be issued with a Temporary Overseas Visitor licence.

If you hold an overseas licence, you are allowed to drive the vehicles covered by your overseas licence in NSW **indefinitely**

QLD

If you are visiting Queensland from another country, you can drive if you have a valid overseas licence. If you are visiting Queensland from another Australian state or territory you can drive if you have a valid interstate licence.

You cannot drive on an overseas licence if you;

- become medically unfit to drive safely
- are an Australian citizen and you have been residing in Queensland for 3 months
- are not an Australian citizen, but **before** you took up residence in Queensland you were given a resident visa and you have now been residing in Queensland for 3 months
- are not an Australian citizen, but **after** you took up residence in Queensland you were given a resident visa and you have now been residing in Queensland for 3 months since getting the visa
- have failed a practical driving test in Queensland after 1 January 2014.

South Australia

If you are just visiting Australia, you can drive the same type of vehicle as your current licence allows, but you must drive according to any conditions on your overseas licence.

Tasmania

You can drive in Tasmania on your overseas licence if you:

- are a visitor OR
- have a temporary visa (e.g. international students, refugees, working, holiday) OR
- have a permanent visa that has not been issued more than 3 months

Victoria

Temporary Visa

If you hold a temporary visa:

- you are not required to get a Victorian driver licence and/or learner permit
- you can drive using your current overseas driver licence for the length of your stay
- your driver licence must be written in English or accompanied by an English translation or international driving permit.

Permanent Visa

If you hold a permanent visa (issued under the Migration Act 1958) you may drive on your overseas driver licence if it's written in English or accompanied by an English translation or international driving permit for:

- 6 months from the date you first entered Australia (if the permanent visa was issued before you entered Australia), or
- 6 months from the date when the permanent visa was issued (if the permanent visa was issued to you while in Australia).

If you want to continue driving in Victoria after this time you must get a Victorian driver licence. If your overseas driver licence has expired, you will still be able to take the drive test as you are exempt from holding a learner permit for the test.

Western Australia

If you are a visitor to Western Australia (WA), you may drive only those vehicles that you are authorised to drive on your overseas licence, for as long as it remains valid in the country of issue.

Appendix B – Towing Restrictions by State & territory

Northern Territory

You are allowed to tow a trailer on a class C learner or provisional licence.

ACT

Learner drivers must not tow a trailer exceeding 750kg GVM.

Provisional car licences - The person must not drive a motor vehicle (of a kind that may be driven by the holder of a car licence) on a road or road related area (in the ACT) if the vehicle is

- (a) a vehicle other than a trailer; or
- (b) a trailer with a GVM over 750kg.

NSW

Learner drivers must not tow a trailer or any other vehicle and are not permitted to drive any vehicle that is being towed.

P1 drivers must not drive a vehicle that is towing any other vehicle with unladen mass of more than 250kg. P1 drivers can tow trailers either loaded or unloaded, however the unladen mass of the trailer itself (excluding the load) must not be over 250 kilograms and they must display a P plate on the back of the trailer while towing.

QLD

No restrictions

South Australia

If your permit or licence was issued in South Australia, you may drive a vehicle of no more than 4.5 tonne and tow a trailer, caravan, boat or horse float as SA does not restrict learner's permit or provisional licence drivers from towing such vehicles.

Tasmania

Learner licence - can't tow another vehicle, including a trailer

Provisional drivers can tow another vehicle, including a trailer

Victoria

Learner permit holders must not tow a trailer or vehicle.

Probationary P1 driver licence restrictions;

Must not tow another motor vehicle or a trailer.

This restriction will not apply in the following circumstances:

- unless in the course of the holder's employment and at the request of the employer, or
- it is being solely used in connection with agriculture, horticulture, dairying, pastoral or other similar pursuits or commercial; fishing, or
- an experienced driver is sitting beside the probationary P1 driver licence holder and a driver under instruction plate is affixed to the front and rear of the vehicle.

Western Australia

No restrictions

Appendix C – Speed limits for L & P plate drivers

Northern Territory

Learners • Speed limit: You must not drive faster than 80 km/h at any time, regardless of the sign posted speed limit, and you must observe the speed limit where it is below 80 km/h. • Supervision

Provisional drivers Speed limit: You must not drive faster than 100 km/h, regardless of the sign posted speed limit, and you must observe the speed where it is below 100 km/h.

ACT

ACT provisional drivers can drive to the posted speed limit in the ACT and in all other States and Territories including NSW.

NSW

Learners & Provisional Observe a maximum speed limit of 90 km/h, and observe the posted speed limit, where it's below 90 km/h

QLD

No restrictions

South Australia

100kph is the absolute maximum speed limit regardless of road speed limit

Tasmania

The Government is now writing to all novice drivers and other stakeholders to let them know that from March 2nd this year, the new maximum speed limits for L2 and P1 drivers will increase from 80km/h in higher speed zones to:

- 90km/h in a 90km/h zone
- 90km/h in a 100km/h zone
- 100km/h in a 110km/h

Importantly, these changes will help to improve traffic flow on our roads, particularly on our major highways where a 30km/h speed difference in traffic can be unsafe.

The new speed limits will not apply to L1 car drivers and L and P1 motorcycle riders, for whom the maximum speed limit will remain at 80km/h, but they will apply to those learning to drive a heavy vehicle.

Victoria

No restrictions

Western Australia

100kph is the absolute maximum speed limit regardless of road speed limit

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