

**VEHICLE AND TRAFFIC AMENDMENT (NOVICE DRIVER LICENSING)
BILL 2008 (No.**

Second Reading

Mr KONS (Braddon - Minister for Infrastructure, Resources, Planning and Workplace Relations - 2R) - I move –

That the bill be now read the second time.

This bill introduces a number of safety-based reforms to the novice driver licensing system that are designed to significantly reduce the number of crashes that result in serious injury and death to our novice drivers and riders.

The number of casualty crashes involving novice drivers and riders is of real concern. Most of this group, in fact some 90 percent, are young people aged between 16 and 25 years. In the five years to 2007, learners and provisionals represented around 10 percent of all licence holders, but accounted for almost 19 percent of all serious injuries and fatalities on our roads. Clearly, this figure is too high and something must be done.

'Increased Safety for Young Road Users' is one of the key strategic directions of the Government's road safety strategy for the next 10 years. Reforms to the novice driver licensing system were identified in the strategy's first three-year action plan as a key initiative to support this strategic direction.

The reforms will introduce a fully graduated licensing system, tougher penalties for learners and provisionals that disobey the law, and a reward for offence-free driving during the provisional period.

I now turn to the reforms that will see the introduction of a fully-graduated licensing system. The minimum learner period for novice drivers will be extended from 6 to 12 months and will be divided into a minimum three-month L1 stage and a minimum nine-month L2 stage.

The L1 stage will be an opportunity for learners to acquire basic car-handling skills in order to prepare for the first practical driving test. Passing this test will allow drivers to progress to the L2 stage in which the focus will be on acquiring higher-order driving skills in preparation for the move to solo driving. It is during the L2 stage that drivers must acquire 50 supervised driving hours.

There are a number of volunteer supervisory driving programs established through the Community Road Safety Partnership Program to assist learner drivers to achieve these hours and the Government's road safety strategy also provides for seed funding to community organizations to establish additional programs of this nature.

A second practical driving test will be introduced at the end of the L2 stage that will assess more advanced driving skills such as hazard perception and risk-mitigation.

The Government has been considering options for a second driving test for some time. The importance of selecting the right test for Tasmania cannot be underestimated, as passing this test will enable drivers to commence solo driving for the first time. We have consistently held the view that it was not appropriate to introduce a new test unless it would demonstrably lead to positive road safety outcomes and could be implemented and delivered in a practical manner.

So that we can do this, reforms to the learner period and introduction of the second driving test will not occur until April 2009. This will also allow us to employ and train the equivalent of 9.5 full-time additional testing officers to ensure minimum testing delays.

The remainder of the reforms to the novice licensing system will be implemented with the introduction of the new motor registry system, planned for mid-June of this year.

The provisional period for novice drivers and riders will also undergo some changes. The current first-year provisional period will become known as the P1 stage and the subsequent provisional period will become the P2 stage. For the first time, all novice drivers and riders, regardless of age, will be required to complete a minimum 12-month P2 stage.

In addition to this, a person wanting to hold both a car and motorcycle licence will be required to complete separate provisional stages in relation to each licence class. This allows for a person to build up driving experience and knowledge particular to the type of vehicle while under provisional driving conditions.

Research indicates that young drivers with a multiple offence history have a higher involvement in road crashes. In recognition of this, the bill introduces tougher penalties for novice drivers and riders who show a disregard for road rules that are designed to keep all road users safe on our roads. The first of these tougher penalties involves extending the current 'restart' provisions. Drivers and riders that commit specific offences during the P1 stage will be required to restart that stage from the beginning. A person who progresses to the P2 stage before being convicted for that offence will be required to spend an additional amount of time in that P2 stage.

The specific offences that lead to this penalty are:

- Speeding 10 km/h or more over the applicable speed limit;
- Illegally using a mobile phone;
- Failing to wear a seat belt; and
- Failing to ride a learner approved motorcycle.

These restart offences acknowledge the main crash-factors contributing to serious injuries and fatalities in the 10 years to 2005. During this time, inattention was a factor in 13 per cent of all serious injuries and fatalities; speeding was a factor in 12 per cent; failing to wear a seat belt was a factor in 9 per cent; and drink driving was a factor in 9 per cent.

There are already legislative provisions that require a person to restart the provisional period after incurring a period of disqualification or licence suspension, for example for a

drink driving offence. By expanding the restart provisions to cover these additional offences, the reforms prolong the time spent under P1 provisional licence conditions and delay progress to a full licence. This serves as an incentive for good driving practices and compliance with road rules.

Another tougher penalty introduced by the reforms is the concept of 'regression'. A novice driver or rider will be regressed, or sent back, to the previous licensing stage if the person loses their licence twice while on the same licensing stage or for a second time within any six-month period. A person who is regressed must comply with the usual driving conditions attaching to the lower licensing stage.

Before being eligible to be re-issued with a licence for the higher licensing stage:

- a person regressed from the P2 stage must hold a P1 licence for at least 12 months;
- a person regressed from the P1 stage must hold a learner licence for at least 28 days and re-sit the relevant practical driving test; and
- a person regressed from the learner stage is not eligible to hold another learner licence for a period of three months and must comply with the usual requirements for obtaining a learner licence for the particular licence class.

A person will also regress through the L1 and L2 licensing stages after their introduction in April 2009.

Regression is a means by which to identify those drivers and riders who choose not to make responsible road safety choices that would allow them to progress further in the licensing system. Young people place a high value on gaining independence and the esteem of their peers through acquiring a full licence. The prospect of delaying progress to a full licence and losing the regard of their peers should prove a strong deterrent to engaging in risky, unsafe driving behaviours.

These reforms also introduce tougher penalties aimed at learners. Research shows that the safest driving period is the learner period, only because of the presence of a supervising driver. Tasmanian crash statistics show the incidence of unsupervised driving has increased. In 64 per cent of all casualty crashes involving learner drivers in 2007, there was no supervising driver. In recognition of this and to deliver the strong message that unsupervised driving for a novice driver is unsafe and unacceptable, this Bill will allow Police to issue a traffic infringement notice - or a TIN - to learners who drive a car without an appropriate supervising driver. Police will also be able to issue a TIN to any person who causes, employs or permits a novice driver to commit an unsupervised driving offence. The reforms will also allow Police to issue a TIN to novice drivers and riders who fail to display L-plates. The existing TIN penalty for failing to display P-plates will also increase.

The reforms will also introduce a reward for offence-free driving, which will act as an incentive for good driving practices.

A novice driver or rider that progresses through the P1 and P2 stages without committing a driving related offence will be eligible to apply for a refund of his or her provisional licence fees. This represents a reward of \$51.90 for non-concession holders.

Once the reforms are fully implemented, the additional cost to novice car drivers progressing through the entire Novice Licensing System will be \$88.90. However, for those that receive the driving reward, the additional cost will effectively be only \$37.

Funding to implement the novice driver reforms has been allocated from the Road Safety Levy. From the 2011-2012 financial year, this will no longer be necessary, as the novice licensing system operates on a user-pays basis.

These reforms are evidence based. They have been developed after review of the novice licensing system in consultation with key stakeholders through the Tasmanian Road Safety Council. Leading international and national research into novice licensing systems has also been considered, as have similar reforms introduced by other jurisdictions in recent years. In addition, focus groups were held with young people to discuss possible reforms. A number of modifications were made to the model following these focus groups. The Tasmanian Road Safety Council also held a community forum in which novice licensing issues were discussed. This forum further confirmed the need to address young driver safety.

These reforms will help prepare novice drivers and riders to make responsible road safety choices that will improve the safety of all road users, and ultimately reduce the number of serious injuries and fatalities on Tasmania's roads. I commend the bill to the House.