

# Road Transport (General) (COVID-19 Emergency Response) Application Order 2021 (No 1)

## Disallowable instrument DI2021-222

made under the

Road Transport (General) Act 1999, section 14 (Application orders and emergency orders)

---

## Part 1 Preliminary

### 1 Name of instrument

This instrument is the *Road Transport (General) (COVID-19 Emergency Response) Application Order 2021 (No 1)*.

### 2 Commencement

This instrument commences on the day after notification.

### 3 Expiry

This instrument expires on 31 March 2022, or if revoked earlier, when it is revoked.

## Part 2 Road Transport (Driver Licensing) Regulation 2000

### 4 Eligibility to apply for learner licence—s 16 (2) (b) (i)

(1) This section is taken to have applied on and from 12 August 2021.

(2) The *Road Transport (Driver Licensing) Regulation 2000*, section 16 (2) (b) (i) is varied by omitting “1-month period” and substituting “3-month period”.

### 5 Duration of learner licences—new s 18 (4A) and (4B)

(1) This section is taken to have applied on and from 9 August 2021.

(2) The *Road Transport (Driver Licensing) Regulation 2000*, section 18 is varied by inserting the following:

“(4A) Despite subsection (1), a learner motorcycle licence that would, but for this subsection, expire in the period beginning on 9 August 2021 and ending on 31 January 2022 (the *old expiry day*) is taken to expire 6 months after the old expiry date.

(4B) To remove any doubt, subsection (4A) applies to a learner motorcycle licence whose expiry date has been extended under subsection (4).

## **6 Eligibility to apply for provisional licence—s 22 (2) (c)**

(1) This section is taken to have applied on and from 12 August 2021.

(2) The *Road Transport (Driver Licensing) Regulation 2000*, section 22 (2) (c) is varied by omitting “1-month period” and substituting “3-month period”.

## **7 Extension of renewal time for learner motorcycle licence—s 85A**

(1) This section is taken to have applied on and from 9 August 2021.

(2) The *Road Transport (Driver Licensing) Regulation 2000*, section 85A (1) is varied by omitting “This section” and substituting “Subsection (2)”.

(3) The *Road Transport (Driver Licensing) Regulation 2000*, section 85A is varied by inserting the following:

“(2A) Subsection (2B) applies to the holder of a licence extended under section 18 (4A).

(2B) The person is taken to have satisfied the requirement under section 85 (2) (c) if the person gives the road transport authority evidence that the person has successfully completed the knowledge component of an approved road ready training course within the period of 3 years and 6 months before the day the application is made.”

## **8 Meaning of *automatic disqualifying circumstance*—s 91 (a) and (b)**

(1) This section is taken to have applied on and from 12 August 2021.

(2) The *Road Transport (Driver Licensing) Regulation 2000*, section 91 (a) and (b) is varied by omitting “3 months” and substituting “6 months”.

**9 Non-ACT licence holders to hold driver licence in certain circumstances—s 92 (2) and (3)**

- (1) This section is taken to have applied on and from 12 August 2021.
- (2) The *Road Transport (Driver Licensing) Regulation 2000*, section 92 (2) and (3) is varied by omitting “3 months” and substituting “6 months”.

**10 Old learner licence—extension of duration—s172A**

- (1) This section is taken to have applied on and from 9 August 2021.
- (2) The *Road Transport (Driver Licensing) Regulation 2000*, section 172A (1) is varied by omitting “This section” and substituting it with “Subsection (2)”.
- (3) The *Road Transport (Driver Licensing) Regulation 2000*, section 172A is varied by inserting the following:
  - “(3) Subsection (4) applies to an old licence that—
    - (a) is a learner car licence issued under the pre-amendment regulation; and
    - (b) would, but for subsection (4), expire in the period beginning on 9 August 2021 and ending on 31 January 2022 (the *old expiry day*).
  - (4) The licence is taken to expire 6 months after the old expiry day.
  - (5) To remove any doubt, subsection (4) applies to an old licence whose expiry date has been extended under subsection (2).”

**11 Renewal of learner licence—s179 (2)**

- (1) This section is taken to have applied on and from 9 August 2021.
- (2) The *Road Transport (Driver Licensing) Regulation 2000*, section 179 (2) (a) is varied by substituting the following:
  - “(a) for the holder of a licence that has been extended under section 172A (2)—the 3-year period before the day the application is made; or
  - (aa) for the holder of a licence that has been extended under section 172A (4)—the period of 3 years and 6 months before the day the application is made; or”

### **Part 3 Road Transport (Offences) Regulation 2005**

#### **12 Infringement notices for offence detected by traffic offence detection device—time of service—s 13**

- (1) This section applies to an infringement notice issued under section 13 on or after this instrument's notification day.
- (2) The *Road Transport (Offences) Regulation 2005*, section 13 is varied by omitting "28 days" and substituting "45 days".

#### **13 Application for plan allowing participation in approved program—s 16G (2) (b)**

- (1) This section is taken to have applied on and from 12 August 2021.
- (2) The *Road Transport (Offences) Regulation 2005*, section 16G (2) (b) is varied by omitting "3-month period" and substituting "6-month period".

### **Part 4 Road Transport (Vehicle Registration) Regulation 2000**

#### **14 Issue of certificates of inspection etc—s 146 (3)**

- (1) This section is taken to have applied on and from 12 August 2021.
- (2) The *Road Transport (Vehicle Registration) Regulation 2000*, section 146 (3) is varied by omitting "1 month" and substituting "3 months".

Chris Steel MLA  
Minister for Transport and City Services

3 September 2021