



New South Wales

Road Transport (General) Amendment (Consecutive Disqualification Periods) Bill 2009

Explanatory note

This explanatory note relates to this Bill as introduced into Parliament.

Overview of Bill

The objects of this Bill are:

- (a) to amend the *Road Transport (General) Act 2005* to bring forward the commencement and completion dates for a new driver licence disqualification of a person that is to be completed consecutively with a previous driver licence disqualification that ends prematurely, so as to avoid any period during which the person ceases to be disqualified from holding a driver licence before the new disqualification commences, and
- (b) to make consequential amendments to the *Road Transport (Driver Licensing) Act 1998* and *Road Transport (General) Regulation 2005*.

Outline of provisions

Clause 1 sets out the name (also called the short title) of the proposed Act.

Clause 2 provides for the commencement of the proposed Act on a day to be appointed by proclamation.

Schedule 1 Amendment of Road Transport (General) Act 2005 No 11

Schedule 1 [1] inserts proposed section 188A in the *Road Transport (General) Act 2005* to bring forward the commencement and completion dates of consecutive driver licence disqualifications in the circumstances referred to in the Overview. **Schedule 1 [2]–[4]** make consequential amendments to sections 189 and 201 of that Act.

Schedule 1 [5] amends clause 1 of Schedule 1 to the *Road Transport (General) Act 2005* to enable the Governor to make regulations of a savings or transitional nature consequent on the enactment of the proposed Act.

Schedule 1 [6] inserts a provision in Schedule 1 to the *Road Transport (General) Act 2005* to ensure that proposed section 188A extends to driver licence disqualifications imposed before the commencement of the proposed section that have already commenced when, or will commence after, the proposed section commences.

Schedule 2 Consequential amendment of other legislation

Schedule 2.1 amends section 25A of the *Road Transport (Driver Licensing) Act 1998* to make it clear that a driver does not commit the offence of driving while disqualified in relation to a disqualification period the commencement and completion dates of which have been altered by operation of proposed section 188A of the *Road Transport (General) Act 2005* unless the Roads and Traffic Authority has previously provided written notice of the altered dates to the driver. **Schedule 2.2** makes a consequential amendment to clause 6 of the *Road Transport (General) Regulation 2005*.