

# Interstate driving rule change for NSW learner and provisional licence holders

## Questions and answers

### What is the driving rule change for NSW learner and provisional drivers and motorcyclists who drive interstate?

All licence conditions and restrictions that apply in NSW to both learner and provisional drivers and riders will also apply to them when they drive or ride OUTSIDE of NSW in all Australian States and Territories including their novice driver speed limits.

Previously, NSW learner and provisional drivers/riders had to comply with only selected NSW licence conditions when driving interstate.

NSW learner and provisional drivers and riders must also comply with any special conditions or restrictions the interstate authority may impose on a visiting driver/rider. This information can be obtained from the State or Territory they plan to visit.

### When does the change begin?

Monday 1 July 2013.

### Why is the change occurring?

It is common sense from a road safety perspective and consistent with licensing schemes worldwide to require learner and provisional drivers to comply with their licence conditions irrespective of where they drive.

### Do interstate learners and provisional drivers visiting NSW have to comply with NSW learner and provisional licence conditions/restrictions while NSW?

There are selective NSW conditions/restrictions that visiting interstate learner or provisional licence holders must comply with when driving in NSW, including:

NSW conditions/restrictions they must comply with:	Applies to:
Must have a blood alcohol limit of zero	All visiting learner, provisional or probationary licence drivers/riders
Cannot use any function of a mobile phone while driving/riding	Visiting learner licence drivers/riders
Driver must be accompanied by an approved supervising driver	Visiting learner drivers
Driver and all passengers must wear a fitted seatbelt	Visiting learner drivers

**What happens if a NSW learner or provisional driver/rider is caught breaking a NSW licence condition or restriction in another State or Territory?**

Police from that State and Territory can issue a penalty infringement notice or a court attendance notice to the driver/rider.

**If a fine is issued to a NSW learner or provisional driver/rider by interstate police for breaking a NSW licence condition or restriction, who administers the fine and how will it be administered?**

The rider or driver will receive a fine from the respective interstate police force either at the roadside or through the mail.

The fine will then need to be paid to the relevant interstate authority.

If the driver/rider is required to attend court, the documents they are issued with will include the interstate court location and the date they will need to.

**If a NSW learner or provisional driver/rider is caught breaking a licence condition or restriction in another State or Territory and is required to appear in court, where will they be required to attend?**

The offence will be heard and determined in a court in the State or Territory where the offence occurred.

**By what method will a NSW learner or provisional driver/rider be able to pay a fine administered outside of NSW?**

The fine or other documents the driver/rider are issued with will include details of how and by what date the fine can be paid (eg online or by phone etc).

**Will the same amount of demerit points be deducted for a NSW learner or provisional driver/rider for breaking a licence condition or restriction in another State or Territory?**

There are no demerit points applied to drivers/rider who commit an offence outside of NSW.

Demerit points only apply if a driver/rider is issued with a fine by NSW Police.

**What happens if double demerits is applicable in NSW and a NSW learner or provisional driver/rider is caught breaking a licence condition or restriction in another State or Territory, will the double demerits apply?**

There are no demerit points applied to drivers/rider who commit an offence outside of NSW, regardless of whether double demerits is applicable in NSW.

**Where can NSW learner or provisional drivers/riders find out more information about their conditions and restrictions?**

- > Visit [geared.com.au](http://geared.com.au)
- > Visit [rms.nsw.gov.au](http://rms.nsw.gov.au)
- > Telephone the RMS Contact Centre on 132 213
- > Email [RTA\\_Contact\\_Centre@rta.nsw.gov.au](mailto:RTA_Contact_Centre@rta.nsw.gov.au)
- > Visit their local motor registry or Service NSW Centre

\* For more information on the standard conditions that apply to NSW learner and provisional licence holders, please see appendix one.

## APPENDIX ONE

NSW Learner licence conditions/restrictions		
Description	Applies to all learner drivers/riders	Applies only in selected circumstances
Must wear spectacles		Y
Any requirement to wear a medical prosthesis or modification to a vehicle or a distance or driving purpose limitation.		Y (medical reasons or orders of a court)
Must display L plates(s) (car or motorbike learner)	Y	
Must be supervised when driving (car learner)	Y	
Must not tow another vehicle when driving (car or motorbike learner)	Y	
Must not drive a vehicle that is being towed (car or motorbike learner)	Y	
Must not ride a motorbike or motortrike with an engine capacity greater than 660 mls (motorbike learner)	Y	
Must not ride a motorbike or motortrike with a passenger (motorbike learner)	Y	
Must not exceed zero blood alcohol concentration (car or motorbike learner)	Y	
Must not drive a vehicle unless the driver and each passenger are in a seating position that has a seatbelt fitted and it is worn (car learner)	Y	
Must not use any function of a mobile phone whilst driving, (car or motorbike learner)	Y	
Max speed of 90 km/h (car or motorbike learner)	Y	

<b>NSW P1 Provisional licence conditions/restrictions</b>		
<b>Description</b>	<b>Applies to all P1 provisional drivers/riders</b>	<b>Applies only in selected circumstances</b>
Must wear spectacles		Y
Any requirement to wear a medical prosthesis or modification to a vehicle or a distance or driving purpose limitation		Y (medical reasons or orders of a court)
Must drive only automatic vehicles (car provisional)		Y (where test passed in auto veh)
Must not drive with more than one passenger (car provisional)		Y (if disqualified by a court)
Must display P plates - red letter 'P' on a white background (car or motorbike provisional)	Y	
Must not exceed zero blood alcohol concentration (car or motorbike provisional)	Y	
Must not drive a vehicle unless the driver and each passenger are in a seating position that has a seatbelt fitted and it is worn (car provisional)	Y	
Must not use any function of a mobile phone whilst driving (car or motorbike provisional)	Y	
Max speed of 90 km/h (car or motorbike provisional)	Y	
Must not drive a car-based motor tricycle (car provisional)	Y	
Must not drive high-performance vehicles (car provisional)	Y	
Must not drive with more than one passenger under the age of 21 between the hours of 11pm and 5am – where the driver is under the age 25 (car provisional)	Y	
Must not ride a motorbike or motor trike with an engine capacity greater than 660 mls (motorbike provisional)	Y	
Must not ride a motorbike or motor trike with a passenger (motorbike provisional)	Y	
Must not tow a trailer that has an unladen weight in excess of 250 kgs (car provisional)	Y	

Must not tow any other vehicle (motorbike provisional)	Y	
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<b>NSW P2 Provisional licence conditions/restrictions</b>		
<b>Description</b>	<b>Applies to all P2 provisional drivers/riders</b>	<b>Applies only in selected circumstances</b>
Must wear spectacles		Y
Any requirement to wear a medical prosthesis or modification to a vehicle or a distance or driving purpose limitation		Y (medical reasons or orders of a court)
Must not drive with more than one passenger (car provisional)		Y (if disqualified by a court)
Must display P plates - green letter 'P' on a white background (car or motorbike provisional)	Y	
Must not drive a car-based motor tricycle (car provisional)	Y	
Must not drive high-performance vehicles (car provisional)	Y	
Must not ride a motorbike or motortrike with an engine capacity greater than 660 mls (motorbike provisional)	Y	
Must not exceed zero blood alcohol concentration (car or motorbike provisional)	Y	
Must not drive a vehicle unless the driver and each passenger are in a seating position that has a seatbelt fitted and it is worn (car provisional)	Y	
Max speed of 100 km/h (car or motorbike provisional)	Y	