



NSW Driver Trainers Association **Urgent Newsflash July 2016**

NSW AGM

It's that time of year again when we need to hold our AGM. We have mentioned that date previously as November 23rd and can now confirm the venue as the Bankstown Sports Club, in the Boggabilla room. Address is 8 Greenfield Parade, Bankstown NSW 2200. This is **NOT** the same club we have used previously, so please **DO NOT** turn up at the Bankstown Golf Club.

Arrival time is 9.30am with a meeting start time of 10am, and finish around 12pm. All members are invited to attend the AGM and have your opportunity to vote on nominees for committee positions. The AGM will be followed by a committee meeting which is usually only for committee members.

Morning tea will be provided for those attending the AGM. So if you have a few hours free that morning, please come along as we would love to see as many of you there as possible. It's also a great chance to come and meet some fellow members and have a chat about the industry and your business.

Rehab Training for Driving Instructors

Beth Cheal from Rehab on Road is about to run another course for driving instructors wishing to become qualified in assessing clients with disabilities. These are a great course and great qualification to hold. There is a demand with some Safer Drivers Course providers for qualified people to deliver module 2 sessions to someone with a disability, but also within our regular clientele base, there is a need for instructors who are able to train and assess drivers with some form of disability.

The course is being run on December 1 and 2 in Sydney at a cost of \$750. For further information, follow the link below, but get in quick as spaces are limited.

<https://cce.sydney.edu.au/course/DRDI>

Driving Instructor Regulation Changes

As previously communicated with members, there were some changes in the Driving Instructors Regulations that came into effect on September 1st. These changes followed a period of consultation that included our association and several of our suggestions were included in these changes.

The first change relates to the display of an instructors licence. Previously the regs meant that you had to have your licenced fixed to the vehicle you were training in, unless it was the clients own car. Our suggestion of removing this requirement was adopted which now only requires you to show the client the licence at the start of a lesson, giving them the chance to examine it. This makes things easier for those instructors transferring from a manual to an auto car between lessons and previously needing to transfer their licence from one car to another etc. Now an instructor could have their licence attached to their diary or worn around their neck on a lanyard etc, reducing the likelihood of forgetting to transfer it over.

Previous regs required us to keep all details of when we present someone for a test, however record keeping is all about auditing, and given that these details would be recorded by the RMS when a test is conducted, us being required to keep these info seemed to be unnecessary. Whilst we would suggest this is still worthwhile keeping, it just means failure to do so can no longer result in a penalty being issued.

The wording of the previous regs was unclear about the requirement to hold an instructors licence when providing training to remove a condition from a licence. This meant that someone without an instructors licence could have charged a person for training if they were seeking to remove a condition such as auto only from a P1 licence. The new wording ensures that anyone providing this type of training is required to be a licenced driving instructor.

Comprehensive motor vehicle insurance was originally introduced as a way of ensuring that clients could not be forced to pay any extra costs associated with damage incurred during a driving lesson. The regs required us to indemnify clients during driving lessons which meant we could not even ask them to pay our insurance excess in the event of a claim needing to be made. However the wording only specified driving lessons and made no mention of tests. So technically if damage was incurred during a driving test, an instructor could have requested the client pay for all or some of those damages. This went against the principle of protecting the client from extra costs, and so we requested it be amended to include driving tests and this has now been adopted.

It is important that you are familiar with both the Driving Instructors Act and the Regulations to ensure you are compliant with the law. To view the regs and Act in their entirety, follow the links below.

http://www.austlii.edu.au/au/legis/nsw/consol_act/dia1992262/

http://www.austlii.edu.au/au/legis/nsw/consol_reg/dir2016353/

Dashcams and Testing Officers Rights

Over the last few years we have been encouraging members to purchase and install dash cams in their driving school cars, and there has been an increase in the uptake. To assist with the costs we have a good discount available through Motor Blackbox, and a link to that website is below (password: nswdta14).

However we have been hearing reports of testing officers' interfering with dash cams during driving tests. Whilst it is clear that recording devices are not allowed to be used during driving tests (includes dash cams, GPS recording etc), what has not been so clear is what are the rights of testing officers with regard to disabling them. We have had members telling us that even though they have informed the testing officer that it is switched off, the officer has still interfered with it by tilting it, rotating it, trying to pull it off the windscreen, pulling out chords etc, and in some cases resulting in damaged chords or brackets.

We have raised this matter with Service NSW who in turn have clarified some things from RMS. The following is the direct quote from RMS:

[“Driving tests are not to be conducted while recording equipment is operating. Where a Customer Service Representative Driver Tester has reason to believe such equipment \(including GPS positioning devices, audio](#)

recording and/or video recording devices) is fitted to a vehicle to be used for a driving test, the person in charge of the vehicle must be asked to switch off or remove the equipment.

If the person in charge of the vehicle is unable to confirm that the equipment is switched off or removed, then the test is terminated and recorded as 'unsuitable for class of licence test'.

If there is doubt as to the purpose of any device fitted to an applicant's vehicle, the Customer Service Representative Driver Tester is to request that the Service Centre Manager or Authorised Delegate make a determination as to whether the test should continue".

As you can see the testing officer has no right to touch or interfere with the dash cam and doing so would be a breach of RMS policy. All testing officers within the Service NSW network have been sent this communication; however no confirmation of the same occurring for those branches that are still an RMS registry. If you have any further issues with this occurring, you need to bring it to the attention of the centre manager.

<http://nswdta.motorblackbox.com.au/>

Structured Lesson Plans

Recently we were informed that several Registered Training Organisations (RTO's) have been informing their graduates that there is no longer a requirement to have a learner driver sign a structured lesson planner for lessons where 3 for 1 hours were credited. We approached RMS for clarification on this as there had never been a communication regarding this and as far as we knew there has never been a change to this requirement.

We have received confirmation from RMS that there are NO CHANGES to the structured lesson planner requirements and that any RTO communicating otherwise are incorrect and providing false information. The RMS would be very interested to hear which RTO's are saying this so the issue can be addressed. So if any of you have been told that by your RTO, please let us know so we can inform the appropriate people.

So for those that are not aware, the requirements under 3 for 1 are:

- Complete the normal driving log section with all trip details etc with the accurate start and finish time, but write 3 hours in the hour's column (or 1 in the night and 2 in the day if it was a night lesson). Please do not write 1 hour and the plus 2 or some other variation in the margin.
- Fill in the Record Keeper in the back of the book with all details including a reference to at least one topic taught during that lesson. Lesson duration should be the actual length of time the lesson ran for e.g. 1 hour.
- Complete a structured lesson plan that is signed by both yourself and the learner driver. These can be generic plans as long as the strengths and development section is written specifically for that client. If you have your own school lesson plans, only page one need to be completed.

Failure to comply with these requirements could result in penalties being issued in the event of you not being able to produce them for an audit.

Older Driver Assessor Training

For the about the last 3 years we have been pushing the RMS for when more training will occur for instructors wishing to become Older Driver Assessors, and for that time we have been told that the training was being reviewed and it would start ASAP. Well finally that time is here. Better late than never perhaps.

This came to a head after we heard about the NRMA Safer Driving School receiving training for its instructors to become accredited in the scheme. We believe this was not fair to all other instructors who have been waiting a few

years to have the same training and in response we took the RMS to task over this issue. Following a combined effort by both us and the ADTA NSW we have managed to convince the RMS to start training immediately and in response they have organised a couple of training days within the next few weeks.

To ensure fairness, they are contacting instructors starting at the top of the list with those that registered their interest first and gradually working their way down the list. So those that have been waiting the longest will be trained first. We believe there to be about 180 instructors on the list, so running course for between 10 and 15 people will see the list reduced over time. Apparently the plan at this stage is to have all instructors trained by June next year.

There is a cost now for the training, which was previously delivered for free, however we don't see this as a bad thing provide the cost isn't exorbitant. Unlike the Safer Drivers Course training, this training has been priced at a reasonable \$320 per person. Costs would obviously be higher for those regional people who may need to travel and incur accommodation, loss of business and travel costs, however there are no plans we are aware of to conduct training in regional centres. By now charging for the training, it may also reduce the chances of people taking advantage of a free training but then not actually following through and becoming accredited. So only those that really want to do it are likely to pay for it.

If you have previously registered your interest with the RMS, you will be contacted in time as they work their way down the list.

Changes to GLS Restrictions

As you all should be aware by now, there are some changes occurring to the Graduated Licencing System over the next 14 months. The full fact sheet is at the end of this news update, but the summary is:

- P2 licence holders will have the same phone restrictions as P1 and L licence holders. Effective 1/12/2016
- DQT to move from P2 to full licence is being removed. Effective 1/11/2017
- Any road related licence suspension whilst on P2 licence will see an extension of time on P2 licence by 6 months. Effective 1/11/2017
- HPT test moving from between P1 and P2 licence to between L and P1. Effective 1/11/2017

What is unclear at this stage is how the HPT will work. Will it be before they sit their driving test or afterwards? If before, will they need to pass it before they can even book a driving test? These are questions we are asking; however we haven't had a clear answer yet. As soon as we know how it will work, we will let you know.

These changes do not affect someone who can upgrade their licence prior to those dates etc. It will only affect those wishing to upgrade after those dates.

Training in Safer Drivers Course Delivery with PCYC

As a follow up from the audit that was conducted on all providers of the SDC a few months ago, the PCYC and the NSW Driver Trainers have identified key areas that need to be addressed. Whilst the audit report for Facilitators of Module 1 was reasonably good, it did highlight some areas where there could be improvement. The issues around the Coaches were a bit more of a concern and in fact appeared to be industry wide amongst all providers. Two of the biggest issues were instructing instead of coaching, and not sticking to the course curriculum.

As the provider, the PCYC is required under their contract to address these matters and provide training to ensure adherence with the course and its structure. As a partner with the PCYC for the coaching module, the NSW Driver Trainers as part of our agreement must assist with training and professional development of those contracting to the PCYC.

We are currently working together to develop some training workshops that will ensure we have the best trained and most compliant facilitators and coaches working within the SDC program. Details are still being worked out, but we are looking at conducting these workshops in both regional and metro areas within the first few months of next year. Once we have more details we will let everyone know.

GRADUATED LICENSING SCHEME CHANGES

The NSW Government is introducing changes to the Graduated Licensing Scheme for learner, P1 and P2 drivers to better prepare them for real-world road hazards and reduce deaths on the road.

Change	Details	Start date
Mobile phone ban for P2 drivers	P2 licence holders will no longer be permitted to use a mobile phone at all while driving or riding.	1 December 2016
Driver Qualification Test scrapped	Driver Qualification Test, which is currently a requirement for P2 drivers to progress to an unrestricted licence, will be scrapped.	1 November 2017
P2 licence extension for suspended drivers	<p>The minimum tenure for P2 licence holders will be extended by 6 months each time they receive a licence suspension for demerit point offences or higher risk offences.</p> <p>The tenure extension will not apply if the suspension is not related to a road offence, such as defaulting on a fine or on medical grounds.</p> <p>The suspension period is not included in the tenure period.</p>	1 November 2017
Hazard Perception Test moved	The Hazard Perception Test, which is currently a requirement for P1 drivers to progress to a P2 licence, will be shifted to be a requirement for learner drivers to progress to a P1 licence.	1 November 2017