

House of Assembly—No 83

As laid on the table and read a first time, 26 March 2009

South Australia

**Motor Vehicles (Practical Driving Tests)
Amendment Bill 2009**

A BILL FOR

An Act to amend the *Motor Vehicles Act 1959*.

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The Parliament of South Australia enacts as follows:

Part 1—Preliminary

1—Short title

This Act may be cited as the *Motor Vehicles (Practical Driving Tests) Amendment Act 2009*.

5 2—Commencement

This Act will come into operation 1 month after the day on which it is assented to by the Governor.

3—Amendment provisions

10 In this Act, a provision under a heading referring to the amendment of a specified Act amends the Act so specified.

Part 2—Amendment of *Motor Vehicles Act 1959*

4—Section 75—Issue and renewal of licences

Section 75—after subsection (1) insert:

- 15 (1a) Despite subsection (1), the Registrar must not issue a licence to, or renew the licence of, a person who, on or before the date of the application, has attained 85 years of age unless the person produces to the Registrar a certificate signed by an authorised examiner certifying that the applicant has passed a practical driving test conducted by the examiner in the 6 months preceding the application.
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5—Amendment of section 75AAA—Term of licence and surrender

Section 75AAA—after subsection (1) insert:

- 5 (1a) Despite any other provision of this Act, or any term or expiry date specified on the licence, a licence held by a person immediately before he or she attains 85 years of age will be taken to expire on the person attaining that age (but nothing in this subsection prevents that licence being renewed in accordance with this section).
- 10 (1b) Despite subsection (1), the term of a licence issued to a person who has attained 85 years of age, and of any renewal of such a licence, must not exceed 2 years.

6—Section 75A—Learner's permit

(1) Section 75A—after subsection (1) insert:

- 15 (1aa) However, the Registrar must not issue a learner's permit to, or renew the learner's permit of, a person who, on or before the date of the relevant application, has attained the age of 85 years unless the person provides the Registrar with evidence of a kind prescribed by the regulations as to his or her fitness to drive a motor vehicle.

(2) Section 75A—after subsection (2) insert:

- 20 (2a) Despite any other provision of this Act, or any period or expiry date specified on the learner's permit, a learner's permit held by a person immediately before he or she attains 85 years of age will be taken to expire on the person attaining that age (but nothing in this subsection prevents that learner's permit being renewed in accordance with this section).
- 25 (2b) The period specified under subsection (2)(b)(i) in a learner's permit issued to a person who has attained 85 years of age, and in any renewal of such a permit, must not exceed 2 years.