



SOUTH AUSTRALIA'S
GRADUATED LICENSING SCHEME
INITIATIVES TO PROTECT
YOUNG DRIVERS

A DISCUSSION PAPER
October 2011



Government of South Australia
Department for Transport,
Energy and Infrastructure

INVITATION TO COMMENT



Driving is likely to be the riskiest activity young South Australians will ever undertake and it concerns me greatly that far too many young South Australians are still being killed or injured on our roads.

The stark figures tell the story – almost 4000 young people aged between 16 and 24 have been killed or seriously injured in road crashes in our state over the past decade. Young drivers in rural South Australia are 2½ times more likely to die or be injured in a crash than those living in Adelaide.

Many of those seriously injured sustain life-long head, neck or back injuries.

The initiatives outlined in this paper are designed to improve the safety of our young drivers.

They include:

- > **A passenger restriction for all P1 drivers allowing no more than one passenger under 21 for the duration of P1 (with exemptions for immediate family members or for employment, or if a Qualified Supervising Driver (QSD) is present).**
- > **A restriction on driving between midnight and 5am for all P1 drivers for the duration of P1 (with exemptions for work-related driving or if a Qualified Supervising Driver (QSD) is present).**
- > **Raising the minimum age for a provisional licence from 17 to 18 years, meaning drivers cannot drive solo until they are at least 18 years of age.**
- > **Extending the total minimum provisional licence period from 2 to 3 years.**

I want to make it very clear that these initiatives are about saving lives. They're not about making life tougher for young drivers. They're about protecting them.

If we adopt all of these initiatives, we're very likely to see fewer deaths and injuries among our young drivers, their passengers and other road users.

Public discussion on these matters, in particular raising the driver licensing age, is consistent with advice from recent Adelaide Thinker in Residence Professor Fred Wegman, who also advocated that there should be an increase in the minimum licensing age to reduce the number of young people who are killed or injured on South Australian roads.

Some of these initiatives may impact on the independence of young drivers, their families and friends, particularly in rural communities and disadvantaged groups. That's why some have provisions for exemptions to minimise undue hardship.

South Australia's Road Safety Strategy 2020 – Towards Zero Together has set a target of less than 80 road fatalities and less than 800 serious injuries a year by 2020. While road safety initiatives generally benefit road users of all ages, if we can reduce the over-representation of young drivers and passengers in the road toll, then we can go a long way towards achieving those targets.

We know the overwhelming majority of our young drivers aim to drive safely and responsibly.

Our Graduated Licensing Scheme (GLS) for novice drivers recognises this through a staged approach starting with the learner's permit for supervised driving in relatively low risk situations. As drivers grow in knowledge, skills and driving experience, the restrictions are gradually lifted through the provisional stages (P1 and P2).

While the GLS allows drivers to gradually accumulate safe driving experience in more demanding driving situations, we need to make sure our system promotes the safest possible learning environment.

I encourage you all to take this opportunity to provide your views on the five initiatives in this paper and help to improve the support and protection for young people on our roads.

Let's all work together to keep them safe.

A handwritten signature in blue ink that reads "Tom Kenyon".

Hon Tom Kenyon MP
Minister for Road Safety

YOUNG DRIVERS AND ROAD SAFETY

Young people are assets to the community and an integral part of South Australia's future. Road trauma has been identified as a leading cause of death among young people worldwide.

Our community has a responsibility to provide greater protection for young drivers while they are at their most vulnerable stage of driving.

Research shows that in South Australia over half of all fatal crashes, and 90% of injury crashes, are the result of mistakes or common lapses in judgement, despite a belief in the community that road fatalities and serious injuries are largely the result of risk taking or extreme behaviour.

Measures to limit exposure to high-risk situations during the first year of unsupervised driving have the potential to significantly reduce trauma for younger drivers.

These measures can include restrictions on driving that help young drivers acquire safe driving experience in the safest way possible and minimise the chances of risky behaviour occurring. Upon the introduction of one or more of the proposed initiatives it is intended that further education and training will be developed to assist young drivers in this regard.

Young driver crash statistics

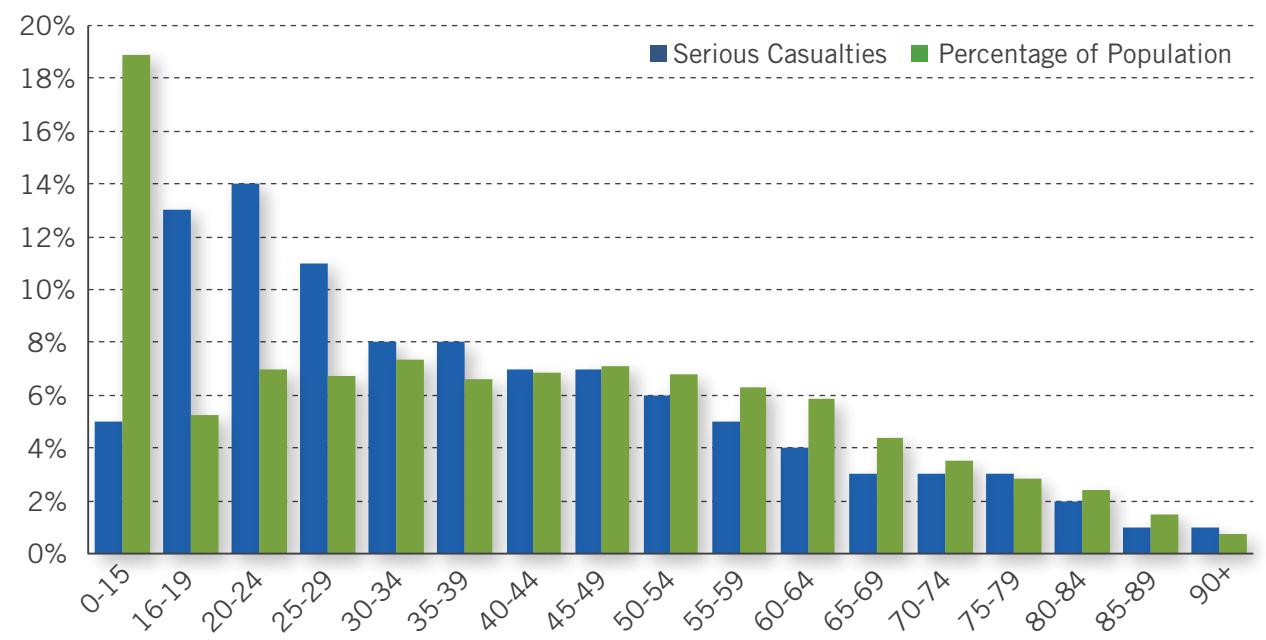
Despite significant reductions in South Australia's road toll over the past decade, young drivers continue to be over-represented in road trauma statistics. In South Australia for 2008 – 2010:

- > People aged 16-19 years made up 5% of the population but accounted for 13% of serious casualties each year (see Figure 1).
- > People aged 20-24 years made up 7% of the population but accounted for 14% of serious casualties each year (see Figure 1).
- > 101 young people aged 16 to 24 years were killed on South Australian roads and a further 852 were seriously injured.
- > Almost two thirds of the young people killed were male.

While the majority of young drivers aim to do the right thing, their over-representation in the road toll is a continuing cause for concern.

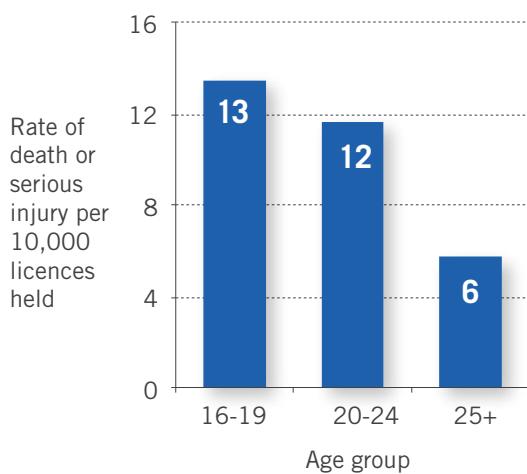
Young drivers, particularly those aged 17-19 years are involved in more road crashes than any other age group. The Motor Accident Commission has also reported that on average (based on 2006-2010 data) drivers aged 16-19 years account for 14.5% of Compulsory Third Party claim costs, or about \$50m annually, but make up only 6% of all licence holders.

Figure 1 – Serious casualties and percentage of population by age group, South Australia, 2008-2010



Our youngest drivers also have the highest injury rate. Young drivers aged 16–19 years have a rate of 13 deaths or serious injuries for every 10,000 licensed drivers (see Figure 2). This is at least twice the rate for drivers aged 25 and above, who have a rate of 6 fatalities or serious injuries per 10,000 licences held.

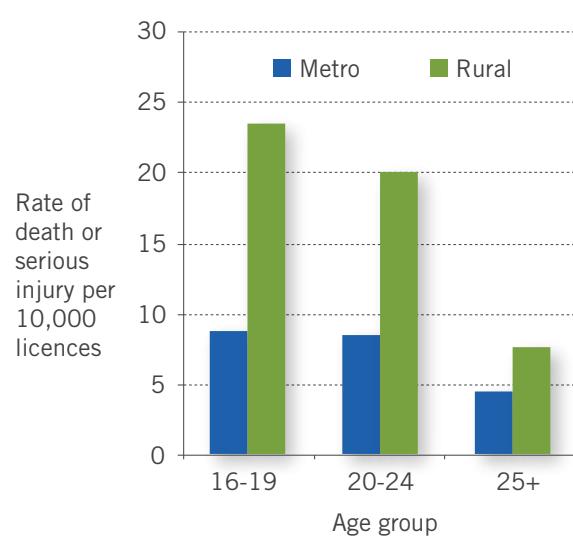
Figure 2 – Rate of death or serious injury per 10,000 licences held for drivers/riders by age group, 2008–2010



Urban and rural drivers

Young drivers living in rural areas have a much higher rate of injuries than young drivers from the city. Figure 3 shows young rural drivers aged 16–19 years have a rate of 24 deaths or serious injuries for every 10,000 licensed drivers. This is more than 2½ times the rate for young drivers aged 16–19 years from metropolitan Adelaide, where the rate is 9 deaths or serious injuries per 10,000 licences held.

Figure 3 – Rate of death or serious injury per 10,000 licences held for drivers/riders by location of residence, 2008–2010



Why are young drivers at risk?

Crashes are most likely to occur during the first 6 to 12 months of driving on a provisional licence – when the driver is least experienced and driving unsupervised (see Figure 6 on page 11). Crash risk then reduces as driving experience increases and young drivers ‘mature out’ of risky driving behaviour. This crash pattern for new drivers is observed in all Australian states and territories.

Inexperience

Inexperience is the most significant contributing factor to young driver crashes. Driving is a complex and mentally demanding activity. In the early stages of driving new drivers are at high risk because they lack a number of higher-order mental skills needed to meet the challenging demands of driving. These include the ability to detect, accurately identify and quickly respond to risks or hazards while driving. New drivers also have problems processing high levels of information, dealing with complex cognitively demanding situations and coping with distractions when driving. For example, young drivers are involved in a high number of right turn and run-off-road crashes when first driving independently, indicating a lack of judgement and poor assessment of road conditions.

On-road driving experience increases a driver's ability to cope with the mental workload needed to drive, improves judgement and anticipation of hazards and reduces driving errors. Significant experience is needed before these skills improve and crash risk decreases.

Risk taking

While the majority of young drivers aim to drive safely and legally there is a tendency for young drivers, particularly males, to engage in greater risk taking. They also tend to underestimate the risks associated with dangerous driving situations and overestimate their own ability.

Neurological research indicates that the human brain continues to develop in a person into the early 20s and can continue towards and past age 25, particularly for males. While research on adolescent neurological development is still relatively new, it suggests the prefrontal cortex is one of the last areas of the brain to fully develop. This is the area that controls reasoning, impulse control and long-term planning – functions that are critical for safe driving.

Young driver profile in South Australia

Population data from the Australian Bureau of Statistics (ABS), shows there are over 86,000 people aged 16–19 years living in South Australia as at 30 June 2010.

An analysis of the Registration and Licensing database in the Department for Transport, Energy and Infrastructure (DTEI) shows:

- > On average, 78% of South Australians aged 16–19 years hold a licence or learner's permit compared to 88% of drivers aged 25 years and over. The table below also shows a further breakdown on the proportion of South Australian drivers holding a learner's permit, provisional licence (P1 or P2) or a full licence for each age category.
- > Of those 16–19 year olds who hold a learner's permit, provisional licence or a full licence in South Australia almost 72% reside in the metropolitan area with the remaining 28% living in rural South Australia.

> In 2010 the median age at which South Australians obtained a learner's permit was 16.4 years, followed by a P1 licence at 17.5 years and a P2 licence at 19.5 years. The majority of drivers graduate to a full licence at 23.5 years.

> It is recognised that the majority of young drivers aim to drive safely with up to 85% of learner's permit, P1 and P2 licence holders aged 16–19 years not incurring any demerit points.

> However, on average between 2008–2010 almost 7% of drivers holding a learner's permit, P1 or P2 licence were issued with a licence disqualification notice.

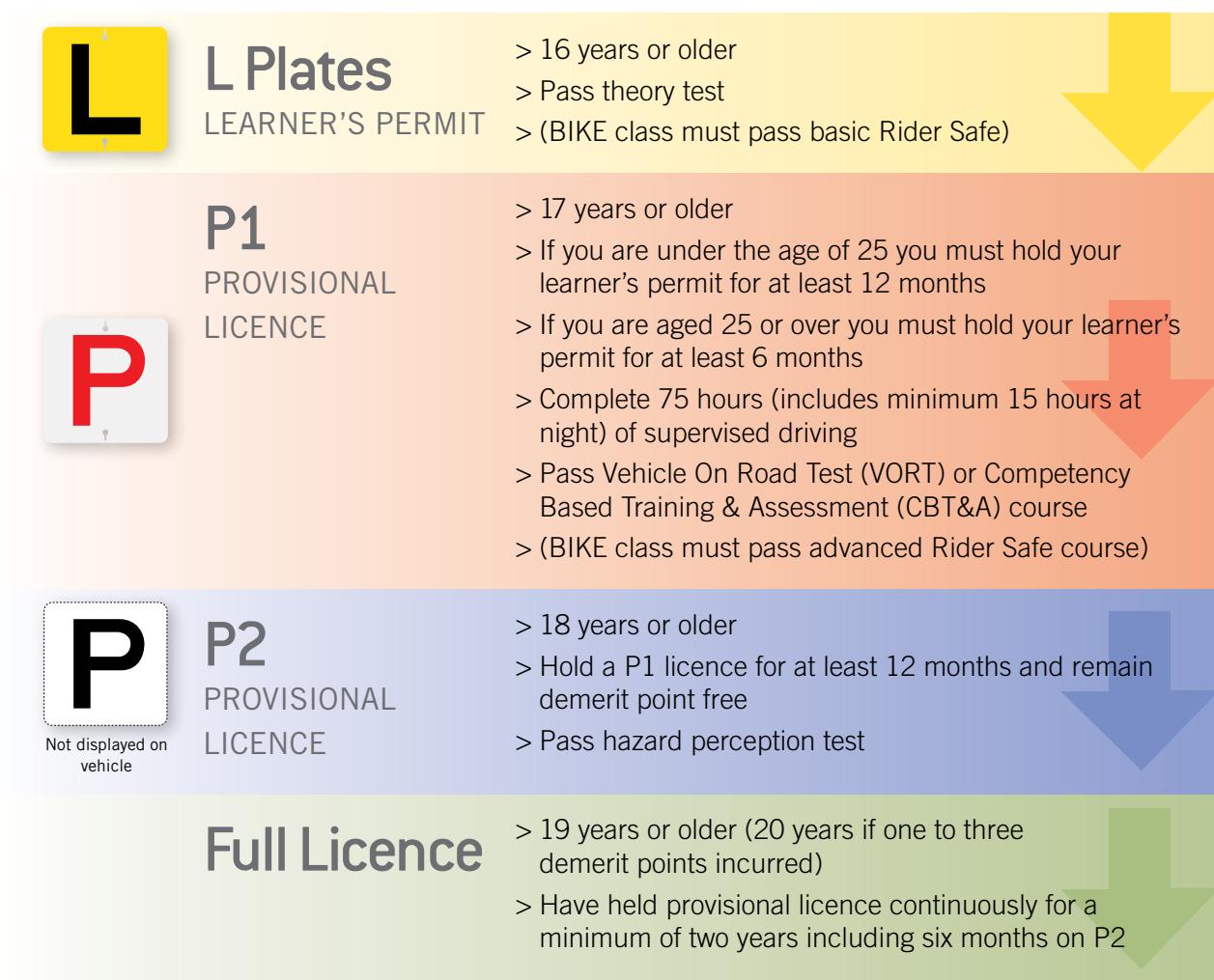
Age of licence holder	Population in South Australia	Number of licence holders	Percentage of population holding a licence or learner's permit	Percentage of licence holders by licence type			
				learner's permit	P1	P2	full
16	20,870	13,298	64%	95%	5%	0%	0%
17	21,421	17,441	81%	32%	60%	7%	0%
18	22,078	18,280	83%	20%	45%	35%	0%
19	22,585	18,472	82%	15%	34%	20%	31%
SUB TOTAL (16-19yrs)	86,954	67,491	78%	36%	38%	17%	9%
20-24	116,323	92,854	80%	9%	18%	5%	67%
25+	1,127,155	988,637	88%	1%	1%	0%	97%

SOUTH AUSTRALIA'S GRADUATED LICENSING SCHEME

There are three main stages within the GLS: the learner phase of driving under adult supervision, the restricted provisional licence (including P1 and P2) and the unrestricted full licence. As a new driver goes through these stages some restrictions are in place to limit exposure to situations known to be high risk or dangerous (e.g. zero blood alcohol concentration (BAC) limit, no mobile phone use). This means new drivers gain experience under low risk driving conditions before getting their full licence. The restrictions are gradually lifted as a driver advances through the GLS stages.

All Australian jurisdictions have a GLS, as do some other jurisdictions around the world including New Zealand, Canada and the United States. While each scheme differs slightly, international and national research indicates that a GLS is an effective safety measure resulting in reductions in young driver crashes.

(Source: The Driver's Handbook, DTEI, South Australia, (2010))



Further information on South Australia's GLS can be found on the website: mylicence.sa.gov.au

BEST PRACTICE FOR GRADUATED LICENSING SCHEMES: INTERSTATE AND INTERNATIONAL EXPERIENCES

Leading international studies concerning young driver safety and best practice for graduated licensing draw similar conclusions as to what components are most important for an effective GLS system, that is, a system that can reduce young driver crashes.

The Organisation for Economic Cooperation and Development (OECD) conducted a major study into young driver safety considering GLS research from the United States, Canada, Europe, New Zealand and Australia. Some of the major recommendations included:

- > Increasing the minimum driving age towards 18 will result in fewer crashes and fatalities.
- > High levels of supervised driving practice will result in fewer crashes and fatalities.
- > Protective GLS restrictions are especially important immediately following the granting of a provisional licence, particularly:
 - BACs no greater than 0.02g/100ml
 - peer passenger restrictions
 - night-time driving restrictions.
- > Demerit point accumulations which lead to sanctions such as licence loss.
- > Persuasive communications to accompany the above measures with a view to changing attitudes and creating a greater understanding of risk.

Experience from overseas suggests both young drivers and parents affected by a GLS show a high level of support for GLS restrictions. For example, in California 75% of young drivers surveyed who were subject to night-time and peer passenger restrictions reported they were still able to do the activities they wanted and 79% of parents strongly endorsed the program. Surveys also generally indicate a high level of community support for GLS restrictions. The introduction of provisions for exemptions under certain circumstances, such as allowing night driving for work-related purposes, also assist in minimising undue hardship.

Over the last few years many Australian jurisdictions have enhanced their GLS schemes to reflect ‘best practice’ findings from international research:

- > Peer age passenger restrictions have been introduced in Victoria, NSW and Queensland for provisional drivers.
- > Western Australia has introduced night-time driving restrictions for provisional drivers.
- > Victoria, NSW, Queensland, Tasmania and the ACT now require a minimum of three years on a provisional licence.
- > Victoria has a provisional licensing age of 18 (although this requirement has been in place for many decades) and a total provisional licence period of 4 years.

A table comparing Australian jurisdictions on selected GLS components can be found in Appendix A.

While the South Australian GLS has been significantly improved over the years, international research evidence and comparisons with such schemes in other Australian jurisdictions indicate that several important GLS components warrant further consideration including:

- > peer age passenger restrictions
- > night-time driving restrictions
- > raising the minimum age for a provisional licence
- > increasing the minimum time on a provisional licence.

The initiatives outlined in this Discussion Paper are designed to improve the safety of our young drivers. They reflect world best practice, are evidence-based and already exist to varying extents in other Australian states and territories.

INITIATIVES FOR CONSIDERATION

1. Passenger restrictions

A restriction on carrying more than one passenger under the age of 21 would apply at all times for all P1 drivers for the duration of their P1 licence (the minimum time on a P1 licence is 12 months). The restriction would not apply where passengers are immediate family members or if a qualified supervising driver is present or the P1 driver is aged 25 or over.

Carrying passengers can distract a driver and make it harder for the driver to concentrate. This means the driver cannot safely scan the road ahead for hazards and other road users thereby increasing the chance of a crash. Having more than one peer age passenger can also encourage a young driver to take greater risks.

Research indicates young drivers' crash risk increases when carrying peer passengers and that the risk increases with each additional passenger. Carrying two to three peer passengers (under the age of 21 who are not family members) increases the risk of a young driver fatal crash by four to five times compared to driving alone. Passengers aged over 21 who have a full licence do not seem to have a negative effect on provisional drivers' behaviours.

In South Australia, 28% of drivers aged 16-19 years involved in a fatal crash from 2008 to 2010 were driving with two or more passengers, compared to 13% of drivers aged 25 years and over (see Figure 4).

Peer passenger restrictions exist in GLS programs in 42 US states, Canada and New Zealand. In these jurisdictions, where passenger restrictions are predominantly employed full time (i.e. day and night), reported reductions in young driver crashes have ranged from 5 to 38%.

In Australia, Victoria, NSW and Queensland all have peer passenger restrictions in some form during the P1 licensing phase. Passenger restrictions apply at all times of the day in Victoria while in the other states they apply at night from 11pm to 5am. In Western Australia night driving restrictions during the P1 phase effectively eliminate the need for peer passenger restrictions at night, however no such restrictions exist during the day. Currently South Australia only applies a passenger restriction at night from midnight to 5am for provisional drivers returning from a disqualification due to committing a serious disqualification offence. Applying the restriction to all drivers during the P1 licensing phase would enhance South Australia's GLS and bring greater road safety benefits overall.

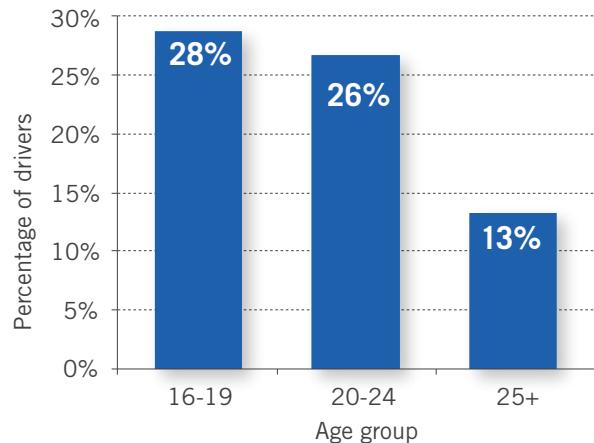
Family members (i.e. siblings and spouses) are automatically exempt from peer passenger restrictions in both Victoria and Queensland. NSW and Victoria offer exemptions upon application on the basis of employment, family

circumstances and hardship. South Australia would also consider similar grounds for exemption. For example, a volunteer in the Country Fire Service might need a standing exemption to transport several people in an emergency. However, such an exemption would be made specific only to that task and a driver would still need to abide by the passenger restriction while driving for other purposes. An applicant's driving history may also be considered.

It has been argued that passenger restrictions will lead to more young drivers on the road travelling alone and therefore increased exposure to risk. However, research has found that even when accounting for greater numbers of young drivers on the road, restricting drivers aged 16-17 years from carrying peer passengers could lead to 31-42% fewer young driver deaths, based on 90% compliance with the restriction. Other research has shown peer passenger restrictions have not resulted in an overall increase in injuries because young people have used alternative transport options such as cycling or walking and there has been no increase in crashes for these drivers when they are slightly older and driving unrestricted.

If peer passenger restrictions were introduced in South Australia as proposed, the Centre for Automotive Safety Research (CASR) estimates a 10 to 14% reduction in serious and fatal crashes involving young drivers aged 16-17 years. This equates to a reduction of 7 to 10 fatal and serious injury crashes per year or 12 to 17 fatal and serious injuries per year.

Figure 4 – Percentage of drivers involved in fatal crashes with two or more passengers in the vehicle, 2008-2010



2. Night driving restrictions

A restriction on driving between the hours of midnight and 5am would apply for all P1 drivers for the duration of their P1 licence (i.e. a minimum of one year). The restriction would not apply if a qualified supervising driver is present or if the P1 driver is aged 25 or over. A driver would be able to apply for an exemption from the restriction for employment purposes, however a person's driving history may be considered and any exemption granted would be made specific to those circumstances. A driver would still need to adhere to the restriction in their remaining night driving.

All drivers have an increased risk of crashing when driving late at night but the risk is greater for inexperienced drivers. Currently in South Australia 16 and 17 year old provisional drivers experience late night crash rates that are up to 7 times their daytime rates. This is not just because it is harder to see hazards at night but also because young drivers tend to spend more time driving at night compared to other drivers. This driving is often for recreational purposes and with peer passengers, who can be a distraction or place pressure on the driver to take greater risks. Fatigue and alcohol are other significant factors that increase crash risk at night.

Night-time driving restrictions are different from curfews, which are a means to get people home by a specified time. Communities often adopt curfews to reduce behaviour that is criminal or mischievous while the idea of driving restrictions at night is to protect novice drivers by keeping them from driving without supervision during high-risk hours.

In South Australia, 35% of drivers aged 16–19 years involved in a fatal crash from 2008 to 2010 crashed at night between 10pm and 5am, compared to 16% of drivers aged 25 years and over (see Figure 5).

Currently 48 states in the US have night-time restrictions for young drivers. Such restrictions are also applied in New Zealand and Canada. Research from these jurisdictions report reductions in young driver crashes of up to 50% during the restricted night hours. In fact GLS systems with strict night restrictions have been found to be some of the most effective programs.

The time period for night restrictions varies between jurisdictions. The most common restriction is between midnight and 5am but research shows that greater crash reductions are achieved if the restriction begins before midnight. Each additional hour that novice drivers are restricted from driving at night further reduces the crash rate.

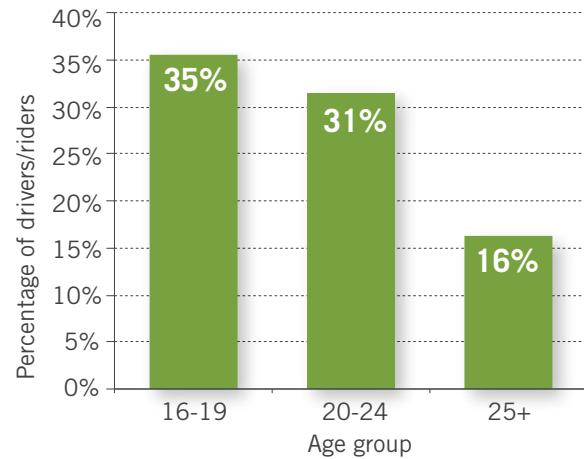
As with passenger restrictions, restricting provisional drivers from late night driving could reduce their mobility and cause some inconvenience, particularly for those living in rural areas. However, experience from the US suggests young drivers with night restrictions adapt by arranging lifts or arriving at destinations earlier. Most jurisdictions with night restrictions typically allow exemptions for 'purposeful' driving such as for work, education and/or emergencies.

Western Australia is currently the only jurisdiction in Australia that has implemented a night restriction although it has been flagged for introduction within the next three years in the *National Road Safety Strategy 2011–2020*. In Western Australia, novice drivers may not drive between midnight and 5am during the first six months on a provisional licence (P1) unless it is for employment or education/training purposes.

In South Australia only provisional drivers returning from a disqualification due to committing a serious disqualification offence have a night-time driving restriction imposed (from midnight to 5am), which limits the safety benefits that can be achieved.

If night-time driving restrictions were introduced into South Australia as proposed, CASR estimates a 9 to 13% reduction in serious and fatal crashes involving young drivers aged 16–17 years. This equates to a reduction of 6 to 8 fatal and serious injury crashes per year or 8 to 12 fatal and serious injuries per year.

Figure 5 – Percentage of drivers/riders involved in fatal crashes between 10pm and 5am, 2008–2010



3. Raising the minimum driving age

The minimum age a person could apply for a provisional licence in South Australia would be increased from 17 to 18 years of age, meaning drivers cannot drive solo until they are at least 18 years of age. This initiative would not change the minimum entry age of 16 years for a learner's permit.

Research indicates that increasing the licensing age reduces young driver crashes and improves road safety for young drivers. Delaying the age for provisional licensing provides a new driver with greater time to gain experience while being supervised by a more experienced driver. A learner driver would then be better prepared when they eventually gain a provisional licence.

Statistics show the learner period is a relatively low risk time for driving – most probably due to the presence of a supervised driver. In contrast the first year on a provisional licence is the riskiest time in the life of a driver – especially for teenage drivers (see Figure 6 below).

Raising the licensing age can be expected to reduce this risk on a provisional licence substantially because learner drivers are likely to gain many more supervised hours in a two-year period than the current requirement for 75 hours. While the minimum period of one year on a learner's permit would remain, it would mean that a driver who obtains a learner's permit soon after their 16th birthday would need to spend up to two years on a learner's permit until they were eligible to apply for a provisional licence at age 18. Those drivers who obtained a learner's permit at 17 years or older would be unaffected by the change due to the current requirement to hold a learner's permit for a minimum of 12 months.

Research shows that obtaining extensive amounts of supervised driving brings subsequent young driver crash reductions, up to 40%, once a provisional licence is gained. South Australia currently requires 75 hours of supervised driving for learner's permit holders. NSW and Victoria both require 120 hours and Queensland requires 100 hours.

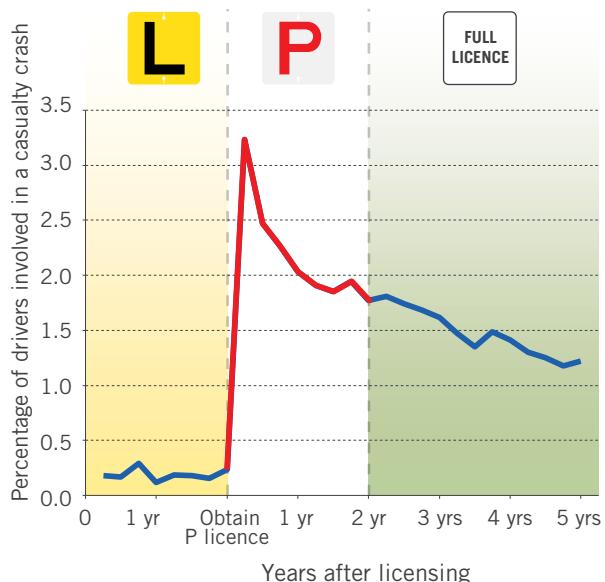
The European Union's driver licensing guidelines recommend that licensing for unsupervised driving should commence at 18 years. This is based on research from European countries showing the risk of crash involvement during the first year of independent driving (i.e. on a provisional licence) decreases as the age when a driver begins independent driving increases. Victoria has had a provisional licensing age of 18 for many decades.

It has also been suggested that the number of trips by slightly older drivers carrying 16–17 year old passengers might increase and that some 16–17 year old drivers might choose to drive illegally. However, reviews of licensure age from around the world suggest these factors will not have a large effect and that higher licensing ages bring demonstrated safety benefits that clearly outweigh these slight disadvantages.

Nevertheless, it is recognised that a significant proportion of people aged 16–19 years currently hold a licence or learner's permit and many are engaged in full-time education and/or participate in the workforce. It is likely that a large number of provisional licence holders currently drive to and from these activities or are required to drive in the course of their employment. Consideration will need to be given as to whether an exemption should be available or perhaps an option to apply to obtain a 'restricted' provisional licence prior to 18 years of age. This would cater for those drivers who have a legitimate need to drive to and from work (e.g. in cases where there are no other forms of transport available), in the course of their employment or for any other circumstances considered appropriate.

If South Australia raised the minimum provisional licensing age to 18 as proposed, CASR estimates a 5 to 6% reduction in all serious and fatal crashes in South Australia (i.e. a 5 to 6% reduction in the South Australian road toll), as crashes involving young drivers aged 16–17 years would be largely eliminated. This initiative would bring the greatest crash reductions for South Australia and equates to a reduction of 60 to 70 fatal and serious injury crashes per year. For drivers aged 16 to 24 years this is equivalent to a 20% reduction in serious and fatal crashes. While new P1 drivers aged 18 would have a higher crash rate in their first year compared with afterwards, their first year crash rate would not be expected to be as high as that for 16 or 17 year olds on their first year on a provisional licence.

Figure 6 – Percentage of SA drivers involved in a casualty crash five years after licensing (Source: Austroads (2008))



4. Extending the minimum provisional licence period

All novice drivers under 25 years of age would be required to spend a minimum of three years on a provisional licence. This means they would be at a minimum age of 20 upon becoming eligible to apply for a full licence. It should be noted this initiative does not take into account the minimum age for a full licence holder if other initiatives proposed in this paper are also introduced.

In South Australia, the current total minimum period required on a provisional licence is at least two years. At least one year must be spent on P1 and at least six months on P2. In practice for many young drivers the total time on a provisional licence is greater than two years. It is not intended that this initiative would apply to drivers who are 25 years or older upon applying for a provisional licence nor change the minimum entry age for obtaining a learner's permit of 16 years.

Extending the provisional licence period would extend the protective conditions such as a zero blood alcohol limit, speed restrictions, mobile phone restrictions, high powered car restrictions and a lower demerit point allowance (4 or more demerit points results in a licence disqualification) that help keep young drivers out of high risk situations. A longer provisional period would allow more time for a provisional driver to safely make the adjustment from supervised driving in the learner's permit phase to unsupervised driving upon graduating to a full licence.

Importantly allowing young drivers a longer period to gain unsupervised driving experience, while under some restrictions, is likely to result in greater young driver competence and fewer crashes.

Research from Victoria suggests a longer period on a provisional licence can be more effective in reducing alcohol-related crashes by deterring provisional drivers from drinking prior to driving and by encouraging the establishment of safe behaviours that separate drinking from driving at least while the holder of a provisional licence.

This initiative would not alter the requirement for a minimum of one year on a P1 licence so many young drivers would not have to display P plates during the additional year if they hold a P2 licence.

Extending the provisional licence period to three years would bring South Australia in line with NSW, Queensland, Tasmania and the ACT. Victoria has a minimum provisional licence period of four years.



5. Removing regression penalties

Novice drivers who become disqualified would no longer be required to regress to their previous licence stage or pass any tests associated with that previous stage. However, they would still be subject to the current requirements that extend the total time disqualified drivers must serve on a learner's permit or provisional licence.

Currently learner's permit and provisional licence holders who receive a disqualification are required, after serving the disqualification, to regress to their previous licence stage and re-pass any associated tests. This provision was introduced in South Australia in 2005 as part of a suite of GLS changes and came into effect on 31 October 2006. The prime intention of requiring regression was to lengthen the period during which previously disqualified drivers could continue to drive, subject to GLS conditions, before gaining a full licence.

Research supports the notion that extra time driving under GLS conditions brings overall safety benefits to novice drivers, particularly in the learner stage. However, the additional requirements to re-pass a test that has already been passed or to revert to a previous licence stage without undertaking further training at that stage have faced criticism from novice drivers, their parents and the broader community. There is also no evidence to suggest these re-testing requirements lead to novice drivers becoming any safer on the road.

The introduction of regression has clearly added another layer of complexity to the GLS making the scheme harder to explain to young drivers and the consequences of receiving a licence disqualification more difficult for novice drivers and their parents to understand. The additional cost and inconvenience to disqualified novice drivers in having to re-pass tests associated with a previous licensing stage is also recognised.

The latest suite of GLS changes, introduced on 4 September 2010, included a provision for disqualified provisional drivers to be offered a Safer Driver Agreement which allows such drivers to continue driving under strict conditions in lieu of serving the disqualification. South Australia's Safer Driver Agreement follows similar initiatives interstate and is not available where disqualifications arise from a serious disqualification offence. Already it has proved a popular

option. It offers a rehabilitative opportunity to novice drivers disqualified through lower level offences by still allowing them to drive but without incurring the hardship of a disqualification or the consequences of regression. However, if drivers breach the agreement they are disqualified for twice the period they would originally have had to serve and the regression provisions apply at the end of the disqualification period.

The regression provision is not a common one in Australia. Apart from South Australia, Tasmania is the only other jurisdiction to apply regression to disqualified drivers in certain circumstances.

Removing the requirement for disqualified novice drivers to regress to a previous licence stage and pass any tests associated with that stage would assist in reducing confusion amongst novice drivers and their parents, simplify the pathways involved in the GLS, have positive financial outcomes for disqualified novice drivers and bring South Australia into line with most other Australian jurisdictions. It would also mean:

- > Learner's permit holders who are disqualified will no longer have to re-sit the theory test (\$33) before being allowed to be re-issued with a learner's permit.
- > Provisional (P1) licence holders who are disqualified will no longer have to obtain a learner's permit (\$55) or pass another practical driving test (competency based training or vehicle on-road test with costs ranging from \$100-\$150) prior to being issued with a P1 licence.
- > Provisional (P2) licence holders who are disqualified will no longer have to obtain a P1 licence (\$54) or pass the Hazard Perception Test (\$29) again, prior to being issued with a P2 licence.

APPENDIX A

GLS components – Interstate comparisons

Table 1. Summary of GLS schemes in Australian jurisdictions

	SA	WA	VIC	NSW	QLD	TAS	ACT	NT
Peer passenger restrictions	P drivers disqualified due to SDO cannot carry passengers except QSD 12–5am for one yr.	No restriction	P1 drivers can carry one passenger aged 16–21 (1 yr). Can apply for exemptions. Ban applies at all times.	If <25, P1 drivers can carry one passenger aged <21 between 11pm–5am (1 yr). Also applies to P2 drivers disqualified for serious driving offence. Can apply for exemptions.	If under 25, P1 drivers can carry one passenger aged <21 between 11pm–5am (1 yr). Immediate family members exempt only.	No restriction	No restriction	No restriction
Night driving restrictions	If disqualified due to SDO cannot drive 12–5am unless QSD for one yr.	12am–5am for first 6 mths on P. Can apply for exemptions.	No restriction	No restriction	Disqualified P drivers under 25 cannot drive 11pm–5am for one yr. Can apply for exemptions.	No restriction	No restriction	No restriction
Length of minimum provisional period	P1: 1 yr P2: 6 mths Total P: 2 yrs	P1: 6 mths P2: 18 mths Total P: 2 yrs	P1: 1 yr P2: 3 yrs Total P: 4 yrs (If a P1 driver is age 21+ go directly to P2)	P1: 1 yr P2: 2 yrs Total P: 3 yrs	P1: 1 yr P2: 2 yrs If age <23; min 1 yr if age 23; P2 not required if age 24+. Total P: 3 yrs if age <23	P1: 1 yr P2: 2 yrs If age <23; if age 23–25 1 yr or until age 25; if age 25+ 1 yr. Total P: 3 yrs if age <23	Total P: 3 yrs (No separate P1 & P2)	Total P: 2 yrs if < 25, 1 yr if 25+. (No separate P1 & P2)
Minimum age for L	16	16	16	16	16	16	15½	16
Minimum age for P	17	17	18	17	17	17	17	16½
Minimum age for full licence	19	19	22	20	20	20	20	18½

QSD – Qualified Supervising Driver- A driver who has held a full driver's licence for at least 2 years continuously without disqualification.

SDO – A Serious Disqualification Offence may include: an offence against the Criminal Law Consolidation Act 1935 (e.g. causing death by dangerous driving); an offence that attracts 4 or more demerit points; a speeding offence that attracts 3 or more demerit points if the licence holder has previously committed a similar demerit point offence; a combination of a red light offence and a speeding offence arising out of the same incident; and any offence committed by a person who has previously been disqualified from driving in this State.

References

A list of the references used within the GLS Discussion Paper, as well as articles for further reading, is available from the following website: sa.gov.au/towardszerotogether

HOW TO HAVE YOUR SAY

Your views are important.

Here's how you can contribute to saving the lives of young drivers:

- > Go to sa.gov.au/towardszerotogether and complete the online feedback form; or
- > Email to DTEI.RoadSafety@sa.gov.au; or
- > Complete the attached feedback form and send it to:

GLS Discussion Paper 2011

Department for Transport, Energy and Infrastructure
GPO Box 1533 Adelaide SA 5000

Electronic and written submissions should be made by **Friday 9 December 2011**.

Note that your submission may be referred to publicly or published. It may also be disclosed to applicants under the Freedom of Information Act. You should not include anything confidential.

Thank you for taking the time to complete the feedback form.
Your responses will remain confidential.

Postcode: _____

Age Group: 15 or under 16-19 years 20-25 years 26-40 years 41+ years

Gender: Male Female

Licence Type: None Learner's Permit P1 Licence P2 Licence Full Licence

Are you a parent/carer/guardian of a novice driver? Yes No

Name (optional): _____

What are your thoughts about the following possible initiatives to reduce the over-representation of South Australia's young people in road fatalities and injuries? It is not essential to respond to every item.

1. A passenger restriction allowing no more than one passenger aged under 21 for all P1 drivers for the duration of P1 (with exemptions for immediate family members or for employment or if a Qualified Supervising Driver (QSD) is present). [See page 9 in discussion paper]

2. A restriction on driving between midnight and 5am for all P1 drivers for the duration of P1 (with exemptions for work-related driving or if a Qualified Supervising Driver (QSD) is present). [See page 10 in discussion paper]

3. Raise the minimum age for a provisional licence from 17 to 18 years, meaning drivers cannot drive solo until they are at least 18 years of age. [See page 11 in discussion paper]

4. Extend the total minimum provisional licence period from 2 to 3 years. [See page 12 in discussion paper]

5. Remove regression to a previous licence stage. [See page 13 in discussion paper]
