

## The Land Transport (Road Safety and other Matters) Amendment Bill 2011

### Q&As – Changes for young drivers

May 2011

The Land Transport (Road Safety and other Matters) Amendment Bill 2010 has been passed by Parliament. The Bill includes actions from Safer Journeys: New Zealand's Road Safety Strategy 2010-2020 for improving the safety of young drivers and reducing the impact of alcohol on our road safety.

The Bill also provides for the repeal of the Transport Act 1962 and a number of technical amendments to enhance the effectiveness of current Land Transport Act provisions. Provisions in the Bill will come into force through a series of staged implementation times following Royal Assent.

These Q&As relate only to the changes from the Bill that are outlined in the Safer Journeys strategy to improve the safety of young drivers. Further Q&As on the other provisions in the Bill have been developed by the Ministry of Transport and can be found at [www.transport.govt.nz/legislation/bills/landtransportamendmentbill2010/](http://www.transport.govt.nz/legislation/bills/landtransportamendmentbill2010/)

#### 1. What provisions in the Bill relate specifically to young drivers?

- Raising the minimum driver licensing age from 15 to 16
- Providing for the NZ Transport Agency (NZTA) to strengthen the Restricted licence test.
- Lower the youth drink drive limit for drivers under 20 years of age from Blood Alcohol Content (BAC) 0.03 (30 milligrams of alcohol per 100 millilitres of blood or 150 micrograms of alcohol per litre of breath) to BAC zero.

#### 2. Is there public support for these changes?

Consultation on the Safer Journeys discussion document found strong support for raising the driver licensing age. During consultation, the public had the option of ranking the initiatives they preferred. Combined, raising the licensing age to 16 and raising the licensing age to 17 would be the highest ranked initiative.

The second highest ranked initiative was to introduce a zero BAC limit for certain drivers (this included drivers under 20years, adults without a full licence and commercial drivers).

## **Raising the minimum driver licensing age from 15 to 16**

### **3. Why is the licensing age being raised from 15 to 16?**

Research shows that the over-representation of young drivers in crashes is due to three interwoven factors: youthfulness; lack of driving experience; and exposure to some higher risk situations (eg driving with passengers, driving late at night).

At 15, New Zealand has one of the lowest licensing ages in the OECD. International research indicates that, particularly before the age of 18, the lower the age a person starts driving solo, the higher the crash risk. International best practice recommends an older minimum age to compensate for the still developing young driver cognitive abilities, particularly the ability to consistently recognise and respond appropriately to hazards or risks.

### **4. Won't raising the licensing age merely shift the problem from being a 15 year old problem to a 16 year old problem?**

No, research from both New Zealand and overseas confirms that age is a major risk factor irrespective of driving experience.

In New Zealand the number of crashes per driver increases substantially from the Learner to the Restricted phase (when people start driving solo). For 15 and a half to 16 and a half year olds, the increase in crashes from the Learner to the Restricted phase is about 30 percent greater than the increase for 16 and a half to 17 and a half year olds, and about 90 percent greater than for 17 and a half to 18 and a half year olds.

When exposure to road risk is taken into account 15 and 16 year olds are estimated to have 2.3 crashes per million kilometres travelled. This compares with a rate of 1.8 for 17 year olds and 1.5 for 18 year olds.

### **5. Won't a higher driving age disadvantage rural communities?**

Previous research on the travel behaviour of young drivers found that the benefits of raising the minimum licensing age are likely to outweigh costs from decreased mobility. This is because very few essential trips appeared to rely on 15 and 16 year olds driving.

A benefit cost analysis completed by the Ministry of Transport found the benefit cost ratio of raising the driving age is 21:1. That is, the benefits of the change are expected to outweigh the costs some 21 times. Consideration was given to mobility loss in determining this ratio.

If someone is killed or seriously injured this can have a greater impact on the productivity of a rural community than a similar injury occurring in an urban area. For example, post crash rehabilitation such as follow up GP visits, and/or physiotherapy, can be more difficult to access in rural communities. This can extend the length of time before someone is ready to return to employment and/or education.

**6. How many casualties will raising the licensing age to 16 prevent?**

It is estimated that raising the licensing age to 16 will save at least four lives and prevent 25 serious injuries and 148 minor injuries each year. This equates to an annual social cost saving of around \$39 million.

**7. What will the new Graduated Driver Licensing System (GDLS) look like?**

Minimum age for a driver to obtain a:	Under current GDLS	New GDLS that will apply from when the minimum licensing age increases to 16
Class 1 (car) or class 6 (motorcycle) licence		
Learner	15 years	16 years
Restricted	15 years 6 months	16 years 6 months
Full (with approved course) (without approved course)	16 years 6 months 17 years	17 years 6 months 18 years

**8. When will the new minimum licensing age come into force?**

The new licensing age of 16 will come into force on Monday 1 August 2011.

**9. What about young drivers aged under 16 who are already in the licensing system?**

There will be a transitional process in place to ensure that young drivers already in the system are not unfairly penalised by having to wait an extra year to move to the next phase of their licence, if they meet certain criteria.

Full details are as follows:

*Driver part-way through the licensing process*

- A person aged 15 who has met the relevant pre-requisites (age and time requirements) and has applied for either a Learner or a Restricted licence before the date the minimum age increases (1 August 2011), can complete their application (including any tests or re-tests). This will allow these people to obtain their licence after the date the minimum age increases

*Driver holding a Learner or Restricted licence*

- A 15-year-old driver who holds a Learner or Restricted licence before the date the minimum age increases will continue to hold that licence

*Holder of a Learner licence up-grading to a Restricted licence*

- On turning 16, a driver who has held a Learner licence for at least six months will be able to apply for a Restricted licence, by making an exemption application (and paying the regulated exemption fee) to the NZTA. All exemptions that meet the following criteria will be successful:
  - The applicant must have held a Learner licence for at least six months, and
  - The applicant must have not committed any traffic offending (in particular speeding, or breaching licence conditions)

If an applicant can not meet the above guidelines then they will need to wait until they reach 16 years and six months, which will be the new minimum age at which a Restricted licence can be applied for.

**10. What about young drivers holding a Restricted licence (aged 16 ½ who've completed an approved course or 17 if not) who want to move to a full licence?**

From 1 August 2011, these Restricted licence holders will need to wait until they are 17 ½ (if they've completed an approved course) or 18 if not before they can progress to a full licence.

However, if these drivers holding Restricted licences want to apply to the NZTA for an exemption (and pay the regulated exemption fee) their exemptions will be assessed based on the following criteria:

- The applicant must have held a Restricted licence for at least 18 months (or 12 months upon completion of an approved course), and
- The applicant must have not committed any traffic offending (in particular speeding, or breaching licence conditions)

**Strengthen the Restricted licence test**

**11. Why will the NZTA be making the Restricted licence test more difficult?**

International evidence clearly shows that novice drivers who accumulate higher levels of supervised driving experience in the learner stage have a much lower likelihood of crashing when they start driving solo. Increasing the challenge of the restricted licence test will encourage higher levels of supervised practice, and support the message that gaining 120 hours of supervised driving experience is important.

Young drivers are most at risk during the first 6-12 months of their Restricted licence phase, when they start to drive solo (without supervision). They're likely to overestimate their own skills and abilities, while underestimating the risk of various situations and behaviours.

Supervised driving practice in the Learner licence phase reduces this risk by helping young drivers gain accumulated experience in common situations. It also helps to give them driving experience in a range of common driving conditions (eg, at night, in the rain, on different roads such as urban, rural, multi-lane) with the support of an experienced driver. This means that young drivers do not encounter these more challenging conditions for the first time when they drive solo.

## **12. How will the test change?**

The new Restricted licence test will be designed to assess more experienced learner drivers, and more specifically to encourage 120 hours of supervised driving in the Learner phase. Candidates will need to have had a lot more supervised driving practice in order to pass than is the case with the current test.

The NZTA is adapting the Australian Government's VicRoads Drive Test, which tests for a level of driving skill and competency that reflects 120 hours of supervised driving. This will result in a significant change to the testing approach in New Zealand.

The new test will place more emphasis on skills such as hazard perception and risk management while still ensuring the driver is capable of the more traditional skills of vehicle control and driving in routine traffic situations.

This is so key practical driving competencies and attitudes can be developed during supervised driving practice, prior to the highest risk period, which is the first six months of solo driving.

This would mean the Restricted licence test is likely to include some of the material from the current Full licence test and will be longer than it is currently. Consideration will also be given to the content and length of the full licence test to ensure the two tests complement each other in the skills they require of novice drivers. Test appointments will change to one hour for the Restricted licence test (previously 30 minutes) and to 30 minutes for the Full licence test (previously one hour).

## **13. What will the cost of the new tests be?**

The intention is that the total cost for progressing through the GDLS and obtaining a Full driver licence will remain much the same as it does at the moment. One change will be that the test fees for each of the Restricted and Full licence tests will be swapped to reflect the changed duration of those tests. There is also likely to be an increase in each of the fees to allow the NZTA to recover the cost of development and introduction of the new tests. The new fees will apply when the new tests are introduced.

## **14. Why is 120 hours of supervised practice recommended?**

Internationally, best practice recommends that it takes 120 hours of supervised driving practice to develop the experience necessary to cope consistently in complex driving situations. Research suggests that crash rates among young drivers who have completed around 120 hours of supervised driving practice may be up to 40 percent lower than young drivers who have completed around 50 hours once they start driving solo.

The recommendation to complete 120 hours of supervised driving practice in the Learner phase is not new. The Practice programme - [www.practice.co.nz](http://www.practice.co.nz) - (developed by the NZTA and ACC) has encouraged this amount since 2003.

## **15. How much supervised driving do learner drivers currently do?**

It is estimated that learner drivers currently do less than 50 hours of supervised practice on average.

#### **16. How long will it take to gain 120 hours practice?**

People who wish to progress to their Restricted licence after the minimum time period on a Learner licence (6 months) will need to undertake an average of 4.6 hours of supervised practice per week to get the recommended 120 hours.

This can be done by incorporating supervised driving practice into daily routines such as commuting but will also require young drivers to have gained experience on longer trips, on unfamiliar routes and in a range of conditions so they get a variety of practice.

#### **17. What measures will be put in place to ensure Learner drivers complete the 120 hours?**

The key incentive will be increasing the challenge of the Restricted licence test. If young drivers have not undertaken around 120 hours of supervised driving they will be likely to fail the test and this will be costly over time. Some Australian states have mandated log books. NZTA has decided not to include this requirement as reports suggest a significant number of young drivers and their supervisors falsify records.

#### **18. Will there be new testing routes?**

Yes. Work has started around the country to identify areas where there is suitable roading infrastructure and traffic flows to enable candidates to demonstrate the required driving skills.

This means that some current testing sites may not be able to continue to provide Restricted licence testing if the traffic situations nearby don't provide the environment necessary for the new test.

Once these sites are identified the NZTA will make this information available.

#### **19. Should we be encouraging young drivers to undertake professional driving lessons?**

Having lessons from a professional driving instructor, supplemented by lots of supervised practice with family and experienced friends, is the best way to learn to drive.

However, for many New Zealanders parents or caregivers are a fundamental part of their learning to drive experience, and the reality is that most parents are providing some level of guidance for the next generation of drivers. It's important that parents and caregivers have support in providing this instruction.

The NZTA and ACC Practice programme - [www.practice.co.nz](http://www.practice.co.nz) - is a key tool to support parents and caregivers in providing adequate supervised practice. The programme helps parents/driving supervisors by providing tips on how to explain everything from 'starting off' to 'driving at night' and the material may also help

parents recognise where they might need to improve their own driving practice.

**20. Will there be changes to the Restricted licence test for motorcyclists?**

Yes. The NZTA is still working on the specifics of this new test but it is intended that it will become more difficult to encourage a higher level of rider skill, similar to that required of drivers.

It is likely that changes to the Restricted licence test for motorcyclists will be introduced at about the same time as the new Restricted licence test for drivers.

**21. When will the new Restricted licence tests be in place?**

It is likely the new Restricted licence tests for drivers and motorcyclists will be in place in February 2012.

**22. How will I know when the Restricted licence test has become more difficult?**

Changes to the test will be publicised in advance of it coming into force so novice drivers are aware of the need, and are given the time, to do additional practice in preparation for the new test. However, we advise learner drivers to get as much practice as possible in all sorts of driving conditions.

## **Youth alcohol limit for the under 20s**

**23. What is the action from the Bill?**

To lower the legal drink drive limit for drivers under 20 years of age from 0.03 blood alcohol concentration (BAC), or equivalent breath alcohol concentration, to zero.

**24. When will this come into force?**

This will come into force 90 days after date of royal assent.

**25. How will drivers know when the zero BAC for young drivers has come in?**

The change in BAC will be publicised in advance to ensure young drivers are aware of the change. In addition, this information will be publicised in the Road Code that all licence applicants and licence holders are expected to be familiar with.

**26. Will a zero limit mean that someone could fail a breath test because of substances like mouth wash that contain small amounts of alcohol?**

Testing devices will be calibrated so substances like mouthwash don't produce a positive result.

**27. What will happen if a young person is found to have a BAC between 0.00 and 0.03?**

They will receive an infringement offence notice. This will include an infringement fee of \$200 and 50 demerit points.

## **28. Are you just singling young drivers out?**

Young drivers already have a lower drink drive limit. This change would recognise that even small amounts of alcohol can impair driving, particularly for young people, and would send a clear message that drinking and driving do not mix.

For young drivers the task of driving is more demanding than for experienced drivers. Alcohol reduces a person's ability to pay attention to the driving task even at relatively low levels. As young drivers have to allocate more of their attention to the driving task than experienced drivers, the effect of alcohol on their driving performance is greater.

In 2009 there were 68 deaths and 503 reported serious injuries in crashes that involved at least one 15-19 year old driver. Of those, 26 deaths and 119 serious injuries were in crashes where alcohol was proven or suspected for a 15-19 year old driver. That is 38 percent of the deaths and 24 percent of the serious injuries in crashes involving 15-19 year old drivers. This includes all casualties in the crash - the young drivers themselves, their passengers and other road users injured in the crash.

## **More information**

For further information you can call the NZTA contact centre on 0800 822 422.