

## **Explanatory note**

This explanatory note relates to this Bill as introduced into Parliament.

### Overview of Bill

The object of this Bill is to amend the *Road Transport (Safety and Traffic Management) Act 1999* to extend the current prohibition on learner and provisional licence holders driving or attempting to drive a vehicle with any alcohol present in their blood to provisional licence holders from another State or a Territory when driving in New South Wales.

### Outline of provisions

**Clause 1** sets out the name (also called the short title) of the proposed Act.

**Clause 2** provides for the commencement of the proposed Act on the date of assent to the proposed Act.

**Clause 3** is a formal provision that gives effect to the amendments to the *Road Transport (Safety and Traffic Management) Act 1999* set out in Schedule 1.

**Clause 4** provides for the repeal of the proposed Act after the amendments made by the proposed Act have commenced. Once the amendments have commenced the proposed Act will be spent and section 30 of the *Interpretation Act 1987* provides that the repeal of an amending Act does not affect the amendments made by that Act.

### **Schedule 1 Amendments**

Section 9 (1A) of the *Road Transport (Safety and Traffic Management) Act 1999* makes it an offence for holders of a learner licence, or of a provisional licence issued under the *Road Transport (Driver Licensing) Act 1998*, to drive or attempt to drive a motor vehicle while there is present in their blood the novice range prescribed concentration of alcohol (being a concentration of more than zero grammes, but less than 0.02 grammes, of alcohol in 100 millilitres of blood).

The combined effect of the amendments made by **Schedule 1 [1], [2] and [3]** is to extend the offence (and ancillary provisions) to provisional licence holders from another State or a Territory when driving in New South Wales.

**Schedule 1 [4]** inserts provisions of a savings or transitional nature consequent on the enactment of the proposed Act.