



Inquiry into Driver Licence Disqualification Reform

1. That the Legislative Assembly Committee on Law and Safety inquire into and report on whether it is appropriate to reform the law related to unauthorised driving offences, in particular to:
 - a) Establish a right to apply to the court to have any outstanding disqualification periods removed for people who complete a minimum offence free period;
 - b) Abolish the Habitual Traffic Offenders scheme;
 - c) Provide courts with discretion when imposing disqualification periods for unauthorised driving offences by:
 - i) Providing for automatic (and minimum) periods rather than mandatory periods; and
 - ii) Requiring that disqualification periods run from the date of conviction unless otherwise ordered.
 - d) Revise the maximum penalties prescribed for unauthorised driving offences; and
 - e) Introduce vehicle sanctions for offenders who repeatedly drive while disqualified.

2. In carrying out the inquiry the Legislative Assembly Committee on Law and Safety will have particular regard to:
 - a) Previous reports that have drawn attention to problems associated with driver licence disqualification including, but not limited to, reports by the Legislative Council Standing Committee on Law and Justice, the NSW Sentencing Council, the NSW Ombudsman and the NSW Law Reform Commission;
 - b) Reforms contained in the Road Transport Amendment (Licence Disqualification on Conviction) Bill 2013;
 - c) The need to ensure that reforms do not have an undue adverse impact on community safety; and
 - d) Any related matters.

For the purposes of the terms of reference, “unauthorised driving offences” are the following offences under sections 25 and 25A of the *Road Transport (Driver Licensing) Act 1998* of:

- drive while licence disqualified, cancelled or suspended;
- drive while licence cancelled, suspended – due to fine default; and
- drive while never having been licensed.