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The Graduated Driver Licensing System in New South Wales

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Abstract

This paper reviews the graduated driver licensing system used in New South Wales to regulate the entry of novice drivers into the driver licensing system, and compares the Australian approaches to graduated driver licensing with systems in use in North America and elsewhere. It is proposed that the Australian approaches, as exemplified by the New South Wales graduated driver licensing systems, is a blue ribbon system demonstrating best practice.

Introduction

The entry into the driver licensing system in New South Wales (described as a graduated driver licensing system) might well be considered a blue ribbon model for such systems in the management of new drivers. This paper provides a brief review of the nature of graduated driver licensing systems for novice drivers in Australia, with a particular focus on the New South Wales system. It is a summary of invited presentations on systems to improve young driver safety made to the US Transportation Research Board Committee on Alcohol, Other Drugs and Transportation Safety in June 2008 [1] and January 2009 [2].

The Australian approach to graduated driver licensing systems

Graduated driver licensing systems were introduced in Australian jurisdictions from the mid 1960s, and there is thus more than four decades of experience with different forms of this licensing approach. A rudimentary graduated driver

licensing system was legislated in New South Wales in 1965 and commenced in 1966. It is useful to examine the features of this basic system. The graduated driver licensing system required novice drivers to complete a period of provisional licensing where several restrictive conditions were imposed (a learner drivers licence had been a requirement for novice drivers since the late 1940s):

- Compulsory carriage of drivers licence (applicable to all New South Wales drivers);
- Minimum age for obtaining a learner drivers licence of 16 years 9 months;
- Knowledge test of road rules before issuing a learner drivers licence;
- Three months tenure of learner drivers licence;
- 40 mph maximum speed limit for learner drivers;
- Requirement to display an L plate on the front and rear of the vehicle to indicate licence status of driver;
- Must be accompanied by a supervising driver in the front passenger seat who is fully licensed;
- On road test by a government (Department of Motor Transport) driving examiner before issue of a provisional drivers licence;
- 12 month period of provisional licensure;
- Requirement to display a P plate on the front and rear of the vehicle to indicate licence status of driver; and
- 40 mph maximum speed limit for provisional drivers.

To summarise, this early form of a graduated driver licensing system was focused on, first, a requirement to provide for the unambiguous identification of novice drivers to other road users, and, as a consequence, the enabling of police enforcement of speed restrictions as facilitated by the open identification of novice drivers through the display of a L or P plate and the compulsory carriage of a drivers licence.

In the late 1990s there was a recognition that driver licensing needed to be managed as a 'whole-of-driving-life' system, from first entry through to management during a lifetime of driving and finally to the cessation of driving; and the driver licensing system then in use in New South Wales had features that 'forced' novice drivers into progressing through the graduated licensing phase as rapidly as possible [3-5].

A revised graduated driver licensing system was introduced in New South Wales in 2000, with significant additions over 2005-2008. The system provides for minimum and maximum tenure of learner and provisional licences, with the aim of reducing any pressure for novice drivers to progress to later licence stages because of licence expiry. In its current form in 2009, the elements of graduated driver licensing system in New South Wales include:

- A two stage provisional licensing system (P1 and P2 licences) – minimum one year as a provisionally licensed P1 driver (maximum tenure 18 months), and two years as a provisionally licensed P2 driver (maximum tenure three years);
- An increase in the minimum tenure period for learner drivers under the age of 25 years old from six months to one year before they can apply for a provisional P1 licence;
- An increase in the maximum length of the licensing period for learner drivers from three years to five years;
- An increase in the mandatory period of supervised driving for learner drivers from 50 hours to 120 hours, and including a minimum of 20 hours of night time driving;
- A log book system requiring the documentation of completion of the required minimum hours of supervised driving;
- Particular speed limits applicable to the novice driver licences classes: learner licence (80 km/h), provisional P1 licence (90 km/h), and provisional P2 licence (100 km/h), with the L, red P1 and green P2-plates showing a driver's allowable speed limit;
- A requirement for display of L, P1, and P2 plates on the front and rear of the vehicle being driven, adjacent to the vehicle registration plates;
- A restrictions on novice drivers being able to drive certain high-powered vehicles (including vehicles with a V8 engine, and vehicle fitted with a turbocharger);

- A peer passenger restriction for provisional P1 drivers under 25 years of age, where only one passenger aged under 21 years of age can be carried from 11:00 p.m. to 5:00 a.m.;
- A licence suspension of at least three months for a provisional P1 driver or motorcycle rider licence holder who commits any speeding offence;
- A requirement for provisional drivers who lose their licence to be restricted to carrying one passenger only for 12 months following the reinstatement of their licence;
- A prohibition on the use of mobile telephones (cell phones)—hand held and hands free—for learner and provisional P1 drivers and riders.

The current driver licensing system in 2009 is now better structured to manage the risks faced by novice drivers. The driver licensing system no longer has administrative features that 'force' novice drivers into progressing through the graduated licensing phase as rapidly as possible (the tenure of the learner and provisional licences has been extended, with minimum tenure periods introduced or extended). Specific novice driver conditions challenge at-risk behaviours associated with alcohol, speeding, use of mobile telephones, and peer passengers. General licensing conditions also apply regarding mandatory seatbelt wearing and driving impaired by drugs others than alcohol (cannabis, amphetamine-like drugs).

The specific risks to novice drivers are managed through:

- Zero tolerance for novice drivers who
- use alcohol or other drugs (cannabis, psychostimulants such as methylamphetamine and ecstasy); or
- use mobile telephones (cell phones) – ban on hands-free or handheld mobile phones for learner and P1 provisional drivers; or
- speed - licence suspension of three months for any speeding offence by a P1 provisional driver
- A night-time driving restriction (11pm–5am) applying to P1 provisional drivers for the carriage of more than one peer passenger unless accompanied by a person aged over 21 years;
- Novice drivers continuing to be clearly identified or 'badged' through the display of L, P1 and P2 plates, clearly visible to other drivers and to police.

More generally, the risks to novice drivers are managed through:

- Licensing at a relatively late age, with a minimum age of 17 years old for unsupervised driving, learner licensing from 16 years old (must be accompanied by a fully licensed supervising driver);
- Modification to the minimum and maximum tenure of learner and provisional licences, with the aim of

reducing any pressure for novice drivers to progress to later licence stages through licence expiry, including the tenure of the learner licence to maximum of 5 years, and a two-stage extended period of provisional licensure, with P1 and P2 provisional licenses for a minimum of three years;

- A focus on restrictions on speed, with speed limit of no more than 80 km/h (50 mph, for learners), higher limits for provisional licence holders
- Restrictions on types of car that can be driven;
- Log book record keeping with minimum 120 hours of driving (20 hours of night-time driving);
- New testing requirements (hazard perception tests and a new on-road driving test, designed to assess anticipation and risk avoidance skills);
- The clear identification of novice drivers to other road users, and to traffic enforcement action; and
- Zero tolerance for alcohol.

These approaches to graduated driver licensing also occur within the context of other strong road safety interventions affecting all drivers, including:

- Compulsory carriage of a drivers licence;
- Mandatory wearing of seat belts (and for motorcycle and bicycle riders, mandatory wearing of helmets);
- Specific targeted traffic enforcement actions in the areas of speeding (speed cameras, LIDAR), drink driving (random breath testing), and drug driving (targeted roadside drug testing) [6].

The North American approach to graduated driver licensing

The New South Wales graduated driver licensing system is an exemplar of best practice for Australian graduated driver licensing. It is relevant to contrast the Australian approach to that of the North American graduated driver licensing systems (also used in New Zealand).

Waller commented on the genesis of graduated driver licensing, arguing that the early research that led to the concept of graduated driver licensing was a 1971 North Carolina study that identified the overrepresentation of young drivers in crashes at night and when another young person was the right front passenger and proposed that New Zealand was the first jurisdiction to adopt a graduated driver licensing system (in 1984) [7]. She did not acknowledge and recognise the Australian systems in place since the 1960s that focused on speed restrictions for novice drivers and the identification of novice drivers to other road users and police enforcement though the display of L-plates and P-plates. It is thus unfortunate that Waller's comments remain widely held among road safety and driver licensing researchers and policy makers.

The North American (and New Zealand) approach to graduated driver licensing systems place an emphasis on passenger restrictions; and nighttime driving curfews. More recently, attention is being placed on seat belt wearing laws, and reduced or zero tolerance for alcohol [8]. Elements which are common to the Australian approaches to graduate driver licensing systems (or to safety countermeasures within our road transport system generally), such as speed restriction, display of identifying plates, compulsory carriage of drivers licence, drug driving interventions, are little recognised [9, 10].

Waller did, it must be noted, emphasise that educational principles to be followed in addressing the crash and injury risk of novice drivers included distributed learning (i.e., over time) progressing from simple to complex skills, with initial experience under low risk conditions, extended supervised practice, a gradual move to more complex conditions, and parental certification of extended supervised driving practice [11]. These principles underpinned the Australian approaches to graduated driver licensing systems that were instituted in the 1960s, and provide a common ground for debate and contrast over the different approaches between the Australian and Northern American systems.

It is tempting to seek to import elements of the North American approach to graduated driver licensing. For example, Stevenson editorialised that ". . .integral to the effectiveness of the graduated licensing system is late night driving and peer passenger restrictions during the early probationary period of licensing." (p.102), citing research evidence from North America and New Zealand to support his proposition [12].

What was not acknowledged, however, was the very different origins, operation and experience of the Australian approaches.

What more can be done?

Given that these elements for a blue ribbon graduated driver licensing system are in place, what more can be done? There are a number of possibilities to support graduated driver licensing systems through enhancements to licence administration, the management of traffic offenders, alcohol control policies and legislation, and police traffic enforcement [13].

Enhancement of administrative features of the graduated driver licensing system

Recent administrative licence enhancements include changes to the New South Wales demerit point system, with learner drivers now able to accumulate 4 demerit points before licence action is taken. Double demerits continue to be used as a countermeasure to target illegal driving at high risk time (school holiday periods, public holiday periods) for speeding offences and non-wearing of seatbelts. However, in New South Wales drink driving and drug driving offences do not have demerit points (fines, licence sanctions, and possible custodial sentences only).

A new driving test provides for a continuous assessment of on-road behaviour, with the emphasis is on a driver establishing and protecting a safety envelop about the vehicle (and designed to test for aspects of driving that are involved in the commonest crash types involving novice drivers)

An important development is increased role for the driving instructor industry within the driver licensing system in New South Wales, under contracted accreditation schemes, with driving instructors now responsible for:

- All motorcycle novice rider training and assessment;
- All heavy vehicle training and assessment in the greater metropolitan Sydney region;
- Conduct of older driver assessments for re-licensing after age 85 years.

As well, the driving instructor industry is playing an increasing role in mentoring learner drivers, through:

- local government sponsored programs offering opportunities for learner drivers to train on graded routes according to level of experience, and event days where a group of novice drivers will travel in an organised fashion through a particular route; and
- the keys2drive program, a Federally supported program to launch in early 2009 providing a free lesson for the learner driver, parent or carer, and a driving instructor

Proof of age is supported by the NSW Photo Card, a voluntary card issued by the licensing agency – the Roads and Traffic Authority – for people aged 16 years of over who do not hold a current NSW driver licence to help them show who they are - it may be used to help access a number of everyday services such as entering licensed premises (also opening bank accounts, etc.). As noted earlier, if a person is caught underage drinking or misusing a NSW Photo Card, then a penalty of a six month extension to the minimum period of a provisional licence is imposed.

Enhancement of the system for intervening with traffic offenders.

The New South Wales graduated driver licensing systems is also supported through enhancement of the system for intervening and dealing with traffic offenders within the criminal justice system, so that young offenders can be detected early and effectively.

In New South Wales, a Sober Drivers Program has operated since 2005 to target repeat drink driving offenders and high rage drink drivers (the program involves use of alcohol ignition interlocks, drug and alcohol interventions, etc.). A Traffic Offender Intervention Program was introduced in New South Wales in 2007, building on a number of community-based programs in place previously.

In late 2008 release of a parliamentary report of an inquiry into young driver safety and education programs, recommending

interventions for young drivers who get into trouble and who are caught for traffic offences, including:

- the development of specific programs for young traffic offenders
- the development of early intervention programs for traffic offenders aged under 18 years of age
- a review of the effectiveness of the Traffic Offender Intervention Program [14]

Enhancement of alcohol control policies and legislation

The New South Wales graduated driver licensing systems is also supported through enhancement of alcohol control policies and legislation, so that young people who drink (and who may be at risk) can be managed more effectively. Liquor licensing policies and laws targeting of young people and their use of alcohol include:

- Legal age for purchase of alcohol in New South Wales is 18 years, but consumption of alcohol commonly starts at younger ages
- To promote healthy drinking and minimise harmful use of alcohol, communities, the government and the alcohol and hospitality industry in New South Wales work together through liquor accords (alcohol accords, or licensing accords) which are voluntary agreements about ways to improve the operation of liquor businesses and liquor licensing within local communities in order to minimise alcohol-related antisocial behaviour and improve community safety
- Liquor accords are used to support drink spiking campaigns, staff training for responsible service of alcohol, and safe transport strategies (with 143 liquor accords now in place across the state, New South Wales currently has more local liquor accords of any state or territory in Australia) [15]

It is acknowledged that recent changes to liquor licensing policies and laws in New South Wales have not been well accepted by, in particular, the hotels industry (see, e.g., the dontpunishus.com.au website which is part of a social marketing campaign instituted to try to reverse the changes to liquor licensing policies and laws).

Enhancement of enforcement actions

Finally, graduated driver licensing in New South Wales is supported through the enhancements of police traffic enforcement actions. Random breath testing (RBT) introduced in December 1982 in New South Wales and is well established as a drink driving countermeasure . . . typically about 1:300 drivers is detected with illegal alcohol at a static RBT operation, with about 1:30 drivers detected with illegal alcohol in more targeted operations (mobile RBT)

Roadside drug screening commenced in New South Wales in January 2007, By mid-2008, the New South Wales Police Force

had conducted 82 operations and administered about 13,000 roadside drug tests . . . typically about 1:44 drivers is detected drug driving in targeted operations (truck drivers, party-goers and night clubbers). The New South Wales Police Force has announced expansion of the roadside drug testing program, with a fleet of eight roadside drug testing trucks in use by end of 2009 and plans for 10,000 roadside drug tests to be conducted in 2009 [16, 17]

New advertising has been introduced in New South Wales brings home a local message about local police enforcement to drivers who may think about drink-driving, or who may have driven drunk in the past [18].

The future for the New South Wales graduated driver licensing system

These changes are unlikely to be the last for the New South Wales graduated driver licensing system.

A particular issue that has arisen relates to the requirement for 120 hours of supervised driving, and it is proposed that tuition obtained from professional driving instructors may qualify as a three hour award for each hour of instruction, up to a maximum of ten hours tuition from a driving instructor (the '3 for 1' proposal; a similar such program is in operation in Queensland [19].

The federal Australian government recently announced that it would fund a one hour tuition for all learner drivers from a professional driving instructor, provided that a parent or other supervising driver is also present so that the parent can be introduced to the concept of a methodical and appropriate curriculum of instruction for the training of a novice driver (the keys2drive program) [20].

Since 2004, work has been progressing on developing a Novice Driver Programme Trial (originally involving the federal Australian government, and the Victorian, New South Wales, and Australian Capital Territory governments). Under this trial program, provisionally licensed drivers would receive post-learner training (classroom and on-road) within the known high risk period for crashes (0-6 months after provisionally licensure) [21].

As well, the possibilities offered by intelligent transport systems are also under consideration and examination [22], particularly in terms of on-board data recorders and intelligent speed adaptation (ISA) [23, 24] and alcohol ignition interlocks [25].

It is recognised that the newly-licensed driver is over-represented in road crashes, so there is an urgent need for evaluation and change to training, testing and licensing requirements. But as well, it is recognised that personal, social, cultural and environmental factors can exercise a strong influence on safe and unsafe behaviour. Relationships with family and friends, the school and educational environment, and also for many young people the work environment, are

important to consider, and there is a focus on developing and delivering effective programs in these areas. Finally, government such as the New South Wales administration recognise the need for public education, and there are specific campaigns aimed at young drivers (see [26]). These include the 'Speeding: No-One Thinks Big Of You' campaign, featuring:

- the 'Little Pinky' advertisement on television and outdoor advertising (road signs, and bus backs), which shows a series of young men speeding and the disapproval reaction of the community to such behaviour—depicted by people crooking their little finger in a judgment of masculinity; and,
- the 'Hectic' internet advertisement, which shows a series of speeding vehicles and offers the drivers of these vehicles very small condoms;

as well as:

- the 'Speed Notes' cinema advertisement, which prompts emotional reactions to post-it notes and other messages left by young drivers to family members as they rush off to school, university, sporting events, or to meet up with friends, and who have been killed in roach crashes during their trip; and,
- the 'Please Slow Down' campaign which comprises two 15-second television advertisements supported by outdoor advertising that shows first a police officer booking a P-plate driver for speeding and second shows the same police officer attending a fatal crash involving a P-plate driver.

Concluding remarks

Entry into the driver licensing system is a defining feature of the transition from childhood to adulthood. One of the most striking aspects of adolescence and youth is the desire to participate in the driver licensing system [27]. An early choice faced by an adolescent wishing to drive a motor vehicle is whether to participate in the driver licensing system, or whether to simply start to drive a motor vehicle without authorisation or licensing. Fortunately, and importantly, a feature of driver licensing systems in motorised nations is that universally adolescents actively seek to become new drivers through entry into, and continued participation within, a driver licensing system. At a period of life where the changes and challenges facing young people are at the most intense, and at a time when the questioning of societal and individual values is at its most vigorous, adolescents identify with, and participate in, the social convention of driver licensing [28]. In fact, it is of particular interest that comparatively little is done within pre-driver and other school-based road safety education programs to introduce and reinforce the notion that a drivers licence must be obtained before driving a motor vehicle is authorised. However, the desire to engage with, and participate in, driver licensing systems develops and is maintained strongly during adolescence.

Adolescence is also a time when more deleterious behaviour may be shown. In particular, adolescence is a time when the drinking of alcohol commences. Further, on average, an adolescent's increasing consumption of alcohol is associated with pre driver and new driver ages. Fortunately, the success of drink-driving deterrence strategies, based heavily on the police conducting random breath testing operations to screen drivers for illegal blood alcohol concentration, has proven a ready counter to alcohol impaired driving. Nonetheless, concern still remains about alcohol use by new drivers, and the possibility of drug impairment of drivers after consumption of drugs other than alcohol [29-31].

This paper has proposed that the nature of the young driver problem cannot be understood without reference to adolescence (and particularly the context in which use of alcohol and other drugs may commence), and to the driver licensing system in which a young person commences to drive a motor vehicle (see also [32]). Overall, the management of young drivers in Australia occurs in the context of what can be described as uniquely Australian graduated driver licensing systems. Australian jurisdictions require the licensing of young drivers at a relatively late age (typically at a minimum age of 17 years old) and impose a number of specific restrictions not commonly seen in overseas graduated driver licensing approaches, including relatively long maximum tenure of learner and provisional licences with the aim of reducing any pressure for novice drivers to progress to later licence stages through licence expiry; requirements for display of a unique identifying plate on the vehicle driven to indicate licence status to other drivers, road users and to police; speed restrictions according to licence category; and a zero alcohol requirement.

New South Wales has a blue ribbon graduated driver licensing system, with zero tolerance for drink driving, drug driving (cannabis and psychostimulants), non-wearing of seatbelts, use of mobile telephones while driving, and speeding by young drivers. Enhancements to licence administration, to interventions targeting drivers who commit traffic offences, liquor licensing and alcohol use policies, and enforcement are all supporting this blue ribbon graduated driver licensing system

It is important to have a balance in the debate over graduated driver licensing systems. Indeed, Williams has commented that there are no hard and fast rules that must apply for a graduated driver licensing system [33, see also comments by Senserrick [34]. Graduated driver licensing is a popular and effective policy, but Williams argues that it can be made to work better. It is important to extend the research base that underpins our understanding of graduated driver licensing systems, so as to determine how best to configure graduated driver licensing systems for particular jurisdictions in terms of factors that maximize both the comprehensiveness of the provisions and compliance with them and which are in accord with the attitudes and expectation of the communities within those jurisdictions [35-37]. This is the research challenge for the future.

Acknowledgments

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Australian Graduated Driver Licensing Systems

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Key words: graduated driver licensing, learner period initiatives, licence testing, provisional restrictions

Abstract

This paper provides an update to an early 2007 review of graduated driver licensing models in operation in Australia and the range of requirements and restrictions for learner and provisional drivers in each state and territory. The most common changes are reviewed, including their likely effectiveness in reducing young driver crashes. These include an increase in the minimum learner period duration and supervised driving hours required, hands-free mobile phone restrictions, hazard perception testing in different phases and various night-time driving and passenger restrictions. Overall, the changes should contribute to considerable crash reductions; however, there is a need to consider potential unintended consequences and to develop appropriate alternatives or support programs for disadvantaged youth and communities.

Background

Graduated driver licensing systems, that is, systems that include supervised learner periods followed by provisional or probationary periods prior to a full (“unrestricted”) licence, exist in all Australia states and territories (herein collectively referred to as “states”). Early in 2007, the first author reviewed the systems operating in Australia and summarised key requirements and restrictions for each state and territory

(Senserrick, 2007). In the two years following, significant changes have been effected in several states. This paper seeks to update the earlier publication and present the current systems in operation in Australia, with comments on the likely crash reduction benefits of recent developments. More detailed discussion of individual components and their effectiveness can be found in a prior publication (Senserrick & Whelan, 2003).

Graduated Driver Licensing Models

Several Australian states have moved beyond the typical three-stage learner to provisional to full licence model, with Western Australia (WA) including two learner periods and Queensland (QLD), Tasmania (TAS) and Victoria (VIC) joining New South Wales (NSW) and South Australia (SA) in including two provisional periods. Other jurisdictions are also reviewing their current graduated driver licensing (GDL) models and considering spilt learner and/or provisional stages.

The Australian Capital Territory (ACT), Northern Territory (NT) and South Australia (SA) all allow a choice of two parallel tracks to progress through the learner phase to the provisional phase. The traditional path allows learner drivers to arrange their own supervised driving practice, which may or may not include professional instruction, and requires successful completion of knowledge and practical driving tests to proceed to the provisional stage. The alternative is collectively termed