

TASMANIA

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**ROAD AMENDMENT (GRADUATED LICENSING)  
RULES 2020**

**STATUTORY RULES 2020, No. 73**

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**ROAD AMENDMENT (GRADUATED LICENSING)  
RULES 2020**

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following rules under the *Traffic Act 1925*.

Dated 16 November 2020.

C. WARNER  
Governor

By Her Excellency's Command,

MICHAEL DARREL JOSEPH FERGUSON  
Minister for Infrastructure and Transport

**1. Short title**

These rules may be cited as the *Road  
Amendment (Graduated Licensing) Rules 2020*.

**2. Commencement**

These rules take effect on 1 December 2020.

*Road Amendment (Graduated Licensing) Rules 2020*  
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**3. Principal Rules**

In these rules, the *Road Rules 2019\** are referred to as the Principal Rules.

**4. Rule 300 amended (Use of mobile phones)**

Rule 300 of the Principal Rules is amended as follows:

(a) by omitting from subrule (1) “The driver of a vehicle” and substituting “The driver of a vehicle, other than a driver operating a vehicle under the authority of a car licence that is a learner licence or a P1 provisional licence,”;

(b) by inserting the following subrule after subrule (1):

(1A) A driver operating a vehicle under the authority of a car licence that is a learner licence or a P1 provisional licence must not use a mobile phone while the vehicle is moving or is stationary but not parked.

Penalty: Fine not exceeding 5  
penalty units.

(c) by inserting the following definition after the definition of *body* in subrule (4):

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\*S.R. 2019, No. 61

*car licence* has the same meaning as in the *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010*;

**5. Rule 373 substituted**

Rule 373 of the Principal Rules is rescinded and the following rule is substituted:

**373. Speed-limits for learners and provisional licensees**

- (1) A driver holding a learner licence, other than a motor cycle licence issued as a learner licence, must not drive, under the authority of that licence, at a speed exceeding 90 kilometres per hour.
- (2) A driver holding a P1 provisional licence, other than a motor cycle licence issued as a P1 provisional licence, must not drive, under the authority of that licence, at a speed exceeding 100 kilometres per hour.
- (3) A driver holding a motor cycle licence, issued as a learner licence or a P1 provisional licence, must not drive, under the authority of that licence, at a speed exceeding 80 kilometres per hour.
- (4) In this rule –

*motor cycle licence* has the same meaning as in the *Vehicle and*

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*Traffic (Driver Licensing and  
Vehicle Registration) Regulations  
2010.*

**6. Schedule 5 amended (Dictionary)**

Clause 1 of Schedule 5 to the Principal Rules is amended by inserting after the definition of *overtake* the following definition:

***PI provisional licence*** has the same meaning as in the *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010*;

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 25 November 2020.

These rules are administered in the Department of State Growth.

**EXPLANATORY NOTE**

*(This note is not part of the rules)*

These rules amend the *Road Rules 2019* by –

- (a) prohibiting the use of a mobile device by learner drivers, and P1 provisional drivers, while operating a vehicle; and
- (b) amending the maximum speed limits for learner drivers and P1 provisional drivers.