



Queensland
Government

Minister for Transport and Main Roads

Our ref: PET 40107
Your ref: A657369

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12 March 2021

Mr Neil Laurie
The Clerk of the Parliament
Parliament House
George Street
BRISBANE QLD 4000

Dear Mr Laurie

I refer to petition 3381-20 lodged with the Legislative Assembly by Mr Andrew Powell MP, Member for Glass House on 23 February 2021 about making existing early driver licences more accessible to Queensland youths.

Research suggests that young drivers in Queensland, aged 16 to 24 years, are 60 per cent more likely to be involved in a serious crash than drivers aged 25 to 59 years. Yearly lives lost statistics confirm this research, which clearly illustrates the higher risks faced by young novice drivers. In the period 1 January 2020 to 30 September 2020, 53 drivers aged 16 to 24 lost their lives on Queensland roads. The figures are similar over previous years, with an average of 67 young drivers being killed in traffic crashes each year.

To help combat road trauma involving young novice drivers, Queensland has implemented a graduated licensing system (GLS). Queensland's GLS is similar to that of all other states and territories across Australia. The GLS sets the standards to help protect young and novice drivers, and ensure that Queensland's roads are as safe as possible for everyone. The requirements and legislation that underpins the GLS are not in place to inconvenience or disadvantage Queensland youths. Rather, they seek to balance reasonable access to the roads with safety for all Queensland road users.

Queensland driver licensing legislation has legislated minimum age requirements for each licence type in the GLS, including learner, provisional and open licences. These minimum ages apply to all licence applicants. Under the GLS, the minimum age that a person can apply for a provisional licence—which allows them to drive unaccompanied—is 17 years.

The legislation has provisions for a person to apply for a driver licence before reaching the minimum age requirement based on a special need. The Department of Transport and Main Roads (TMR) assesses applications for a 'Special Need – Learner or Provisional Licence' against the legislated requirements. TMR has an obligation to provide a safe transport system and ensure road safety to all road users—this includes applicants for a special need licence. Applications for a special need licence that waive the minimum age requirements are considered carefully and thoroughly, based on the information that has been provided by the applicant.

To be granted a special need learner or probationary licence, an applicant must concurrently satisfy three criteria. These are:

- a need to drive to an educational institution, workplace or to get medical treatment (for the applicant or a member of their family)

- there is no other transport reasonably available to the applicant
- a refusal to grant the licence would cause severe hardship.

Severe hardship, as defined in the legislation, means hardship suffered by the applicant or by the applicant's family because the applicant has taken on a role of special responsibility in relation to their family.

Special need licences are not issued to better facilitate a young person's access to education or employment. While the legislation allows persons to apply for a Special Need – Learner or Provisional Licence, they are not routinely issued, given the need to fulfil all the criteria above.

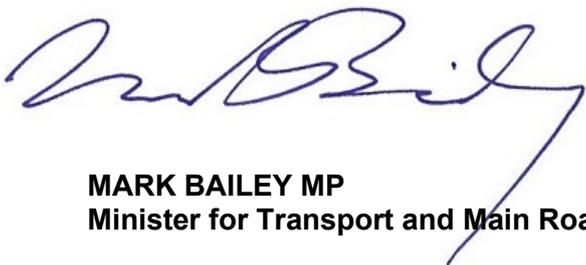
Exemptions to the minimum age requirements of Queensland's licensing legislation are strictly applied. This is to balance the need for young novice drivers to be capable of driving safely once issued with a driver licence, with the need for TMR to provide support for persons genuinely experiencing severe hardship. The minimum age to hold a driver licence is a fundamental element of the GLS and is based upon a wide body of research. It is also consistent across the vast majority of Australian jurisdictions.

Information about how to apply for a special need licence is not currently published on TMR's website. This is to maintain public confidence in the robustness of the GLS, and to avoid the perception that exemptions are readily or generally available. However, all TMR customer service centre and call centre officers are provided with training and have access to information about the scheme. Customers with a genuine need for a special need licence will be provided with all the necessary information on the various options available for applying.

The safety of Queensland road users is of paramount importance. It is important to note that anyone who feels their application has been unjustly assessed by TMR can have this decision reconsidered, firstly by the department and, subsequently the Queensland Civil and Administrative Tribunal. This helps to ensure integrity and fairness while balancing road safety objectives.

I trust this information is of assistance.

Yours sincerely

A handwritten signature in blue ink, appearing to read 'Mark Bailey', with a long, sweeping underline that extends to the right.

MARK BAILEY MP
Minister for Transport and Main Roads