

Driver Training Reform

The South Australian Government recently announced that it will be introducing legislation to strengthen standards in the driver training industry. The focus of this bulletin is to provide industry participants with further detail about what these proposed changes are and what they might mean for you.

You may recall that last year the Department for Infrastructure and Transport (DIT) provided four videos with some ideas for change to the industry and sought additional ideas and feedback from you.

The ideas presented followed consultation with the community and participants from the driver training and examination industry. The consultation confirmed there was wide support for change to improve the standards of novice drivers, improve road safety, increase professionalism within the industry and stamp out the corrupt and inappropriate behaviour of some industry members.

The proposed changes detailed below are yet to be debated and passed by the South Australian Parliament. It is therefore possible that some of these changes may not be approved, or may be changed prior to being approved.

The proposed changes are:

A new Trainer Examiner accreditation

This would see the replacement of the Motor Driving Instructor licence and the appointment of Authorised Examiners with a single Trainer Examiner accreditation. The single Trainer Examiner accreditation will mean that all industry participants will be accredited to conduct Competency Based Training and Assessment (CBT&A). Vehicle on Road Tests (VORT) will still be available but not all Trainer Examiners will be accredited to conduct VORTs.

This will allow industry participants to train a learner driver ready for a VORT or complete the entire CBT&A program. Trainer Examiners will need to deliver mandated training and keep a record of all training that has been provided to each learner driver.

The new Trainer Examiner accreditation will mean that all industry participants will have undertaken and passed the CBT&A training and be aware of the driving skills and standard that a learner driver must meet for the issue of a driver's licence. All industry members will be able to provide the mandated training to a learner driver to enable them to undertake a VORT or they may complete the entire CBT&A program.

Transition pathway to Trainer Examiner

To ensure all participants meet a minimum standard, all industry members will need to pass a Regulator Assessment to remain in the industry. Existing Authorised Examiners who pass a Regulator Assessment will transition to a Trainer Examiner accreditation with minimal additional training and will be able to continue to conduct CBT&As and VORTs.

The Regulator Assessment is a practical in-vehicle assessment designed to test the person's skills and ability to train and assess a learner driver to the standard required for the issue of a driver's licence.

Motor Driving Instructors who pass the Regulator Assessment will also have to successfully complete CBT&A training. They will then be able to train and conduct CBT&A.

If participants would like to add an additional vehicle class, they will need to undertake and pass a Regulator Assessment and the relevant training for that class.

As there is large public demand for CBT&A, additional VORT examiners will not initially be accredited.

There will be a transition period during which all existing industry members will have the opportunity to be trained and transition to the role of Trainer Examiner. At the end of this period, the concepts of Motor Driving Instructor and Authorised Examiner will become obsolete and not recognised.

Cameras

Cameras with GPS tracking will be required to be used to film all training and assessment activity. The camera footage will help to ensure training and examination are being undertaken properly and will deter inappropriate behaviour. There will be requirements around how and when the camera should be used and it will be an offence to breach those requirements.

New entry standards

Higher entry level standards will apply to become a Trainer Examiner and to remain in the industry. These are:

- Current Certificate IV in Transport and Logistics (Road Transport - Car Driving Instruction or Heavy Vehicle Driving Instruction)
- Current Working with Children Check
- Current Police check
- Must meet the Commercial Medical Fitness to Drive standard
- Pass a Trainer Examiner Theory Test
- Pass a Regulator Assessment
- Pass CBT&A course (only new applicants)
- Current relevant insurance

As part of meeting the 'fit and proper' requirements, applicants who have been convicted of certain offences (yet to be determined) will be automatically precluded from being accredited as a Trainer Examiner.

Existing industry members will have to meet the above criteria to transition to a Trainer Examiner. The only new requirements are the Commercial Fitness to Drive Standards and the Regulator Assessment. The Fitness to Drive Commercial Standards already apply in all other Australian jurisdictions and can be viewed via this link: <https://austroads.com.au/publications/assessing-fitness-to-drive/ap-g56/foreword>

The Regulator Assessment will be required upon entry into the industry and every 5 years upon renewal of your accreditation. The purpose of the regulator assessment is to ensure that all industry members are able to train and assess to the required standard and that they have maintained that standard.

Clear, enforceable requirements on safety and behaviour

Currently, processes such as how an assessment is undertaken and minimum standards of behaviour are contained in documents such as the Rules Governing Authorised Examiners and the Code of Conduct. Having these requirements included in legislation will give them greater credibility and make them enforceable. These requirements will include:

- Behavioural Standards
 - Provide minimum standards of behaviour, so industry participants will be aware of what is expected
- Business practices
 - Include minimum standards of service such as written agreement of services and costs provided to customers and issuing of receipts.
- Rules Governing Authorised Examiners
 - Similar to the current rules to regulate bookings, when and how to conduct training and examinations
- Minimum standard for vehicles used for training and assessment
 - A minimum ANCAP rating of 5 Star (for LV only)
 - Maximum vehicle age of 10 years (for LV only)
 - All training and assessment vehicles must be roadworthy
 - All training and assessment vehicles must be fitted with dual brakes
- Creation of rules for the implementation and administration of nationally agreed driver training and assessment management schemes: e.g. the National Heavy Vehicle Driver Competency Framework.

Technology including digital scoring and recording of results

This will enable paper forms such as VORT recording sheets and monthly returns to be eliminated.

Online register

The creation of a publicly accessible online register of Trainer Examiners to help the public make an informed decision about choosing their Trainer Examiner. The register will provide details of every industry member and their endorsements. The full details of the information to be provided on the register are yet to be determined.

Fees and charges

Some fees and charges will change to reflect the cost of regulating the industry which includes camera monitoring, regulator assessments, maintaining the online register and technology. This is consistent with how other sectors are regulated.

Offences and sanctions

If a Trainer Examiner does not comply with the new requirements, a number of different sanctions may be imposed including a formal warning, issue of an expiation notice, prosecution, required training, immediate suspension of accreditation and cancellation of accreditation.

Transition

Transition will occur in stages. This will allow for industry members to prepare for the changes and to minimise disruption to novice drivers.

Moratorium on appointing Authorised Examiners for class car

The moratorium will remain in place until the transition to Trainer Examiner has been completed.

Next steps

The next step is the drafting of the legislation and debate on the legislation in the South Australian Parliament. We expect the Bill to be introduced into Parliament in the second half of this year. Subject to passage of the Bill, we will then commence a staged implementation.

There is considerable amount of work to be undertaken on all of the proposed changes. DIT will continue to keep industry informed as this work is progressed.

Any questions? Please contact DIT.DriverTrainerEnquiries@sa.gov.au

MDI/AE contact details

Help us communicate with you by providing your email via DPTI.DriverTrainerEnquiries@sa.gov.au with your:

Name: _____

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