

If you are driving on Tasmanian roads...

CARRY IT ON YOU



Compulsory carriage of a driver licence is a road safety initiative. It will reduce the number of unlicensed drivers on our roads and the number of unlicensed drivers in serious and fatal crashes.

COMPULSORY CARRIAGE OF LICENCE

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What does the new law say?

The new law states that when you are driving or in charge of a vehicle on a public street you must carry your driver licence and produce it for inspection by a police officer or transport inspector when requested to do so by the officer. The law also applies to drivers, including parents and friends who are teaching or supervising a person learning to drive.

While Police will not pull you over just to check your driver licence, you will be required to produce it during normal traffic enforcement activities such as random breath tests, vehicle checks, following an accident or if you commit a traffic offence.

When does it start?

The new law commences on 1 December 2002. From this date you are required by law to produce your driver licence when requested by police officers and transport inspectors.

There will be an amnesty period of three months. This means that up until 1 March 2003 you will not be issued with a Traffic Infringement Notice for the offence of failing to produce your driver licence when requested.

What is the penalty?

If you are issued with a Traffic Infringement Notice for failing to produce your driver licence, the penalty is \$50 with no loss of demerit points.

However, if you are caught driving while unlicensed or disqualified or outside the conditions of your licence you will be charged accordingly. The penalties for these offences are much heavier.

The penalty for driving without a licence is up to \$2,000 for a first offence. For driving while disqualified the penalty is up to \$3,000 or imprisonment for up to 3 months.

What if I can't produce it?

If you do not have a driver licence do not drive. If you are unlicensed or disqualified or driving outside the conditions of your licence you may be apprehended and charged.

If you are licensed to drive you will be warned during the three-month amnesty period - up until 1 March 2003.

From 1 March 2003 if you are unable to produce your driver licence when requested you could be issued with a Traffic Infringement Notice for this offence. The penalty for this offence is \$50.

However, police officers have discretion in minor traffic matters and are able to accept a reasonable excuse, or issue an informal verbal caution or a formal caution that has no penalty attached.

With the compulsory carriage of a driver licence law, Police officers may in some circumstances caution drivers who have a legitimate licence and who have not committed this offence before.

The Police cautioning policy has been in place for a number of years and has proved an excellent tool in encouraging drivers to obey the law.

What if I don't usually carry it?

A small number of people have expressed concern that it may be impractical to carry a driver licence in some circumstances.

For example farmers who may be crossing from one property to another. In country areas farmers are usually known to the local Police officers, who in such circumstances, have the discretion to issue an informal or formal caution.

While Police officers won't pull you over just to check your driver licence, you will be required to produce it during normal traffic enforcement activities such as vehicle checks, random breath tests, following accidents or if you commit a traffic offence.

If you are engaged in outdoor activities and driving on public roads, or may be required to drive, you may need to change your habits and plan ahead to ensure that you carry your driver licence.

What if I forget it?

Some people have asked what happens if they forget their driver licence when they slip out to the corner shop or the tip. Or what if I rush out of the house in an emergency to take a child or someone to hospital and forget their driver licence.

If it is an emergency or you have genuinely forgotten your driver licence, Police officers have discretion to issue an informal or formal caution.

These days people rarely go out without taking credit cards, ATM cards, a Medicare card, Library card etc and cash in their wallet. In fact most tips and video shops require some form of personal and residential identity these days and a driver licence is probably the most used form of identification.

If you are not in the habit of carrying your driver licence with you when you drive you will need to change your habits.

There will be a three-month amnesty period from 1 December 2002 for drivers to get used to the new law.

Can I have more than one licence?

No - you can only be issued with one licence.

The practice of issuing more than one licence goes against one of the key national road safety principles of "one driver - one Australian driver licence".

This principle was introduced to remove the opportunity for drivers to own a number of driver licences across different states and thus spread their demerit points across those licences.

Drivers must hand in their driver licence if they are disqualified from driving or when their licence is suspended or cancelled.

Allowing only one driver licence per person significantly reduces the capacity for "lost" driver licences and suspended or cancelled driver licences being used unlawfully by drivers without a current licence

Can I photocopy my licence?

We would not encourage you to photocopy your licence and leave it in a vehicle. Photocopied licences could be stolen and are easily altered with a new image superimposed on the original one.

What if I lose my licence?

If you lose your licence you must apply to a Service Tasmania shop for a new licence. If you do not have a Service Tasmania shop near you may be able to apply at a Police Station.

If you have to wait for your new photo image licence you will receive a temporary licence that shows you are licensed. You may show this to Police officers or Transport Inspectors if you are required to produce your licence before you receive the photo image one.

Isn't this an invasion of civil liberty?

A driver licence is a privilege not a right and it is not unreasonable to require drivers to produce their licence to identify themselves and to prove that they are appropriately licensed and driving within any conditions of their licence.

Just about all developed countries in the world (with the exception of some Australian States and the United Kingdom) require all drivers to be able to produce their driver licence on demand.

Being killed or injured by a disqualified or unlicensed driver is perhaps the ultimate breach of one's civil liberties. This is what this law is trying to prevent.

How will this help road safety?

The target of this initiative is clearly drivers who are unlicensed or driving while disqualified. Licensed drivers who have forgotten to take their driver licence while driving are not the target of this initiative.

If you are unlicensed or disqualified do not drive - you will be apprehended and prosecuted. The penalty for driving without a licence is up to \$2,000 for a first offence. For driving while disqualified the penalty is up to \$3,000 or imprisonment for up to 3 months.

Tasmanian road safety statistics feature a disturbingly high incidence of unlicensed driving. At the moment an estimated 8% of drivers caught committing traffic offences are disqualified or unlicensed.

It is in the best interests of law abiding drivers and other road users to assist Police to quickly identify dangerous and illegal drivers.

Who supports the new law?

The Tasmanian Road Safety Strategy 2001-2006 nominates this as one of the strategies aimed at reducing the road toll in Tasmania.

The new law is supported by the Road Safety Council of Tasmania, the Road Safety Taskforce, the Departments of Police and Public Safety and Infrastructure, Energy and Resources, the Motor Accidents Insurance Board (MAIB), and the Royal Automobile Club of Tasmania (RACT).

Over 85% of Tasmanian drivers support this new law. At the moment over 75% of Tasmanian drivers can produce their licence when asked by Police during traffic enforcement activities. In States and Territories where carriage of a driver licence is compulsory it is reported that over 95% of drivers are able to produce their licence when required.



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