



Western Australia

## **Driver's Education Accessibility Act 2019**

## **Explanatory Memorandum**

Attaining one's driver's license is often a monumental step in a person's life, enabling a vast array of opportunities and freedoms. However, not all people have the means to access the necessary education, and finance needed to be eligible for the Practical Driving Assessment. Youth in regional areas in Western Australia often lack the resources, education and programs available to youth in metro areas which prepare them for gaining their driver's license. This act seeks to implement a necessary driving program in regional areas to support all 16-24-year-old persons, in becoming trained in the realm of driving to assist them in their learning. Furthermore, the act will establish the Driver Education Accessibility Board to administer, oversee and amend the implementation of the relevant driving program among other functions.

Currently in Western Australia there are many driving education programs available in metro areas for generally a high cost, therefore the Driver's Education Accessibility Act 2019 aims give such opportunities to youths in regional areas for a lesser cost. Jobs are opportunities that can require a current driver's license, and without the resources to get a license, regional youth are losing such opportunities. With WA youth unemployment being 14.5% and reaching 15.9% throughout the wheatbelt, its highest in 20 years, this act aims to help provide a requirement needed to apply to jobs and allow youth to travel further for work.

The issue of access also works against regional youth in terms of educational and extracurricular activities. Whilst regional and rural programs are in place, their quality and capacity to deliver effective results is significantly reduced due to limited resources. In providing a mechanism of youth transport and independence, beneficial educational resources and access to well-funded opportunities will become feasible to regional youth. Transport being the primary inhibitor of access to high quality programs that are large distances away, this act will seek to provide equity through encouraging self-sufficient transport to regional youth. The change from a required 25 hours to 50 hours of supervised driving in November 2012 had the side effect of marginalising young people with limited access to suitable vehicles or supervisors to fulfil these requirements.

A key factor in the deprivation of regional accessibility is transport. Hence, this act aims to provide a channel to decrease marginalisation of regional youth through lack of access to transport by providing a means to travel independently.



Western Australia

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Western Australia

**An Act for —**

**An Act to provide equal access to driver’s education to all 16 to 24-year olds eligible to hold a learner’s permit in Western Australia.**

## **Part 1 — Preliminary**

### **1. Short title**

This Act may be cited as the *Driver’s Education Accessibility Act 2019*.

### **2. Commencement**

This Act commences on the day on which this Act receives Royal Assent.

### **3. Interpretation**

In this Act, unless the contrary intention appears —

“**Accessibility**” means the quality of being easy to obtain;

“**DEAB**” means Drivers’ education Accessibility Board.

“**DEP**” is defined as Driver’s education program, as determined by the cabinet each financial year.

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**“Qualified Drivers”** is defined as, a driving instructor that is registered under any and all applicable regulations and legislation.

**“Youth”** means a person aged 16-24;



## **Part 2 — Driver Education Accessibility Board**

### **4. Driver Education Accessibility Board**

- (a) The Driver Education Accessibility Board (DEAB) is to be established.

### **5. Role of the board**

- (a) The role of the DEAB will be to perform the following functions --
- (a) Administer, regulate and oversee a driver's education program as outlined in Part 3.
  - (b) Select appropriate and qualified volunteers to administer the program directly
  - (c) Advise for an adaptation of the curriculum to be executed within schools to assist in providing driver's education
  - (d) Conduct reviews once per year as to the relevancy and accuracy of the curriculum, and make recommendations in a report to the Minister for Youth, Minister for Education and Training, and Minister for Transport;
  - (e) Determine the needs of each driver training centre and make recommendations to the direction of additional resources and funding;
  - (f) Assess appeals from driver training centres for additional resources;
  - (g) Assess appeals from potential participants in provided training courses for subsidies and assistance in affording participation, subsequent to refused applications for subsidy as outline in Clause 16;
  - (h) Publish all relevant documentation regarding the program including financial reports, meeting minutes and annual reports.

### **6. Membership of the board**

The DEAB will consist of eleven (11) members, appointed by the Minister for Youth, in conjunction with the Minister for Transport—

- (a) One (1) representative of the Minister for Transport;



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- (b) One (1) representative of the Minister for Youth;
- (c) One (1) representative of the Minister for Education and Training; and
- (d) One (1) delegate for each educational region in Western Australia.

**7. Minimum meetings of the DEAB**

- (1) The DEAB must have a minimum of four (4) meetings per year.
- (2) The DEAB must meet once every school term.
- (3) Additional meetings may be called at the discretion of the Chairperson, Minister for Youth, or the Minister for Transport.

**8. Tenure of membership of the DEAB**

- (a) Members shall serve three (3) year terms on the DEAB, unless terminated as per Clause 9
- (b) Members will be on the board for a maximum of three (3) terms, consecutively or non-consecutively

**9. Dismissal of DEAB Members**

Members of the board may be dismissed by the Minister for Transport or Minister for Youth on the grounds of—

- (a) Personal impropriety; and/or
- (b) Disorderly conduct; and/or
- (c) Incapacity; and/or
- (d) Misbehaviour; and/or
- (e) Inability to successfully fulfil the roles outlines in Clause 5.

**10. Chairperson**

- (1) Each board member will be offered the opportunity to run for chairperson at the commencement of each term as outlined in Clause 8;

- (2) The board will vote for a chairperson prior to the first meeting of the new board;
- (3) The chairperson will be a spokesperson on the board's behalf;
- (4) The chairperson will present the Board's advice and findings to the cabinet a minimum of once annually.

**11. Treasurer of the DEAB**

A Treasurer for the DEAB will be elected alongside the chairperson in the same process outlined in Clause 10 to organise and administer the budget of the Driver Education Program as determined by the cabinet

## **Part 3 — Driver Education Program Guidelines**

### **Division 1 — General guidelines**

#### **12. Facility availability**

- (1) For every 500 eligible 16-24 years old in the four largest regional education districts by land area there will be one driver training centre;
- (2) The driver training centre is to be located in the most densely populated 500 Km<sup>2</sup>;
  - (a) Additional centres will be located in the next most densely populated 500 Km<sup>2</sup> region;
  - (b) No two centres will be in the same 500Km<sup>2</sup> region;
  - (c) No one centre will be within a 100km radius of any other centre.

#### **13. Vehicle provisions**

- (1) The State Government will fund two (2) cars for each driver training centre;
- (2) Driver training centre management teams will have the opportunity to appeal to the DEAB for more vehicles;

#### **14. Instructor provisions**

Those who fulfil instructor roles at each of the centres must have all of the following, in accordance with the Motor Vehicles Drivers Instructor Act 1963:

- (1) A current Western Australian driver's license;
- (2) Minimum of 2 continuous years' experience driving the vehicle class they will teach;
- (3) Medical fitness standards;
- (4) Police character checks;
- (5) Minimum age of 21 years.

## **Division 2 — Provisions for Enrolled High School Students**

### **15. Subsidies**

- (1) Enrolled high school students may access the program at a subsidised cost, to be determined by the DEAB and the treasurer of the DEAB each financial year;
- (2) High school students shall be permitted to seek out sponsorship to attend the course.

### **16. Small schools**

For each school with under 100 enrolled year 12 students, there will be the opportunity for maximum 25 students to attend an intensive driver training course each school holidays.

### **17. Attendance to the program**

- (a) All students eligible to hold a learner's permit will be permitted to attend driver training centres and courses an unlimited amount of times.
- (b) Those who have not attended the program will be given priority in the selection of participants for programs involved in the initiative launched by the Driver's Education Accessibility Act 2019 with capped amounts of spaces.
- (c) High school students shall be permitted to seek out sponsorship to attend the course.

**Division 3 — Provisions for out of school 16-24 year old's**

**18. Subsidies**

- (1) Participants that are not enrolled in school will apply for subsidies to their nearest training centre.
- (2) Each training centre will assess applications and allocate subsidies based on need.
- (3) Those who have not accessed subsidies previously will be given priority in allocation of these subsidies.

**19. Eligibility**

All 16-24 year old's eligible to hold a learner's permit living in a regional educational district in Western Australia will be eligible to take part in driver's education programs established as a result of this Act.

## **Part 4 — Review**

### **Division 1 — Driver's Education Accessibility Act Review**

#### **20. Review period**

- (1) A review of the Driver's Education Accessibility Bill 2019 will commence one (1) year after the commencement of the first DEAB's term, prior to the commencement of the board's second term.
- (2) The DEAB chairperson will consult with the Minister for Transport, and Minister for Youth following the review outlined in Clause 19(1) to determine the frequency at which further reviews will occur.

#### **21. Administering reviews of the DEAB**

- (1) Reviews of the DEAB will be administered by a representative of the Premier who meets all of the following requirements;
  - (a) Has no affiliation with any member of the committee in any manner
  - (b) Has an undergraduate or high qualification in;
    - (i) Social work; or
    - (ii) Secondary Education
  - (c) Fulfils all requirements outlined in Clause 13, in accordance with the Motor Vehicle Drivers Instructor Act 1963.
- (2) Driver training centre management teams will have the opportunity to appeal to the DEAB for more vehicles.
- (3) The vehicles being used in administering this initiative will be serviced a minimum of once every six (6) months.
- (4) Vehicles will be replaced after a maximum of five (5) years or at the discretion of the Minister for Transport as a result of advice from a qualified mechanic or engineer.

**22. Review period**

- (1) The DEAB will be subject to review a minimum of once every 18 months, for a minimum of twice per membership term.
- (2) The DEAB may also be subject to review at the discretion of the Minister for Youth, Minister for Transport, or Premier, in addition to the compulsory.