ROAD TRAFFIC RULES - LICENSING OF DRIVERS 2017

I, the Honourable Westly Nukundi Nukundj, Minister for Transport & Infrastructure, by the powers conferred on me by the Road Traffic Act 2014 and pursuant to Section 56 of the Act, make the following Ordinary Rule.

Signed: _____ Date: 24/10/2017

Hon. Westly Nukundi Nukundj, MP
Minister for Transport & Infrastructure

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DIVISION 1 - PRELIMINARY PROVISIONS

1 OBJECTIVE

This Rule sets out the requirements for obtaining and renewing a licence to drive a motor vehicle on a public street in Papua New Guinea.

The rule retains the provisions in the Motor Traffic Act 1950 and Parts II and VII of the Motor Traffic Regulation 1967 with changes to reflect the establishment of the Road Traffic Authority.

The overarching objective of the Rule is to improve road safety through an improved system for driver licensing, including reinstatement of appropriate testing and a centralized database of licences, so as to produce better skilled and better prepared drivers with improved attitudes and a more positive safety culture.

The improved system also ensures that Papua New Guinea can meet its international obligations for driver licensing.

2 CONSULTATION

This draft rule has been prepared in consultation with officials of the Department of Transport, including from the Land Transport Division, members of the Royal Papua New Guinea Constabulary, and with personnel from Motor Vehicles Insurance Limited, which currently administers driver's licensing on behalf of the Secretary for Transport for the NCD and under subcontract and sub-delegation from a number of Provincial governments.

Intention to make this rule was notified as required by section 57(1) of the Act, in the National and Post Courier newspapers on 9, 12 & 14 January 2015. Following advertisement of the making of the rule, ten interested parties were provided with copies of the rule. These included government departments, transport sector statutory authorities and private companies. No written submissions were received from the stakeholders within the response period, which ended on 28 February 2015.

3 COMMENCEMENT

This Rule comes into force on the date notified in the National Gazette.

4 TRANSITIONAL ARRANGEMENT

A licence to drive a Class 2 motor vehicle held at the commencement of this Rule shall be deemed to be a licence to drive a Class 1 motor vehicle in accordance with this Rule with an endorsement to drive a taxicab or private hire car issued under Section 39 of the Road Traffic Rules – Passenger and Goods Transport Licensing.

5 INTERPRETATION

(1) In this Rule, unless the contrary intention appears–

"Act" means the *Road Traffic Act* 2014;

"approved" means approved by the Authority;

"articulated vehicle" means a prime mover and a semi-trailer;

"Authority" means the Road Traffic Authority established under Section 4 of the Act;

"driver" means a person driving a motor vehicle;

"driver's licence" means a full driver's licence or a provisional driver's licence;

"foreign driver's licence" means–

(a) a licence to drive a motor vehicle issued under the law of a country other than Papua New Guinea; or

(b) an international driving permit issued in any such country;

"full driver's licence" means a licence granted under Section 22;
"learner's permit" means a permit granted under Section 9 or Section 10;
"large trailer combination" means a motor truck towing a trailer that is not a semi-trailer nor a caravan.
"light motor vehicle" means a motor car, or a motor truck of not more than 2 tonnes unladen weight;
"mobility device" means a vehicle that–

(a) is designed and constructed for use by persons who require mobility assistance due to a physical or neurological impairment; and
(b) is solely powered by a motor that has a maximum output of 1,500 watts;

"motor car" means a motor vehicle constructed principally for the carriage of persons equipped to seat not more than eight adult persons including the driver, but does not include a motor cycle;
"motor cycle" includes a motor vehicle with less than four wheels and an unladen weight of less than 750kg;
"motor tractor" means a road, oil or steam engine constructed to be used–

(a) for agricultural purposes; or
(b) in connection with agricultural implements and machinery; or
(c) for haulage or earth-moving purposes,

but does not include a vehicle used on a railway or tramway;
"motor truck" means a motor vehicle used principally–

(a) for the carriage of goods, wares or merchandise; or
(b) for the conveyance of any kind of materials used in any trade, business or industry; or
(c) for use in any work other than the conveyance of passengers,

but does not include a motor tractor;
"motor vehicle" means a vehicle drawn or propelled by mechanical power, including a trailer, but does not include–

(a) a vehicle running on rails; or
(b) a pedestrian-controlled machine; or
(c) a mobility device;

"office of the Authority" refers at all times in this Rule to any of the offices of the Road Traffic Authority or any of the offices of an agent for licensing of drivers authorised by the Authority;
"omnibus" means a motor vehicle designed for the transport of passengers with a seating capacity of more than 8 passengers;
"operate", in relation to a motor vehicle means–

(a) to use, drive or ride that motor vehicle; or
(b) to permit the use, driving or riding of, that motor vehicle; or
(c) to permit that motor vehicle to be,

on a public street.
"owner" in relation to a motor vehicle means–

(a) the person lawfully entitled to possession of the vehicle; or
(b) in the case of a motor vehicle that is the subject of a hire-purchase agreement, the person who has use of the motor vehicle under the hire purchase agreement.

"passenger", in relation to a motor vehicle, does not include the driver of the vehicle;
"pedestrian" includes a person running, walking, sitting, standing or otherwise being on a public street;
"prime mover" means a motor vehicle used to tow a semi-trailer;

"private hire car" means a motor car used to carry passengers for hire or reward, but which does not ply for hire;
"provisional driver's licence" means a licence granted under Section 14.
"public street" means a street, road, lane, thoroughfare, footpath, bridge or place to which the public have permitted access;
"public motor vehicle" means a motor vehicle used to carry passengers for hire or reward, that plies for hire in such a way that a separate fare is paid in respect of each passenger.
"semi-trailer" means a trailer–

(a) the forward end of which is superimposed on another motor vehicle; and
(b) that is attached to that other motor vehicle by means of a turn-table or king pin;

"taxicab" means a motor car–

(a) designed to carry at least four passengers for hire or reward and any luggage belonging to the passengers; and
(b) that plies for hire in such a way that a separate fare is not paid in respect of each passenger.

"unladen weight", in relation to a motor vehicle or trailer, means the weight of the vehicle or trailer without its load (if any);
"vehicle" means any device with wheels, tracks or revolving runners on which it moves or is moved.
(2) In this Rule–

(a) a reference, by number, to a class of motor vehicle is a reference to a class, so numbered, of motor vehicles as described in Schedule 1 of the Road Traffic Rules - Registration of Motor Vehicles; and
(b) a reference, by number, to a class of driver's licence is a reference to a licence to drive a vehicle of the class, so numbered, of motor vehicle.

(3) Where a specific form number is referred to in this Rule, an equivalent form may be used, provided it contains the same information as the form provided in Schedule 2.
Cf MTA s1 & MTR r1

6 AUTHORISATION OF PERSONS TO CONDUCT TESTS

(1) The Authority may authorize a person or persons, who it considers fit and appropriate, to conduct the learner's permit theoretical or knowledge-based test required by the Authority.
(2) The Authority may authorize a person or persons, who it considers fit and appropriate, to conduct the practical driving test required by the Authority.
(3) The Authority may authorize a person or persons, who it considers fit and appropriate, to conduct the eyesight test required by the Authority.

7 DRIVERS REQUIRE A CURRENT PERMIT OR LICENCE

A person must not–

(a) drive a motor vehicle on a public street; or
(b) cause or permit another person to drive a motor vehicle on a public street,

unless the driver holds a current learner's permit, provisional driver's licence or full driver's licence for that class of motor vehicle in accordance with this Rule.

DIVISION 2 - LEARNER'S PERMITS

8 APPLICATION FOR LEARNER'S PERMIT

(1) A person may apply to the Authority for a learner's permit.

(2) An application for a learner's permit must be–

(a) in accordance with Form 1 of Schedule 2; and

(b) accompanied by the applicant's birth certificate or in the absence of the birth certificate, proof of the applicant's identity and age in a form satisfactory to the Authority; and

(c) accompanied by the fee prescribed in item 1 of Schedule 1 of the Road Traffic (Fes and Charges) Regulation 2015.

(3) The Authority may, by written notice, require an applicant to attend at the office of the Authority on a date specified in the notice.

Cf MTR r2

9 ISSUE OF LEARNER'S PERMIT – CLASS 1 & CLASS 5 MOTOR VEHICLES

(1) The Authority may issue a learner's permit to a person to learn to drive a Class 1 motor vehicle or a Class 5 motor vehicle, as defined in Schedule 1 of the Road Traffic Rules: Registration of Motor Vehicles 2014, only if the Authority is satisfied that the person–

(a) is at least 18 years of age; and

(b) has passed the theoretical or knowledge-based test required by the Authority; and

(c) has passed the eyesight test and the medical examination required by the Authority; and

(d) has paid the prescribed fee.

(2) A learner's permit issued under subsection (1) –

(a) must be in accordance with Form 3 of Schedule 2; and

(b) may contain conditions, as the Authority thinks fit, in relation to–

(i) the type of motor vehicle that may be driven pursuant to the learner's permit; or

(ii) the speed at which the motor vehicle may be driven; or

(iii) the hours during which, or the locality within which, a vehicle may be driven pursuant to the permit; or

(iv) the use of a logbook to record driving experience.

Cf MTR r 3(2)

10 ISSUE OF LEARNER'S PERMIT - CLASS OF MOTOR VEHICLE OTHER THAN CLASS 1 & CLASS 5

(1) The Authority may issue a learner's permit to a person to learn to drive a motor vehicle of a class other than Class 1 and Class 5, as defined in Schedule 1 of the Road Traffic Rules - Registration of Motor Vehicles 2014, only if the Authority is satisfied that each of the requirements mentioned in subsection (2) is met.

(2) For subsection (1), the requirements are that the person–

(a) must hold, or have held, at least one of the following kinds of licence for a continuous period of at least 12 months–

(i) a full driver's licence for a Class 1 motor vehicle; or

(ii) a foreign driver's license equivalent to a Class 1 drivers licence under this Rule; and

(b) has passed the theoretical or knowledge-based test required by the Authority; and

(c) has passed the eyesight test and the medical examination required by the Authority; and

(d) has paid the prescribed fee.

(3) A licence mentioned in Subsection 2(a) must not have been cancelled by the Authority or a foreign equivalent authority.

(4) A learner's permit issued under subsection (1)–

(e) must be in accordance with Form 3 of Schedule 2; and

(f) may contain conditions, as the Authority thinks fit, in relation to–

(i) the type of motor vehicle that may be driven; or

(ii) the speed at which a motor vehicle may be driven; or

(iii) the hours during which, or the locality within which, a motor vehicle may be driven; or

(iv) use of a logbook to record driving experience.

Cf MTR r 3(1)

11 CURRENCY OF LEARNER'S PERMIT

A learners permit must not be issued for a period of more than 12 months.

Cf MTR r 3(4)

12 DRIVING ON LEARNER'S PERMIT

(1) A holder of a learner's permit who drives a motor vehicle (other than a motor cycle) on a public street must ensure that they are accompanied at all times by–

(a) a person who holds a current driver's licence; or

(b) a person authorised by the Authority to conduct the practical driving test required by the Authority.

(2) A holder of a learner's permit who drives a motor vehicle (other than a motor cycle) on public street must ensure that the motor vehicle is displaying an "L" plate in accordance with subsection (3).

(3) For subsection (2), an "L" plate must–

(a) be issued or authorised by the Authority; and

(b) show the letter "L" in black on a yellow background; and

(c) be conspicuously displayed and clearly visible on the front and rear of the motor vehicle.

(4) A holder of a learner's permit who rides a motor cycle on a public street must not carry another person on the motor cycle.

(5) A holder of a learner's permit who rides a motor cycle on a public street must ensure that the motor cycle is displaying an "L" plate in accordance with subsection (6).

(6) For subsection (5), an "L" plate must–

(a) be issued or authorised by the Authority; and

(b) show the letter "L" in black on a yellow background; and

(c) be conspicuously displayed and clearly visible on the rear of the motor cycle.

(7) A holder of a learner's permit must not drive a public motor vehicle, taxicab or private hire car while it is plying for hire or carrying passengers.

(8) The owner of a motor vehicle or the person in charge of a motor vehicle must not cause or permit a holder of a learner's permit to contravene subsections (1), (2), (4), (5) or (7).

(9) The owner of a motor vehicle or the person in charge of a motor vehicle must take reasonable precautions to prevent a holder of a learner's permit from contravening subsections (1), (2), (4) (5) or (7).

Cf MTR r 3(5), (6), (7) & (8)

DIVISION 3 - PROVISIONAL DRIVER'S LICENCES

13 APPLICATION FOR PROVISIONAL DRIVER'S LICENCE

(1) A person may apply to the Authority for the issue or renewal of a provisional driver's licence.

(2) An application for a provisional driver's licence must be–

(a) in accordance with Form 2 of Schedule 2; and

(b) accompanied by any logbook required pursuant to Section 9 or Section 10; and

(c) accompanied by supporting written evidence that the applicant has passed the practical driving test required by the Authority for the class or classes of licence applied for; and

(d) accompanied by the fee prescribed in item 2 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation 2015.

(3) The Authority may, by written notice, require an applicant to attend at the office of the Authority on a date specified in the notice.

Cf MTR r 2

14 ISSUE OR RENEWAL OF PROVISIONAL DRIVER'S LICENCE

(1) The Authority may issue or renew a provisional driver's licence to a person to drive a motor vehicle of the class or classes specified on the licence only if the Authority is satisfied that the person–

(a) has held a learner's permit for the class or classes of motor vehicle for which the person is applying for a provisional driver's licence, for a period of at least 3 months; and

(b) has passed the practical driving test required by the Authority for the class or classes of motor vehicle for which the person seeks a provisional driver's licence; and

(c) has passed the eyesight test required by the Authority; and

(d) has paid the prescribed fee.

(2) Subject to Subsection (3), a provisional driver's licence granted under subsection (1) must be in accordance with Form 5A of Schedule 2 endorsed as a "Provisional driver's licence".

(3) In special cases the Authority may authorise a provisional driver's licence to be issued in accordance with Form 4 of Schedule 2.

Cf MTR r 4(1) & 6

15 CURRENCY OF PROVISIONAL DRIVER'S LICENCE

A provisional driver's license must not be issued for a period of more than 12 months.

Cf MTR r 8

16 REFUSAL TO ISSUE PROVISIONAL DRIVER'S LICENCE

(1) The Authority may refuse to issue or renew a provisional driver's licence to a person who–

(a) has been convicted of driving a motor vehicle–

i. while under the influence of alcohol or a drug; or

ii. on a public street in a manner dangerous to the public; or

(b) in the reasonable opinion of the Authority, is not fit to hold a provisional driver's licence.

(2) A person aggrieved by a decision of the Authority under Subsection (1) may apply to a District Court, which may make an order–

(a) cancelling or varying the decision; or

(b) giving such other directions as it thinks proper.

Cf MTR r 87(1)(a) & (2)

17 CANCELATION OR SUSPENSION OF PROVISIONAL DRIVER'S LICENCE

(1) The Authority may cancel or suspend a provisional driver's licence, for such period as the Authority thinks proper, if–

(a) the licence holder is convicted of an offence mentioned in an item in Schedule 1; or

(b) in the reasonable opinion of the Authority, the licence holder is unfit to hold the licence.

(2) A person aggrieved by a decision of the Authority under Subsection (1) may apply to the District Court, which may make an order–

(a) cancelling or varying the decision; or

(b) giving such other directions as it thinks proper.

(3) The holder of a provisional driver's licence must within 3 days surrender the licence to the Authority if the licence is cancelled or suspended.

Cf MTR r 4(4), 87(2) & 88

18 APPLICATION FOR PROVISIONAL DRIVER'S LICENCE FOLLOWING CANCELLATION

(1) A person who has had a provisional driver's licence cancelled under Section 17 may apply to the Authority for a further provisional driver's licence.

(2) An application for a further provisional driver's licence must be–

(a) in accordance with the Form 2 of Schedule 2; and

(b) accompanied by the fee prescribed in item 2 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation 2015.

(3) The Authority may, by written notice, require an applicant to attend at the office of the Authority on a date specified in the notice.

Cf MTR r 4(4)

19 ISSUE OF PROVISIONAL DRIVER'S LICENCE FOLLOWING CANCELLATION

(1) The Authority may issue a further provisional driver's licence to a person to drive a motor vehicle of a class or classes specified on the licence only if the Authority is satisfied that the person–

(a) is capable of safely driving a motor vehicle of that class or classes; and

(b) has passed the theoretical or knowledge-based test required by the Authority; and

(c) has passed the eyesight test and the medical examination required by the Authority; and

(d) has paid the prescribed fee.

(2) The issue of a further provisional driver's licence under this Section may be subject to such conditions as the Authority thinks fit.

Cf MTR r 4(5)

20 DRIVING ON A PROVISIONAL DRIVER'S LICENCE

(1) A holder of a provisional driver's licence who drives a motor vehicle (other than a motor cycle) on a public street must ensure that the vehicle is displaying a "P" plate in accordance with subsection (2).

(2) For subsection (1), a "P" plate must–

(a) be issued or authorised by the Authority; and

(b) show the letter “P” in red on a white background; and

(c) be conspicuously displayed and clearly visible on the front and rear of the motor vehicle.

(3) A holder of a provisional driver’s licence who rides a motor cycle on a public street must ensure that the motor cycle is displaying a “P” plate in accordance with subsection (4).

(4) For subsection (3), a “P” plate must–

(a) be issued or authorised by the Authority; and

(b) show the letter “P” in red on a white background; and

(c) be conspicuously displayed and clearly visible on the rear of the motor cycle.

Cf MTR r 4(3)

DIVISION 4 - FULL DRIVER'S LICENCES

21 APPLICATION FOR FULL DRIVER'S LICENCE OR RENEWAL OF LICENCE

(1) A person may apply to the Authority for–

(a) a full driver's licence; or

(b) the renewal of a full driver's licence.

(2) An application for a full driver's licence or the renewal of a full driver's licence must be–

(a) in accordance with the Form 2 of Schedule 2; and

(b) accompanied by the fee prescribed in item 3 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation 2015.

Cf MTR r 2 & 159(3)

22 ISSUE OR RENEWAL OF FULL DRIVER'S LICENCE

(1) The Authority may issue or renew a full driver's licence to a person to drive a motor vehicle of the class or classes applied for only if the Authority is satisfied that the person–

(a) has passed an eyesight test if required by the Authority; and

(b) has previously held, for the last 12 months–

i. a provisional driver's licence for the class or classes applied for; or

ii. a foreign driver's licence equivalent to the class or classes of licence applied for; and

(c) has paid the prescribed fee.

(2) A driver's licence granted under subsection (1) must be in accordance with Form 5A of Schedule 2 endorsed as a "Full driver's licence".

(3) In special cases the Authority may authorise a full driver's licence to be issued in accordance with Form 5 of Schedule 2.

(4) The renewal of a full driver's licence takes effect on the day immediately following the day on which the licence, or the previous renewal of the licence, as the case may be, expired.

Cf MTR r 5(1) & 8(3)

23 CURRENCY OF FULL DRIVER'S LICENCE

A full drivers licence must not be issued for a period of more than 5 years.

Cf MTR r 8

24 REFUSAL TO ISSUE FULL DRIVER'S LICENCE

(1) The Authority may refuse to issue or renew a full driver's licence to a person who, in the reasonable opinion of the Authority, is not fit to hold a driver's licence.

(2) A person aggrieved by a decision of the Authority under Subsection (1) may apply to the District Court, which may make an order–

(a) cancelling or varying the decision; or

(b) giving such other directions as it thinks proper.

Cf MTR r 87(1)

25 CANCELATION OR SUSPENSION OF FULL DRIVER'S LICENCE

(1) The Authority may cancel or suspend a full driver's licence, for such period as the Authority thinks proper, if–

(a) the licence holder is convicted of a third or subsequent offence mentioned in Schedule 1; or

(b) in the reasonable opinion of the Authority, the licence holder is unfit to hold the licence.

(2) A person aggrieved by a decision of the Authority under Subsection (1) may apply to the District Court, which may make an order–

(a) cancelling or varying the decision; or

(b) giving such other directions as it thinks proper.

(3) The holder of a full driver's licence must within 3 days surrender the licence to the Authority if the licence is cancelled or suspended.

Cf MTR r 87(1) & 88

DIVISION 5 - PERMITS AND LICENCES GENERALLY

26 CHANGE OF ADDRESS

(1) If the holder of a learner's permit or driver's licence changes address during the currency of the permit or licence, the person must within 14 days–

(a) advise the Authority in writing of the change of address; and

(b) produce the permit or licence to an office of the Authority.

(2) On the production of a permit or licence under Subsection (1), the Authority must endorse the permit or licence with the holder's new address and return it to that person.

Cf MTR r 89

27 LOST, DEFACED OR DESTROYED PERMIT OR LICENCE

(1) If a learner's permit or driver's licence is lost, defaced or destroyed the holder of the permit or licence must, within 7 days, provide to the Authority a statutory declaration setting out the circumstances of the loss, defacement or destruction in accordance with the Form 22 of Schedule 2.

(2) A permit or licence to which Subsection (1) applies is void as of when the Authority is advised of the loss, defacement or destruction.

(3) The holder of a lost, defaced or destroyed permit or licence may apply to the Authority for a replacement permit or licence.

(4) An application for a replacement permit or licence must be–

(a) in accordance with Form 21 of Schedule 2; and

(b) accompanied by the fee prescribed in items 4, 5 or 6 of Schedule 1 of the Road Traffic (Fees and Charges) Regulation 2015 as appropriate.

(5) The Authority may only issue a replacement permit or licence if satisfied that the original permit or licence was not misused.

(6) A replacement permit or licence must be issued in accordance with the prescribed form.

Cf MTR r 90

28 PERMIT OR LICENCE TO BE ISSUED TO A NATURAL PERSON

A learner's permit or driver's licence issued under this Rule may only be issued to a natural person.

29 PERMIT OR LICENCE NOT TRANSFERABLE

A learner's permit or driver's licence issued under this Rule is not transferable to another person.

Cf MTR r 10

30 MEDICAL EXAMINATIONS

(1) The Authority may require the following class of persons to obtain a medical certificate in accordance with subsection (2)–

(a) an applicant for the issue or renewal of a learner's permit, provisional driver's licence or full driver's licence; or

(b) the holder of such a permit or licence.

(2) A medical certificate must–

(a) be signed and dated by the examining medical practitioner; and

(b) provide a statement that the practitioner has examined the applicant or holder and that the applicant or holder is, in the practitioner's opinion, medically fit, or medically unfit, to safely control a motor vehicle of the class for which the permit or licence is sought or held.

(3) The Authority may specify a medical practitioner from whom a medical certificate is to be sought.
Cf MTR r 11

31 WEARING OF SPECTACLES

(1) If a person is tested for a learner's permit or driver's licence, and the person is wearing spectacles during the test, any permit or licence issued to the person must be endorsed with, or bear on its front, the word "Spectacles".
(2) A holder of a learner's permit, or driver's licence that is endorsed with the word "Spectacles" must not drive a motor vehicle on a public street without wearing the prescribed spectacles.
(3) The holder of a learner's permit or driver's licence referred to in Subsection (2) who is found driving without spectacles shall be deemed to be driving without a permit or licence.
Cf MTR r 9

32 PRODUCTION OF LICENCE, ETC., ON DEMAND

(1) A driver of a motor vehicle must produce his or her learner's permit or driver's licence when required to do so by a Traffic Enforcement Officer in the execution of his or her duty.
(2) A driver of a motor vehicle who, when required by a Traffic Enforcement Officer in the execution of his or her duty to state his or her name, date of birth, place of abode, and contact details, must not–

(a) refuse to do so; or
(b) provide false information.

Cf MTA s 30

33 FAILURE TO ASSIST IN IDENTIFICATION OF OFFENDING DRIVER.

The owner or driver of, or a passenger in, a motor vehicle who, when required by a Traffic Enforcement Officer to give any information that–

(a) it is in his or her power to give; and
(b) may lead to the identification of the owner of the vehicle or the person who was driving the vehicle when an offence against the Act or regulations or rules made under the Act is alleged to have been committed,

must not refuse or fail to give the information.
Cf MTA s 31

34 MISCELLANEOUS OFFENCES RELATING TO PERMITS AND LICENCES

(1) A person must not–

(a) by a false statement or misrepresentation obtain or attempt to obtain a learner's permit or driver's licence under this Rule; or
(b) wilfully furnish false or misleading information with regard to particulars required by this Rule to be furnished in relation to a learner's permit or driver's licence under this Rule; or
(c) without lawful excuse, have in his or her possession–
    (i) a learner's permit or driver's licence issued under this Rule; or
    (ii) an article–
        (A) resembling a learner's permit or driver's licence issued under this Rule; and
        (B) calculated to deceive; or
(d) forge, fraudulently alter or use a learner's permit or driver's licence under this

Rule; or

(e) sell, dispose of or buy, or attempt to sell, dispose of or buy, a learner's permit or driver's licence under this Rule; or

(f) deface a learner's permit or driver's licence; or

(g) lend a learner's permit or driver's licence to another person or otherwise part with a learner's permit or driver's licence.

(2) A holder of a learner's permit or driver's licence that contains conditions must comply with those conditions.

Cf MTA s32

35 RECORDS

The Authority shall record, or cause to be recorded, in registers to be kept for the purpose, particulars of the issue of learner's permits and driver's licences.

Cf MTR r 154

DIVISION 6 - FOREIGN LICENCES

36 FOREIGN LICENCES

(1) Despite this Rule, a current foreign driver's licence–

(a) is deemed to be equivalent to a driver's licence issued under this Rule; and

(b) authorises the holder to drive, in Papua New Guinea, any vehicle of the type or class to which the foreign driver's licence applies.

(2) A foreign driver's licence applies–

(a) subject to any conditions to which it was granted; and

(b) for a period of 6 months from the date the holder entered Papua New Guinea.

(3) Subsection (1) applies only if the holder of the foreign driver's licence–

(a) usually resides in a country other than Papua New Guinea; and

(b) has not been issued with a notice from the Authority under subsection (5); and

(c) is not otherwise disqualified from obtaining or holding a driver's licence in Papua New Guinea.

(4) If a foreign driver's licence is written in a language other than English, subsection (1) will only apply if the licence is accompanied by an English translation of the licence.

(5) The Authority may cancel the acceptance of a foreign driver's licence by notice in writing if–

(a) the Authority forms the view that in the interests of road safety it is not appropriate for the licence to be accepted; or

(b) one of the events in subsection (6) applies.

(6) For paragraph (5)(b), the events are–

(a) the Authority forms the view that the holder of the foreign driver's licence has a mental or physical disability that is likely to affect his or her capacity to safely drive a motor vehicle; or

(b) the Authority forms the view that the holder of the foreign driver's licence is otherwise not fit to drive a motor vehicle; or

(c) the holder of the foreign driver's licence is convicted of an offence under Part VIII of the *Road Traffic Act 2014*.

(7) The holder of a foreign driver's licence must–

(a) carry the licence whilst driving a motor vehicle on a public street; and

(b) produce the licence on request by a Traffic Enforcement Officer.

Cf MTR r 12

SCHEDULE 1 – OFFENCES FOR WHICH LICENCE MAY BE SUSPENDED OR CANCELLED

[Rule Sec. 17(1)(a) & 25(1)(a)]

Brief description of offence.	**Relevant section of Act or Rule.**
	Act–
Driving in a reckless or dangerous manner	Section 39
Driving in a careless or negligent manner	Section 40
Driving under the influence of alcohol or drugs	Section 42
Driving while disqualified or licence suspended	Section 46
	Road User Rule–
Exceeding general speed limits	Section 15
Exceeding speed past schools	Section 17
Committing alcohol infringement offences	Section 23(1) & (2)
Not stopping after accident	Section 33
Racing with another vehicle	Section 28(2)(g)
Using mobile phone while driving	Section 34(1)
Permitting passengers to stand in a motor truck	Section 39(1)
Carrying passengers in the tray of a vehicle without adequate rails	Section 41(1)

SCHEDULE 2 – FORMS

[Rule Sec. 8(2)(a), Form 1]

APPLICATION FOR PERMIT TO LEARN TO DRIVE A MOTOR VEHICLE.

Surname / Family name: …… Given names: ……..

Residential and street address:

Sect: …… Lot: …..…. Street:…… Suburb: …….

Postal Address: …….. Town: …… Province: …….

Phone (Day): ……..……... Mobile: …….

Gender: Male / Female Date of Birth: …….

Place of birth: Village: …….……...…….. Province: …….

Town: ……..……Country: ……..…….

Nationality: ……

Height (cm): ……. Eye colour: ……. Hair colour: ……. Complexion: …...……..

I apply for a permit for the purpose of learning to drive a Class*…….. motor vehicle within Papua New Guinea, and enclose K……., being the fee prescribed in the Road Traffic (Fees and Charges) Regulation.

Details of any Current Driver's Licence:

Class of licence: …….……. Licence no. ……...……..
Expiry date: ……. Place of issue: …….
Receipt no. ……..

Signature: ……. Date: ……..

Witness: ……..

Witness Address: ……..……..

**Insert class of motor vehicle for which permit is required, in accordance with Schedule 1 to the Road Traffic Rules – Registration of Motor Vehicles.*

[Rule Sec. 13(2)(a), 18(2)(a) & 21(2)(a), Form 2]

APPLICATION FOR DRIVER'S LICENCE

Surname / Family name: …… Given names: ……..

Residential and street address:

Sect: …… Lot: …….. Street: …… Suburb: ……..

Postal Address: …….. Town: …… Province: ……..

Phone (Day): …… Mobile: ……..

Gender: Male / Female Date of Birth: ……..

Place of birth: Village: ……..…….. Province: ……..

Town: ……..……Country: ……..

Nationality: ……..

Height (cm): …….. Eye colour: …….. Hair colour: …….. Complexion: ……..

Type of Licence applied for: provisional / full Class: ……..

Period of licence: years.

Old licence no.: …….. Date of issue: …….. Place of issue: ……

TO BE COMPLETED BY HOLDER OF FOREIGN DRIVER'S LICENCE

Country of issue: …… Licence no.: ……..... Date of expiry: ……..

Equivalent PNG Class for which licence valid: ……

Is there anything wrong with your health that may affect your safe driving?	YES/NO	
Have you ever been refused a learner's permit or driver's licence anywhere?	YES/NO	
Has your driver's licence ever been cancelled or suspended?	YES/NO	
Have you ever been convicted of driving under the influence of intoxicating liquor (drink driving) or driving under the influence of drugs?	YES/NO	
Have you ever been convicted of any traffic offence other than parking?	YES/NO	

I enclose K……., being the fee prescribed in the Road Traffic (Fees and Charges) Regulation.

Signature of applicant: …….

Witness: ……..

Witness Address: ……..……..

Date: ……..

CERTIFICATE OF COMPETENCY

TO BE COMPLETED IN CASES WHERE APPLICANT UNDERTAKES TEST

Eyesight: …… Oral/Written knowledge test: …... Driving Test: ……

Test done with/without spectacles. Disabilities apparent: ……..

Signature of Testing Officer: ……..

PASS / FAIL Reg. No. ……

I, the above named, declare that to the best of my knowledge and belief the above details and answers are true and correct.

Applicant: ……..

Witness: ……..

Date: ……..

Receipt No.: ……. Licence No.: ……..

[Rule Secs. 9(2)(a) & 10(4)(a), Form 3]

LEARNER'S PERMIT.

Name:

Postal address:

Residential address:

Gender: male / female Date of birth:

Height (cm): Eye colour: Hair colour Complexion:

The above-mentioned person is permitted to learn to drive a motor vehicle Class* ……. within Papua New Guinea, for ……. months only from the issue date of this permit, subject to the conditions set out below.

Issue date: Date of expiry:

…… ……..
for Road Traffic Authority (*Signature of Permit Holder*)

Conditions-
**1 Type of motor vehicle:
2 Engine capacity no greater than* cc
**3 Maximum speed outside towns: 75 km/h
**4 Daylight hours only
**5 Must use a logbook and record driving experience.

Issued subject to the Road Traffic Act, the Regulations and Rules in force under it. If not suspended or cancelled, this permit must be returned on the date of expiry to the Authority.

Note. – This Permit must always be carried, and must be produced to any Traffic Enforcement Officer on demand. When a learner is driving a motor vehicle on a public street, a licensed driver must occupy the seat next to the learner driver.

** Insert class of motor vehicle for which permit applies, in accordance with Schedule 1 to the Road Traffic Rules – Registration of Motor Vehicles.*

*** Strike out whichever is inappropriate.*

**** Insert engine capacity limit.*

[Rule Sec. 14(3), Form 4]

PROVISIONAL LICENCE TO DRIVE A MOTOR VEHICLE

Not Transferrable.

Licence No. …… **CLASS* ……..**

Name in full: (*in block letters state whether Mr. Mrs. Ms, Miss, etc.*)

Address in full: (*in block letters*)

Temporary address: (*if any & in block letters*)

This licence may be cancelled by the Authority if the licensee is convicted of or pays a penalty in respect of any of the offences specified on the reverse of this document, or if he or she fails to observe any condition of this licence.

Conditions-
If the numeral (1) is shown under the head "Spectacles" the licensee must wear the prescribed spectacles or contact lenses while driving.

Date of birth	Spectacles	Expiry date

……..
(*Signature of Licensee*)

SUBJECT TO THE IMPRINT OF THE CASH REGISTER AND TO ANY CONDITIONS ENDORSED ON THIS LICENCE the person named above is provisionally licensed to drive a motor vehicle of the Class shown. Unless sooner suspended or cancelled, this licence remains in force until the expiry date shown above.

Issue date: ……..

…….. ……
for Road Traffic Authority (signature of licensee)

** Insert Class of motor vehicle for which provisional licence is granted, in accordance with Schedule 1 to the Road Traffic Rules -Registration of Motor Vehicles.*

(Back of Form.)

OFFENCES FOR WHICH LICENCE MAY BE SUSPENDED OR CANCELLED

[copy of Schedule 1.]

MEMORANDUM OF CHANGES OF ADDRESS

NOTE – *Written notice to be given within 14 days to the Authority of any change of address, and this licence forwarded for endorsement.*

Date	New address.	Entered by -

[Rule Sec. 22(3), Form 5]

FULL LICENCE TO DRIVE A MOTOR VEHICLE.

Not Transferrable.

Licence No. …… **Class*** ……

The person whose name, address and description appears on this licence is licensed to drive a motor vehicle of the Class shown for the period set out below. Issued subject to the *Road Traffic Rules – Licensing of Drivers*, and to any conditions shown on this licence.

…….…….. ……..
for Road Traffic Authority. (signature of licensee)

Name: ……

Address: ……

Sex: male / female Date of Birth: Height (cm):

Place of Birth:

Restrictions:

Period of licence:

Issue date: Expiry date:

Conditions-

1. Spectacles must be worn: Yes / No**

If "yes" the licensee must wear the prescribed spectacles or contact lenses while driving.

This licence must be carried at all times when driving and must be produced to any Traffic Enforcement Officer on demand.

If not renewed, this licence must be returned to the Authority within 31 days of the expiry date.

** Insert Class of motor vehicle for which full licence is granted, in accordance with Schedule 1 to the Road Traffic Rules -Registration of Motor Vehicles.*

*** Strike out whichever is inappropriate.*

(*Back of Form 5)*

MEMORANDUM OF CONVICTIONS AND DISQUALIFICATIONS.

Date	Offence	Penalty	Magistrate

CHANGE OF ADDRESS

If you change your address, present your licence to an agent of the Authority within 14 days for endorsement. Endorsement to be made only by authorised agents of the Authority.

New address	Endorsed by	Date

[Rule Secs. 14(2) & 22(2), Form 5A]

[ ] **PAPUA NEW GUINEA DRIVER'S LICENCE**

[*PNG Crest* ***]*** Licence No. *[licence number]*

[ ] *[Name]*

[Address] *[ ]*

Date of Birth Expiry

[date of birth] *[expiry date]*

Type *[photo of licencee]*

[types]

Conditions Class

[conditions] *[classes]* *[ ]*

(*Back of Form 5A*)

Type		Class	
P	Provisional driver's licence	1	Motor car & motor truck not more than 2 t unladen
F	Full driver's licence	2	*Reserved*
PMV	PMV driver's licence	3	Motor truck more than 2 t unladen but not articulated & not with trailer
T	Taxicab driver's licence	4	Motor truck articulated and/or with trailer
PHC	Private hire car driver's licence	5	Motor cycle
		6	Omnibus & other vehicles except classes 1 to 5 & 7
G	Goods transport vehicle driver's licence	7	Motor tractor & other vehicles with max. design speed < 30 km/h

(Bar code)

Receipt no.

Authorised by the Road Traffic Authority	**Licensee's signature**
(name and signature)	

[Rule Sec. 27(4)(a), Form 21]

APPLICATION FOR REPLACEMENT PERMIT OR DRIVER'S LICENCE

The learner's permit / provisional driver's licence / full driver's licence* no. , issued to has been lost/defaced/destroyed* in the circumstances mentioned in the attached Statutory Declaration and I apply for a replacement permit / driver's licence*.

I enclose K being the fee prescribed in the Road Traffic (Fees and Charges) Regulation.

(Signature of Applicant).

Date:

**Strike out whichever is inapplicable.*

[Rule Sec. 27(4)(a), Form 22]

STATUTORY DECLARATION FOR LOST, DEFACED OR DESTROYED PERMIT OR DRIVER'S LICENCE

I, of
do solemnly and sincerely declare that –

1. I am the registered holder of learner's permit / provisional driver's licence / full driver's licence* no.

issued to me as the driver of a motor vehicle / cycle*.

2. The permit / driver's licence* has been lost / defaced / destroyed*.

3. The circumstances of the loss / defacement / destruction* are:

4. To the best of my knowledge and belief, no improper use has been or is being made of the permit / driver's licence*.

AND I make this solemn declaration by virtue of the *Oath, Affirmation and Statutory Declarations Act* consciously believing the statements contained in it to be true in every particular.

Declared at on.

(Signature of Declarant)

Before me –

Justice of the Peace or Commissioner for Declarations.

**Strike out whichever is inapplicable*.