

Peer passenger restrictions factsheet

What are the restrictions?

The following will apply to P1 drivers under the age of 25 who upgrade to P1 from 1 December 2020:



you can only drive with **ONE** peer passenger aged between **16** and **21** years (inclusive)



this applies at **any time** of the day.

Not everyone counts as a peer passenger and there are exemptions for essential activities.

Who is not counted as a peer passenger?

The following people are not counted as a peer passenger:



anyone younger than **16** or **22** and older



someone you are **married** to



a **partner** that you **live** with



your **immediate** family.

Immediate family includes:

- siblings, step-siblings and half-siblings
- a parent or guardian
- a child of a parent or guardian.

This means you can have more than one of these people in your car in any situation. Or one peer passenger and one or more of any of these people.

When can an exemption apply to me?



Employment (includes paid and volunteer work)

If you are driving as part of your work, or you are driving to or from work.



Education or training

If you are driving as part of an education or training activity, or to or from your place of education or training. This includes school, university, TAFE, apprenticeships

and other formal training providers. School sports training or competitions are not included in this definition and are not an exempt category.



Medical purposes

If you are driving to access medical treatment for yourself, your passenger(s) or for other medical purposes.



Undue hardship

If you are required to drive with more than one passenger in exceptional circumstances that would otherwise cause undue hardship on your family or the family of the passenger.



Travelling with an experienced driver

If you are driving with someone who holds a full Australian licence sitting in the front passenger seat next to you, they must intend to provide instruction if required. They also must not have been disqualified or suspended from an accumulation of demerit points in the last 12 months.



Emergency services

If you are driving as part of your role as a member of the emergency services, the peer passenger restriction will not apply.

Do I need to apply for an exemption?

There is no need to apply for an exemption if you meet the exemption criteria. However, it is your responsibility to provide evidence to Tasmania Police that you meet the relevant criteria if required.



You can download and complete the Peer Passenger Exemption Form to assist you in proving you satisfy the requirements.



This is not an official exemption application or legal document that will automatically exempt you. It is a way to help demonstrate to police how you have met the exemption criteria.



It is recommended that you also provide a signed letter from the relevant organisation, institution or person along with the exemption form for further evidence.

Scenarios



Scenario

You are an **18-year-old P1** driver. You need to give two of your work friends a lift to and from work and will be driving straight there and back. Your friends are also 18 years old.

Explanation

You can drive with both passengers. Because you are driving to and from work you are not limited to one peer passenger aged between 16-21.



Scenario

You are a **24-year-old P1** licence holder. You want to drive to a shopping centre to buy clothes with your three friends aged 20, 20 and 21 as passengers. Your friends do not have a full Australian licence.

Explanation

You are unable to drive with all three passengers as they are all within the 16 to 21 years old age range. Driving to a shopping centre to buy clothes does not meet any of the exemption criteria that would allow you to carry more than one passenger in this age group.



Scenario

You are a **19-year-old P1** licence holder. A training course requires you to leave the classroom for some hands-on learning at different locations. You need to give a lift to some of your classmates aged 19, 20 and 22, to these locations and back.

Explanation

You can drive with all passengers. Although two of your classmates are aged in the 16-21 age range, you are driving for an educational purpose.



Scenario

You are a **19-year-old P1** licence holder. You want to drive to the family shack for a weekend of surfing with your sisters aged 16 and 17 and two cousins aged 18 and 21. Your older cousin does not have a full Australian licence.

Explanation

You are unable to drive with all passengers. Your two sisters are not counted as peer passengers as they are immediate family. However, your two cousins are not considered immediate family and will both count as peer passengers.



Scenario

You are a **21-year-old P1** licence holder. You want to drive to the beach with your 16 year old brother and 18 year old friend as passengers.

Explanation

You can drive with both passengers. Although both passengers are between 16 and 21 years old, your brother is immediate family so he is not counted towards the one peer passenger restriction.



Scenario

You are a **22-year-old P1** licence holder. You want to give your 21 year old partner who lives with you and their two 20 year old friends a lift to the airport for a weekend holiday. Your partner and their friends do not have a full Australian licence.

Explanation

You are unable to drive with all three passengers. Your partner is not counted towards the one peer passenger restriction as you live with them. However, you are still carrying two other passengers aged between 16 to 21 and your reason for travelling does not fit any exemption criteria.

Scenarios



Scenario

You are a **24-year-old P1** licence holder. You are babysitting your neighbours' children who are 11 and 8 years old and need to drive them to their swimming lesson.

Explanation

You can drive with both passengers. Because your neighbours' children are both under 16 years old they are not counted as peer passengers.



Scenario

You are a **26-year-old P1** licence holder. You want to drive to the park to kick the footy with your two younger cousins aged 16 and 18 as passengers.

Explanation

You can drive with both passengers. Because you are over 25 years old the peer passenger restriction does not apply.



Scenario

You are a **21-year-old P1** licence holder. You are driving to a festival with a friend who is 22 and on their full Tasmanian car licence with a clean driving record. They are sitting next to you in the front passenger seat and are willing to help you with driving instruction if needed. Your three other passengers are aged 19, 20 and 21.

Explanation

You can drive with all passengers. Your friend on a full Tasmanian car licence is an experienced driver. The experienced driver must remain seated next to you in the front passenger seat and willing to give you driving instruction throughout the journey. In this situation you are not limited to one peer passenger aged between 16-21.



Scenario

You are a **21-year-old P1** licence holder. You need to drive your cousins aged 16 and 18 so you can attend your grandparent's funeral. You live in a rural area not serviced by other transport options and have no other means to get there.

Explanation

You can drive with both passengers. Although both passengers are between 16 and 21 years old, it would be undue hardship on you and your wider family to not allow you to drive in this situation.



Scenario

You are a **17-year-old P1** licence holder currently on a mountain biking trip. Two of your friends aged 16 and 17 have injured themselves and you need to drive them to hospital.

Explanation

You can drive with both passengers. Although both passengers are between 16 and 21 years old, you are driving for medical purposes so you are not restricted to one passenger in this age range.



Scenario

You are a **23-year-old P1** licence holder who has recently become employed as a paramedic. You want to drive to the movies with three of your friends. One friend is 22 years old and the other two are both 21 years old. Your friends do not have a full Australian licence.

Explanation

You are unable to drive with all the passengers. Although you are employed in the emergency services, you are not working at the time. This means both of your 21-year-old friends are counted towards the peer passenger restriction.