

Compliance, Investigations and Prosecutions Driver Training Information Bulletin



December 2019

Christmas Greetings



The festive season is rapidly approaching and it is time to reflect on the past year and to look to 2020.

All the Standards Unit wish you a safe and Merry Christmas and happy new year.

The last 12 months has seen the introduction of the new upgrade process. The new upgrade process seems to be popular with 24 individuals commencing an upgrade of which 9 have successfully completed.

The MDI application has been simplified by accepting a National Criminal Check from any accredited Australian Criminal Intelligence Commission agency.

It is acknowledged that the majority of participants in the industry are hard-working and committed to producing safe competent drivers, however, there are a small number who are not doing the right thing. As a result, regrettably, a lot of resources have been targeted at identifying and dealing with poor performance and those who are deliberately taking short cuts. This, after a South Australia Police investigation, culminated in the sentencing of MDI/Authorised Examiner Jawad Dimackhi to six years jail with a non-parole period of two years and nine months for multiple corruption offences, including accepting bribes, dishonestly dealing with documents and exercising power to secure benefits.

Training courses conducted by DPTI for CBTA and VORT in light and heavy vehicles have been updated and 9 courses delivered. In addition to these courses a further 12 tailored retraining programs for Authorised Examiners have been undertaken.

There has been 87 “regulator assessments” undertaken. Regulator assessments are a tool designed to ensure that applicants to become a Motor Driving Instructor, an Authorised Examiner or to upgrade their Appointment

- are competent to drive the relevant class of vehicle

- can undertake a short commentary drive identifying road hazards and features, and
- can train tasks, taken from the Driving Companion or from the relevant heavy vehicle trainee (learner) guide

The regulator assessment should be a formality for existing operators in the industry and new applicants, unfortunately the majority of applicants require multiple attempts to achieve competency.

Work has continued on the heavy vehicle manuals and it is anticipated that they will be released in the first quarter of 2020.

The rationalisation of hubs has continued to occur with the closure of a number of start points/hubs and creation of new routes for new hubs. This is an ongoing program, therefore hub locations and new hubs will be considered based on community needs.


Web Page

Recently DPTI has posted updated information on the SA.GOV.AU webpages [Motor Driving Instructor](#) (MDI) and [Authorised Examiners](#). These sites now include everything that you need to know about becoming an MDI, renewing your MDI licence, becoming an Authorised Examiner or upgrading your appointment to a heavier class. All the documents that support these processes like application forms, upgrade steps and checklists and descriptions of regulator assessments are included on the webpage. These sites should be the first port of call for anybody wanting to know anything about becoming or renewing an MDI or Authorised Examiner appointment.

Renewing Your MDI licence

MDI renewals are sent out 56 days (8 weeks) before they are due. You do not have to wait for your renewal to arrive to commence the process of gathering the supporting information to go with your renewal. Instead of waiting for the renewal notice, you can even complete the application form on the [Motor Driving Instructor](#) website, complete the road rules theory test early and submit the application form with supporting documentation. Please remember that your MDI renewal





is not a formality, it is a new application requiring the Registrar of Motor Vehicles or delegate to be satisfied that you meet the requirements to be a MDI. For this reason to avoid the possibility of not being able to operate while awaiting a decision please send your renewals/applications in as early as possible and at least two weeks (14 days) prior to the renewal date. If there is anything in your application that requires clarification, e.g. new criminal offences on the National Crime Check, the time to process your application may take longer.

The Driving Companion

DPTI is in the process of reviewing the Driving Companion to verify its contents and ensure that current driving conditions and vehicle technology are adequately covered. This review involves consultation with members of the driver training industry. It is proposed that when this review is completed both the Driving Companion and the Operators' Manual for CBTA Class C will be updated and the manuals will be published on the [Authorised Examiners](#) webpage.

Use of the Driving Companion by MDIs

DPTI fully supports and encourages MDIs to use the Driving Companion "Tasks" as a tool for driver training.

Is the primary resource providing session plans for the CBT&A training and assessment program. The session plans or "Tasks" include the learning outcome, assessment standard and "Task" requirements. This framework provides an excellent tool for MDIs to use to train applicants in preparation for a VORT.

The Driving Companion session plans may also be used as a tool to manage the expectations of clients or the client's support network as they can see accurately how they (the client) are progressing.

Vehicle Familiarisation prior to a VORT.

It has been reported that Authorised Examiners conducting a VORT in a vehicle the applicant is unfamiliar are reluctant to provide a vehicle familiarisation briefing to the applicant. This is because of the mistaken belief that this constitutes training. It is completely appropriate that you allow the applicant the opportunity to familiarise themselves with the test vehicle. You can provide instruction to assist with familiarisation prior to the VORT commencing. Some examples might include pointing out the operation of the push button handbrake, hybrid operation and informing them of the presence of and operation of vehicle automation technologies etc.

Compliance Report

Since the last bulletin, 23 Authorised Examiners have been reported for possible breaches of their appointment. Of those:-

- One Authorised Examiner has been revoked
- Three Authorised Examiners have been suspended and re-trained
- Five Authorised Examiners have been cautioned
- No further action was taken against one Authorised Examiner
- Thirteen matters are still under investigation

In addition:-

- One Motor Driving Instructor has been warned
- One matter relating to a Motor Driving Instructor is still ongoing

The breaches relate to:

- Non-compliance with assessment requirements
- Undertaking VORT/CBT&A without a booking
- Failing to ensure the client is up to the appropriate standard to undertake the last training session
- Training on VORT routes
- Inappropriate behaviour towards applicants
- Non-compliance with documentation requirements, i.e. monthly returns
- Inappropriate CoC issuing

Applicant driving without a QSD

Recently an industry member had the situation where a learner permit holder drove themselves to the start point without a QSD. The Authorised Examiner has asked for clarification on what they should do in this situation?

When undertaking a Practical Driving Test, an Authorised Examiner is undertaking a statutory function on behalf of the Registrar.

In this regard the simplest way to answer the question is, if it were the Registrar themselves booked to conduct the test, would they proceed with the test having seen the licence applicant drive contrary to the conditions of the permit issued by the Registrar?

The answer is no. The test should not proceed and the Authorised Examiner should report it to SAPOL.





Audits and cameras

Over the next few months Assessment Officers will commence wearing cameras during audits. These cameras are a tool to verify audit activities, therefore simplifying responding to complaints. Footage from the cameras may also be used as training tool. After an audit, where appropriate, footage may be shown to the Authorised Examiner to demonstrate areas requiring improvement.

The security of the footage is assured via the requirements of Section 139D of the *Motor Vehicles Act 1959*. This prohibits release of information obtained in the administration of the Act other than under certain circumstances, e.g. with the permission to whom the information relates (in the case of an audit the Authorised Examiner) or to a court for legal proceedings.

Cameras are simply another tool for the Assessment Officer and the Registrar or their delegate to verify the performance of Authorised Examiner appointed by the Registrar.

If an Assessment Officer is present and wearing a camera it will be considered a breach of the Rules Governing Authorised Examiners to refuse an audit. Rule 5.3 applies *“must permit an authorised person to ride in the vehicle and observe a VORT or CBT&A session for the purpose of conducting an audit”* and rule 5.4 *“must not take any action to avoid an audit”*.

Conducting Practical driving tests in English

Finally on audits it is a requirement that all practical driving tests are conducted in English. As outlined in the Operators Manuals the event (VORT or CBT&A last training session) commences with the meet and greet and does not finish until the end of the debrief at the conclusion of the test. All of this must be conducted in English.

Industry Questions

To ensure the Information Bulletins are relevant we are seeking questions from industry that we can include in the bulletin. So if you have any matters you would like clarified or explained, please provide them to DPTI.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: _____

Client or MDI number: _____

Email: _____

Contact number: _____

