

Undue hardship

This form is to be used by a probationary (P1) driver who needs to drive with **more than one peer passenger** and wishes to apply for an exemption.

Visit transport.vic.gov.au for more information about the process, requirements and fees to apply for this exemption.

Exemptions will only be granted where **undue hardship** by the applicant can be proven and we are satisfied that road safety is not compromised. Any exemption granted will be restricted and conditional.

Any exemption granted may result in conditions imposed on the person's driver licence for a specified period which:

- limit the carriage of peer passengers
- limit routes of travel when carrying peer passengers
- restrict driving to specified times of the day when carrying peer passengers
- restrict driving to specified days of the week when carrying peer passengers.

This regulation does not apply and no exemption is required if the probationary driver:

- is a member of the police force and is driving a motor vehicle in the course of their duties
- is driving an emergency vehicle in the course of their employment or duties, or in accordance with any terms of contract or any engagement
- has a supervising driver sitting beside them
- peer passenger(s) is (are) their spouse, domestic partner, and/or sibling(s) (see below for further information).

Note: The supervising driver must hold a full driver licence which authorises the person to drive that motor vehicle.

What is the peer passenger restriction?

The peer passenger restriction is where a probationary (P1) driver is not allowed to carry more than one peer passenger when driving.

A peer passenger is any person aged between 16 and less than 22, but does not include the driver's spouse, domestic partner, sibling or step-sibling.

The legal definition of each has been detailed below:

- Spouse:** a person to whom the person is married
- Domestic partner:** a person to whom the person is not married but with whom the person is living as a couple on a genuine domestic basis (irrespective of gender)
- Siblings:** brothers and sisters (including step and foster relationships).

When should an exemption be applied for?

An application for an exemption should **only** be made when you can demonstrate, by providing supporting documentation, that you or your immediate family will suffer undue hardship as a result of the peer passenger restriction due to the nature of your employment, essential activities or family circumstances.

Who is eligible to apply for an exemption?

To be eligible to apply for an exemption, you must already hold a probationary (P1) driver's licence.

What documentation must be provided?

To support the application, you must provide:

- Education:** a letter from an educational institution or course coordinator verifying student status, dates and times of attendance and identifying the hardship
- Employment:** a letter from the employer verifying the employment and identifying the hardship
- Family circumstances:** a letter from a relevant authority (e.g. medical practitioner, parish priest etc.) describing the impact on the family.

Submit application

You need to download this form and fill in the correct sections.

The form will need to be uploaded to vicroads.vic.gov.au along with the supporting documentation to support your exemption application.

You will have to pay an administration fee when you submit your documents online.

Once the application is submitted, you will receive a confirmation email from VicRoads.

Outcome of the application

You will be contacted within 15 working days of submitting your application.

If you have not been contacted you can call 13 11 71 with your driver licence number and the exemption application number for more information.

There are no reviews or refunds of rejected exemption applications.

If your driver licence is cancelled or suspended, any exemption may be withdrawn. This will have an impact on your licence when it is reissued or the suspension ends. If we decide to withdraw the exemption, you will be notified in writing and given an opportunity to show why you should be permitted to retain the exemption. If you don't respond to the notice within the required time, the exemption will be withdrawn without further notice.

Privacy statement

The Department of Transport and Planning ABN 69 981 208 782 ('Department') and R&L Services Victoria Pty Ltd ABN 28 657 005 493 (as Trustee for the Victorian R&L Services Trust ABN 96 342 123 072), known as 'VicRoads' and acting on behalf of the Secretary to the Department, ('we, us') collect personal information for registration and licensing purposes. This personal information will be handled by us as permitted or required by the applicable laws. Particularly by the Road Safety Act 1986. This includes the photograph and other information on your driver licence, learner permit or marine licence used for the purposes of biometric matching through the National Driver Licence Facial Recognition Solution for law enforcement, national security and other purposes.

It may also include any health information relating to your licence or registration, or sensitive information concerning any relevant criminal history. Your information may be disclosed to third parties including our contractors and agents, law enforcement agencies, other road and traffic authorities, Austroads, the Transport Accident Commission, vehicle manufacturers (for safety recalls), toll road operators, road safety researchers, courts and other organisations or people authorised to use the information.

Your failure to provide the information may result in this form not being processed, or your records not being properly maintained. For further information about our use of your personal information and your right of access to it, go to:

dtp.vic.gov.au/privacy.

Peer passenger restriction exemption application



1. Probationary licence details

Probationary licence number

2. Applicant's details

Surname (please print)

Given name(s) (please print)

Date of birth

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Residential address (please print)

Postal address (if same as residential write 'as above')

Mobile phone number (or other if not applicable)

Email

3. Employment travel details

(To be completed if you need to drive passengers to or from your place of employment.)

Are you self-employed?

Yes No

Employer's name (business name if self-employed)

Employer's address (business address if self-employed)

ABN (Australian Business Number)

Occupation

What are the times during the week and days of the week that you are expected to carry more than one peer passenger?

(Please give an example of a typical working week)

From am/pm	To am/pm	Days of the week

Note: A letter from your employer (or yourself if self-employed) on a business letterhead confirming these times and location must be submitted.

Could you use public transport or other means of travel as part of your employment?

Yes No

What public transport or other means of travel is available to you for travelling to and from your place of employment, or as part of your employment?

How many kilometres do you travel both ways to get to your place of employment?

km

4. Essential activity and family circumstance travel details

(To be completed if you need to drive more than one peer passenger to and from certain locations due to other essential activity or family circumstances.)

Please explain the essential activity or family circumstance which involves you having to drive the peer passengers.

What is the address to which you need to travel?

How often are you required to travel to this location?

(Daily, weekly etc.)

What are the usual times at which you are required to travel to this location?

(Please give an example of a typical working week)

Times (am/pm)

Mon	Tues	Wed	Thur	Fri	Sat	Sun

Note: A letter from a relevant person (e.g. medical practitioner, parish priest etc.) confirming these times must be provided.

What public transport or other means of travel is available for travelling to this location?

How many kilometres do you travel one way to get to this location?

km

Please list the **names, DOBs and addresses** of additional peer passengers requiring transport, their **relationship** to you and **reasons** for why these passengers require transport by you.

5. Affect on employment / essential activity / family circumstances and severe hardship that may be caused

Please outline below:

- how the peer passenger restriction would affect employment/essential activity/family circumstances
- what undue hardship may be caused to you and your family if this exemption is refused?

(Submit a separate sheet if required)

6. Declaration

Providing false or misleading information or documents is an offence under the *Road Safety Act 1986* and *Marine Safety Act 2010*, as applicable, and can result in you being fined or imprisoned. Further, any authority or approval, given as a result of you providing such information/documents, may be reversed and have no effect.

By signing this form, I declare that the information in this form and related supporting documents is true, correct and complete, and I understand the privacy statement.

I authorise VicRoads to make any enquiries considered necessary for the purpose of this application, including by contacting the writers of any letters submitted. I authorise VicRoads to contact me using any contact details I submit in connection with this application.

Applicant's signature

Date	D	D	M	M	Y	Y	Y	Y
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