

# The Shopfront

## YOUTH LEGAL CENTRE

### Traffic Fact Sheet 2 – Registering your vehicle

#### 1 What vehicles need to be registered?

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All ordinary motor vehicles (such as cars, motorbikes, trailers and caravans) which are driven, ridden or towed on NSW roads must be registered.

Some vehicles don't have to be registered (such as normal pushbikes), and some vehicles *cannot* be registered (such as modified motor vehicles, for example). See below for more information.

Using an unregistered vehicle is an offence and can lead to heavy fines (see below).

#### 2 What vehicles need to be registered?

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##### 2.1 Vehicles that need to be registered

Generally, any device with a motor attached must be registered if you want to use it on roads (or on road-related areas, which includes most public places).

##### 2.2 Vehicles that don't need to be registered

Non-motorised vehicles – such as ordinary pushbikes, skateboards and non-motorised scooters – don't need to be registered to be ridden on the roads. You must still obey the road rules (see *Traffic Fact Sheet 12 – Pushbikes and non-motorised vehicles*).

Some types of motor vehicles do not need to be registered, such as:

- Electric motorised bicycles with a maximum power of 200 watts,
- 'Pedalecs' with a maximum power of 250 watts,
- Motorised wheelchairs that are solely for the conveyancing of a person with a disability and are unable to travel more than 10km/h.

##### 2.3 Vehicles that cannot be registered

Some vehicles do not meet minimum Australian design standards for safety and **cannot be registered**. These types of devices ***must not be used on roads or in any public areas*** such as footpaths, car parks and parks.

These may include vehicles such as:

- All petrol-powered bicycles, including bicycles that:
  - Have had a petrol-powered engine attached after purchase
  - Were purchased with a petrol-powered engine attached
  - Are powered by any other type of internal combustion engine

- Motorised foot scooters (with or without a seat) with electric or petrol engines
- Mini bikes or monkey bikes
- ‘Motorised human transporters’, such as the WheelMan or SEGWAY
- Motorised skateboards with electric or petrol engines.

For specific details on whether any of these vehicles can or can’t be registered or used, see the RMS web page on ‘Unregistered vehicles’:

<http://www.rms.nsw.gov.au/roads/registration/unregistered.html>.

See also *Traffic Fact Sheet 11 – Motorbikes and scooters* for more info.

## 3 What are the steps and requirements to register a vehicle?

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For information about the registration process, see the Roads and Maritime Services (RMS) website at <http://www.rms.nsw.gov.au/roads/registration/index.html>.

### 3.1 Check that it is a vehicle that can be registered

First, you should make sure that your vehicle complies with design and safety standards and that it actually can be registered (see part 2 above for more details).

### 3.2 If you are buying a brand new vehicle from a dealer

If you buy a brand new vehicle from a dealer they will generally be able to register it for you, as long as you hold a current driver licence or have had a registration in your name before.

The dealer will be able to provide a Certificate of Registration, number plates and CTP insurance (see below).

You will have to pay the registration fee, stamp duty (a one-off state tax paid when buying new or used vehicles) and a number plate fee. For current fees and charges see: <http://www.rms.nsw.gov.au/roads/registration/get-nsw-registration/index.html>

If you’ve never dealt with Roads & Maritime Services (RMS) before, you’ll need to go to a registry or service centre in person and provide acceptable proof of identity so that you can be recorded in their system. There are strict requirements for proving identity, and you have to bring originals and not copies, see:

<http://www.rms.nsw.gov.au/roads/licence/identity/index.html>.

### 3.3 If you are buying a used vehicle

If you *buy a used vehicle that already has a current NSW registration*, you need to transfer the registration into your own name within 14 days (or else a late transfer fee will apply).

This can be done online or in person – you will need proof of identity details and must ensure the previous owner has lodged a Notice of Disposal (for online transfers) or has completed an Application for Transfer form (for in person transfers).

If you *buy a used vehicle that is not currently registered in NSW*, the first thing you need to do is have the vehicle inspected at an authorised inspection station. If the vehicle passes inspection, the examiner will give you a signed, printed identity and safety check.

### **3.4 Compulsory Third Party insurance (“green slip”)**

All vehicles (except trailers and caravans) must have Compulsory Third Party (CTP) insurance – a ‘green slip’. This is required by law and you must organise this before you can register your vehicle or renew your registration.

Your CTP policy must cover a period of 12 months. You can choose which insurance company to use.

CTP insurance provides cover for death and personal injury to any person if you, or the person driving your vehicle, are at fault in an accident. In some circumstances, CTP insurance covers you no matter who was at fault.

CTP insurance does *not* cover you for damage to your own vehicle or to other people’s vehicles or property. If you want to be covered for these things, think about taking out *comprehensive* or *third party property* insurance.

### **3.5 Inspection (“pink slip”)**

For some vehicles you will need to get a safety inspection check (a ‘pink slip’) before it is able to be registered.

An inspection check will usually be required if the vehicle is over 5 years old (your registration renewal notice will state whether or not your vehicle needs an inspection check) or if it is not currently registered.

You must have the vehicle inspected at an approved inspection station. Most mechanics will be able to tell you if they can perform the inspection check. You can also search for nearby inspection stations on the RMS website at <http://www.rms.nsw.gov.au/cgi-bin/index.cgi?action=esafetycheck.form>.

If the vehicle passes inspection, the results will be sent to the RMS automatically.

If the vehicle fails inspection, you will be given a ‘Repairs Needed report’ (sometimes called a ‘white slip’). This details the parts of your vehicle that need to be repaired.

If you have the repairs done within 14 days and return to the same inspection station, no extra fees will apply and if the examiner is satisfied with the repairs they will issue a passed safety check report. You can then renew your registration.

If you take longer than 14 days to have the repairs done or go to a new inspection station, you will need to get a new safety check done (with new fees payable).

### **3.6 Completing your registration**

When you have organised your CTP insurance (and a safety inspection check, if required), you can complete the registration process.

You have to pay a registration fee, plus a motor vehicle tax based on the weight of the vehicle. As of 1 July 2017 the registration fee is \$65 and as at 1 January 2018 the taxes are upwards of \$211 (for the full table see <http://www.rms.nsw.gov.au/roads/registration/fees/registration-costs.html> ).

### **3.7 Fee concessions and rebates**

If you have a Pensioner Concession Card you do not have to pay a registration fee or the motor vehicle tax (this applies to one vehicle only).

You will still need to pay for your CTP insurance, and a safety inspection check if required. Once the RMS receives confirmation of these, they will check for pensioner status eligibility automatically.

Some disability pension card holders may also be eligible to avoid transfer fees and stamp duty.

If you are a first or second year apprentice registered with the NSW Department of Education and Communities, you can claim a registration rebate of \$100. You can only claim the rebate once you've paid the registration fee and have lodged an apprentice registration rebate claim form, see the RMS website:

<https://www.service.nsw.gov.au/transaction/apply-apprentice-vehicle-registration-rebate>

### 3.8 Renewing your registration

Registration normally must be renewed each year.

The steps are basically the same each time:

1. Buy your CTP 'green slip'
2. Get a vehicle safety check ('pink slip') if required, and
3. Pay the fee to complete the registration process.

## 4 What penalties can I face for using an unregistered vehicle?

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If you use an unregistered vehicle you could be guilty of one or more of these offences:

1. Using an unregistered vehicle on a road. This includes *driving, parking or 'standing'* the car on a road. You can drive an unregistered vehicle in order to get it registered, but it must be driven the most direct or convenient route to the nearest registry or service centre. The maximum penalty is 20 penalty units (\$2,200).
2. Using a vehicle which has no CTP insurance. The maximum penalty is currently 50 penalty units (\$5,500).
3. Using a vehicle with the tax unpaid (you have to pay this tax with your registration fee). The maximum penalty is currently 6 penalty units (\$660).

The above offences are usually dealt with by a penalty notice (on-the-spot fine) of \$659 for each offence.

It is possible to be caught out in a 'triple whammy' of these three where a vehicle is unregistered, uninsured *and* has unpaid tax – here the penalties can add together and lead to a heavy total fine.

## 5 Can my registration be suspended or cancelled?

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The police or the RMS may *suspend or cancel* a vehicle's registration for various reasons, such as failure to pay tax on the vehicle, failure to arrange and pay for CTP insurance, or for unpaid fines (whether or not they relate to the vehicle).

The registration may also be suspended for up to 3 months if the vehicle is repeatedly involved in breaking traffic laws.

If your registration is suspended or cancelled, this could also mean that you have no CTP insurance. There is an exception for fine-default suspension or cancellation - this does not cancel your CTP policy.

## 6 What powers do the police have if they discover an unregistered vehicle?

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### 6.1 Power to inspect vehicles

A police officer may legally inspect a vehicle (whether or not it is on a road) for the purpose of deciding its condition or the status of any registration relating to the vehicle. They are allowed to enter the vehicle and 'observe the vehicle's performance'.

In this situation, the registered operator or owner of the vehicle must allow the officer reasonable access to inspect the vehicle (the maximum penalty for failing to do so is 20 penalty units, or \$2,200).

### 6.2 Power to seize unregistered vehicles

A police officer may seize any unregistered vehicle that is being used on a road.

If the vehicle has been seized, a police officer may apply to the Local Court for an order to have the vehicle forfeited – this means the vehicle will no longer belong to you and will become the property of the government.

If the police do this, they must give you notice of the application. You must then satisfy the Local Court that you did not intend to evade registration.

Otherwise, the authorities can waive this forfeiture of the vehicle if you pay the registration fee owed and the motor vehicle tax but a fine of 20% of that sum.

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### Updated May 2018

*The information in this fact sheet contains a basic summary of the law in New South Wales. It is not legal advice. If you need legal advice, you should speak to a lawyer.*

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