

# The Shopfront

## YOUTH LEGAL CENTRE

### Traffic Fact Sheet 1 - Getting a driver licence in NSW

#### 1 How can I get my licence?

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You can get a New South Wales driver licence from Roads and Maritime Services, (RMS). To find your nearest RMS motor registry, look up [www.rms.nsw.gov.au](http://www.rms.nsw.gov.au) or call 132 213.

You can hold multiple classes of driver licence. The classes of licence include car, motorcycle and heavy vehicle licences.

This fact sheet is mainly about getting a licence to drive a car. For information about getting a motorcycle licence, see *Traffic Fact Sheet 11 - Motorbikes and Scooters*.

There are four stages of licence:

1. Learner licence (L);
2. Provisional (P1) licence;
3. Provisional (P2) licence; and
4. Full (unrestricted) licence.

#### 2 Changes to licensing tests from 20 November 2017

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Changes to the tests required at each stage were made on 20 November 2017.

They are noted in this fact sheet but for further information about the changes see: <http://www.rms.nsw.gov.au/roads/licence/driver/get-driver-licence.html#ChangescomingtotheGraduatedLicensingSchemefrom20November2017>

#### 3 Step 1: Getting your Ls

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To get your Ls you must:

- be at least 16 years old;
- book and pass a Driver Knowledge Test (DKT). Before taking the DKT, make sure you study the *Road Users' Handbook* which is available from the RMS website for free or from any motor registry for \$12. You can do a practice DKT on the RMS website or on the DKT iPhone app. Lots of people take the DKT so you have to book. You can book online, in person at a registry or by calling 13 22 13;
- go to a RMS motor registry or Service NSW to prove your identity. There are strict requirements for proving your identity. The documents you need to bring to

are listed on the RMS website. You have to bring originals, not copies (see: <http://www.rms.nsw.gov.au/roads/licence/identity/index.html>);

- pass an eyesight test; and
- pay the DKT fee and a learner licence fee (for a table of current fees visit <http://www.rms.nsw.gov.au/roads/licence/fees.html>).

### **Special restrictions on learner licence holders**

If you don't obey these rules, it is an offence. The penalties can be severe and you could get demerit points and lose your licence.

#### ***Supervision***

You must be supervised at all times by a **full** Australian licensed driver.

#### ***Supervising another learner driver***

You must not supervise another L driver.

#### ***Displaying L Plates***

You must display 'L' plates on the front and back of the car. Plates must be displayed on the outside of the car and you have to be able to see the letter L.

#### ***Speed limits***

Never drive above 90km/h.

#### ***Demerit points***

If you get 4 or more demerit points during a 3-year period, your licence will be suspended for 3 months. See *Traffic Fact Sheet 4 – Licence suspension and appeals* and *Traffic Fact Sheet 5 – Demerit points*.

#### ***Extra demerit points for speeding***

Learner drivers incur 4 demerit points for even the most minor speeding offences.

This means that *any* speeding offence will result in automatic suspension of a learner's licence for at least 3 months.

#### ***Blood alcohol limits***

The legal alcohol limit in NSW is zero for all learner and provisional (P1 and P2) licence holders. See *Traffic Fact Sheet 8 – Drugs, alcohol and driving*.

#### ***Towing other vehicles***

You must not tow any other vehicle.

#### ***Seatbelts and passengers***

You must ensure all occupants including yourself as driver sit in a seat and wear an approved seat belt or child restraint.

#### ***Mobile phones***

You must not use any mobile phones, hand-held or hands-free unless you have fully parked the car. See *Traffic Fact Sheet 10 – Driving and mobile phone use*.

## 4 Step 2: Getting your Provisional (P1) licence

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To get your P1 licence, you must:

- be at least 17 years old;
- have held your learner's licence for at least 12 months (unless you are 25 or older);
- have logged at least 120 hours driving time on your Ls including 20 hours at night (unless you are 25 or older);
  - If you complete a one-hour structured driving lesson with a fully licensed driving instructor, you can record 3 hours of driving experience in the Learner Driver Log Book. A maximum of 10 hours of lessons will be accepted and recorded as 30 hours in the Learner Driver Log Book.
  - If you are in a specified remote area, you may be able to apply for a restricted P1 licence after logging 50 hours, including 10 night hours. See the RMS website for more details. <http://www.rms.nsw.gov.au/roads/licence/driver/p1.html>
  - There are also some programs to help disadvantaged young people to get their licence. These programs vary but they can involve access to a car and a supervisor to help with getting some driving experience. There is a list of the programs and their locations on the NSW Government Centre for Road Safety website at <http://roadsafety.transport.nsw.gov.au/aboutthecentre/aboriginalprojects/licensing.html>;
- prove your identity and pass the eyesight test;
- pay the Driving Test fee, the Hazard Perception Test fee (if applicable) and a Provisional P1 licence fee (<http://www.rms.nsw.gov.au/roads/licence/fees.html>); and
- book and pass the Hazard Perception Test (HPT). The HPT is a touch-screen computer test which measures your ability to recognise and respond to potentially dangerous situations. Before taking the HPT, study the Hazard perception Handbook which is available from the RMS website for free or from the motor registry for \$12. You can also do a practice test at the RMS website; and
- book and pass the Practical Driving Test. Before taking the test, make sure you study the *Guide to the Driving Test* which is available from the RMS website for free, or from any motor registry for a small fee.

Your P1 licence is issued for 18 months. If you haven't passed your P2 licence by the end of the 18 months you'll have to renew your P1 licence but you won't have to do the Driving Test again.

## 5 Step 3: Getting a Provisional (P2) licence

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To get your P2 licence, you must:

- hold a P1 licence for 12 months;
- prove your identity;
- pass the Hazard Perception Test (HPT); and

- pay the HPT fee (if applicable) and a Provisional P2 licence fee (see <http://www.rms.nsw.gov.au/roads/licence/fees.html>).
- **NB:** from 20 November 2017, drivers will not have to pass the HPT to get their P2 licence, as long as they passed the HPT when applying for their P1 licence.

A P2 licence is issued for 30 months and you must hold it for at least 2 years before progressing to your full licence. If you haven't got your full licence by the time your P2 licence expires, you can renew it for a fee without having to sit the HPT again (for a table of current fees see <http://www.rms.nsw.gov.au/roads/licence/fees.html>).

### **Special restrictions on P1 and P2 licences**

If you don't obey these rules, it's an offence. The penalties can be severe and you could get demerit points and lose your licence.

#### ***Displaying P Plates***

P1 drivers must display the red 'P' plates on the front and the back of the car. Plates must be displayed on the outside of the car and the red P must be visible.

P2 must do the same for their green 'P' plates.

#### ***Speed limits***

As a P1 driver, never drive above 90km/h and stick to speed limits if below 90km/h.

As a P2 driver, never drive above 100km/h and stick to speed limits if below 100km/h.

#### ***Demerit points***

Your licence will be suspended for 3 months if:

- as a P1 driver, you get 4 or more demerit points within a 3-year period; or
- as a P2 driver, you get 7 or more demerit points within a 3-year period.

See *Traffic Fact Sheet 4 – Licence suspension and appeals* and *Traffic Fact Sheet 5 – Demerit points*.

#### ***Extra demerit points for speeding***

P1 and P2 drivers incur 4 demerit points for even the most minor speeding offences.

This means that *any* speeding offence will result in automatic suspension of a P1 licence for at least 3 months.

See *Traffic Fact Sheet 4 – Licence suspension and appeals*, *Traffic Fact Sheet 5 – Demerit points* and *Traffic Fact Sheet 6 – Speeding*.

#### ***Automatic transmission vehicles***

P1 licence holders who passed their driving test in an automatic vehicle will be restricted to driving automatics. This condition remains until you are issued with a provisional P2 or unrestricted licence. To remove the condition earlier, you must pass a driving test in a manual vehicle.

#### ***Blood-alcohol limits***

The legal alcohol limit in NSW is zero for all learner and provisional (P1 and P2) licence holders. See *Traffic Fact Sheet 8 – Drugs, alcohol and driving*.

#### ***Supervising a learner driver***

P1 & P2 licence holders must not supervise a learner driver.

#### ***Seatbelts***

Both P1 & P2 drivers must ensure that all occupants, including yourself as driver, sit in a seat and wear an approved seat belt or child restraint.

### ***Towing restrictions***

For P1 drivers, you are only allowed to tow light trailers up to 250kg unloaded weight, and you must always display the P plate on the back of the trailer.

### ***Passenger restrictions***

#### ***Peer passenger restrictions that apply to all P1 licence holders under 25***

If you are on your P1s and are under 25, you must not drive at any time between 11pm and 5am with more than one passenger under the age of 21.

You may apply for an exemption from the passenger restrictions if there are exceptional circumstances (for example, you have to drive your younger siblings around and there is no one else who can do this).

#### ***Passenger restrictions for P1 & P2 drivers who have been disqualified***

If you were *disqualified* for a driving offence on or after 11 July 2005, you will only be allowed to carry *one* passenger for 12 months after the disqualification period.

You may apply for an exemption from the passenger restrictions but it will only be granted in exceptional circumstances.

### ***High performance vehicle restriction***

All holders of provisional licences (P1 and P2) issued on or after *16 December 2005*, are not allowed to drive certain types of high performance cars.

As a general guide, “high performance vehicles” are cars that have a power to mass ratio greater than 130 kilowatts per tonne, or have a significantly modified engine, or are listed in the Authority’s publication *Novice Drivers – High Performance Restrictions* on the RMS website at <http://www.rms.nsw.gov.au/roads/licence/driver/clause-32-list.html>. You must check this site to see if your car is listed.

### ***Restrictions on use of mobile phones***

A learner or P1 driver must not use *any* mobile phone while driving, whether hand-held or hands-free. See *Traffic Fact Sheet 10 – Driving and mobile phone use*.

### ***Extra time on a P1 or P2 licence***

#### ***For using fake ID***

If you are on a P1 or P2 licence and you commit an offence under section 129 of the *Liquor Act* (that is, being under 18 and using a false ID to gain entry to, or to remain in, or to obtain liquor from licensed premises), then the RMS may require you to spend an extra 6 months on your P1 or P2 licence (18 months in total).

#### ***Graffiti licence orders***

If you are convicted by a court of an offence under the *Graffiti Control Act*, in addition to whatever penalty the court imposes, the court may also make a “driver licence order”. This means that if you are on a learner or provisional licence, you may have to stay on your Ls or Ps for up to 6 months longer before progressing to the next level, and also you may not incur 4 or more demerit points in the next 6 months. For more information, see our fact sheet on *Common Offences: Graffiti*.

## 6 Step 4: Getting a full licence

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To get a full driver licence:

- you must have held your P2 licence for at least 2 years;
- prove your identity and pass an eyesight test;
- pay the Driver Qualification Test (DQT) fee and the unrestricted driver licence fee (see <http://www.rms.nsw.gov.au/roads/licence/fees.html>); and
- pass the DQT (if you got your P2 before 20 November 2017). The DQT is a touch-screen computer-based advanced hazard perception test and a further test of the road rules and safe driving. Before taking the DQT, study the Driver Qualification Handbook which is available from the RMS website for free, or from the motor registry for a small fee. You can also do a practice test at the RMS website.
- **NB:** from 20 November 2017 the DQT has been removed and no test will be required to gain a full licence; the only requirement is to have a P2 licence for at least 2 years.
- **NB:** As of 20 November 2017, if a driver on their P2 licence receives a suspension for getting too many demerit points, or for a higher risk offence like speeding by 30km/h or more, they will now have to stay on their Ps for an extra 6 months before being eligible for an unrestricted or 'full' licence. Any time spent suspended does not count towards the 24 months you need before you can apply for your full licence. You'll need to complete an extra 6 months for every suspension received while on your P2 licence.

Your first full licence may be valid for one year, three years or five years.

## 7 Losing your licence

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You could lose your licence if you incur too many demerit points, commit a serious traffic offence or fail to pay your outstanding fines.

See *Traffic Fact Sheet 3 – Driving without a licence*, *Traffic Fact Sheet 4 – Licence suspensions and appeals*, *Traffic Fact Sheet 5 – Demerit points*, *Traffic Fact Sheet 6 – Speeding* and *Traffic Fact Sheet 7 – Serious traffic offences and courts*.

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*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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