

# The Shopfront

## YOUTH LEGAL CENTRE

### Driving – Information for Young People

### Fact Sheet 9 – Motorbikes and Scooters

#### Motorcycle licences

##### Where can I get my licence?

You can get a NSW motorcycle rider licence from the Roads and Traffic Authority, NSW (RTA).

For general information about getting a driver licence, see our separate Fact Sheet, “Getting a Driver Licence in New South Wales”.

##### What do I have to do to get a licence?

To get your licence, you must complete the Motorcycle Rider Training Scheme, which is a training program designed to help you with basic riding skills

The training is conducted at training centres in a number of metropolitan and country areas. You may be exempt from doing this training if there are no training centres near where you live. Check the RTA website or call them on 13 22 13 for more information.

Also check the RTA handbook;

[http://www.rta.nsw.gov.au/licensing/downloads/motorcycle\\_riders\\_handbook.pdf](http://www.rta.nsw.gov.au/licensing/downloads/motorcycle_riders_handbook.pdf)

##### Getting your Ls

To get your Ls, you must be at least 16 years and 9 months old. You also have to:

- attend a **pre-learner** training course; which you can start when you are 16 years and 6 months old. When you successfully complete this course, you will get a “Certificate of Competence”, which is valid for 3 months from the date of issue;
- pass the rider knowledge test; and
- when you’ve passed these tests, go to your nearest motor registry, fill in an application form, take an eyesight test and pay a licence fee. Make sure you also take proof of identity.

Your Ls are valid for 6 months. You need to be on them for at least 3 months before progressing to the next level.

##### Getting your Ps

To get your Ps, you must:

- have your Ls for at least three months.

- do the **pre-provisional** training course. When you successfully complete this course, you will get a “Certificate of Competence”, which is valid for 3 months from the date of issue. *Remember, you have to pass the pre-provisional course before your Ls expire, otherwise you will have to re-sit the pre-learner course.*
- pass the Motorcycle Operator Skills Test (MOST); and
- go to your nearest motor registry with your Pre-provisional Certificate, your Ls and pay the licence fee.

### Getting a full licence

Once you have held your Ps for 12 months, you can get a full licence. There is no P2 licence for motorbikes.

All you need to do is go to your nearest motor registry, take your P licence and pay the licence fee.

### Road rules for L and P platers

Whilst you are on your Ls and your Ps, you must obey a number of important road rules. For example:

- Make sure you display your “L” plate or “P” plate on the back of your motorcycle;
- Wear an approved helmet;
- Only ride a motorcycle that is in the list entitled “Approved Motorcycles for Novice Riders”. This list is published by the RTA and you can find it on the RTA website at [www.rta.nsw.gov.au](http://www.rta.nsw.gov.au);
- Do not ride a motorcycle that has a power to weight ratio over 150 kilowatts per tonne and an engine capacity over 660ml.
- Do not drink – the alcohol limit for L and P1 and P2 platers is zero;
- Do not carry a passenger;

If you don’t follow these rules, you are committing an offence. The penalties may be severe and could include demerit points, fines or loss of licence.

### Road rules for all riders

#### General

The rider of a motor bike that is moving (other than a rider who is walking beside and pushing a motor bike), or the rider of a motor bike that is stationary but not parked, must:

- sit astride the rider’s seat facing forwards, and
- ride with at least 1 hand on the handlebars, and
- if the motor bike is moving-keep both feet on the footrests designed for use by the rider of the motor bike.

The maximum penalty for not obeying these rules: \$2200.00

### **Passengers**

As of 1 July 2008, any passenger carried on a motorbike (not in a sidecar) must be eight years of age or older. Children under eight are only allowed to be carried in the sidecar of a motorbike.

A passenger on a motor bike (except a passenger in a sidecar or on a seat designed for a passenger, other than a pillion seat) that is moving, or is stationary but not parked, must:

- sit astride the pillion seat facing forwards, and
- keep both feet on the footrests designed for use by a pillion passenger on the motor bike

The rider of a motor bike must not ride with more than 1 passenger (excluding any passenger in a sidecar or other seat designed for a passenger, other than a pillion seat).

Maximum penalty: \$2200.00

### **Registration**

To ride a motorbike, moped or Motor Assisted Pedal Cycle (over 200 watts in motor output) in public, these vehicles must be registered.

If your vehicle is unregistered it means you don't have compulsory third party insurance. Driving an unregistered and uninsured vehicle is an offence attracting an on the spot infringement notice fines of at least \$1012 (\$506 for being unregistered and \$506 for being uninsured). If the matter goes to court, the maximum fine is \$2200 for driving unregistered and \$5500 for driving uninsured.

### **Small motorised scooters and other unregistered vehicles**

#### **Moped**

A moped is usually a small pedal-assisted motorcycle.

The RTA require mopeds to be registered if they comply with the Australian Design Rules and the vehicle does not exceed engine cylinder capacity of 50ml and maximum speed of 50km/h.

Once registered, the moped users are to obey the same traffic regulations as motorcycle riders.

#### **Motor Assisted Pedal Cycle (MAPC)**

A motor assisted pedal cycle is a pedal cycle with a small auxiliary motor attached.

The RTA does not require MAPCs to be registered **unless the motor output exceeds 200 watts**. If the power output is such that it is required to be registered, then the vehicle would be treated as a moped.

If the vehicle is such that it does not require registration, the rider does not need to hold a license. However, they must wear suitable safety helmet and obey the same traffic laws as motorcyclists.

### **Pocket Bikes, Motorised Scooters and other Human Transporters**

Recently there has been a growing trend of pocket bikes available on the market, sometimes known as a 'minibike' or 'mini-moto' as well as motorised foot scooters (with or without a seat with an electric/petrol engine), motorised human transporters such as the WheelMan, or SEGWAY and motorised skateboards (with an electric/petrol engine).

These vehicles do not comply with the minimum Australian design standards for safety and hence cannot be registered. It is therefore an offence to use such vehicles on roads and in public areas such as footpaths, car parks and parks. It is, however, okay to ride these scooters on private property.

**Be aware: if someone tries to sell you a motorised scooter and tells you that you can ride it on the road without registering it, don't believe them!**

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### **Updated May 2010**

*The information in this fact sheet contains a basic summary of the law in New South Wales. It is not legal advice. This means that if you need legal advice, you should see a lawyer – do not rely on this information as a substitute for legal advice.*

For more information, visit us at [www.theshopfront.org](http://www.theshopfront.org) or contact us at:

Shopfront Youth Legal Centre

356 Victoria Street, Darlinghurst, NSW 2010

Tel: 9322 4808, Fax: 9331 3287, Email: [shopfront@freehills.com](mailto:shopfront@freehills.com)