

The Shopfront

YOUTH LEGAL CENTRE

Traffic Fact Sheet 2 – Registering your vehicle

1 Introduction

Most 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 pushbikes and some e-bikes).

Some vehicles (such as motorised scooters) *cannot* be registered and cannot legally be used on roads and other public areas.

Using an unregistered vehicle is an offence and can lead to heavy fines. It can also mean you are not insured in the event of an accident.

2 What vehicles need to be registered?

2.1 Vehicles that need to be registered

Generally, any vehicle 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.

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

- E-bikes which are designed to be propelled mainly by the rider and cannot be propelled exclusively by the motor. These include:
 - Power-assisted pedal cycles with a maximum power of 200 watts (and they must also meet other requirements)
 - Electrically power-assisted cycles ('Pedalecs') with a maximum power of 250 watts

As well as a maximum power limit, these bikes must also meet other requirements: see <https://roadsafety.transport.nsw.gov.au/stayingsafe/bicycle-riders/petrol-powered-bicycles.html>.

- Motorised wheelchairs that are solely for the transport of a person with a disability and are unable to travel more than 10km/h

Even if you don't have to register your vehicle, you must still obey the road rules. For more information see *Traffic Fact Sheet 11 – Motorbikes and scooters* and *Traffic Fact Sheet 12 – Pushbikes and non-motorised vehicles*.

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 “road-related areas”*** such as footpaths, car parks and parks.

These include vehicles such as:

- Petrol-powered bicycles
- 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 details on which of these vehicles can or can't be registered or used, see <https://roads-waterways.transport.nsw.gov.au/roads/vehicle-registration/unregistered-vehicles/index.html>.

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

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

For information about the registration process, see the TfNSW website at <https://roads-waterways.transport.nsw.gov.au/roads/vehicle-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. For more details, see part 2 above and <https://roads-waterways.transport.nsw.gov.au/roads/vehicle-registration/unregistered-vehicles/index.html>.

3.2 If you are buying a new vehicle from a dealer

If you buy a brand new vehicle from a dealer they will usually 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 <https://roads-waterways.transport.nsw.gov.au/roads/vehicle-registration/index.html>.

If you've never dealt with TfNSW before, you'll need to go to a motor registry or Service NSW centre and provide 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 <https://roads-waterways.transport.nsw.gov.au/roads/licence/proof-of-identity/proving-your-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 it 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 registrable vehicles (except trailers and caravans) must have Compulsory Third Party (CTP) insurance – a “green slip”. 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 can 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 TfNSW website at <https://roads-waterways.transport.nsw.gov.au/cgi-bin/index.cgi?action=esafetycheck.form>.

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

If the vehicle fails inspection, you will be given a “Repairs Needed Report” (sometimes called a “white slip”).

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 and pay another fee.

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. To find the current registration fee and motor vehicle tax see <https://roads-waterways.transport.nsw.gov.au/roads/vehicle-registration/registration-fees-concessions-forms/registration-fees.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 TfNSW 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 to help with the costs of registration. You can only claim the rebate once you've paid the registration fee and have lodged an apprentice registration rebate claim form. See <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?

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 vehicle 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. You can receive an on-the-spot fine of \$704 (for ordinary vehicles like cars). If the matter goes to court, the maximum penalty is 20 penalty units (\$2,200).
2. Using a vehicle which has no CTP insurance. You can receive an on-the-spot fine of \$704 or, if the matter goes to court, the maximum penalty is 50 penalty units (\$5,500).
3. Using a vehicle with the tax unpaid (you have to pay this tax with your registration fee). You can receive an on-the-spot fine of \$704 or, if the matter goes to court, the maximum penalty is 10 penalty units (\$1,100).

It is possible to be caught out in a 'triple whammy' of these three where a vehicle is unregistered, uninsured *and* has unpaid tax.

For more information on unregistered vehicle offences and penalties see: <https://roads-waterways.transport.nsw.gov.au/roads/demerits-offences/unregistered-offences.html>

5 Can my registration be suspended or cancelled?

TfNSW 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 if your registration is suspended or cancelled for fine default - this does not cancel your CTP policy.

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

6.1 Power to inspect vehicles

A police officer or TfNSW 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 (\$2,200).

6.2 Power to seize unregistered vehicles or numberplates

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.

TfNSW may waive the forfeiture, which means you can get your vehicle back, if you pay a fine. The amount is the vehicle registration fee, plus the motor vehicle tax, plus 20% on top of that.

The police also have power to seize numberplates from an unregistered vehicle, but only if the registration has been expired for at least 15 days or has been cancelled. If your plates have been seized by police, you will need to contact TfNSW to organise their return. You will need to pay a replacement fee of \$47 on top of your registration fees.

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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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