

The Shopfront

YOUTH LEGAL CENTRE

Traffic Fact Sheet 2 – Registering your vehicle

1 Introduction

Most vehicles (such as cars, motorbikes, trailers and caravans) must be registered to be driven, ridden or towed on NSW roads and road-related areas.

A road-related area includes:

- an area that divides a road;
- a footpath or nature strip adjacent to a road;
- an area that is not a road and that is open to the public and designated for use by cyclists or animals; or for driving, riding or parking vehicles (e.g. public car parks; petrol stations; car parks or driveways belonging to blocks of flats).

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 road-related areas.

Using (which can include parking) an unregistered vehicle on a road or road-related area is an offence. It can lead to heavy fines, and 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 road-related areas, which include 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 roads or road-related areas.

Some types of motorised vehicles do not need to be registered, for example:

- 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
 - electrically power-assisted cycles ('Pedelects') 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 the minimum Australian Design Rules for safety and *cannot be registered*.

These types of devices ***must not be used on roads or road-related areas***.

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 you are eligible

Usually, you have to be aged 16 or over to register a vehicle.

However, you don't need to have a driving licence.

3.2 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 of this fact sheet and <https://roads-waterways.transport.nsw.gov.au/roads/vehicle-registration/unregistered-vehicles/index.html>.

3.3 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 Compulsory Third Party 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>.

3.4 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.

3.5 Compulsory Third Party insurance ('green slip')

All registrable vehicles (except trailers and caravans) must have Compulsory Third Party (CTP) insurance – also known as 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.

3.6 Inspection ('pink slip')

Some vehicles require a safety inspection check (a 'pink slip') before they 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.

3.7 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>.

3.8 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>.

3.9 Renewing your registration

Registration normally must be renewed each year.

The steps are basically the same each time:

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

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

'Using' a vehicle includes *driving, parking or standing*. You may legally use an unregistered vehicle in some situations.

4.1 When can I drive an unregistered vehicle?

You may drive an unregistered vehicle to get it registered or to renew your registration (or to do things for this purpose, e.g. driving to an authorised inspection station to get your pink slip, or to the office of a licensed insurer to get CTP insurance). You must drive

via the most direct or convenient route. For more information, see <https://www.nsw.gov.au/driving-boating-and-transport/vehicle-registration/unregistered-vehicles/when-you-can-drive-unregistered-vehicle>.

You may also drive an unregistered vehicle if you have an 'unregistered vehicle permit' (UVP). This is a permit allowing you to use an unregistered vehicle for a limited period of time for a specific purpose. See <https://www.service.nsw.gov.au/transaction/apply-for-an-unregistered-vehicle-permit>.

4.2 When and where can I park an unregistered vehicle?

You may leave an unregistered vehicle parked on a road or road-related area:

- for up to 15 days after the vehicle ceased to be registered; or
- with the consent of the responsible person for the road or road-related area (for example, in a public carpark with the consent of the carpark operator; or in the carpark of your apartment block with the consent of the body corporate); or
- if you have an unregistered vehicle permit (see 4.1 above) authorising you to park it at that particular place and time.

4.3 Unregistered vehicle offences and penalties

If you use an unregistered vehicle on a road or road-related area, you could be guilty of one or more of these offences:

- Using an unregistered vehicle. 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).
- Using a vehicle which has no CTP insurance ('green slip'). 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).
- 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).

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 with unregistered vehicles?

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 or road-related area, unless the vehicle is exempt from registration.

If the vehicle has been seized, a police officer may apply to the Local Court for an order to have the vehicle forfeited. If your vehicle is forfeited, it 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 so you will have a chance to appear at court and have your say. The court cannot make a forfeiture order if you can satisfy the court that there has been no intent 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 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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