



Buying a Car

Before buying a second-hand car, it pays to get it inspected (by the NRMA or other independent mechanic); and do a PPSR check (Personal Property Security Register) which will show whether any money is owed on the vehicle, whether it was declared as “written-off”, whether it was ever de-registered due to unpaid fines and whether it has been reported stolen.

If buying from a car dealer, carefully read the contract before signing it, especially if the car dealer is arranging your finance (loan). Make sure you’re fully aware of terms in the contract covering interest, fees and charges, warranties and any cooling-off period. (See also May - Money and Debt)

Insurance

All vehicle owners must have compulsory third party (CTP “greenslip”) insurance, which covers you for claims for compensation if someone is injured in an accident. It does NOT cover damage to motor vehicles or other property.

Comprehensive insurance is optional and covers damage to your own and other people’s property resulting from an accident. Third-party property insurance is optional and covers damage to other people’s property only (NOT your own car). It’s wise to have third-party property insurance, in case you are unlucky enough - for example – to smash into a sports car. Even a small dent or scratch, on any vehicle, can be expensive to repair.

Prangs

Collisions frequently lead to legal disputes. If you are involved in a collision causing damage to your car, and you are confident you weren’t to blame, you can send a “letter of demand” to the other driver or their insurance company. (If you have comprehensive insurance, your insurer should look after this.)

If the other driver or their insurer alleges you were at fault, and you don’t agree, you can seek legal advice (see Help on the back of this page).

Most of these disputes are resolved by negotiation without court proceedings. Try not to feel pressured or intimidated by the demands of an insurance company or debt collection company: while they may contact you, they are not permitted to harass or bully you.

Driving Offences

For information on the different licence demerit points, speed restrictions, and blood alcohol restrictions applying to Learner, P1, P2 and full licence holders, see www.rta.nsw.gov.au/geared.

Penalty Notice for Traffic Infringements

Penalty Notices are issued for numerous traffic offences, such as parking infringements, speeding, not wearing a seatbelt, running a red light, negligent driving, and many others. Demerit points and fines apply. If someone else was driving your vehicle at the time of the offence, fill in these details on the back of the notice and mail it by the due date. If you were the driver, but believe you did not commit the offence, it’s best to seek legal advice before electing to have the matter dealt with in court.

Note: If you have committed the offence, a court cannot restore demerit points, and generally cannot overturn a decision of the RTA to suspend a licence. An exception is the right of appeal to the Local Court by a learner or a provisional licence holder against licence suspension for demerit points.

Full licence holders who receive a notice of suspension for accumulated demerit points can elect to have a “good behaviour licence” for 12 months. This is risky: if you get 2 or more demerit points during the good behaviour period your licence is suspended for double the original time!

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Note: There is no such thing as a special “drive to work” licence.

Note: If you don't pay your fines the RTA can (and will) cancel your licence and your vehicle registration. For information on avoiding this, see May - Money and Debt.

More Serious Traffic Offences

Some driving offences are dealt with in court and (normally) give you a criminal record. Examples include driving under the influence of alcohol or drugs; serious speeding; reckless and dangerous driving; driving while disqualified (cancelled or suspended licence); and negligent driving causing death or injury. Penalties range from fines to good behaviour bonds to imprisonment, in addition to a period of licence disqualification. Imprisonment becomes more likely if you are a repeat offender. (For information on court process, see October - Police and Criminal Law.)

Note: Many driving charges don't qualify for legal aid, so you may need to represent yourself or use a private solicitor. See legal advice Help points.

Passenger Restrictions

P1 drivers under the age of 25 must not carry more than one passenger under 21 between 11pm and 5am. The RTA can grant exemptions in exceptional circumstances.

HELP POINTS

Roads and Traffic Authority
www.rta.nsw.gov.au/geared
13 22 13

PPSR (*Personal Property Security Register*)
www.ppsr.gov.au
13 32 20

Shoalcoast Community Legal Centre
www.shoalcoast.org.au
4422 9529 (*Shoalhaven*)
1800 229 529 (*Eurobodalla and Bega Valley*)

LawAccess NSW
www.lawaccess.nsw.gov.au
1300 888 529