

Overseas driver licence holders' new arrangements from 1 July 2023



There are two new measures that will apply to overseas licence holders on temporary visas from 1 July 2023 – the ‘six-month rule’ and ‘withdrawal of driving privileges’.

Six-month rule

The new arrangements apply to a person who takes up residence in NSW on a temporary visa on or after 1 July 2023.

Under the new arrangements, temporary visa holders will need to obtain a NSW driver licence within six months if they have resided continuously in NSW and wish to continue to drive.

To be a resident of NSW, a person must ordinarily live at an address that is in NSW. A person may visit another state temporarily for a holiday or for work but would be considered to be continuously living in NSW. The timeline starts from the date that a person obtains, changes to, or uses a NSW address as their primary location.

Overseas licence holders who are residents of NSW prior to 1 July 2023 can continue to drive on their overseas licence and would not be required to meet the new requirements.

Example 1:

Person A arrives in NSW on 1 March 2023. The new ‘six-month rule’ does not apply. Person A can continue to drive in NSW on their overseas licence until they became the holder of a permanent visa under the Migration Act or their overseas licence expires or is otherwise cancelled or suspended.

Example 2:

Person B arrives in NSW on 1 July 2023. Person B will reside continuously in NSW for six months or more from that date. Person B would be required to obtain a NSW driver licence by 1 January 2024.

Example 3:

Person C resides in NSW for five months and then goes to Queensland for a one-month holiday. Person C is still required to obtain a NSW driver licence as their main residence is NSW.



Getting your NSW driver licence

1. Read the Road User Handbook to familiarise yourself with the NSW road rules to ensure you drive safely on NSW roads.
2. Complete your licence application form and prepare your supporting documentation.
3. Take your application form and required documents to a Service NSW Service Centre including proof of identity, your current overseas licence and translated documents if they're not written in English.
4. You will be advised at a Service NSW Service Centre if you meet licence eligibility, and if you are required to complete the Driver Knowledge Test and Practical Road Driving Test.

Applicants should allow plenty of time to meet all requirements for a NSW driver licence and successfully obtain, not just apply for, a NSW driver licence well before the end of the six-month period.

Penalties

From 1 July 2023, penalties will apply to a temporary visa holder who has resided in NSW for a continuous period of six months or more, and who continues to drive in NSW on their overseas licence. They will be considered to be driving a vehicle unlicensed.

It is proposed that a fine of \$603 will apply for a first offence and a fine of \$924 will apply for a second or subsequent offence. A maximum penalty of \$2200 (20 penalty units) may be imposed by a court.

Learn more at nsw.gov.au/overseasdriver.



Withdrawal of visiting driver privileges

On 1 July 2023, new arrangements will start for all persons in NSW driving on an overseas driver licence. Transport for NSW will permanently withdraw a person's visiting driver privileges if they:

- accrue 13 demerit points; or
- are convicted of a serious driving offence (listed under section 224 of the Road Transport Act 2013), or
- are suspended or disqualified from driving a motor vehicle in any part of Australia or another country; or
- are convicted of a drug or alcohol-related driving offence.

Serious driving offences include the following:

- drive in a manner that causes a serious accident, causing death or grievous bodily harm
- speed in excess of 45 km/h over the speed limit
- speed in excess of 30 km/h over the speed limit
- drive with a prescribed concentration of alcohol or prescribed illicit drug present
- take part in street racing and other hoon offences
- drive without supervision (learner licence holders).