



Driving without a licence – information for temporary visa holders

Read this factsheet to understand NSW driving laws if you are on a temporary work or study visa and what can happen if you are charged with driving without a licence.

It can be a crime to drive in Australia without a driver licence.

Police can stop you and check if you have a valid licence.

What could happen to me?

If you are driving without a valid driver licence, you could:

- get a fine
- have to go to court
- get a criminal record
- go to prison for up to 12 months and be disqualified from driving for some time.

If you were also charged with driving dangerously, or drink or drug driving, the penalties will be more severe. See the factsheet **Understanding drink driving charges** for more information about what can happen.

Do not drive without a licence or while your licence is suspended or disqualified.

When can I drive in NSW with my overseas licence?

Read the information below carefully. It's important to understand the new rules for driving on an overseas licence in NSW.

Time limits to transfer to a NSW licence

If you're a temporary overseas visitor who arrived in NSW **after 1 July 2023**, you can drive on NSW roads with your overseas licence for up to six months. After then, you'll need to have a NSW licence.

If you don't get one, you can be charged by NSW Police with driving without a licence.

If you are a temporary overseas visitor who arrived in NSW **before 1 July 2023**, you'll need to get a NSW driver licence before 1 March 2025. If you don't get one, you can be charged by NSW Police with driving without a licence.

For more information about applying for a NSW licence as a temporary visa holder see www.service.nsw.gov.au/transaction/apply-for-a-nsw-licence-as-a-temporary-overseas-visitor.

Withdrawal of driving privileges

If you drive using your overseas licence when your driving privileges have been withdrawn, you can be charged by NSW Police with driving without a licence.

Your driving privileges can be withdrawn for many reasons including if you are convicted of a drink driving or other serious driving offence.

If you want to drive again in NSW, you must apply for a NSW driver licence.

For more information about withdrawal of driving privileges, see the NSW government website.

Suspension or disqualification of your NSW driver licence

If you drive when your NSW licence is suspended or disqualified, you can be charged by NSW Police with driving without a licence.

Your NSW driver licence can be suspended for many reasons including:

- for not paying fines ie speeding or parking fines
- if you have lost too many demerit points, or
- if you committed a traffic offence, like speeding, drink driving or driving dangerously.

You will receive a letter to say your licence is suspended and for how long. When the suspension time is finished you can start driving again.

Disqualification is different from being suspended. Only a court can disqualify your licence.

I got a notice to attend court for driving without a licence, what should I do?

1. See a lawyer before you go to court

Getting legal advice will help you understand the court process and your rights.

Call LawAccess NSW on **1300 888 529** as soon as you have received your Court Attendance Notice. They can give you free information and help you find a lawyer. They can also help if you need to book an interpreter for court or to speak to the lawyer.

2. Ask for an interpreter if you need one

Call Court Services on **1300 679 272** to book an interpreter for court. A Legal Aid lawyer can also organise an interpreter for you for court and for your appointment.

3. Get a driver licence

If you have been charged with driving while unlicensed, it is a good idea to get a driver licence before the court date. You can find information about how to do this at www.service.nsw.gov.au.

4. Get character references

Ask a person you know to write a letter to the magistrate about your good character. It may help your case. See the Legal Aid NSW publication '[Character References](#)' for what they should write.

5. Write down what you want to say in the court

A lawyer can help you talk to the magistrate in court. You should also write a letter or read it out in court explaining what happened and why and include things like:

- any special reason why you were driving
- why you were driving without a licence
- why you need your licence for work
- if it's difficult to take public transport because you live in the country
- if you have family members you care for and need to drive them, and
- what your weekly income and expenses are (this will help the court work out any fine it gives you).

6. Sort out your fines

If your licence was suspended because you haven't paid your fines, you should arrange to pay them. If you can't afford to pay the fine, you can ask Revenue NSW for a payment plan and pay them off over time. As soon as you make

an arrangement with Revenue NSW to do this your suspension will be lifted. If you need help to manage your fines debt, contact Revenue NSW on **1300 655 805**.

7. Read the Legal Aid NSW factsheet 'What happens when you go to court?'

This will help you understand how to prepare for court, what happens in court and what penalties you could get.

Will this affect my visa or application for residency?

Most traffic offences will not affect your visa. If you go to prison or get a criminal record it might. Talk to a lawyer. Call LawAccess NSW on **1300 888 529** for free legal help about visa cancellation. You can get an interpreter for free.

Where can I get legal help?

LawAccess NSW

LawAccess NSW is a free information service run by Legal Aid NSW. Anyone who has a legal problem in NSW can contact LawAccess NSW for legal help.

LawAccess NSW can connect you to a lawyer, a community legal service or other services.

Click on the Chat with us button at www.legallaid.nsw.gov.au or call **1300 888 529** between 9am and 5pm, Monday to Friday (excluding public holidays).

Where can I get more information?

- **Service NSW** – **13 77 88** or www.service.nsw.gov.au for help on how to apply for your licence.
- **Revenue NSW** – **1300 655 805** or www.nsw.gov.au/money-and-taxes/fines-and-fees/fines for information about your fines.

This publication is a general guide to the law. You should not rely on it as legal advice and we recommend that you talk to a lawyer about your situation. The information is correct at the time of printing, however it may change.