



Demerit Points SA



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TRAFFIC LAW

In South Australia, if you exceed your **demerit points** allowance, you could **lose your licence**.

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Demerit Points in South Australia

As well as the penalties in the [Road Traffic Act 1961](#), many traffic and driving offences also attract demerit points in South Australia. These points are recorded by the Registrar of Motor Vehicles against the driver's licence. If you commit an offence interstate, demerit points are also recorded against your South Australian licence.

A court may reduce the number of demerit points for an offence, or make an order made that no demerit points are imposed if there is any 'proper cause', or if the offence was 'trifling'. Demerit points in South Australia apply from the date the offence was committed and are erased 3 years after that date.

If you are convicted of, or pay an expiation fee for, more than one traffic offence resulting from the same incident (excluding red light camera offences), you will only accrue the demerit points for the most serious offence.

The law relating to demerit points in South Australia is the [Motor Vehicles Regulations 2010](#). A list of offences and penalty points is available [online](#).

Demerits warning notice

If you have an [EzyReg](#) account, you can check how many demerit points you have online. Otherwise, you can call on 13 10 84, or visit a [Service SA customer service centre](#) in person.

If you accrue 6 or more points, you will get a notice warning that you are close to being disqualified (unless your address is interstate). The notice will state:

- the details of the offence
- the date the offence was committed
- the number of demerit points you have accrued for each offence.



Demerit Points in South Australia

You will exceed your demerit points in South Australia if:

- you hold a Learner's permit or a provisional licence and you accrue 4 or more demerit points. You will be disqualified for 6 months.
- you hold a Full licence and you accrue 12 or more demerit points. You will be disqualified:
 - for 12 to 15 points, 3 months
 - for 16 to 20 points, 4 months
 - for more than 20 points, 5 months.

Disqualification from driving

If you are disqualified, you will receive a notice of disqualification in the mail. The notice will advise you how long your disqualification lasts.

You must acknowledge receipt of the notice and pay a fee. If you don't, it will be served on you personally and you will have to pay a higher fee. If you can't be served, you will be unable to conduct any business to do with motor vehicles (such as renewing your registration or licence).

Disqualification will start 28 days after the notice is sent to you, providing you have acknowledged receiving it.

If you are already disqualified, it will start straight after your current disqualification ends. If you are disqualified, your licence will be suspended or cancelled. If it is cancelled, you won't get a refund for the time left on your licence. You may be given the choice of:

- being disqualified for the length of time set out in the Notice, or
- driving with 'good behaviour' for 12 months, or
- if you are on a Provisional licence, entering into a Safer Driver Agreement for the rest of your licence.



If you are eligible for a good behaviour option or a safer driver agreement, you must advise the Registrar of Motor Vehicles if you agree to accept it. You can do this at a **post office** (within 21 days) or at a **Service SA customer service centre** (within 28 days).

If you don't apply within time, the disqualification will take effect.

Good behaviour option

A good behaviour option lasts for 12 months. If you choose this option, you can continue driving but if you incur 2 or more demerit points during that time you will be disqualified for twice the length of time you were originally given.

There is no right of appeal or further good behaviour option available to you.

Demerit points counted towards a demerit disqualification or good behaviour option cannot be counted towards a future disqualification.

Safer driver agreements

If you accept a safer driver agreement, you are able to continue driving but if you incur 4 or more demerit points during the agreement you will be disqualified for 12 months.

There is no right of appeal and you will not be able to apply for another safer driver agreement for 5 years.





Remember, you are NOT alone!

Where you go from here depends on your own situation. Everyone has their own individual priorities and demands on their life that they need to deal with.

This information guide points you in the right direction as to what options might be available to get the outcome that you need—options that many of our clients are not aware of before talking to us.

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NATIONAL LEGAL HOTLINE

 **1300 636 846**
7am to Midnight, 7 Days

Call now on

1300 636 846

7am to Midnight and speak direct with a Traffic Lawyer to get your traffic law questions answered. You can also request a callback at gotocourt.com.au/traffic-law

When you call the hotline you will speak directly with a lawyer. Your conversation will be treated with the strictest of confidentiality and sensitivity. At the end of the call you will have some clarity on the steps you need to take next and how you can have the best chance at an outcome that will ensure you will attend Court armed with knowledge and support.

Scan this QR code to find more details about Traffic Law:

