

## Instructions for filling out an application to remove driver licence disqualification

These are instructions. It is important to complete this form with your own details and based on your own circumstances. If you need more help get legal advice

# Application to remove driver licence disqualification

*Road Transport Act 2013, section 221C*

## Applicant Details

Name: [Your name](#)

Residential address: [Your street address](#)

Postal address (if different from above): [Write the best address for you to be sent mail, for example, a PO box. If it is the same as your street address, leave blank.](#)

Date of birth: [Your date of birth](#)

NSW Driver Licence number or RMS Customer Number: [Your licence number as it appears on your licence or RMS Customer Number](#)

Legal representative's name: [Leave blank](#)

Legal representative's firm: [Leave blank](#)

Legal representative's address: [Leave blank](#)

## Order/s sought

That my driver licence disqualification is removed.

## Reasons in support of application

I have not been convicted of any driving offence during the relevant offence-free period.

I have not been convicted on an offence that would make me ineligible to apply.

I am eligible to apply as I have not committed a driving offence during the offence free period before making this application. [You must make sure this statement is true and if so tick next to it.](#)

I am eligible to apply as I have not committed an offence that would cause me to be ineligible to apply. [You must make sure this statement is true and if so tick next to it.](#)

A Local Court has not refused an application for removal of my driver licence disqualification within the last 12 months. [You must make sure this statement is true and if so tick next to it.](#)

I request that the Court take the following information into account:

[List the reasons why you think your driver licence disqualification should be removed. For example:](#)

- [you have not committed any recent offences](#)
- [if your public transport options are limited](#)

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- your need for a licence, including any family or carer responsibilities, work or education commitments or health problems.
- brief information about your financial circumstances.

Particulars of any pending proceedings against the applicant for an alleged driving offence: You must include any alleged driving offences which have not been included in your RMS driving record. This includes any alleged driving offences which have an upcoming court date and you have not been convicted for.

I have attached an up-to-date statement of driving record and cover letter issued by Roads and Maritime Services. You must your RMS cover letter confirming you are eligible to apply and an up-to-date driving record. Your application will not be considered without both of these.

I acknowledge that in the event this application is successful I must obtain a new licence from the Authority before driving and that the issue of a new licence is subject to the settlement of any outstanding debt with Revenue NSW.

Applicant Signature: [sign here](#)

Date: [date here](#)

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### FOR OFFICE USE:

#### OPTION 1: Approval to issue Process

I have considered this application taking into account the provisions of Section 47 of the *Local Court Act 2007* and Rule 8.4 of the *Local Court Rules 2009*. I have not identified any issues that would preclude me from signing this application. I have signed this application and notice of listing may be issued.

.....

Registrar (signed)

Application filed at: .....

Date:

Matter to be listed Local Court at ..... (Place of Listing) on ..... (Date of Listing)

#### OPTION 2: Refusal to Issue Process

I have considered this application taking into account the provisions of Section 47 of the *Local Court Act 2007* and Rule 8.4 of the *Local Court Rules 2009*. I have identified the following issues that preclude me from signing this application:

- Grounds not disclosed [s47(2)(a) *Local Court Act 2007*] – *reasons not required*.
- Notice on wrong form [s47(2)(b) *Local Court Act 2007*] – *reasons not required*.
- In my opinion the following grounds for refusal exist [s47(2)(c) *Local Court Act 2007* and Rule 8.4 *Local Court Rules 2009*]:
  - The proceedings have no reasonable prospect of success. [*reasons are required and are set out below*.]

**Reasons** for refusal pursuant to s47(2)(c) and Rule 8.4:

- Applicant committed/convicted of offence of \_\_\_\_\_ on \_\_\_\_\_ within relevant offence free period (S221B *Road Transport Act 2013*)
- Applicant committed/convicted of offence of \_\_\_\_\_ on \_\_\_\_\_ Deemed Never eligible to apply (s221D *Road Transport Act 2013*)
- Applicant has made previous application within past 12 months.
- Other:

I have not signed this application. I have advised the applicant of my reasons for refusing to sign the application.