

Motor Vehicle Registry Information Bulletin

L28 - Northern Territory Demerit Points Scheme and How it Affects You

Why have a Demerit Points Scheme in the Northern Territory?

In 2006 a Northern Territory Road Safety Taskforce study reported that the rate of repeat traffic offending in the NT is alarming. Speeding infringements alone in the period 2003 – 2005 numbered 74,531. These were issued to 44,276 drivers. Of these:

- 8,165 drivers (18.4%) were issued with two speeding fines;
- 3,418 drivers (7.7%) were issued with three speeding fines;
- 3,227 drivers (7.3%) were issued with four speeding fines; and
- 134 people were issued with between 4 – 10 speeding fines, with the worst offender receiving 47 fines in the three year period.

The Demerit Points Scheme targets repeat traffic offenders. Drivers and riders who repeatedly commit traffic offences and accumulate points will ultimately have their driver licences suspended under this Scheme.

What is the NT Demerit Points Scheme?

The NT Demerit Points Scheme (DPS) is based on the national demerit points scheme. The scheme allocates points against certain existing traffic offences. The DPS aims to assist in modifying the driving behaviour of those who repeatedly break Territory Road Laws and place themselves and others at risk. The scheme does not impact on those drivers and riders who drive safely and obey Road Laws.

What offences have points attached?

The NT Demerit Points Scheme targets (and weights the severity of) offences that are of particular concern for safer road use in the NT. [Table 1](#) provides a complete list of demerit pointable offences.

Who does the NT DPS affect?

The NT DPS affects all drivers and riders in the NT who are detected committing “pointable” offences.

How many points do I start with?

At commencement of the NT DPS, all NT drivers will start with zero points.

How do I get points?

Each time you commit a pointable offence, the associated points are placed against your name / record.

When do the points appear on my record?

Demerit points are only added to your record after the offence has been finalised. In other words, after you pay the fine, a court finds you guilty (after any appeal is completed) or when the Fines Recovery Unit is able to take action to recover the fine from you.

Do I only get points in the Northern Territory?

No. If you commit a demerit points offence interstate, on or after 1 September 2007, and it corresponds to an NT pointable offence, the points can be notified to the NT. The number of points allocated in the other jurisdiction will apply to your points record in the NT.

Why do we get points in other jurisdictions?

All Australian States and Territories (including the NT from 1 September 2007) apply demerit points to offending drivers regardless of licence or residency status. This ensures that visiting drivers and riders abide by road rules in other jurisdictions.

How can I avoid getting demerit points?

The only way to be certain of avoiding demerit points is to drive safely and legally. The Demerit Points Scheme only impacts on drivers and riders who repeatedly break road rules, placing themselves and other road users at risk of injury or fatality.

What fines are payable under the NT Demerit Points Scheme?

There are no fines associated with the NT Demerit Points Scheme. Fines payable are only a result of the offence to which points are attached (the fine would be payable whether demerit points are attached or not). In other words the Demerit Points Scheme oversits the existing traffic infringement / offence process.

What if there's a mistake on my record?

In the unlikely event that points have been added to your record in error, you may apply for a review of your record. Any genuine error discovered will immediately be rectified by the Registrar of Motor Vehicles.

How many points am I allowed to have before action is taken against me?

All drivers have their points action trigger set at 12 points within any 3 year period. This means that 11 points are acceptable, however 12 or more points will trigger action against you.

Learners, provisionals and overseas drivers will be subject to 5 points or more within 12 months. If they don't reach this trigger, they will be subject to the 12 points within 3 years trigger.

What happens when I reach the action trigger point?

A formal Notice of Suspension or Good Driving Behaviour Option will be posted to your last known (to MVR) address. The notice advises of suspension of your NT licence, of your right to drive in the NT (for visiting drivers) and/or of your right to obtain or renew a licence in the NT effective 28 days from the notice date.

The notice also explains options that may be chosen by you within 21 days from the notice date.

The options are:

1. Do nothing. The suspension will commence on the date indicated on the notice.
2. Undertake a 12 month Good Driving Behaviour period.
3. Apply to start your suspension immediately rather than wait until 28 days after the notice date.

What is the Good Driving Behaviour option?

The Good Driving Behaviour (GDB) option allows you to keep driving, but your points action trigger will now be set at 2 points within 12 months. This provides you with a chance to improve your driving behaviour without loss of driving privilege.

Can all drivers elect to undertake the Good Driving Behaviour option?

No. The Good Driving Behaviour option is only available if you are an NT licence holder (even if you are currently disqualified from driving for some other reason).

This means that eligible non NT licensed drivers who obtain an NT licence within the 21 day option electing period may then elect to take the Good Driving Behaviour option.

What if I breach Good Driving Behaviour?

If you breach Good Driving Behaviour by accruing 2 or more points within the 12 months Good Driving Behaviour period, your licence will be suspended for double the suspension period that would have applied if you hadn't chosen the Good Driving Behaviour option. You will not be eligible for a further Good Driving Behaviour period as an alternative to the suspension.

How will another driving disqualification affect demerit points action against me?

If you elect to take the Good Driving Behaviour (GDB) option whilst disqualified from driving for any other reason, your 12 months GDB period will not commence until your existing disqualification period ends.

If another disqualification commences whilst you are on GDB, then your GDB period is paused and will not resume until the other disqualification period ends. Your actual GDB period must total 12 months regardless of how many pauses there may be along the way.

If you are subject to a demerit points suspension, any disqualification other than for Fines Recovery action will come first. Your demerit points suspension will be paused (if already running), or delayed if not yet commenced.

Fines recovery suspensions and demerit points suspensions run at the same time.

What happens to the points after action is taken?

All points that contribute to an action are considered spent and will not be used in any further actions.

What happens if I commit more pointable offences whilst on DPS disqualification?

The appropriate number of points will be added to your record and will become active when the current disqualification period ends.

For how long would my licence be suspended?

If your action trigger is 12 points within 3 years, then the suspension would be:

- 12 – 15 points = 3 months suspension
- 16 – 19 points = 4 months suspension
- 20 or more points = 5 months suspension

If your action trigger is 5 points within 12 months, then the suspension would be:

- 5 – 8 points = 3 months suspension
- 9 – 12 points = 4 months suspension
- 13 or more points = 5 months suspension

What do I do when my demerit points action is over?

If your licence has not expired you may resume driving. If your licence has expired or you are disqualified from driving for some other reason, you must not drive until you are legitimately licensed once more to do so.

Can I appeal against demerit points suspension?

No. The law compels the Registrar of Motor Vehicles to act whenever a points action trigger is reached, there is no discretion. Therefore the law provides no appeal mechanism for demerit points suspension.

However, the Registrar must correct the number of points recorded against you if satisfied that the number is inaccurate, after taking into account information from Police, eg, that an infringement notice has been withdrawn.

How can I find out how many points are currently on my record?

You will be able to check the number of points recorded against you at your convenience through the Motor Vehicle Registry (MVR). You will be asked to verify your identity before the tally is given.

Also, as a courtesy you will be sent a caution notice when your record reaches 6 active points and, if you are a Learner or Provisional licence holder, each time points are added to your record.

Where can I find out more?

Further details are available via MVR outlets and remote police stations through Information Bulletins, the MVR website, and by phone.

Contact Details	
Demerit Points Unit	
Telephone	1300 364 924
Facsimile	(08) 8999 3117
Email	demerit.points@nt.gov.au
Motor Vehicle Registry	
Telephone	1300 654 628
Facsimile	(08) 8999 3103
Email	mvr@nt.gov.au
Web	www.mvr.nt.gov.au
Postal Address	GPO Box 530 Darwin NT 0801

Table 1: Demerit Points Offences in the Northern Territory

Offence	Points	Source of Offence	
SPEEDING			
Exceed speed limit by over 45 km/h	6	Australian Road Rule 20	1
Exceed speed limit over 30 km/h up to 45 km/h	4	NT Traffic Act 30A	
Exceed speed limit over 15 km/h up to 30 km/h	3	Offence appears in both sources	
Exceed speed limit up to 15 km/h	1		
TRAFFIC LIGHTS (red lights only)			
Fail to stop at red traffic light	3	Australian Road Rule 56(1)	2
Fail to stop at red traffic arrow	3	Australian Road Rule 56(2)	3
Entering intersection after stopping at red light	3	Australian Road Rule 59(1)	4
Entering intersection after stopping for red arrow	3	Australian Road Rule 60	5
Fail to stop at twin red lights that are not at a level crossing	3	Australian Road Rule 66(1)	6
SEATBELTS			
Drive with unrestrained passenger under 16	3	Australian Road Rule 266(1) NT Traffic Regulation 5 NT Traffic Regulation 6(2) Offence appears in 3 sources	7
Drive while not wearing a seatbelt, or not properly fastened	3	Australian Road Rule 264(1)	8
LEVEL CROSSINGS			
Fail to stop or give way at a stop sign at a level crossing	3	Australian Road Rule 121	9
Fail to give way at a level crossing with a give way sign	3	Australian Road Rule 122	10
Entering level crossing when booms down etc	3	Australian Road Rule 123	11
DRINK DRIVING			
Drive or instruct with alcohol in blood – Driving Instructor.	3	NT Traffic Act 26(1)(a), 26(1)(b)	12
Drive with alcohol in blood – driver under 25 and not held licence continuously for 3 years, driving vehicle with GVM greater than 15 tonne, driving dangerous goods vehicle, driving Commercial Passenger Vehicle, driving vehicle fitted or equipped for more than 12 persons, driving vehicle carrying more than 12 persons, driving vehicle with person travelling in load space	3	NT Traffic Act 25(3)	13
Drive a motor vehicle with a low range blood alcohol content	3	NT Traffic Act 23(1)	14
MOBILE PHONES			
Drive while using hand held mobile phone	3	Australian Road Rule 300(1)	15
Learner and Provisional using any mobile phone	3	NT Traffic Regulation 15A	16
LEARNER AND PROVISIONAL LICENCE HOLDERS			
Drive without L plates displayed at front and rear of vehicle	2	NT Traffic Regulation 12(4)	17
Drive a motorcycle without L plate displayed at rear of motorcycle	2	NT Traffic Regulation 13(2)	18
Drive without P plates displayed at front and rear of vehicle	2	NT Traffic Regulation 14(2)	19
Drive motor cycle without P plate displayed at rear of motor cycle	2	NT Traffic Regulation 15(1)	20
ANTI-HOONING			
Take part in event on road or public place (speed trials or races)	3	NT Traffic Regulation 37(1A)	21
Drive vehicle causing smoke when not in authorised event (burnouts)	3	NT Traffic Regulation 37A(1)	22
Drive vehicle causing damage to road or public place	3	NT Traffic Regulation 37B(1)	23