

# SDRO Review Guidelines

State Debt Recovery Office



[www.sdرو.nsw.gov.au](http://www.sdرو.nsw.gov.au)



Office of  
State Revenue  
State Debt Recovery

September 2010

# Contents

Section	Page	Section	Page
Overview	1	2.4 You sold or transferred ownership prior to the date of the offence/wrong owner	7
What decisions will be made about my review?	2	2.5 Stolen vehicle or plates	8
<b>1.0 Parking offences</b>	<b>3</b>	2.6 Deceased persons	8
1.1 10-year clear driving	3	2.7 Emergency services	8
1.2 You are the registered owner of the vehicle but you were not the driver	3	2.8 Fraudulent use of particulars/claims of false identity	8
1.3 Vulnerable persons – mental incapacity	3	2.9 Medical emergencies	8
1.4 Medical emergencies	3	2.10 False nominations	8
1.5 Broken down vehicle	4	2.11 Vulnerable persons	9
1.6 Deceased persons	4	<b>3.0 Camera detected red light penalty notices issued to the registered owner</b>	<b>10</b>
1.7 Wrong vehicle	4	3.1 10-year clear driving	10
1.8 You sold or transferred the vehicle ownership prior to the date of the offence/wrong owner	4	3.2 You are the registered owner of the vehicle but you were not the driver	10
1.9 Duplication of penalty notice for the same offence (continuous offences)	4	3.3 Wrong vehicle	10
1.10 Emergency services direction/ Police arrest or witness	4	3.4 You sold or transferred ownership prior to the date of the offence/wrong owner	10
1.11 Ticketed parking	5	3.5 Stolen vehicle	10
1.12 Parking meters	5	3.6 Deceased persons	11
1.13 Mobility Parking Scheme	5	3.7 Emergency services	11
1.14 Resident Parking Permit	5	<b>4.0 Red light penalty notices issued to a driver</b>	<b>12</b>
1.15 Timed parking – sign posted	5	4.1 10-year clear driving	12
1.16 Signposted restrictions	5	4.2 Fraudulent use of particulars/claims of false identity	12
1.17 Special/restricted zones	6	4.3 Deceased persons	12
1.18 Loading zones	6	4.4 Emergency services	12
1.19 Emergency vehicles, essential services	6	<b>5.0 Mobile phone and in-car TV/DVD penalty notices</b>	<b>13</b>
1.20 Stolen vehicles or plates	6	5.1 Fraudulent use of particulars/claims of false identity	13
<b>2.0 Speeding offences</b>	<b>7</b>	5.2 Deceased persons	13
2.1 10-year clear driving	7		
2.2 You are the registered owner of the vehicle but you were not the driver	7		
2.3 Wrong vehicle	7		

Section	Page	Section	Page
<b>6.0</b>	<b>Seat belt penalty notices</b>	<b>14</b>	
6.1	10-year clear driving		14
6.2	Fraudulent use of particulars/ claims of false identity		14
6.3	Deceased persons		15
<b>7.0</b>	<b>Negligent driving penalty notice issued to a driver</b>	<b>16</b>	
7.1	10-year clear driving		16
7.2	Fraudulent use of particulars/ claims of false identity		16
7.3	Deceased persons		16
<b>8.0</b>	<b>L and P plate penalty notices issued to a driver</b>	<b>17</b>	
8.1	Fraudulent use of particulars/ claims of false identity		17
8.2	Deceased persons		17
8.3	Not displaying L or P plates		17
<b>9.0</b>	<b>Unlicenced driver/rider, including penalty notice 'not produce licence'</b>	<b>18</b>	
9.1	Fraudulent use of particulars/ claims of false identity		18
9.2	Deceased persons		18
9.3	Driving unlicenced but was a Transport Authority error		18
9.4	Driving unlicenced but held an interstate licence and not resident in NSW		18
<b>10.0</b>	<b>Standing of unregistered vehicle issued to the registered owner of the vehicle (including abandoned vehicles)</b>	<b>19</b>	
10.1	Wrong vehicle		19
10.2	You sold or transferred the vehicle ownership prior to the date of the offence/ wrong owner		19
10.3	Stolen vehicle		19
10.4	Deceased persons		20
10.5	Registering Authority error		20
<b>11.0</b>	<b>Unregistered and uninsured vehicle penalty notice issued to the driver</b>	<b>21</b>	
11.1	Fraudulent use of particulars/ claims of false identity		21
11.2	Deceased persons		21
11.3	I was fined for driving a vehicle which was unregistered/ uninsured but the vehicle is registered and insured		21
11.4	The vehicle was being driven to the nearest convenient Motor Registry Vehicle Inspection Station for a purpose directly associated with the registration process		22
11.5	Unregistered vehicle not owned by the driver		22
11.6	I am not the registered owner of the vehicle and the registration of the vehicle was cancelled due to a fine default by the owner		22
11.7	The vehicle is registered interstate and the renewal is within the period of grace allowed in the relevant state		22
<b>12.0</b>	<b>Weights and loads offences</b>	<b>23</b>	
<b>13.0</b>	<b>Rail offences</b>	<b>23</b>	
13.1	Fraudulent use of particulars/ claims of false identity		23
13.2	Vulnerable persons – mental incapacity		23
13.3	You committed an offence because you feared for your personal safety		24
13.4	Medical condition/emergency		24
13.5	Deceased persons		24
13.6	Duplication of penalty notice for the same offence		24

Section	Page	Section	Page
13.7	24	<b>16.0 T-Way and bus lane offences</b>	<b>30</b>
13.8	25	16.1	30
13.9	25	16.2	30
<b>14.0 Littering offences</b>	<b>26</b>	16.3	30
14.1	26	16.4	31
14.2	26	16.5	31
14.3	26	16.6	31
14.4	26	16.7	31
14.5	26	16.8	31
14.6	27	16.9	31
14.7	27	16.10	32
<b>15.0 Toll offences</b>	<b>28</b>	16.11	32
15.1	28	16.12	32
15.2	28	16.13	32
15.3	28	16.14	32
15.4	28	<b>17.0 Water offences</b>	<b>33</b>
15.5	29	17.1	33
15.6	29	17.2	33
15.7	29		
15.8	29		

Section	Page	Section	Page
17.3	33	<b>19.0 Fail to nominate offences</b>	<b>36</b>
17.4	33	19.1 The company has been liquidated – no longer trading	36
17.5	33	19.2 Stolen vehicle	36
17.6	33	19.3 You sold or transferred the vehicle ownership prior to the date of the offence/ wrong owner	36
17.7	33	19.4 Wrong vehicle	36
17.8	33	<b>20.0 Building development and environmental offences</b>	<b>37</b>
17.9	34	<b>21.0 Animal offences</b>	<b>37</b>
17.10	34	21.1 Fraudulent use of particulars/ claims of false identity	37
<b>18.0 Criminal infringement notice offences</b>	<b>35</b>	21.2 Deceased persons	37
18.1 Fraudulent use of particulars/ claims of false identity	35	21.3 You sold or transferred ownership of the animal prior to the date of the offence	37
18.2 Deceased persons	35	21.4 The animal is deceased	38
18.3 Vulnerable persons – mental incapacity	35	21.5 Animal not under effective control	38
18.4 Disputing offence or seeking leniency	35		
18.5 Financial hardship	35		

# Overview

**Note:** This document is accurate at the time of publication, but can change without notice to meet legislative requirements or a change in focus on enforcement of specific offences.

The State Debt Recovery Office (SDRO) provides a processing service for penalty notices issued by some 230 agencies, which can be affixed to vehicles, presented in person or mailed to individuals or companies.

SDRO also issues notices directly for camera detected offences such as speed, red light and bus lane cameras to the registered owners, and for false nominations and fail to nominate.

In providing this service, SDRO processes in excess of 2.8 million penalty notices per annum.

These guidelines are for when there may be extenuating or exceptional circumstances which you believe justify reconsideration of the matter without the need to go to court, which were not evident to the reporting officer at the time.

It is not intended that these guidelines will cover every possible scenario. The exercise of discretion in making determinations, based on the information presented, rests with the Director, SDRO and officers operating under delegation.

The following guidelines attempt to outline the general circumstances which SDRO will take into consideration when reviewing your request. This does not guarantee that leniency will be afforded as every case must be considered on its own merits but it will provide some guidance on how you can help SDRO help you. SDRO may also consult the issuing authority if necessary.

It must be recognised that SDRO did not witness the alleged offence where the penalty notice has been issued on the spot. Issuing authorities reserve the right to decide matters and to direct SDRO accordingly on the course of action to be followed.

These guidelines apply **only** to requests for review that are received before the due date on the penalty reminder notice. If the penalty reminder notice is not paid by the due date the penalty will be enforced and enforcement costs of \$50 will be added to the enforcement order. If you believe an error has been made or you can prove that you were not at the location of the offence when it occurred, you should contact SDRO to discuss the matter. For further information regarding appealing an enforcement order, refer to the annulment process under 'Requesting a review' at [www.sdرو.nsw.gov.au](http://www.sdرو.nsw.gov.au)

SDRO will generally not consider leniency for certain offences where safety is an issue. These include:

- speeding offences where the speed detected is 30kms or more over the speed limit
- demerit point offences in school zones
- mobile phone offences
- RailCorp – safety offences
- unauthorised use of mobility parking permits
- multiple offences of non display of permits
- driver seat belt offences

- burnouts
- where multiple offences are issued from one camera incident (where a red light and a speed penalty notice are both issued because of one detected incident).

SDRO may also consult the issuing authority if necessary to resolve a matter.

Unless we advise you otherwise, SDRO will place your fine on hold until we review your claim and advise you in writing of the outcome.

### **What decisions will be made about my review?**

The circumstances and evidence you provide will be used to make a decision on the penalty notice. The decisions that are made and what they mean are:

**Penalty To Stand** – The circumstances or issues raised in your request for a review do not warrant granting a caution. The penalty notice must be paid, or, if you still wish to dispute the penalty notice you can elect to have the matter determined by a Magistrate in court. Additional costs may be imposed by the court.

**Caution** – The penalty notice was issued correctly and the offence occurred. The circumstances and evidence provided have been considered. Payment is not required and demerit points will not apply against your licence. However the 'caution' will be recorded on your traffic record. For other offences, leniency may not be offered for a similar future offence.

**No Action** – The penalty notice does not sufficiently disclose the offence, or has been issued in error. For an offence that carries demerit points this will mean that no entry is made on your driving record and no demerit points will be applied.

If you wish to proceed to court you will need to advise SDRO in writing by the due date on the penalty reminder notice to avoid enforcement action and further charges. Any request to have the matter heard in court after enforcement action has commenced will be charged a \$50 annulment fee and you will be restricted to the circumstances listed in Sections 48 and 49 of the *Fines Act 1996*.

# 1.0 Parking offences

Councils, NSW Police Force and statutory authorities can issue parking penalty notices.

## General information

It is unlikely that a favourable decision will be made in cases of parking offences which carry demerit points that take place in school zones.

### Circumstances that will be reviewed for parking offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>1.1 10-year clear driving (Demerit point offences only)</b></p>	<p>I have been issued a demerit parking offence <b>that did not occur in a school zone</b> and I do not have any offences recorded on my driving record, previous cautions or relevant court convictions in the prior 10 years.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>The 10-year period is 10 years prior to the date of the offence.</li> <li>The combination of any licences issued by an Australian traffic authority can be used to cover the 10-year period provided they are continuous.</li> <li>The 10-year clear driving record does not include the learners permit period.</li> <li>Relevant court decisions include: good behaviour bond, court caution or any alcohol related driving offences.</li> </ul>	<p>Details of your claim including details of your licence.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>NSW licence holders do not need to send SDRO details of your licence as these can be obtained from records held by NSW RTA</li> <li>If you have not held a NSW licence for 10 years, but held an interstate licence (or licences) for part of the time, you must supply copies of your certified traffic records from the licensing authorities of all states to cover a continuous 10 years of driving.</li> <li>International licence record will not be considered.</li> </ul>
<p><b>1.2 You are the registered owner of the vehicle but you were not the driver</b></p>	<p>I own the vehicle and have been sent a penalty notice but I was not the driver at the time of the offence.</p>	<p>Send in a completed statutory declaration telling SDRO the driver/person responsible for the vehicle at the time of the offence.</p>
<p><b>1.3 Vulnerable persons – mental incapacity</b></p>	<p>The person issued the penalty notice has a diagnosed mental health condition* and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.</p> <p><i>*These matters may be referred to the NSW RTA Licence Review Unit in the interest of public safety.</i></p>	<p>Report from a medical practitioner, health institution, support agency or government department setting out history of mental health issues and how they resulted in or contributed to the offence.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>1.4 Medical emergencies</b></p>	<p>The parking offence occurred because:</p> <ul style="list-style-type: none"> <li>there was a medical emergency</li> <li>I obtained timed parking and I could not return to the vehicle due to an unexpected trauma or treatment during an appointment</li> <li>I was visiting someone in hospital and their condition worsened or death was imminent and it was not reasonable to leave at that time.</li> </ul> <p><i>*These matters may be referred to the NSW RTA Licence Review Unit in the interest of public safety.</i></p>	<ul style="list-style-type: none"> <li>Proof of medical emergency on letterhead from medical authority that can be passed on to the issuing authority.</li> <li>Letter on official letterhead from a medical practitioner or medical professional supporting the circumstances.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>1.5 Broken down vehicle</b></p>	<p>The vehicle was broken down at the time of the offence.</p>	<p>Proof of vehicle breakdown such as repair or tow receipt.</p> <p>Any documentary evidence should clearly show the time, date and place of breakdown.</p> <p>Multiple claims may not be accepted and question of vehicle road worthiness may be referred to the NSW RTA.</p> <p><i>It is an offence to provide false or misleading information. These matters may be referred to NSW Police for investigation.</i></p>
<p><b>1.6 Deceased persons</b></p>	<ul style="list-style-type: none"> <li>■ The person who committed the offence is now deceased.</li> <li>■ The person named on the penalty notice is now deceased, but was not the person responsible for the offence.</li> </ul>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death</li> <li>■ the executor of the estate, or authorised person, should send a statutory declaration telling SDRO the name and address of the person responsible, along with proof of death.</li> </ul>
<p><b>1.7 Wrong vehicle</b></p>	<p>I believe the penalty notice has been issued to my vehicle in error.</p>	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records will be used to confirm.</i></p>
<p><b>1.8 You sold or transferred the vehicle ownership prior to the date of the offence/wrong owner</b></p>	<p>I have been recorded as the owner of a vehicle in error.</p>	<p>The registered owner should update the change of ownership with NSW RTA and then send SDRO a statutory declaration providing details of the new owner. They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p> <p><i>Relevant traffic authority records may be used to confirm.</i></p>
<p><b>1.9 Duplication of penalty notice for the same offence (continuous offences)</b></p>	<p>I received two or more penalty notices for the same offence and the zone or time limit has not recommenced or changed.</p> <p><i>This does not mean that a vehicle detected for repeat offences cannot be given additional penalty notices for each separate offence committed.</i></p>	<p>Details of your claim and details of the multiple penalty notices that are in dispute.</p>
<p><b>1.10 Emergency services direction Police arrest or witness</b></p>	<ul style="list-style-type: none"> <li>■ I was directed to park my car by an emergency services worker during an emergency.</li> <li>■ I was arrested by Police and could not move my car.</li> <li>■ I was assisting Police as a witness and overstayed the time limit.</li> </ul>	<ul style="list-style-type: none"> <li>■ Details of your claim including any supporting documentation.</li> <li>■ Police event number.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
1.11 Ticketed parking	<ul style="list-style-type: none"> <li>■ I purchased a valid parking ticket but it was not correctly displayed.</li> <li>■ The parking ticket machine was faulty.</li> <li>■ I left the vehicle for the purpose of obtaining change and I returned with the change confirmed this with the issuing officer.</li> <li>■ I was unfamiliar with the operation of the ticket machine and purchased multiple tickets which combined, did not exceed the allowable time limit and this is the first time I have made this claim.</li> <li>■ I overstayed the time limits because the keys were lost, stolen or locked in the vehicle.</li> </ul>	<ul style="list-style-type: none"> <li>■ A copy of the valid parking ticket. This will be checked against the information recorded by the issuing officer at the time of the offence.</li> <li>■ Details of the fault reference number if obtained. These matters will be referred to the issuing authority for confirmation of the fault.</li> <li>■ This will be checked against the information recorded by the issuing officer at the time of the offence.</li> <li>■ An event number from the police report or confirmation on letterhead from a roadside assistance service of a call out, mechanic or tow receipt.</li> </ul>
1.12 Parking meters	<ul style="list-style-type: none"> <li>■ The parking meter was faulty.</li> <li>■ I placed money in the wrong meter or bay.</li> <li>■ I left the vehicle for the purpose of obtaining change and I returned with the change, I confirmed this with the issuing officer.</li> <li>■ I overstayed the time limits because the vehicle was broken down or the keys were lost, stolen or locked in the vehicle.</li> </ul>	<ul style="list-style-type: none"> <li>■ Details of your claim including the details of the time at which you attempted to make payment and the fault reference number, if obtained, and these matters will be referred to the issuing authority for confirmation of the fault.</li> <li>■ Details of your claim, including the time at which you made payment, and this will be checked against the information recorded by the issuing officer at the time of the offence.</li> <li>■ Details of your claim and this will be checked against the information recorded by the issuing officer at the time of the offence.</li> <li>■ An event number from the police report or confirmation on letterhead from a roadside assistance service of a call out, mechanic or tow receipt.</li> </ul>
1.13 Mobility Parking Scheme	<p>Mobility parking – first offence for non display of permit.</p>	<p>Copy of the relevant valid permit – both sides must be provided.</p> <p><i>Multiple repeat offences will not be considered.</i></p>
1.14 Resident Parking Permit	<ul style="list-style-type: none"> <li>■ Resident parking – first offence for non display of permit.</li> <li>■ I had a valid resident parking permit and a vehicle other than the vehicle authorised by the permit was being used, due to the unavailability of the vehicle authorised by the permit.</li> </ul>	<p>Copy of the relevant valid permit – both sides must be provided.</p> <p><i>Multiple repeat offences will not be considered.</i></p>
1.15 Timed parking – sign posted	<p>I overstayed the time limit because the vehicle was broken down or the keys were lost, stolen or locked in the vehicle.</p>	<p>An event number from the police report or confirmation on letterhead from a road side assistance service of a call out, mechanic or tow receipt.</p>
1.16 Signposted restrictions	<p>I parked in an area and the signage that applied was changed after I parked.</p>	<p>Details of your claim will be checked against the information recorded by the issuing officer at the time of issue.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>1.17 Special/restricted zones</b></p>	<p>I am authorised to use the zone eg work zones, hospital zones, mail vehicles.</p>	<p>Details of your claim and written documentary evidence will be checked against the information recorded by the issuing officer at the time of issue.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>1.18 Loading zones</b></p>	<ul style="list-style-type: none"> <li>■ My vehicle is permitted* to be parked in a loading zone and I was engaged in setting down or picking up goods or passengers.</li> <li>■ I purchased a valid loading zone ticket and the vehicle is the type that is allowed to use a loading zone.</li> <li>■ I could not obtain a ticket for the ticketed loading zone because the machine was faulty.</li> </ul>	<ul style="list-style-type: none"> <li>■ Details of your claim will be checked against the information recorded by the issuing officer at the time of issue and NSW RTA registration records.</li> <li>■ Details of your claim and valid ticket and this will be checked against the information recorded by the issuing officer at the time of issue.</li> <li>■ Details of your claim including the details of the fault reference number. These matters will be referred to the issuing authority for confirmation of the fault.</li> </ul>
<p><b>1.19 Emergency vehicles, essential services</b></p>	<p>Emergency vehicles/essential services engaged on official duties.</p>	<p>Confirmation in writing from Service agency.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>1.20 Stolen vehicles or plates</b></p>	<ul style="list-style-type: none"> <li>■ The vehicle was stolen at the time of the offence.</li> <li>■ The vehicles plates were stolen at the time of the offence.</li> </ul>	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>■ an Event number from the NSW Police Report</li> <li>■ a copy of a report from interstate police.</li> </ul> <p><i>These documents must clearly show the time and date the vehicle was stolen and/or recovered.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

## 2.0 Speeding offences

NSW Police Force and NSW RTA can issue speeding offences.

### General information

You may make a claim for review of a speeding penalty notice if you have a clear driving record for the 10 years prior to the offence. It is unlikely that a favourable decision will be made where the speeding penalty notice is for:

- Driving more than 30km/hr above the speed limit;  
or
- Speeding in a school zone.

**Circumstances that will be reviewed in line with the above include:**

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>2.1 10-year clear driving</b>	<p>I do not have any offences recorded on my driving record, previous cautions or relevant court decisions for the past 10 years.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>■ The 10-year period is 10 years prior to the date of the offence.</li> <li>■ The combination of any licences issued by an Australian traffic authority can be used to cover the 10-year period provided they are continuous.</li> <li>■ The 10-year clear driving record does not include the learners permit period.</li> <li>■ Relevant court decisions include a good behaviour bond, court caution or any alcohol related driving offences.</li> </ul>	<p>Details of your claim including details of your licence.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>■ NSW licence holders do not need to send SDRO details of your licence as these can be obtained from records held by NSW RTA.</li> <li>■ If you have not held a NSW licence for 10 years, but held an interstate licence (or licences) for part of the time, you must supply copies of your certified traffic records from the licensing authorities of all states to cover a continuous 10 years of driving.</li> <li>■ International licence record will not be considered.</li> </ul>
<b>2.2 You are the registered owner of the vehicle but you were not the driver (Camera detected offences only)</b>	<p>I own the vehicle and have been sent a penalty notice but I was not the driver at the time of the offence.</p>	<p>Send in a completed statutory declaration telling SDRO the driver/person responsible for the vehicle at the time of the offence.</p>
<b>2.3 Wrong vehicle</b>	<p>I believe the penalty notice has been issued to my vehicle in error.</p>	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records may be used to confirm.</i></p>
<b>2.4 You sold or transferred ownership prior to the date of the offence/ wrong owner</b>	<p>I have been recorded as the owner of a vehicle in error.</p>	<p>The registered owner should update the change of ownership with NSW RTA and then send SDRO a statutory declaration providing details of the new owner. They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p> <p><i>Relevant traffic authority records may be used to confirm.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
2.5 Stolen vehicle or stolen plates	<ul style="list-style-type: none"> <li>■ The vehicle was stolen at the time of the offence.</li> <li>■ The vehicles plates were stolen at the time of the offence.</li> </ul>	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>■ an event number from a NSW Police Force report</li> <li>■ copy of a report from interstate Police.</li> </ul> <p><i>These documents must clearly show the time and date the vehicle was stolen and/or recovered.</i></p>
2.6 Deceased persons	<ul style="list-style-type: none"> <li>■ The person who committed the offence is now deceased.</li> <li>■ The person named on the penalty notice is now deceased, but was not the responsible person for the offence.</li> </ul>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death</li> <li>■ the executor of the estate, or authorised person, should send a statutory declaration telling SDRO the name and address of the person responsible, along with proof of death.</li> </ul>
2.7 Emergency services	<p>The vehicle was an emergency services vehicle engaged in official duties.</p>	<p>Confirmation in writing from Service agency:</p> <p><i>A statutory declaration nominating the driver is not required if the vehicle was on official duties.</i></p>
2.8 Fraudulent use of particulars/claims of false identity	<p>I was not the person who committed the offence and believe that another person has used my particulars.</p>	<ul style="list-style-type: none"> <li>■ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>■ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>■ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>■ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
2.9 Medical emergencies	<p>The offence occurred because:</p> <ul style="list-style-type: none"> <li>■ there was a medical emergency.</li> </ul> <p><i>*These matters may be referred to the NSW RTA Licence Review Unit in the interest of public safety.</i></p>	<ul style="list-style-type: none"> <li>■ Proof of medical emergency on letterhead from medical authority that can be passed on to the issuing authority.</li> <li>■ Letter on official letterhead from a medical practitioner or medical professional supporting the circumstances.</li> </ul> <p><b>Notes:</b></p> <p>These matters may be referred to the issuing authority for a decision.</p>
2.10 False nomination	<p>I believe that I have been falsely nominated as being responsible for this offence.</p>	<p>Provide documentary evidence that you could not have been responsible for the offence including: proof of your whereabouts at the time of the offence (overseas, in hospital etc).</p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>2.11 Vulnerable persons</b></p>	<p>The person issued with the penalty notice has a diagnosed mental health condition* and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.</p> <p><i>*The matters may be referred to the NSW RTA Licence Review Unit in the interest of public safety.</i></p>	<p>Report from a medical practitioner, health institution, support agency or government department setting out history of mental health issues and how they resulted in or contributed to the offence.</p> <p><i>In the interests of public safety such information may be referred to the NSW RTA to consider continuing fitness to drive. Please note that under NSW law, if a person suffers from a condition whether permanent or temporary which impairs their ability to drive safely, they are required to notify NSW RTA</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

## 3.0 Camera detected red light penalty notices issued to the registered owner

The RTA issues red light camera detected penalty notices.

Circumstances that will be reviewed in line with the above include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
3.1 10-year clear driving	<p>I do not have any offences recorded on my driving record, previous cautions or relevant court decisions for the past 10 years.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>The 10-year period is 10 years prior to the date of the offence.</li> <li>The combination of any licences issued by an Australian traffic authority can be used to cover the 10-year period provided they are continuous.</li> <li>The 10-year clear driving record does not include the learners permit period.</li> <li>Relevant court decisions include a good behaviour bond, court caution or any alcohol related driving offences.</li> </ul>	<p>Details of your claim including details of your licence.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>NSW licence holders do not need to send SDRO details of your licence as these can be obtained from records held by NSW RTA.</li> <li>If you have not held a NSW licence for 10 years, but held an interstate licence (or licences) for part of the time, you must supply copies of your certified traffic records from the licensing authorities of all states to cover a continuous 10 years of driving.</li> <li>International licence record will not be considered.</li> </ul>
3.2 You are the registered owner of the vehicle but you were not the driver	<p>I own the vehicle and have been sent a penalty notice but I was not the driver at the time of the offence.</p>	<p>Send in a completed statutory declaration providing the name, address, date of birth and licence number of the driver/person responsible for the vehicle at the time of the offence.</p>
3.3 Wrong vehicle	<p>I believe the penalty notice has been issued to my vehicle in error.</p>	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records may be used to confirm.</i></p>
3.4 You sold or transferred ownership prior to the date of the offence/ wrong owner	<p>I have been recorded as the owner of a vehicle in error.</p>	<p>The registered owner of the vehicle should change the ownership with the NSW RTA and then send SDRO a statutory declaration providing details of the new owner. They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p>
3.5 Stolen vehicle	<p>The vehicle was stolen at the time of the offence.</p>	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>an event number from a NSW Police Force report</li> <li>proof from your insurance company that it paid the claim</li> <li>copy of a report from interstate Police confirming the date and time the vehicle was stolen.</li> </ul> <p><i>These documents must clearly show the time and date the vehicle was stolen and/or recovered.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>3.6 Deceased persons</b></p>	<ul style="list-style-type: none"> <li>■ The person who committed the offence is now deceased.</li>   <li>■ The person named on the penalty notice is now deceased, but was not the responsible person for the offence.</li> </ul>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death</li> <li>■ the executor of the estate, or authorised person, should send a statutory declaration telling SDRO the name and address of the person responsible, along with proof of death.</li> </ul>
<p><b>3.7 Emergency services</b></p>	<p>The vehicle was an emergency services vehicle engaged in official duties.</p>	<p>Confirmation in writing from Service agency:</p> <p><i>A statutory declaration nominating the driver is not required if the vehicle was on official duties.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

## 4.0 Red light penalty notices issued to a driver

NSW Police Force issue 'on the spot' penalty notices for driving through an intersection when the traffic light is red.

### Circumstances that will be reviewed include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
4.1 10-year clear driving	<p>I do not have any offences recorded on my driving record, previous cautions or relevant court decisions for the past 10 years.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>The 10-year period is 10 years prior to the date of the offence.</li> <li>The combination of any licences issued by an Australian traffic authority can be used to cover the 10-year period provided they are continuous.</li> <li>The 10-year clear driving record does not include the learners permit period.</li> <li>Relevant court decisions include a good behaviour bond, court caution or any alcohol related driving offences.</li> </ul>	<p>Details of your claim including details of your licence.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>NSW licence holders do not need to send SDRO details of your licence as these can be obtained from records held by NSW RTA.</li> <li>If you have not held a NSW licence for 10 years, but held an interstate licence (or licences) for part of the time, you must supply copies of your certified traffic records from the licensing authorities of all states to cover a continuous 10 years of driving.</li> <li>International licence record will not be considered.</li> </ul>
4.2 Fraudulent use of particulars/claims of false identity	<p>I was not the person who committed the offence and believe that another person has used my particulars.</p>	<ul style="list-style-type: none"> <li>Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>An event number from a police report of stolen identity, loss of wallet etc.</li> <li>Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
4.3 Deceased persons	<p>The person who committed the offence is now deceased.</p>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>copy of Certificate of Death issued by a medical practitioner</li> <li>copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>any other documentary evidence that is sufficient proof of death.</li> </ul>
4.4 Emergency services	<p>The vehicle was an emergency services vehicle engaged in official duties.</p>	<p>Confirmation in writing from Service agency:</p> <p><i>A statutory declaration nominating the driver is not required if the vehicle was on official duties.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

## 5.0 Mobile phone and in-car TV/DVD penalty notices

### General

NSW Police Force issue these penalty notices. It is unlikely that a favourable decision will be made in respect to these types of offences with the exception of the circumstances listed below. Offences for driving with a TV/DVD unit visible to a driver will also fall within this category.

#### Circumstances that will be reviewed include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>5.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>■ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>■ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>■ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>■ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>5.2 Deceased persons</b>	The person who committed the offence is now deceased.	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death.</li> </ul>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 6.0 Seat belt penalty notices

## General

NSW Police Force issue these penalty notices. Information recorded by the issuing officer at the time of the offence will be considered when making decisions regarding your penalty notice.

You may make a claim for review for a seat belt penalty notice if you have a clear driving record for the 10 years prior to the offence. It is unlikely that a favourable decision will be made, where the seat belt penalty notice is for:

- the actual driver
- driving with two or more unrestrained persons in the vehicle
- driving with unrestrained passenger/s under 16 years of age
- a person who is exempt from wearing a seat belt but does not produce the certificate stating they are exempt when requested by a Police or authorised officer. The exemption certificate **MUST** be carried on the person at all times when travelling.

### General circumstances that will be reviewed in line with the above include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
6.1 10-year clear driving	<p>I do not have any offences recorded on my driving record, previous cautions or relevant court decisions for the past 10 years.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>▪ The 10-year period is 10 years prior to the date of the offence.</li> <li>▪ The combination of any licences issued by an Australian traffic authority can be used to cover the 10-year period provided they are continuous.</li> <li>▪ The 10-year clear driving record does not include the learners permit period.</li> <li>▪ Relevant court decisions include a good behaviour bond, court caution or any alcohol related driving offences.</li> </ul>	<p>Details of your claim including details of your licence.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>▪ NSW licence holders do not need to send SDRO details of your licence as these can be obtained from records held by NSW RTA.</li> <li>▪ If you have not held a NSW licence for 10 years, but held an interstate licence (or licences) for part of the time, you must supply copies of your certified traffic records from the licensing authorities of all states to cover a continuous 10 years of driving.</li> <li>▪ International licence record will not be considered.</li> </ul>
6.2 Fraudulent use of particulars/claims of false identity	<p>I was not the person who committed the offence and believe that another person has used my particulars.</p>	<ul style="list-style-type: none"> <li>▪ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>▪ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>▪ Proof of absence overseas – copy of passport showing entry and exist dates.</li> <li>▪ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
6.3 Deceased persons	The person who committed the offence is now deceased.	Proof of death which may include: <ul style="list-style-type: none"><li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li><li>■ copy of Certificate of Death issued by a medical practitioner</li><li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li><li>■ any other documentary evidence that is sufficient proof of death.</li></ul>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 7.0 Negligent driving penalty notice issued to a driver

## General

NSW Police Force issue penalty notices for negligent driving. Information recorded by the issuing officer will be considered when making decisions regarding your penalty notice.

### Circumstances that will be reviewed include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
7.1 10-year clear driving	<p>I do not have any offences recorded on my driving record, previous cautions or relevant court decisions for the past 10 years.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>The 10-year period is 10 years prior to the date of the offence.</li> <li>The combination of any licences issued by an Australian traffic authority can be used to cover the 10-year period provided they are continuous.</li> <li>The 10-year clear driving record does not include the learners permit period.</li> <li>Relevant court decisions include a good behaviour bond, court caution or any alcohol related driving offences.</li> </ul>	<p>Details of your claim including details of your licence.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>NSW licence holders do not need to send SDRO details of your licence as these can be obtained from records held by NSW RTA.</li> <li>If you have not held a NSW licence for 10 years, but held an interstate licence (or licences) for part of the time, you must supply copies of your certified traffic records from the licensing authorities of all states to cover a continuous 10 years of driving.</li> <li>International licence record will not be considered.</li> </ul>
7.2 Fraudulent use of particulars/claims of false identity	<p>I was not the person who committed the offence and believe that another person has used my particulars.</p>	<ul style="list-style-type: none"> <li>Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>An event number from a police report of stolen identity, loss of wallet etc.</li> <li>Proof of absence overseas – copy of passport showing entry and exist dates.</li> <li>Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
7.3 Deceased persons	<p>The person who committed the offence is now deceased.</p>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>copy of Certificate of Death issued by a medical practitioner</li> <li>copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>any other documentary evidence that is sufficient proof of death.</li> </ul>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 8.0 L and P plate penalty notices issued to a driver

## General

NSW Police Force issue these types of penalty notices. Information recorded by the issuing officer at the time of the offence will be considered when making decisions regarding your penalty notice.

Please note that from 1 July 2007:

- P1 drivers and riders caught speeding will have their licences suspended for at least three months
- P1 drivers under the age of 25 must not drive with more than one passenger under the age of 21 between the hours of 11pm and 5am (the “peer passenger restriction”)
- learner and P1 licence holders must not use any mobile phone, including a mobile phone with a hands free device, while driving
- all learner, P1 and P2 drivers must correctly display L and P plates on the exterior of their vehicles. The letter L or P on the front and back of the vehicle must not be obscured in any way.

### Circumstances that will be reviewed in line with the above include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>8.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>■ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>■ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>■ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>■ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>8.2 Deceased persons</b>	The person who committed the offence is now deceased.	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death.</li> </ul>
<b>8.3 Not displaying L or P plates</b>	This is the first time I received a penalty notice for this offence. The plates were correctly displayed at the commencement of my journey.	Details of your claim. This will be checked against the information provided by the reporting officer

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 9.0 Unlicensed driver/rider, including penalty notice ‘not produce licence’

## General

NSW Police Force issue this penalty notice. Information recorded by the issuing officer at the time of the offence will be considered when making decisions regarding your penalty notice.

**Note:** NSW law requires a change of address to be advised to NSW RTA within 14 days. Not receiving a licence renewal does not affect the driver’s obligation to ensure that their licence is current prior to driving a vehicle and is not grounds for leniency.

**Circumstances that will be reviewed in line with the above include:**

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>9.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>■ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>■ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>■ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>■ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>9.2 Deceased persons</b>	The person who committed the offence is now deceased.	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death.</li> </ul>
<b>9.3 Driving unlicensed but was a Transport Authority error</b>	NSW RTA or relevant transport authority have made an error.	Details of your claim with supporting documentation from NSW RTA or the relevant transport authority to prove that you were not unlicensed.
<b>9.4 Driving unlicensed but held an interstate licence and not resident in NSW</b>	I have an interstate licence and was within the grace period permitted to renew my licence in that state.	Proof from the issuing authority in the state of issue that you were within any designated grace period and were considered to be licenced.

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 10.0 Standing of unregistered vehicle issued to the registered owner of the vehicle (including abandoned vehicles)

## General

NSW Police Force, councils and statutory authorities can issue these penalty notices. Information recorded by the issuing officer at the time of the offence will be considered when making decisions about these penalty notices. These penalty notices are issued to the vehicle, not the driver.

**Note:** NSW law requires a change of address to be advised to NSW RTA within 14 days. Not receiving a registration renewal is not grounds for leniency.

**Circumstances that will be reviewed in line with the above include:**

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>10.1 Wrong vehicle</b>	I believe the penalty notice has been issued to my vehicle in error.	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records may be used to confirm.</i></p>
<b>10.2 You sold or transferred the vehicle ownership prior to the date of the offence/wrong owner</b>	I have been recorded as the owner of a vehicle in error.	<p>The registered owner should update the change of ownership with NSW RTA and then send SDRO a statutory declaration providing details of the new owner. They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p> <p><i>Relevant traffic authority records may be used to confirm.</i></p>
<b>10.3 Stolen vehicle</b>	The vehicle was stolen at the time of the offence.	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>▪ an event number from a NSW Police Force report</li> <li>▪ proof from your insurance company that it paid the claim</li> <li>▪ copy of a report from interstate Police confirming the date and time the vehicle was stolen.</li> </ul> <p><i>These documents must clearly show the time and date the vehicle was stolen and/or recovered.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>10.4 Deceased persons</b></p>	<ul style="list-style-type: none"> <li>■ The person who committed the offence is now deceased.</li>   <li>■ The person named on the penalty notice is now deceased, but was not the responsible person for the offence.</li> </ul>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ documentary evidence that is sufficient proof of death</li> <li>■ the executor of the estate, or authorised person, should send a statutory declaration telling SDRO the name and address of the person responsible, along with proof of death.</li> </ul>
<p><b>10.5 Registering Authority error</b></p>	<p>I received a penalty notice for an unregistered vehicle but NSW RTA or relevant transport authority have made an error.</p>	<p>Details of your claim with supporting documentation from the NSW RTA or the relevant interstate transport authority to prove that your vehicle was registered.</p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 11.0 Unregistered and uninsured vehicle penalty notice issued to the driver

## General

Information recorded by the issuing officer at the time of the offence will be considered when making decisions regarding your penalty notice.

### Note:

- NSW law requires a change of address to be advised to NSW RTA within 14 days. Not receiving a registration renewal is not grounds for leniency
- If a NSW vehicle is registered within 14 days of the expiry date of the registration then a penalty for driving the vehicle uninsured may be cautioned.

### Circumstances that will be reviewed in line with the above include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>11.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>■ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>■ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>■ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>■ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>11.2 Deceased persons</b>	The person who committed the offence is now deceased.	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death.</li> </ul>
<b>11.3 I was fined for driving a vehicle which was unregistered/uninsured but the vehicle is registered and insured</b>	The vehicle is registered and insured but either no label was affixed or an error was made by the transport authority.	Details of your claim with supporting document from RTA or relevant interstate registration authority. If the vehicle is registered interstate, also include Compulsory Third Party insurance receipt number and date of payment.

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>11.4 The vehicle was being driven to the nearest convenient Motor Registry Vehicle Inspection Station for a purpose directly associated with the registration process.</b></p>	<p>I was driving the vehicle for a purpose directly associated with the registration process.</p> <p><i>'Nearest convenient' can be a person's preferred location, even if the destination is some distance from the person's place of residence. However, factors such as timing will be relevant in considering 'nearest convenient' eg A driver detected at 2 am is unlikely to be en-route for repairs or to a Motor Registry.</i></p>	<p>Details of your claim with supporting documentation.</p>
<p><b>11.5 Unregistered vehicle not owned by the driver</b></p>	<p>I was driving an unregistered vehicle which was owned by a third party, eg hire car company.</p>	<p>Details of your claim with supporting documentation.</p>
<p><b>11.6 I am not the registered owner of the vehicle and the registration of the vehicle was cancelled due to a fine default by the owner. A current valid label is displayed on the vehicle.</b></p>	<p>The vehicle has a current valid label displayed, but the vehicle registration was cancelled because the registered owner has defaulted on fines, and I was unaware of the cancellation.</p>	<p>Details of your claim. SDRO will confirm the details for NSW registered vehicles with records from the NSW RTA.</p>
<p><b>11.7 The vehicle is registered interstate and the renewal is within the period of grace allowed in the relevant state</b></p>	<p>The vehicle is registered interstate and the renewal is within the period of grace allowed in the relevant state.</p>	<p>Details of your claim with supporting documentation, including proof from the relevant authority of any grace period allowed.</p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 12.0 Weights and loads offences

Penalty notices issued for weights and loads offences cannot be adjudicated by SDRO and your request for review will be referred to the issuing authority for a decision.

# 13.0 Rail offences

Please note that RailCorp and NSW Police Force can issue rail penalty notices.

## General Information

Information recorded by the issuing officer at the time of issue will be considered when making decisions regarding your penalty notice.

For some offences a review will only be considered for the first offence of that type.

Other than the below general circumstances SDRO cannot review and will not accept any evidence for the following:

- tickets issued for travelling outside allowable school hours or school area using a school pass
- travelling without a valid ticket because of lack of time to purchase, forgot to renew weekly ticket, lack of change, intended to pay at destination except as described in 13.7
- using offensive language within hearing of the public
- consuming liquor or holding an empty/open liquor container
- feet on seats (including one foot on a seat) for non-medical reasons
- smoking on train/enclosed or covered railway land
- interference with train door operation
- graffiti and vandalism
- safety offences.

### Circumstances that will be reviewed for rail offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>13.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>▪ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>▪ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>▪ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>▪ Copies of photo identity showing date of birth or certified copy of birth certificate.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>13.2 Vulnerable persons – mental incapacity</b>	The person issued the penalty notice has a diagnosed mental health condition and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.	<p>A detailed report on official letterhead from a medical practitioner, Agency or Government department setting out the history of mental health issues.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>13.3 You committed an offence because you feared for your personal safety</b></p>		<ul style="list-style-type: none"> <li>■ An event number from a police report confirming the claim.</li> <li>■ It was noted at the time of issue by the reporting officer.</li> <li>■ Any other documentary evidence that is sufficient proof.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>13.4 Medical condition/emergency</b></p>	<p>It was a medical emergency or a pre-existing medical condition that required emergency medical assistance.</p>	<p>Proof of medical emergency or ongoing medical condition on letterhead from a Medical Authority that can be passed onto the issuing authority.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>13.5 Deceased persons</b></p>	<p>The person who committed the offence is now deceased.</p>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death.</li> </ul>
<p><b>13.6 Duplication of penalty notice for the same offence</b></p>	<p>I received two or more penalty notices for the same offence*</p> <p><i>*This does not mean that a person who repeats an offence cannot be given a fresh penalty notice for each offence</i></p>	<p>Details of your claim and details of the multiple penalty notices that are in dispute.</p>
<p><b>13.7 Ticket offences concessions and passes</b></p>	<ul style="list-style-type: none"> <li>■ I had a valid train, bus or ferry ticket or concession card.</li> <li>■ I am a regular fare-paying customer of RailCorp and failed to obtain a ticket on this one occasion due to extenuating circumstances.</li> <li>■ The ticket selling window was closed and no other alternate ticket vending machine available*.</li> <li>■ I was a first time user of the rail system and are unfamiliar with the area and the regulations.</li> </ul> <p><i>* The notes made by the issuing officer at the time of the offence will be considered, as well as other information including locations of ticket selling machines</i></p>	<ul style="list-style-type: none"> <li>■ Copy of valid ticket.</li> <li>■ Copy of relevant concession card or evidence of entitlement including confirmation that usage at time of offence was according to conditions, on letterhead from school, workplace or transport authority. eg. Apprentice card.</li> <li>■ Evidence of regular ticket purchases, eg; previous tickets.</li> </ul> <p>In addition, you must meet the following requirements:</p> <ul style="list-style-type: none"> <li>■ You have not received a penalty notice associated with fare evasion on the railway system within the last five years</li> <li>■ You have not received a penalty notice for a separate offence on the same occasion</li> <li>■ Details of your claim including station location.</li> <li>■ Proof of residence or visit and that you live outside NSW and evidence to support the claim.</li> <li>■ For overseas visitors a copy of passport showing details of entry and exit dates.</li> </ul>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>13.8 Boarding the train at a set down only station and leaving the train at a non-set down station</b>	Offences committed as a result of service disruptions.  <i>These offences will be referred to the issuing authority</i>	Details of your claim including the details of normal service and the alternate service.  <i>These matters may be referred to the issuing authority for a decision.</i>
<b>13.9 Ticket offences – faulty ticket vending machines and travelling without a ticket</b>	I could not purchase a ticket due to a faulty vending machine and no other alternate ticket selling facilities were available.	Details of your claim including the location, time and station you travelled from.  <i>These matters may be referred to the issuing authority for a decision.</i>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 14.0 Littering offences

Councils, RailCorp, statutory authorities and NSW Police Force issue penalty notices for littering. Other than the circumstances listed below SDRO cannot review and will not accept any documentary evidence for littering offences.

## General information

- Information recorded by the issuing officer at the time of issue will be considered when making decisions regarding your penalty notice

### Circumstances that will be reviewed for littering offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>14.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>An event number from a police report of stolen identity, loss of wallet etc.</li> <li>Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>14.2 Vulnerable persons – mental incapacity</b>	The person issued the penalty notice has a diagnosed mental health condition and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.	<p>A detailed report on official letterhead from a medical practitioner, Agency or Government department setting out the history of mental health issues.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>14.3 Deceased persons</b>	The person who committed the offence is now deceased.	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>copy of Certificate of Death issued by a medical practitioner</li> <li>copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>any other documentary evidence that is sufficient proof of death.</li> </ul>
<b>14.4 Littering from a vehicle – You are the registered owner of the vehicle but you were not the driver</b>	I own the vehicle and have been sent a penalty notice but I was not the driver at the time of the offence.	A completed statutory declaration telling SDRO the driver/person responsible for the vehicle at the time of the offence.
<b>14.5 Littering from a vehicle – Wrong vehicle</b>	I believe the penalty notice has been issued to my vehicle in error.	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records may be used to confirm.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>14.6 Littering from a vehicle – You sold or transferred the vehicle ownership prior to the date of the offence/wrong owner</b></p>	<p>I have been recorded as the owner of a vehicle in error.</p>	<p>The registered owner should update the change of ownership with NSW RTA and then send SDRO a statutory declaration providing details of the new owner.</p> <p>They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p> <p><i>Relevant traffic authority records may be used to confirm.</i></p>
<p><b>14.7 Littering from a vehicle – Stolen vehicle</b></p>	<p>The vehicle was stolen at the time of the offence.</p>	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>■ an event number from a NSW Police Force report</li> <li>■ proof from your insurance company that it paid the claim</li> <li>■ copy of a report from interstate Police confirming the date and time the vehicle was stolen.</li> </ul> <p><i>These documents must clearly show the time and date the vehicle was stolen and/or recovered.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 15.0 Toll offences

NSW RTA issue penalty notices for toll offences. Other than the circumstances listed below SDRO cannot review and will not accept any documentary evidence for toll offences. SDRO may send requests for review to the issuing authority for consideration.

## General information

For some offences a review will only be considered for the first offence of that type.

### Circumstances that will be reviewed for toll offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>15.1 You are the registered owner of the vehicle but you were not the driver</b>	I own the vehicle and have been sent a penalty notice but I was not the driver at the time of the offence.	A completed statutory declaration telling SDRO the driver/person responsible for the vehicle at the time of the offence.
<b>15.2 Deceased persons</b>	<ul style="list-style-type: none"> <li>▪ The person who committed the offence is now deceased.</li> <li>▪ The person named on the penalty notice is now deceased, but was not the responsible person for the offence.</li> </ul>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>▪ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>▪ copy of Certificate of Death issued by a medical practitioner</li> <li>▪ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>▪ any other documentary evidence that is sufficient proof of death</li> <li>▪ the executor of the estate, or authorised person, should send a statutory declaration telling SDRO the name and address of the person responsible, along with proof of death.</li> </ul>
<b>15.3 Vulnerable persons – mental incapacity</b>	The person issued the penalty notice has a diagnosed mental health condition and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.	<p>A detailed report on official letterhead from a medical practitioner, Agency or Government department setting out the history of mental health issues.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>15.4 Stolen vehicle</b>	The vehicle was stolen at the time of the offence.	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>▪ an event number from a NSW Police Force report</li> <li>▪ proof from your insurance company that it paid the claim</li> <li>▪ copy of a report from interstate Police confirming the date and time the vehicle was stolen.</li> </ul> <p><i>These documents <b>must</b> clearly show the time and date the vehicle was stolen and/or recovered.</i></p>
<b>15.5 Wrong vehicle</b>	I believe the penalty notice has been issued to my vehicle in error.	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records may be used to confirm.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>15.6 You sold or transferred the vehicle ownership prior to the date of the offence/wrong owner</b></p>	<p>I have been recorded as the owner of a vehicle in error.</p>	<p>The registered owner should update the change of ownership with NSW RTA and then send SDRO a statutory declaration providing details of the new owner.</p> <p>They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>15.7 You have a valid e-TAG</b></p>	<p>I have received a penalty notice but I have a valid Etag.</p>	<p>Details of your claim including your e-TAG number and account number.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>15.8 You paid the original fee within the seven day time frame</b></p>	<p>I have received a penalty notice but I paid the original toll within the seven day time frame.</p>	<ul style="list-style-type: none"> <li>■ Details of your claim.</li> <li>■ Documentary evidence of payment made within seven days of the offence.</li> <li>■ Copy of receipt quoting relevant docket number and date.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 16.0 T-Way and bus lane offences

NSW RTA and NSW Police Force issue penalty notices for T-Way and bus lane offences. Other than the circumstances listed below SDRO cannot review and will not accept any documentary evidence for T-Way or bus lane offences. Requests for review may be sent to the issuing authority for consideration.

## Circumstances that will be reviewed for T-Way and bus lane offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>16.1 10-year clear driving</b>	<p>I do not have any offences recorded on my driving record, previous cautions or relevant court decisions for the past 10 years.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>■ The 10-year period is 10 years prior to the date of the offence.</li> <li>■ The combination of any licences issued by an Australian traffic authority can be used to cover the 10-year period provided they are continuous.</li> <li>■ The 10-year clear driving record does not include the learners permit period.</li> <li>■ Relevant court decisions include a good behaviour bond, court caution or any alcohol related driving offences.</li> </ul>	<p>Details of your claim including details of your licence.</p> <p><b>Notes:</b></p> <ul style="list-style-type: none"> <li>■ NSW licence holders do not need to send SDRO details of your licence as these can be obtained from records held by NSW RTA.</li> <li>■ If you have not held a NSW licence for 10 years, but held an interstate licence (or licences) for part of the time, you must supply copies of your certified traffic records from the licensing authorities of all states to cover a continuous 10 years of driving.</li> <li>■ International licence record will not be considered.</li> </ul>
<b>16.2 You are the registered owner of the vehicle but you were not the driver</b>	<p>I own the vehicle and have been sent a penalty notice but I was not the driver at the time of the offence.</p>	<p>A completed statutory declaration telling SDRO the driver/person responsible for the vehicle at the time of the offence.</p>
<b>16.3 Fraudulent use of particulars/claims of false identity</b>	<p>I was not the person who committed the offence and believe that another person has used my particulars.</p>	<ul style="list-style-type: none"> <li>■ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>■ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>■ Proof of absence overseas – copy of passport showing entry and exist dates.</li> <li>■ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
16.4 Deceased persons	<ul style="list-style-type: none"> <li>■ The person who committed the offence is now deceased.</li> <li>■ The person named on the penalty notice is now deceased, but was not the responsible person for the offence.</li> </ul>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death</li> <li>■ the executor of the estate, or authorised person, should send a statutory declaration telling SDRO the name and address of the person responsible, along with proof of death.</li> </ul>
16.5 Vulnerable persons – mental incapacity	<p>The person issued the penalty notice has a diagnosed mental health condition* and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.</p> <p><i>*These matters may be referred to the NSW RTA Licence Review Unit in the interest of public safety</i></p>	<p>A detailed report on official letterhead from a medical practitioner, Agency or Government department setting out the history of mental health issues.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
16.6 Medical emergencies	<p>The offence occurred because there was a medical emergency</p> <p><i>*These matters may be referred to the NSW RTA Licence Review Unit in the interest of public safety.</i></p>	<ul style="list-style-type: none"> <li>■ Proof of medical emergency on letterhead from medical authority that can be passed on to the issuing authority.</li> <li>■ A letter on official letterhead from a medical practitioner or medical professional supporting the circumstances.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
16.7 Stolen vehicle	<p>The vehicle was stolen at the time of the offence.</p>	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>■ an event number from a NSW Police Force report</li> <li>■ proof from your insurance company that it paid the claim</li> <li>■ copy of a report from interstate Police confirming the date and time the vehicle was stolen.</li> </ul> <p><i>These documents must clearly show the time and date the vehicle was stolen and/or recovered.</i></p>
16.8 Emergency services	<p>The vehicle was an emergency services vehicle engaged in official duties.</p>	<p>Confirmation in writing from service agency.</p> <p><i>A statutory declaration nominating the driver is not required if the vehicle was on official duties.</i></p>
16.9 Wrong vehicle	<p>I believe the penalty notice has been issued to my vehicle in error.</p>	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records will be used to confirm.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>16.10</b> You sold or transferred the vehicle ownership prior to the date of the offence/wrong owner</p>	<p>I have been recorded as the owner of a vehicle in error.</p>	<p>The registered owner should update the change of ownership with NSW RTA and then send SDRO a statutory declaration providing details of the new owner.</p> <p>They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p> <p><i>Relevant traffic authority records may be used to confirm.</i></p>
<p><b>16.11</b> The vehicle is authorised to travel in this lane</p>	<p>The vehicle is authorised* to travel in this lane.</p> <p><i>*Refer to <a href="http://www.rta.nsw.gov.au">www.rta.nsw.gov.au</a> for authorised vehicles</i></p>	<p>Details of your claim and supporting documentary evidence.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>16.12</b> You were directed to travel in this lane</p>	<p>You were directed to travel in this lane by someone in authority.</p>	<p>Details of your claim.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>16.13</b> There was an accident or an emergency situation</p>	<p>There was an accident or emergency situation and I had to travel in this lane.</p>	<p>Details of your claim.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>16.14</b> Duplication of penalty notice for the same offence, on the same day within a short period of time</p>	<p>I received two penalty notices for offences detected within a short period of time. I realised I should not be driving in this area and tried to correct my error.</p>	<p>Details of your claim.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 17.0 Water offences

Local Councils and Sydney Water Corporation issue penalty notices for water offences.

Other than circumstances listed below SDRO cannot review and will not accept any documentary evidence for water offences. A request for a review may be sent to the issuing authority for consideration.

Information recorded by the issuing officer at the time of the offence will be considered when making decisions regarding your penalty notice.

## Circumstances that will be reviewed for water offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>17.1 You are the owner/occupier of the property but did not commit the offence</b>	I own/occupy the property but I did not commit the offence.	Send in a completed statutory declaration telling SDRO the details of the person responsible for the offence.
<b>17.2 You are the owner of the property but did not commit the offence and the property was vacant at the time of the offence</b>	I own the property but I did not commit the offence and the property was vacant at the time of the offence.	<ul style="list-style-type: none"> <li>■ A completed statutory declaration telling SDRO the details of the person responsible for the offence.</li> <li>■ Proof that a process is in place to determine who the occupier was (eg Through a Managing Agent) and the process was unable to determine the occupier.</li> </ul>
<b>17.3 You are the individual/business named on the penalty notice but you did not commit the offence because you had an exemption</b>	I/we have an exemption.	<p>Details of your exemption.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>17.4 You are the individual/business named on the penalty but just laid new concrete</b>	I/we have just laid new concrete.	Details of your claim and proof the concrete was laid less than 6 days prior to the date of the penalty notice.
<b>17.5 You are the individual/business named on the penalty but just laid a new surface on the swimming pool</b>	I/we have just laid a new surface on the swimming pool and need to hose to maintain moisture.	Details of your claim and proof that the new swimming pool surface had just been laid.
<b>17.6 You are the person named on the penalty but you were unaware of or did not understand the restriction requirements</b>	I have been interstate or overseas from the introduction of water restrictions, 1 October 2003, and was not aware of the restrictions.	Details of your claim.
<b>17.7 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>■ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>■ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>■ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>■ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>17.8 Vulnerable persons – mental incapacity</b>	The person issued the penalty notice has a diagnosed mental health condition and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.	<p>A detailed report on official letterhead from a medical practitioner, Agency or Government department setting out the history of mental health issues.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>17.9 Deceased persons</b></p>	<p>The person who committed the offence is now deceased.</p>	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>■ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>■ copy of Certificate of Death issued by a medical practitioner</li> <li>■ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>■ any other documentary evidence that is sufficient proof of death.</li> </ul>
<p><b>17.10 Duplication of penalty notice for the same offence</b></p>	<p>I received two or more penalty notices for the same offence.</p> <p><i>This does not mean that a person who repeats an offence cannot be given a fresh penalty notice for each offence.</i></p>	<p>Details of your claim and details of the multiple penalty notices that are in dispute.</p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 18.0 Criminal infringement notice offences

NSW Police Force issue penalty notices for criminal infringement notice offences. These notices cannot be issued to persons under 18 years of age.

All criminal infringement notices that are decided in court will be recorded on a person's criminal record.

## Circumstances that may be reviewed for criminal infringement notice offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>18.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>An event number from a police report of stolen identity, loss of wallet etc.</li> <li>Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>Copies of photo identity showing date of birth.</li> </ul> <p><i>These matters will be referred to the NSW Police Force.</i></p>
<b>18.2 Deceased persons</b>	The person who committed the offence is now deceased.	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>copy of Certificate of Death issued by a medical practitioner</li> <li>copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>any other documentary evidence that is sufficient proof of death.</li> </ul>
<b>18.3 Vulnerable persons – mental incapacity</b>	The person issued the penalty notice has a diagnosed mental health condition and this condition was a contributing factor or lessens the responsibility of the person for the penalty notice.	<p>A detailed report on official letterhead from a medical practitioner, Agency or Government department setting out the history of mental health issues.</p> <p><i>These matters will be referred to the NSW Police Force.</i></p>
<b>18.4 Disputing offence or seeking leniency</b>	Individual incident.	<ul style="list-style-type: none"> <li>Details of your claim which will be referred to the NSW Police Force for consideration.</li> </ul>
<b>18.5 Financial hardship</b>	Inability to pay fine.	<ul style="list-style-type: none"> <li>Financial information.</li> <li>SDRO may consider time to pay arrangement.</li> </ul>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

# 19.0 Fail to nominate offences

Fail to Nominate penalty notices are issued to companies who fail to nominate the driver or person responsible for the vehicle at the time of the offence.

Other than the circumstances listed below, SDRO cannot review and will not accept any documentary evidence for fail to nominate offences.

## Specific circumstances that may be reviewed for fail to nominate offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>19.1 The company has been liquidated – no longer trading</b>	The company has received a penalty notice and is no longer trading. The company is not in receivership – it has been liquidated.	Details of your claim with supporting documentation.
<b>19.2 Stolen vehicle</b>	The vehicle was stolen at the time of the original offence.	<p>Details of your claim and any of the following:</p> <ul style="list-style-type: none"> <li>■ an event number from a NSW Police Force report</li> <li>■ proof from your insurance company that it paid the claim</li> <li>■ copy of a report from interstate Police confirming the date and time the vehicle was stolen.</li> </ul> <p><i>These documents must clearly show the time and date the vehicle was stolen and/or recovered.</i></p>
<b>19.3 You sold or transferred the vehicle ownership prior to the date of the offence/wrong owner</b>	I have been recorded as the owner of a vehicle in error.	<p>The registered owner should update the change of ownership with NSW RTA and then send SDRO a statutory declaration providing details of the new owner.</p> <p>They can also provide evidence of the transfer or sale of the vehicle with their statutory declaration if NSW RTA records are not yet updated.</p> <p><i>Relevant traffic authority records may be used to confirm.</i></p>
<b>19.4 Wrong vehicle</b>	I believe the penalty notice has been issued to my vehicle in error.	<p>Details of your claim and any supporting documentation you have.</p> <p><i>These matters may be referred to the issuing authority for a decision and the relevant traffic authority records may be used to confirm.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

## 20.0 Building development and environmental offences

Councils issue penalty notices for building development and environmental offences. These penalty notices cannot be reviewed by SDRO and will be referred to the issuing authority for a decision.

## 21.0 Animal offences

Councils, RSPCA, statutory authorities and NSW Police Force issue penalty notices for animal offences. Other than in the circumstances listed below, SDRO cannot consider leniency for animal offences.

Information recorded by the issuing officer at the time of issue will be considered when making decisions regarding your penalty notice.

### Circumstances that will be reviewed for animal offences include:

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<b>21.1 Fraudulent use of particulars/claims of false identity</b>	I was not the person who committed the offence and believe that another person has used my particulars.	<ul style="list-style-type: none"> <li>▪ Supporting documentary evidence that you were not in the location at the time of the offence.</li> <li>▪ An event number from a police report of stolen identity, loss of wallet etc.</li> <li>▪ Proof of absence overseas – copy of passport showing entry and exit dates.</li> <li>▪ Copies of photo identity.</li> </ul> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<b>21.2 Deceased persons</b>	The person who committed the offence is now deceased.	<p>Proof of death which may include:</p> <ul style="list-style-type: none"> <li>▪ copy of death certificate issued by the Principal Registrar of Births, Deaths and Marriages</li> <li>▪ copy of Certificate of Death issued by a medical practitioner</li> <li>▪ copy of any document issued by a legal practitioner, police officer or Coroner which refers to the death</li> <li>▪ any other documentary evidence that is sufficient proof of death.</li> </ul>
<b>21.3 You sold or transferred ownership of the animal prior to the date of the offence</b>	I have sold or transferred ownership of the animal.	<p>Details of your claim including details of the sale.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

Circumstance	What are the circumstances that I can ask for a review?	What evidence do I need?
<p><b>21.4 The animal is deceased</b></p>	<p>I received a penalty notice for failing to register and microchip my dog or cat and the animal is now deceased.</p>	<p>Details of your claim including supporting documentary evidence confirming the death of the animal.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>
<p><b>21.5 Animal not under effective control</b></p>	<p>Individual incident.</p>	<p>Details of your claim will be checked against the information recorded by the issuing officer at the time of issue.</p> <p><i>These matters may be referred to the issuing authority for a decision.</i></p>

To apply for a review, complete the [request a review of a penalty notice](#) application form.

