



LICENSE DISQUALIFICATION REMOVAL

MY LICENCE HAS BEEN DISQUALIFIED, CAN I GET IT BACK?

If your licence was disqualified for over 3 years, you can apply to have the disqualification removed. Once the disqualification is removed, you can apply to get your licence back. If your licence was disqualified for less than 3 years, you cannot apply to have it removed, but you may be able to apply for an extraordinary licence.

If you have more than one disqualification and they add up to 3 years, that does not count as a disqualification for over 3 years.

WHEN CAN I APPLY TO HAVE MY LICENCE DISQUALIFICATION REMOVED?

You will have to wait a certain amount of years before you can apply to have the disqualification removed. This is called the “waiting period”.

HOW LONG DO I HAVE TO WAIT BEFORE I APPLY TO HAVE MY DISQUALIFICATION REMOVED?

The amount of years you have to wait depends on how long your licence was suspended for. You can use the table below to see how long your waiting period is.

Disqualification	Waiting Period
More than 3 years, up to 6 years	3 years
More than 6 years, up to 20 years	Half the disqualification period
More than 20 years, life or permanently	10 years

What is the waiting period if I have more than one disqualification?

If you have more than one disqualification for more than 3 years, they will be either concurrent, or cumulative. Concurrent means that the disqualification period for all of them starts at the same time. Cumulative means that the disqualification period will start one after another.

If your disqualifications are cumulative, you will need to apply to have each disqualification removed separately. You will have to serve the waiting period between each application. Once your first disqualification is removed, the waiting period for your second disqualification will begin on the day your second disqualification begins. Once the waiting period is over, you can apply to have the second disqualification removed.

If your disqualifications are concurrent, you only have to serve the waiting period for the longest period of disqualification you received, and then you can apply to have all of the disqualifications removed in the same application.

An exception is that, if you have more than one life/permanent disqualification, you have to wait the 10 year waiting period, then you can apply to remove all of these at the same time.

Disclaimer: This factsheet provides general information and is not to be taken as legal advice. Published 2020.

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South Hedland Office
Phone: 08 9140 1613

Roebourne Office
Phone: 08 6149 2031

Newman Office
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WHEN DOES MY WAITING PERIOD START?

The waiting period starts on the day that your licence disqualification starts, not on the day that your disqualification was given to you.

WHAT DO I HAVE TO DO TO APPLY?

You should get legal advice before you apply. Contact 08 9185 5899 to schedule an appointment with one of our solicitors. Once you have finished your waiting period, you should follow the steps below.

1. Gather all of the information and evidence that will help your application.

You will need evidence and information from yourself, doctors, employers friends, family and people who know you well to prove:

- That public will not be endangered by you driving a vehicle
- That you are of good character
- Why you should be given your licence back
- An explanation about why your licence was disqualified
- That you have taken steps (such as counselling, not drinking, rehabilitation etc) since you were disqualified to make sure it won't happen again
- That you have done nothing wrong since your licence was disqualified
- A good reason why you need a driver's licence (for example, for work)

2. Complete and file an application form with the court

Your application to have a disqualification removed should normally be made to the District Court. If your it was the Supreme Court that disqualified your licence, you must apply to the Supreme Court to have the disqualification removed.

3. Pay the application fee

Please check the current fee by contacting the Perth District Court Registry on (08) 9425 2178 (or the Supreme Court Registry if applicable). You can apply for the fee to be waived by lodging a Form 2: Application to Reduce Fees.

4. Complete and file affidavits in support of your application.

Your affidavit should include the evidence and information supporting your application that you gathered in step 1.

5. Go to court for the hearing.

You should go to the court building on the date which your case has been listed. Locate your courtroom. It is very important that you arrive on time.

WILL I HAVE TO PAY ANY COSTS?

On top of the court filing fee, you may also have to pay the legal costs of the solicitors for the Director General of the Department of Transport, even if you are successful in your application.

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