

Factsheet: Your Rights on the Road

This Fact Sheet explains Police powers when you're driving, including when Police can stop, search, or test you for alcohol or drugs.

When Can Police Pull You Over?

Police can stop your car if:

- They think you or your vehicle has broken a law or road rule
- They are doing random breath or drug testing
- They want to check your driver licence, registration or insurance
- They believe your car is unsafe or unregistered

You must give your name, address and driver licence when stopped.

Can Police Search Your Car?

Police can search your car if:

- You agree to the search
- They have a search warrant
- They reasonably suspect your car:
 - Was used in a crime
 - Has drugs, stolen property, or something dangerous
 - Has tools or items used to commit a serious crime

Tip on what to say

Before a search, you can say:

- "Why are you proposing to search my car?"

- "Please turn on your body-worn-video"
- "I don't consent to my car being searched"

Even if you refuse consent, Police may search your car if they have a legal reason.

You should comply with the search and get legal advice later.

Licence and Registration Checks

Police can stop your car if your licence is suspended or your car is unregistered.

Many police vehicles have automatic plate recognition to check this.

Vehicle Safety and Defect Notices

Police can inspect your car if they believe it is unsafe, e.g. bald or damaged tyres, broken brake lights or excessive smoke from the exhaust

Police may issue a defect notice, which can prevent you from driving until fixed.

Alcohol and Drug Testing

Police can require you to take:

- A breath test for alcohol
- A saliva test for drugs

You must take the test. Refusing without a valid reason is an offence.

This fact sheet is for information only and is not legal advice.