



Driving – community information – Spent Convictions

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Driving offences on a police record check

Some driving-related offences are capable of being spent, such as drink or drug-driving offences, or where a court has made a finding of guilt. If your driving-related conviction is spent it will not be disclosed on a police record check unless an exemption applies.

However, any fines, driver licence or learner permit sanctions and associated relicensing conditions resulting from a driving offence remain unaffected.

Not all driving-related offences are disclosed on a police record check.

Many offences do not meet the definition of a conviction and will not show up on a police record check.

If you need a police record check for driver accreditation

If you need to be accredited as a driver as part of your job, in certain circumstances the agency that accredits you will be able to receive information about a spent conviction on a police record check. This kind of exemption applies to:

- bus driver accreditation
- bus operator accreditation
- taxi and ride-share driver accreditation
- authority to be a driving instructor.

However, the company that employs you will not see your spent conviction on the police record check it receives for employment purposes.

Your driver history report

A driver history report issued by VicRoads is different to a police record check. Your driver history report has information about your driving and traffic offences, including information about:

- traffic camera offences
- infringements (fines) for drink-driving or drug-driving
- infringements (fines) for speeding
- driving offences where you were found guilty by a court
- offences that attract demerit points.

Spent convictions will continue to be displayed on all driver history reports because VicRoads has an exemption. This means that spent convictions will appear on driver history reports requested by you and third parties such as a prospective employer or a vehicle insurer (which will only be provided with your written consent).

You can find out more information about [driver history reports, including how to order one and to view a sample, on the VicRoads website](#).

Drink-driving, drug-driving and excessive speeding

Convictions for these offences are spent immediately. This means that they will not show up on your police record check, unless an exemption applies.

As noted above, these convictions will still appear on your driver history report issued by VicRoads and will be used to apply any future penalties, sanctions and relicensing conditions if you commit a further drink-driving, drug-driving or excessive speed offence.

Demerit points and other relicensing conditions

Penalties or sanctions that VicRoads may apply to your licence because of a driving-related conviction will not be affected if that conviction is spent.

This means that VicRoads will continue to apply demerit points, licence sanctions and any relicensing conditions resulting from drink-driving, drug-driving and excessive speed convictions, including where they result from infringement notices.

Examples of relicensing conditions include:

- installation of an alcohol interlock
- completion of a behaviour change program
- completion of a safe driving program.

Examples

Malcom was caught driving 50km/hr over the speed limit in an 80km/hr zone and his license is automatically suspended for 3 months as a result of being issued with an excessive speeding infringement notice. The resulting conviction for excessive speeding is recorded in his criminal history after 28 days but it will be immediately spent.

Malcom has no other convictions and 2 years later when he applies for a job with the local supermarket, his police record check comes up clear. However, when his boss asks Malcom to do deliveries and asks for his driver history report, the conviction for

excessive speeding (including the demerit points and license suspension) will show up on the driver history report produced by VicRoads.

Elaine was 18 when she was caught drink-driving and issued with a drink-driving infringement notice. The resulting conviction for drink-driving is recorded in her criminal history after 28 days but it will be immediately spent. Elaine has no other convictions and when she is 20 and applies for a job at a post office, her police record check comes up clear.

Five years later Elaine commits another drink-driving offence. As a result of this offence and due to her previous drink-driving offence, Elaine will receive a higher fine, a longer period of licence disqualification and will be required to complete an intensive behaviour change program before she can get her licence back. Her new licence will also have a longer alcohol interlock period because of her second drink-driving offence.

More information

The information is a general guide only and you should seek legal advice about how the law applies to your circumstances. You can contact a lawyer through [Victorian Aboriginal Legal Service](#), a community legal centre or a private law firm for more information about making an application.

Factsheets

A range of more detailed factsheets for community members are available:

[Police record checks](#)

[How convictions become spent](#)

[Serious convictions](#)

[Applying for a spent conviction order for serious convictions](#)

[Exemptions for when a conviction can be disclosed](#)

[Employment, housing and licences](#)

[Working and volunteering with vulnerable people](#)

Different types of convictions

If your spent conviction has been disclosed unlawfully



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