

## Legal Issues Bulletin No. 8 29/05/15

<https://education.nsw.gov.au/legal/media/documents/legal-issues-bulletins/bulletin8.pdf>

### ***Can parents, students and other community members use their private motor vehicles for department activities?***

If students are required to attend departmental activities away from the school or institute site, parents, community members or other students may provide transport to and from the activity, subject to the following conditions:

- Written permission from the parent(s) of the student being transported is obtained.
- If students are transporting other students, written permission from the parent(s) of the driver must also be obtained to not only use the vehicle but also to transport other students.
- The driver must be licensed.
- The motor vehicle must be registered.
- The number of passengers in the vehicle must not exceed the number of seat belts or in the case of larger vehicles, the number of passengers that the vehicle may be licensed to carry.

### ***Current driver's licence and car registration details must be sighted prior to giving permission for students to be transported in the vehicle.*** Comprehensive car insurance of any kind is not required.

Transporting students in parents' or other students' vehicles should only occur in those circumstances where there is no other feasible option available to provide the transportation. It is acknowledged these guidelines may have limited application to TAFE NSW staff having regard to the character of the student cohort who attend TAFE NSW premises for educational purposes.

Any financial assistance offered to parents for the use of their cars should be limited to reimbursement for actual costs incurred for items such as petrol and tolls. The payment of any flat fee or other sum other than for actual expenses should be avoided.

## **Students driving to school activities**

Allowing students to use private vehicles to transport themselves and/or other students to and from school activities is a privilege granted by the principal and must be strictly supervised by the school. The principal can revoke this privilege at any time. If the privilege is abused, the principal must withdraw approval immediately.