

1993  
THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Minister for Urban Services)

**Motor Traffic (Amendment) Bill (No. 4)  
1993**

---

TABLE OF PROVISIONS

Section		Page
1.	Short title .....	1
2.	Commencement .....	1
3.	Principal Act .....	2
4.	Interpretation .....	2
5.	Provisional licences and endorsements .....	3
6.	Full licences .....	3
7.	Refusal of a licence to certain persons .....	3
8.	Medical examination of applicants for and persons holding driver's licences .....	3
9.	Heading to Part III .....	3
10.	Interpretation .....	3
11.	Taxi and motor omnibus licences .....	4
12.	Insertion—	
	27D. Restricted taxi licences .....	4

83070 (T70/93)

**TABLE OF PROVISIONS—continued**

Section	Page
27E.	Limitation on number of restricted taxi licences.....5
27F.	Variation on application—restricted taxi licences.....5
27G.	Variation by Registrar—restricted taxi licences.....5
27H.	Display of restricted taxi licence etc.....6
13.	Licences for private hire cars.....6
14.	Insertion—
28A.	Restricted hire vehicles.....7
28B.	Variation on application—restricted hire vehicle licences ....7
28C.	Variation by Registrar—restricted hire vehicle licences.....8
28D.	Restricted hire vehicles treated as private hire cars.....9
28E.	Display of restricted hire vehicle licence etc.....9
15.	Licences for the carriage of tourists ..... 10
16.	Suspension or cancellation of certain licences..... 10
17.	Certain persons to have use, control and management of vehicles..... 10
18.	Insertion—
31A.	Number of passengers ..... 10
19.	Fire extinguisher to be carried ..... 11
20.	Disinfection of vehicles ..... 11
21.	Dangerous or offensive articles ..... 11
22.	Insurance of public motor vehicles etc. .... 11
23.	Refusal, cancellation or suspension of licences or registrations ..... 12
24.	Duration of registrations and licences..... 13
25.	Meanings indicated by traffic lights ..... 13
26.	Insertion—
112BA.	Defences..... 13
27.	Repeal ..... 14
28.	Interpretation ..... 14
29.	Overtaking ..... 14
30.	Insertion—
124B.	Motorists to give way to local services motor omnibuses 14
31.	Interpretation ..... 15
32.	Taxis, restricted taxis, private hire cars and restricted hire vehicles..... 15
33.	Exceptions for the purposes of section 164D..... 15
34.	Unauthorised use of motor vehicles as taxis etc. .... 15
35.	Schedule 7..... 16

1993

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

---

(As presented)

(Minister for Urban Services)

**Motor Traffic (Amendment) Bill (No. 4)  
1993**

---

**A BILL  
FOR**

**An Act to amend the *Motor Traffic Act 1936***

The Legislative Assembly for the Australian Capital Territory enacts as follows:

**Short title**

- 5       1. This Act may be cited as the *Motor Traffic (Amendment) Act (No. 4) 1993*.

**Commencement**

- 10       2. (1) Sections 1, 2 and 3 commence on the day on which this Act is notified in the *Gazette*.
- (2) The remaining provisions commence on a day, or respective days, fixed by the Minister by notice in the *Gazette*.
- (3) If a provision referred to in subsection (2) has not commenced before the end of the period of 6 months commencing on the day on which

this Act is notified in the *Gazette*, that provision, by force of this subsection, commences on the first day after the end of that period.

### **Principal Act**

3. In this Act, "Principal Act" means the *Motor Traffic Act 1936*.<sup>1</sup>

### **5 Interpretation**

4. Section 4 of the Principal Act is amended—

- (a) by omitting from the definition of "private hire car" in subsection (1) "or motor omnibus" and substituting ", motor omnibus or restricted hire vehicle";
- 10 (b) by adding "and a restricted taxi" at the end of the definition of "taxi" in subsection (1);
- (c) by adding "other than a restricted taxi" at the end of the definition of "taxi licence" in subsection (1); and
- (d) by inserting in subsection (1) the following definitions:

15 " 'local services motor omnibus' means a motor omnibus that is engaged in the provision of a motor omnibus service—

- (a) under the *Motor Omnibus Services Act 1955*; or
  - (b) in accordance with a motor omnibus service licence that is expressed to be in respect of a local omnibus service;
- 20

'restricted hire vehicle' means a motor vehicle (other than a taxi or motor omnibus)—

- (a) that does not ply for hire in a public street for the conveyance of passengers;
- 25 (b) that is used, or is intended to be used, for the conveyance of passengers under a contract which gives the hirer the exclusive use of the vehicle; and
- (c) in relation to which a person is licensed under subsection 28A (1);

30 'restricted hire vehicle licence' means a licence granted under subsection 28A (1);

'restricted taxi' means a taxi in relation to which a person is licensed under subsection 27D (1);

35 'restricted taxi licence' means a licence granted under subsection 27D (1);".

**Provisional licences and endorsements**

5. Section 9B of the Principal Act is amended—

- 5
- (a) by omitting from paragraphs (2) (c) and (5) (c) “or private hire car” and substituting “, private hire car or restricted hire vehicle”; and
  - (b) by inserting in subsections (19) and (20) “, a restricted hire vehicle” after “a private hire car”.

**Full licences**

6. Section 10 of the Principal Act is amended—

- 10
- (a) by omitting from paragraphs (3) (a) and (6) (c) “or private hire car” and substituting “, private hire car or restricted hire vehicle”; and
  - (b) by inserting in subsections (16) and (17) “, a restricted hire vehicle” after “a private hire car”.

15 **Refusal of a licence to certain persons**

7. Section 11 of the Principal Act is amended by omitting “or a private hire car” and substituting “, a private hire car or a restricted hire vehicle”.

**Medical examination of applicants for and persons holding driver’s licences**

20 8. Section 12 of the Principal Act is amended—

- 25
- (a) by omitting from subsection (2) “or a private hire car” (first occurring) and substituting “a private hire car or a restricted hire vehicle”; and
  - (b) by omitting from subsection (2) “or a private hire car” (last occurring) and substituting “, a private hire car or a restricted hire vehicle”.

**Heading to Part III**

9. The heading to Part III of the Principal Act is omitted and the following heading substituted:

30 **“PART III—PUBLIC MOTOR VEHICLES, PRIVATE HIRE CARS AND RESTRICTED HIRE VEHICLES”.**

**Interpretation**

10. Section 26T of the Principal Act is amended—

- 35
- (a) by adding “, other than a restricted taxi” at the end of the definition of “defined right” in subsection (1); and

(b) by adding at the end the following subsection:

“(3) A reference in subsections 28B (1) and 28C (1) and (2) to the specified criteria is to be read as a reference to—

- 5
- (a) whether there has been, or is likely to be, a change in the use of the restricted hire vehicle from the use for which the licence was originally granted;
  - (b) the likelihood of danger being caused to the public;
  - (c) inconvenience to the public;
  - 10 (d) the extent of any adverse competitive effect on private hire cars and taxis; and
  - (e) any matter the Registrar considers relevant.”.

#### **Taxi and motor omnibus licences**

11. Section 27 of the Principal Act is amended—

- 15
- (a) by inserting in paragraph (1) (a) “, other than a restricted taxi” after “taxi” (wherever occurring); and
  - (b) by omitting subsections (3), (5) and (6).

#### **Insertion**

12. After section 27C of the Principal Act the following sections are inserted:

#### 20 **Restricted taxi licences**

“27D. (1) The Registrar may grant to a person who intends to use a motor vehicle as a restricted taxi a licence to operate a specified vehicle as a restricted taxi—

- 25
- (a) if satisfied that the use of the vehicle will meet a community need; and
  - (b) on payment of the determined fee.

“(2) The Registrar may, on payment of the determined fee, renew a restricted taxi licence.

30 “(3) The Registrar may, in a licence, specify conditions to which the licence is subject.

“(4) A restricted taxi licence entitles the holder to operate a specified motor vehicle as a taxi, subject to the conditions on the licence.

“(5) A person granted a licence under this section shall not, without reasonable excuse, contravene a condition of the licence.

Penalty: \$5,000.

“(6) A restricted taxi licence is not transferable.

**Limitation on number of restricted taxi licences**

5 “27E. (1) The Minister shall, after consulting with a representative of an organisation that the Minister is satisfied represents taxi licensees, by notice published in the *Gazette*, determine the number of restricted taxi licences that may be issued.

10 “(2) The Registrar shall not grant a restricted taxi licence if the number of restricted taxi licences would exceed the number determined by the Minister under subsection (1).

**Variation on application—restricted taxi licences**

“27F. (1) On application by a licensee, the Registrar shall—

15 (a) if satisfied that it is necessary having regard to the actual or predicted demand for the use of restricted taxis—vary or revoke a condition on a restricted taxi licence or impose a new condition; or

(b) if not so satisfied—refuse to vary or revoke a condition on a restricted taxi licence or to impose a new condition.

“2) Where the Registrar varies a licence under subsection (1), he or she shall give notice to the applicant in writing.

20 “(3) An application under subsection (1) or a notice under subsection (2) may be made by transmitting the application to the Registrar, or the notice to the applicant, by fax.

25 “(4) Where notice under subsection (2) is given by fax, the notice is to be taken to have been given at the time the fax was sent if the correct fax number appears on the fax transmission report generated by the sender’s fax machine.

“5) A variation may be effective for a specified period or for the unexpired period for which the licence remains in force.

**Variation by Registrar—restricted taxi licences**

30 “27G. (1) Where the Registrar has reasonable grounds for believing that, having regard to the actual or predicted demand for the use of such vehicles, it is necessary to vary or revoke a condition on a restricted taxi licence or to impose a new condition, the Registrar shall give the licensee written notice—

35 (a) setting out the grounds on which the Registrar’s belief is based; and

(b) inviting the licensee to show cause within a specified period why—

- (i) a condition on the licence should not be varied or revoked as specified in the notice; or
- 5 (ii) a new condition should not be imposed on the licence as specified.

“(2) Where, after taking into consideration any representation made by a licensee under subsection (1), the Registrar is satisfied, having regard to the actual or predicted demand for the use of restricted taxis, that—

- 10 (a) a condition specified in a restricted taxi licence should be varied or revoked; or
- (b) a restricted taxi licence should be made subject to a condition;

the Registrar shall, by notice in writing, require the licensee, within 14 days after the date of the notice, to forward his or her licence to the Registrar.

- 15 “(3) A person shall not, without reasonable excuse, contravene a requirement of the Registrar under subsection (2).

Penalty: \$500.

“(4) On receipt of a licence, the Registrar shall—

- (a) vary the licence; and
- 20 (b) return it to the licensee.

“(5) A variation may be effective for a specified period or for the unexpired period for which the licence remains in force.

#### Display of restricted taxi licence etc.

- 25 “27H. A person who holds a restricted taxi licence shall not, without reasonable excuse, fail to display in a prominent place his or her licence, and any notification of variation of a condition where that variation is not marked on the licence, in the vehicle to which it relates while using the vehicle as a restricted taxi.

Penalty: \$500.”.

#### 30 Licences for private hire cars

13. Section 28 of the Principal Act is amended by omitting subsections (3) and (5).

#### Insertion

- 35 14. After section 28 of the Principal Act the following sections are inserted:



**Restricted hire vehicles**

“28A. (1) The Registrar may, on payment of the determined fee, grant to a person a licence to operate a specified motor vehicle as a restricted hire vehicle.

5 “(2) The Registrar may, on payment of the determined fee, renew a restricted hire vehicle licence.

“(3) The Registrar may, in a licence, specify conditions to which the licence is subject.

“(4) The conditions that may be specified in a licence include—

- 10 (a) the hours during which the licensee may use the vehicle as a restricted hire vehicle;
- (b) the routes on which, or the areas within which, the licensee may use the vehicle as a restricted hire vehicle; and
- 15 (c) the types of functions or events in relation to which the vehicle may be used as a restricted hire vehicle.

“(5) A person may—

- (a) hold more than 1 restricted hire vehicle licence; and
- (b) hold a taxi or private hire car licence while holding a restricted hire vehicle licence.

20 “(6) A person granted a licence under this section shall not, without reasonable excuse, contravene a condition of the licence.

Penalty: \$5,000.

“(7) A restricted hire vehicle licence is not transferable.

25 “(8) Unless sooner cancelled or suspended, a restricted hire vehicle licence remains in force for the period specified in the licence.

**Variation on application—restricted hire vehicle licences**

“28B. (1) On application by a licensee, the Registrar shall—

- 30 (a) if satisfied that it is necessary, having regard to the specified criteria—vary or revoke a condition on a restricted hire vehicle licence or impose a new condition; or
- (b) in any other case—refuse to vary or revoke a condition on a restricted hire vehicle licence or impose a new condition.

“(2) Where the Registrar varies a licence under subsection (1) he or she shall give notice to the applicant in writing.

“(3) An application under subsection (1) or a notice under subsection (2) may be made by transmitting the application to the Registrar, or the notice to the applicant, by fax.

5 “(4) Where notice under subsection (2) is given by fax, the notice is to be taken to have been given at the time the fax was sent if the correct fax number appears on the fax transmission report generated by the sender’s fax machine.

“(5) A variation may be effective for a specified period or for the unexpired period for which the licence remains in force.

10 **Variation by Registrar—restricted hire vehicle licences**

“28C. (1) Where the Registrar has reasonable grounds for believing that, having regard to the specified criteria, it is necessary to vary or revoke a condition on a restricted hire vehicle licence or impose a new condition, the Registrar shall give the licensee written notice—

- 15 (a) specifying the relevant specified criteria and stating the facts and circumstances that constitute the basis for the Registrar’s belief; and
- (b) inviting the licensee to show cause within a specified period why—
- 20 (i) a condition on the licence should not be varied or revoked as specified in the notice; or
- (ii) a new condition should not be imposed on the licence as specified.

25 “(2) Where, after taking into consideration any representation made by a licensee under subsection (1), the Registrar is satisfied that, having regard to the specified criteria, it is necessary that—

- (a) a condition specified in a licence should be varied or revoked; or
- (b) a licence should be made subject to a condition;

30 the Registrar shall, by notice in writing, require the holder, within 14 days after the date of the notice, to forward his or her licence to the Registrar.

“(3) A person shall not, without reasonable excuse, contravene a requirement of the Registrar under subsection (2).

Penalty: \$500.

“(4) On receipt of a licence, the Registrar shall—

- 35 (a) vary the licence; and
- (b) return it to the licensee.

“(5) A variation may be effective for a specified period or for the unexpired period for which the licence remains in force.

**Restricted hire vehicles treated as private hire cars**

5 “28D. (1) A person who holds a restricted hire vehicle licence may operate the vehicle specified in the licence as a private hire car in accordance with this section.

“(2) A person shall not, without reasonable excuse, operate a restricted hire vehicle as a private hire car unless the Registrar has published a notice under subsection (3).

10 “(3) The Registrar may, if he or she is satisfied that there are insufficient private hire cars to meet an actual or predicted demand for private hire cars, publish in a daily newspaper published and circulating in the Territory, a notice stating that the holder of a restricted hire vehicle licence may operate the vehicle to which his or her licence relates as a private  
15 hire car for the period specified in the notice.

“(4) A restricted hire vehicle operating as a private hire car in accordance with this section shall not be taken to be a private hire car for the purpose of section 28.

20 “(5) The provisions of the Taxi and Private Hire Car Regulations relating to private hire car fares apply to a restricted hire vehicle operating as a private hire car in accordance with this section as though it were a private hire car.

**Display of restricted hire vehicle licence etc.**

25 “28E. A person who holds a restricted vehicle licence shall not, without reasonable excuse, fail to display his or her licence, and any notification of variation of a condition where that variation is not marked on the licence, in the vehicle to which it relates while using the vehicle as a restricted hire vehicle or a private hire car.

Penalty: \$500.”.

30 **Licences for the carriage of tourists**

15. Section 29 of the Principal Act is amended by omitting from subsection (1) “or private hire car” and substituting “, private hire car or restricted hire vehicle”.

**Suspension or cancellation of certain licences**

35 16. Section 30 of the Principal Act is amended by omitting “or a private hire car licence” and substituting “, restricted taxi licence, private hire car licence or restricted hire vehicle licence”.

**Certain persons to have use, control and management of vehicles**

17. Section 31 of the Principal Act is amended—

- 5 (a) by omitting from subsection (1) “or private hire car licence” and substituting “, restricted taxi licence, private hire car licence or restricted hire vehicle licence”;
- (b) by omitting from subsection (1) “or private hire car” (last occurring) and substituting “, private hire car or restricted hire vehicle”; and
- 10 (c) by omitting from subsection (2) “or private hire car” (wherever occurring) and substituting “, private hire car or restricted hire vehicle”.

**Insertion**

15 18. After section 31 of the Principal Act the following section is inserted:

**Number of passengers**

20 “31A. (1) A taxi licence, restricted taxi licence, motor omnibus licence, private hire car licence or restricted hire vehicle licence shall specify the number of passengers that the vehicle to which the licence relates may carry.

“(2) The licensee or driver of a public motor vehicle, private hire car or restricted hire vehicle shall not carry a number of passengers greater than the number specified in the licence as the maximum number of passengers which the vehicle may carry.

25 “(3) The licensee of a public motor vehicle shall—

- (a) in the case of a motor omnibus—cause to be painted on the vehicle, in legible letters in a conspicuous place; or
- (b) in any other case—cause to be displayed in a prominent place in the vehicle;

30 the maximum number of persons the vehicle is licensed to carry, in the following form:

‘Licensed to carry persons’.

35 “(4) A person who, without reasonable excuse, contravenes subsection (2) or (3) is guilty of an offence punishable, on conviction, by a fine not exceeding \$2,000.”.

**Fire extinguisher to be carried**

19. Section 32 of the Principal Act is amended by omitting "or private hire car" and substituting ", private hire car or restricted hire vehicle".

**Disinfection of vehicles**

5 20. Section 35 of the Principal Act is amended by omitting from subsections (1), (2), (3) and (4) "or private hire car" (wherever occurring) and substituting ", private hire car or restricted hire vehicle".

**Dangerous or offensive articles**

10 21. Section 39 of the Principal Act is amended by omitting "or private hire car" and substituting ", private hire car or restricted hire vehicle".

**Insurance of public motor vehicles etc.**

22. Section 83 of the Principal Act is amended—

(a) by omitting subsection (1) and substituting the following subsections:

15 "1) The owner of a public motor vehicle, private hire car or restricted hire vehicle shall maintain a policy of insurance against liability to any damages in respect of damage to property caused by or arising out of the use of the public motor vehicle, private hire car or restricted hire vehicle, under a policy of insurance issued by  
20 an authorised insurer, for not less than \$5,000,000.

"(1A) A policy maintained in accordance with subsection (1), other than a policy that also includes other insurance, shall be in the prescribed form.";

25 (b) by omitting from subsections (3) and (4) "motor omnibus, taxi or private hire car" (wherever occurring) and substituting "public motor vehicle, private hire car or restricted hire vehicle";

(c) by omitting from subsection (6) "motor omnibus, taxi or private hire car" (first occurring) and substituting "public motor vehicle, private hire car or restricted hire vehicle";

30 (d) by omitting from paragraph (6) (b) "motor omnibus, taxi or private hire car" and substituting "public motor vehicle, private hire car or restricted hire vehicle";

35 (e) by omitting from subsection (7) "motor omnibus, taxi or private hire car" (first and second occurring) and substituting "public motor vehicle, private hire car or restricted hire vehicle";

(f) by omitting from paragraph (7) (b) "motor omnibus, taxi or private hire car" and substituting "public motor vehicle, private hire car or restricted hire vehicle";

- (g) by omitting from subsection (9) "motor omnibus, taxi or private hire car" and substituting "public motor vehicle, private hire car or restricted hire vehicle"; and
- 5 (h) by omitting from subsection (9) "omnibus or car" (wherever occurring) and substituting "vehicle or car".

### Refusal, cancellation or suspension of licences or registrations

#### 23. Section 104 of the Principal Act is amended—

- (a) by inserting after paragraph (2) (d) the following paragraph:
- 10 "da) cancel or suspend, for such period as he or she thinks fit, a licence to ply for hire or restricted hire vehicle licence granted in respect of a restricted hire vehicle if, in the opinion of the Registrar, the licensee has contravened a condition of the licence;"
- 15 (b) by omitting from paragraph (2) (e) "or private hire car licence" and substituting ", private hire car licence or restricted hire vehicle licence";
- (c) by omitting from paragraph (2) (e) "or private hire car" (second and last occurring) and substituting ", private hire car or restricted hire vehicle";
- 20 (d) by omitting from paragraph (5) (a) "and"; and
- (e) by omitting paragraph (5) (b) and substituting the following paragraphs:
- 25 (b) for preventing the use on public streets of any motor vehicle or trailer which, in the Registrar's opinion, is a source of danger or annoyance to the public; and
- (c) for preventing the use on public streets of a public motor vehicle, private hire car or restricted hire vehicle that is not fit to be used as such."

#### Duration of registrations and licences

- 30 24. Section 105 of the Principal Act is amended by omitting from subsection (1) "216" and substituting "27D, 28A or 216".

#### Meanings indicated by traffic lights

25. Section 112B of the Principal Act is amended by adding at the end of the table in subsection (1) the following items:

"13	Letter "B" in white light	The driver of a motor omnibus may proceed in the direction that is straight ahead, to the left or to the right, notwithstanding any other item in this table
-----	---------------------------	--

- |    |                           |   |
|----|---------------------------|---|
| 14 | Letter "B" in amber light | The driver of a motor omnibus shall not proceed beyond the road marking applicable in relation to the light   |
| 15 | Letter "B" in red light   | The driver of a motor omnibus shall not proceed beyond the road marking applicable in relation to the light". |

### Insertion

26. After section 112B of the Principal Act the following provision is inserted:

### Defences

- 5 "112BA. (1) It is a defence to a prosecution for an offence against section 112A if the defendant satisfies the Court that—
- 10 (a) while the defendant was approaching the traffic lights facing the direction opposite to the direction in which he or she was proceeding, the traffic lights changed from displaying a circular green light or an arrow in green light to displaying a circular light or an arrow of another colour; and
  - 15 (b) having regard to all the circumstances of the case (including the defendant's distance from the lights and considerations of his or her safety and the safety of any passengers, the defendant's motor vehicle and any other person or vehicle in the vicinity), the defendant could not have reasonably stopped the motor vehicle before reaching the road marking which, together with the traffic lights, forms the traffic sign referred to in that section.
- 20 "(2) It is a defence to a prosecution for an offence against section 112A if the defendant was driving a motor omnibus at the time of the alleged offence and satisfies the Court that—
- 25 (a) while the defendant was approaching the traffic lights facing the direction opposite to the direction in which he or she was proceeding, the traffic lights changed from displaying a letter B in white light to displaying a letter B of another colour; and
  - 30 (b) having regard to all the circumstances of the case (including the defendant's distance from the lights and considerations of his or her safety and the safety of any passengers, the defendant's motor vehicle and any other person or vehicle in the vicinity), the defendant could not have reasonably stopped the motor vehicle before reaching the road marking which, together with the traffic lights, forms the traffic sign referred to in that section."

**Repeal**

27. Section 112E of the Principal Act is repealed.

**Interpretation**

5 28. Section 112K of the Principal Act is amended by omitting from subsection (1) the definition of "local services motor omnibus".

**Overtaking**

29. Section 118 of the Principal Act is amended by omitting from subsection (8) "The" and substituting "Subject to section 124B, the".

**Insertion**

10 30. After section 124A of the Principal Act the following section is inserted:

**Motorists to give way to local services motor omnibuses**

"124B. (1) Where—

- 15 (a) a motor vehicle on a public street is approaching a local services motor omnibus that—
- (i) is facing in the same direction as the motor vehicle; and
  - (ii) is stopped immediately adjacent to the left boundary of the carriageway of the public street;
- 20 (b) the driver of the local services motor omnibus is giving a signal prescribed for the purposes of subsection 136 (5);
- (c) the maximum speed applicable in relation to the public street is not greater than 80 kilometres per hour; and
- 25 (d) the circumstances are such that there is a reasonable possibility that the local services motor omnibus will not be able to enter the line of traffic in which the motor vehicle is travelling unless the driver of the motor vehicle decreases the speed of the motor vehicle or stops it;

30 the driver of the motor vehicle shall not, without reasonable excuse, fail to decrease the speed of the motor vehicle or stop it so as to allow the local services motor omnibus to enter the line of traffic.

"(2) Subsection (1) does not apply where—

- (a) the carriageway of the public street is divided into traffic lanes for vehicles travelling in the same direction as that in which the motor vehicle is being driven; and



- (b) the motor vehicle is not travelling in the lane that is furthest to the left.”.

### Interpretation

- 5 31. Section 149 of the Principal Act is amended by omitting from subsection (1) the definition of “local services motor omnibus”.

### Taxis, restricted taxis, private hire cars and restricted hire vehicles

- 10 32. Section 154 of the Principal Act is amended—
- (a) by inserting in subsection (3) “or restricted hire vehicle” after “private hire car” (wherever occurring);
- (b) by omitting from paragraph (4) (a) “or private hire car” and substituting “, private hire car or restricted hire vehicle”;
- (c) by omitting from paragraph (4) (b) “or the private hire car” and substituting “, private hire car or restricted hire vehicle”; and
- 15 (d) by omitting from paragraph (4) (c) “or private hire car” and substituting “, private hire car or restricted hire vehicle”.

### Exceptions for the purposes of section 164D

- 20 33. Section 164DB of the Principal Act is amended by omitting from paragraph (1) (a) “or a private hire car” and substituting “, private hire car or restricted hire vehicle”.

### Unauthorised use of motor vehicles as taxis etc.

34. Section 168 of the Principal Act is amended—
- (a) by omitting paragraph (a) and substituting the following paragraph:
- 25 “(a) as a public motor vehicle, private hire car or restricted hire vehicle;”; and
- (b) by inserting in paragraph (c) “or other” after “monetary”.

### Schedule 7

- 30 35. Schedule 7 to the Principal Act is amended—
- (a) by inserting in column 3 of items 6AA and 8AA of Part II “, a restricted hire vehicle” after “a private hire car”;
- (b) by inserting after item 20 of Part II the following items:
- |      |                    |   |
|------|--------------------|---|
| “20A | Subsection 27D (1) | Refusing to grant a restricted taxi licence |
|------|--------------------|---|

20B	Subsection 27D (2)	Refusing to renew a restricted taxi licence
20C	Subsection 27D (3)	Specifying that a restricted taxi licence be subject to a condition
20D	Paragraph 27F (1) (a)	Varying or revoking a condition on a restricted taxi licence
20E	Paragraph 27F (1) (a)	Imposing a new condition on a restricted taxi licence
20F	Paragraph 27F (1) (a)	Varying or revoking a condition on a restricted taxi licence for a period other than that applied for
20G	Paragraph 27F (1) (a)	Imposing a new condition on a restricted taxi licence for a period other than that applied for
20H	Paragraph 27F (1) (b)	Refusing to vary or revoke a condition on a restricted taxi licence
20J	Paragraph 27F (1) (b)	Refusing to impose a new condition on a restricted taxi licence
20K	Paragraph 27G (2) (a)	Varying or revoking a condition on a restricted taxi licence
20L	Paragraph 27G (2) (b)	Imposing a new condition on a restricted taxi licence";

(c) by inserting after item 22 of Part II the following items:

22A	Subsection 28A (1)	Refusing to grant a restricted hire vehicle licence
22B	Subsection 28A (2)	Refusing to renew a restricted hire vehicle licence
22C	Subsection 28A (3)	Specifying that a restricted hire vehicle licence be subject to a condition

22D	Paragraph 28B (1) (a)	Varying or revoking a condition on a restricted hire vehicle licence
22E	Paragraph 28B (1) (a)	Imposing a new condition on a restricted hire vehicle licence
22F	Paragraph 28B (1) (a)	Varying or revoking a condition on a restricted hire vehicle licence for a period other than the period applied for
22G	Paragraph 28B (1) (a)	Imposing a new condition on a restricted hire vehicle licence for a period other than the period applied for
22H	Paragraph 28B (1) (b)	Refusing to vary or revoke a condition on a restricted hire vehicle licence
22J	Paragraph 28B (1) (b)	Refusing to impose a new condition on a restricted hire vehicle licence
22K	Paragraph 28C (2) (a)	Varying or revoking a condition on a restricted hire vehicle licence
22L	Paragraph 28C (2) (b)	Imposing a new condition on a restricted hire vehicle licence";

(d) by omitting from column 3 of items 24 and 25 of Part II “, or a private hire car licence” and substituting “, a restricted taxi licence, a private hire car licence or a restricted hire vehicle licence”;

(e) by omitting from column 3 of item 26 of Part II “, or private hire car licence” and substituting “, restricted taxi licence, private hire car licence or restricted hire vehicle licence”; and

(f) by omitting item 38 of Part II and substituting the following items:

“37A	Paragraph 104 (2) (da)	Cancelling or suspending a restricted taxi licence or restricted hire vehicle licence for a breach of the licence conditions
------	------------------------	--

38	Paragraph 104 (2) (e)	Cancelling or suspending a public motor vehicle licence, a private hire car licence or a restricted hire vehicle licence”.
----	-----------------------	--

---

**NOTE**

1. Reprinted as at 18 May 1992. See also Act Nos. 44 and 46, 1992; Nos. 47, 57 and , 1993.

---

Printed by Authority of Liz Harley, ACT Government Printer

© Australian Capital Territory 1993