

2003

THE LEGISLATIVE ASSEMBLY  
FOR THE AUSTRALIAN CAPITAL TERRITORY

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(As presented)

(Minister for Urban Services)

## Road Transport (Public Passenger Services) Amendment Bill 2003

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## Road Transport (Public Passenger Services) Amendment Bill 2003

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### A Bill for

An Act to amend the *Road Transport (Public Passenger Services) Act 2001*, and for other purposes

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

1 **Part 1 Preliminary**

2 **1 Name of Act**

3 This Act is the *Road Transport (Public Passenger Services)*  
4 *Amendment Act 2003*.

5 **2 Commencement**

6 This Act commences on a day fixed by the Minister by written  
7 notice.

8 *Note 1* The naming and commencement provisions automatically commence on  
9 the notification day (see Legislation Act, s 75 (1)).

10 *Note 2* A single day or time may be fixed, or different days or times may be  
11 fixed, for the commencement of different provisions (see Legislation  
12 Act, s 77 (1)).

13 *Note 3* If a provision has not commenced within 6 months beginning on the  
14 notification day, it automatically commences on the first day after that  
15 period (see Legislation Act, s 79).

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1 **Part 2** **Road Transport (Public**  
2 **Passenger Services) Act 2001**

3 **3 Act amended—pt 2**

4 This part amends the *Road Transport (Public Passenger Services)*  
5 *Act 2001*.

6 **4 New section 4A**

7 *insert*

8 **4A Offences against Act—application of Criminal Code etc**

9 Other legislation applies in relation to offences against this Act.

10 *Note 1 Criminal Code*

11 The Criminal Code, ch 2 applies to the following offences against this  
12 Act (see Code, pt 2.1):

- 13 • s 60D (1) and (2) (Use of vehicles as hire cars)
- 14 • s 60E (1) and (2) (Pretending vehicles are licensed hire cars)
- 15 • s 60N (1) (Unaccredited operators not to operate hire car  
16 services)
- 17 • s 60O (1) and (2) (Pretending to be an accredited hire car  
18 service operator).

19 The chapter sets out the general principles of criminal responsibility  
20 (including burdens of proof and general defences), and defines terms  
21 used for offences to which the Code applies (eg *conduct*, *intention*,  
22 *recklessness* and *strict liability*).

23 *Note 2 Penalty units*

24 The Legislation Act, s 133 deals with the meaning of offence penalties  
25 that are expressed in penalty units.

1 **5 Regulations about operation of bus services by**  
2 **accredited people**  
3 **Section 24 (i)**

4 *substitute*

5 (i) requirements for display of accreditation numbers on  
6 advertisements for the service; and

7 (j) the provision of information and reports to the road transport  
8 authority.

9 **6 Section 37**

10 *substitute*

11 **37 Meaning of *taxi licence***

12 A *taxi licence* is a licence issued under the regulations to use a  
13 vehicle as a taxi, and includes a restricted taxi licence.

14 *Note* References to *taxi licence* include a *restricted taxi licence* unless the  
15 contrary intention otherwise appears (see Legislation Act, s 155).

16 **7 Maximum numbers of taxi licences**  
17 **Section 39**

18 *omit*

19 **8 Issue of taxi licences**  
20 **Section 40**

21 *omit*

22 **9 Use of vehicles as taxis**  
23 **Section 42 (3)**

24 *substitute*

25 (3) This section does not apply to a person in relation to the hiring of a  
26 vehicle used by the person if—



- 1 (a) the vehicle is licensed as a taxi under the law of another  
2 jurisdiction; and
- 3 (b) the hiring begins in that jurisdiction and is completed in the  
4 ACT.
- 5 (4) This section also does not apply to a person who is using a substitute  
6 vehicle as a licensed taxi in accordance with the regulations.

7 **10 Regulations about taxi licences**  
8 **Section 44 (1) (a)**

9 *substitute*

- 10 (a) matters in relation to the giving, refusal or surrender of  
11 licences, including an auction system for allocating licences;  
12 and

13 **11 Section 45**

14 *substitute*

15 **45 Meaning of *taxi***

16 A *taxi* is a vehicle (other than a bus) that stands or plies for hire for  
17 the transport of passengers along a road or road related area, and  
18 includes a restricted taxi.

19 *Note* References to *taxi* include a *restricted taxi* unless the contrary intention  
20 otherwise appears (see Legislation Act, s 155).

21 **12 Unaccredited operators not to operate taxi services**  
22 **Section 52 (2)**

23 *substitute*

- 24 (2) This section does not apply to a person in relation to the hiring of a  
25 taxi operated by the person if—
- 26 (a) the person is authorised to operate a taxi service under the law  
27 of another jurisdiction; and

- 1 (b) the hiring begins in that jurisdiction and is completed in the  
2 ACT.

3 **13 New parts 5A and 5B**

4 *insert*

5 **Part 5A Licensing of hire cars**

6 **Division 5A.1 Basic concepts**

7 **60A Meaning of *hire car licence***

8 A *hire car licence* is a licence issued under the regulations to use a  
9 vehicle as a hire car, and includes a restricted hire car licence.

10 *Note* References to *hire car licence* include a *restricted hire car licence*  
11 unless the contrary intention otherwise appears (see Legislation Act,  
12 s 155).

13 **60B Meaning of *restricted hire car licence***

14 A *restricted hire car licence* is a licence issued under the  
15 regulations to use a vehicle as a restricted hire car.

16 **Division 5A.2 Hire car licences**

17 **60C Transferability of hire car licences**

- 18 (1) If the holder of a hire car licence (other than a restricted hire car  
19 licence) asks the road transport authority to transfer the licence to  
20 someone else, the authority must transfer the licence to the person.
- 21 (2) A restricted hire car licence is not transferable (including, for  
22 example, by hiring the licence to someone else).

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1 **60D Use of vehicles as hire cars**

2 (1) A person must not use a vehicle as a hire car (other than a restricted  
3 hire car) unless the vehicle is licensed under the regulations as a hire  
4 car.

5 Maximum penalty: 50 penalty units.

6 (2) A person must not use a vehicle as a restricted hire car unless the  
7 vehicle is licensed under the regulations as a restricted hire car.

8 Maximum penalty: 50 penalty units.

9 (3) This section does not apply to a person in relation to the hiring of a  
10 vehicle used by the person if—

11 (a) the vehicle is licensed as a hire car under the law of another  
12 jurisdiction; and

13 (b) the hiring begins in that jurisdiction and is completed in the  
14 ACT.

15 (4) This section also does not apply to a person who is using a substitute  
16 vehicle as a licensed hire car in accordance with the regulations.

17 (5) An offence against this section is a strict liability offence.

18 **60E Pretending vehicles are licensed hire cars**

19 (1) A person must not pretend that a vehicle is licensed under the  
20 regulations as a hire car (other than a restricted hire car).

21 Maximum penalty: 30 penalty units.

22 (2) A person must not pretend that a vehicle is licensed under the  
23 regulations as a restricted hire car.

24 Maximum penalty: 30 penalty units.

25 (3) An offence against this section is a strict liability offence.

1 **60F Regulations about hire car licences**

- 2 (1) The regulations are to provide a system for the licensing of hire cars  
3 and restricted hire cars, including, for example—
- 4 (a) matters in relation to the giving, refusal or surrender of  
5 licences, including an auction system for allocating licences;  
6 and
- 7 (b) the term of restricted hire car licences; and
- 8 (c) the conditions of licences; and
- 9 (d) the circumstances in which a substitute vehicle may be used as  
10 a licensed hire car; and
- 11 (e) the action that may be taken in relation to licences in  
12 circumstances prescribed under the regulations, including, for  
13 example—
- 14 (i) the suspension or cancellation of a licence; and
- 15 (ii) the imposition of a condition on, or the amendment of a  
16 condition of, a licence; and
- 17 (iii) an order that the holder of a licence pay to the Territory  
18 an amount of not more than—
- 19 (A) for an individual—\$5 000; or
- 20 (B) for a corporation—\$25 000; and
- 21 (iv) the reprimanding of the holder of a licence.

22 **Examples of conditions for restricted hire car licences—s (1) (c)**

- 23 1 how the vehicle to which the restricted hire car licence relates must be  
24 equipped
- 25 2 the kinds of restricted hire car services that may be operated using the  
26 vehicle

27 *Note* An example is part of the Act, is not exhaustive and may extend, but  
28 does not limit, the meaning of the provision in which it appears (see  
29 Legislation Act, s 126 and s 132).

- 1 (2) The regulations may place different requirements on the person to  
2 whom a hire car licence (other than a restricted hire car licence) is  
3 issued and a person to whom the licence is hired.

## 4 **Part 5B Hire car services**

### 5 **Division 5B.1 Basic concepts**

#### 6 **60G Meaning of *hire car***

7 A *hire car* is a vehicle (other than a bus or taxi) that—

- 8 (a) is used, or is intended to be used, for the transport of  
9 passengers under a contract; and  
10 (b) does not stand or ply for hire for the transport of passengers  
11 along a road or road related area;

12 and includes a restricted hire car.

13 *Note* References to *hire car* include a *restricted hire car* unless the contrary  
14 intention otherwise appears (see Legislation Act, s 155).

#### 15 **60H Meaning of *restricted hire car***

16 A *restricted hire car* is a vehicle (other than a bus or taxi) that—

- 17 (a) is used, or is intended to be used, for the transport of  
18 passengers under a contract; and  
19 (b) does not stand or ply for hire for the transport of passengers  
20 along a road or road related area; and  
21 (c) is licensed under the regulations as a restricted hire car.

#### 22 **60I Meaning of *hire car service***

23 A *hire car service* is a public passenger service operated using 1 or  
24 more hire cars (including restricted hire cars).

1 **60J Meaning of *restricted hire car service***

2 A *restricted hire car service* is a public passenger service operated  
3 using only 1 or more restricted hire cars.

4 **Examples of kinds of restricted hire car services**

- 5 1 a pre-booked public passenger service that provides transport to weddings  
6 and school formals
- 7 2 a pre-booked public passenger service operated in accordance with a publicly  
8 available tour itinerary

9 *Note* An example is part of the Act, is not exhaustive and may extend, but  
10 does not limit, the meaning of the provision in which it appears (see  
11 Legislation Act, s 126 and s 132).

12 **Division 5B.2 Accreditation of hire car service**  
13 **operators**

14 **60K Hire car service operators—purposes of accreditation**

15 The purpose of accreditation under the regulations to operate a hire  
16 car service is to ensure that—

- 17 (a) each person, including the accredited person, who is concerned  
18 with, or takes part in, the management of the service, is a  
19 suitable person to operate the service; and
- 20 (b) each person, including the accredited person, who is concerned  
21 with, or takes part in, the management of the service, has  
22 demonstrated the capacity to comply with the relevant  
23 regulations and, in particular, the regulations about—
- 24 (i) the safety of passengers and the public; and  
25 (ii) the maintenance of hire cars.

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1 **60L Hire car service operators—regulations about**  
2 **accreditation system**

3 (1) The regulations are to provide a system for the accreditation of  
4 people to operate hire car services, including, for example—

5 (a) the kinds of accreditations; and

6 (b) the kinds of hire cars and hire car services that a person who  
7 holds a particular kind of accreditation is entitled to operate;  
8 and

9 (c) the conditions of accreditations; and

10 (d) matters in relation to the giving, refusal or surrender of  
11 accreditations; and

12 (e) the action that may be taken in relation to an accredited person  
13 in circumstances prescribed under the regulations, including,  
14 for example—

15 (i) the suspension or cancellation of an accreditation; and

16 (ii) the imposition of a condition on, or the amendment of a  
17 condition of, an accreditation; and

18 (iii) an order that an accredited person pay to the Territory an  
19 amount of not more than—

20 (A) for an individual—\$5 000; or

21 (B) for a corporation—\$25 000; and

22 (iv) the reprimanding of an accredited person.

23 *Note* An example is part of the Act, is not exhaustive and may extend, but  
24 does not limit, the meaning of the provision in which it appears (see  
25 Legislation Act, s 126 and s 132).

26 (2) The regulations may make provision in relation to the accreditation  
27 of people to operate hire car services, including, for example—

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1 (a) requirements about the suitability of the applicant and each  
2 person who will be concerned with, or take part in, the  
3 management of the service; and

4 (b) capacity to meet service standards.

5 (3) For subsection (1) (a), the regulations must provide for the  
6 accreditation of people to operate—

7 (a) a hire car service (other than a restricted hire car service); and

8 (b) a restricted hire car service.

9 *Note* For examples of kinds of restricted hire car services, see s 60J.

10 **Division 5B.3 Entitlement to operate hire car**  
11 **services**

12 **60M Entitlement to operate hire car services**

13 A person is entitled to operate a particular kind of hire car service,  
14 within or partly within the ACT, if—

15 (a) the person is accredited under the regulations to operate a hire  
16 car service of that kind; and

17 (b) the vehicles used to operate the service are licensed under the  
18 regulations as hire cars for that kind of hire car service.

19 **60N Unaccredited operators not to operate hire car services**

20 (1) A person must not operate, within or partly within the ACT, a hire  
21 car service of a particular kind unless the person is accredited under  
22 the regulations to operate a hire car service of that kind.

23 Maximum penalty: 50 penalty units.

24 (2) This section does not apply to a person in relation to the hiring of a  
25 hire car operated by the person if—



- 
- 1 (a) the person is authorised to operate a hire car service under the  
2 law of another jurisdiction; and
- 3 (b) the hiring begins in that jurisdiction and is completed in the  
4 ACT; and
- 5 (c) the hiring is of a kind that the person is authorised to operate  
6 under the law of that jurisdiction.
- 7 (3) An offence against this section is a strict liability offence.

8 **60O Pretending to be an accredited hire car service operator**

- 9 (1) A person must not pretend to be accredited under the regulations to  
10 operate a hire car service.
- 11 Maximum penalty: 30 penalty units.
- 12 (2) A person must not pretend to be accredited under the regulations to  
13 operate a particular kind of hire car service.
- 14 Maximum penalty: 30 penalty units.
- 15 (3) An offence against this section is a strict liability offence.

16 **Division 5B.4 Regulation of hire car services**

17 **60P Regulations about operation of hire car services by**  
18 **accredited people**

19 The regulations may make provision in relation to the operation of  
20 hire car services by accredited hire car service operators, including,  
21 for example—

- 22 (a) the supervision and monitoring of drivers of hire cars operated  
23 by an accredited hire car service operator for compliance with  
24 the service standards and the responsibilities of the operator in  
25 relation to a failure to comply with the standards; and
- 26 (b) the safety of passengers (including, for example, particular  
27 kinds of security devices) and the public; and

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- 1 (c) the qualifications, training and experience of accredited hire  
2 car service operators and hire car drivers (including, for  
3 example, in relation to particular kinds of hire car services);  
4 and
- 5 (d) maximum driving times and minimum rest times of hire car  
6 drivers; and
- 7 (e) insurance; and
- 8 (f) customer complaints and inquiries; and
- 9 (g) lost property; and
- 10 (h) the operation of particular kinds of hire cars and hire car  
11 services; and
- 12 (i) the requirements that hire cars, and their equipment and fittings  
13 (internal and external) (including, for example, baby capsules),  
14 must comply with; and
- 15 (j) the maintenance and cleaning of hire cars; and
- 16 (k) the making and keeping of records and their inspection; and
- 17 (l) the auditing of records and systems; and
- 18 (m) the display of licences; and
- 19 (n) requirements for display of accreditation numbers on  
20 advertisements for the service; and
- 21 (o) the provision of information and reports to the road transport  
22 authority.

23 *Note* An example is part of the Act, is not exhaustive and may extend, but  
24 does not limit, the meaning of the provision in which it appears (see  
25 Legislation Act, s 126 and s 132).

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1 **60Q Regulations about operation of hire cars**

2 The regulations may make provision in relation to the operation of  
3 hire cars, including, for example—

- 4 (a) the solicitation of passengers or hirings; and
- 5 (b) the hiring of vehicles; and
- 6 (c) the picking-up and dropping-off of passengers and other  
7 matters relating to the transport of passengers; and
- 8 (d) the transport of passengers' luggage or other goods, and  
9 animals; and
- 10 (e) the regulation or prohibition of the use of vehicles on certain  
11 roads or road related areas; and
- 12 (f) the maximum speed of a vehicle; and
- 13 (g) the design, equipment and fittings (internal or external) of  
14 vehicles; and
- 15 (h) the regulation or prohibition of notices, signs and  
16 advertisements inside or on the outside of vehicles; and
- 17 (i) the records to be made and kept by drivers, how they are to be  
18 made and kept, and their inspection; and
- 19 (j) approval of uniforms or industry codes of practice for dress  
20 standards.

21 *Note* An example is part of the Act, is not exhaustive and may extend, but  
22 does not limit, the meaning of the provision in which it appears (see  
23 Legislation Act, s 126 and s 132).

24 **60R Regulations about hire car drivers**

25 The regulations may make provision in relation to hire car drivers,  
26 including, for example—

- 27 (a) the powers, duties and conduct of hire car drivers; and

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1 (b) the training of drivers; and

2 (c) how hire car drivers must dress.

3 *Note 1* For the licensing of people to drive hire cars, see the *Road Transport*  
4 *(Driver Licensing) Regulations 2000*.

5 *Note 2* An example is part of the Act, is not exhaustive and may extend, but  
6 does not limit, the meaning of the provision in which it appears (see  
7 Legislation Act, s 126 and s 132).

## 8 **60S Regulations about conduct of hire car passengers**

9 The regulations may make provision in relation to the conduct of  
10 passengers being carried by hire cars, including, for example the  
11 authority of hire car drivers, police officers and authorised people to  
12 direct people contravening a regulation to leave a hire car and to  
13 remove them if they fail to leave.

14 *Note* An example is part of the Act, is not exhaustive and may extend, but  
15 does not limit, the meaning of the provision in which it appears (see  
16 Legislation Act, s 126 and s 132).

## 17 **14 New section 65A**

18 *in part 6, insert*

## 19 **65A References to Motor Traffic Act, Traffic Act etc**

20 (1) In any Act, instrument made under an Act or document, a reference  
21 to an earlier law is, in relation to anything to which this Act applies,  
22 a reference to this Act.

23 (2) In this section:

24 *earlier law* means any of the following:

25 (a) *Motor Traffic Act 1936*;

26 (b) *Motor Traffic Regulations 1934*;

27 (c) *Road Transport (Bus Services) Regulations 2000*;

- 1 (d) *Road Transport (General) Act 1999*;
- 2 (e) *Road Transport (Hire Vehicle Services) Regulations 2000*;
- 3 (f) *Road Transport (Taxi Services) Regulations 2000*.

## 4 **15 Part 7**

5 *substitute*

## 6 **Part 7 Transitional provisions**

### 7 **66 Definitions for pt 7**

8 In this part:

9 *commencement* means the commencement of this part.

10 *General Act* means the *Road Transport (General) Act 1999*, as in  
11 force immediately before the commencement.

### 12 **67 Transitional regulations**

- 13 (1) The regulations may prescribe savings or transitional matters  
14 necessary or convenient to be prescribed because of the enactment  
15 of part 5A (Licensing of hire cars) and part 5B (Hire car services).
- 16 (2) Without limiting the scope of subsection (1), the regulations may  
17 prescribe matters necessary or convenient to be prescribed for  
18 carrying out or giving effect to the provisions of part 5A, part 5B  
19 and this part.
- 20 (3) Regulations made for this section must not be taken to be  
21 inconsistent with—
- 22 (a) this Act as far as they can operate concurrently with this Act;  
23 or
- 24 (b) any other provision of the road transport legislation as far as  
25 they can operate concurrently with the provision.

1 (4) This section is additional to, and does not limit, section 68  
2 (Modification of pt 7's operation).

3 **68 Modification of pt 7's operation**

4 The regulations may modify the operation of this part to make  
5 provision in relation to any matter that, in the Executive's opinion,  
6 is not, or not adequately, dealt with in this part.

7 **69 Continuation of hire licences**

8 (1) This section applies to a person who, immediately before the  
9 commencement, was the holder of—

- 10 (a) a private hire car operator's licence under the General Act; or  
11 (b) a restricted hire vehicle operator's licence under the General  
12 Act.

13 (2) The person is taken, after the commencement—

- 14 (a) for a person mentioned in subsection (1) (a)—to be the holder  
15 of a hire car licence (other than a restricted hire car licence)  
16 issued under this Act; or  
17 (b) for a person mentioned in subsection (1) (b)—to be the holder  
18 of a restricted hire car licence issued under this Act.

19 (3) If the licence held by the person was, immediately before the  
20 commencement, subject to conditions, the licence the person is  
21 taken to hold under subsection (2) is taken to be subject to the  
22 conditions.

23 (4) The term of a restricted hire vehicle operator's licence that is taken  
24 to be a restricted hire car licence issued under this Act is taken to be  
25 the unexpired term of the licence before the commencement.

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1 **70 Interim accreditation of existing hire car operators**

- 2 (1) This section applies to a person who—
- 3 (a) immediately before the commencement, operated a hire car  
4 service (other than a restricted hire car service) within the  
5 meaning of this Act; or
- 6 (b) immediately before the commencement, was the holder of a  
7 restricted hire vehicle operator's licence (other than a special  
8 occasion licence) under the General Act; or
- 9 (c) held a special occasion licence on a day not more than  
10 3 months before the commencement.
- 11 (2) The person is taken, after the commencement—
- 12 (a) for a person mentioned in subsection (1) (a)—to be accredited  
13 under the regulations to operate a hire car service; or
- 14 (b) for a person mentioned in subsection (1) (b) or (c)—to be  
15 accredited under the regulations to operate a restricted hire car  
16 service.
- 17 (3) The accreditation the person is taken to hold under  
18 subsection (2) may be varied or ended by the road transport  
19 authority in accordance with the regulations.
- 20 (4) If the accreditation a person mentioned in subsection (1) (a) or (b) is  
21 taken to hold under subsection (2) has not been ended in accordance  
22 with the regulations, the accreditation ends 1 year after the day this  
23 section commences.
- 24 (5) If the accreditation a person mentioned in subsection (1) (c) is taken  
25 to hold under subsection (2) has not been ended in accordance with  
26 the regulations, the accreditation ends 3 months after the day this  
27 section commences.
- 28 (6) However, if the accreditation a person mentioned in  
29 subsection (1) (c) is taken to hold has not been ended in accordance  
30 with the regulations and, before the end of the 3-month period, the

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1 person is issued with a hire car licence (including a restricted hire  
2 car licence), the accreditation the person is taken to hold under  
3 subsection (2) ends 1 year after the day this section commences.

4 (7) In this section:

5 *special occasion licence* means a restricted hire vehicle operator's  
6 licence under the General Act to operate a hire car service for an  
7 event on a particular day.

8 **Examples of kinds of events**

9 weddings and school formals

10 *Note* An example is part of the Act, is not exhaustive and may extend, but  
11 does not limit, the meaning of the provision in which it appears (see  
12 Legislation Act, s 126 and s 132).

13 **71 Interim accreditation of tour and charter service**  
14 **operators**

15 (1) This section applies to a person who, immediately before the  
16 commencement, was taken to be an accredited tour and charter  
17 service operator under section 83, as in force immediately before the  
18 commencement.

19 (2) The person is taken, after the commencement, to be accredited  
20 under the regulations to operate a restricted hire car service.

21 (3) The person is taken, after the commencement, to be licensed under  
22 the regulations to operate a restricted hire car service.

23 (4) If the accreditation or licence the person is taken to hold under  
24 subsection (2) or (3) has not been ended in accordance with the  
25 regulations, the accreditation or licence ends 3 months after the day  
26 this section commences.

27 (5) However, if the accreditation the person is taken to hold under  
28 subsection (2) has not been ended in accordance with the regulations  
29 and, before the end of the 3-month period, the person is issued with  
30 a hire car licence (including a restricted hire car licence), the



1 accreditation the person is taken to hold under subsection (2) ends  
2 1 year after the day this section commences.

3 **72 Expiry of pt 7**

4 This part expires 1 year after the day this section commences.

5 **16 Parts 5A to 7**

6 *renumber parts, divisions and sections when Act next republished*  
7 *under Legislation Act 2001*

8 **17 Dictionary**

9 *insert*

10 *accredited hire car service operator* means accredited under the  
11 regulations to operate a hire car service.

12 *hire car*—see section 60G.

13 *hire car licence*—see section 60A.

14 *hire car service*—see section 60I.

15 **18 Dictionary, definition of holder**

16 *substitute*

17 *holder* means—

18 (a) for a service contract—the person who (apart from the road  
19 transport authority) is a party to the contract; or

20 (b) for a taxi or hire car licence—the person to whom the licence  
21 was issued.

1 **19 Dictionary, definition of *licence***

2 *omit*

3 **20 Dictionary, definition of *public passenger vehicle***

4 *substitute*

5 *public passenger vehicle* means a public bus, taxi or hire car.

6 **21 Dictionary**

7 *insert*

8 *restricted hire car*—see section 60H.

9 *restricted hire car licence*—see section 60B.

10 *restricted hire car service*—see section 60J.

1 **Part 3** **Domestic Animals Act 2000**

2 **22 Act amended—pt 3**

3 This part amends the *Domestic Animals Act 2000*.

4 **23 Dictionary**  
5 **Section 3, note 1**

6 *substitute*

7 *Note 1* The dictionary at the end of this Act defines certain words and  
8 expressions, and includes references (*signpost definitions*) to other  
9 words and expressions defined elsewhere in this Act.

10 For example, the signpost definition '*permit*, for part 3 (Dogs and  
11 Cats)—see section 73 (Meaning of *de-sex* and *permit* for pt 3).' means  
12 the expression 'permit' is defined in section 73 and applies to part 3.

13 **24 Dictionary, definition of *public place***

14 *substitute*

15 *public place*—

- 16 (a) see the *Roads and Public Places Act 1937*, dictionary; and  
17 (b) includes a public passenger vehicle under the *Road Transport*  
18 (*Public Passenger Services*) *Act 2001*.

19 *Note* A public passenger vehicle is a public bus, taxi or hire car.

20 **25 Dictionary, definition of *public vehicle***

21 *omit*

1 **Part 4** **Road Transport (Driver**  
2 **Licensing) Act 1999**

3 **26 Act amended—pt 4**

4 This part amends the *Road Transport (Driver Licensing) Act 1999*.

5 **27 Definitions—the dictionary**  
6 **Section 4, note 1**

7 *substitute*

8 *Note 1* The dictionary at the end of this Act defines certain words and  
9 expressions, and includes references (*signpost definitions*) to other  
10 words and expressions defined elsewhere in this Act or elsewhere in the  
11 road transport legislation.

12 For example, the signpost definition '*road transport legislation*—see  
13 the *Road Transport (General) Act 1999*, section 6.' means the  
14 expression 'road transport legislation' is defined in that section and the  
15 definition applies to this Act.

16 **28 Dictionary, definition of *public vehicle***

17 *substitute*

18 *public vehicle* means a public passenger vehicle under the *Road*  
19 *Transport (Public Passenger Services) Act 2001*.

20 *Note* A public passenger vehicle is a public bus, taxi or hire car.

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1 **Part 5** **Road Transport (General) Act**  
2 **1999**

3 **29 Act amended—pt 5**

4 This part amends the *Road Transport (General) Act 1999*.

5 **30 Public vehicles**  
6 **Part 9**

7 *omit*

8 **31 Definitions for pt 10**  
9 **Section 158, definition of *public vehicle***

10 *substitute*

11 *public vehicle* means a public passenger vehicle under the *Road*  
12 *Transport (Public Passenger Services) Act 2001*.

13 *Note* A public passenger vehicle is a public bus, taxi or hire car.

14 **32 New section 216A**

15 *in division 10.12, insert*

16 **216A Meaning of *accredited operator***

17 In this division:

18 *accredited operator*, of a public vehicle, means a person who is  
19 accredited under the *Road Transport (Public Passenger Services)*  
20 *Act 2001* to operate the public passenger service for which the  
21 vehicle is operated.

1 **33 Public vehicle insurance compulsory**  
2 **Section 217**

3 *omit*

4 owner

5 *substitute*

6 accredited operator

7 **34 Public vehicle policies**  
8 **Section 218**

9 *omit*

10 owner

11 *substitute*

12 accredited operator

13 **35 Section 235**

14 *substitute*

15 **235 References to Motor Traffic Act, Traffic Act etc**

16 (1) In any Act, instrument made under an Act or document, a reference  
17 to an earlier law is, in relation to anything to which this Act applies,  
18 a reference to this Act.

19 (2) In this section:

20 *earlier law* means any of the following:

21 (a) *Motor Traffic Act 1936*;

22 (b) *Motor Traffic Regulations 1934*;

23 (c) *Motor Vehicle (Third Party Insurance) Regulations 1947*;

24 (d) *Traffic Act 1937*.

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- 1 **36 Dictionary, new definition of *accredited operator***
- 2 *insert*
- 3 *accredited operator*, of a public vehicle, for division 10.12  
4 (Additional insurance for public vehicles)—see section 216A.
- 5 **37 Dictionary, definitions of *private hire car*, *private hire car*  
6 *operator's licence* and *public bus***
- 7 *omit*
- 8 **38 Dictionary, definition of *public vehicle***
- 9 *substitute*
- 10 *public vehicle*, for part 10 (Compulsory insurance)—see  
11 section 158.
- 12 **39 Dictionary, definitions of *restricted hire vehicle*, *restricted*  
13 *hire vehicle operator's licence*, *sightseeing vehicle*  
14 *operator's licence* and *taxi***
- 15 *omit*
- 

## Endnotes

### Republications of amended laws

- 1 For the latest republication of amended laws, see [www.legislation.act.gov.au](http://www.legislation.act.gov.au).

### Penalty units

- 2 The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.