

Australian Capital Territory

Road Transport (Public Passenger Services) (Minimum Service Standards for Hire Car Services (Other Than Restricted Hire Car Services)) Approval 2006 (No 1)

Disallowable instrument DI2006–42

made under the

Road Transport (Public Passenger Services) Regulation 2002, section 18B (Minimum service standards for regulated services)

1 Name of instrument

This instrument is the Road Transport (Public Passenger Services) (Minimum Service Standards for Hire Car Services (Other Than Restricted Hire Car Services)) Approval 2006 (No 1)

2 Commencement

This instrument commences on the day after notification.

3 Approval

I approve the standards contained in Schedule 1 as the Minimum Services Standards for the operation of hire car services (other than restricted hire car services).

Michael John Zissler
Road Transport Authority
7 March 2006

SCHEDULE 1

MINIMUM SERVICE STANDARDS FOR HIRE CAR SERVICES (OTHER THAN RESTRICTED HIRE CAR SERVICES)

PART 1 Minimum Service Standard for Cleaning, Servicing, Inspection, Maintenance & Repair of Hire Cars (Including Compliance with Section 179 (Maintenance of Hire Cars))

- 1.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must implement a regular maintenance, service and inspection program for hire cars to ensure compliance with the manufacturer's standards for the vehicles. The program must include:
- (1) ensuring appropriate facilities (whether those of the Hire Car Service or of a contractor of the operator) are available to service, maintain and repair the operator's vehicle;
 - (2) ensuring the people undertaking the servicing, maintenance and repairs of hire cars are appropriately trained and have a trade certificate or licence for the work they are performing;
 - (3) if the operator undertakes "in-house" servicing, providing the details and relevant qualifications of persons who will do the servicing;
 - (4) for servicing, maintenance or repairs of hire cars carried out on behalf of the Operator, having suitable arrangements in place to ensure the hire cars comply with the Act;
 - (5) ensuring for servicing, maintenance or repairs of hire cars carried out on behalf of the Operator, provide the details of the person, and the place where those activities will be carried out; and
 - (6) ensuring that while the hire car is operating as a hire car, its fittings are clean and undamaged, properly fitted and securely in place, fully operational and comply with any Standards approved by the Authority.
 - (7) ensuring a process is in place for drivers to inspect hire cars before every shift and a mechanism for reporting vehicle defects and faults (including to equipment) is available.
- 1.2 If there are no manufacturer's standards for hire cars, the vehicles must be maintained, serviced and inspected so they remain roadworthy at all times.

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- 1.3 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must implement a cleaning program that ensures hire cars are cleaned on a regular basis. The cleaning program must include, at a minimum:
- (1) the frequency of general cleaning – ie vacuuming;
 - (2) the frequency of detailed cleaning;
 - (3) the person/office with responsibility for the cleaning; and
 - (4) the procedure to ensure that all hire cars used to operate the hire car service are captured under the program.

The areas to be cleaned include:

- (a) the interior including the boot compartment;
- (b) the exterior including the body and door panels, the bumper bars, the trim, the wheels; and
- (c) fittings including seats, seat covers, floor coverings and any device or equipment required to be installed under the *Road Transport (Public Passenger Services) Regulation 2002* or Road Transport Authority (the Authority) approved Standards.

PART 2 Minimum Service Standard for Advertising / Publishing

- 2.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must provide the Authority with:
- (1) information on how and where hire car services will be advertised, including what category of public passenger service any listings will be made under;
 - (2) any brochures and business cards that are to be made available to the public; and
 - (3) details of any internet address and information provided on the website about the operator's hire car services.
- 2.2 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must provide the Authority, within seven (7) days prior to publication, with new brochures, business cards or advertising material.

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**PART 3 Minimum Service Standard for Making and Management of
Records**

- 3.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must maintain records which are capable of being audited for:
- (1) the date, time, origin and destination of every hiring;
 - (2) the hire car used, and the driver details, for every hiring;
 - (3) the name in which each hiring is made;
 - (4) the date maintenance, servicing and repairs were undertaken for any hire car used to operate the hire car service;
 - (5) the repairs and/or type of maintenance conducted;
 - (6) details of who conducted the maintenance;
 - (7) customer complaints and the resolution of customer complaints;
and
 - (8) lost property.

**PART 4 Minimum Service Standard for the Operation of a Hire Car
Service**

- 4.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must:
- (1) if the hire car service is operated by a corporation, ensure no person other than the directors, office holders or managers have management of the day-to-day operations of the hire car service;
 - (2) provide to hire car drivers employed or otherwise utilised by the Operator a copy of the Operator's Accepted Service Standards, and if there are specific rules governing the operation of the hire car service, a copy of those rules and any Industry Codes of Practice;
 - (3) ensure that whoever drives the hire cars is bound by the Operator's Accepted Service Standards and any Industry Codes of Practice.

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**PART 5 Minimum Service Standard for Compliance with Section 181
(Hire car drivers to hold appropriate driver licence or
authority)**

- 5.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must:
- (1) regularly check the expiry dates of driver licences and authorities held by drivers employed, or otherwise utilised, to ensure licences and authorities remain current;
 - (2) at regular intervals notified by the Authority, provide the Authority with a list of all drivers used by the Operator for the provision of the hire car service, including the driver's full name and address, and driver licence or driver authority number;
 - (3) have processes in place to ensure that any new driver's details are provided to the Authority before the person commences driving for the Operator and that the Authority is notified of any driver who ceases driving for the Operator; and
 - (4) if notified by the Authority that a driver's licence has been suspended or cancelled, ensure that the person does not drive a hire car for the Operator.

**PART 6 Minimum Service Standard for the Monitoring of Safety and
Training of Hire Car Drivers**

- 6.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must:
- (1) ensure that if any hire car used to operate the hire car service is fitted with a security camera system – that the Standards for Security Cameras approved by the Authority are adhered to and the Authority is notified of the security camera system before becoming operational;
 - (2) ensure that if any hire car used to operate the hire car service is fitted with a security camera system – that the system is monitored and alarms responded to immediately; and
 - (3) ensure that any defects or faults reported for equipment that monitors the safety of drivers are repaired expeditiously.
- 6.2 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must ensure training programs are undertaken by hire car drivers as required.

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**PART 7 Minimum Service Standard for How Contraventions of the
Road Transport Legislation by Hire Car Drivers will be
Handled**

- 7.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must:
- (1) ensure that disciplinary procedures are in place for drivers and that, when required, hire car drivers are disciplined in accordance with these disciplinary procedures;
 - (2) take disciplinary action against hire car drivers who smoke within the hire car or return hire cars in an unclean condition; and
 - (3) ensure that hire car drivers employed or otherwise utilised are made aware of their responsibilities to the public under the *Road Transport (Public Passenger Services) Regulations 2002*.

**PART 8 Minimum Service Standard for Handling of Customer
Inquiries & Customer Complaints**

- 8.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must:
- (1) establish procedures for handling and recording customer complaints and dispute resolution;
 - (2) respond to the Authority within seven (7) days after a customer complaint has been forwarded to the Operator by the Authority;
 - (3) respond to customer inquiries in a timely and accurate manner;
 - (4) investigate all customer complaints and report the results of the investigation of the complaint to the complainant in a timely and courteous manner;
 - (5) establish processes for ensuring serious complaints are reported to management and the Authority as necessary; and
 - (6) provide a copy of the procedures for the handling and recording of customer complaints and dispute resolution.

PART 9 Minimum Service Standard for the Handling of Lost Property

- 9.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) must:
- (1) ensure drivers know of the lost property requirements for drivers under Regulation 201 of the *Road Transport (Public Passenger Services) Regulation 2002*;

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- (2) establish procedures for handling and recording lost property including ensuring the security of stored lost property;
- (3) ensure that any lost property is dealt with according to the procedures notified to the Authority by the Operator and is disposed of in accordance with any directions given by the Authority; and
- (4) provide a copy of the lost property procedure.

PART 10 Minimum Service Standard if a motorbike will be used to operate the Hire Car Service

10.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) using a motorbike must:

- (1) have available, and ensure that all passengers wear, clean undamaged Standards Australia International Limited approved full-face helmets in sufficient sizes to cater for all passengers;
- (2) ensure that no passenger behaves in a manner that adversely affects public safety;
- (3) ensure that all passengers wear clothing that provides full covering;
- (4) make available, and ensure passengers are advised of the availability of, clean, undamaged riding gloves and protective jackets in a sufficient number of sizes to cater for all passengers on hirings exceeding 15 minutes' duration;
- (5) ensure that all passengers wear fully enclosed shoes or boots;
- (6) ensure that all passengers wear adequate protective eye covering. In the absence of visors, goggles must be provided to each passenger. Sunglasses or other spectacles are not adequate;
- (7) ensure that, to the extent practicable, hirings occur only in safe weather and on sealed roads; and
- (8) provide each passenger with an adequate briefing on the following matters before commencement of the hiring:
 - (a) fitting of helmets and other safety apparel;
 - (b) instructions on safe riding – including seating, use of footrests, leaning and communicating with the driver; and

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(c) expected road conditions.

PART 11 Minimum Service Standard for Insurance

- 11.1 The Operator of a Hire Car Service (other than a Restricted Hire Car Service) who operates more than one hire car must implement a system to allow for the easy identification of each public vehicle policy expiry date.
- 11.2 The Operator must provide evidence of the currency of the public vehicle policy at the request of the Authority or any other authorised person when required to do so.

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