

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

Disallowable instrument DI2006–43

made under the

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

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## **1 Name of instrument**

This instrument is the Road Transport (Public Passenger Services) (Minimum Service Standards for 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 restricted hire car services

Michael John Zissler  
Road Transport Authority  
7 March 2006

## SCHEDULE 1

### MINIMUM SERVICE STANDARDS FOR RESTRICTED HIRE CAR SERVICES

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

- 1.1 The Operator of a Restricted Hire Car Service must implement a regular maintenance, service and inspection program for restricted hire cars to ensure compliance with the manufacturer's standards for the vehicles. The program must include:
- (1) ensuring appropriate facilities and appropriately trained repairers (whether those of the Operator or of a contractor of the Operator) are available to service, maintain and repair the Operator's vehicle; and
  - (2) ensuring a process is in place for drivers to inspect restricted hire cars before every hiring and a mechanism for reporting vehicle defects and faults (including to equipment) is available.
- 1.2 If there are no manufacturer's standards for the restricted hire cars, the vehicles must be maintained, serviced, repaired and inspected so they remain roadworthy at all times.
- 1.3 The Operator of a Restricted Hire Car Service must ensure that while the hire car is operating it is clean and undamaged – this includes but is not limited to:
- (1) the interior including the boot compartment (except for motorcycles);
  - (2) the exterior including the body and door panels, the bumper bars, the trim, the wheels; and
  - (3) 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.

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**PART 2 Minimum Service Standard for Advertising and Publishing**

- 2.1 The Operator of a Restricted Hire Car Service must provide the Authority with:
- (1) information on how and where restricted hire car services will be advertised, including under what category of public passenger service any listings will be made;
  - (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 Restricted Hire Car Service must provide the Authority, within seven (7) days prior to publication, with new brochures, business cards or advertising material.

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

- 3.1 The Operator of a Restricted Hire Car Service must:
- (1) respond to the Authority within seven (7) days after a customer complaint has been forwarded to the Operator by the Authority.
- 3.2 The Operator of 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 restricted hire car service;
  - (5) the repairs and/or type of maintenance conducted;
  - (6) details of who conducted the maintenance; and
  - (7) customer complaints and the resolution of customer complaints.

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**PART 4 Minimum Service Standard for Compliance with Section 181  
(Hire car drivers to hold appropriate driver licence or authority)**

4.1 The Operator of 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 restricted 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 drivers' 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 restricted hire car for the Operator.

**PART 5 Minimum Service Standard if a motorbike will be used to  
operate the Restricted Hire Car Service**

5.1 The Operator of 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 in tours exceeding 15 minutes' duration;
- (5) ensure 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

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- (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
  - (c) expected road conditions.

**PART 6 Minimum Service Standard for Insurance**

- 6.1 An Operator of a Restricted Hire Car Service who operates with more than one restricted hire car must implement a system to allow for the easy identification of each public vehicle policy expiry date.
- 6.2 The Operator must provide evidence of the currency of the public vehicle policy at the request of the Authority or any other authorised person.

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