

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)

EXPLANATORY STATEMENT

Section 18B(1) of the *Road Transport (Public Passenger Services) Regulation 2002* (the Regulation) requires the Road Transport Authority (the Authority) to approve minimum service standards for the operation of a regulated service. Section 6 of the Regulation provides that a regulated service is:

- a bus service
- a taxi network
- a taxi service
- a restricted taxi service
- a hire car service
- a restricted hire car service.

A restricted hire car service is a pre-booked public passenger service that provides transport to weddings and school formals only. An approval under section 18B(1) is a disallowable instrument by virtue of section 18B(4).

Schedule 1 of the Instrument sets out the minimum requirements that must be consistently maintained by the operator of 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))

Part 1 requires the operator of a restricted hire car service to implement a maintenance, service and inspection program to ensure vehicles comply with the manufacturer's maintenance standards. The operator must ensure only appropriate facilities and appropriately trained repairers are engaged to service, maintain and repair the operator's vehicles.

If no maintenance standards for the restricted hire car vehicles exist, the operator must ensure that vehicles remain roadworthy at all times.

Part 1 also requires the operator to ensure that while vehicles are operating, the interior and exterior of the hire cars are clean and undamaged.

PART 2 Minimum Service Standard for Advertising / Publishing

Under Part 2, the operator of a restricted hire car service must provide the Authority with information on how and where the restricted hire car service will be advertised. The operator must continue to provide the details of any advertising and any other materials in relation to the restricted hire car service that are to be made available to the public, seven days prior to publishing. This information includes, but is not limited to:

- brochures and business cards;
- websites; and
- advertisements to be displayed on vehicles.

PART 3 Minimum Service Standard for Making and Management of Records

Part 3 requires the operator of a restricted hire car service to maintain records capable of being audited for:

- the details of each hiring, including the date, time, origin and destination;
- the hire car used and driver details for each hiring;
- the name of any pre-booked hiring which is made;
- the details of all maintenance, servicing and repairs, including the type of repairs and/or maintenance that are undertaken for any hire car used for the provision of the restricted hire car service and the person responsible for conducting the work; and
- the details of all customer complaints and resolution.

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

Part 4 requires the operator of a restricted hire car service to regularly check the expiry dates of driver licences and authorities for drivers employed or otherwise utilised for the restricted hire car service. Under Part 4, the operator must ensure the Authority always has a current list of all drivers for the restricted hire car service and if notified by the Authority of the suspension or cancellation of a drivers licence, the operator must ensure the driver does not drive hire cars for the operator.

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

Part 5 requires the operator of a restricted hire car service using a motorbike to:

- ensure all passengers wear clean undamaged approved Standards Australia International Limited full-face helmets in sufficient sizes to cater for all passengers;
- ensure that all passengers wear clothing that provides full covering and only wear fully enclosed shoes or boots;
- make available clean undamaged riding gloves and protective jackets for all tours exceeding 15 minutes in duration. The operator must also ensure that all passengers are aware of the availability of the jackets and gloves;
- ensure all passengers wear adequate protective eye covering; and
- provide all passengers with a sufficient briefing in regards to the fitting of safety equipment, instructions on safe riding and the expected road conditions.

PART 6 Minimum Service Standard for Insurance

The operator of a restricted hire car service must create a process to ensure all public vehicle policies remain current, and provide the Authority with evidence of the currency of public vehicle policies held by the operator.