

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)

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.

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 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))

Under Part 1 the operator of a hire car service (other than a restricted hire car service) must provide the Authority with the details of the persons responsible for the servicing, maintenance and repair of the vehicles and ensure only appropriate facilities and appropriately trained repairers are used. These requirements also apply if the operator undertakes “in house” servicing.

Part 1 requires the operator of a hire car service (other than a restricted hire car service) to implement a maintenance, service and inspection program to ensure vehicles comply with the manufacturer's maintenance standards. If no maintenance standards for vehicles exist, the operator must ensure that vehicles remain roadworthy at all times.

Also under Part 1, the operator is required to establish a cleaning program to ensure that 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 hire car service (other than a restricted hire car service) must provide the Authority with information on how and where the 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 hire car service that are to be made available to the public, 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 hire car service (other than 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 details of all maintenance, servicing and repairs;
- the details of all customer complaints and resolution; and
- any lost property.

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

Under Part 4, if a corporation operates the hire car service, the operator must ensure only the directors, office holders or managers have management of the day-to-day operations of the hire car service.

The operator must ensure all drivers are aware of their responsibilities under the *Road Transport (Public Passenger Services) Regulation 2002* and provide all drivers with a copy of the operators Accepted Service Standards and any rules governing the operation of a hire car service. In addition, the operator

must ensure employment arrangements for a hire car driver are such that the driver is bound to the operator's Accepted Service Standards and rules.

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

Part 5 requires the operator of a hire car service (other than a restricted hire car service) to regularly check the expiry dates of driver licences and authorities for drivers employed or otherwise utilised by the hire car service.

Under Part 5, the operator must ensure the Authority always has a current list of all drivers for the 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 6 Minimum Service Standard for the Monitoring of Safety and Training of Hire Car Drivers

Under Part 6, the operator of a hire car service (other than a restricted hire car service) must notify the Authority if a security camera system is to be installed, before the system becomes operational. The operator must ensure the camera system adheres to all Standards for Security Cameras, as approved by the Authority.

Also under Part 6, the operator must provide training to hire car drivers as required and repair any faults or defects of safety equipment immediately.

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

Under Part 7 the operator of a hire car service (other than a restricted hire car service) must ensure disciplinary procedures are in place and, when required, ensure drivers who breach the set procedures are disciplined. The operator must ensure all drivers are aware of their responsibilities under the *Road Transport (Public Passenger Services) Regulation 2002*, and ensure all drivers who smoke in the hire cars or return the hire cars in an unclean condition are disciplined.

PART 8 Minimum Service Standard for the Handling Customer Inquiries & Customer Complaints

Under Part 8 the operator is required to create procedures for the handling and recording of customer complaints and respond to the Authority within seven days after receiving a customer complaint. A process to ensure the

Authority is notified of any serious complaints must be created and the operator must ensure all customer complaints are investigated and responded to in a timely, accurate and courteous manner.

PART 9 Minimum Service Standard for the Handling of Lost Property

Under Part 9 the operator of a hire car service (other than a restricted hire car service) must develop procedures for the secure handling and recording of lost property. The operator must ensure all drivers are aware of the lost property requirements under Regulation 201 of the *Road Transport (Public Passenger Services) Regulation 2002* and provide a copy of the lost property procedures.

PART 10 Minimum Service Standard if a Motorbike will be used to Operate the Hire Car Service

Part 10 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 11 Minimum Service Standard for Insurance

The operator of a hire car service (other than 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.