

Australian Capital Territory

# Road Transport (Public Passenger Services) Exemption 2006 (No 2)

Disallowable instrument DI2006–262

made under the

**Road Transport (Public Passenger Services) Act 2001, section 127 (Minister may exempt vehicles and people from Act)**

## EXPLANATORY STATEMENT

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The Wheelchair Accessible Taxi Reference Group (the Reference Group) was formed in March 2005 by the then Minister for Urban Services to provide the Minister with recommendations for improving services provided by wheelchair accessible taxis (WATs).

The Reference Group released its report in September 2005. The report provided 39 recommendations including those relating to:

- requiring the efficient micro-management of hirings for wheelchair-bound people;
- improving the timeliness, reliability and viability of WAT services; and
- ensuring a stable and viable WAT fleet.

In October 2005, the Minister for Urban Services accepted all the Reference Group's recommendations.

As one consequence of the recommendations, Part 9.5 was included in the *Road Transport (Public Passenger Services) Regulation 2002* allowing WAT operators who wished to leave the industry, or reduce the number of WATs they operated, the opportunity of having an existing WAT operator take over their WAT vehicle with a WAT licence. The modifications that are required to ensure WAT vehicles are capable of safely lifting and restraining wheelchairs and their occupants are very costly and it is difficult to recoup any of these costs if the vehicle is no longer used as a WAT. Recommendation 18 specifically refers to issuing surrendered licences to existing WAT operators as it was considered that these operators would be aware of the operating environment and requirements associated with WATs.

Part 9.5 commenced in March 2006. One WAT licence expired shortly after and was renewed. The holder of that licence wishes to leave the WAT industry sector and was

not aware that the option provided under Part 9.5 would not apply to him once his original WAT licence expired. Due to the short period of time between the commencement of the provisions and the expiry of the WAT licence, it is considered reasonable to extend the option provided under the Part to this WAT licence holder.

The Road Transport Authority has written to all WAT operators with licences that expire before 20 July 2007 advising them of the arrangement provided under Part 9.5 and its expiry on 30 September 2007.

Several other WAT licences were renewed at around the time Part 9.5 commenced and the Road Transport Authority has written to those licence holders advising them of the arrangement provided under Part 9.5 and the opportunity for them to be considered under this exemption up until 31 January 2007.