

# **AUSTRALIAN CAPITAL TERRITORY**

## **ROAD TRANSPORT (TAXI SERVICES) REGULATIONS 2000**

### **APPROVAL OF TAXI NETWORK ACCREDITATION STANDARDS**

#### **INSTRUMENT NO. 244 OF 2001**

#### **EXPLANATORY STATEMENT**

The Road Transport (General) Act 1999 and regulations made under it permit the Road Transport Authority to accredit a person to be issued with a Taxi Network Authority if satisfied that the network can comply with the Standards approved by the Authority pursuant to Regulation 57 of the Road Transport (Taxi Services) Regulations 2000.

The Standards commence on 1 November 2001 and are the first such Standards to be approved by the Authority.

The Standards are consistent with the approach adopted for the bus service standards in the Road Transport (Public Passenger Service) Act 2001. The principal impact of taxi network accreditation will be to give greater responsibility to networks for the delivery and performance of taxi services and increase opportunities for entering the market.

The Standards require that only persons who have the financial capacity and technical competency can be accredited to operate a Taxi Network. A 'Fit and Proper' Standard will be applied to the persons who will operate the network. This Standard will allow the Authority to consider criminal convictions, bankruptcy arrangements and disqualification from managing a corporation pursuant to the provisions of the Corporations Law.

To ensure high customer satisfaction minimum performance measures are contained in the Standards. To measure industry trends and performance closely, the Performance Reporting Standards require reports to be submitted on a monthly basis. Performance measures attained and reports submitted to the Road Transport Authority will be subject to an annual independent audit.

The Standards for 'Safe and Efficient Operation of a Network' have been designed to protect the public and include for example: the maintenance of vehicles, driver safety, procedures to monitor drivers to ensure driver licenses are current, activation of alarms and security cameras, and carriage of child restraints.

Specific Standards have been included to ensure that wheelchair accessible taxis must give priority to the disabled community. Networks will be obliged to take responsibility for the management of wheelchair accessible taxi fleet to be granted and retain accreditation for this service.

Standards for 'Service to the Public' require networks to detail procedures for customer complaints and dispute resolution, and the receipt and handling of lost property. For the optimum service to be provided to customers an "off-load" arrangement is required to ensure that any requested taxi hiring which is not satisfied within 10 minutes must be made available to all ACT Networks.

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THE 16TH DAY OF AUGUST 2001**



# **AUSTRALIAN CAPITAL TERRITORY**

## **TAXI NETWORK ACCREDITATION STANDARDS**

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## DEFINITIONS

<b>Accredited Taxi Network</b>	means a taxi network that has been issued a Taxi Network Authority by the Road Transport Authority pursuant to Part 6 of the Road Transport (Taxi Services) Regulations 2000
<b>Applicant</b>	is a person who applies for a Taxi Network Authority
<b>Application</b>	means the application for approval as a Taxi Network Authority
<b>Authority</b>	means the Road Transport Authority as defined under the Road Transport (General) Act 1999
<b>Belongs</b>	means a taxi belongs to a taxi network if it has an arrangement in force with the network for the provisions of a booking service for the taxi
<b>Booking Service</b>	means a service that:  (a) accepts bookings from the public; and  (b) transmits messages to taxi drivers by telecommunications to receivers fitted in taxis
<b>Fit and Proper Person</b>	is a person that complies with the Standards set out in clause 1
<b>Off-load</b>	means a hiring that must be immediately made available to all ACT Accredited Taxi Networks if the hiring is unable to be fulfilled within 10 minutes from the time of the requested hiring
<b>Operator</b>	means the person to whom a taxi operator's licence or a restricted taxi operator's licence has been issued for the taxi

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**Restricted Taxi** means a motor vehicle that a person is licensed to use as a restricted taxi

**Taxi** means:

- (a) a motor vehicle (other than a bus) that stands or plies on a road or road related area for hire for the transport of passengers and includes a motor vehicle that is intended to so stand and ply for hire; and
- (b) includes a restricted taxi and a stand by taxi

**Taxi Driver** means the person driving the taxi if the person holds a public vehicle licence authorising the person to drive the taxi for hire or reward

**Wheelchair Accessible Taxi** means a taxi with wheelchair access

# AUSTRALIAN CAPITAL TERRITORY

## TAXI NETWORK ACCREDITATION STANDARDS

### Introduction

The *Road Transport (General) Act 1999* and regulations made under it permit the Road Transport Authority to accredit a person to be issued with a Taxi Network Authority if satisfied that the network can comply with the Standards approved by the Authority pursuant to Part 6 of the *Road Transport (Taxi Services) Regulations 2000*.

The Standards made under the *Road Transport (Taxi Services) Regulations 2000* are contained in these Taxi Network Accreditation Standards. A taxi network that meets the Standards will be referred to as an Accredited Taxi Network.

An Accredited Taxi Network may be an individual or a group of persons, or a body corporate.

If the Accredited Taxi Network does not continue to meet the Standards the Authority may suspend or cancel the Taxi Network Accreditation.

These Standards will apply to all taxi networks that provide services, including a booking service, to operators and taxi drivers who belong to an Accredited Taxi Network.

### Taxi Network Accreditation

Compliance with these Standards will allow the Accredited Taxi Network, subject to compliance with appropriate legislation, to operate a booking service within the ACT.

A Taxi Network Authority may be issued to operate booking services for:

- (a) taxis which are permitted to operate by reason of the issue of a taxi operator's licence pursuant to sections 106 and 108 of the Act, subject to sub-clause (b); and/or
- (b) restricted taxis which are permitted to operate by reason of the issue of a restricted taxi operator's licence for wheelchair accessible taxi, pursuant to section 108 of the Act.

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An Accredited Taxi Network may hold one or both Taxi Network Authority and must only provide a booking service to the category of taxi as approved.

The Authority may review the Accredited Taxi Network's Authority.

Once approved, accreditation will apply for a maximum of a five (5) year period and will require the payment of annual renewal fees.

An Accredited Taxi Network that has its accreditation cancelled or voluntarily surrendered, is not entitled to a refund of any pro rata portion in fees paid.

The fees and charges will be determined by the Minister from time to time.



## **TAXI NETWORK ACCREDITATION STANDARDS**

To obtain and retain Taxi Network Accreditation the following Standards must be complied with.

### **1. Standards Relating to Fit and Proper Person**

- 1.1 An Accredited Taxi Network must be a fit and proper person at all times.
- 1.2 A person that is an individual will not be a fit and proper person if the person:
  - (1) is convicted of an offence under the laws of Australia, its external Territories or another country that:
    - (a) is punishable by imprisonment for a period greater than 12 months; or
    - (b) involves dishonesty and is punishable by imprisonment of at least three months.
  - (2) has been disqualified from managing a corporation pursuant to the provisions of the *Corporations Law*;
  - (3) is an undischarged bankrupt under the law of Australia, its external Territories or another country;
  - (4) the person has executed a deed of arrangement under part X of the *Bankruptcy Act 1966* (or a similar law of an external Territory or another country) and the terms of the Deed have not been fully complied with; or
  - (5) The person's creditors have accepted a composition under Part X of the *Bankruptcy Act 1966* (or a similar law of an external Territory or another country) and final payment has not been made under the composition.
- 1.3 A person that is a body corporate will not be a fit and proper person if the person:
  - (1) is convicted of an offence under the laws of Australia, its external Territories or another country that:
    - (a) is punishable by imprisonment for a period greater than 12 months; or
    - (b) involves dishonesty and is punishable by imprisonment of at least three months;

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- (2) has a receiver, receiver and manager, or provisional liquidator appointed over part or all of its affairs or is otherwise under external administration;
  - (3) is or becomes bankrupt or insolvent, enters into voluntary administration or makes any arrangement with its creditors or takes advantage of any statute for the relief of insolvent debtors; or
  - (4) has as a director, secretary or other office holder a person that is not a fit and proper person as provided in subclause 1.2.
- 1.4 For the purposes of determining whether a person is a fit and proper person for the purposes of subclause 10.1 regard may be had to any other matter or thing which may reasonably influence such a determination including, without limiting the matters to be taken into consideration:
- (1) criminal or civil court proceedings in which the person has been concerned in the preceding 10 years;
  - (2) the person has ceased to carry on business, or has been concerned in the management of a body corporate that ceased to carry on business, and creditors are not fully paid or are unlikely to be fully paid;
  - (3) a levy of execution against the person is not satisfied; and
  - (4) the person's prior performance as a taxi network.

**2. Standards Relating to Financial Capacity**

- 2.1 An Accredited Taxi Network during the period of accreditation must:
- (1) maintain adequate capital reserves;
  - (2) have access to necessary lines of credit or other financing instruments;
  - (3) retain adequate financial management skills/advice; and
  - (4) be able to meet financial liabilities as they fall due.
- 2.2 The Accredited Taxi Network must notify the Authority within seven (7) days of circumstances arising that cause it to not be able to meet the Standards set out in sub-clause 2.1.

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**3 Standards Relating to Technical Competency**

3.1 An Accredited Taxi Network must ensure that:

- (1) appropriate technicians (whether employees or contractors of the network) will be available at all times to ensure that faults in transmission can be responded to within an hour after they occur;
- (2) arrangements are in place that in the event of a breakdown in the central transmitter, to permit continuous access to and from the network by all taxis belonging to the network; and
- (3) appropriate facilities (whether those of the Accredited Taxi Network or of a contractor of the network) are available to service and repair the network's equipment expeditiously.

**4 Standards Relating to Competence to Operate Network**

4.1 An Accredited Taxi Network must:

- (1) ensure training programs are undertaken by taxi drivers and other users of the network, concerning customer relations and the use of any communications equipment, alarms, vehicle tracking devices and security cameras used by the network;
- (2) provide to operators and taxi drivers a copy of the Accredited Taxi Network's standards and rules governing the operation of the network; and
- (3) ensure that when required operators and taxi drivers are disciplined in accordance with the Accredited Taxi Network's disciplinary procedures.

**5 Standards Relating to Safe & Efficient Operation of a Network**

5.1 An Accredited Taxi Network must:

- (1) ensure operators belonging to the network are licensed to operate a taxi service;
- (2) advise the Authority of any operator who connects to, or ceases to belong to the network;
- (3) ensure that measures are in place and processes are undertaken so all taxi drivers employed, or otherwise utilised by operators, hold current driver licences in accordance with the road transport legislation;

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- (4) ensure that all taxi drivers employed, or otherwise utilised by operators, comply with any driving hours restrictions that may be specified from time-to-time by the Authority;
- (5) ensure that all taxis are cleaned, maintained and driving processes meet all relevant public safety and occupational health and safety laws and regulations applying within the ACT;
- (6) ensure that the equipment of the network is maintained, and users of the equipment are trained to ensure the efficient operation of the equipment, including alarms in taxis and the prompt response of network operators when such an alarm is activated;
- (7) ensure that equipment that registers the activation of alarms in taxis is monitored at all times when taxis connected to the network are being used as taxis;
- (8) ensure that if any taxi connected to the network is fitted with a security camera system – the equipment of the network is capable of producing video recordings from any such camera at all times while the taxi is being used as a taxi;
- (9) ensure that on every day at least one (1) out of every ten (10) taxis belonging to the Accredited Taxi Network carries a child restraint;
- (10) maintain an up to date record of any zones that are established within the network in relation to the dispatch of taxis in response to bookings and the method for identifying those zones;
- (11) equitably apply all standards and procedures to operators and taxi drivers. The network must not:
  - (a) unreasonably refuse to provide access to its taxi booking service to an operator, or
  - (b) impose such charges for, or conditions on, access to its taxi booking service as are so unreasonable as to inhibit or prevent access to the service;
- (12) acknowledge all calls from taxi drivers using appropriate recognised codes;
- (13) ensure that all customers will ordinarily be treated on a sequential basis with no prejudice. This includes not adopting any radio procedures that are likely to disadvantage the public (for example alerting taxi drivers to the fact that a booking for a taxi is for a short journey only);

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- (14) ensure the management of the priority for allocation and response of wheelchair accessible taxis for people with those needs;
- (15) ensure that every person who books a wheelchair accessible taxi through the network is advised of the time at which it is estimated that the taxi will arrive at the nominated collection point;
- (16) ensure that all taxi drivers of wheelchair accessible taxis respond, and give priority to, the disabled community;
- (17) advise the Authority of any taxi driver of a wheelchair accessible taxi who refuses or does not respond within a reasonable time for transportation of a disabled customer; and
- (18) not to participate in, promote or encourage, wilful dishonest behaviour towards another Accredited Taxi Network.

**6 Standards Relating to Maintenance and Production of Records**

**6.1 An Accredited Taxi Network must:**

- (1) maintain for a period of no less than four (4) years all records required to be maintained by the Authority, Acts, or these Standards and make those records available for perusal by the Authority, or authorised officers when required to do so;
- (2) submit monthly statistical reports to the Authority within fourteen (14) days from the end of the reporting period, unless otherwise agreed to by the Authority;
- (3) within two (2) calendar months from the end of the annual financial year lodge with the Authority the report of an independent auditor of an audit conducted of the network's monthly statistics and performance;
- (4) provide within fourteen (14) days from the end of any calendar month, reports on hirings that experience a wait of sixty (60) minutes or more as detailed in the Performance Reporting Standards;
- (5) respond to the Authority within seven (7) days after a customer complaint has been forwarded to the Accredited Taxi Network by the Authority;
- (6) provide to the Authority within seven (7) days after being requested to do so the full details (including the name, address and place of business) of all operators who belong to the network;

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- (7) provide within forty-eight (48) hours after a new operator connects to the network full details (including the name, address, place of business) of the operator; and
- (8) provide within forty-eight (48) hours after an operator who belongs to the network ceases to belong to the network, the registration number of the taxi or taxis concerned.

**7 Standards Relating to Performance**

7.1 An Accredited Taxi Network must meet or exceed the following performance standards set by the Authority:

Peak Periods (1500 – 1800 hours Monday Friday)

- 85% of all hirers experience a maximum waiting time of no more than 18 minutes
- 95% of all hirers experience a maximum waiting time of no more than 30 minutes
- 85% of hirers requesting a wheel chair accessible taxi experience a maximum waiting time of no more than 18 minutes
- 95% of hirers requesting a wheelchair accessible taxi experience a maximum waiting time of no more than 30 minutes

At all other times

- 85% of all hirers experience a maximum waiting time of no more than 10 minutes
- 95% of all hirers experience a maximum waiting time of no more than 20 minutes
- 85% of hirers requesting a wheel chair accessible taxi experience a maximum waiting time of no more than 10 minutes
- 95% of hirers requesting a wheelchair accessible taxi experience a maximum waiting time of no more than 20 minutes

7.2 The maximum waiting time for a person who requests a taxi as soon as possible by telephone is measured from the time when the person ends the telephone conversation with the taxi network to the time at which the taxi driver notifies the arrival of the taxi at the place requested by the hirer.

7.3 The maximum waiting time for a person who requests a taxi at a specified time is measured by the time elapsed from the time specified to the time at which the taxi driver notifies the arrival of the taxi at the place requested by the hirer.

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- 7.4 An Accredited Taxi Network must not have more than 40% of hirers experiencing a waiting time greater than ten (10) minutes within the network's area, or any zone of that area, at any time.
- 7.5 Notwithstanding the minimum performance standards in clause 7.1 an Accredited Taxi Network that manages wheelchair accessible taxis must by May 2005 ensure that the network achieves response times at least equal to the actual performance in standard taxi hirings.

**8 Standards Relating to Performance Reporting**

- 8.1 A reporting period is calculated over a one (1) month period coinciding with a calendar year, unless otherwise requested by the Road Transport Authority.
- 8.2 An Accredited Taxi Network must measure and report on the number of all taxi hirings (excluding rank hirings) for the following waiting times:

- less than 5 minutes
- between 5 and 10 minutes
- between 10 and 15 minutes
- between 15 and 20 minutes
- between 20 and 30 minutes
- between 30 and 60 minutes
- more than 60 minutes

- 8.3 An Accredited Taxi Network must measure and report against the specified Standard for the following:

Peak Periods

- Hirers experiencing a maximum waiting time of no more than 18 minutes :  
\_\_\_\_\_ %/85%
- Hirers experiencing a maximum waiting time of no more than 30 minutes :  
\_\_\_\_\_ %/95%

All other times

- Hirers experiencing a maximum waiting time of no more than 10 minutes :  
\_\_\_\_\_ %/85%
- Hirers experiencing a maximum waiting time of no more than 20 minutes :  
\_\_\_\_\_ %/95%

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8.4 An Accredited Taxi Network that manages wheelchair accessible taxis must also separately measure and report against the specified Standard for the following:

Peak Periods

- Hirers experiencing a maximum waiting time of no more than 18 minutes :  
\_\_\_\_\_ %/85%
- Hirers experiencing a maximum waiting time of no more than 30 minutes :  
\_\_\_\_\_ %/95%

All other times

- Hirers experiencing a maximum waiting time of no more than 10 minutes :  
\_\_\_\_\_ %/85%
- Hirers experiencing a maximum waiting time of no more than 20 minutes :  
\_\_\_\_\_ %/95%

8.5 In reporting under this Standard an Accredited Taxi Network must give full details including time, locations and pick-up point for any hirers who have waited sixty (60) minutes or more.

8.6 The number of all taxi hirings (excluding rank hirings) per hour by the formula provided in clause 8.2 must be measured each hour over a 24 hour period so as to enable the identification of peak periods by the Authority.

8.7 An Accredited Taxi Network that manages wheelchair accessible taxis must also measure for each wheelchair accessible taxi (WAT):

- the number of allocated school hirings
- WATs hirings effected by radio
- standard hirings
- high occupancy hirings

Each criteria must be represented as an individual total for each wheelchair accessible taxi and compared against their overall total number of hirings on a percentage basis.

8.8 The number of all wheelchair accessible taxi hirings (excluding rank hirings) per hour by the formula provided in clause 8.2 must be measured each hour over a 24 hour period so as to enable the identification of peak periods by the Authority.



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8.9 Any booking of a wheelchair accessible taxi which exceeds a sixty (60) minute wait must be reported separately at the end of each calendar month and be identified by:

- the applicable zone
- time
- length of wait
- reason for the wait

8.10 An Accredited Taxi Network that manages wheelchair accessible taxis must advise at the end of the reporting period if any WAT that belongs to the network was not available for hire during the period. If the WAT was not available for more than four (4) hours in any one day, the reasons why it was not available.

8.11 The Accredited Taxi Network must ensure that the monthly reports on performance criteria are independently audited, and reconciled with the reports provided to the Authority, on an annual basis to coincide with the end of each financial year.

## **9 Standards Relating to Service to the Public**

9.1 An Accredited Taxi Network must:

- (1) provide a booking service to the public twenty-four (24) hours a day, seven (7) days a week;
- (2) adhere to the procedures for customer complaints and dispute resolution in line with the procedures provided to the Authority;
- (3) adhere to the statement of commitment for service to be provided to the public;
- (4) adhere to the Authority approved arrangements for “off-load” hirings to other Accredited Taxi Networks servicing the area.
- (5) receive and account for lost property in accordance with the Authority approved procedures. Special attention must be given to:
  - (a) security of stored property in adequate facilities;
  - (b) notifying the Authority of the names and contact numbers of those of its employees who have responsibility for lost property;
  - (c) continuous public notification that the network operates a lost property service and the telephone number for the service;

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- (6) ensure that any lost property given to an operator, or taxi driver belonging to the network is dealt with according to the procedures notified to the Authority by the network and is disposed of in accordance with any directions given by the Authority.