

Road Transport (Public Passenger Services) Amendment Regulation 2020 (No 1)

Subordinate law SL2020– 32

made under the

Road Transport (Public Passenger Services) Act 2001, s 27 (Regulations about conduct of passengers), s 27D (Light rail services-regulations), s 59 (Regulations about conduct of taxi passengers), s 60I (Regulations about rideshare drivers), s 60P (Regulations about conduct of rideshare vehicle passengers), s 79 (Regulations about conduct of hire car passengers), s 97 (Regulations about conduct of demand responsive vehicle passengers)

EXPLANATORY STATEMENT

The *Road Transport (Public Passenger Services) Amendment Regulation 2020 (No 1)* (‘the Amendment Regulation’) makes minor amendments to the *Road Transport (Public Passenger Services) Regulation 2002* (‘Public Passenger Regulation’). The Amendment Regulation explicitly permits accredited assistance animals to travel in public passenger vehicles and aligns these provisions where possible across the Public Passenger Regulation.

The *Animal Welfare Legislation Amendment Act 2019* introduced a voluntary assistance animal accreditation framework into the *Domestic Animals Act 2000*. The framework commenced on 10 April 2020. The amendment Regulation ensures that there is no ambiguity around the carriage of assistance animals accredited under the new scheme, expressly permitting them to travel in all public passenger vehicles.

The Amendment Regulation also ensures that existing rights to carriage of assistance animals on public passenger services remain. The Amendment Regulation makes minor amendments to the Public Passenger Regulation to align provisions relating to carriage of assistance animals.

A guide-dog or other animal assisting a person with a disability or an animal being trained to assist a person with a disability is permitted to travel in all public passenger vehicles. The intention is that a person who is training an animal to assist a person with a disability, irrespective of whether the animal will be accredited assistance under the *Domestic Animals Act 2000*, is also permitted to travel in all form of public passenger vehicles.

The authority to make the Regulation is contained in the *Road Transport (Public Passenger Services) Act 2001*.

HUMAN RIGHTS IMPLICATIONS

The Regulation does not engage any human rights in the *Human Rights Act 2004*.

CLIMATE CHANGE IMPLICATIONS

There are no climate change implications associated with the Regulation.

CLAUSE NOTES

Clause 1 Name of regulation

This clause specifies the name of the Regulation. This clause provides that the Regulation may be cited as the *Road Transport (Public Passenger Services) Amendment Regulation 2020* (No 1).

Clause 2 Commencement

This clause provides for the commencement of the Regulation. This Regulation will commence on the seventh day after its notification.

Clause 3 Legislation amended

This clause names the legislation that is being amended by the Regulation. The Regulation amends the *Road Transport (Public Passenger Services) Regulation 2002*.

Clause 4 Section 62 (3) and notes

This clause is a minor and technical amendment to clarify that accredited assistance animals under section 94 of the *Domestic Animals Act 2000* are permitted to travel in a bus.

Clause 5 Section 70AAD (5) and notes

This clause is a minor and technical amendment to clarify that accredited assistance animals under section 94 of the *Domestic Animals Act 2000* are permitted to travel in a light rail vehicle.

Clause 6 Section 221W (3) and note

This clause is a minor and technical amendment that updates the drafting in the provision in accordance with current drafting practices and clarifies that accredited assistance animals under section 94 of the *Domestic Animals Act 2000* are permitted to travel in a bookable vehicle.

Clause 7 Section 227 (3) and note

This clause is a minor and technical amendment that updates the drafting in the provision in accordance with current drafting practices and clarifies that accredited assistance animals under section 94 of the *Domestic Animals Act 2000* are permitted to travel in a bookable vehicle such as a taxi or rideshare vehicle.

Clause 8 Section 296

This clause remakes the existing provision to update the drafting to align with current drafting practices and for consistency with other provisions relating to carriage of animals on

public passenger services. It allows a person to travel in a demand responsive service vehicle with an animal confined in a box, basket or other container. This clause clarifies that accredited assistance animals under section 94 of the *Domestic Animals Act 2000* are permitted to travel in a demand responsive vehicle.

Clause 9 Dictionary, new definition of *accredited assistance animal*

This clause is a technical amendment to insert a definition of *accredited assistance animal* consequential on the amendments in clauses 4, 5, 6 7 and 8.