

Road Transport (Public Passenger Services) Independent Taxi Services Eligibility Criteria Approval 2014 (No 1)

Notifiable Instrument NI 2014 - 59

made under the

Road Transport (Public Passenger Services) Regulation 2002, s154C (Eligibility criteria)

1. Name of instrument

This instrument is the *Road Transport (Public Passenger Services) Independent Taxi Services Eligibility Criteria Approval 2014 (No 1)*.

2. Revocation of Previous Instrument

Disallowable Instrument DI2012-133 (as notified on the ACT Government Legislation Register) is revoked.

3. Approval

I approve the Independent Taxi Services Eligibility Criteria specified in Schedule 1 of this instrument.

3. Commencement

This instrument commences on the day after notification.

David Snowden
Delegate
Road Transport Authority

17 February 2014

*Road Transport (Public Passenger Services) Independent Taxi Services
Eligibility Criteria Approval 2014 (No 1).*

INDEPENDENT TAXI SERVICES ELIGIBILITY CRITERIA

The Independent Taxi Services Pilot (ITOP) will operate for 3 years from the commencement date of 1 March 2012. Before the expiry of the ITOP, the Road Transport Authority (the Authority) will conduct a review of the ITOP's operation and report to the Minister on whether the scheme contributes to improved taxi services and whether it should continue as a permanent feature of ACT taxi arrangements.

1. Eligibility Criteria – Accredited Taxi Operator of a Standard Taxi Licence

To be eligible to participate in the ITOP an accredited taxi operator of a standard taxi licence must;

- (a) have held continuous accreditation for a minimum period of 3 years from the date of application to participate in the ITOP;
- (b) have demonstrated a consistent record of providing a good customer service (as evidenced by no or minimal complaints about the person in their capacity as either a taxi operator or driver being referred to the Authority);
- (c) have demonstrated a consistent record of compliance with the vehicle standards for operating a taxi (as evidenced by no or minimal instances of improvement notices or vehicle defect notices being issued, failing roadworthy inspections or audits of the operator's Accepted Service Standards);
- (d) have demonstrated the financial capacity to operate a taxi service (as evidenced by payments of taxi licence and accreditation fees on time and maintaining required insurances);
- (e) satisfy the Authority that the operator is a fit and proper person to participate in the ITOP, having regard to matters the Authority considers relevant, including any disclosable convictions and traffic infringements issued to the operator;
- (f) provide the Authority with clear and comprehensive service standards, which address the requirements relating to operating an independent taxi service; and
- (g) provide the Authority with a business plan for establishing and operating an independent taxi service.

2. Eligibility Criteria - Accredited Operator of a Restricted or Conditional Taxi Licence:

To be eligible to participate in the ITOP, an accredited taxi operator of a restricted or conditional taxi licence must;

- (h) have demonstrated a consistent record of providing a good customer service (as evidenced by no or minimal complaints about the person in their capacity as either a taxi operator or driver being referred to the Authority);
- (i) have demonstrated a consistent record of compliance with the vehicle standards for operating a taxi (as evidenced by no or minimal instances of improvement notices or vehicle defect notices being issued, failing roadworthy inspections or audits of the operator's Accepted Service Standards);

- (j) have demonstrated the financial capacity to operate a taxi service (as evidenced by payments of taxi licence and accreditation fees on time and maintaining required insurances);
- (k) satisfy the Authority that the operator is a fit and proper person to participate in the ITOP, having regard to matters the Authority considers relevant, including any disclosable convictions and traffic infringements issued to the operator;
- (l) provide the Authority with clear and comprehensive service standards, which address the requirements relating to operating an independent taxi service; and
- (m) provide the Authority with a business plan for establishing and operating an independent taxi service.

In addition to providing documentation to demonstrate that the operator (whether an operator of a standard, restricted or conditional taxi licence) satisfies the eligibility criteria, the operator may be required to attend personally to expand on any of these matters to the Authority, for the purpose of the Authority deciding whether it is satisfied the operator meets these criterion.

3. Entry into the ITOP

A cap on the number of participants in the ITOP has been set at 25. Participation in the scheme will be based on those operators that apply, and obtain their ITOP accreditation, in sequence from the limited supply, until the cap has been reached.

If the number of operators who still wish to participate in the scheme, and satisfy the entry criteria, exceed the cap, the Authority will establish a reserve list of those operators. The reserve list will remain in force during the ITOP and applicants on the reserve list will be offered entry into the ITOP if or when a position becomes available, either by an operator voluntarily ceasing to participate or an operator is removed from the ITOP by the Authority.

4. Disciplinary Process

If a participant in the ITOP ceases to satisfy any of the criteria for entry into the ITOP, the operator will not be permitted to continue to participate in the scheme.