



Australian Capital Territory

# Road Transport Amendment Regulations 2001

**Subordinate Law 2001 No 46**

---

The Australian Capital Territory Executive makes the following regulations under the *Road Transport (General) Act 1999*.

Dated 10 October 2001.

BRENDAN SMYTH  
Minister

BILL STEFANIAK  
Minister

---





Australian Capital Territory

# Road Transport Amendment Regulations 2001

**Subordinate Law 2001 No 46**

made under the

*Road Transport (General) Act 1999*

## Contents

---

	Page
<b>Part 1</b>	
<b>Preliminary</b>	
1 Name of regulations	1
2 Commencement	1

---

		Page
<b>Part 2</b>	<b>Amendments of Road Transport (General) Regulations 2000</b>	
3	Regulations amended—pt 2	2
4	Refund of fees, charges and other amounts Regulation 14 (1) (e) and (f)	2
5	Regulation 14 (1) (l) and (m)	2
6	Regulation 14 (3) (d)	3
7	Regulation 14 (3), note	3
8	Dishonour notices Regulation 16 (1) (b)	3
9	Schedule 1, part 1.4, items 38 to 42	3
10	Schedule 1, part 1.4, items 36 and 37	4
11	Schedule 1, part 1.5, items 33 to 44	4
12	Schedule 1, part 1.5, items 47 and 48, column 3	4
13	Schedule 1, part 1.5, items 49 and 50, column 3	4
14	Schedule 1, part 1.5, items 45 to 54	4
15	Schedule 1, part 1.6	4
16	Schedule 1, parts 1.7 and 1.8	5
17	Schedule 1, parts 1.9 to 1.11	5
18	Schedule 1, new parts 1.8 and 1.9	5
<b>Part 3</b>	<b>Amendments of Road Transport (Offences) Regulations 2001</b>	
19	Regulations amended—pt 3	8
20	Administering authority—Act, dict, def of administering authority Regulation 8 (1) (d) to (h)	8
21	Schedule 1, part 1.7, items 35 to 42	8
22	Schedule 1, part 1.7, item 45, col 2	9
23	Schedule 1, part 1.8	9
24	Schedule 1, parts 1.9, 1.10 and 1.11	9
25	Schedule 1, parts 1.12 to 1.15	9
26	Schedule 1, new parts 1.11 and 1.12	10

## Part 1 Preliminary

### 1 Name of regulations

These regulations are the *Road Transport Amendment Regulations 2001*.

### 2 Commencement

These regulations commence immediately after the commencement of the *Road Transport (Public Passenger Services) Act 2001*, section 3.

## Part 2

# Amendments of Road Transport (General) Regulations 2000

### 3 Regulations amended—pt 2

This part amends the *Road Transport (General) Regulations 2000*.

### 4 Refund of fees, charges and other amounts Regulation 14 (1) (e) and (f)

*substitute*

- (e) a fee, charge or other amount paid in relation to an application for a driving instructor's accreditation if the application is refused;
- (f) a fee, charge or other amount paid in relation to a driving instructor's accreditation or an accreditation under the *Road Transport (Public Passenger Services) Act 2001* if the accreditation is issued in error, is then cancelled and the holder of the accreditation surrenders the accreditation;

### 5 Regulation 14 (1) (l) and (m)

*substitute*

- (l) a fee, charge or other amount paid in relation to an application (other than an application for an accreditation under the *Road Transport (Public Passenger Services) Act 2001*) for an accreditation, approval, authority, certificate, exemption, permit or anything else not mentioned in paragraphs (b) to (h) if the application is refused;
- (m) a fee, charge or other amount paid by a person in relation to an application mentioned in paragraph (l) if the accreditation, approval, authority, certificate, exemption, permit or other thing is given, issued or done in error, is then cancelled and

anything given to the person by the road transport authority because of the authority's decision on the application is surrendered to the authority.

**6 Regulation 14 (3) (d)**

*substitute*

- (d) a fee, charge or other amount in relation to a driving instructor's accreditation or an accreditation under the *Road Transport (Public Passenger Services) Act 2001* if the accreditation is surrendered;

**7 Regulation 14 (3), note**

*after*

see the *Road Transport (Driver Licensing) Regulations 2000*, reg 109;

*insert*

for accreditation to operate a public passenger service see the *Road Transport (Public Passenger Services) Regulations 2001*, reg 18;

**8 Dishonour notices  
Regulation 16 (1) (b)**

*substitute*

- (b) a fee, charge or other amount in relation to a driving instructor's accreditation or an accreditation under the *Road Transport (Public Passenger Services) Act 2001*;

**9 Schedule 1, part 1.4, items 38 to 42**

*renumber as schedule 1, part 1.4, items 39 to 43*

**10 Schedule 1, part 1.4, items 36 and 37***substitute*

36	106 (1)	road transport authority—refuse to approve application for accreditation as a driving instructor or renewal of accreditation
37	107A	road transport authority—refuse to issue replacement for certificate of accreditation as a driving instructor that has been lost, stolen or destroyed
38	112 (1)	road transport authority—cancel/suspend accreditation as a driving instructor/disqualify from applying for accreditation (including suspending or disqualifying for additional period)

**11 Schedule 1, part 1.5, items 33 to 44***omit***12 Schedule 1, part 1.5, items 47 and 48, column 3***omit*

, bus

**13 Schedule 1, part 1.5, items 49 and 50, column 3***omit*

bus,

**14 Schedule 1, part 1.5, items 45 to 54***renumber as schedule 1, part 1.5, items 33 to 42***15 Schedule 1, part 1.6***omit*



**16 Schedule 1, parts 1.7 and 1.8***renumber as schedule 1, parts 1.6 and 1.7***17 Schedule 1, parts 1.9 to 1.11***renumber as schedule 1, parts 1.10 to 1.12***18 Schedule 1, new parts 1.8 and 1.9***insert*

## Part 1.8 Road Transport (Public Passenger Services) Act 2001

column 1 item	column 2 provision	column 3 decision
1	31	Minister—refuse exemption for vehicle or person from Act or provision of Act

## Part 1.9 Road Transport (Public Passenger Services) Regulations 2001

column 1 item	column 2 provision	column 3 decision
1	9	road transport authority—refuse to accredit/renew accreditation to operate public passenger service
2	10 (1)	road transport authority—issue/renew accreditation to operate public passenger service subject to conditions imposed by authority
3	10 (2)	road transport authority—amend/revoke condition imposed on accreditation to operate public passenger service by authority

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
4	10 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on accreditation to operate public passenger service on application by holder of accreditation
5	12 (3)	road transport authority—period of issue/renewal of accreditation to operate public passenger service
6	13 (2)	road transport authority—refuse to amend accepted service standard for public passenger service
7	16 (1)	road transport authority—refuse to issue replacement for certificate of accreditation to operate public passenger service that has been lost, stolen or destroyed
8	34 (3) (a)	road transport authority—number of seated/standing passengers bus permitted to carry
9	64 (2)	road transport authority—refuse to approve appointment of a bus stop
10	67 (4)	road transport authority—suspend/cancel accreditation to operate public passenger service/disqualify from applying for accreditation (including suspending or disqualifying for additional period)/impose/vary condition on accreditation/impose financial penalty/reprimand
11	68 (3)	road transport authority—immediately suspend accreditation to operate public passenger service
12	76 (1)	police officer, authorised person or person inspecting vehicle—attach noncompliance notice to vehicle

<b>column 1 item</b>	<b>column 2 provision</b>	<b>column 3 decision</b>
13	76 (3)	police officer or authorised person—refuse to remove noncompliance notice
14	76 (3)	police officer or authorised person—refuse to direct that noncompliance notice be taken to have been removed

## Part 3

# Amendments of Road Transport (Offences) Regulations 2001

### 19 Regulations amended—pt 3

This part amends the *Road Transport (Offences) Regulations 2001*.

### 20 Administering authority—Act, dict, def of *administering authority* Regulation 8 (1) (d) to (h)

*substitute*

- (d) part 1.8 (Road Transport (Hire Vehicle Services) Regulations 2000);
- (e) part 1.9 (Road Transport (Taxi Services) Regulations 2000);
- (f) part 1.10 (Road Transport (Third-Party Insurance) Regulations 2000);
- (g) part 1.11 (Road Transport (Public Passenger Services) Act 2001);
- (h) part 1.12 (Road Transport (Public Passenger Services) Regulations 2001);
- (i) part 1.13 (Road Transport (Safety and Traffic Management) Regulations 2000), items 16 to 22, 27 to 35, 41, 43 and 53 to 57.

### 21 Schedule 1, part 1.7, items 35 to 42

*omit*

**22 Schedule 1, part 1.7, item 45, col 2**

*omit*

155

*substitute*

155 (1)

**23 Schedule 1, part 1.8**

*omit*

**24 Schedule 1, parts 1.9, 1.10 and 1.11**

*renumber as schedule 1, parts 1.8, 1.9 and 1.10*

**25 Schedule 1, parts 1.12 to 1.15**

*renumber as parts 1.13 to 1.16*

**26 Schedule 1, new parts 1.11 and 1.12**

*insert*

**Part 1.11 Road Transport (Public Passenger Services) Act 2001**

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
1	20 (1)	unaccredited person operate regular route service	50		
2	20 (2)	unaccredited person operate tour and charter service	50		
3	21	pretend to be accredited to operate a bus service	30		
4	22 (1)	operate regular route service without service contract	50		

## Part 1.12 Road Transport (Public Passenger Services) Regulations 2001

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
1	14 (2)	accredited person not notify change in accreditation/service operation	20	300	
2	14 (5)	person not provide relevant information after change of relevant person	20	300	
3	15	holder of conditional accreditation not comply with conditions	20	300	
4	17	accredited person not produce certificate of accreditation when required by police officer/authorised person	5	200	
5	20 (a)	bus operator not service/maintain bus	20	200	
6	20 (b)	bus operator not ensure bus complies with vehicle standards	20	300	

**Part 3**

## Amendments of Road Transport (Offences) Regulations 2001

## Regulation 26

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
7	22	bus operator not give notice of additional bus	20	100	
8	23 (1)	bus operator not give immediate notice of notifiable accident	20	200	
9	23 (2)	bus operator not give follow-up notice of notifiable accident	20	200	
10	23 (3)	bus operator not give notice of incident	20	200	
11	24 (1)	bus operator not ensure interior/exterior/ fittings of bus clean/undamaged/ properly fitted/securely in place	10	200	
12	25	bus operator allow unlicensed/unauthorised person to drive bus	20	200	
13	26	bus operator not make driver record	10	200	
14	27 (1) (a)	bus operator not keep record as required	10	200	



<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
15	27 (1) (b)	bus operator not produce record to police officer/authorised person for inspection	10	200	
16	27 (1) (c)	bus operator not provide record to authority for inspection	10	200	
17	28 (1)	bus operator not state on single-decker bus maximum number of passengers permitted	5	100	
18	28 (2)	bus operator not state on double-decker bus maximum number of passengers permitted	5	100	
19	29	bus operator not display accreditation information	5	200	
20	30	bus operator not deal with lost property as required	5	100	
21	31 (1) (a)	bus operator allow bus operation after time of effect of noncompliance notice	20	300	

**Part 3**

## Amendments of Road Transport (Offences) Regulations 2001

## Regulation 26

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
22	31 (1) (b)	bus operator allow bus operation after unauthorised removal of noncompliance notice	20	300	
23	32 (1) (a)	bus driver not drop off passenger	5	100	
24	32 (1) (b)	bus driver not pick up passenger	5	100	
25	33	bus driver not stop bus parallel/close to side of road	5	100	
26	34 (1) (a)	bus driver carry more than maximum number of passengers permitted in bus	5	100	
27	34 (1) (b) (i)	bus driver carry more than maximum number of seated passengers than permitted in single-decker	5	100	
28	34 (1) (b) (ii)	bus driver carry more than maximum number of standing passengers than permitted in single-decker	5	100	

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
29	34 (1) (c) (i)	bus driver carry more than maximum number of seated passengers on deck of double-decker than permitted on the deck	5	100	
30	34 (1) (c) (ii)	bus driver carry more than maximum number of standing passengers on deck of double-decker than permitted on the deck	5	100	
31	35 (1)	bus driver allow inconvenient thing in bus	5	100	
32	36	bus driver not deal with lost property as required	5	100	
33	37 (a)	bus driver solicit passenger/hiring	10	100	
34	37 (b)	bus driver move bus with door open	10	200	
35	37 (c)	bus driver start bus in way to subject person to unnecessary injury/risk	10	200	
36	38 (a)	bus driver not clean/tidy/wearing clean/respectable clothes	5	100	

**Part 3**

## Amendments of Road Transport (Offences) Regulations 2001

## Regulation 26

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
37	38 (b)	bus driver not behave in orderly way/politely/with propriety	5	100	
38	39	bus driver leave driving seat	5	100	
39	40 (1) (a)	bus driver allow passenger in driver's compartment	5	200	
40	40 (1) (b)	bus driver allow passenger on driver's seat	5	200	
41	40 (2) (a)	bus driver allow passenger on unauthorised part of bus	5	200	
42	40 (2) (b)	bus driver allow passenger beside/in front of driver's seat	5	200	
43	40 (2) (c)	bus driver allow passenger to stand on upper deck	5	200	
44	41 (1) (a)	bus drive operate bus after time of effect of noncompliance notice	20	300	

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
45	41 (1) (b)	bus driver operate bus after unauthorised removal of noncompliance notice	20	300	
46	43 (1)	travel on bus without valid bus ticket	5	100	
47	44 (1)	transfer bus ticket to someone else	5	100	
48	45 (1) (a)	use damaged/defaced bus ticket	5	100	
49	45 (1) (b)	use changed bus ticket	5	100	
50	46 (1)	use concession bus ticket when not entitled	5	100	
51	46 (3)	not produce evidence of entitlement to bus ticket concession	5	100	
52	46 (6)	provide document containing false/ misleading/incomplete information for bus ticket concession application/ evidence of entitlement to bus ticket concession	20	100	

**Part 3** Amendments of Road Transport (Offences) Regulations 2001

Regulation 26

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
53	46 (7) (a)	state false/misleading thing for bus ticket concession application/evidence of entitlement to bus ticket concession	20	100	
54	46 (7) (b)	omit thing from statement for bus ticket concession application/evidence of entitlement to bus ticket concession so it is misleading	20	100	
55	47	not make bus ticket available to authorised person for inspection/ processing	5	100	
56	48 (1)	interfere with comfort or safety of person in bus	5	200	
57	49 (2)	occupy reserved bus seat	5	100	
58	50 (1)	drink/possess open container of liquor in bus	5	200	
59	51 (1)	eat/drink on bus contrary to sign	5	100	
60	52 (a)	get on/get off moving bus	5	200	

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
61	52 (b)	get on/get off bus through window/roof hatch	5	200	
62	53 (a)	interfere with bus equipment	5	200	
63	53 (b)	block bus door	5	200	
64	53 (c)	unlock bus door	5	200	
65	53 (d)	open door while bus moving	5	200	
66	53 (e)	interfere with automatic bus door	5	200	
67	54	throw thing in/from bus	5	200	
68	55 (1) (a)	bus passenger enter drivers compartment	5	200	
69	55 (1) (b)	bus passenger occupy driver's seat	5	200	
70	55 (2) (a)	bus passenger travel on unauthorised part of bus	5	200	
71	55 (2) (b)	bus passenger beside/in front of driver's seat	5	100	

**Part 3**

## Amendments of Road Transport (Offences) Regulations 2001

## Regulation 26

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
72	55 (2) (c)	bus passenger stand on upper deck of bus	5	100	
73	56 (1)	remove property of bus operator from bus	5	200	
74	57	deposit litter/dangerous thing in bus	5	100	
75	58 (1)	bus passenger take animal on bus without permission	5	100	
76	59 (3)	bus passenger with soiled clothing/soiled goods/damaging goods/bulky goods not comply with direction by driver/police officer/authorised person	5	100	
77	60 (2)	intoxicated bus passenger not comply with direction by driver/police officer/authorised person	5	100	
78	61 (2)	bus passenger offender not comply with direction by driver/police officer/authorised person	5	100	



<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
79	63	not deal with lost property on bus as required	5	100	
80	70 (1)	not return suspended/cancelled certificate of accreditation as required	5	200	
81	72 (5)	not provide record/information for bus services enforcement	20	300	
82	73 (5)	not comply with request by police officer/authorised person for bus maintenance facility enforcement	20	300	
83	74 (4)	not comply with request/signal by police officer/authorised person for bus services enforcement	20	300	

**Part 3** Amendments of Road Transport (Offences) Regulations 2001

Regulation 26

<b>column 1 item</b>	<b>column 2 offence provision and, if relevant, case</b>	<b>column 3 short description</b>	<b>column 4 offence penalty (pu)</b>	<b>column 5 infringement penalty (\$)</b>	<b>column 6 demerit points</b>
84	75 (3)	responsible person not comply with inspection requirement by police officer/ authorised person for bus services enforcement	20	300	
85	76 (4)	unauthorised removal of noncompliance notice	20	300	
86	77 (2) (a)	not state name/address when required by police officer/authorised person for bus services enforcement	10	100	
87	77 (2) (b)	state false name/address for bus services enforcement	10	100	

---

## Endnotes

### Regulations amended in pt 2

- 1 Republished as in force on 12 September 2001 (Republication No 2).

### Regulations amended in pt 3

- 2 Republished as in force on 12 September 2001 (Republication No 1).

### Notification

- 3 Notified under the *Legislation Act 2001* on 18 October 2001.  
(see [www.legislation.act.gov.au](http://www.legislation.act.gov.au))

© Australian Capital Territory 2001