



Australian Capital Territory

# **Road Transport (Public Passenger Services) Regulation 2002**

**SL2002-3**

made under the

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

**Republication No 47**

**Effective: 30 October 2015 – 26 April 2016**

Republication date: 30 October 2015

Last amendment made by [SL2015-34](#)

Authorised by the ACT Parliamentary Counsel

## About this republication

### The republished law

This is a republication of the *Road Transport (Public Passenger Services) Regulation 2002*, made under the *Road Transport (Public Passenger Services) Act 2001* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 30 October 2015. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 30 October 2015.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

### Kinds of republications

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- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

### Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

### Uncommenced provisions and amendments

If a provision of the republished law has not commenced, the symbol **U** appears immediately before the provision heading. Any uncommenced amendments that affect this republished law are accessible on the ACT legislation register ([www.legislation.act.gov.au](http://www.legislation.act.gov.au)). For more information, see the home page for this law on the register.

### Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see the *Legislation Act 2001*, section 95.

### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$150 for an individual and \$750 for a corporation (see *Legislation Act 2001*, s 133).



Australian Capital Territory

# Road Transport (Public Passenger Services) Regulation 2002

made under the

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

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Australian Capital Territory

# Road Transport (Public Passenger Services) Regulation 2002

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made under the

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

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30/10/15

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Regulation 2002

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## Chapter 1 Preliminary

### 1 Name of regulation

This regulation is the *Road Transport (Public Passenger Services) Regulation 2002*.

### 3 Dictionary

The dictionary at the end of this regulation is part of this regulation.

*Note 1* The dictionary defines certain terms, and includes references (*signpost definitions*) to other terms defined elsewhere in this regulation or in other legislation.

For example, the signpost definition '*road transport legislation*—see the *Road Transport (General) Act 1999*, section 6.' means the term 'road transport legislation' is defined in that section and the definition applies to this regulation.

*Note 2* A definition in the dictionary (including a signpost definition) applies to the entire regulation unless the definition, or another provision of the regulation, provides otherwise or the contrary intention otherwise appears (see [Legislation Act](#), s 155 and s 156 (1)).

### 4 Notes

A note included in this regulation is explanatory and is not part of this regulation.

*Note* See the [Legislation Act](#), s 127 (1), (4) and (5) for the legal status of notes.

## 4A Offences against regulation—application of Criminal Code etc

Other legislation applies in relation to offences against this regulation.

*Note 1 Criminal Code*

The [Criminal Code](#), ch 2 applies to the following offences against this regulation (see Code, pt 2.1):

- s 18A (Recovery of lost or stolen certificate of accreditation)
- s 23 (Notification of changes to bus fleet)
- s 24 (Notifiable incidents involving buses)
- s 26 (Bus drivers to hold appropriate driver licence or authority)
- s 27 (Records of bus drivers etc to be maintained by accredited operator)
- s 27A (Accredited operator to tell road transport authority about records of bus drivers etc)
- s 30A (Advertisements for bus services to display accreditation number)
- s 30B (Airconditioning of buses)
- s 30C (Bus service vehicle livery)
- s 30D (Offensive material etc in or on buses)
- s 30E (Compliance with dress code of practice)
- s 34 (Effect of noncompliance notices—bus operators)
- s 40 (Responsibility of bus drivers for lost property)
- s 42 (Dress and conduct of bus drivers)
- s 45 (Effect of noncompliance notices—bus drivers)
- s 53 (Bus seats for older people and people with disabilities)
- s 67 (Lost property found by bus passengers)
- s 71 (Affiliation of accredited taxi service operators with taxi network)
- s 74 (Accredited taxi network provider's taxi booking service to direct wheelchair-accessible taxi hiring to WCBS)
- s 74A (WCBS to direct driver to accept wheelchair-accessible taxi hiring)

- s 74B (Accredited taxi network provider to direct driver to accept wheelchair-accessible taxi hiring)
- s 75 (Booking service to give estimated arrival time for wheelchair-accessible taxis)
- s 77 (Records of taxi drivers etc to be maintained by accredited network provider)
- s 77A (Accredited network provider to tell road transport authority about records of taxi drivers etc)
- s 88 (Taxi licence-holders to notify change of name or address)
- s 95 (Taxis to be fitted with complying taximeters)
- s 97 (Taxi drivers to hold appropriate driver licence or authority)
- s 99 (Records of taxi drivers etc to be maintained by accredited operator)
- s 101A (Wheelchair-accessible taxi operator to have equipment and arrangements with WCBS)
- s 107 (Taxi network livery)
- s 112 (Effect of noncompliance notices—taxi operators)
- s 125B (Wheelchair-accessible taxi driver to comply with WCBS's approved procedures and rules)
- s 126 (Effect of noncompliance notices—taxi drivers)
- s 133 (Where taxi drivers must stop)
- s 134 (Operation of taxi roof sign by drivers)
- s 143 (Driver not to start taximeter before hiring begins)
- s 143A (When driver must start taximeter)
- s 143B (Operation of taximeter during hiring)
- s 143C (Operation of taximeter at end of hiring)
- s 144 (Driver to ask for correct fare)
- s 144A (Payment of taxi fare)
- s 144B (ACT Taxi Subsidy Scheme vouchers—offences)
- s 154 (Lost property found by taxi passengers)
- s 154M (Offence—operate WCBS without entitlement)
- a provision of ch 5 (Hire cars)
- a provision of ch 6 (Demand responsive services)



- s 307 (1) (Driver authority card to be displayed or shown)
- s 308 (1) (Production of driver authority card)
- a provision of ch 8 (Disciplinary action).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

*Note 2* *Penalty units*

The [Legislation Act](#), s 133 deals with the meaning of offence penalties that are expressed in penalty units.

## **Chapter 2            Accreditation of public passenger service operators and taxi networks**

### **Part 2.1            Kinds of accreditation**

#### **5            Accreditations that may be approved**

- (1) The road transport authority may accredit people to operate the following kinds of bus services:
  - (a) regular route services;
  - (b) tour and charter services.
- (2) The road transport authority may accredit people to operate taxi networks.
- (3) The road transport authority may accredit people to operate the following kinds of taxi services:
  - (a) a taxi service (other than a restricted taxi service);
  - (b) a restricted taxi service for a wheelchair-accessible taxi;
  - (c) a restricted taxi service for a NSW cross-border taxi.
- (4) The road transport authority may accredit people to operate the following kinds of hire car services:
  - (a) a hire car service (other than a restricted hire car service);
  - (b) a restricted hire car service.
- (5) The road transport authority may accredit people to operate a DRS.

## Part 2.2 Accreditation procedure

### 6 Definitions for pt 2.2

In this part:

*applicant*, for accreditation (including renewal)—see section 7 (1).

*executive officer*, of a corporation, means a person, however described and whether or not the person is a director of the corporation, who is concerned with, or takes part in, the corporation's management.

*proposed service standards*, for an application for accreditation (including renewal)—see section 6A.

*regulated service* means—

- (a) a bus service; or
- (b) a taxi network; or
- (c) a taxi service; or
- (d) a restricted taxi service; or
- (e) a hire car service; or
- (f) a restricted hire car service; or
- (g) a demand responsive service.

*relevant person*, in relation to an application for accreditation (including renewal) by a person or an accreditation held by a person—see section 6B.

## 6A Meaning of *proposed service standards* for pt 2.2

For this part, the *proposed service standards* for an application for accreditation (including renewal) are—

- (a) a written statement by the applicant about how the applicant will provide a safe, reliable and efficient regulated service and comply with the approved minimum service standards for the regulated service to which the application relates; and
- (b) if amended proposed service standards are accepted by the road transport authority under section 7 (5)—the amended standards.

## 6B Meaning of *relevant person* for pt 2.2

In this part:

*relevant person*, in relation to an application for accreditation (including renewal) by a person or an accreditation held by a person, means—

- (a) if the person is an individual—the person and anyone who is concerned with, or takes part in, the management of the regulated service to which the application or accreditation relates; or
- (b) if the person is a corporation—each executive officer of the corporation.

## 7 Application procedure for accreditation

- (1) A person (the *applicant*) may apply to the road transport authority for accreditation (including renewal) to operate a particular kind of regulated service.

*Note* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

- (2) The applicant must give the road transport authority—
  - (a) a completed application form for the kind of accreditation applied for; and
  - (b) the proposed service standards for the regulated service to which the application relates; and
  - (c) a statement supplied by a police officer about the criminal history (if any) of, and the infringement notices (if any) served on, each relevant person.
- (3) The road transport authority may require the applicant to give the authority further stated information or a stated document that the authority reasonably needs to decide the application.
- (4) The road transport authority may refuse to consider the application further if the requirement is made in writing and the applicant does not comply with the requirement.
- (5) The applicant may, with the road transport authority's agreement, give the authority amended proposed service standards for the application.
- (6) In this section:  
*infringement notice*—
  - (a) means a notice served under the *Road Transport (General) Act 1999*, division 3.2 (Infringement and reminder notices); and
  - (b) includes a notice (however described) served on a person under the law of another jurisdiction that gives the person the option of paying an amount for an offence instead of being charged with the offence.

## 8 Mandatory refusal of accreditation

- (1) The road transport authority must refuse an application for accreditation (including renewal) if—
  - (a) the applicant is not an Australian citizen or permanent resident;  
or
  - (b) the authority believes on reasonable grounds that—
    - (i) the applicant is not a suitable person to operate the kind or size of regulated service to which the application relates;  
or
    - (ii) the applicant does not have the capacity to meet the applicant's proposed service standards; or
    - (iii) the proposed service standards do not adequately state how the applicant will comply with the approved minimum service standards for the regulated service to which the application relates; or
    - (iv) compliance by the applicant with the proposed service standards will not ensure that the applicant will provide a safe, reliable and efficient regulated service.
- (2) The matters to which the road transport authority may have regard in deciding whether the applicant is a suitable person include—
  - (a) the knowledge and experience of the relevant people in relation to the operation of a regulated service of the kind and size to which the application relates; and
  - (b) whether a relevant person has been convicted or found guilty of an offence that the road transport authority considers is relevant to the application; and

*Note* The road transport authority must comply with any guidelines approved by the Minister under s 19A (Accreditation guidelines—relevant offences).

- (c) for an application for accreditation to operate a bus service, taxi network, taxi service or DRS—the financial capacity of the applicant to operate the kind and size of regulated service to which the application relates; and
  - (d) for an application for accreditation to operate a regulated service (other than a restricted hire car service)—whether a relevant person is or has been an executive officer of a corporation that is or has been placed in administration or liquidation or wound up under an Australian or foreign law.
- (3) However, the applicant is not a suitable person to operate the regulated service to which the application relates if—
- (a) a relevant person is disqualified under chapter 8 (Disciplinary action) from holding or applying for the accreditation; or
  - (b) for an application for a kind of accreditation for which educational qualifications have been approved by the road transport authority under section 19—at least 1 relevant person does not hold the approved educational qualifications; or
  - (c) the applicant is a corporation and—
    - (i) a receiver or receiver and manager within the meaning of the [Corporations Act](#) has been appointed in relation to the applicant; or
    - (ii) a court has made an order under the [Corporations Act](#) for the winding-up of the applicant; or
  - (d) for an application for accreditation to operate a regulated service (other than a restricted hire car service)—
    - (i) a relevant person is an undischarged bankrupt under an Australian or foreign law; or

- (ii) a relevant person is disqualified (however described) from managing a corporation under an Australian or foreign law (including, for example, the [Corporations Act](#), part 2D.6 (Disqualification from managing corporations)); or
- (iii) a relevant person has been convicted or found guilty of an offence against the [Corporations Act](#), section 209 (3) (which is about a public company giving financial benefits to a related party) or part 5.8 (which relates to companies under external administration etc); or
- (iv) a relevant person has been convicted or found guilty of an offence against another Australian law or a foreign law that corresponds to a provision mentioned in paragraph (iii).

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

## 9 Discretionary refusal of accreditation

- (1) The road transport authority may refuse an application for accreditation (including renewal) if the authority believes on reasonable grounds that—
  - (a) a relevant person has failed to comply with a requirement of the Act relating to the application; or
  - (b) the person has contravened an accepted service standard or an approved minimum service standard for the accreditation; or
  - (c) the applicant has contravened a condition of the person's accreditation; or
  - (d) a relevant person has contravened any other provision of the Act; or



- (e) the applicant has not maintained a public passenger vehicle policy under the [Act](#), section 111 (Public passenger vehicle insurance compulsory) for a public passenger vehicle operated by the person.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (2) The road transport authority may also refuse an application for accreditation (including renewal) if another accreditation held by the person is suspended under chapter 8 (Disciplinary action).

## **10 Issue or amendment of accreditation subject to conditions**

- (1) An accreditation may be issued or renewed subject to a condition imposed by the road transport authority.
- (2) An accreditation may be amended by the road transport authority to impose a condition to which the accreditation is to be subject or to amend or revoke a condition to which the accreditation is already subject.
- (3) A condition mentioned in subsection (1) or (2) may be imposed, amended or revoked by the road transport authority—
  - (a) on the authority’s own initiative or on the application of the applicant for, or the holder of, an accreditation; and
  - (b) for a stated period or indefinitely.

## **11 Accredited people—procedure for imposition etc of conditions on authority’s initiative**

- (1) This section applies to a person if the road transport authority proposes, on its own initiative, to take action under section 10 (2) to amend an accreditation held by the person to impose, amend or revoke a condition (the *proposed action*).

- (2) The road transport authority must give the accredited person a written notice stating—
  - (a) the proposed action; and
  - (b) if the proposed action is to impose a condition to which the accreditation is to be subject—the proposed condition; and
  - (c) if the proposed action is to amend a condition to which the accreditation is subject—the proposed condition as amended; and
  - (d) if the proposed action is to impose or amend a condition—the grounds for the proposed action; and
  - (e) if appropriate, any action that must be taken by the person to avoid or reverse the proposed action; and
  - (f) the date when the proposed imposition, amendment or revocation of the condition takes effect (the *date of effect*); and
  - (g) that the proposed action takes effect on the date of effect unless the notice is revoked by the authority before that date.
- (3) The notice may, but need not, provide an opportunity for the person to make representations about why the proposed action should not be taken.
- (4) The date of effect must not be earlier than 14 days after the notice is given to the person.
- (5) This section does not affect the taking of action under chapter 8 (Disciplinary action).

## 12 Accreditation and certificates of accreditation

- (1) If the road transport authority accredits a person to operate a regulated service, the authority must give the person—
  - (a) a certificate of accreditation; and

- (b) a copy of the accepted service standards in relation to which accreditation was given.
- (2) The certificate of accreditation must show—
  - (a) the accreditation number allocated to the person; and
  - (b) the person's full name; and
  - (c) the kind of accreditation; and
  - (d) the expiry date of the accreditation.
- (3) The certificate of accreditation may also show any additional information that the authority considers appropriate.
- (4) The maximum period the road transport authority may accredit a person (including renew an accreditation) to operate a regulated service is as follows:
  - (a) for a bus service—3 years;
  - (b) for a taxi service—6 years;
  - (c) for a taxi network—6 years;
  - (d) for a hire car service—6 years;
  - (e) for a DRS—6 years.
- (5) An accreditation is not transferable.

**13 Accepted service standards—amendment on accredited person's initiative**

- (1) An accredited person may apply to the road transport authority for the amendment of an accepted service standard.
- (2) The road transport authority may, in writing, approve the amendment if satisfied on reasonable grounds that compliance with the service standard, as amended, will ensure that the accredited person provides a safe, reliable and efficient regulated service.

- (3) The road transport authority must—
  - (a) tell the accredited person whether the authority has approved the amendment; and
  - (b) if the authority has approved the amendment—tell the accredited person when the amendment takes effect.

**13A Accepted service standards—amendment on authority’s initiative**

- (1) This section applies if the road transport authority considers on reasonable grounds that the amendment of an accepted service standard is necessary to ensure that the accredited person for the service standard provides a safe, reliable and efficient regulated service.
- (2) The road transport authority may, by written notice given to the accredited person, ask the person to agree to the amendment of the accepted service standard.
- (3) The notice must—
  - (a) state the proposed amendment; and
  - (b) state the reason for the proposed amendment; and
  - (c) state when the road transport authority proposes that the amendment take effect; and
  - (d) ask the accredited person to tell the road transport authority within a stated reasonable time (of at least 7 days) whether the person agrees to the amendment.
- (4) The notice may include any other information that the road transport authority considers appropriate.
- (5) If the accredited person agrees to the proposed amendment of the accepted service standard, the road transport authority must, in writing, amend the service standard.

- (6) If the road transport authority and the accredited person agree on an amendment (an *alternative amendment*) of the accepted service standard that is different to the proposed amendment, the authority must, in writing, amend the service standard.
- (7) However, the road transport authority may agree to an alternative amendment of the accepted service standard only if satisfied on reasonable grounds that compliance with the service standard, as amended, will ensure that the accredited person provides a safe, reliable and efficient regulated service.
- (8) If the road transport authority amends an accepted service standard under subsection (5) or (6), the authority must—
  - (a) give the accredited person a copy of the amended service standard; and
  - (b) tell the accredited person when the amended service standard takes effect.

**14 Notification of change in details of accreditation or operation of regulated service**

- (1) This section applies if—
  - (a) particulars set out in an application for accreditation (including for the renewal of an accreditation) or other documents given to the road transport authority for the application, or the particulars shown in the certificate of accreditation, become (or are about to become) inaccurate or inapplicable because of a change in circumstances; or
  - (b) the operation of a regulated service is changed in a way that may have an adverse effect on the provision of a safe, reliable and efficient regulated service by an accredited person; or

- (c) the financial circumstances of an accredited person change in a way that affects the person's ability to provide a safe, reliable and efficient regulated service.

**Examples for par (a)—changes of circumstances**

- 1 A change in a relevant person for an accredited person.
- 2 A relevant person is disqualified from managing a corporation under the [Corporations Act](#), pt 2D.6.
- 3 An accredited entity or a relevant person is declared bankrupt.
- 4 An entity no longer has a relevant person who has the relevant approved educational qualifications.
- 5 A change of business address.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) The accredited person must give the road transport authority written notice of the change as soon as practicable (but within 7 days) after the change and, if the change relates to the certificate of accreditation, return the certificate to the authority.

Maximum penalty: 20 penalty units.

- (3) If the change relates to the certificate of accreditation and the certificate is returned to the road transport authority, the authority must amend the certificate or issue another certificate for the remainder of the period of the certificate that it replaces.
- (4) The road transport authority may require a person who becomes a relevant person for an accredited person after the authority gives the accreditation to—
- (a) comply with section 7 (1) (c) (which is about a criminal records check); and

- (b) provide any other information that the authority reasonably requires to decide whether, because of the change of circumstances, the accredited person ceases to be a suitable person to be accredited.
- (5) A person must not fail to comply with a requirement under subsection (4).

Maximum penalty: 20 penalty units.

**15 Holder of conditional accreditation to comply with conditions**

The holder of an accreditation must not, without reasonable excuse, contravene a condition to which the accreditation is subject.

Maximum penalty: 20 penalty units.

**16 Replacement of certificate of accreditation**

- (1) The road transport authority may issue a replacement certificate of accreditation to the holder of the accreditation if satisfied that the certificate of accreditation has been lost, stolen or destroyed.
- (2) For subsection (1), the road transport authority may require the holder of the accreditation to give the authority a statement, verified by a statutory declaration signed by the person, that the certificate has been lost, stolen or destroyed.

*Note 1* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

*Note 2* The [Statutory Declarations Act 1959](#) (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

**17 Production of certificate of accreditation**

- (1) An accredited person must not, without reasonable excuse, fail to produce a certificate of accreditation for a particular kind of regulated service for inspection when required to do so by a police officer or authorised person.

Maximum penalty: 5 penalty units.

- (2) It is a defence to an offence against subsection (1) if—
- (a) the defendant has a reasonable excuse for failing to produce the certificate of accreditation when required to do so; and
  - (b) within 3 days after being required to produce the certificate, the defendant produces the certificate at the place directed by the police officer or authorised person.

**18 Surrender of accreditation**

- (1) An accredited person may apply to the road transport authority to surrender an accreditation held by the person.
- (2) The application may be made personally by the person or by an agent who produces written evidence of the person's appointment as agent.
- (3) The person must, with the application—
- (a) return the person's certificate of accreditation to the road transport authority; or



- (b) if the certificate has been lost, stolen or destroyed—give the authority a statement, verified by a statutory declaration signed by the person or agent, that the certificate has been lost, stolen or destroyed.

*Note 1* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 2* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see *Criminal Code*, pt 3.4).

- (4) If the person complies with this section, the road transport authority must approve the application unless the authority is taking action to suspend or cancel the person's accreditation.
- (5) However, if the person is accredited to operate regular route services, the road transport authority may approve the application only if each service contract held by the person has expired or been terminated in accordance with the contract.

## **18A Recovery of lost or stolen certificate of accreditation**

- (1) This section applies to a person who is or was an accredited person if the person has told the road transport authority that the person's certificate of accreditation has been lost or stolen.
- (2) If the person recovers the lost or stolen certificate, the person must, as soon as practicable (but within 14 days) after the day the person recovers the certificate—
- (a) tell the road transport authority about the recovery of the certificate; and
- (b) give the certificate to the authority.

Maximum penalty: 20 penalty units.

- (3) Subsection (2) (b) does not apply to the person if the road transport authority tells the person that the certificate need not be given to the authority.

- (4) An offence against this section is a strict liability offence.

## Part 2.3                      Other matters relating to                                          accreditation

### 18B            Minimum service standards for regulated services

- (1) The road transport authority must approve minimum service standards (the *approved minimum service standards*) for the operation of a regulated service.
- (2) The approved minimum service standards for a regulated service—
  - (a) must include standards in relation to the things mentioned in schedule 1 for the regulated service; and
  - (b) may include standards about anything else in relation to the safe, reliable or efficient provision of the regulated service.

*Note*        A statutory instrument may make different provision about different matters and apply differently by reference to stated exceptions or factors (see [Legislation Act](#), s 48).

- (3) The approved minimum service standards for a regulated service may include standards in relation to monitoring an accredited operator's compliance with the operator's accepted service standards or the approved minimum service standards, including, for example—
  - (a) the making, management and auditing (including performance auditing) of records and systems required to be kept under the Act; and
  - (b) the reporting requirements in relation to the operator's accepted service standards.

*Note*        An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (4) An approval under subsection (1) is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (5) In this section:

*regulated service*—see section 6.

## 19 Approval of educational qualifications

- (1) The road transport authority may approve educational qualifications for a kind of accreditation.
- (2) An approval of educational qualifications is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## 19A Accreditation guidelines—relevant offences

- (1) The Minister may approve guidelines about the exercise of the road transport authority's functions under section 8 (2) (b) (Mandatory refusal of accreditation).
- (2) Without limiting subsection (1), the guidelines may make provision about—
- (a) the offences that are relevant in relation to an application for accreditation to operate a regulated service; and
  - (b) the matters or circumstances that may or must be considered, in deciding whether—
    - (i) an application for accreditation may or must be refused;  
or

- (ii) action may or must be taken under chapter 8 (Disciplinary action) in relation to an accreditation.

**Examples for par (b)**

- 1 whether a person has been convicted for a single offence or multiple offences and the nature and seriousness of the offence
- 2 the age of the person when the offence was committed
- 3 the time elapsed since the offence was committed

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) The road transport authority must comply with any guidelines approved under this section.
- (4) Approved guidelines are a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

## **20 Operator training**

The road transport authority may, by written notice, direct an accredited person to undertake, within a stated reasonable time, stated training about the operation of the public passenger service or taxi network for which the person is accredited.

## **20A Tour and charter services from interstate—Act, s 128 (1) (a)**

A person who operates tour and charter services is exempt from the [Act](#), section 20 (2) (Unaccredited operators not to operate certain bus services) in relation to a particular tour and charter service (the *ACT tour*) that is operated partly within the ACT if—

- (a) the ACT tour begins and ends outside the ACT; and

- (b) each passenger on the tour engages with the operator (or an engagement is made with the operator on the passenger's behalf) for the passenger's journey to begin and end outside the ACT; and
- (c) the person is authorised to operate the ACT tour under the law of another jurisdiction.

*Note* The [Act](#), s 20 (2) would otherwise require the tour and charter service operator to be accredited under this regulation for the operation of the ACT tour.

## Chapter 3      Bus services

### Part 3.1      Operation of bus services

#### Division 3.1.1      Bus services generally

##### 21      Maintenance of buses

- (1) The accredited operator of a bus must not use the vehicle, or allow someone else to use the vehicle, to operate a bus service if the vehicle has not been serviced and maintained in accordance with the vehicle manufacturer's maintenance standards (however described) relating to the vehicle.

Maximum penalty: 20 penalty units.

- (2) The accredited operator of a bus must not use the vehicle, or allow someone else to use the vehicle, to operate a bus service if—
- (a) the vehicle does not comply with the applicable vehicle standards for the vehicle; or
- (b) the use of the vehicle by the accredited operator or other person would contravene the *Road Transport (Vehicle Registration) Act 1999*.

Maximum penalty: 20 penalty units.

##### **Example for par (b)**

The vehicle must be maintained in a condition that enables it to be driven safely (see *Road Transport (Vehicle Registration) Regulation 2000*, s 107 (2)).

*Note*      An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act*, s 126 and s 132).

- (3) An offence against this section is a strict liability offence.

## **22 Fleet and maintenance records for buses to be made**

- (1) The accredited operator of a bus service must make a written record of the following particulars for each bus used to operate the service:
- (a) the make, model and year of manufacture of the bus;
  - (b) the registration number of the bus;
  - (c) the insurance policies, and the expiry date of the policies, that apply in relation to the operation of the bus;
  - (d) the maximum number of seated and standing passengers that may be carried on the bus in accordance with section 37 (Maximum number of passengers in buses);
  - (e) the date the bus was first used by the operator to operate the bus service and (if applicable) the date the bus ceased to be used by the operator to operate the bus service;
  - (f) the inspections of the bus for compliance with section 21 (Maintenance of buses);
  - (g) any defects that affect the roadworthiness or safe operation of the bus;
  - (h) the cleaning, servicing, maintenance and repair of the bus and any other work done to the bus;
  - (i) accidents or other incidents in which—
    - (i) the death of, or bodily injury to, a person is caused by, or arises out of the use of, the bus; or
    - (ii) damage to property is caused by, or arises out of the use of, the bus.
- (2) The accredited operator of a bus service must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.



## **23 Notification of changes to bus fleet**

- (1) This section applies to an accredited operator of a bus service who acquires (including under a lease) a bus to operate the bus service.
- (2) The accredited operator must, as soon as practicable (but no later than 7 days after the day the bus is acquired), give the road transport authority written notice of the matters mentioned in section 22 (1) (a) to (d).

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.

## **24 Notifiable incidents involving buses**

- (1) The accredited operator of a bus service must, as soon as practicable (but within 24 hours) after a notifiable accident, give the road transport authority written notice of the time and date when, and the place where, the accident happened.

Maximum penalty: 20 penalty units.

- (2) The accredited operator of a bus service must, as soon as practicable (but no later than 5 days after the day of a notifiable accident), give the road transport authority written notice of the following information:
  - (a) the make, model and registration number of the bus involved in the accident;
  - (b) the full name and home address of the driver of the bus involved in the accident;
  - (c) the circumstances of the accident;
  - (d) the name and address of anyone killed or injured in the accident;

(e) for an injured person—the kind of injuries received by the person.

Maximum penalty: 20 penalty units.

- (3) Strict liability applies to subsections (1) and (2).
- (4) The accredited operator of a bus service must give the road transport authority written notice of any incident (other than a notifiable accident) that—
- (a) relates to a bus; and
  - (b) significantly affects the operation of the bus service.

Maximum penalty: 20 penalty units.

- (5) In this section:

***notifiable accident*** means an accident or other incident in which the death of, or bodily injury to, a person is caused by, or arises out of the use of, a bus used to operate the bus service.

## 25 Condition of buses

- (1) The accredited operator of a bus service must ensure that, while a bus is being used to operate the service, its interior, exterior and fittings are clean and undamaged and that its fittings are properly fitted and securely in place.

Maximum penalty: 10 penalty units.

- (2) In this section:

***exterior***, of a bus, includes the body, door panels, bumper bars, trim and wheels of the bus.

## **26 Bus drivers to hold appropriate driver licence or authority**

- (1) The accredited operator of a bus service must ensure that a person who drives a vehicle to operate the service is—
- (a) the holder of a public vehicle licence authorising the person to drive the vehicle for hire or reward; or
  - (b) exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A (Exemption of drivers of public vehicles driven for hire or reward—Act, s 31 (1) (b)).

Maximum penalty: 20 penalty units.

*Note 1* A person does not hold a public vehicle licence if the public vehicle licence has been suspended or cancelled under the road transport legislation or any other territory law.

*Note 2* The *Road Transport (Driver Licensing) Regulation 2000*, s 94A (4) provides that a person ceases to be exempt from holding a public vehicle licence if—

- (a) an automatic disqualifying circumstance applies to the person (see *Road Transport (Driver Licensing) Regulation 2000*, s 91); or
  - (b) the person is disqualified by the road transport authority from driving a vehicle on a road or road related area (in the ACT) under that regulation, s 103.
- (2) An offence against this section is a strict liability offence.

## **27 Records of bus drivers etc to be maintained by accredited operator**

- (1) The accredited operator of a bus service must make a written record of the following particulars for each person who drives a bus to operate the service:
- (a) the person's full name and home address;

- (b) the prescribed driver authority information for the person, including any change to the information notified to the accredited operator by the road transport authority;

*Note* **Prescribed driver authority information**—see the dictionary.

- (c) the dates and times when the bus was driven by the person.

- (2) The accredited operator of a bus service must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) An offence against subsection (2) is a strict liability offence.

- (4) A person commits an offence if—

- (a) the person is an accredited operator of a bus service; and
- (b) the person has a written record under subsection (1) of a person (the **driver**) who drives a bus to operate the service; and
- (c) the driver was the holder of a public vehicle licence authorising the driver to drive a bus for hire or reward; and
- (d) the driver's public vehicle licence is suspended or cancelled; and
- (e) the person knows, or ought reasonably to know, that the driver's public vehicle licence is suspended or cancelled; and
- (f) the person fails to make a written record of the following for the driver:
- (i) the suspension or cancellation of the driver's licence;
- (ii) when the licence was suspended or cancelled;
- (iii) if the licence was suspended—when the suspension ends.

Maximum penalty: 10 penalty units.

- (5) A person commits an offence if—
- (a) the person is an accredited operator of a bus service; and
  - (b) the person has a written record under subsection (1) of a person (the *driver*) who drives a bus to operate the service; and
  - (c) the driver was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A; and
  - (d) the driver is no longer exempt from holding a public vehicle licence; and
  - (e) the person knows, or ought reasonably to know, that the driver is no longer exempt under section 94A; and
  - (f) the person fails to record for the driver that the driver is no longer exempt under section 94A.

Maximum penalty: 10 penalty units.

**27A Accredited operator to tell road transport authority about records of bus drivers etc**

- (1) The accredited operator of a bus service must, for each person for whom the accredited operator has a record under section 27 (1), tell the road transport authority about the following:
- (a) the person's full name and home address;
  - (b) the prescribed driver authority information for the person, including any change to the information notified to the accredited operator by the road transport authority;
- Note Prescribed driver authority information—see the dictionary.*
- (c) any change to the person's name, home address or prescribed driver authority information since the accredited operator last told the road transport authority about the information relating to the person;

- (d) if the person no longer drives a bus for the accredited operator—that the person no longer drives a bus for the accredited operator.
- (2) The accredited operator of a bus service must not fail to comply with subsection (1).  
Maximum penalty: 10 penalty units.
- (3) An offence against subsection (2) is a strict liability offence.

**27B Road transport authority may tell accredited operator about bus drivers**

- (1) This section applies if—
  - (a) the accredited operator of a bus service has a record for a person under section 27 (1); and
  - (b) the accredited operator has told the road transport authority about the person under section 27A (1).
- (2) The road transport authority may tell the accredited operator about the following for the person:
  - (a) any change in the prescribed driver authority information for the person;  
*Note Prescribed driver authority information*—see the dictionary.
  - (b) if the person was the holder of a public vehicle licence authorising the person to drive a bus for hire or reward but the person’s licence has been suspended or cancelled—
    - (i) the suspension or cancellation of the driver’s licence; and
    - (ii) when the licence was suspended or cancelled;

- (c) if the person was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A but is no longer exempt and the road transport authority knows the person is no longer exempt—that the person has ceased to be exempt under section 94A.

## **28 Keeping and inspection etc of records about buses**

- (1) A person who is or has been the accredited operator of a bus service must—
- (a) keep every record required to be made by the person under the Act for at least 4 years after the day the last entry was made in it; and
  - (b) produce the record for inspection when required by a police officer or authorised person; and
  - (c) provide the record, or a copy of the record, to the road transport authority for inspection within a stated reasonable time when required to do so, in writing, by the authority.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (2) A person must not fail to comply with subsection (1).  
Maximum penalty: 10 penalty units.
- (3) The road transport authority, police officer or authorised person may take copies of any record produced or provided under subsection (1) (b) or (c).
- (4) This section does not apply to a recording made by a security camera in a bus.

*Note* For the keeping and destruction of security camera recordings, see s 32 (2).

## **29 Display of notice on bus about maximum number of passengers**

- (1) The accredited operator of a single-decker bus used to operate a bus service must display in a conspicuous position at the rear of the bus a statement, in legible text at least 25mm high, of the maximum number of seated, and the maximum number of standing, passengers the bus is permitted to carry under section 37 (3) (Maximum number of passengers in buses).

Maximum penalty: 5 penalty units.

- (2) The accredited operator of a double-decker bus used to operate a bus service must display in a conspicuous position at the rear of the bus a statement, in legible text at least 25mm high, of—
  - (a) the maximum number of seated passengers the bus is permitted to carry on each deck of the bus under section 37 (3); and
  - (b) the maximum number of standing passengers the bus is permitted to carry on the lower deck under the subsection.

Maximum penalty: 5 penalty units.

## **30 Accreditation details to be displayed on buses**

- (1) The accredited operator of a bus used to operate a bus service must display on the bus in a position approved by the road transport authority a statement, in legible text at least 50mm high, of the name in which the accreditation is held and the accreditation number allocated to the operator by the authority.

Maximum penalty: 5 penalty units.

- (2) An approval is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).



**30A Advertisements for bus services to display accreditation number**

- (1) The accredited operator of a bus used to operate a bus service must ensure that an advertisement for the bus service identifies the service by its accreditation number.

Maximum penalty: 10 penalty units.

*Note* A person who pretends to be accredited to operate a bus service, or a bus service of a particular kind, commits an offence against the [Act](#), s 21.

- (2) This section does not apply to an advertisement appearing in a vehicle used to operate the bus service.

*Note* **In** a vehicle includes on the vehicle (see dict, def **in** a vehicle).

- (3) An offence against this section is a strict liability offence.

**30B Airconditioning of buses**

- (1) This regulation applies if a bus is fitted with airconditioning.
- (2) The accredited operator of the bus must ensure that the airconditioning is in good condition and fully operational.

Maximum penalty: 10 penalty units.

- (3) An offence against this section is a strict liability offence.

**30C Bus service vehicle livery**

- (1) This section applies to a bus service that is a regular route service.
- (2) The accredited operator of a bus service must ensure that the vehicle is fitted with signs and livery (including colours) that comply with the requirements and design approved by the road transport authority for the bus service.

Maximum penalty: 10 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) An approval under subsection (2) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

### **30D Offensive material etc in or on buses**

- (1) The accredited operator of a bus must ensure that an advertisement or other document that a reasonable adult would consider indecent, insulting or offensive is not displayed in the bus.

Maximum penalty: 10 penalty units.

*Note* The dictionary definition of *in* a vehicle includes on the vehicle.

- (2) The road transport authority, a police officer or an authorised person may direct the accredited operator of a bus to remove an advertisement or other document that the authority, officer or person believes on reasonable grounds contravenes subsection (1).
- (3) The accredited operator must comply with a direction under subsection (2).

Maximum penalty: 10 penalty units.

- (4) An offence against this section is a strict liability offence.

### **30E Compliance with dress code of practice**

- (1) The accredited operator of a bus used to operate a bus service commits an offence if—
  - (a) a code of practice approved under section 67B (Code of practice—dress of bus drivers) is in force; and
  - (b) the accredited operator allows a person to drive the bus; and
  - (c) the person does not comply with the code of practice.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

### **31 Presence of security camera in bus to be indicated**

The accredited operator of a bus fitted with a security camera must ensure that signs telling people that they may be under video surveillance while in or near the bus are conspicuously placed inside and outside the bus.

Maximum penalty: 5 penalty units.

*Note 1* The accredited operator must also comply with any standards about security cameras in buses, see s 68 (5).

*Note 2* In collecting personal information, the accredited operator may also have to comply with the Australian Privacy Principles under the [Privacy Act 1988](#) (Cwlth) or the Territory privacy principles under the [Information Privacy Act 2014](#).

### **32 Bus operator's responsibilities for security camera recordings**

- (1) This section applies to the accredited operator of a bus if the bus is fitted with a security camera.
- (2) If a recording made by the security camera has not been given to a police officer or the road transport authority under subsection (4), the accredited operator must ensure that the recording is—
  - (a) kept by the accredited operator for 30 days after the day it is made; and
  - (b) destroyed as soon as practicable after the end of the 30 day period.
- (3) The accredited operator of a bus must not fail to comply with subsection (2).

Maximum penalty: 10 penalty units.

*Note* The accredited operator must also comply with any standards about security cameras in buses, see s 68 (5).

- (4) If a police officer or the road transport authority asks the accredited operator of a bus to give the police officer or authority a recording made by the security camera, the accredited operator must not, without reasonable excuse, fail to comply with the request.

Maximum penalty: 10 penalty units.

- (5) The accredited operator of a bus must maintain, in good condition and fully operational, equipment that can display a recording made by the security camera.

Maximum penalty: 5 penalty units.

*Note* The accredited operator may also have to comply with the Australian Privacy Principles under the [Privacy Act 1988](#) (Cwlth) or the Territory privacy principles under the [Information Privacy Act 2014](#) about the collection, storage, use and disclosure of the recordings.

### **33 Bus operators to comply with service standard for lost property**

The accredited operator of a bus service who is given lost property found in or near a bus used to operate the service must deal with the property in accordance with the operator's accepted service standard for the handling and disposal of lost property.

Maximum penalty: 5 penalty units.

### **34 Effect of noncompliance notices—bus operators**

- (1) This section applies to the accredited operator of a bus if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.

- (2) The accredited operator commits an offence if the notice is attached to the vehicle and the accredited operator uses, or allows someone else to use, the vehicle to operate a bus service after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), section 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), section 120 (4)).

- (3) The accredited operator commits an offence if—
- (a) the accredited operator uses, or allows someone else to use, the vehicle to operate a bus service after the time of effect of the notice; and
  - (b) the accredited operator knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

- (4) This section does not apply to the accredited operator if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.
- (5) Strict liability applies to subsection (2) and (3) (a).

## **Division 3.1.2 Bus drivers**

### **35 Requirements about bus drivers stopping for passengers**

- (1) A bus driver must stop the bus and drop off a passenger at a bus stop if the passenger indicates to the driver that the passenger wishes to get off the bus at the bus stop.

Maximum penalty: 5 penalty units.

- (2) A bus driver must stop the bus and pick up a person at a bus stop if the person indicates to the driver that the person wishes to get on the bus at the bus stop.

Maximum penalty: 5 penalty units.

- (3) Despite subsections (1) and (2), the bus driver may refuse to stop the bus or pick up a person if—

(a) the driver would contravene section 37 (Maximum number of passengers in buses) or section 39 (Restrictions on carriage of goods in buses) if the driver picked up the person; or

(b) the person is a person mentioned in section 63 (Bus passengers—soiled clothing etc) or section 64 (Intoxicated bus passengers).

- (4) This section does not, by implication, require a bus driver to pick up and drop off passengers only at bus stops.

### **36 Where bus drivers must stop on a road**

If a bus driver stops on a road to drop off or pick up a passenger, the driver must stop parallel to, and as close as practicable to, the side of the road.

Maximum penalty: 5 penalty units.

### **37 Maximum number of passengers in buses**

- (1) A bus driver must not, at any time—
- (a) carry in the bus more passengers, whether seated or standing, than the total number of passengers permitted to be carried in the bus; or
  - (b) if the bus is a single-decker—
    - (i) carry in the bus more passengers seated than the number of passengers permitted to be carried seated in the bus; or
    - (ii) carry in the bus more passengers standing than the number of passengers permitted to be carried standing in the bus; or
  - (c) if the bus is a double-decker—
    - (i) carry more passengers seated on a deck of the bus than the number of passengers permitted to be carried seated on that deck of the bus; or
    - (ii) carry more passengers standing on the lower deck of the bus than the number of passengers permitted to be carried standing in the bus.

Maximum penalty: 5 penalty units.

*Note* Passengers are not allowed to stand on the upper deck of a double-decker bus, see s 44 (2) (c).

- (2) For this section, in working out the number of passengers being carried, the following people are not to be taken into account:
- (a) any child apparently under 5 years old who is being carried on the lap of a seated passenger;

- (b) every 3rd child, whether seated or standing, who is apparently under 12 years old unless the child is seated on a seat designed (either by way of fixed armrests or seating contours for individual passengers) so that it is impracticable for the seat to be used by more than the number of passengers for which it is designed.
- (3) In this section, the number of passengers who are permitted to be carried seated, or are permitted to be carried standing, in a bus is—
  - (a) if the bus is registered under the *Road Transport (Vehicle Registration) Act 1999*—the number notified (or last notified) to the bus operator by the road transport authority; or
  - (b) if the bus is registered under the law of another jurisdiction that corresponds to the *Road Transport (Vehicle Registration) Act 1999*—the number permitted to be carried by the bus under that law.

### **38 Responsibilities of bus drivers for security cameras**

- (1) This section applies to the driver of a bus if the bus is fitted with a security camera.
- (2) The driver must, before operating the vehicle as a bus, check whether the security camera is operating.

Maximum penalty: 5 penalty units.

- (3) If the camera is not operating, the driver must tell the accredited operator of the bus.

Maximum penalty: 5 penalty units.

*Note* The bus driver must also comply with any standards about security cameras in buses, see s 68 (5).



**39 Restrictions on carriage of goods in buses**

- (1) A bus driver must not allow anyone to place or carry in the bus something that, because of its size or dimensions, cannot be carried in the bus without inconvenience or danger to someone else.

Maximum penalty: 5 penalty units.

- (2) This section does not apply to anything used by a person with a disability to alleviate the effect of the disability.

**40 Responsibility of bus drivers for lost property**

- (1) This section applies to a bus driver if the driver finds lost property in the bus or is given lost property under section 67 (Lost property found by bus passengers).

- (2) The driver must give the property to—

(a) its owner; or

(b) if the owner cannot be identified—the accredited operator of the bus as soon as practicable (but within 24 hours) after finding or being given the property.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

**41 Behaviour of bus drivers generally**

A bus driver must not—

(a) solicit for passengers or for a hiring; or

(b) move the bus while a door is open; or

- (c) start or stop the bus in a way that subjects a passenger or anyone else to unnecessary risk of injury.

Maximum penalty: 10 penalty units.

*Note 1* A bus driver is not allowed to smoke in the bus (see *Smoke-Free Public Places Act 2003*).

*Note 2* A bus driver must also comply with any standards about security cameras in buses, see s 68 (5).

## **42 Dress and conduct of bus drivers**

- (1) A bus driver must—
- (a) be clean and tidy; and
  - (b) behave in an orderly way and with politeness and propriety towards every passenger, police officer and authorised person and other road users.

Maximum penalty: 5 penalty units.

- (2) If a code of practice approved under section 67B (Code of practice—dress of bus drivers) is in force, a bus driver must comply with the code of practice.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

## **43 Drivers to remain in bus**

A bus driver must not, without reasonable excuse, leave the driver's seat of the bus during a journey of the bus.

Maximum penalty: 5 penalty units.

## **44 Passengers not to be carried on certain parts of a bus**

- (1) A bus driver must not allow a passenger—
- (a) to enter the driver's compartment (if any) of the bus; or

(b) to occupy the driver's seat or a part of the driver's seat.

Maximum penalty: 5 penalty units.

- (2) A bus driver must not, while the bus is moving, allow a passenger—
- (a) on a part of the bus not designed to carry passengers; or
  - (b) on a part of the bus beside or in front of the driver's seat; or
  - (c) if the bus is a double-decker—to stand on the upper deck of the bus.

Maximum penalty: 5 penalty units.

- (3) Without limiting subsection (2), the parts of a bus not designed to carry passengers include—
- (a) the roof, steps and footboard; and
  - (b) if the bus is a double-decker—the stairs to the upper deck.

#### **45 Effect of noncompliance notices—bus drivers**

- (1) This section applies to the driver of a bus if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.
- (2) The driver commits an offence if the notice is attached to the vehicle and the driver uses, or allows someone else to use, the vehicle to operate a bus service after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), section 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), section 120 (4)).

- (3) The driver commits an offence if—
- (a) the driver uses, or allows someone else to use, the vehicle to operate a bus service after the time of effect of the notice; and

(b) the driver knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

(4) This section does not apply to the driver if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.

(5) Strict liability applies to subsection (2) and (3) (a).

## Part 3.2 Bus tickets

### 46 Validity of bus tickets

- (1) A bus ticket is valid for travel only for the journey or journeys for which it is issued.
- (2) A bus ticket transferred in contravention of section 48 (Bus tickets not transferable) is not a valid ticket.

*Note* The dictionary defines **bus ticket** as meaning anything issued by or on behalf of the accredited operator of a bus service for the purpose of authorising a person to travel in a bus operated for the service.

### 47 Valid bus ticket required for travel

- (1) A person must not, without reasonable excuse, travel in a bus unless the person holds a valid bus ticket for the travel.

Maximum penalty: 5 penalty units.

- (2) For subsection (1), if a bus uses automatic equipment to read or record any details in a bus ticket, a bus ticket may be validated—
  - (a) for equipment that is operated by inserting a bus ticket into the equipment—by putting the ticket into the automatic equipment in accordance with any instructions provided by the bus operator; or
  - (b) for equipment operated by passing a bus ticket near the equipment—by passing the ticket near the equipment in accordance with any instructions provided by the bus operator.

**Example of bus ticket inserted into automatic equipment**

a bus ticket with a magnetic strip.

**Example of bus ticket passed near automatic equipment**

a bus ticket with a microchip.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

**48 Bus tickets not transferable**

- (1) A person who is issued with a bus ticket must not transfer (or offer to transfer) the ticket, or a part of the ticket, to someone else.

Maximum penalty: 5 penalty units.

- (2) This section does not apply if—
- (a) the ticket was bought for the other person; or
  - (b) the transfer is authorised by the accredited operator of the bus service.

**49 Damaged or changed bus tickets not to be used**

A person must not travel in a bus using a bus ticket if the ticket has been—

- (a) damaged or defaced in a material respect; or
- (b) changed in a material particular.

Maximum penalty: 5 penalty units.

**Examples of a bus ticket damaged or defaced in a material respect—par (a)**

- 1 If the ticket has a magnetic strip or microchip, the ticket cannot be read or recorded by the automatic equipment used by a bus to read or record any details in the ticket.
- 2 The information shown on the ticket by, or with the authorisation of, the accredited operator of the bus service for which the ticket is issued is missing or cannot be readily read.

**Examples of a bus ticket changed in a material particular—par (b)**

- 1 The information shown on the ticket by, or with the authorisation of, the accredited operator of the bus service for which the ticket is issued has been changed or deleted without the accredited operator's authorisation.
- 2 If the ticket has a magnetic strip or microchip, the information recorded in the magnetic strip or microchip by, or with the authorisation of, the accredited operator of the bus service for which the ticket is issued, has been changed or deleted without the accredited operator's authorisation.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

**50 Concession tickets for buses**

- (1) A person must not travel in a bus using a concession ticket unless the person is entitled to use the concession ticket.

Maximum penalty: 5 penalty units.

- (2) A bus driver, police officer or authorised person may require a person who uses (or attempts to use) a concession ticket to travel on a bus to produce satisfactory evidence (for example, a student or pensioner concession card) that the person is entitled to use the ticket to travel on the bus.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) A person must not, without reasonable excuse, fail to comply with a requirement under subsection (2).

Maximum penalty: 5 penalty units.

- (4) A person may not be prosecuted for offences against both subsection (1) and subsection (3) in relation to the same journey.

- (5) For this section, a person is entitled to use a concession ticket for travel on a bus service if the accredited operator of the bus service has authorised the person to use the concession ticket.

- (6) A person must not provide a document containing information that is false, misleading or incomplete in a material particular—
- (a) in relation to an application for a concession ticket; or
  - (b) in purported compliance with a requirement under subsection (2).

Maximum penalty: 20 penalty units.

- (7) A person must not in or in relation to an application for a concession ticket or in purported compliance with a requirement under subsection (2)—
- (a) state anything that is false or misleading in a material particular; or
  - (b) omit from a statement anything without which the statement is misleading in a material particular.

Maximum penalty: 20 penalty units.

- (8) In this section:

*concession ticket* means a bus ticket issued free or at a reduced fare.

## 51 Inspection and processing of bus tickets

A person who is in a bus must make the person's bus ticket available for inspection or processing by an authorised person on the authorised person's request.

Maximum penalty: 5 penalty units.



## Part 3.3 Conduct of bus passengers

### 52 Conduct of people in buses generally

- (1) A person in a bus must not unreasonably interfere with the comfort or safety of anyone else.

Maximum penalty: 5 penalty units.

- (2) Without limiting subsection (1), a person unreasonably interferes with the comfort or safety of someone else if the person—
- (a) puts a foot on a seat; or
  - (b) spits; or
  - (c) uses offensive language; or
  - (d) behaves offensively; or
  - (e) uses a wheeled recreational device within the meaning of the [Australian Road Rules](#), dictionary.

*Note* A person is not allowed to smoke on a bus (see [Smoke-Free Public Places Act 2003](#)).

### 53 Bus seats for older people and people with disabilities

- (1) A person commits an offence if—
- (a) the accredited operator of a bus service has, by a notice in a bus operating the service—
    - (i) set aside seats (a *designated seat*) for older people or people with a disability (a *designated person*); and
    - (ii) specified the people who may use the seats; and

- (b) the person occupies or continues to occupy a designated seat if a designated person is standing or indicates that the person wishes to use the seat.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply to a designated person.

#### **54 Drinking of liquor in buses generally prohibited**

- (1) A person must not drink, or be in possession of an open container of, liquor in a bus.

Maximum penalty: 5 penalty units.

- (2) This section does not apply if the liquor is supplied in the bus by, or with the permission of, the accredited operator of the bus service.

#### **55 Eating and drinking in buses**

- (1) A person must not eat or drink in a bus (or part of a bus) if eating and drinking in the bus (or the part of the bus) is prohibited by a notice displayed in the bus.

Maximum penalty: 5 penalty units.

- (2) This section does not apply if—
  - (a) the person is eating or drinking with the permission of the accredited operator of the bus service; or
  - (b) the person is eating or drinking for medical reasons; or
  - (c) the food or drink is supplied in the bus by, or with the permission of, the accredited operator of the bus service.

**56 Getting on and getting off buses**

A person must not, without reasonable excuse, get on or off a bus—

- (a) while the bus is moving; or
- (b) through a window (including a window used as an emergency exit) or a roof hatch.

Maximum penalty: 5 penalty units.

**57 No interference with bus equipment**

A person must not, without reasonable excuse—

- (a) interfere with equipment attached to or forming part of a bus; or
- (b) block a bus door; or
- (c) open a locked bus door; or
- (d) open an unlocked bus door while the bus is moving; or
- (e) interfere with an automatically operated bus door.

Maximum penalty: 5 penalty units.

**58 Throwing objects in or from buses**

A person must not throw anything in or from a bus.

Maximum penalty: 5 penalty units.

**59 Travel not allowed on certain parts of bus**

- (1) A passenger on a bus must not—
  - (a) enter the driver's compartment (if any) of the bus; or
  - (b) occupy the driver's seat or a part of the driver's seat.

Maximum penalty: 5 penalty units.

- (2) A passenger must not, while the bus is moving—
- (a) be on a part of the bus not designed to carry passengers; or
  - (b) be on a part of the bus beside or in front of the driver's seat; or
  - (c) if the bus is a double-decker—stand on the upper deck of the bus.

Maximum penalty: 5 penalty units.

- (3) Without limiting subsection (2), the parts of a bus not designed to carry passengers include—
- (a) the roof, steps and footboard; and
  - (b) if the bus is a double-decker—the stairs to the upper deck.

## **60 Property not to be removed from buses**

- (1) A person must not remove from a bus property of the accredited operator of the bus.

Maximum penalty: 5 penalty units.

- (2) This section does not apply to the accredited operator of the bus, a police officer or an authorised person.

## **61 No littering in buses**

- (1) A person must not deposit, in a bus, litter or anything that may endanger a person or property.

Maximum penalty: 5 penalty units.

- (2) This section does not apply to litter or a thing placed in a container provided in the bus for the collection of litter.

## 62 Carriage of animals in buses

- (1) A person must not take an animal onto a bus without the driver's permission.

Maximum penalty: 5 penalty units.

- (2) This section does not apply to—
- (a) an animal accompanying a person with a disability that is trained to help the person alleviate the effect of the disability; or
  - (b) an animal being trained to help alleviate the effect of a disability.

*Note* If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see *Discrimination Act 1991*, s 9).

## 63 Bus passengers—soiled clothing etc

- (1) A bus driver, police officer or authorised person may direct a person not to get on, or to get off, a bus if the driver, police officer or authorised person believes on reasonable grounds that—
- (a) the person, the person's clothing or goods (or anything else on or carried by the person) may soil or damage the bus or the clothing or goods of someone else; or
  - (b) any of the person's goods cannot, because of their size or dimensions, be carried in the bus without inconvenience or danger to someone else.
- (2) Subsection (1) (b) does not apply to anything used by a person with a disability to alleviate the effect of the disability.

- (3) A person must not fail to comply with a direction under subsection (1).

Maximum penalty: 5 penalty units.

#### **64 Intoxicated bus passengers**

- (1) A bus driver, police officer or authorised person may direct a person not to get on, or to get off, a bus if the driver, police officer or authorised person believes on reasonable grounds that the person—
- (a) is under the influence of liquor or a drug; and
  - (b) is causing, or is likely to cause, a nuisance or annoyance to someone else.

- (2) A person must not fail to comply with a direction under subsection (1).

Maximum penalty: 5 penalty units.

#### **65 Offender to get off bus when directed**

- (1) A bus driver, police officer or authorised person may direct a person to get off the bus if the driver, police officer or authorised person believes on reasonable grounds that the person is committing, or has just committed, an offence against this part or part 3.2 (Bus tickets).
- (2) A person must not fail to comply with a direction under subsection (1).

Maximum penalty: 5 penalty units.

#### **66 Removal of people from buses**

A person who fails to comply with a direction under this part to get off a bus may be removed from the bus by a police officer.

**67 Lost property found by bus passengers**

- (1) A person who finds something on a bus must return it to its owner or give it to the bus driver, the accredited operator of the bus, a police officer or an authorised person.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

## Part 3.4 Other matters relating to bus services

### 67A Name Territory may operate bus service under—Act, s 19A

The Territory may operate a bus service under the name ACTION.

### 67B Code of practice—dress of bus drivers

- (1) The road transport authority may approve a code of practice for the dress of bus drivers.
- (2) The approval of a code of practice under subsection (1) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

### 68 Standards about security cameras in buses

- (1) The road transport authority may approve standards in relation to security cameras in buses.
- (2) A standard may make provision in relation to security cameras in buses, including, for example—
  - (a) when security cameras may be installed; and
  - (b) the kinds of security cameras that may be installed; and
  - (c) the position of security cameras; and
  - (d) the operation of security cameras; and



- (e) requirements about notices to be included in a bus that has a security camera installed.

*Note 1* The *Privacy Act 1988* (Cwlth) imposes obligations on some private sector organisations and the *Information Privacy Act 2014* imposes obligations on public sector agencies in relation to the collection, storage, use and disclosure of personal information collected about an individual.

*Note 2* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) An approval is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (4) A standard may apply, adopt or incorporate (with or without change) an instrument as in force from time to time.

*Note 1* The text of an applied, adopted or incorporated law or instrument, whether applied as in force from time to time or at a particular time, is taken to be a notifiable instrument if the operation of the [Legislation Act](#), s 47 (5) or (6) is not disapplied (see s 47 (7)).

*Note 2* A notifiable instrument must be notified under the [Legislation Act](#).

*Note 3* A reference to an instrument includes a reference to a provision of an instrument (see [Legislation Act](#), s 14 (2)).

- (5) A person must not, without reasonable excuse, contravene a standard approved under subsection (1).

Maximum penalty: 20 penalty units.

## 69 Interference with bus security cameras and recordings

- (1) A person must not, without lawful authority or excuse, interfere with a security camera in a bus.

Maximum penalty: 20 penalty units.

- (2) A person must not change or otherwise interfere with a recording made by a security camera in a bus.

Maximum penalty: 20 penalty units.

*Note* For the destruction of recordings, see s 32.

## 70 Appointment of bus stops

- (1) Bus stops may be appointed by—
- (a) the road transport authority; or
  - (b) the accredited operator of a bus service in accordance with the prior written approval of the road transport authority.
- (2) A bus stop appointed under subsection (1) must be indicated by a sign (a *bus stop sign*) erected or displayed with the authority's approval and on which the words 'bus stop', 'bus stand' or 'bus zone', or some suitable pictorial representation, appear.
- (3) If times are stated on a bus stop sign, the sign operates only during those times.
- (4) If a bus service operated by a particular accredited operator is stated on a bus stop sign, the sign operates only in relation to a bus service operated by the accredited operator.

## Chapter 4      Taxis

### Part 4.1      Taxi networks

#### 71      **Affiliation of accredited taxi service operators with taxi network**

- (1) An accredited taxi network provider commits an offence if—
- (a) the accredited operator of a taxi service applies to the network provider for affiliation with the network; and
  - (b) the network provider refuses to affiliate the accredited operator with the network.

Maximum penalty: 20 penalty units.

- (2) Subsection (1) does not apply to the accredited taxi network provider if the accredited operator of the taxi service does not comply with the network's accepted service standards for affiliation of accredited operators of taxi services.

*Note*      *Accepted service standard* is defined in the dictionary.

- (3) An offence against this section is a strict liability offence.

#### 72      **Operation of taxis through taxi networks**

- (1) This section applies to an accredited taxi network provider who is providing taxi related services (including a taxi booking service) in relation to a vehicle while it is being operated as a taxi.
- (2) The network provider must ensure that the vehicle—
- (a) is licensed as a taxi; and
  - (b) is operated by a person who is accredited to operate the kind of taxi service for which the vehicle is licensed as a taxi; and

- (c) is driven by a person who is—
- (i) the holder of a public vehicle licence authorising the person to drive the vehicle as a taxi for hire or reward; or
  - (ii) exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A (Exemption of drivers of public vehicles driven for hire or reward—Act, s 31 (1) (b)); and

*Note 1* A person does not hold a public vehicle licence if the public vehicle licence has been suspended or cancelled under the road transport legislation or any other territory law.

*Note 2* The *Road Transport (Driver Licensing) Regulation 2000*, s 94A (4) provides that a person ceases to be exempt from holding a public vehicle licence if—

- (a) an automatic disqualifying circumstance applies to the person (see *Road Transport (Driver Licensing) Regulation 2000*, s 91); or
- (b) the person is disqualified by the road transport authority from driving a vehicle on a road or road related area (in the ACT) under that regulation, s 103.

- (d) complies with the network's relevant accepted service standards for the operation of taxis (including, for example, in relation to equipment for sending messages between the network and the vehicle's driver).

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act*, s 126 and s 132).

- (3) An accredited taxi network provider must not fail to comply with subsection (2).

Maximum penalty: 20 penalty units.

**73 Taxi network access to taxi booking service**

- (1) An accredited taxi network provider must ensure that a taxi booking service is available at all times for taxis operated by affiliated taxi service operators.

Maximum penalty: 20 penalty units.

- (2) The network provider must ensure that the taxi booking service is operated in accordance with the network's accepted service standards for taxi bookings.

Maximum penalty: 20 penalty units.

**74 Accredited taxi network provider's taxi booking service to direct wheelchair-accessible taxi hiring to WCBS**

- (1) This section applies if—
- (a) a person requests a wheelchair-accessible taxi booking through an accredited taxi network provider's taxi booking service; and

*Note* **Accredited taxi network provider's taxi booking service**—see the dictionary.

- (b) the booking is being made for a wheelchair-dependent person; and
- (c) there is a WCBS operating in the Territory.

*Note* **WCBS**—see s 154I.

- (2) The accredited taxi network provider commits an offence if the accredited taxi network provider's taxi booking service fails to, without delay, direct the booking request to a WCBS.

Maximum penalty: 10 penalty units.

- (3) An offence against this section is a strict liability offence.

**74A WCBS to direct driver to accept wheelchair-accessible taxi hiring**

- (1) This section applies if—
- (a) a person requests a wheelchair-accessible taxi booking through a WCBS; and
  - (b) the booking is being made for a wheelchair-dependent person; and
  - (c) a wheelchair-accessible taxi is available for hire; and
  - (d) the taxi's driver does not accept an offer of the booking.
- (2) The WCBS operator commits an offence if the WCBS fails to, without delay, direct the driver to accept the booking.

*Note* **WCBS**—see s 154I.

Maximum penalty: 10 penalty units.

*Note* It is an offence for a driver of a wheelchair-accessible taxi to not comply with the direction (see s 114 (3)).

- (3) An offence against this section is a strict liability offence.

**74B Accredited taxi network provider to direct driver to accept wheelchair-accessible taxi hiring**

- (1) This section applies if—
- (a) a person requests a wheelchair-accessible taxi booking through an accredited taxi network provider's taxi booking service; and
  - (b) the booking is being made for a wheelchair-dependent person; and
  - (c) there is no WCBS operating in the Territory; and

*Note* **WCBS**—see s 154I.

- (d) a wheelchair-accessible taxi operated by an affiliated taxi service operator is available for hire; and
  - (e) the taxi's driver does not accept an offer of the booking.
- (2) The accredited taxi network provider commits an offence if the accredited taxi network provider's taxi booking service fails to, without delay, direct the driver to accept the booking.

Maximum penalty: 10 penalty units.

*Note* It is an offence for a driver of a wheelchair-accessible taxi to not comply with the direction (see s 114 (3)).

- (3) An offence against this section is a strict liability offence.

## **75 Booking service to give estimated arrival time for wheelchair-accessible taxis**

- (1) A WCBS operator commits an offence if—
- (a) a person books a wheelchair-accessible taxi through the WCBS; and
- Note* **WCBS**—see s 154I.
- (b) the WCBS fails to, without delay, tell the person the estimated time when, or period within which, the taxi will arrive at the place where the taxi is to pick up the person.

Maximum penalty: 10 penalty units.

- (2) An accredited taxi network provider commits an offence if—
- (a) a person books a wheelchair-accessible taxi through the accredited taxi network provider's taxi booking service; and
- Note* **Accredited taxi network provider's taxi booking service**—see the dictionary.
- (b) the accredited taxi network provider's taxi booking service fails to, without delay, tell the person the estimated time when,

or period within which, the taxi will arrive at the place where the taxi is to pick up the person.

Maximum penalty: 10 penalty units.

*Note* If a WCBS is operating in the Territory, the accredited taxi network provider's taxi booking service must direct any request for a wheelchair-accessible taxi booking to a WCBS (see s 74).

- (3) An offence against this section is a strict liability offence.

## **76 Records of affiliated taxi service operators to be made**

- (1) An accredited taxi network provider must make a written record of the following particulars for each affiliated taxi service operator:
- (a) the person's full name and home address;
  - (b) the accreditation number allocated to the person by the road transport authority;
  - (c) the kind of taxi service the person is accredited to operate;
  - (d) the expiry date of the accreditation;
  - (e) the registration numbers of the taxis operated by the operator through the taxi network.
- (2) An accredited taxi network provider must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

## **77 Records of taxi drivers etc to be maintained by accredited network provider**

- (1) An accredited taxi network provider must make a written record of the following particulars for each person who drives a taxi that is being used to operate a taxi service by an affiliated taxi service operator:
- (a) the person's full name and home address;



- (b) the prescribed driver authority information for the person, including any change to the information notified to the accredited provider by the road transport authority;

*Note* **Prescribed driver authority information**—see the dictionary.

- (c) the dates and times when the taxi was used by the person to provide a taxi service;
  - (d) the registration number of the taxi driven by the person.
- (2) The accredited taxi network provider must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) An offence against subsection (2) is a strict liability offence.
- (4) A person commits an offence if—
- (a) the person is an accredited taxi network provider; and
  - (b) the person has a written record under subsection (1) of a person (the **driver**) who drives a taxi to operate the service; and
  - (c) the driver was the holder of a public vehicle licence authorising the driver to drive a taxi for hire or reward; and
  - (d) the driver's public vehicle licence is suspended or cancelled; and
  - (e) the person knows, or ought reasonably to know, that the driver's public vehicle licence is suspended or cancelled; and
  - (f) the person fails to make a written record of the following for the driver:
    - (i) the suspension or cancellation of the driver's licence;
    - (ii) when the licence was suspended or cancelled;

(iii) if the licence was suspended—when the suspension ends.

Maximum penalty: 10 penalty units.

- (5) A person commits an offence if—
- (a) the person is an accredited taxi network provider; and
  - (b) the person has a written record under subsection (1) of a person (the *driver*) who drives a taxi to operate the service; and
  - (c) the driver was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A; and
  - (d) the driver is no longer exempt from holding a public vehicle licence; and
  - (e) the person knows, or ought reasonably to know, that the driver is no longer exempt under section 94A; and
  - (f) the person fails to make a written record for the driver that the driver is no longer exempt under section 94A.

Maximum penalty: 10 penalty units.

**77A Accredited network provider to tell road transport authority about records of taxi drivers etc**

- (1) The accredited taxi network provider must, for each person for whom the accredited provider has a record under section 77 (1), tell the road transport authority about the following:
- (a) the person's full name and home address;

- (b) the prescribed driver authority information for the person, including any change to the information notified to the accredited provider by the road transport authority;

*Note* **Prescribed driver authority information**—see the dictionary.

- (c) any change to the person's name, home address or prescribed driver authority information since the accredited provider last told the road transport authority about the information relating to the person;
- (d) if the person no longer drives a taxi for the accredited provider—that the person no longer drives a taxi for the accredited provider.

- (2) The accredited taxi network provider must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) An offence against subsection (2) is a strict liability offence.

**77B Road transport authority may tell accredited network provider about taxi drivers**

- (1) This section applies if—
  - (a) the accredited taxi network provider has a record for a person under section 77 (1); and
  - (b) the accredited provider has told the road transport authority about the person under section 77A (1).
- (2) The road transport authority may tell the accredited taxi network provider about the following for the person:

- (a) any change in the prescribed driver authority information for the person;

*Note* **Prescribed driver authority information**—see the dictionary.

- (b) if the person was the holder of a public vehicle licence authorising the person to drive a taxi for hire or reward but the person's licence has been suspended or cancelled—
  - (i) the suspension or cancellation of the driver's licence; and
  - (ii) when the licence was suspended or cancelled;
- (c) if the person was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A but is no longer exempt and the road transport authority knows the person is no longer exempt—that the person has ceased to be exempt under section 94A.

## **78 Keeping and inspection etc of records of taxi networks**

- (1) A person who is or has been an accredited taxi network provider must—
  - (a) keep every record required to be made by the person under the Act—
    - (i) for a record mentioned in section 77 (1) (c) and (d)—for at least 1 year after the day the last entry was made in it; and
    - (ii) for any other record—for at least 4 years after the day the last entry was made in it; and
  - (b) produce the record for inspection when required by a police officer or authorised person; and
  - (c) provide the record, or a copy of the record, to the road transport authority for inspection within a stated reasonable time when required to do so, in writing, by the authority.

- (2) A person must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (3) The road transport authority, police officer or authorised person may take copies of any record produced or provided under subsection (1) (b) or (c).
- (4) This section does not apply to a recording made by a security camera in a taxi.

*Note* For the keeping and destruction of security camera recordings, see s 79 (2).

## **79 Network provider's responsibilities for security camera recordings**

- (1) This section applies to an accredited taxi network provider if a taxi operated by an affiliated taxi service operator is fitted with a security camera.
- (2) If a recording made by the security camera has not been given to a police officer or the road transport authority under subsection (4), the network provider must ensure that the recording is—
- (a) kept by the network provider for 30 days after the day it is made; and
  - (b) destroyed as soon as practicable after the end of the 30 day period.
- (3) An accredited taxi network provider must not fail to comply with subsection (2).

Maximum penalty: 10 penalty units.

*Note* The network provider must also comply with any standards about security cameras in taxis, see s 156 (5).

- (4) If a police officer or the road transport authority asks an accredited taxi network provider to give the police officer or authority a recording made by the security camera, the network provider must not, without reasonable excuse, fail to comply with the request.

Maximum penalty: 10 penalty units.

- (5) An accredited taxi network provider must maintain, in good condition and fully operational, equipment that can display a recording made by the security camera.

Maximum penalty: 5 penalty units.

*Note* The network provider may also have to comply with the Australian Privacy Principles under the *Privacy Act 1988* (Cwlth) about the collection, storage, use and disclosure of the recordings.

## **80 Taxi network provider to comply with service standard for lost property**

An accredited taxi network provider who is given lost property found in or near a taxi operated by an affiliated taxi service operator must deal with the property in accordance with the provider's accepted service standard for the handling and disposal of lost property.

Maximum penalty: 5 penalty units.

## Part 4.1A Independent taxi booking services

### 81 Meaning of *independent taxi booking service*

In this regulation:

*independent taxi booking service*—

- (a) means a person who—
  - (i) accepts bookings from people for taxis; and
  - (ii) communicates the bookings to taxi drivers; but
- (b) does not include a person who is an accredited taxi network.

*Note* *Person* includes a corporation as well as an individual (see [Legislation Act](#), s 160).

### 81A Exemption for independent taxi booking services— Act, s 128 (1) (a)

- (1) An independent taxi booking service is exempt from the [Act](#), section 33 (Operating taxi network without entitlement).
- (2) An exemption is subject to the following conditions:
  - (a) the independent taxi booking service must tell the road transport authority that the booking service is operating as an independent taxi booking service;
  - (b) the independent taxi booking service must take reasonable steps to ensure each driver to whom the booking service communicates a booking—
    - (i) is a taxi driver; and
    - (ii) is using a licensed taxi to carry out the booking;

- (c) the independent taxi booking service must take reasonable steps to ensure the fare for a taxi hiring booked via the booking service does not exceed the maximum fare determined under the [Act](#), section 60 (Power to determine maximum taxi fares) for the hiring (if any);
  - (d) the independent taxi booking service must take reasonable steps to ensure that each request for a wheelchair-accessible taxi booking received by the booking service is, without delay, directed to a WCBS;
  - (e) the independent taxi booking service must—
    - (i) ensure the following details are recorded for each taxi booking:
      - (A) the name and driver licence number of the taxi driver;
      - (B) the registration number of the taxi;
      - (C) the name of the passenger or a unique identifying number for the passenger;
      - (D) where each passenger was picked up and dropped off;
      - (E) the fare paid; and
    - (ii) provide the details, on request, to the road transport authority, a police officer or a member of an emergency service.
- (3) An exemption ends if the independent taxi booking service fails to comply with a condition.



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## Part 4.2 Taxi licences

### Division 4.2.1 Kinds of taxi licences

#### 82 Taxi licences that may be issued

(1) The road transport authority may issue the following kinds of taxi licences:

- (a) taxi licences (other than restricted taxi licences);
- (b) restricted taxi licences.

*Note* A **taxi licence** is a licence to use a vehicle as a taxi (see the [Act](#), s 37). A reference to a **taxi licence** includes a reference to a **restricted taxi licence** unless the contrary intention appears (see [Legislation Act](#), s 155).

(2) A taxi licence, other than a restricted taxi licence, may be issued as—

- (a) a transferable taxi licence for the term stated in the licence (a **transferable leased taxi licence**); or
- (b) a non-transferable taxi licence for the term stated in the licence (a **non-transferable leased taxi licence**); or
- (c) a taxi licence that is not limited to a term stated in the licence.

*Note* For the transferability of taxi licences, see the [Act](#), s 41.

(3) However, the road transport authority must not issue a taxi licence mentioned in subsection (2) (c) on or after 7 March 2006.

(4) To remove any doubt, a taxi licence, other than a restricted taxi licence, that was issued before 7 March 2006 is a taxi licence issued as a taxi licence that is not limited to a term stated in the licence.



**83A Transferable leased taxi licences—decision on application**

- (1) On application under section 83, the holder of a defined right for a transferable leased taxi licence is entitled to be issued with a transferable leased taxi licence if—
  - (a) the holder is accredited to operate a taxi service (other than a restricted taxi service); and
  - (b) the vehicle for which the licence is to be issued is not a vehicle in relation to which, under the *Road Transport (Vehicle Registration) Regulation 2000*, section 32B (1) or (2) (Deciding applications for registration—taxis), the road transport authority must refuse to approve an application for registration as a taxi; and
  - (c) the holder has complied with the conditions for the defined right.

*Note* For defined right conditions, see s 84M.
- (2) To remove any doubt, subsection (1) does not prevent the holder of the defined right from applying for the issue of a transferable leased taxi licence but the road transport authority must not issue the licence unless the holder is entitled to be issued with the licence under that subsection.
- (3) If the road transport authority does not refuse the application, the authority must issue a transferable leased taxi licence to the holder.
- (4) The road transport authority must give the holder written notice of the authority's decision on the application.
- (5) The maximum period for which the road transport authority may issue a transferable leased taxi licence is 6 years.
- (6) A transferable leased taxi licence may be issued subject to a condition imposed by the road transport authority.

## Division 4.2.3 Non-transferable leased taxi licences—issue

### 83B Non-transferable leased taxi licences—application for issue

The holder of a defined right for a non-transferable leased taxi licence may apply to the road transport authority for the issue of a non-transferable leased taxi licence.

*Note 1* For how a defined right is obtained, see div 4.2.7.

*Note 2* If a form is approved under the *Road Transport (General) Act 1999*, s 225 for this provision, the form must be used.

*Note 3* A fee for the application may be determined under the *Road Transport (General) Act 1999*, s 96.

### 83C Non-transferable leased taxi licences—decision on application

- (1) On application under section 83B, the holder of a defined right for a non-transferable leased taxi licence is entitled to be issued with a non-transferable leased taxi licence if—
  - (a) the holder is accredited to operate a taxi service (other than a restricted taxi service); and
  - (b) the vehicle for which the licence is to be issued is not a vehicle in relation to which, under the *Road Transport (Vehicle Registration) Regulation 2000*, section 32B (1) or (2) (Deciding applications for registration—taxis), the road transport authority must refuse to approve an application for registration as a taxi; and
  - (c) the holder has complied with the conditions for the defined right.

*Note* For defined right conditions, see s 84M.

- (2) To remove any doubt, subsection (1) does not prevent the holder of the defined right from applying for the issue of a non-transferable leased taxi licence but the road transport authority must not issue the licence unless the holder is entitled to be issued with the licence under that subsection.
- (3) If the road transport authority does not refuse the application, the authority must issue a non-transferable leased taxi licence to the holder.
- (4) The road transport authority must give the holder written notice of the authority's decision on the application.
- (5) The maximum period for which the road transport authority may issue a non-transferable leased taxi licence is 6 years.
- (6) A non-transferable leased taxi licence may be issued subject to a condition imposed by the road transport authority.

## **Division 4.2.4      Wheelchair-accessible taxi licences— issue**

### **83D      Wheelchair-accessible taxi licences—application for issue**

The holder of a defined right for a wheelchair-accessible taxi licence may apply to the road transport authority for the issue of a wheelchair-accessible taxi licence.

*Note 1* For how a defined right is obtained, see div 4.2.7.

*Note 2* If a form is approved under the *Road Transport (General) Act 1999*, s 225 for this provision, the form must be used.

*Note 3* A fee for the application may be determined under the *Road Transport (General) Act 1999*, s 96.

**83E           Wheelchair-accessible taxi licences—decision on application**

- (1) On application under section 83D, the holder of a defined right for a wheelchair-accessible taxi licence is entitled to be issued with a wheelchair-accessible taxi licence if—
- (a) the holder is accredited to operate a restricted taxi service for a wheelchair-accessible taxi; and
  - (b) the vehicle for which the licence is to be issued is not a vehicle in relation to which, under the *Road Transport (Vehicle Registration) Regulation 2000*, section 32B (1), (3) or (4) (Deciding applications for registration—taxis), the road transport authority must refuse to approve an application for registration as a taxi; and
  - (c) the holder has complied with the conditions for the defined right.

*Note*       For defined right conditions, see s 84M.

- (2) To remove any doubt, subsection (1) does not prevent the holder of the defined right from applying for the issue of a wheelchair-accessible taxi licence but the road transport authority must not issue the licence unless the holder is entitled to be issued with the licence under that subsection.
- (3) If the road transport authority does not refuse the application, the authority must issue a wheelchair-accessible taxi licence to the holder.
- (4) The road transport authority must give the holder written notice of the authority's decision on the application.
- (5) The maximum period for which the road transport authority may issue a wheelchair-accessible taxi licence is 6 years.
- (6) A wheelchair-accessible taxi licence may be issued subject to a condition imposed by the road transport authority.

## Division 4.2.5 NSW cross-border taxi licences— issue

### 83F NSW cross-border taxi licences—application for issue

The accredited taxi-cab operator of a NSW cross-border taxi may apply to the road transport authority for the issue of a NSW cross-border taxi licence.

*Note 1* **Accredited taxi-cab operator** and **NSW cross-border taxi** are defined in the dictionary.

*Note 2* If a form is approved under the *Road Transport (General) Act 1999*, s 225 for this provision, the form must be used.

*Note 3* A fee for the application may be determined under the *Road Transport (General) Act 1999*, s 96.

### 83G NSW cross-border taxi licences—decision on application

- (1) On application under section 83F, the accredited taxi-cab operator of a NSW cross-border taxi is entitled to be issued with a NSW cross-border taxi licence if the operator is accredited (under this regulation) to operate a restricted taxi service for a NSW cross-border taxi.
- (2) However, the road transport authority must refuse the application if—
  - (a) a taxi licence, or an accreditation to operate any kind of taxi service, held by the operator is suspended under chapter 8 (Disciplinary action); or
  - (b) the operator is disqualified under chapter 8 from holding or applying for a restricted taxi licence.
- (3) If the road transport authority does not refuse the application, the authority must issue a NSW cross-border taxi licence to the operator.

- (4) The road transport authority must give the operator written notice of the authority's decision on the application.
- (5) The maximum period for which the road transport authority may issue a NSW cross-border taxi licence is 6 years.
- (6) A NSW cross-border taxi licence may be issued subject to a condition imposed by the road transport authority.

## **Division 4.2.6           Renewal of taxi licences**

### **84A           Taxi licences—application for renewal**

- (1) The holder of a taxi licence may apply to the road transport authority for the renewal of the licence.

*Note 1*   If a form is approved under the *Road Transport (General) Act 1999*, s 225 for this provision, the form must be used.

*Note 2*   A fee for the application may be determined under the *Road Transport (General) Act 1999*, s 96.

- (2) The road transport authority need not decide the application before the licence expires unless the application is given to the authority at least 14 days before the day the licence expires.

### **84B           Taxi licences—decision on application for renewal**

- (1) The road transport authority may refuse an application for the renewal of a taxi licence if—
  - (a) the authority believes on reasonable grounds that the licence-holder has contravened a condition of the taxi licence being renewed or another taxi licence held by the licence-holder; or
  - (b) the licence-holder has not complied with a requirement of the Act relating to the application; or



- (c) another taxi licence, or an accreditation to operate any kind of taxi service, held by the licence-holder is suspended under chapter 8 (Disciplinary action).

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (2) The road transport authority must refuse the application if—
- (a) the licence-holder does not hold the relevant accreditation for the taxi licence to which the application relates; or
  - (b) the licence-holder is disqualified under chapter 8 from holding or applying for a taxi licence; or
  - (c) for an application for the renewal of a wheelchair-accessible taxi licence—the vehicle for which the licence is to be renewed is not a vehicle in relation to which, under the *Road Transport (Vehicle Registration) Regulation 2000*, section 32B (1), (3) or (4) (Deciding applications for registration—taxis), the authority must refuse to approve an application for registration as a taxi.
- (3) If the road transport authority does not refuse the application, the authority must renew the taxi licence.
- (4) The road transport authority must give the licence-holder written notice of the authority's decision on the application.
- (5) A taxi licence may be renewed subject to a condition imposed by the road transport authority.
- (6) Compensation is not payable to anyone because a taxi licence is not renewed under this section.

(7) In this section:

*relevant accreditation* means—

- (a) for a wheelchair-accessible taxi licence—accreditation to operate a taxi service for a wheelchair-accessible taxi; or
- (b) for a NSW cross-border taxi licence—accreditation to operate a taxi service for a NSW cross-border taxi.

#### **84C       Taxi licences—term of renewed licences**

The maximum period for which the road transport authority may renew a taxi licence is 6 years.

### **Division 4.2.7       Defined rights for certain taxi licences**

#### **84D       Power to issue defined rights**

(1) The road transport authority may give a person a defined right for a relevant taxi licence if the person—

- (a) is allocated the right in a ballot of defined rights conducted under this division; or
- (b) accepts the offer of the right under section 84K (Offering defined rights to ballot reserves).

(2) In this section:

*relevant taxi licence* means—

- (a) a transferable leased taxi licence; or
- (b) a non-transferable leased taxi licence; or
- (c) a wheelchair-accessible taxi licence.

## 84E Defined rights ballots

- (1) A person may take part in a ballot of defined rights for a taxi licence only if the person is entered in the ballot under section 84H (Decision on application for ballot).
- (2) The road transport authority may set conditions for a ballot of defined rights.
- (3) The conditions (if any) for a ballot of defined rights set under subsection (2) are a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## 84F Notification of ballots

- (1) The road transport authority must prepare a notice for each ballot of defined rights.
- (2) The notice must include the following details:
  - (a) the date and time of the ballot;
  - (b) the number of defined rights available to be balloted;
  - (c) whether the taxi licences to which the defined rights relate are—
    - (i) transferable leased taxi licences; or
    - (ii) non-transferable leased taxi licences; or
    - (iii) restricted taxi licences for wheelchair-accessible taxis;
  - (d) how a person may apply for entry in the ballot;
  - (e) when applications close.
- (3) The road transport authority must give public notice of the notice at least 14 days before the day the ballot is to be conducted.

*Note* **Public notice** means notice on an ACT government website or in a daily newspaper circulating in the ACT (see [Legislation Act](#), dict, pt 1).

### **84G       Application for entry in ballot**

- (1) A person may apply to the road transport authority for entry into a ballot of defined rights.

*Note*       An application by a child must be refused (see s 84H (1) (b)).

- (2) The application must be in accordance with the form approved under the *Road Transport (General) Act 1999*, section 225 for this section.

*Note*       A fee for the application may be determined under the *Road Transport (General) Act 1999*, s 96.

- (3) The person may make only 1 application for entry into a particular ballot of defined rights.
- (4) The road transport authority may require the person to give the authority further stated information or a stated document that the authority reasonably needs to decide the application.
- (5) The road transport authority may refuse to consider the application further if the requirement is made in writing and the person does not comply with the requirement.

### **84H       Decision on application for ballot**

- (1) The road transport authority must refuse an application for entry into a ballot of defined rights if—
- (a) a taxi licence, or an accreditation to operate any kind of taxi service, held by the applicant is suspended under chapter 8 (Disciplinary action); or
- (b) the applicant is disqualified under chapter 8 from holding or applying for—
- (i) if the ballot relates to a taxi licence other than a restricted taxi licence—a taxi licence; or

- (ii) if the ballot relates to a restricted taxi licence—a restricted taxi licence; or
  - (c) for an application by an individual—the applicant is a child.
- (2) The road transport authority must enter the applicant in the ballot if the authority does not refuse the application.
  - (3) The road transport authority must give the applicant written notice of the authority's decision on the application.

#### **84I Withdrawal from ballot**

If a person is entered in a ballot of defined rights, the person may withdraw from the ballot by written notice given to the road transport authority.

*Note* If a form is approved under the [Road Transport \(General\) Act 1999](#), s 225 for this provision, the form must be used.

#### **84J Ballot reserve list**

- (1) This section applies if all the defined rights available for a ballot for a kind of taxi licence are allocated without everyone who is entered in the ballot being allocated a defined right.
- (2) The road transport authority may continue the ballot to create a reserve list of ballot entrants who may be offered a defined right under section 84K.
- (3) The reserve list continues in force until—
  - (a) 2 years after the day the ballot is held; or
  - (b) if public notice of a notice for the holding of another ballot for the kind of taxi licence to which the ballot related is given under section 84F (Notification of ballots)—when the public notice is given.

*Note*     **Public notice** means notice on an ACT government website or in a daily newspaper circulating in the ACT (see [Legislation Act](#), dict, pt 1).

### **84K       Offering defined rights to ballot reserves**

- (1) If a reserve list for defined rights for transferable leased taxi licences is in force, the road transport authority may, in writing, offer a defined right for a transferable leased taxi licence to people on the reserve list if—
  - (a) a defined right of that kind allocated to a person under this division ends before a transferable leased taxi licence is issued to the person; or
  - (b) a transferable leased taxi licence is cancelled or surrendered.
- (2) If a reserve list for defined rights for non-transferable leased taxi licences is in force, the road transport authority may, in writing, offer a defined right for a non-transferable leased taxi licence to people on the reserve list if—
  - (a) a defined right of that kind allocated to a person under this division ends before a non-transferable leased taxi licence is issued to the person; or
  - (b) a non-transferable leased taxi licence is cancelled or surrendered.
- (3) If a reserve list for defined rights for wheelchair-accessible taxi licences is in force, the road transport authority may, in writing, offer a defined right for a wheelchair-accessible taxi licence to people on the reserve list if—
  - (a) a defined right of that kind allocated to a person under this division ends before a wheelchair-accessible taxi licence is issued to the person; or
  - (b) a wheelchair-accessible taxi licence is cancelled or surrendered.

- (4) The following provisions apply to an offer under this section:
- (a) the offer must be made to people on the reserve list in the order in which the people's names were drawn from the ballot for the list;
  - (b) the offer is subject to the conditions (if any) stated in the offer, including, for example, a condition about how long the offer is open for acceptance.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

#### **84L When defined rights end**

- (1) A defined right ends when the earliest of the following happens:
- (a) the holder of the right surrenders the right to the road transport authority by written notice given to the authority;
  - (b) a taxi licence of the kind to which the right relates is issued to the holder of the right;
  - (c) the right ends in accordance with the conditions for the right.
- (2) Compensation is not payable to anyone because of the ending of a defined right under subsection (1) (a) or (c).

#### **84M Defined right conditions**

- (1) A defined right is issued subject to the conditions determined by the road transport authority for the right, including, for example, conditions about when the right ends.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) A determination under subsection (1) is a disallowable instrument.

*Note*     A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

#### **84N        Defined rights not transferable**

A defined right is not transferable.

### **Division 4.2.8        Taxi licences—other provisions**

#### **85        Amendment of taxi licences—conditions**

- (1) A taxi licence may be amended by the road transport authority to impose a condition to which the licence is to be subject or to amend or revoke a condition to which the licence is already subject.
- (2) The condition may be imposed, amended or revoked by the road transport authority—
- (a) on the authority’s own initiative or on the application of the applicant for a licence or the licence-holder; and
  - (b) for a stated period or indefinitely.

#### **86        Taxi licences—procedure for imposition etc of conditions on authority’s initiative**

- (1) This section applies to the holder of a taxi licence if the road transport authority proposes, on its own initiative, to take action under section 85 (2) to amend the taxi licence to impose, amend or revoke a condition imposed by the authority (*the proposed action*).
- (2) The road transport authority must give the licence-holder a written notice stating—
- (a) the proposed action; and
  - (b) if the proposed action is to impose a condition—the proposed condition; and



- (c) if the proposed action is to amend a condition—the condition as proposed to be amended; and
  - (d) an explanation for the proposed action; and
  - (e) if appropriate, any action that must be taken by the licence-holder to avoid or reverse the proposed action; and
  - (f) the date when the proposed imposition, amendment or revocation of the condition takes effect (the *date of effect*); and
  - (g) that the proposed action takes effect on the date of effect unless the notice is revoked by the authority before that date.
- (3) The notice may, but need not, provide an opportunity for the licence-holder to make representations about why the proposed action should not be taken.
- (4) The date of effect must not be earlier than 14 days after the notice is given to the licensee.
- (5) This section does not affect the taking of action under chapter 8 (Disciplinary action).

## **86A Conditions of taxi licences**

A taxi licence is subject to the conditions (if any) stated in the licence or in a document stated by the licence to form part of the licence.

## **87 Form of taxi licences**

- (1) A taxi licence issued to a person must show—
- (a) the taxi licence number allocated to the person; and
  - (b) the person's full name and address; and
  - (c) the kind of licence; and
  - (d) the expiry date (if any) of the licence.

- (2) A licence may also include any additional information that the road transport authority considers appropriate.

**88           Taxi licence-holders to notify change of name or address**

- (1) If the name or home address of the holder of a taxi licence changes, the licence-holder must, as soon as practicable but no later than 14 days after the change happens, give the road transport authority—
- (a) written notice of the change; and
  - (b) the licence.

Maximum penalty: 20 penalty units.

- (2) If the licence is returned to the road transport authority, the authority must amend the licence or issue another licence for the remainder of the period of the licence that it replaces.
- (3) An offence against this section is a strict liability offence.

**89           Holder of conditional taxi licence to comply with conditions**

The holder of a taxi licence must not, without reasonable excuse, contravene a condition to which the licence is subject.

Maximum penalty: 20 penalty units.

**90           Replacement of taxi licence**

- (1) The road transport authority may issue a replacement taxi licence to the holder of the licence if satisfied that the taxi licence has been lost, stolen or destroyed.

- (2) For subsection (1), the road transport authority may require the licence holder to give the authority a statement, verified by a statutory declaration signed by the person, that the licence has been lost, stolen or destroyed.

*Note 1* A fee for the application may be determined under the *Road Transport (General) Act 1999*, s 96.

*Note 2* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see *Criminal Code*, pt 3.4).

## **91 Production of taxi licence**

- (1) The holder of a taxi licence must not, without reasonable excuse, fail to produce the person's licence for inspection when required to do so by a police officer or authorised person.

Maximum penalty: 5 penalty units.

- (2) Subsection (1) does not apply if—
- (a) the defendant has a reasonable excuse for failing to produce the taxi licence when required to do so; and
  - (b) within 3 days after being required to produce the licence, the defendant produces the licence at the place directed by the police officer or authorised person.

## **92 Surrender of taxi licence**

- (1) The holder of a taxi licence may apply to the road transport authority to surrender the licence.
- (2) The application may be made personally by the person or by an agent who produces written evidence of his or her appointment as agent.

- (3) The person must, with the application—
- (a) return the person’s taxi licence to the road transport authority;  
or
  - (b) if the licence has been lost, stolen or destroyed—give the authority a statement, verified by a statutory declaration signed by the person or agent, that the licence has been lost, stolen or destroyed.

*Note 1*   The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 2*   It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

- (4) If the person complies with this section, the road transport authority must approve the application unless the authority is taking action to suspend or cancel the person’s licence.

## Part 4.3 Taxi services

### Division 4.3.1 Taxi operators

#### 93 Maintenance of taxis

- (1) The accredited operator of a taxi must not use the vehicle, or allow someone else to use the vehicle, to operate a taxi service if the vehicle has not been serviced and maintained in accordance with the vehicle manufacturer's maintenance standards (however described) relating to the vehicle.

Maximum penalty: 20 penalty units.

- (2) The accredited operator of a taxi must not use the vehicle, or allow someone else to use the vehicle, to operate a taxi service if—
- (a) the vehicle does not comply with the applicable vehicle standards for the vehicle; or
- (b) the use of the vehicle by the accredited operator or other person would contravene the *Road Transport (Vehicle Registration) Act 1999*.

Maximum penalty: 20 penalty units.

#### Example for par (b)

The vehicle must be maintained in a condition that enables it to be driven safely (see *Road Transport (Vehicle Registration) Regulation 2000*, s 107 (2)).

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act*, s 126 and s 132).

- (3) An offence against this section is a strict liability offence.

## 94      Responsibility of operator for condition of taxi

- (1) The accredited operator of a taxi must ensure that, while the taxi is operating as a taxi, its exterior and interior are clean and undamaged.

Maximum penalty: 10 penalty units.

- (2) The accredited operator of a taxi must ensure that, while the taxi is operating as a taxi, its fittings are clean and undamaged, properly fitted and securely in place and, if appropriate, are fully operational.

Maximum penalty: 10 penalty units.

### Examples of fittings to be fully operational

- 1 interior lights and window winding mechanisms
- 2 fire extinguisher
- 3 if the taxi is fitted with a security camera, the security camera

*Note 1* A taxi must be fitted with a fire extinguisher, see the *Road Transport (Vehicle Registration) Regulation 2000*, sch 1 (Vehicle standards), cl 60A.

*Note 2* The accredited operator must also comply with any standards about security cameras in taxis, see s 156 (5).

- (3) In this section:

*exterior*, of a taxi, includes the body, door panels, bumper bars, trim and wheels of the taxi.

*interior*, of a taxi, includes the interior of the boot of the taxi.

## 95      Taxis to be fitted with complying taximeters

- (1) The accredited operator of a taxi must ensure—
- (a) the taxi is fitted with a taximeter; and
  - (b) the taximeter complies with the standards approved under section 158 (1) (Standards for taximeters).

- (2) An accredited operator of a taxi commits an offence if the operator fails to comply with subsection (1).

Maximum penalty: 20 penalty units.

*Note* It is also an offence to interfere with a taximeter in certain circumstances, see s 159.

- (3) Subsection (1) (b) does not apply to a taxi if an exemption under section 95A is in force for the taxi.
- (4) An offence against this section is a strict liability offence.

**95A Exemption from requirement to comply with taximeter standards**

- (1) The road transport authority may exempt a taxi from section 95 (1) (b).
- (2) If the road transport authority exempts a taxi under subsection (1), the authority must endorse the licence for the taxi accordingly.
- (3) An exemption under subsection (1) commences on the later of the date (if any) stated in the exemption and the endorsement by the road transport authority of the exemption on the taxi's licence.
- (4) An exemption under subsection (1) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

**96 Taximeters to be clearly visible**

The accredited operator of a taxi must ensure that the amount recorded on the taximeter for the taxi, and any figures affecting the rate at which a taxi fare is charged, are displayed (including, if necessary, illuminated) so that they can be readily read by a hirer.

Maximum penalty: 5 penalty units.

## **97      Taxi drivers to hold appropriate driver licence or authority**

- (1) The accredited operator of a taxi must ensure that a person who drives the taxi while it is operating as a taxi is—
- (a) the holder of a public vehicle licence authorising the person to drive the taxi for hire or reward; or
  - (b) exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A (Exemption of drivers of public vehicles driven for hire or reward—Act, s 31 (1) (b)).

Maximum penalty: 20 penalty units.

*Note 1* A person does not hold a public vehicle licence if the public vehicle licence has been suspended or cancelled under the road transport legislation or any other territory law.

*Note 2* The *Road Transport (Driver Licensing) Regulation 2000*, s 94A (4) provides that a person ceases to be exempt from holding a public vehicle licence if—

- (a) an automatic disqualifying circumstance applies to the person (see *Road Transport (Driver Licensing) Regulation 2000*, s 91); or
  - (b) the person is disqualified by the road transport authority from driving a vehicle on a road or road related area (in the ACT) under that regulation, s 103.
- (2) An offence against this section is a strict liability offence.

## **98      Drivers of wheelchair-accessible taxis to be trained**

The accredited operator of a wheelchair-accessible taxi must ensure that a person who drives the taxi while it is operating as a taxi has—

- (a) successfully completed an approved wheelchair-accessible taxi driver training course; or



- (b) been exempted by the road transport authority under section 160 (Authority may exempt wheelchair-accessible taxi drivers from approved training course) from the requirement to successfully complete the course.

Maximum penalty: 20 penalty units.

**99 Records of taxi drivers etc to be maintained by accredited operator**

- (1) The accredited operator of a taxi must make a written record of the following particulars for each person who drives the taxi while it is operating as a taxi:

- (a) the person's full name and home address;
- (b) the prescribed driver authority information for the person, including any change to the information notified to the accredited operator by the road transport authority;

*Note* **Prescribed driver authority information**—see the dictionary.

- (c) whether the person has successfully completed an approved wheelchair-accessible taxi driver training course or has been exempted by the road transport authority under section 160 (Authority may exempt wheelchair-accessible taxi drivers from approved training course) from the requirement to successfully complete the course;
  - (d) the dates and times when the taxi was driven by the person while it was operated as a taxi;
  - (e) the registration number of the taxi driven by the person.
- (2) A person must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) An offence against subsection (2) is a strict liability offence.

- (4) A person commits an offence if—
- (a) the person is an accredited operator of a taxi; and
  - (b) the person has a written record under subsection (1) of a person (the *driver*) who drives a taxi while it is operating as a taxi; and
  - (c) the driver was the holder of a public vehicle licence authorising the driver to drive a taxi for hire or reward; and
  - (d) the driver's public vehicle licence is suspended or cancelled; and
  - (e) the person knows, or ought reasonably to know, that the driver's public vehicle licence is suspended or cancelled; and
  - (f) the person fails to make a written record of the following for the driver:
    - (i) the suspension or cancellation of the driver's licence;
    - (ii) when the licence was suspended or cancelled;
    - (iii) if the licence was suspended—when the suspension ends.

Maximum penalty: 10 penalty units.

- (5) A person commits an offence if—
- (a) the person is an accredited operator of a taxi; and
  - (b) the person has a written record under subsection (1) of a person (the *driver*) who drives a taxi while it is operating as a taxi; and
  - (c) the driver was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A; and
  - (d) the driver is no longer exempt from holding a public vehicle licence; and
  - (e) the person knows, or ought reasonably to know, that the driver is no longer exempt under section 94A; and

- (f) the person fails to make a written record for the driver that the driver is no longer exempt under section 94A.

Maximum penalty: 10 penalty units.

## **100 Keeping and inspection etc of records about taxis**

- (1) A person who is or has been the accredited operator of a taxi must—
- (a) keep every record required to be made by the person under the Act for at least 4 years after the day the last entry was made in it; and
  - (b) produce the record for inspection when required by a police officer or authorised person; and
  - (c) provide the record, or a copy of the record, to the road transport authority for inspection within a stated reasonable time when required to do so, in writing, by the authority.
- (2) A person must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (3) The road transport authority, police officer or authorised person may take copies of any record produced or provided under subsection (1) (b) or (c).
- (4) This section does not apply to a recording made by a security camera in a taxi.

*Note* For the keeping and destruction of security camera recordings, see s 79 (2).

## 101 Arrangements with taxi networks

- (1) The accredited operator of a taxi must ensure that, while the taxi is operating as a taxi, arrangements are in force with an accredited taxi network provider for the provision of a taxi booking service for the taxi.

Maximum penalty: 10 penalty units.

- (2) The accredited operator of a taxi must ensure that, while the taxi is operating as a taxi, the taxi is fitted with equipment that allows the taxi driver to send messages to, and receive messages from, the accredited taxi network provider with which the operator is affiliated.

Maximum penalty: 10 penalty units.

- (3) The road transport authority may exempt an accredited taxi operator or a vehicle from subsection (1) or (2).
- (4) An exemption is a notifiable instrument.

*Note*      A notifiable instrument must be notified under the [Legislation Act](#).

## 101A Wheelchair-accessible taxi operator to have equipment and arrangements with WCBS

- (1) This section applies if a WCBS is operating in the Territory.

*Note*      **WCBS**—see s 154I.

- (2) A person commits an offence if—
- (a) the person is an accredited operator of a wheelchair-accessible taxi; and
- (b) the taxi is being operated as a wheelchair-accessible taxi; and

- (c) the person does not have an arrangement in place with a WCBS operator for the provision of a taxi booking service for the taxi.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if—
- (a) the person is an accredited operator of a wheelchair-accessible taxi; and
  - (b) the taxi is being operated as a wheelchair-accessible taxi; and
  - (c) the taxi is not fitted with equipment that allows the taxi driver to send messages to, and receive messages from, a WCBS.

Maximum penalty: 10 penalty units.

- (4) An offence against this section is a strict liability offence.

## **102 Information to be displayed in taxis**

- (1) The accredited operator of a taxi must ensure that the following information is displayed in accordance with subsection (2) while the taxi is operating as a taxi:
- (a) a summary of the rights and obligations of the hirer;
  - (b) the maximum fares on which the fare for hiring is worked out;
  - (c) the registration number of the taxi;
  - (d) the maximum number of passengers the taxi is licensed to carry.

Maximum penalty: 5 penalty units.

- (2) The information must be displayed inside the taxi in a form approved by the road transport authority in a position where it can readily be read by a passenger.

- (3) If the taxi is a stand-by taxi, the reference to the registration number in subsection (1) (c) is to the registration number of the stand-by taxi.
- (4) An approval under subsection (2) is a notifiable instrument.

*Note*      A notifiable instrument must be notified under the [Legislation Act](#).

### **103      Presence of security camera in taxi to be indicated**

The accredited operator of a taxi fitted with a security camera must ensure that signs telling people that they may be under video surveillance while in or near the taxi are conspicuously placed inside and outside the taxi.

Maximum penalty: 5 penalty units.

*Note*      In collecting personal information, the accredited operator may also have to comply with the Australian Privacy Principles under the [Privacy Act 1988](#) (Cwlth).

### **104      Airconditioning of taxis**

The accredited operator of a taxi must ensure that the taxi is fitted with airconditioning that is in good condition and fully operational.

Maximum penalty: 10 penalty units.

### **105      Child restraint anchorages in taxis**

The accredited operator of a taxi must ensure that the taxi is fitted with a child restraint anchorage that complies with the Australian Design Rules.

Maximum penalty: 10 penalty units.

**106 Taxi roof sign indicating hiring availability**

- (1) The accredited operator of a taxi must ensure that the taxi is fitted with equipment (including a light) that operates in accordance with this section.

Maximum penalty: 10 penalty units.

- (2) The taxi must be fitted with a roof sign—
- (a) made of opaque plastic or another substance approved by the road transport authority; and
  - (b) enclosing a light; and
  - (c) displaying the word ‘taxi’ on the front and back of the sign in black capital letters at least 70mm high.
- (3) The roof sign, when lit, must show white light.
- (4) The light enclosed by the roof sign must be wired to the taximeter so that—
- (a) the sign is not lit while the taxi is hired; and
  - (b) the sign is lit while the taxi is available for hire.

*Note* For a taxi driver’s responsibilities for the operation of the roof sign, see s 134.

- (5) The accredited operator of a taxi must ensure that the taxi does not display anything not required by this section to show that it is available for hire.

Maximum penalty: 10 penalty units.

- (6) An approval under subsection (2) (a) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## 107      Taxi network livery

- (1) The accredited operator of a taxi must ensure that the taxi is fitted with signs and livery (including colours) that comply with the requirements and design approved by the road transport authority for the accredited taxi network provider with which the operator is affiliated.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) An approval under subsection (1) is a notifiable instrument.

*Note*      A notifiable instrument must be notified under the [Legislation Act](#).

## 108      Offensive material etc in or on taxis

- (1) The accredited operator of a taxi must ensure that an advertisement or other document that a reasonable adult would consider indecent, insulting or offensive is not displayed in the taxi.

Maximum penalty: 10 penalty units.

*Note*      The dictionary definition of *in* a vehicle includes on the vehicle.

- (2) The road transport authority, a police officer or an authorised person may direct the accredited operator of a taxi to remove an advertisement or other document that the authority, officer or person believes on reasonable grounds contravenes subsection (1).
- (3) The accredited operator must not fail to comply with a direction under subsection (2).

Maximum penalty: 10 penalty units.



## 109 Stand-by taxis

- (1) The accredited operator of a taxi must not operate another motor vehicle as a taxi (a *stand-by taxi*) instead of the vehicle mentioned in the licence (the *usual taxi*) unless—
  - (a) the usual taxi is out of operation because it is being repaired or serviced; and
  - (b) the stand-by taxi complies with subsection (3); and
  - (c) the operator has given the notices required under subsection (4) to the road transport authority and the accredited taxi network provider with which the operator is affiliated.
- (2) The accredited operator of a taxi must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) A stand-by taxi must—
  - (a) have attached to it the numberplates issued for the usual taxi instead of the numberplates issued for the stand-by taxi; and
  - (b) comply with the conditions of the licence that apply to the usual taxi (unless otherwise authorised in writing by the road transport authority); and
  - (c) comply with the other requirements of the Act for taxis; and
  - (d) have been registrable as a taxi when it was last registered under the *Road Transport (Vehicle Registration) Act 1999*; and
  - (e) be covered by a public passenger vehicle policy to the extent that the usual taxi would be.

### Examples of the other requirements to be met by the stand-by taxi—par (c)

- 1 The vehicle is fitted with the signs and livery in accordance with section 107 for the accredited taxi network provider with which the operator is affiliated.

- 2 If the usual taxi is a wheelchair-accessible taxi, the other vehicle must be a wheelchair-accessible taxi.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (4) The accredited operator must give written notice of the operator's intention to operate the stand-by taxi instead of the usual taxi to the road transport authority and the accredited taxi network provider with which the operator is affiliated.
- (5) If the accredited operator of the usual taxi complies with subsection (1), the stand-by taxi is taken, for this regulation, to be the usual taxi while it is being operated as a taxi.

## **110 Taxi network uniforms**

The accredited operator of a taxi must not allow a person to drive the taxi while it is operating as a taxi unless the driver is wearing a clean uniform approved, in writing, by the road transport authority for the accredited taxi network provider with which the operator is affiliated.

Maximum penalty: 10 penalty units.

## **111 Taxi operators to comply with service standard for lost property**

The accredited operator of a taxi service who is given lost property found in or near a taxi used to operate the service must give the property to the accredited taxi network provider with which the operator is affiliated.

Maximum penalty: 5 penalty units.

## 112 Effect of noncompliance notices—taxi operators

- (1) This section applies to the accredited operator of a taxi if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.
- (2) The accredited operator commits an offence if the notice is attached to the vehicle and the accredited operator uses, or allows someone else to use, the vehicle to operate a taxi service after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), section 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), section 120 (4)).

- (3) The accredited operator commits an offence if—
  - (a) the accredited operator uses, or allows someone else to use, the vehicle to operate a taxi service after the time of effect of the notice; and
  - (b) the accredited operator knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

- (4) This section does not apply to the accredited operator if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.
- (5) Strict liability applies to subsection (2) and (3) (a).

## Division 4.3.2      Taxi drivers

*Note*      For the licensing of taxi drivers, see the *Road Transport (Driver Licensing) Regulation 2000*.

### 113      Responsibility of drivers for condition of taxi

A taxi driver must not operate the taxi as a taxi unless it is clean and tidy.

Maximum penalty: 5 penalty units.

### 114      Special responsibilities of wheelchair-accessible taxi drivers

- (1) The section applies to the driver of a wheelchair-accessible taxi.
- (2) As soon as practicable after the driver becomes available to accept a hiring, the driver must tell a booking service of the driver's availability.

Maximum penalty: 10 penalty units.

- (3) The driver must comply with any direction of a booking service to accept a booking for the taxi for a wheelchair-dependent person.

Maximum penalty: 10 penalty units.

*Note*      If a driver of a wheelchair-accessible taxi does not accept an offer of a booking for a wheelchair-dependent person, the WCBS or accredited taxi network provider's taxi booking service must direct the driver to accept the booking (see s 74A and s 74B).

- (4) In this section:

**booking service** means—

- (a) if there is no WCBS operating in the Territory—an accredited taxi network provider's taxi booking service with which the accredited operator of the taxi is affiliated; or

*Note* WCBS—see s 154I. Accredited taxi network provider's taxi booking service—see the dictionary.

- (b) if there is a WCBS operating in the Territory—a WCBS through which the wheelchair-accessible taxi may be booked.

#### **115 Responsibilities of taxi drivers for security cameras**

- (1) This section applies to the driver of a taxi if the taxi is fitted with a security camera.
- (2) The driver must, before operating the vehicle as a taxi, check whether the security camera is operating.

Maximum penalty: 5 penalty units.

- (3) If the camera is not operating, the driver must tell the accredited taxi network provider with which the accredited operator of the taxi is affiliated.

Maximum penalty: 5 penalty units.

*Note* The taxi driver must also comply with any standards about security cameras in taxis, see s 156 (5).

#### **116 Restrictions on carriage of goods in taxis**

- (1) A taxi driver must not allow anyone to place or carry in the taxi something that, because of its size or dimensions, cannot be carried in the taxi without inconvenience or danger to someone else.

Maximum penalty: 5 penalty units.

- (2) This section does not apply to anything used by a person with a disability to alleviate the effect of the disability.

### **117      Carriage of animals in taxis**

- (1) A taxi driver must not allow anyone to place or carry in the taxi a dog, cat, bird or any other animal unless it is suitably confined in a box, basket or other container.

Maximum penalty: 5 penalty units.

- (2) This section does not apply to—
- (a) a person with a disability who is accompanied by an animal trained to help the person to alleviate the effect of the disability; or
  - (b) a person who is training an animal to help to alleviate the effect of a disability.

*Note*      If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 9).

### **118      Responsibility of taxi drivers for lost property**

A taxi driver who finds lost property in the taxi, or who is given lost property under section 154 (Lost property found by taxi passengers), must give the property to the accredited taxi network provider with which the accredited operator of the taxi is affiliated within 24 hours after finding or being given the property.

Maximum penalty: 5 penalty units.

### **119      Behaviour of taxi drivers generally**

- (1) A taxi driver must not—
- (a) move the taxi while a door is open; or

- (b) start or stop the taxi in a way that subjects a passenger or anyone else to unnecessary risk of injury; or
- (c) eat or drink in the taxi while the taxi is available for hire or is hired.

Maximum penalty: 10 penalty units.

*Note 1* Soliciting for passengers is prohibited by s 128.

*Note 2* A taxi driver may not smoke in the taxi (see [Smoke-Free Public Places Act 2003](#)).

- (2) Subsection (1) (c) does not apply if the driver is eating or drinking for medical reasons.

## **120 Dress and conduct of taxi drivers**

- (1) This section applies to the driver of a vehicle while it is operating as a taxi.
- (2) The driver must be clean and tidy.

Maximum penalty: 5 penalty units.

- (3) The driver must wear a clean uniform approved by the road transport authority for the accredited taxi network provider with which the accredited operator of the taxi is affiliated.

Maximum penalty: 5 penalty units.

- (4) The driver must behave in an orderly way and with politeness and propriety towards every passenger, police officer and authorised person and other road users.

Maximum penalty: 5 penalty units.

- (5) The driver must comply with every reasonable request of a passenger.

Maximum penalty: 5 penalty units.

**Example of reasonable request by passenger**

Operating the taxi's airconditioning system when asked by a passenger.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

## 121 Drivers to remain in taxi

A taxi driver must not, without reasonable excuse, leave the driver's seat of the taxi during a hiring.

Maximum penalty: 5 penalty units.

*Note* A taxi driver is required to provide reasonable assistance in loading goods into, and unloading goods from, a taxi and carrying goods (see s 135 (5)).

## 122 Use of taxi zones

- (1) A taxi driver must not stop the taxi in a taxi zone if the taxi is hired or is not available for hire.

Maximum penalty: 5 penalty units.

- (2) However, the driver may set down a passenger in a taxi zone if the taxi occupies the last available vacant position in the taxi zone.

*Note* The dictionary definition of *taxi zone* includes a temporary taxi zone appointed under s 123.

- (3) On arriving at a taxi zone with positions for 2 or more taxis, a taxi driver must place and keep the taxi in the 1st available vacant position in the taxi zone unless otherwise directed by a police officer or authorised person.

Maximum penalty: 5 penalty units.



- (4) If 2 or more taxis are in a taxi zone, the 1st taxi has a right to the next hiring unless the person hiring selects another taxi.
- (5) The driver of a taxi (other than the 1st taxi) must not do anything in contravention of the 1st taxi's right to the next hiring under subsection (4).

Maximum penalty: 5 penalty units.

- (6) A taxi driver must not leave a taxi zone, or another place where passengers are picked up or dropped off, in contravention of a direction given by a police officer or authorised person.

Maximum penalty: 10 penalty units.

### **123 Temporary taxi zones**

- (1) A police officer or authorised person may appoint a temporary taxi zone at a place where taxis are congregated.
- (2) A taxi driver must use the temporary taxi zone in accordance with directions of the police officer or authorised person.

Maximum penalty: 10 penalty units.

### **124 Offence to park taxis on road for longer than 30 minutes**

- (1) A taxi driver must not park the taxi on a road for longer than 30 minutes, other than in a taxi zone.

Maximum penalty: 10 penalty units.

- (2) The driver does not contravene subsection (1) if—
  - (a) the vehicle was hired throughout the period when the vehicle was parked; or
  - (b) the driver was, throughout the period when the vehicle was parked, waiting to pick up a person who had hired it before the beginning of that period; or

- (c) the vehicle was parked at the direction, or with the agreement, of a police officer or authorised person; or
- (d) the vehicle was not being operated as a taxi or was not available for hire.

### **125      Use of accredited taxi network by drivers**

- (1) A taxi driver must use equipment in the taxi that allows the driver to send messages to, and receive messages from, the operator's network in accordance with the network's procedures.

Maximum penalty: 5 penalty units.

- (2) A taxi driver must follow the rules of the operator's network for taxi drivers.

Maximum penalty: 5 penalty units.

- (3) A taxi driver must comply with all reasonable requests of the operator's network in relation to providing taxi services.

Maximum penalty: 5 penalty units.

- (4) In this section:

*operator's network* means the accredited taxi network provider with which the accredited operator of the taxi is affiliated.

### **125A      Road transport authority may approve WCBS's procedures and rules**

- (1) The road transport authority may approve—
  - (a) a WCBS's procedures for using equipment that allows taxi drivers to send messages to, and receive messages from, the WCBS (the *WCBS's approved procedures*); and
  - (b) a WCBS's rules for wheelchair-accessible taxi drivers (the *WCBS's approved rules*).

- (2) An approval is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

**125B Wheelchair-accessible taxi driver to comply with WCBS's approved procedures and rules**

- (1) This section applies if a WCBS is operating in the Territory.
- (2) A person commits an offence if—
- (a) the person is a wheelchair-accessible taxi driver; and
  - (b) the taxi is fitted with equipment that allows the taxi driver to send messages to, and receive messages from, a WCBS; and
  - (c) the WCBS operator gives the person the WCBS's approved procedures for the equipment; and
  - (d) the person does not use the equipment in accordance with the WCBS's approved procedures for the equipment.

Maximum penalty: 5 penalty units.

- (3) A person commits an offence if—
- (a) the person is a wheelchair-accessible taxi driver; and
  - (b) a WCBS operator gives the person the WCBS's approved rules; and
  - (c) the person does not comply with the WCBS's approved rules.

Maximum penalty: 5 penalty units.

- (4) An offence against this section is a strict liability offence.

**126 Effect of noncompliance notices—taxi drivers**

- (1) This section applies to the driver of a taxi if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.

- (2) The driver commits an offence if the notice is attached to the vehicle and the driver uses the vehicle to operate a taxi service after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), section 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), section 120 (4)).

- (3) The driver commits an offence if—
- (a) the driver uses the vehicle to operate a taxi service after the time of effect of the notice; and
  - (b) the driver knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

- (4) This section does not apply to the driver if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.
- (5) Strict liability applies to subsection (2) and (3) (a).

### Division 4.3.3      Taxi hirings

#### 127      When a taxi hiring *begins*

- (1) If a person asks for a taxi to be at a place (the *pick-up point*) at a particular time (the *booked time*) to carry a person or the person's goods from the pick-up point to another place, the hiring of the taxi *begins*—
- (a) for a taxi that arrives at the pick-up point before the booked time—at the earlier of the following:
    - (i) the booked time;

- (ii) the time when the person or the person's goods are in the taxi;
  - (b) for a taxi that arrives at the pick-up point on or after the booked time—at the time when the person is notified of the taxi's arrival at the pick-up point.
- (2) If a person asks for a taxi that does not require the taxi to be at the pick-up point at a particular time, the hiring *begins* at the time when the person is notified of the taxi's arrival at the pick-up point.
- (3) If subsections (1) or (2) do not apply to a hiring, the hiring *begins*—
- (a) on the acceptance of the hiring by the taxi driver; or
  - (b) if the intending passenger and the taxi driver agree that the hiring is to begin at a particular time—at that time.

#### **127A When a taxi hiring ends**

- (1) The hiring of a taxi *ends* when—
- (a) if the hiring is ended under section 137 (Ending of taxi hiring by hirer)—the hirer ends the hiring; or
  - (b) if the hiring is ended under section 138 (Ending of taxi hiring by driver)—the driver ends the hiring; or
  - (c) if the driver of a wheelchair-accessible taxi accepts a hiring in accordance with section 129 (3) (Requirements about acceptance of taxi hirings) from a person using a wheelchair—the driver accepts the hiring offered by the person using a wheelchair; or
  - (d) if the hirer leaves the taxi in accordance with a direction under section 152 (Offender to get out of taxi when directed)—the hirer leaves the taxi; or
  - (e) if the hirer is removed under section 153 (Removal of people from taxis)—the hirer is removed from the taxi; or

- (f) in any other case—the taxi stops at the destination of the hire.
- (2) To remove any doubt, the hiring of a taxi does not include any period during which—
  - (a) a hirer is paying the fare and getting out of the taxi; and
  - (b) the driver is unloading goods from the taxi or is carrying goods to a door or entrance of a house, station or other place where the hiring of the taxi ends; and
  - (c) for a wheelchair-accessible taxi—a wheelchair is being released from its attachment to the taxi, unloaded from the taxi or moved (with or without the assistance of the driver) away from the taxi.

**128      Soliciting for taxi hirings prohibited**

A person must not solicit for passengers for, or for a hiring of, a taxi.

Maximum penalty: 10 penalty units.

**129      Requirements about acceptance of taxi hirings**

- (1) The driver of a taxi that is available for hire must accept a hiring promptly when offered.

Maximum penalty: 5 penalty units.

- (2) However, the driver of a wheelchair-accessible taxi that is available for hire must accept a hiring offered by a person using a wheelchair in preference to a hiring offered by a person not using a wheelchair.

Maximum penalty: 5 penalty units.

- (3) Also, the driver of a wheelchair-accessible taxi must accept a hiring offered by a person using a wheelchair even if the driver has already accepted the offer of a person not using a wheelchair unless an intending passenger is already seated in the taxi when the person using a wheelchair offers to hire the taxi.

Maximum penalty: 5 penalty units.

- (4) Despite subsections (1) to (3), a taxi driver may refuse to accept a hiring if—
- (a) the driver would contravene any of the following provisions of this regulation if the driver accepted the hiring:
    - (i) section 132 (Wheelchair passengers in wheelchair-accessible taxis);
    - (ii) section 135 (Carriage of goods in taxis);
    - (iii) section 147 (Drinking of liquor in taxis prohibited);
    - (iv) section 149 (Restrictions on carriage of animals in taxis);or
  - (b) the intending passenger is a person mentioned in—
    - (i) section 148 (Eating and drinking in taxis); or
    - (ii) section 150 (Taxi passengers—soiled clothing etc); or
    - (iii) section 151 (Intoxicated taxi passengers); or
  - (c) the intending passenger's destination is outside the ACT taxi region; or
  - (d) the intending passenger cannot, when asked, satisfy the driver that the person can pay the estimated fare for the proposed hiring; or
  - (e) the driver believes on reasonable grounds that the person will not pay the fare for the proposed hiring; or

- (f) the driver would contravene any other provision of the road transport legislation.
- (5) However, the driver must accept the hiring if directed to do so under section 130 (1).
- (6) To remove any doubt, a reference in this section to a ***hiring*** includes a hiring made using—
- (a) an accredited taxi network provider’s taxi booking service; and
- Note*      ***Accredited taxi network provider’s taxi booking service***—see the dictionary.
- (b) a WCBS.
- Note*      ***WCBS***—see s 154I.

**130      Directions by police officers or authorised people about acceptance and carrying out of hirings**

- (1) A police officer or authorised person may give a taxi driver a direction—
- (a) to accept a particular hiring even though the driver could refuse to accept the hiring under section 129 (4) (Requirements about acceptance of taxi hirings); or
- (b) about how a particular hiring is to be carried out.
- (2) However, the police officer or authorised person may not give a direction under subsection (1) that would involve the driver in committing an offence (other than an offence against this regulation).
- (3) A taxi driver who is given a direction under subsection (1) must not, without reasonable excuse, fail to comply with the direction.

Maximum penalty: 5 penalty units.



- (4) If a taxi driver accepts a hiring in accordance with a direction under subsection (1) (a)—
- (a) the driver is exempt from any provision of this regulation that would otherwise prohibit the driver from carrying out the hiring; and
  - (b) the Territory must pay the driver, in addition to the fare, reasonable compensation for any damage, injury, loss of time or other harm incurred by the driver because of the hiring.
- (5) If a taxi driver carries out a hiring in accordance with a direction under subsection (1) (b)—
- (a) the driver is exempt from any provision of this regulation that would otherwise prohibit the driver from carrying out the hiring in accordance with the direction; and
  - (b) the Territory must pay the driver, in addition to the fare, reasonable compensation for any damage, injury, loss of time or other harm incurred by the driver because of the driver's compliance with the direction.

### **131 How taxi hiring to be carried out**

- (1) A taxi driver must not fail to carry out promptly any hiring accepted by the driver.
- Maximum penalty: 5 penalty units.
- (2) A taxi driver must not fail to drive the taxi by the shortest practicable route to any place stated by the hirer that is within the ACT taxi region, unless the hirer asks that the taxi be driven to the place by another route.
- Maximum penalty: 5 penalty units.
- (3) The hirer of a taxi may, at any time during the hiring, direct the driver to carry the hirer to another place within the ACT taxi region (the *new destination*), even if that place was not originally stated.

- (4) A taxi driver must not, without reasonable excuse, fail to comply with a direction under subsection (3).

Maximum penalty: 5 penalty units.

- (5) However, a taxi driver is not required to comply with a direction made under subsection (3) if, when asked, the hirer does not pay a fare deposit for the journey to the new destination.

### **132      Wheelchair passengers in wheelchair-accessible taxis**

- (1) The driver of a wheelchair-accessible taxi must not carry a wheelchair in the taxi unless it is safely and securely attached to the taxi.

Maximum penalty: 10 penalty units.

*Note*      The dictionary definition of *in* a vehicle includes on the vehicle.

- (2) The driver of a wheelchair-accessible taxi must not carry a person in the taxi while the person is seated in a wheelchair unless—
- (a) the wheelchair cannot travel faster than 10km/h on level ground; and
  - (b) the wheelchair is not in another vehicle (for example, a motorised tricycle) while the wheelchair is in the taxi; and
  - (c) if a seatbelt is provided for the position where the wheelchair is attached—the person is wearing the seatbelt.

Maximum penalty: 10 penalty units.

*Note*      An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) However, subsection (2) (c) does not apply if the person is exempt under a territory law from wearing a seatbelt.

*Note 1* A passenger in a taxi, including a person in a wheelchair, must wear a suitable child restraint (if one is available) or a seatbelt, unless the person is exempt from wearing a seatbelt (see [Australian Road Rules](#), r 265 and r 266).

*Note 2* For exemptions from wearing a seatbelt, including for medical reasons, see the [Australian Road Rules](#), r 267.

*Note 3* A person who is exempt from wearing a seatbelt and who is a passenger in a motor vehicle with 2 or more rows of seats must not sit in the front row of seats (see [Australian Road Rules](#), r 267 (1)).

- (4) Despite subsection (2) (a), the driver of a wheelchair-accessible taxi must not carry a person in the taxi while the person is seated in a motorised wheelchair of a kind known as, or that is similar to, a scooter or tricycle.

Maximum penalty: 10 penalty units.

- (5) The driver of a wheelchair-accessible taxi must provide reasonable assistance in loading and unloading a wheelchair, or a person in a wheelchair, into or from the taxi.

Maximum penalty: 10 penalty units.

### 133 Where taxi drivers must stop

- (1) The driver of a taxi—
- must refuse to stop the taxi at any place where stopping the taxi would be unlawful; and
  - may refuse to stop the taxi at any place where stopping the taxi would be, in the driver's opinion, unsafe.
- (2) However, the driver of a taxi may stop the taxi at a place (the *preferred place*) where stopping the taxi would otherwise be unlawful if—

- (a) the driver is dropping off or picking up a person with a significant disability that affects the person's mobility; and
- (b) there is no other place near the preferred place where the driver can lawfully and safely drop off or pick up the person; and
- (c) stopping the taxi in the preferred place is, in the driver's opinion, safe.

**Examples of people with significant disabilities affecting mobility**

- 1 a wheelchair-dependent person
- 2 a person who ordinarily uses a walking stick, crutches or a walking frame to move around outdoors
- 3 a person who is blind

*Note* An example is part of this regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) If the driver of a taxi stops on a road or road related area to drop off or pick up a passenger, the driver must stop parallel to, and as close as practicable to, the side of the road or area.

Maximum penalty: 5 penalty units.

- (4) An offence against subsection (3) is a strict liability offence.

**134 Operation of taxi roof sign by drivers**

- (1) The driver of a taxi commits an offence if the taxi's roof sign is lit when the taxi is not available for hire.

Maximum penalty: 5 penalty units.

**Example of when a taxi is not available for hire**

when the taxi is travelling to a pick-up point within the meaning of s 127

*Note* An example is part of this regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An offence against this section is a strict liability offence.

- (3) In this section:

**roof sign** means the roof sign mentioned in section 106 (2) (Taxi roof sign indicating hiring availability).

### 135 Carriage of goods in taxis

- (1) A taxi driver must carry any goods in the taxi if asked to do so by a hirer.

Maximum penalty: 5 penalty units.

*Note 1* The dictionary defines **goods** to include luggage.

*Note 2* The dictionary definition of **in** a vehicle includes on the vehicle.

- (2) However, the driver may refuse to carry goods in the taxi if the driver would contravene section 116 (Restrictions on carriage of goods in taxis) by doing so.
- (3) A taxi driver must not—
- (a) carry goods on the roof of the taxi except with the hirer's agreement; or
  - (b) carry goods (except luggage) with a total weight over 25kg in a part of the taxi designed to carry passengers.

Maximum penalty: 5 penalty units.

- (4) However, subsection (3) (b) does not apply to the carriage of a wheelchair in a part of a wheelchair-accessible taxi designed to carry passengers.
- (5) A taxi driver must provide reasonable assistance with a passenger's goods.

Maximum penalty: 5 penalty units.

#### **Examples of reasonable assistance with passenger's goods**

- 1 loading goods into, and unloading goods from, the taxi

- 2    carrying goods from or to a door or entrance of a house, station, airport or other place where the hiring of the taxi begins or ends

*Note*      An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (6) A taxi driver must take reasonable care of a passenger's goods.

Maximum penalty: 5 penalty units.

- (7) If a taxi driver removes goods from the taxi, the driver must promptly deliver them in the condition in which the driver received them.

Maximum penalty: 5 penalty units.

### **136      Taxi driver waiting or instructed to return**

- (1) If the hirer of a taxi asks the driver to wait, the driver must wait for—

(a) 15 minutes; or

(b) if the driver and hirer agree to a shorter or longer period—the period agreed.

Maximum penalty: 5 penalty units.

- (2) However, the driver may refuse to wait if the hirer does not pay the driver the fare to the place where the hirer asked the driver to wait and the fare for the relevant waiting period.

- (3) If the hirer ends the hire and instructs the taxi driver to return later to the place where the hiring was ended, the taxi driver may claim the fare to the time of the ending of the hiring and is not obliged to accept the hiring to return.

### **137      Ending of taxi hiring by hirer**

The hirer of a taxi may end the hiring at any time.

## **138 Ending of taxi hiring by driver**

- (1) A taxi driver may end a hiring—
- (a) on a ground on which the driver could refuse to accept a hiring under section 129 (4) (Requirements about acceptance of taxi hirings); or
  - (b) if a passenger behaves in an offensive way or uses offensive language; or
  - (c) if a passenger does not stop eating, drinking or smoking when asked by the driver to do so; or
  - (d) if a passenger is not wearing a suitable child restraint or a seatbelt that is properly fastened and adjusted.
- (2) However—
- (a) subsection (1) (c) does not apply if the person is eating or drinking for medical reasons; and
  - (b) subsection (1) (d) does not apply if the person is exempt under a territory law from wearing a seatbelt.

*Note 1* A passenger in a taxi, including a person in a wheelchair, must wear a suitable child restraint (if one is available) or a seatbelt, unless the person is exempt from wearing a seatbelt (see [Australian Road Rules](#), r 265 and r 266).

*Note 2* For exemptions from wearing a seatbelt, including for medical reasons, see the [Australian Road Rules](#), r 267.

*Note 3* A person who is exempt from wearing a seatbelt and who is a passenger in a motor vehicle with 2 or more rows of seats must not sit in the front row of seats (see [Australian Road Rules](#), r 267 (1)).

**139      Extra taxi passengers**

A taxi driver must not allow anyone else other than the hirer to travel in the taxi without the hirer's agreement.

Maximum penalty: 5 penalty units.

**140      Sharing taxis**

- (1) This section applies if, at the beginning of, or during, a hiring of a taxi, the hirer requires the driver—
- (a) to allow other people (the hirer's guests) to share the taxi with the hirer; and
  - (b) to drive the hirer's guests to a destination other than the hirer's destination before driving the hirer to his or her destination.

- (2) The taxi driver must comply with a requirement under subsection (1).

Maximum penalty: 5 penalty units.

- (3) However, if the requirement is made during a hiring, the taxi driver need not comply with the requirement if—
- (a) when asked by the driver, the hirer does not pay a fare deposit for the estimated fare for the hiring; or
  - (b) the destination of the hirer's guests is outside the ACT taxi region.

*Note* A hiring may be refused if an intending passenger's destination is outside the ACT taxi region, see s 129 (4) (c) (Requirements about acceptance of taxi hirings).

- (4) The taxi driver must not ask for payment of all or part of the fare from any of the hirer's guests.

Maximum penalty: 5 penalty units.



### **141 Multiple hiring of taxis**

A taxi driver must not, without the agreement of anyone who has already hired the taxi, accept a 2nd or subsequent hiring of the taxi.

Maximum penalty: 5 penalty units.

### **142 Taxi fare deposits**

- (1) Before accepting an offer of a hiring from a person, a taxi driver may ask the person to give the driver a fare deposit if the driver believes on reasonable grounds that the person may not be able to, or will not, pay the estimated fare for the hiring.

*Note* The fare for a waiting period mentioned in s 136 (2) (Taxi driver waiting or instructed to return) is also a fare deposit (see dict, def *fare deposit*).

- (2) The driver of a taxi may ask a hirer to pay a fare deposit if, during the hire, the hirer asks to be taken to a destination other than the destination originally stated and the driver believes on reasonable grounds that the hirer may not be able to pay, or will not pay, the estimated fare to the new destination.
- (3) If the person or hirer gives the taxi driver the fare deposit, the driver cannot refuse to accept the hiring or end the hiring on the ground that the person or hirer cannot satisfy the driver that the person or hirer can pay the estimated fare for the proposed hiring.

### **142A Exemption from operation of taximeter and metered fares for certain hirings—Act, s 128 (1) (a)**

- (1) This section applies to the driver of a taxi in relation to the following kinds of hirings (an *authorised fixed-fare hiring*):
  - (a) a hiring to a destination outside the ACT taxi region if, before the hiring is begun—
    - (i) the driver tells the intending passenger that the destination is outside the ACT taxi region; and

- (ii) the driver and the intending passenger agree on the amount payable as the fare for the hiring;
  - (b) a hiring for the delivery of an item (including goods) if no passengers are carried in the taxi during the hiring;
  - (c) a hiring approved by the road transport authority under subsection (2).
- (2) The road transport authority may approve a hiring to which this section applies.
- (3) An approval under subsection (2) is a disallowable instrument.
- Note*     A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).
- (4) The driver of a taxi is exempt from the following provisions in relation to an authorised fixed-fare hiring:
- section 143A (When driver must start taximeter)
  - section 143B (Operation of taximeter during hiring)
  - section 143C (Operation of taximeter at end of hiring)
  - section 144 (2) (Driver to ask for correct fare).

### **143     Driver not to start taximeter before hiring begins**

- (1) The driver of a taxi commits an offence if the driver starts the taxi's taximeter recording a fare for a hiring of the taxi before the hiring begins.

Maximum penalty: 5 penalty units.

*Note*     For when a hiring begins, see s 127.

- (2) An offence against this section is a strict liability offence.

### **143A When driver must start taximeter**

- (1) The driver of a taxi commits an offence if the driver fails to start the taxi's taximeter recording the fare for a hiring when the hiring begins.

Maximum penalty: 5 penalty units.

*Note 1* For when a hiring begins, see s 127.

*Note 2* This section does not apply to an authorised fixed-fare hiring, see s 142A (4).

- (2) Subsection (1) does not apply to a hiring to which subsection (3) or (4) applies.
- (3) The driver of a wheelchair-accessible taxi commits an offence if—
- (a) the taxi is hired by or for a wheelchair-dependent person; and
  - (b) before the hiring begins the driver is informed that an ACT Taxi Subsidy Scheme voucher will be used for the hiring; and
  - (c) either—
    - (i) the driver starts the taxi's taximeter recording the fare for the hiring before the person's wheelchair is lifted into and attached to the taxi; or
    - (ii) the driver fails to start the taxi's taximeter recording the fare for the hiring as soon as practicable after the person's wheelchair is lifted into and attached to the taxi.

Maximum penalty: 5 penalty units.

- (4) The driver of a wheelchair-accessible taxi commits an offence if—
- (a) the taxi is hired by or for a wheelchair-dependent person; and
  - (b) after the hiring begins the driver is informed that an ACT Taxi Subsidy Scheme voucher will be used for the hiring; and

- (c) either—
- (i) the driver fails to stop the taxi's taximeter recording the fare for the hiring until the person's wheelchair is lifted into and attached to the taxi; or
  - (ii) the driver fails to restart the taxi's taximeter recording the fare for the hiring as soon as practicable after the person's wheelchair is lifted into and attached to the taxi.

Maximum penalty: 5 penalty units.

- (5) An offence against this section is a strict liability offence.

#### **143B      Operation of taximeter during hiring**

- (1) The driver of a taxi commits an offence if the driver stops the taxi's taximeter recording a fare for a hiring before the hiring ends.

Maximum penalty: 5 penalty units.

*Note*      This section does not apply to an authorised fixed-fare hiring, see s 142A (4).

- (2) Subsection (1) does not apply if the taximeter is stopped from recording a fare during any period of a hiring when—
- (a) the taxi is delayed for a reason mentioned in section 145 (Taxi fare not payable for avoidable delays); or
  - (b) a hirer (who is not the last hirer in a multiple hiring of the taxi) is paying the fare for his or her hire and getting out of the taxi.
- (3) The driver of a taxi commits an offence if—
- (a) the driver stopped the taxi's taximeter recording a fare during any period of a hiring when—
    - (i) the taxi is delayed for a reason mentioned in section 145 (Taxi fare not payable for avoidable delays); or

- (ii) a hirer (who is not the last hirer in a multiple hiring of the taxi) is paying the fare for his or her hire and getting out of the taxi; and
- (b) the driver fails to restart the taximeter recording the fare when the hiring is resumed.

Maximum penalty: 5 penalty units.

- (4) An offence against this section is a strict liability offence.

#### **143C Operation of taximeter at end of hiring**

- (1) The driver of a taxi commits an offence if, at the end of a hiring, the driver fails to stop the taxi's taximeter from recording the fare for the hiring.

Maximum penalty: 5 penalty units.

*Note 1* For when a hiring ends, see s 127A.

*Note 2* This section does not apply to an authorised fixed-fare hiring, see s 142A (4).

- (2) The driver of a taxi commits an offence if, before receiving payment of the fare for a hiring, the driver fails—
  - (a) to ensure that the amount displayed on the taxi's taximeter as the fare, and any figures that affect the rate at which the fare is worked out, are displayed (including, if necessary, illuminated) so that they can be readily read by the hirer; and
  - (b) to state any other amounts that are payable for the hiring.

Maximum penalty: 5 penalty units.

- (3) The driver of a taxi commits an offence if the driver fails to ensure that the amount displayed on the taxi's taximeter as the fare for the hiring is returned to zero as soon as practicable—
- (a) after the driver receives payment of the fare for the hiring; or
  - (b) for a hiring for which the fare is not paid—after the hirer fails to pay the fare.

Maximum penalty: 5 penalty units.

- (4) Subsection (3) applies to a multiple hiring only if the hiring is the last in the multiple hiring.
- (5) An offence against this section is a strict liability offence.

#### **144      Driver to ask for correct fare**

- (1) A taxi driver must not ask a hirer for payment of more than the fare for the hiring of the taxi.

Maximum penalty: 5 penalty units.

##### **Examples of asking for payment of more than the fare for a hiring**

- 1 if different fare rates are payable for hirings begun at different times, asking for a fare that is worked out on a higher rate than the rate applying at the time a hiring begins
- 2 asking for payment of a fare recorded on the taxi's taximeter that is worked out at a rate per kilometre of travel, or at a rate per hour of waiting time, that is more than the maximum rate determined under the [Act](#), s 60
- 3 asking for payment in relation to a period of a hire when the taximeter was required to be stopped under s 143B (2)

*Note 1* The fare may include amounts not shown on the taximeter, eg a toll.

*Note 2* An example is part of this regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) A taxi driver must not make an agreement with a hirer for payment of more than the fare for the hiring of the taxi.

Maximum penalty: 5 penalty units.

**Example of agreement for payment of more than the fare for a hiring**

for a hiring that is not an authorised fixed-fare hiring, the driver agreeing to a fixed amount for a hiring that is higher than the fare for the hiring worked out at the maximum rate determined under the [Act](#), s 60

*Note* Subsection (2) does not apply to an authorised fixed-fare hiring, see s 142A (4).

- (3) An offence against this section is a strict liability offence.

**144A Payment of taxi fare**

- (1) The hirer of a taxi commits an offence if—
- (a) the hirer did not pay a fare deposit for hiring the taxi; and
  - (b) at the end of the hiring the hirer does not pay to the taxi's driver the fare for the hiring.

Maximum penalty: 5 penalty units.

*Note* For when a hiring ends, see s 127A.

- (2) The hirer of a taxi commits an offence if—
- (a) the hirer paid a fare deposit for hiring the taxi; and
  - (b) the fare for the hiring is more than the fare deposit; and
  - (c) at the end of the hiring the hirer does not pay to the taxi's driver the difference between the fare deposit and the fare.

Maximum penalty: 5 penalty units.

- (3) The driver of a taxi commits an offence if—
- (a) a hirer paid a fare deposit for hiring the taxi; and
  - (b) the fare for the hiring is less than the fare deposit; and

- (c) at the end of the hiring the driver does not pay the difference between the fare deposit and the fare to the hirer.

Maximum penalty: 5 penalty units.

- (4) The driver of a taxi commits an offence if—
  - (a) a hirer gives the driver more money than the amount of the fare for the hiring; and
  - (b) the driver fails to offer the correct change to the hirer.

Maximum penalty: 5 penalty units.

- (5) An offence against this section is a strict liability offence.

#### **144B    ACT Taxi Subsidy Scheme vouchers—offences**

- (1) A person commits an offence if—
  - (a) the person uses an ACT Taxi Subsidy Scheme voucher as part-payment of the fare for the hiring of a taxi; and
  - (b) the person is not the person to whom the voucher was issued; and
  - (c) the person to whom the voucher was issued is not a passenger in the taxi for all of the hiring for which the voucher was used.

Maximum penalty: 5 penalty units.



- (2) A person commits an offence if the person makes a false or misleading statement in an ACT Taxi Subsidy Scheme voucher.

Maximum penalty: 5 penalty units.

**Example**

stating in a voucher an amount as the total fare recorded on a taximeter for the hiring to which the voucher relates that is more than the actual metered fare for the hiring

*Note* An example is part of this regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) Subsection (2) does not apply if the statement is not false or misleading in a material particular.
- (4) An offence against this section is a strict liability offence.

**145 Taxi fare not payable for avoidable delays**

A taxi driver must not ask for payment of a fare for a period when the taxi is delayed because of—

- (a) the taxi breaking down or being involved in an accident; or
- (b) anything that the driver could have prevented (including, for example, a shortage of fuel).

Maximum penalty: 5 penalty units.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

**Division 4.3.4 Conduct of taxi passengers**

**146 Offensive behaviour or language in taxis**

A person must not, in a taxi—

- (a) behave in an offensive way; or

(b) use offensive language.

Maximum penalty: 10 penalty units.

#### **147      Drinking of liquor in taxis prohibited**

A person must not drink, or be in possession of an open container of, liquor in a taxi.

Maximum penalty: 5 penalty units.

#### **148      Eating and drinking in taxis**

(1) A person (other than the driver) must not eat or drink in a taxi except with the taxi driver's agreement.

Maximum penalty: 5 penalty units.

(2) This section does not apply if the person is eating or drinking for medical reasons.

(3) To remove any doubt, this section does not authorise a taxi driver to agree to a person drinking liquor in the taxi.

*Note*      A person is not allowed to smoke in a taxi (see *Smoke-Free Public Places Act 2003*).

#### **149      Restrictions on carriage of animals in taxis**

(1) A person must not take a dog, cat, bird or any other animal into a taxi unless the animal is suitably confined in a box, basket or other container.

Maximum penalty: 5 penalty units.

(2) This section does not apply to—

(a) an animal accompanying a person with a disability that is trained to help the person to alleviate the effect of the disability; or

- (b) an animal being trained to help to alleviate the effect of a disability.

*Note* If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 9).

### **150 Taxi passengers—soiled clothing etc**

- (1) A taxi driver, police officer or authorised person may direct a person not to get into, or to get out of, a taxi if the driver, police officer or authorised person believes on reasonable grounds that—
- (a) the person, the person's clothing or goods (or anything else on or carried by the person) may soil or damage the taxi or the clothing or goods of someone else; or
- (b) any of the person's goods cannot, because of their size or dimensions, be carried in the taxi without inconvenience or danger to someone else.
- (2) Subsection (1) (b) does not apply to anything used by a person with a disability to alleviate the effect of the disability.
- (3) A person must not fail to comply with a direction under subsection (1).

Maximum penalty: 5 penalty units.

### **151 Intoxicated taxi passengers**

- (1) A taxi driver, police officer or authorised person may direct a person not to get into, or to get out of, the taxi if the driver, police officer or authorised person believes on reasonable grounds that the person—
- (a) is under the influence of liquor or a drug; and
- (b) is causing, or is likely to cause, a nuisance or annoyance to someone else.

- (2) A person must not fail to comply with a direction under subsection (1).

Maximum penalty: 5 penalty units.

**152      Offender to get out of taxi when directed**

- (1) A taxi driver, police officer or authorised person may direct a person to get out of the taxi if the driver, police officer or authorised person believes on reasonable grounds that the person is committing an offence under this part.
- (2) A person must not fail to comply with a direction under subsection (1).

Maximum penalty: 5 penalty units.

**153      Removal of people from taxis**

A person who fails to comply with a direction under this division to get out of a taxi may be removed from the taxi by a police officer.

**154      Lost property found by taxi passengers**

- (1) A person who finds something in a taxi must return it to its owner or give it to the taxi driver, the accredited taxi network provider with which the taxi service is affiliated, a police officer or an authorised person.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

## Division 4.3.4B Wheelchair-accessible taxi centralised booking services

### 154I Meaning of *wheelchair-accessible taxi centralised booking service (WCBS)*

In this regulation:

*wheelchair-accessible taxi centralised booking service (WCBS)*—

- (a) means a service that—
  - (i) accepts bookings only for wheelchair-accessible taxis for wheelchair-dependent people; and
  - (ii) sends messages about the bookings to wheelchair-accessible taxi drivers by electromagnetic energy to equipment in taxis that can receive the messages; but
- (b) does not include an accredited taxi network provider's taxi booking service.

*Note* *Accredited taxi network provider's taxi booking service*—see the dictionary.

### 154J WCBS—minimum service standards

- (1) The road transport authority may approve minimum service standards (the *approved minimum service standards*) for the operation of a WCBS.
- (2) The approved minimum service standards for a WCBS may make provision about any matter relating to the safe, reliable or efficient provision of the WCBS.

#### Examples

- 1 arrangements to ensure services during peak and off-peak times
- 2 reporting requirements

3 arrangements between accredited operators of wheelchair-accessible taxis and wheelchair-accessible taxi drivers

4 procedures for processing taxi subsidy vouchers

*Note*     An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

(3) An approval is a disallowable instrument.

*Note*     A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

#### **154K     WCBS—service contracts**

(1) The road transport authority may, on behalf of the Territory, enter into a contract (a *service contract*) for the operation of a WCBS with a person (the *WCBS operator*).

(2) A service contract must state whether the right given under the contract to operate a WCBS is an exclusive right to operate the service.

(3) A service contract may make provision in relation to the operation of a WCBS and the administration of the contract, including, for example—

(a) service requirements under the contract; and

##### **Examples**

- 1 communication options required to meet customer needs
- 2 procedures to deal with failure of technical equipment
- 3 recording and resolution of customer complaints

*Note*     An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

(b) the transfer, suspension, cancellation and surrender of the contract; and

(c) the fees (if any) payable under the contract; and

- (d) the adjustment of payments and refunds in relation to any contract fees; and
  - (e) financial or other remedies for breaches of the contract; and
  - (f) the records (including accounts) to be made and kept, how they are to be made and kept, and their inspection; and
  - (g) the provision of information and reports to the road transport authority about the WCBS and the verification of the information and reports.
- (4) Subsection (3) does not limit the matters about which a service contract may make provision.

**154L WCBS—entitlement to operate**

A person is entitled to operate a WCBS in the ACT only if the person holds a service contract for the service.

**154M Offence—operate WCBS without entitlement**

- (1) A person commits an offence if the person—
- (a) operates a WCBS in the ACT; and
  - (b) is not entitled under section 154L to operate the service.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

**154N Exemption for WCBS operator—Act, s 128 (1) (b)**

- (1) The road transport authority may exempt a WCBS operator from the following provisions:
- (a) the [Act](#), section 32 (Entitlement to operate taxi networks);
  - (b) the [Act](#), section 33 (Operating taxi network without entitlement).

- (2) An exemption is subject to the following conditions—
- (a) that the WCBS operator does not breach the WCBS operator's service contract; and
  - (b) that the WCBS operator complies with the approved minimum service standards for a WCBS (if any).

*Note* An exemption may be subject to other conditions stated in the exemption (see [Act](#), s 128 (2)).

- (3) The road transport authority may end an exemption if it is satisfied on reasonable grounds that the WCBS operator—
- (a) is in breach of a condition of the exemption; or
  - (b) has failed to comply with a requirement of the road transport legislation (other than the legislation mentioned in subsection (1)).

*Note 1* **Road transport legislation**—see the [Road Transport \(General\) Act 1999](#), s 6.

*Note 2* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any notifiable instruments (see [Legislation Act](#), s 104).

- (4) If the road transport authority decides to end an exemption, the authority must give the WCBS operator written notice stating—
- (a) that the authority has decided to end the exemption; and
  - (b) the grounds for ending the exemption; and
  - (c) when the exemption ends; and
  - (d) any additional information the road transport authority considers appropriate.

*Note 1* For how documents may be given, see the [Legislation Act](#), pt 19.5.

*Note 2* For when a posted notice is taken to be given, see the [Road Transport \(General\) Regulation 2000](#), s 9B.



- (5) To remove any doubt, a WCBS operator that is the subject of an exemption in force under this section is not an accredited taxi network provider.

## **Division 4.3.5 Other matters relating to taxi services**

### **155 Declaration of ACT taxi region**

- (1) The road transport authority may declare a stated area to be the ACT taxi region.
- (2) The area declared may include any part of the ACT or New South Wales.
- (3) A declaration is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

### **156 Standards about security cameras in taxis**

- (1) The road transport authority may approve standards in relation to security cameras in taxis.
- (2) A standard may make provision in relation to security cameras in taxis, including, for example—
  - (a) when security cameras may be installed; and
  - (b) the kinds of security cameras that may be installed; and
  - (c) the position of security cameras; and
  - (d) the operation of security cameras; and

- (e) requirements about notices to be included in a taxi that has a security camera installed.

*Note 1*   The [Privacy Act 1988](#) (Cwlth) imposes obligations on some private sector organisations in relation to the collection, storage, use and disclosure of personal information collected about an individual.

*Note 2*   An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) An approval is a disallowable instrument.

*Note*     A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (4) A standard may apply, adopt or incorporate (with or without change) an instrument as in force from time to time.

*Note 1*   The text of an applied, adopted or incorporated law or instrument, whether applied as in force from time to time or at a particular time, is taken to be a notifiable instrument if the operation of the [Legislation Act](#), s 47 (5) or (6) is not disapplied (see s 47 (7)).

*Note 2*   A notifiable instrument must be notified under the [Legislation Act](#).

*Note 3*   A reference to an instrument includes a reference to a provision of an instrument (see [Legislation Act](#), s 14 (2)).

- (5) A person must not, without reasonable excuse, contravene a standard approved under subsection (1).

Maximum penalty: 20 penalty units.

## **157           Interference with taxi security cameras and recordings**

- (1) A person must not, without lawful authority or excuse, interfere with a security camera in a taxi.

Maximum penalty: 20 penalty units.

- (2) A person must not change or otherwise interfere with a recording made by a security camera in a taxi.

Maximum penalty: 20 penalty units.

*Note* For the destruction of recordings, see s 79.

### **158 Standards for taximeters**

- (1) The road transport authority may approve standards in relation to taximeters.
- (2) A standard may make provision, for example, in relation to—
- (a) the kinds of taximeters that may be installed in taxis; and
  - (b) the installation, testing and sealing of taximeters; and
  - (c) requirements for taximeters in restricted taxis.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) An approval is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

### **159 Interference with taximeters**

A person must not, without lawful authority or excuse, interfere with a taximeter (including, for example, any seal attached to the taximeter or a part of the mechanism controlling the taximeter).

Maximum penalty: 20 penalty units.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

**160      Authority may exempt wheelchair-accessible taxi drivers from approved training course**

- (1) The road transport authority may, in writing, exempt a person from the requirement mentioned in section 98 (a) (which is about the successful completion of an approved wheelchair-accessible taxi driver training course).
- (2) An exemption may be conditional.
- (3) If an exemption is given subject to conditions, the exemption applies only if all the conditions are being complied with.

**161      Authority may require wheelchair-accessible taxi drivers to undertake training**

The road transport authority may, by written notice given to the holder of a public vehicle licence that authorises the person to drive a taxi, require the person, within a stated period—

- (a) to undertake an approved wheelchair-accessible taxi driver training course or a part of such a course, or another form of training; and
- (b) to provide evidence to the authority, in a form acceptable to the authority, that the person has successfully completed the training.

*Note*      For a general power to direct taxi drivers to undertake training, see the [Road Transport \(Driver Licensing\) Regulation 2000](#), s 79.

**162      Approval of wheelchair-accessible taxi driver training courses**

- (1) The road transport authority may approve courses for the training of people who wish to drive wheelchair-accessible taxis and for wheelchair-accessible taxi drivers.
- (2) An approval is a notifiable instrument.

*Note*      A notifiable instrument must be notified under the [Legislation Act](#).

**163 Exemption of certain taxis—Act, s 128 (1) (a)**

- (1) This section applies to a motor vehicle if—
  - (a) the vehicle is built mainly to carry over 9, but less than 16, adults (including the driver); and
  - (b) the road transport authority has approved, in writing, the operation of the vehicle as a taxi (other than a restricted taxi).
- (2) The vehicle is exempt from that part of the [Act](#), section 45 (Meaning of *taxi*) that prevents a bus being a taxi.

**164 Exemption of certain wheelchair-accessible taxis—Act, s 128 (1) (a)**

- (1) This section applies to a motor vehicle if—
  - (a) the vehicle is built mainly to carry over 9, but less than 16, adults (including the driver); and
  - (b) the vehicle is operated as a wheelchair-accessible taxi by the holder of a restricted taxi licence.
- (2) The vehicle is exempt from that part of the [Act](#), section 46 (Meaning of *restricted taxi*) that prevents a bus being a restricted taxi.

## Chapter 4A Ridesharing

### Part 4A.1 Preliminary

#### 164A Object—ch 4A

The object of this chapter is to allow the temporary provision of ridesharing.

#### 164B Definitions—ch 4A

In this chapter:

*affiliated driver*, for an interim rideshare booking service, means a rideshare driver who has an interim rideshare driver agreement with the booking service.

*certificate of inspection* means a certificate of inspection issued under the *Road Transport (Vehicle Registration) Regulation 2000*, section 146 (Issue of certificates of inspection etc).

*declared state of alert* means a state of alert declared under the *Emergencies Act 2004*, section 151.

*declared state of emergency* means a state of emergency declared under the *Emergencies Act 2004*, section 156.

*jump-the-queue fee*, for a rideshare, means a fee payable by a rideshare passenger, in addition to the rideshare fare, to be the next passenger picked up by the rideshare driver, ahead of the driver's existing bookings.

*medical fitness certificate* means a certificate issued by a doctor certifying that—

- (a) the doctor has personally examined the person on a stated date; and

(b) the person complies with the required medical standards.

***passenger number***, for a passenger for a rideshare booking service, means a unique identifying number given to the passenger by the booking service.

***required medical standards***, for a person—see the [Road Transport \(Driver Licensing\) Regulation 2000](#), section 15.

***rideshare vehicle suitability certificate*** means a certificate of inspection—

- (a) issued by an authorised examiner at a vehicle inspection station after 30 September 2015; and
- (b) certifying that the vehicle, and its parts and equipment, comply with the applicable vehicle standards.

***surge pricing***, for ridesharing, means the practice of increasing rideshare fares during times of high demand for ridesharing.

***third-party property insurance policy*** means a policy that—

- (a) is issued (or renewed) by a corporation authorised under the [Insurance Act 1973](#) (Cwlth); and
- (b) insures the driver of a vehicle to which the policy applies against liability in relation to damage to property caused by, or arising out of the use of, the vehicle anywhere in the ACT (whether or not on a road or road related area).

***vehicle inspection station***—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), dictionary.

**164C Meaning of *rideshare service*, *rideshare driver*, *rideshare*  
and *rideshare vehicle*—ch 4A**

In this chapter:

*rideshare service*—

- (a) means a public passenger service where—
  - (i) a passenger books the transport through a rideshare booking service; and
  - (ii) the rideshare booking service communicates the passenger's booking to a driver (the *rideshare driver*); and
  - (iii) the driver carries out the transport booked (the *rideshare*) using a vehicle (the *rideshare vehicle*); but
- (b) does not include a public passenger service provided by a bus service, a taxi service, a hire car service or a demand responsive service.

*Note 1* A *public passenger service* is a service for the transport of passengers for a fare or other consideration by public passenger vehicles along a road or road related area (see Act, s 10).

*Note 2* Although a rideshare service is a public passenger service, a rideshare vehicle is not a public passenger vehicle. *Public passenger vehicle* means a public bus, taxi, hire car or demand responsive service vehicle.

**164D Meaning of *rideshare booking service*—ch 4A**

In this chapter:

*rideshare booking service*—

- (a) means a person who—
  - (i) accepts bookings from people for rideshare vehicles; and
  - (ii) communicates the bookings to rideshare drivers; but



(b) does not include a person who is a rideshare driver if the booking is for the driver.

*Note* **Person** includes a corporation as well as an individual (see [Legislation Act](#), s 160).

## Part 4A.2 Interim rideshare booking services

### 164E Meaning of *interim rideshare booking service*—ch 4A

In this chapter:

*interim rideshare booking service* means a rideshare booking service whose operator has entered into an interim rideshare booking service agreement with the Territory.

### 164F Meaning of *interim rideshare booking service agreement*—ch 4A

(1) In this chapter:

*interim rideshare booking service agreement* means an agreement between a rideshare booking service and the Territory that includes the following provisions:

- (a) a provision requiring the booking service to ensure that each affiliated driver holds a full driver licence of a class that authorises the driver to drive the vehicle to be used by the driver as an interim rideshare vehicle;

*Note* *Affiliated driver*, for an interim rideshare booking service—see s 164B.

- (b) a provision requiring the booking service to ensure that each affiliated driver is—
- (i) an Australian citizen; or
  - (ii) a permanent resident; or
  - (iii) a temporary resident who holds a visa that allows the person to work as a rideshare driver;

- (c) a provision requiring the booking service to ensure that each affiliated driver has not, within the 5 years immediately before affiliation—
- (i) been disqualified (whether or not by court order) from holding or obtaining an Australian driver licence under the law of any jurisdiction; or
  - (ii) had their Australian driver licence, or right to drive a motor vehicle (however described), suspended or cancelled under the law of any jurisdiction other than—
    - (A) for the nonpayment of an infringement notice penalty; or
    - (B) under the *Road Transport (General) Act 1999*, part 6 (Fine defaulters) or a corresponding law;
- Note* An infringement notice penalty includes an amount payable under an infringement notice served on a person under the law of another jurisdiction (see *Road Transport (General) Act 1999*, dict, def *infringement notice penalty*).
- (d) a provision requiring the booking service to ensure that each affiliated driver satisfies stated suitability criteria;
- (e) a provision requiring the booking service to take reasonable steps to ensure that each affiliated driver holds a medical fitness certificate dated not more than 12 months before the date of affiliation if the affiliated driver—
- (i) is 70 years old or older; or
  - (ii) has a medical condition mentioned in the required medical standards;

*Note* **Medical fitness certificate**—see s 164B.

- (f) a provision requiring the booking service to ensure that—
- (i) each interim rideshare vehicle to be used by an affiliated driver—
    - (A) is a registered vehicle; and
    - (B) complies with the applicable vehicle standards for the vehicle; and
  - (ii) a rideshare vehicle suitability certificate has been issued for the vehicle before the vehicle is used as an interim rideshare vehicle;

*Note* **Rideshare vehicle suitability certificate**—see s 164B.

- (g) a provision requiring the booking service to—
- (i) ensure that there is a third-party property insurance policy for at least \$5 000 000 in force for each interim rideshare vehicle to be used by an affiliated driver; and
  - (ii) provide evidence of the policy to the road transport authority on request;

*Note* **Third-party property insurance policy**—see s 164B.

- (h) a provision prohibiting the booking service from applying surge pricing, or accepting jump-the-queue fees, for a rideshare if a declared state of alert, or declared state of emergency, is in force for all or part of the ACT;

*Note* **Surge pricing**, for ridesharing—see s 164B.  
**Jump-the-queue fee**, for a rideshare—see s 164B.  
**Declared state of alert**—see s 164B.  
**Declared state of emergency**—see s 164B.

- (i) a provision requiring the booking service to—
  - (i) ensure the following details are recorded for each rideshare it books:
    - (A) the name and driver licence number of the interim rideshare driver;
    - (B) the registration number of the interim rideshare vehicle;
    - (C) the name or passenger number of the passenger;
      - Note* **Passenger number**, for a passenger for a rideshare booking service—see s 164B.
    - (D) where each passenger was picked up and dropped off;
    - (E) the fare paid; and
  - (ii) provide the details, on request, to the road transport authority, a police officer or a member of an emergency service;
- (j) a provision requiring the booking service to give stated information about rideshare fares to passengers;
- (k) a provision about how rideshare fares may be paid by passengers;
- (l) a provision about procedures for dealing with complaints from rideshare drivers, passengers and other people;
- (m) a provision about records to be kept by the booking service;
- (n) a provision about information to be prepared by the booking service;
- (o) a provision about circumstances in which the agreement may be terminated.

- (2) An interim rideshare booking service agreement may also include a provision about requirements for interim rideshare driver agreements.

## Part 4A.3 Interim ridesharing arrangements

### 164G Meaning of *interim rideshare driver*—ch 4A

In this chapter:

*interim rideshare driver* means a rideshare driver who has entered into an interim rideshare driver agreement.

### 164H Meaning of *interim rideshare driver agreement* and *interim rideshare vehicle*—ch 4A

(1) In this chapter:

*interim rideshare driver agreement* means an agreement between a rideshare driver and an interim rideshare booking service for—

- (a) the interim rideshare booking service to provide a rideshare booking service for the rideshare driver; and
- (b) the rideshare driver to provide rideshares using a stated suitable vehicle (an *interim rideshare vehicle*) via the interim rideshare booking service.

(2) In this section:

*ambulance*—see the [Road Transport \(Third-Party Insurance\) Regulation 2008](#), schedule 1, section 1.1.

*bus*—see the [Road Transport \(Third-Party Insurance\) Regulation 2008](#), schedule 1, section 1.1.

*motorcycle*—see the [Road Transport \(Third-Party Insurance\) Regulation 2008](#), schedule 1, section 1.1.

*police vehicle*—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), dictionary.

*suitable vehicle* means a motor vehicle built mainly to carry people but does not include the following:

- (a) an ambulance;
- (b) a bus;
- (c) a demand responsive service vehicle;
- (d) a motorcycle;
- (e) a police vehicle.

**164I When is a rideshare driver *operating* a rideshare service?**

A rideshare driver is *operating* a rideshare service when the rideshare driver is carrying out a rideshare.

**164J Exemption for interim rideshare drivers—Act, s 128 (1) (a)**

- (1) An interim rideshare driver is exempt from the following provisions when the rideshare driver is operating a rideshare service:
  - (a) the [Act](#), section 64 (Use of vehicles as hire cars);
  - (b) the [Act](#), section 74 (Unaccredited operators not to operate hire car services);
  - (c) the [Act](#), section 125 (Unauthorised public passenger services).
- (2) An exemption is subject to the following conditions:
  - (a) the interim rideshare driver must hold a full driver licence of a class that authorises the driver to drive the vehicle to be used by the driver as an interim rideshare vehicle;
  - (b) the interim rideshare driver must be—
    - (i) an Australian citizen; or
    - (ii) a permanent resident; or



- (iii) a temporary resident who holds a visa that allows the person to work as a rideshare driver;
  - (c) the interim rideshare driver must not, within the 5 years immediately preceding the driver's affiliation with a interim rideshare booking service—
    - (i) have been disqualified (whether or not by court order) from holding or obtaining an Australian driver licence under the law of any jurisdiction; or
    - (ii) have had their Australian driver licence, or right to drive a motor vehicle (however described), suspended or cancelled under the law of any jurisdiction other than—
      - (A) for the nonpayment of an infringement notice penalty; or
      - (B) under the *Road Transport (General) Act 1999*, part 6 (Fine defaulters) or a corresponding law;
- Note* An infringement notice penalty includes an amount payable under an infringement notice served on a person under the law of another jurisdiction (see *Road Transport (General) Act 1999*, dict, def *infringement notice penalty*).
- (d) the interim rideshare driver must satisfy the suitability criteria stated in the interim rideshare booking service agreement for the rideshare booking service with which the driver is affiliated;
  - (e) the interim rideshare driver must hold a medical fitness certificate dated not more than 12 months before the date of affiliation with a interim rideshare booking service if the affiliated driver—
    - (i) is 70 years old or older; or

- (ii) has a medical condition mentioned in the required medical standards;

*Note* **Medical fitness certificate**—see s 164B.

- (f) the interim rideshare driver must ensure that—

- (i) the interim rideshare vehicle—

- (A) is a registered vehicle; and

- (B) complies with the applicable vehicle standards for the vehicle; and

- (ii) a rideshare vehicle suitability certificate has been issued for the vehicle before the vehicle is used as an interim rideshare vehicle;

*Note* **Rideshare vehicle suitability certificate**—see s 164B.

- (g) the interim rideshare driver must—

- (i) ensure that there is a third-party property insurance policy for at least \$5 000 000 in force for the interim rideshare vehicle; and

- (ii) provide evidence of the policy to a police officer, or authorised person, on request;

*Note* **Third-party property insurance policy**—see s 164B.

- (h) the interim rideshare driver must comply with the [Road Transport \(Alcohol and Drugs\) Act 1977](#) as if the driver were a special driver;

- (i) the interim rideshare driver must not stand or ply for rideshare passengers on a road or road related area;

- (j) the interim rideshare driver must not accept cash for payment of a rideshare fare;

- (k) the interim rideshare driver must not apply surge pricing, or accept jump-the-queue fees, for a rideshare if a declared state of alert, or declared state of emergency, is in force for all or part of the ACT;

*Note* **Surge pricing**, for ridesharing—see s 164B.  
**Jump-the-queue fee**, for a rideshare—see s 164B.  
**Declared state of alert**—see s 164B.  
**Declared state of emergency**—see s 164B.

- (l) the interim rideshare driver must—
- (i) ensure the following details are recorded for each rideshare:
- (A) the interim rideshare booking service that communicated the booking to the driver;
- (B) the registration number of the interim rideshare vehicle;
- (C) the passenger number of the passenger; and

*Note* **Passenger number**, for a passenger for a rideshare booking service—see s 164B.

- (ii) provide the details to the road transport authority, or a police officer, on request.

**Example—ensuring rideshare details are recorded**

a driver affiliated with an interim rideshare booking service may enter into an agreement with the booking service for the booking service to record the details for each rideshare

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) An exemption ends if the interim rideshare driver fails to comply with a condition.

- (4) In this section:

*special driver*—see the *Road Transport (Alcohol and Drugs) Act 1977*, section 4B (Meaning of *special driver*).

**164K Exemption for registered operators of interim rideshare vehicles—Act, s 128 (1) (a)**

- (1) A registered operator of an interim rideshare vehicle is exempt from the following provisions when a rideshare driver is using the vehicle to operate a rideshare service:
- (a) the [Act](#), section 74 (Unaccredited operators not to operate hire car services);
  - (b) the [Act](#), section 125 (Unauthorised public passenger services).
- (2) An exemption is subject to the following conditions:
- (a) the registered operator must ensure that the interim rideshare vehicle complies with the applicable vehicle standards for the vehicle;
  - (b) the registered operator must ensure that a rideshare vehicle suitability certificate has been issued for the vehicle before the vehicle is used as an interim rideshare vehicle.

*Note* **Rideshare vehicle suitability certificate**—see s 164B.

- (3) An exemption ends if the registered operator of the interim rideshare vehicle fails to comply with a condition.

## **Chapter 5            Hire cars**

### **Part 5.1             Hire car licences**

#### **Division 5.1.1       Kinds of hire car licences**

##### **165            Hire car licences that may be issued**

- (1) The road transport authority may issue the following kinds of hire car licences:
  - (a) leased hire car licences;
  - (b) restricted hire car licences.

*Note*    A *hire car licence* is a licence to use a vehicle as a hire car (see the [Act](#), s 61). A general reference in this regulation to a hire car licence includes each of the above kinds of licences (see [Legislation Act](#), s 155).

- (2) A restricted hire car licence may only authorise the licence-holder to operate the vehicle to which the licence relates as a restricted hire car to transport people along a road or road related area to or from—
  - (a) a wedding ceremony or wedding reception; or
  - (b) a function known as a school formal conducted by a school.
- (3) To remove any doubt, the transport of people to a wedding ceremony or wedding reception is not limited to people who are members of the bridal party.

## Division 5.1.2 Hire car licensing procedure

### 166 Application procedure for issue of hire car licences

- (1) A person (the *applicant*) may apply to the road transport authority for—
  - (a) the issue (including renewal) of a leased hire car licence; or
  - (b) the issue of a restricted hire car licence.

*Note 1* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

*Note 2* The above licences are not transferable (see the [Act](#), s 63).

- (2) The applicant must give the road transport authority a completed application form for the kind of licence applied for.
- (3) The road transport authority may require the applicant to give the authority further stated information or a stated document that the authority reasonably needs to decide the application.
- (4) The road transport authority may refuse to consider the application further if the requirement is made in writing and the applicant does not comply with the requirement.

### 167 Issue of hire car licences

- (1) The road transport authority may refuse to issue (including renew) a hire car licence to an applicant if the authority believes on reasonable grounds that the applicant—
  - (a) has contravened a condition of another hire car licence held by the person or, for a licence renewal, a condition of the licence being renewed; or

- (b) has not complied with a requirement of the Act relating to the application.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (2) The road transport authority may also refuse to issue (including renew) a hire car licence to an applicant if a hire car licence, or an accreditation to operate any kind of hire car service, held by the person is suspended under chapter 8 (Disciplinary action).
- (3) The road transport authority must refuse to issue a hire car licence of the kind applied for by the applicant if—
- (a) the applicant is not accredited to operate a hire car service of that kind; or
  - (b) the applicant is disqualified under chapter 8 (Disciplinary action) from holding or applying for a hire car licence of that kind; or
  - (c) for an application for a leased hire car licence—the vehicle to which the application relates must be refused registration under the [Road Transport \(Vehicle Registration\) Regulation 2000](#), section 32C (Deciding applications for registration—certain hire cars).
- (4) The road transport authority must issue a hire car licence to the applicant if—
- (a) the applicant makes an application to the authority under section 166; and
  - (b) the authority does not refuse the application under this section.
- (5) A leased hire car licence must be issued for a minimum period of 1 year and a maximum period of 6 years.
- (6) A restricted hire car licence must be issued for a minimum period of 3 months and a maximum period of 1 year.

- (7) The road transport authority must not renew a restricted hire car licence.

**168 Restricted hire car licences—issue of licence labels**

If the road transport authority issues a restricted hire car licence to a person, the authority must also issue to the licence-holder a label (a *restricted hire car licence label*) for the vehicle to which the licence relates.

*Note* The label must be attached to the vehicle (see s 186).

**Division 5.1.2A Hire car licences—other provisions**

**169 Issue or amendment of hire car licence subject to conditions**

- (1) A hire car licence may be issued (including renewed) subject to a condition imposed by the road transport authority.
- (2) A hire car licence may be amended by the road transport authority to impose a condition to which the licence is to be subject or to amend or revoke a condition to which the licence is already subject.
- (3) A condition mentioned in subsection (1) or (2) may be imposed, amended or revoked by the road transport authority—
- (a) on the authority's own initiative or on the application of the applicant for a licence or the licence-holder; and
  - (b) for a stated period or indefinitely.

**170 Hire car licences—procedure for imposition etc of conditions on authority's initiative**

- (1) This section applies to the holder of a hire car licence if the road transport authority proposes, on its own initiative, to take action under section 169 (2) to amend the hire car licence to impose, amend or revoke a condition (the *proposed action*).



- (2) The road transport authority must give the licence-holder a written notice stating—
  - (a) the proposed action; and
  - (b) if the proposed action is to impose a condition—the proposed condition; and
  - (c) if the proposed action is to amend a condition—the condition as proposed to be amended; and
  - (d) an explanation for the proposed action; and
  - (e) if appropriate, any action that must be taken by the licence-holder to avoid or reverse the proposed action; and
  - (f) the date when the proposed imposition, amendment or revocation of the condition takes effect (the *date of effect*); and
  - (g) that the proposed action takes effect on the date of effect unless the notice is revoked by the authority before that date.
- (3) The notice may, but need not, provide an opportunity for the licence-holder to make representations about why the proposed action should not be taken.
- (4) The date of effect must not be earlier than 14 days after the notice is given to the licence-holder.
- (5) This section does not affect the taking of action under chapter 8 (Disciplinary action).

## **171 Conditions of hire car licences**

A hire car licence is subject to the conditions (if any) stated in the licence or in a document stated by the licence to form part of the licence.

## **172 Form of hire car licences**

- (1) A hire car licence issued to a person must show—
  - (a) for a leased hire car licence—the hire car licence number allocated to the person; and
  - (b) for a restricted hire car licence—the registration number of the vehicle; and
  - (c) the person’s full name and address; and
  - (d) the kind of licence; and
  - (e) the expiry date (if any) of the licence.
- (2) A hire car licence may also include any additional information that the road transport authority considers appropriate.
- (3) If the road transport authority issues a restricted hire car licence to a person, the authority must also issue a duplicate restricted hire car licence to the person.

*Note* The duplicate licence must be carried in the vehicle while it is operating as a hire car (see s 185 and s 204).

## **173 Hire car licence-holders to notify change of name or address**

- (1) If the name or home address of the holder of a hire car licence changes, the licence-holder must, as soon as practicable but no later than 14 days after the change happens, give the road transport authority—
  - (a) written notice of the change; and
  - (b) the licence and any duplicate restricted hire car licence issued to the licence-holder.

Maximum penalty: 20 penalty units.

- (2) If a hire car licence (including a duplicate restricted hire car licence) is returned to the road transport authority, the authority must amend the licence or issue another licence for the remainder of the period of the licence that it replaces.
- (3) An offence against this section is a strict liability offence.

#### **174 Hire car licensee to comply with conditions**

- (1) The holder of a hire car licence must not contravene a condition to which the licence is subject.  
Maximum penalty: 20 penalty units.
- (2) An offence against this section is a strict liability offence.

#### **175 Replacement of hire car licence**

- (1) The road transport authority may issue a replacement hire car licence to the holder of a hire car licence if satisfied that the licence has been lost, stolen or destroyed.
- (2) For subsection (1), the road transport authority may require the licence-holder to give the authority a statement, verified by statutory declaration, that the licence has been lost, stolen or destroyed.

*Note 1* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

*Note 2* The [Statutory Declarations Act 1959](#) (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

## 176 Production of hire car licence

- (1) The holder of a hire car licence must not fail to produce the person's hire car licence for inspection when required to do so by the road transport authority, a police officer or an authorised person.

Maximum penalty: 5 penalty units.

*Note* If the licence is a duplicate restricted hire car licence, see also s 204.

- (2) Subsection (1) does not apply if—
- (a) the licence-holder has a reasonable excuse for failing to produce the hire car licence when required to do so; and
  - (b) within 3 days after being required to produce the licence, the licence-holder produces the licence at the place directed by the road transport authority, police officer or authorised person.
- (3) An offence against this section is a strict liability offence.

## 177 Surrender of hire car licence

- (1) The holder of a hire car licence may apply to the road transport authority to surrender the licence.
- (2) The application may be made personally by the licence-holder or by an agent who produces written evidence of his or her appointment as agent.
- (3) The person must, with the application—
- (a) return the hire car licence to the road transport authority; or
  - (b) if the licence has been lost, stolen or destroyed—give the authority a statement, verified by statutory declaration, that the licence has been lost, stolen or destroyed.

*Note 1* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 2* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

- (4) If the licence is a restricted hire car licence, the licence-holder or agent must also, with the application—
- (a) return to the road transport authority the duplicate restricted hire car licence issued to the licence-holder; and
  - (b) give the road transport authority a statement, signed by the licence-holder or agent, that the restricted hire car licence label for the hire car has been destroyed.
- (5) If the person complies with this section, the road transport authority must approve the application unless the authority is taking action to suspend or cancel the person's licence.

### Division 5.1.3 Stand-by hire cars

#### 177A Definitions for div 5.1.3

In this division:

*stand-by hire car*—see section 177B.

*stand-by hire car permit* means a permit issued under section 177C (1).

*stand-by hire car permit label* means a label issued under section 177E (1).

*usual hire car*—see section 177B.

### **177B Application for stand-by hire car permit**

- (1) The holder of a hire car licence (other than a restricted hire car licence) may apply to the road transport authority for the issue of a permit to operate another vehicle as a hire car (a *stand-by hire car*) instead of the vehicle mentioned in the licence (the *usual hire car*).

*Note 1* If a form is approved under the *Road Transport (General) Act 1999*, s 225 for this provision, the form must be used.

*Note 2* A fee may be determined under *Road Transport (General) Act 1999*, s 96 for this provision.

- (2) The application must be accompanied by a written statement, signed by the registered operator of the other vehicle, authorising the licence-holder to use the other vehicle as a stand-by hire car.

### **177C Issue of stand-by hire car permit**

- (1) The road transport authority may issue a permit to the holder of a hire car licence to operate a stand-by hire car if—
  - (a) the usual hire car is out of operation because it is being repaired or serviced or has become a written-off vehicle; and
  - (b) the stand-by hire car is covered by a public passenger vehicle policy to the extent that the usual hire car is covered when operated as a hire car; and
  - (c) the applicant has given the road transport authority the number plates of the usual hire car.
- (2) A stand-by hire car permit is not transferable.
- (3) A stand-by hire car permit may be issued for a maximum period of 60 days.
- (4) The road transport authority must not renew a stand-by hire car permit.

- (5) In this section:

*written-off* vehicle—see the *Road Transport (General) Act 1999*, section 83B.

#### **177D Form of stand-by hire car permit**

- (1) A stand-by hire car permit issued to the holder of a hire car licence must show—
- (a) the hire car licence number allocated to the licence-holder for the usual hire car; and
  - (b) the registration number of the usual hire car; and
  - (c) the registration number of the vehicle to be operated as the stand-by hire car; and
  - (d) the licence-holder's full name and address; and
  - (e) the expiry date of the permit.
- (2) A stand-by hire car permit may also include any additional information that the road transport authority considers appropriate.

#### **177E Issue, form and display of stand-by hire car permit label**

- (1) If the road transport authority issues a stand-by hire car permit to the holder of a hire car licence, the authority must also issue to the licence-holder a label for the vehicle to which the permit relates.
- (2) A stand-by hire car permit label issued to the holder of a hire car licence must show—
- (a) the registration number of the usual hire car; and
  - (b) the registration number of the vehicle to be operated as the stand-by hire car; and
  - (c) the expiry date of the permit.
- (3) The licence-holder must attach the stand-by hire car permit label—

- (a) to the lower left side (or nearside) of the windscreen of the stand-by hire car; and
  - (b) so the information on the label is readable from the outside of the hire car.
- (4) A person must not operate a stand-by hire car on a road or road related area if—
- (a) the hire car does not have the stand-by hire car permit label issued for it attached to the hire car; or
  - (b) the label is not attached in accordance with subsection (3); or
  - (c) any information on the label cannot, for any reason, be readily read.

Maximum penalty: 20 penalty units.

- (5) The accredited operator of a stand-by hire car operated by someone else in contravention of subsection (4) also commits an offence if the accredited operator failed to take reasonable precautions to prevent the contravention.

Maximum penalty: 20 penalty units.

- (6) An offence against this section is a strict liability offence.

### **177F Conditions of stand-by hire car permit**

- (1) A stand-by hire car permit is subject to the following conditions:
- (a) the stand-by hire car must comply with the conditions of the licence that apply to the usual hire car (unless otherwise authorised in writing by the road transport authority);
  - (b) the stand-by hire car must comply with the other requirements of the Act for hire cars.



- (2) If the accredited operator of the usual hire car complies with subsection (1), the stand-by hire car is taken, for this regulation, to be the usual hire car while it is being operated as a hire car.

### **177G Stand-by hire cars—replacement of permit label**

- (1) The road transport authority may issue a replacement stand-by hire car permit label to the holder of a hire car licence if satisfied that the permit label has been lost, stolen or destroyed.
- (2) For subsection (1), the road transport authority may require the licence-holder to give the authority a statement, verified by statutory declaration, that the permit label has been lost, stolen or destroyed.

*Note 1* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

*Note 2* The [Statutory Declarations Act 1959](#) (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

### **177H Stand-by hire cars—production of permit by hire car driver**

- (1) A hire car driver must, if the hire car is a stand-by hire car, produce the stand-by hire car permit for the hire car for inspection when required to do so by the road transport authority, a police officer or authorised person.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

## Part 5.2 Hire car services

### Division 5.2.1 Preliminary

#### 178 Meaning of *hire car driver*

In this regulation:

*hire car driver* means a person who is driving a hire car while it is operating as a hire car.

### Division 5.2.2 Hire car operators

#### 179 Maintenance of hire cars

- (1) The accredited operator of a hire car must not use the vehicle, or allow someone else to use the vehicle, to operate a hire car service if the vehicle has not been serviced and maintained in accordance with the vehicle manufacturer's maintenance standards (however described) relating to the vehicle.

Maximum penalty: 20 penalty units.

- (2) However, subsection (1) does not apply to the accredited operator if there are no manufacturer's maintenance standards for the vehicle but the vehicle complies with the *Road Transport (Vehicle Registration) Act 1999*.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (3) The accredited operator of a hire car must not use the vehicle, or allow someone else to use the vehicle, to operate a hire car service if—
  - (a) the vehicle does not comply with the applicable vehicle standards for the vehicle; or

- (b) the use of the vehicle by the accredited operator or other person would contravene the *Road Transport (Vehicle Registration) Act 1999*.

Maximum penalty: 20 penalty units.

**Example for par (b)**

The vehicle must be maintained in a condition that enables it to be driven safely (see *Road Transport (Vehicle Registration) Regulation 2000*, s 107 (2)).

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act*, s 126 and s 132).

- (4) An offence against this section is a strict liability offence.

## **180 Condition of hire cars**

- (1) The accredited operator of a hire car must not operate, or allow someone else to operate, the vehicle as a hire car if—
- (a) the vehicle's exterior and interior are not clean and undamaged; and
- (b) the vehicle's fittings are not clean and undamaged, properly fitted and securely in place and, if appropriate, fully operational.

Maximum penalty: 10 penalty units.

**Examples for par (b) of fittings to be fully operational**

- 1 interior lights and window-winding mechanisms
- 2 fire-extinguisher
- 3 if the hire car is fitted with a security camera, the security camera

*Note 1* The accredited operator must also comply with any standards about security cameras in hire cars, see s 219 (5).

*Note 2* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act*, s 126 and s 132).

(2) An offence against this section is a strict liability offence.

(3) In this section:

*exterior*, of a hire car, includes the body, door panels, bumper bars, trim and wheels of the hire car.

*interior*, of a hire car, includes the interior of the boot of the hire car.

## 181 Hire car drivers to hold appropriate driver licence or authority

(1) The accredited operator of a hire car service must ensure that a hire car driver is—

- (a) the holder of a public vehicle licence authorising the person to drive the hire car for hire or reward; or
- (b) exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A (Exemption of drivers of public vehicles driven for hire or reward—Act, s 31 (1) (b)).

Maximum penalty: 20 penalty units.

*Note 1* A person does not hold a public vehicle licence if the public vehicle licence has been suspended or cancelled under the road transport legislation or any other territory law.

*Note 2* The *Road Transport (Driver Licensing) Regulation 2000*, s 94A (4) provides that a person ceases to be exempt from holding a public vehicle licence if—

- (a) an automatic disqualifying circumstance applies to the person (see *Road Transport (Driver Licensing) Regulation 2000*, s 91); or
- (b) the person is disqualified by the road transport authority from driving a vehicle on a road or road related area (in the ACT) under that regulation, s 103.

(2) An offence against this section is a strict liability offence.

**182 Records of hire car drivers etc to be maintained by accredited operator**

- (1) The accredited operator of a hire car must make a written record of the following particulars for each hire car driver for the vehicle:
- (a) the driver's full name and home address;
  - (b) the prescribed driver authority information for the driver, including any change to the information notified to the accredited operator by the road transport authority;
  - (c) the dates and times when the hire car was driven by the driver;
  - (d) the registration number of the hire car driven by the driver.

*Note* **Prescribed driver authority information**—see the dictionary.

Maximum penalty: 10 penalty units.

- (2) An offence against subsection (1) is a strict liability offence.
- (3) A person commits an offence if—
- (a) the person is an accredited operator of a hire car; and
  - (b) the person has a written record under subsection (1) of a person (the **driver**) who drives a hire car; and
  - (c) the driver was the holder of a public vehicle licence authorising the driver to drive a hire car for hire or reward; and
  - (d) the driver's public vehicle licence is either suspended or cancelled; and
  - (e) the person knows, or ought reasonably to know, that the driver's public vehicle licence is suspended or cancelled; and
  - (f) the person fails to make a written record of the following for the driver:
    - (i) the suspension or cancellation of the driver's licence;

- (ii) when the licence was suspended or cancelled;
- (iii) if the licence was suspended—when the suspension ends.

Maximum penalty: 10 penalty units.

- (4) A person commits an offence if—
- (a) the person is an accredited operator of a hire car; and
  - (b) the person has a written record under subsection (1) of a person (the *driver*) who drives a hire car; and
  - (c) the driver was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A; and
  - (d) the driver is no longer exempt from holding a public vehicle licence; and
  - (e) the person knows, or ought reasonably know, that the driver is no longer be exempt under section 94A; and
  - (f) the person fails to make a record for the driver that the driver is no longer exempt under section 94A.

Maximum penalty: 10 penalty units.

**182A Accredited operator to tell road transport authority about records of hire car drivers etc**

- (1) The accredited operator of a hire car must, for each person for whom the accredited operator has a record under section 182 (1), tell the road transport authority about the following:
- (a) the person's full name and home address;

- (b) the prescribed driver authority information for the person, including any change to the information notified to the accredited operator by the road transport authority;

*Note* **Prescribed driver authority information**—see the dictionary.

- (c) any change to the person's name, home address or prescribed driver authority information since the accredited operator last told the road transport authority about the information relating to the person;
- (d) if the person no longer drives a hire car for the accredited operator—that the person no longer drives a hire car for the accredited operator.

- (2) The accredited operator of a hire car must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) An offence against subsection (2) is a strict liability offence.

**182B Road transport authority may tell accredited operator about hire car drivers**

- (1) This section applies if—
- (a) the accredited operator of a hire car has a record for a person under section 182; and
- (b) the accredited operator has told the road transport authority about the person under section 182A (1).

- (2) The road transport authority may tell the accredited operator of a hire car about the following for the person:
- (a) any change in the prescribed driver authority information for the person;  
*Note* **Prescribed driver authority information**—see the dictionary.
  - (b) if the person was the holder of a public vehicle licence authorising the person to drive a hire car for hire or reward but the person's licence has been suspended or cancelled—
    - (i) the suspension or cancellation of the driver's licence; and
    - (ii) when the licence was suspended or cancelled;
  - (c) if the person was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A but is no longer exempt and the road transport authority knows the person is no longer exempt—that the person has ceased to be exempt under section 94A.

### **183 Keeping and inspection etc of records about hire cars**

- (1) This section applies to a person who is or has been the accredited operator of a hire car.
- (2) The person must—
  - (a) keep every record required to be made by the person under the Act for at least 4 years after the day the last entry was made in it; and
  - (b) produce the record for inspection when required by a police officer or authorised person; and



- (c) provide the record, or a copy of the record, to the road transport authority for inspection within a stated reasonable time when required to do so, in writing, by the authority.

Maximum penalty: 10 penalty units.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (3) The road transport authority, police officer or authorised person may take copies of any record produced or provided under subsection (2) (b) or (c).
- (4) This section does not apply to a recording made by a security camera in a hire car.

*Note* For the keeping and destruction of security camera recordings, see s 194 (2).

- (5) An offence against this section is a strict liability offence.

### **185 Restricted hire cars—carriage of duplicate licence**

- (1) The accredited operator of a restricted hire car must ensure that the duplicate restricted hire car licence for the vehicle is kept in the vehicle while it is operating as a hire car.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.

### **186 Restricted hire cars—display of licence labels**

- (1) The accredited operator of a restricted hire car must attach the restricted hire car licence label issued to the person under section 168—

- (a) so the information on the label is readable from the outside of the hire car; and

- (b) if the hire car has a windscreen or fixed window—
    - (i) to the lower left side (or nearside) of the windscreen; or
    - (ii) to a fixed window on the left side (or nearside) of the hire car; and
  - (c) if the hire car does not have a windscreen or fixed window—on or next to the hire car's rear numberplate so the characters on the numberplate are not obscured.
- (2) A person must not operate a restricted hire car on a road or road related area if—
- (a) the hire car does not have the restricted hire car licence label issued for it attached to the hire car; or
  - (b) the label is not attached in accordance with subsection (1); or
  - (c) any information on the label cannot, for any reason, be readily read.

Maximum penalty: 20 penalty units.

- (3) The accredited operator of a restricted hire car operated by someone else in contravention of subsection (2) also commits an offence if the accredited operator failed to take reasonable precautions to prevent the contravention.

Maximum penalty: 20 penalty units.

- (4) An offence against this section is a strict liability offence.

### **187 Restricted hire cars—replacement of licence label**

- (1) The road transport authority may issue a replacement licence label to the holder of a restricted hire car licence if satisfied that the label has been lost, stolen or destroyed.

- (2) For subsection (1), the road transport authority may require the licence-holder to give the authority a statement, verified by statutory declaration, that the licence label has been lost, stolen or destroyed.

*Note 1* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

*Note 2* The [Statutory Declarations Act 1959](#) (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

## **188 Advertisements for hire car services to display accreditation number**

- (1) The accredited operator of a hire car service must ensure that an advertisement for the service identifies the service by its accreditation number.

Maximum penalty: 10 penalty units.

*Note* A person who pretends to be accredited to operate a hire car service, or a hire car service of a particular kind, commits an offence under the [Act](#), s 75.

- (2) Subsection (1) does not apply to an advertisement appearing in a vehicle used to operate the hire car service.

*Note* The dictionary definition of *in* a vehicle includes on the vehicle.

- (3) An offence against this section is a strict liability offence.

### **189 Presence of security camera in hire car to be indicated**

- (1) The accredited operator of a hire car fitted with a security camera must ensure that signs telling people that they may be under video surveillance while in or near the hire car are conspicuously placed inside and outside the hire car.

Maximum penalty: 5 penalty units.

*Note* In collecting personal information, the accredited operator may also have to comply with the Australian Privacy Principles under the [Privacy Act 1988](#) (Cwlth).

- (2) An offence against this section is a strict liability offence.

### **192 Offensive material etc in or on hire cars**

- (1) The accredited operator of a hire car must ensure that an advertisement or other document that a reasonable adult would consider indecent, insulting or offensive is not displayed in the hire car.

Maximum penalty: 10 penalty units.

*Note* The dictionary definition of *in* a vehicle includes on the vehicle.

- (2) The road transport authority, a police officer or an authorised person may direct the accredited operator of a hire car to remove an advertisement or other document that the authority, officer or person believes on reasonable grounds contravenes subsection (1).
- (3) The accredited operator must comply with a direction under subsection (2).

Maximum penalty: 10 penalty units.

- (4) An offence against this section is a strict liability offence.

**194 Hire car operator's responsibilities for security camera recordings**

- (1) This section applies to the accredited operator of a hire car if the hire car is fitted with a security camera.
- (2) If a recording made by the security camera has not been given to a police officer or the road transport authority under subsection (4), the accredited operator must ensure that the recording is—
  - (a) kept by the person for 30 days after the day it is made; and
  - (b) destroyed as soon as practicable after the end of the 30-day period.
- (3) An accredited operator of a hire car must comply with subsection (2).

Maximum penalty: 10 penalty units.

*Note* The accredited operator must also comply with any standards about security cameras in hire cars, see s 219 (5).

- (4) If a police officer or the road transport authority asks an accredited hire car operator to give the police officer or authority a recording made by the security camera, the operator must comply with the request.

Maximum penalty: 10 penalty units.

- (5) An accredited hire car operator must maintain, in good condition and fully operational, equipment that can display a recording made by the security camera.

Maximum penalty: 5 penalty units.

- (6) An offence against this section is a strict liability offence.

*Note* The accredited hire car operator may also have to comply with the Australian Privacy Principles under the [Privacy Act 1988](#) (Cwlth) about the collection, storage, use and disclosure of the recordings.

**195 Hire car operators to comply with service standard for lost property**

- (1) This section applies to the accredited operator of a hire car service who is given lost property found in or near a hire car used to operate the service.
- (2) The accredited operator must deal with the property in accordance with the operator's accepted service standard for the handling and disposal of lost property.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

**196 Effect of noncompliance notices—hire car operators**

- (1) This section applies to the accredited operator of a hire car if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.
- (2) The accredited operator commits an offence if the notice is attached to the vehicle and the accredited operator uses, or allows someone else to use, the vehicle to operate a hire car service after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), section 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), section 120 (4)).

- (3) The accredited operator commits an offence if—
  - (a) the accredited operator uses, or allows someone else to use, the vehicle to operate a hire car service after the time of effect of the notice; and

(b) the accredited operator knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

(4) This section does not apply to the accredited operator if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.

(5) Strict liability applies to subsections (2) and (3) (a).

### **Division 5.2.3 Hire car drivers**

*Note 1* For the licensing of hire car drivers, see the [Road Transport \(Driver Licensing\) Regulation 2000](#).

*Note 2* A hire car driver who is a stand-by hire car driver must produce the stand-by hire car permit for inspection when required to do so (see s 177H).

#### **197 Responsibility of drivers for condition of hire car**

(1) A hire car driver must ensure that the hire car is clean and tidy.

Maximum penalty: 5 penalty units.

(2) An offence against this section is a strict liability offence.

#### **198 Responsibilities of hire car drivers for security cameras**

(1) This section applies to a hire car driver if the vehicle is fitted with a security camera.

(2) The driver must—

(a) at the beginning of each shift of the driver, check whether the security camera is operating; and

- (b) if the camera is not operating—tell the accredited operator of the hire car that the camera is not operating.

Maximum penalty: 5 penalty units.

*Note* The hire car driver must also comply with any standards about security cameras in hire cars, see s 219 (5).

- (3) An offence against this section is a strict liability offence.

### **199 Restrictions on carriage of goods in hire cars**

- (1) A hire car driver must not allow anyone to place or carry a thing in the hire car if, because of its size or dimensions, the thing cannot be carried in the hire car without inconvenience or danger to anyone.

Maximum penalty: 5 penalty units.

- (2) Subsection (1) does not apply if the person has a disability and the thing is used by the person to alleviate the effect of the disability.
- (3) An offence against this section is a strict liability offence.

### **200 Carriage of animals in hire cars**

- (1) A hire car driver must not allow a person to place or carry a dog, cat, bird or any other animal in the hire car if the animal is not suitably confined in a box, basket or other container.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply if—
- (a) the person has a disability and is accompanied by an animal trained to help the person to alleviate the effect of the disability; or



- (b) the person is training an animal to help to alleviate the effect of a disability.

*Note* If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 9).

## **201 Responsibility of hire car drivers for lost property**

- (1) This section applies to a hire car driver if the driver finds lost property in the hire car or is given lost property under section 217 (Lost property found by hire car passengers).
- (2) The driver must give the property to—
- (a) its owner; or
  - (b) if the owner cannot be identified—the accredited operator of the hire car within 24 hours after finding or being given the property.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

## **202 Behaviour of hire car drivers generally**

- (1) A hire car driver must not—
- (a) move the hire car while a door is open; or
  - (b) start or stop the hire car in a way that subjects a passenger or anyone else to unnecessary risk of injury; or
  - (c) eat or drink in the hire car while the hire car is hired.

Maximum penalty: 10 penalty units.

*Note 1* Soliciting for passengers is prohibited under s 206.

*Note 2* A hire car driver may not smoke in the hire car (see [Smoke-Free Public Places Act 2003](#)).

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) (c) does not apply if the driver is eating or drinking for medical reasons.

### **203 Dress and conduct of hire car drivers**

- (1) A hire car driver must—
  - (a) be clean and tidy; and
  - (b) behave in an orderly way and with politeness and propriety towards every passenger, police officer and authorised person and other road users; and
  - (c) comply with every reasonable request of a passenger

Maximum penalty: 5 penalty units.

**Example of reasonable request by passenger for par (c)**

operating the hire car's airconditioning system (if any) when asked by the passenger

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An offence against this section is a strict liability offence.

### **204 Restricted hire cars—production of duplicate licence by hire car driver**

- (1) A hire car driver must, if the hire car is a restricted hire car, produce the duplicate licence for the hire car for inspection when required to do so by the road transport authority, a police officer or authorised person.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

## **205 Effect of noncompliance notices—hire car drivers**

- (1) This section applies to the driver of a hire car if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.
- (2) The driver commits an offence if the notice is attached to the vehicle and the driver uses, or allows someone else to use, the vehicle to operate a hire car service after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), section 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), section 120 (4)).

- (3) The driver commits an offence if—
  - (a) the driver uses, or allows someone else to use, the vehicle to operate a hire car service after the time of effect of the notice; and
  - (b) the driver knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

- (4) This section does not apply to the driver if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.
- (5) Strict liability applies to subsections (2) and (3) (a).

## Division 5.2.4 Hire car hirings

### 206 Soliciting for hire car hirings prohibited

- (1) A person must not solicit for passengers for, or for a hiring of, a hire car.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

### 207 Where hire car drivers must stop

- (1) The driver of a hire car—
- (a) must refuse to stop the hire car at any place where stopping the hire car would be unlawful; and
  - (b) may refuse to stop the hire car at any place where stopping the hire car would be, in the driver's opinion, unsafe.
- (2) However, the hire car driver may stop the hire car at a place (the *preferred place*) where stopping the hire car would otherwise be unlawful if—
- (a) the driver is dropping off or picking up a person with a significant disability that affects the person's mobility; and
  - (b) there is no other place near the preferred place where the driver can lawfully and safely drop off or pick up the person; and
  - (c) stopping the hire car in the preferred place is, in the driver's opinion, safe.

#### Examples of people with significant disabilities affecting mobility

- 1 a wheelchair-dependent person
- 2 a person who ordinarily uses a walking stick, crutches or a walking frame to move around outdoors

3 a person who is blind

*Note* An example is part of this regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) If the hire car driver stops on a road or road related area to drop off or pick up a passenger, the driver must stop parallel to, and as close as practicable to, the side of the road or area.

Maximum penalty: 5 penalty units.

- (4) An offence against subsection (1) is a strict liability offence.

## **208 Extra hire car passengers**

- (1) A hire car driver must not allow anyone else other than the hirer to travel in the hire car without the hirer's agreement.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

## **209 Hire car fares**

- (1) The hirer of a hire car must, at the end of the hiring, pay the hire car driver the fare for the hiring.

Maximum penalty: 5 penalty units.

- (2) The fare cannot be more than the amount the hirer was told before the hiring.

- (3) However, if a person has entered into an arrangement with the accredited operator of a hire car in relation to the ongoing hire of 1 or more hire cars, the person must pay the fare or fares in accordance with the arrangement.
- (4) A person commits an offence if the person fails to comply with subsection (3).

Maximum penalty: 5 penalty units.

- (5) An offence against this section is a strict liability offence.
- (6) In this section:

*fare* means the amount agreed between the hire car's accredited operator or driver and the hirer for the hiring of the hire car, and includes any amount payable to carry goods.

## Division 5.2.5 Conduct of hire car passengers

### 210 Offensive behaviour or language in hire cars

- (1) A person commits an offence if the person—
- (a) behaves in an offensive way in a hire car; or
  - (b) uses offensive language in a hire car.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

### 212 Restrictions on carriage of animals in hire cars

- (1) A person must not place or carry in a hire car a dog, cat, bird or any other animal if it is not suitably confined in a box, basket or other container.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

- (3) Subsection (1) does not apply if—
- (a) the person has a disability and is accompanied by an animal trained to help the person to alleviate the effect of the disability; or
  - (b) the person is training an animal to help to alleviate the effect of a disability.

*Note* If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 9).

## **213 Hire car passengers—soiled clothing etc**

- (1) A hire car driver, police officer or authorised person may direct a person not to get into, or to get out of, a hire car if the driver, police officer or authorised person believes on reasonable grounds that—
- (a) the person, the person's clothing or goods (or anything else on or carried by the person) may soil or damage the hire car or the clothing or goods of someone else; or
  - (b) any of the person's goods cannot, because of their size or dimensions, be carried in the hire car without inconvenience or danger to someone else.
- (2) A person commits an offence if the person fails to comply with a direction under subsection (1).
- Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.
- (4) Subsections (1) and (2) do not apply if the person has a disability and the thing is used by the person to alleviate the effect of the disability.

## **214 Intoxicated hire car passengers**

- (1) A hire car driver, police officer or authorised person may direct a person not to get into, or to get out of, a hire car if the driver, police officer or authorised person believes on reasonable grounds that the person—
  - (a) is under the influence of alcohol or a drug; and
  - (b) is causing, or is likely to cause, a nuisance or annoyance to someone else.
- (2) A person must comply with a direction given to the person under subsection (1).

Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.

## **215 Offender to get out of hire car when directed**

- (1) A hire car driver, police officer or authorised person may direct a person to get out of a hire car if the driver, police officer or authorised person believes on reasonable grounds that the person is committing an offence under this division.
- (2) A person must comply with a direction given to the person under subsection (1).

Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.

## **216 Removal of people from hire cars**

A person who fails to comply with a direction under this division to get out of a hire car may be removed from the hire car by a police officer.



**217 Lost property found by hire car passengers**

- (1) A person who finds something in a hire car must return it to its owner or give it to the hire car driver, the accredited operator of the hire car, a police officer or an authorised person.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

**Division 5.2.6 Other matters relating to hire car services**

**219 Standards about security cameras in hire car**

- (1) The road transport authority may approve standards in relation to security cameras in hire cars.
- (2) A standard may make provision in relation to security cameras in hire cars, including, for example—
- (a) when security cameras may be installed; and
  - (b) the kinds of security cameras that may be installed; and
  - (c) the position of security cameras; and
  - (d) the operation of security cameras; and
  - (e) requirements about notices to be included in a hire car that has a security camera installed.

*Note 1* The [Privacy Act 1988](#) (Cwlth) imposes obligations on some private sector organisations in relation to the collection, storage, use and disclosure of personal information collected about an individual.

*Note 2* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) An approval under subsection (1) is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (4) A standard may apply, adopt or incorporate (with or without change) an instrument as in force from time to time.

*Note 1* The text of an applied, adopted or incorporated law or instrument, whether applied as in force from time to time or at a particular time, is taken to be a notifiable instrument if the operation of the [Legislation Act](#), s 47 (5) or (6) is not disapplied (see s 47 (7)).

*Note 2* A notifiable instrument must be notified under the [Legislation Act](#).

*Note 3* A reference to an instrument includes a reference to a provision of an instrument (see [Legislation Act](#), s 14 (2)).

- (5) A person must not contravene a standard approved under subsection (1).

Maximum penalty: 20 penalty units.

- (6) An offence against this section is a strict liability offence.

## **220 Interference with hire car security cameras and recordings**

- (1) A person must not, without lawful authority or excuse, interfere with a security camera in a hire car.

Maximum penalty: 20 penalty units.

- (2) A person must not change or otherwise interfere with a recording made by a security camera in a hire car.

Maximum penalty: 20 penalty units.

*Note* For the destruction of recordings, see s 194.

- (3) An offence against this section is a strict liability offence.

**221 Authorisation for vehicles for other purposes—  
Act, s 128 (1) (b)**

- (1) In this section:

*authorised vehicle* means a vehicle authorised in writing by the road transport authority for this section.

- (2) The road transport authority may declare that the accredited operator of a hire car may use an authorised vehicle as a hire car to transport passengers along a road or road related area to and from the place or event stated in the declaration.
- (3) The declaration must state the period during which the authorised vehicle may be used under the declaration.
- (4) The declaration may include any other information the road transport authority considers appropriate.
- (5) The [Act](#), section 64 (Use of vehicles as hire cars) and division 7.3 (Entitlement to operate hire car services) do not apply to the accredited operator for an authorised vehicle if the accredited operator uses the authorised vehicle in accordance with the declaration (including the conditions (if any) stated in the declaration).
- (6) A declaration under subsection (2) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## Chapter 6 Demand responsive services

### Part 6.1 Demand responsive service authorisations

#### 230 Application procedure for issue of authorisations

- (1) A person (the *applicant*) may apply to the Minister for the issue (including renewal) of an authorisation to operate a DRS.

*Note* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

- (2) The applicant must give the Minister a completed application form for the authorisation.
- (3) The Minister may require the applicant to give the Minister further stated information or a stated document that the Minister reasonably needs to decide the application.
- (4) The Minister may refuse to consider the application further if the requirement is made in writing and the applicant does not comply with the requirement.

#### 231 Issue of authorisations

- (1) The Minister may refuse to issue (including renew) a DRS authorisation to an applicant if the Minister believes on reasonable grounds that the applicant—
  - (a) has contravened a condition of another DRS authorisation held (or previously held) by the person or, for a DRS authorisation renewal, a condition of the authorisation being renewed; or

- (b) has not complied with a requirement of the Act relating to the application.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (2) The Minister must refuse to issue a DRS authorisation if—
- (a) the applicant is not accredited to operate a DRS; or
  - (b) the applicant is disqualified under chapter 8 (Disciplinary action) from holding or applying for a DRS authorisation; or
  - (c) by issuing the authorisation, the proposed DRS would contravene the approved guidelines under the [Act](#), section 83 (Demand responsive services—guidelines for giving authorisations); or
- Note* **Contravene** includes fail to comply with (see [Legislation Act](#), dict, pt 1).
- (d) a double-decker bus or a motorbike is to be used to operate the proposed DRS.
- (3) The Minister must issue a DRS authorisation to the applicant if the Minister does not refuse the application.
- (4) A DRS authorisation must be issued for a minimum period of 1 year and a maximum period of 6 years.

## **232 Issue or amendment of authorisations subject to conditions**

- (1) A DRS authorisation may be issued (including renewed) subject to a condition imposed by the Minister.
- (2) A DRS authorisation may be amended by the Minister to impose a condition to which the authorisation is to be subject or to amend or revoke a condition to which the authorisation is already subject.

- (3) A condition mentioned in subsection (1) or (2) may be imposed, amended or revoked by the Minister—
- (a) on the Minister's own initiative or on the application of the applicant for a DRS authorisation or the holder of a DRS authorisation; and
  - (b) for a stated period or indefinitely.

**233 Demand responsive service authorisations—procedure for imposition etc of conditions on Minister's initiative**

- (1) This section applies to the holder of a DRS authorisation if the Minister proposes, on the Minister's own initiative, to take action under section 232 (2) to amend the authorisation to impose, amend or revoke a condition (the *proposed action*).
- (2) The Minister must give the authorisation-holder a written notice stating—
- (a) the proposed action; and
  - (b) if the proposed action is to impose a condition—the proposed condition; and
  - (c) if the proposed action is to amend a condition—the condition as proposed to be amended; and
  - (d) an explanation for the proposed action; and
  - (e) if appropriate, any action that must be taken by the authorisation-holder to avoid or reverse the proposed action; and
  - (f) the date when the proposed imposition, amendment or revocation of the condition takes effect (the *date of effect*); and
  - (g) that the proposed action takes effect on the date of effect unless the notice is revoked by the Minister before that date.

- (3) The notice may, but need not, provide an opportunity for the authorisation-holder to make representations about why the proposed action should not be taken.
- (4) The date of effect must not be earlier than 14 days after the notice is given to the authorisation-holder.
- (5) This section does not affect the taking of action under chapter 8 (Disciplinary action).

### **234 Conditions of authorisations**

A DRS authorisation is subject to the conditions (if any) stated in the authorisation or in a document stated by the authorisation to form part of the authorisation.

### **235 Form of authorisations**

- (1) A DRS authorisation issued to a person must—
  - (a) state the authorisation number allocated to the person; and
  - (b) state the person's full name and address; and
  - (c) describe the kind of public passenger service that may be operated under the authorisation (including, for example, the matters mentioned in the [Act](#), section 83 (2) (a)); and
  - (d) state the kinds of vehicles that may be used to operate the DRS under the authorisation; and
  - (e) state the expiry date of the authorisation.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An authorisation may also include any additional information that the Minister considers appropriate.

## 236 Authorisation labels—issue and display

- (1) If the Minister issues a DRS authorisation to a person, the Minister may also issue to the authorisation-holder a label (a ***DRS authorisation label***) for a DRS vehicle for which the authorisation relates.
- (2) A DRS authorisation label issued to the authorisation-holder must show—
  - (a) the authorisation number allocated to the authorisation-holder; and
  - (b) the registration number of the vehicle to be used to operate the DRS; and
  - (c) the hours of operation of the DRS; and
  - (d) the expiry date of the authorisation.
- (3) The authorised-holder must ensure that the DRS authorisation label is displayed—
  - (a) on the lower left side (or nearside) of the windscreen of the DRS vehicle; and
  - (b) so the information on the label is readable from the outside of the vehicle.
- (4) A person must not operate a DRS vehicle on a road or road related area if—
  - (a) the vehicle does not have the DRS authorisation label issued for it attached to the vehicle; or
  - (b) the label is not attached in accordance with subsection (3); or
  - (c) any information on the label cannot, for any reason, be readily read.

Maximum penalty: 20 penalty units.



- (5) The authorised operator of a DRS vehicle operated by someone else in contravention of subsection (4) also commits an offence if the authorised operator failed to take reasonable precautions to prevent the contravention.

Maximum penalty: 20 penalty units.

- (6) An offence against this section is a strict liability offence.

### **237 Authorisation labels—replacement**

- (1) The Minister may issue a replacement DRS authorisation label to a DRS authorisation-holder if satisfied that the authorisation label has been lost, stolen or destroyed.
- (2) For subsection (1), the Minister may require the authorisation-holder to give the Minister a statement, verified by statutory declaration, that the authorisation label has been lost, stolen or destroyed.

*Note 1* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

*Note 2* The [Statutory Declarations Act 1959](#) (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

### **238 Authorisation-holders to notify change of name or address**

- (1) If the name or home address of a DRS authorisation-holder changes, the authorisation-holder must, as soon as practicable but no later than 14 days after the day the change happens, give the Minister—
- (a) written notice of the change; and
  - (b) the authorisation issued to the authorisation-holder.

Maximum penalty: 20 penalty units.

- (2) If a DRS authorisation is returned to the Minister, the Minister must amend the authorisation or issue another authorisation for the remainder of the period of the authorisation that it replaces.
- (3) An offence against this section is a strict liability offence.

### **239 Authorisation-holder to comply with conditions**

- (1) A DRS authorisation-holder must not contravene a condition to which the authorisation is subject.  
Maximum penalty: 20 penalty units.
- (2) An offence against this section is a strict liability offence.

### **240 Replacement of authorisation**

- (1) The Minister may issue a replacement DRS authorisation to a DRS authorisation-holder if satisfied that the authorisation has been lost, stolen or destroyed.
- (2) For subsection (1), the Minister may require the authorisation-holder to give the Minister a statement, verified by statutory declaration, that the authorisation has been lost, stolen or destroyed.

*Note 1* A fee for the application may be determined under the [Road Transport \(General\) Act 1999](#), s 96.

*Note 2* The [Statutory Declarations Act 1959](#) (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 3* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

### **241 Production of authorisation**

- (1) A DRS authorisation-holder must not fail to produce the person's authorisation for inspection when required to do so by the road transport authority, a police officer or an authorised person.  
Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply if—
  - (a) the authorisation-holder has a reasonable excuse for failing to produce the authorisation when required to do so; and
  - (b) as soon as practicable, but no later than 3 days after the day of being required to produce the authorisation, the authorisation-holder produces the authorisation at the place directed by the road transport authority, police officer or authorised person.

#### **242 Surrender of authorisation**

- (1) A DRS authorisation-holder may apply to the Minister to surrender the authorisation.
- (2) The application may be made personally by the authorisation-holder or by an agent who produces written evidence of his or her appointment as agent.
- (3) The person must, with the application—
  - (a) return the authorisation to the Minister; or
  - (b) if the authorisation has been lost, stolen or destroyed—give the Minister a statement, verified by statutory declaration, that the authorisation has been lost, stolen or destroyed.

*Note 1* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 2* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

- (4) If the person complies with this section, the Minister must approve the application unless the Minister is taking action to suspend or cancel the authorisation.

**243 Demand responsive service authorisations not transferable**

A DRS authorisation is not transferable.

**Part 6.2 Demand responsive services**

**Division 6.2.1 Preliminary**

**244 Meaning of *authorised operator* and *DRS vehicle driver*—  
pt 6.2**

In this part:

*authorised operator* means an authorised DRS operator.

*DRS vehicle driver* means a person who is driving a DRS vehicle while it is operating as a DRS vehicle.

**Division 6.2.2 Demand responsive service vehicle operators**

**245 Maintenance of demand responsive service vehicles**

- (1) The authorised operator of a DRS vehicle must not use the vehicle, or allow someone else to use the vehicle, to operate a DRS if the vehicle has not been serviced and maintained in accordance with the vehicle manufacturer's maintenance standards (however described) relating to the vehicle.

Maximum penalty: 20 penalty units.

- (2) The authorised operator of a DRS vehicle must not use the vehicle, or allow someone else to use the vehicle, to operate a DRS if—
  - (a) the vehicle does not comply with the applicable vehicle standards for the vehicle; or

- (b) the use of the vehicle by the authorised operator or other person would contravene the *Road Transport (Vehicle Registration) Act 1999*.

Maximum penalty: 20 penalty units.

**Example for par (b)**

The vehicle must be maintained in a condition that enables it to be driven safely (see *Road Transport (Vehicle Registration) Regulation 2000*, s 107 (2)).

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see *Legislation Act*, s 126 and s 132).

- (3) An offence against this section is a strict liability offence.

**246 Fleet and maintenance records for demand responsive service vehicles to be made**

- (1) The authorised operator of a DRS must make a written record of the following particulars for each DRS vehicle used to operate the service:
- (a) the make, model and year of manufacture of the vehicle;
  - (b) the registration number of the vehicle;
  - (c) the insurance policies, and the expiry date of the policies, that apply in relation to the operation of the vehicle;
  - (d) if the vehicle is a bus—the maximum number of seated and standing passengers that may be carried on the bus in accordance with section 269 (Maximum number of passengers in demand responsive service vehicles);
  - (e) the date the vehicle was first used by the operator to operate the DRS and (if applicable) the date the vehicle ceased to be used by the operator to operate the DRS;
  - (f) the inspections of the vehicle for compliance with section 245 (Maintenance of demand responsive service vehicles);

- (g) any defects that affect the roadworthiness or safe operation of the vehicle;
  - (h) the cleaning, servicing, maintenance and repair of the vehicle and any other work done to the vehicle;
  - (i) accidents or other incidents in which—
    - (i) the death of, or bodily injury to, a person is caused by, or arises out of the use of, the vehicle; or
    - (ii) damage to property is caused by, or arises out of the use of, the vehicle.
- (2) The authorised operator of a DRS must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) An offence against this section is a strict liability offence.

**247 Notification of changes to demand responsive service vehicle fleet**

- (1) This section applies to an authorised operator of a DRS who acquires (including under a lease) a vehicle to operate the DRS.
- (2) The authorised operator must, as soon as practicable (but no later than 7 days after the day the vehicle is acquired), give the road transport authority written notice of the matters mentioned in section 246 (1) (a) to (d).

Maximum penalty: 20 penalty units.

- (3) An offence against this section is a strict liability offence.

**248 Notifiable incidents involving demand responsive service vehicles**

- (1) The authorised operator of a DRS must, as soon as practicable (but within 24 hours) after a notifiable accident, give the road transport authority written notice of the time and date when, and the place where, the accident happened.

Maximum penalty: 20 penalty units.

- (2) The authorised operator of a DRS must, as soon as practicable (but no later than 5 days after the day of a notifiable accident), give the road transport authority written notice of the following information:
- (a) the make, model and registration number of the DRS vehicle involved in the accident;
  - (b) the full name and home address of the driver of the DRS vehicle involved in the accident;
  - (c) the circumstances of the accident;
  - (d) the name and address of anyone killed or injured in the accident;
  - (e) for an injured person—the kind of injuries received by the person.

Maximum penalty: 20 penalty units.

- (3) An offence against subsection (1) or (2) is a strict liability offence.
- (4) The authorised operator of a DRS must give the road transport authority written notice of any incident (other than a notifiable accident) that—
- (a) relates to a DRS vehicle; and
  - (b) significantly affects the operation of the DRS.

Maximum penalty: 20 penalty units.

- (5) In this section:

***notifiable accident*** means an accident or other incident in which the death of, or bodily injury to, a person is caused by, or arises out of the use of, a DRS vehicle.

## 249 Condition of demand responsive service vehicles

- (1) The authorised operator of a DRS vehicle must not operate, or allow someone else to operate, the vehicle as a DRS vehicle if—
- (a) the vehicle's exterior and interior are not clean and undamaged; and
  - (b) the vehicle's fittings are not clean and undamaged, properly fitted and securely in place and, if appropriate, fully operational.

Maximum penalty: 10 penalty units.

### Examples for par (b) of fittings to be fully operational

- 1 interior lights and window-winding mechanisms
- 2 fire-extinguisher
- 3 if the DRS vehicle is fitted with a security camera, the security camera

*Note 1* The authorised operator must also comply with any standards about security cameras in DRS vehicles, see s 303 (5).

*Note 2* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An offence against this section is a strict liability offence.

- (3) In this section:

***exterior***, of a DRS vehicle, includes the body, door panels, bumper bars, trim and wheels of the vehicle.

***interior***, of a DRS vehicle, includes the interior of the boot (if any) of the vehicle.



**250 Demand responsive service vehicle drivers to hold appropriate driver licence or authority**

- (1) The authorised operator of a DRS must ensure that a person who drives a DRS vehicle to operate the service is—
- (a) the holder of a public vehicle licence authorising the person to drive the vehicle for hire or reward; or
  - (b) exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A (Exemption of drivers of public vehicles driven for hire or reward—Act, s 31 (1) (b)).

Maximum penalty: 20 penalty units.

*Note 1* A person does not hold a public vehicle licence if the public vehicle licence is suspended or has been cancelled under the road transport legislation or any other territory law.

*Note 2* The *Road Transport (Driver Licensing) Regulation 2000*, s 94A (4) provides that a person ceases to be exempt from holding a public vehicle licence if—

- (a) an automatic disqualifying circumstance applies to the person (see *Road Transport (Driver Licensing) Regulation 2000*, s 91); or
  - (b) the person is disqualified by the road transport authority from driving a vehicle on a road or road related area (in the ACT) under that regulation, s 103.
- (2) An offence against this section is a strict liability offence.

**251 Records of demand responsive service vehicle drivers etc to be maintained by authorised operator**

- (1) The authorised operator of a DRS must make a written record of the following particulars for each person who drives a DRS vehicle to operate the service:
- (a) the person's full name and home address;

- (b) the prescribed driver authority information for the person, including any change to the information notified to the authorised operator by the road transport authority;

*Note* **Prescribed driver authority information**—see the dictionary.

- (c) the dates and times when the DRS vehicle was driven by the person.

- (2) The authorised operator of a DRS must not fail to comply with subsection (1).

Maximum penalty: 10 penalty units.

- (3) An offence against subsection (2) is a strict liability offence.

- (4) A person commits an offence if—

- (a) the person is an authorised operator of a DRS; and
- (b) the person has a written record under subsection (1) of a person (the **driver**) who drives a DRS vehicle to operate the service; and
- (c) the driver was the holder of a public vehicle licence authorising the driver to drive a DRS vehicle for hire or reward; and
- (d) the driver's public vehicle licence is suspended or cancelled; and
- (e) the person knows, or ought reasonably to know, that the driver's public vehicle licence is suspended or cancelled; and
- (f) the person fails to make a written record of the following for the driver—
- (i) the suspension or cancellation of the driver's licence; and
- (ii) when the licence was suspended or cancelled; and
- (iii) if the licence was suspended—when the suspension ends.

Maximum penalty: 10 penalty units.

- (5) A person commits an offence if—
- (a) the person is an authorised operator of a DRS; and
  - (b) the person has a written record under subsection (1) of a person (the *driver*) who drives a DRS vehicle to operate the service; and
  - (c) the driver was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A; and
  - (d) the driver is no longer exempt from holding a public vehicle licence; and
  - (e) the person knows, or ought reasonably to know, that the driver is no longer exempt under section 94A; and
  - (f) the person fails to record for the driver that the driver is no longer exempt under section 94A.

Maximum penalty: 10 penalty units.

**252 Authorised operator to tell road transport authority about records of demand responsive service vehicle drivers etc**

- (1) The authorised operator of a DRS must, for each person for whom the authorised operator has a record under section 251 (1), tell the road transport authority about the following:
- (a) the person's full name and home address;
  - (b) the prescribed driver authority information for the person, including any change to the information notified to the authorised operator by the road transport authority;

*Note* **Prescribed driver authority information**—see the dictionary.

- (c) any change to the person's name, home address or prescribed driver authority information since the authorised operator last told the road transport authority about the information relating to the person;
  - (d) if the person no longer drives a DRS vehicle for the authorised operator—that the person no longer drives a DRS vehicle for the authorised operator.
- (2) The authorised operator of a DRS must not fail to comply with subsection (1).
- Maximum penalty: 10 penalty units.
- (3) An offence against subsection (2) is a strict liability offence.

**253 Road transport authority may tell authorised operator about demand responsive service drivers**

- (1) This section applies if—
- (a) the authorised operator of a DRS has a record for a person under section 251 (1); and
  - (b) the authorised operator has told the road transport authority about the person under section 252 (1).
- (2) The road transport authority may tell the authorised operator about the following for the person:
- (a) any change in the prescribed driver authority information for the person;
- Note Prescribed driver authority information—see the dictionary.*
- (b) if the person was the holder of a public vehicle licence authorising the person to drive a DRS vehicle for hire or reward but the person's licence has been suspended or cancelled—
    - (i) the suspension or cancellation of the driver's licence; and

- (ii) when the licence was suspended or cancelled;
- (c) if the person was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A but is no longer exempt and the road transport authority knows the person is no longer exempt—that the person has ceased to be exempt under section 94A.

## **254 Keeping and inspection etc of records about demand responsive service vehicles**

- (1) This section applies to a person who is or has been the authorised operator of a DRS vehicle.
- (2) The person must—
  - (a) keep every record required to be made by the person under the Act for at least 4 years after the day the last entry was made in it; and
  - (b) produce the record for inspection when required by a police officer or authorised person; and
  - (c) provide the record, or a copy of the record, to the road transport authority for inspection within a stated reasonable time when required to do so, in writing, by the authority.

Maximum penalty: 10 penalty units.

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (3) An offence against this section is a strict liability offence.
- (4) The road transport authority, police officer or authorised person may take copies of any record produced or provided under subsection (2) (b) or (c).

- (5) This section does not apply to a recording made by a security camera in a DRS vehicle.

*Note* For the keeping and destruction of security camera recordings, see s 264 (2).

### **255 Display of notice about maximum number of passengers**

- (1) This section applies if a DRS vehicle is a bus.
- (2) The authorised operator of the DRS must display in a conspicuous position at the rear of the bus a statement, in legible text at least 25mm high, of the maximum number of seated, and the maximum number of standing, passengers the bus is permitted to carry under section 269 (5) (Maximum number of passengers in demand responsive service vehicles).

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

### **256 Accreditation details to be displayed on demand responsive service vehicles**

- (1) The authorised operator of a DRS vehicle must display on the vehicle in a position approved by the road transport authority a statement, in legible text at least 50mm high, of the name in which the operator's accreditation to operate a DRS is held and the accreditation number allocated to the operator by the authority.

Maximum penalty: 5 penalty units.

- (2) An approval under subsection (1) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

- (3) An offence against this section is a strict liability offence.

**257 Advertisements for demand responsive services to display accreditation number**

- (1) The authorised operator of a DRS must ensure that an advertisement for the service identifies the service by the accreditation number allocated to the operator for the DRS by the road transport authority.

Maximum penalty: 10 penalty units.

*Note 1* A person who falsely represents that the person is entitled to operate a DRS, commits an offence against the [Act](#), s 92.

*Note 2* For the entitlement of a person to operate a DRS, see the [Act](#), s 90.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply to an advertisement appearing in a DRS vehicle.

*Note* The dictionary definition of *in* a vehicle includes on the vehicle.

**258 Information about fares to be displayed in demand responsive service vehicle**

- (1) The authorised operator of a DRS vehicle must ensure that information about fares is displayed in accordance with subsection (2).

Maximum penalty: 5 penalty units.

- (2) The information must be displayed inside the vehicle in a form approved by the road transport authority in a position where it can readily be read by a passenger.
- (3) An offence against this section is a strict liability offence.
- (4) An approval under subsection (2) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

**259 Presence of security camera in demand responsive service vehicle to be indicated**

- (1) The authorised operator of a DRS vehicle fitted with a security camera must ensure that signs telling people that they may be under video surveillance while in or near the vehicle are conspicuously placed inside and outside the vehicle.

Maximum penalty: 5 penalty units.

*Note 1* The authorised operator must also comply with any standards about security cameras in DRS vehicles, see s 303 (5).

*Note 2* In collecting personal information, the authorised operator may also have to comply with the Australian Privacy Principles under the [Privacy Act 1988](#) (Cwlth).

- (2) An offence against this section is a strict liability offence.

**260 Airconditioning of demand responsive service vehicles**

- (1) This section applies if a DRS vehicle is fitted with airconditioning.
- (2) The authorised operator of the vehicle must ensure that the airconditioning is in good condition and fully operational.

Maximum penalty: 10 penalty units.

- (3) An offence against this section is a strict liability offence.

**261 Demand responsive service vehicle livery**

- (1) The authorised operator of a DRS vehicle must ensure that the vehicle is fitted with signs and livery (including colours) that comply with the requirements and design approved by the road transport authority for the DRS.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.



- (3) An approval under subsection (1) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## **262 Offensive material etc in or on demand responsive service vehicles**

- (1) The authorised operator of a DRS vehicle must ensure that an advertisement or other document that a reasonable adult would consider indecent, insulting or offensive is not displayed in the vehicle.

Maximum penalty: 10 penalty units.

*Note* The dictionary definition of *in* a vehicle includes on the vehicle.

- (2) The road transport authority, a police officer or an authorised person may direct the authorised operator of a DRS vehicle to remove an advertisement or other document that the authority, officer or person believes on reasonable grounds contravenes subsection (1).
- (3) The authorised operator must comply with a direction under subsection (2).

Maximum penalty: 10 penalty units.

- (4) An offence against this section is a strict liability offence.

## **263 Compliance with dress code of practice**

- (1) The authorised operator of a DRS vehicle commits an offence if—
- (a) a code of practice approved under section 302 (Code of practice—dress of demand responsive service vehicle drivers) is in force; and
  - (b) the authorised operator allows a DRS vehicle driver to drive the vehicle; and
  - (c) the driver does not comply with the code of practice.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.

**264 Authorised operator's responsibilities for security camera recordings**

- (1) This section applies to the authorised operator of a DRS vehicle if the vehicle is fitted with a security camera.
- (2) If a recording made by the security camera has not been given to a police officer or the road transport authority under subsection (4), the authorised operator must ensure that the recording is—
- (a) kept by the authorised operator for 30 days after the day it is made; and
  - (b) destroyed as soon as practicable after the end of the 30-day period.
- (3) An authorised operator of a DRS vehicle must comply with subsection (2).

Maximum penalty: 10 penalty units.

*Note* The authorised operator must also comply with any standards about security cameras in DRS vehicles, see s 303 (5).

- (4) If a police officer or the road transport authority asks an authorised operator to give the police officer or authority a recording made by the security camera, the operator must comply with the request.

Maximum penalty: 10 penalty units.

- (5) An authorised operator must maintain, in good condition and fully operational, equipment that can display a recording made by the security camera.

Maximum penalty: 5 penalty units.

*Note* The authorised operator may also have to comply with the Australian Privacy Principles under the *Privacy Act 1988* (Cwlth) about the collection, storage, use and disclosure of the recordings.

- (6) An offence against this section is a strict liability offence.

**265 Authorised operators to comply with service standard for lost property**

- (1) This section applies to the authorised operator of a DRS vehicle who is given lost property found in or near a DRS vehicle.
- (2) The authorised operator must deal with the property in accordance with the operator's accepted service standard for the handling and disposal of lost property.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

**266 Effect of noncompliance notices—authorised operators**

- (1) This section applies to the authorised operator of a DRS vehicle if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.
- (2) The authorised operator commits an offence if the notice is attached to the vehicle and the authorised operator uses, or allows someone else to use, the vehicle to operate a DRS after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), s 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), s 120 (4)).

- (3) The authorised operator commits an offence if—
- (a) the authorised operator uses, or allows someone else to use, the vehicle to operate a DRS after the time of effect of the notice; and

- (b) the authorised operator knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

- (4) Strict liability applies to subsections (2) and (3) (a).
- (5) This section does not apply to the authorised operator if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.

### **Division 6.2.3 Demand responsive service vehicle drivers**

*Note* For the licensing of DRS vehicle drivers, see the [Road Transport \(Driver Licensing\) Regulation 2000](#).

#### **267 Requirements about demand responsive service vehicle drivers stopping for passengers**

- (1) A DRS vehicle driver must stop the vehicle and drop off a passenger at a place if the passenger indicates to the driver that the passenger wishes to get off the vehicle at the place.

Maximum penalty: 5 penalty units.

- (2) A DRS vehicle driver must stop the vehicle and pick up a person at a place if the person indicates to the driver that the person wishes to get on the vehicle at the place.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) Subsections (1) and (2) do not apply if stopping the vehicle to drop off or pick up a passenger would—
- (a) be at a bus stop where the vehicle is not authorised to stop; or
- (b) be unlawful; or

- (c) be, in the driver's opinion, unsafe; or
  - (d) be in a place that is not within the scope of the operation of the DRS; or
  - (e) contravene any of the following provisions:
    - section 269 (Maximum number of passengers in demand responsive service vehicles)
    - section 272 (Restrictions on carriage of goods in demand responsive service vehicles) if the driver picked up the person
    - section 297 (Demand responsive service vehicle passengers—soiled clothing etc)
    - section 298 (Intoxicated demand responsive service vehicle passengers).
- (5) However, subsection (4) (b) does not apply if the DRS vehicle driver stops the vehicle at a place (the *preferred place*) where stopping the vehicle would otherwise be unlawful if—
- (a) the driver is dropping off or picking up a person with a significant disability that affects the person's mobility; and
  - (b) there is no other place near the preferred place where the driver can lawfully and safely drop off or pick up the person; and
  - (c) stopping the vehicle in the preferred place is, in the driver's opinion, safe.

**Examples of people with significant disabilities affecting mobility**

- 1 a wheelchair-dependent person
- 2 a person who ordinarily uses a walking stick, crutches or a walking frame to move around outdoors
- 3 a person who is blind

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (6) In this section:

*authorised to stop*, at a bus stop, for a DRS vehicle, means a bus stop that the DRS vehicle is authorised to stop at under an authority under section 305 (1) (DRS vehicles—bus stop and bus zone authorities).

**268 Where demand responsive service vehicle drivers must stop on a road**

- (1) If a DRS vehicle driver stops on a road or road related area to drop off or pick up a passenger, the driver must stop parallel to, and as close as practicable to, the side of the road or area.

Maximum penalty: 5 penalty units.

- (2) An offence against subsection (1) is a strict liability offence.

**269 Maximum number of passengers in demand responsive service vehicles**

- (1) This section applies if a DRS vehicle is a bus.
- (2) A DRS vehicle driver must not, at any time—
- (a) carry in the bus more passengers, whether seated or standing, that the total number of passengers permitted to be carried in the bus; or
  - (b) carry in the bus more passengers seated than the number of passengers permitted to be carried seated in the bus; or
  - (c) carry in the bus more passengers standing than the number of passengers permitted to be carried standing in the bus.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

- (4) For subsection (2), in working out the number of passengers being carried, the following people are not to be taken into account:
- (a) any child apparently under 5 years old who is being carried on the lap of a seated passenger;
  - (b) every 3rd child, whether seated or standing, who is apparently under 12 years old unless the child is seated on a seat designed (either by way of fixed armrests or seating contours for individual passengers) so that it is impracticable for the seat to be used by more than the number of passengers for which it is designed.
- (5) The number of passengers who are permitted to be carried seated, or are permitted to be carried standing, in the bus is—
- (a) if the bus is registered under the *Road Transport (Vehicle Registration) Act 1999*—the number notified (or last notified) to the authorised operator by the road transport authority; or
  - (b) if the bus is registered under the law of another jurisdiction that corresponds to the *Road Transport (Vehicle Registration) Act 1999*—the number permitted to be carried by the bus under that law.

## **270 Wheelchair passengers in demand responsive service vehicles**

- (1) This section applies in relation to a DRS vehicle if the vehicle has wheelchair access and has passenger seating positions fitted with seatbelts.
- (2) The DRS vehicle driver must not carry a wheelchair in the vehicle if the wheelchair is not safely and securely attached to the vehicle.

Maximum penalty: 10 penalty units.

*Note* The dictionary definition of *in* a vehicle includes on the vehicle.

- (3) The DRS vehicle driver must not carry a person in the vehicle while the person is seated in a wheelchair.

Maximum penalty: 10 penalty units.

- (4) Subsection (3) does not apply if—
- (a) the wheelchair cannot travel faster than 10km/h on level ground; and
  - (b) the wheelchair is not in another vehicle (for example, a motorised tricycle) while the wheelchair is in the DRS vehicle; and
  - (c) if a seatbelt is provided for the position where the wheelchair is attached—the person is wearing the seatbelt.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (5) However, subsection (4) (c) does not apply if the person is exempt under a territory law from wearing a seatbelt.

*Note 1* A passenger in a taxi, including a person in a wheelchair, must wear a suitable child restraint (if one is available) or a seatbelt, unless the person is exempt from wearing a seatbelt (see [Australian Road Rules](#), r 265 and r 266).

*Note 2* For exemptions from wearing a seatbelt, including for medical reasons, see the [Australian Road Rules](#), r 267.

*Note 3* A person who is exempt from wearing a seatbelt and who is a passenger in a motor vehicle with 2 or more rows of seats must not sit in the front row of seats (see [Australian Road Rules](#), r 267 (1)).

- (6) Despite subsection (4) (a), the DRS vehicle driver must not carry a person in the vehicle while the person is seated in a motorised wheelchair of a kind known as, or that is similar to, a scooter or tricycle.

Maximum penalty: 10 penalty units.



- (7) The DRS vehicle driver must provide reasonable assistance in loading and unloading a wheelchair, or a person in a wheelchair, into or from the vehicle.

Maximum penalty: 10 penalty units.

- (8) An offence against this section is a strict liability offence.

**271 Responsibilities of demand responsive service vehicle drivers for security cameras**

- (1) This section applies to a DRS vehicle driver if the vehicle is fitted with a security camera.

- (2) The driver must—

- (a) at the beginning of each shift of the driver, check whether the security camera is operating; and
- (b) if the camera is not operating—tell the authorised operator of the DRS vehicle that the camera is not operating.

Maximum penalty: 5 penalty units.

*Note* The DRS vehicle driver must also comply with any standards about security cameras in DRS vehicles, see s 303 (5).

- (3) An offence against this section is a strict liability offence.

**272 Restrictions on carriage of goods in demand responsive service vehicles**

- (1) A DRS vehicle driver must not allow anyone to place or carry a thing in the DRS vehicle if, because of its size or dimensions, the thing cannot be carried in the vehicle without inconvenience or danger to anyone.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

- (3) Subsection (1) does not apply if the person has a disability and the thing is used by the person to alleviate the effect of the disability.

**273 Responsibility of demand responsive service vehicle drivers for lost property**

- (1) This section applies to a DRS vehicle driver if the driver finds lost property in the vehicle or is given lost property under section 301 (Lost property found by demand responsive service vehicle passengers).
- (2) The driver must give the property to—
- (a) its owner; or
  - (b) if the owner cannot be identified—the authorised operator of the vehicle as soon as practicable (but within 24 hours) after finding or being given the property.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

**274 Behaviour of demand responsive service vehicle drivers generally**

- (1) A DRS vehicle driver must not—
- (a) solicit for passengers; or
  - (b) move the vehicle while a door is open; or
  - (c) start or stop the vehicle in a way that subjects a passenger or anyone else to unnecessary risk of injury.

Maximum penalty: 10 penalty units.

*Note 1* A DRS vehicle driver may not smoke in the DRS vehicle (see [Smoke-Free Public Places Act 2003](#)).

*Note 2* A DRS vehicle driver must also comply with any standards about security cameras in DRS vehicles, see s 303 (5).

- (2) An offence against this section is a strict liability offence.

**275 Dress and conduct of demand responsive service vehicle drivers**

- (1) A DRS vehicle driver must—
- (a) be clean and tidy; and
  - (b) behave in an orderly way and with politeness and propriety towards every passenger, police officer and authorised person and other road users.

Maximum penalty: 5 penalty units.

- (2) If a code of practice approved under section 302 (Code of practice—dress of demand responsive service vehicle drivers) is in force, a DRS vehicle driver must comply with the code of practice.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

**276 Responsibility of drivers for condition of demand responsive service vehicle**

- (1) A DRS vehicle driver must ensure that the vehicle is clean and tidy.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

**277 Drivers to remain in vehicle**

- (1) This section applies if a DRS vehicle is a bus.
- (2) A DRS vehicle driver must not leave the driver's seat of the bus during a journey of the bus.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.

- (4) Subsection (2) does not apply if the driver has a reasonable excuse.

**278 Passengers not to be carried on certain parts of a demand responsive service vehicle**

- (1) This section applies if a DRS vehicle is a bus.
- (2) A DRS vehicle driver must not allow a passenger—
- (a) to enter the driver's compartment (if any) of the bus; or
  - (b) to occupy the driver's seat or a part of the driver's seat.
- Maximum penalty: 5 penalty units.
- (3) A DRS vehicle driver must not, while the bus is moving, allow a passenger—
- (a) on a part of the bus not designed to carry passengers; or
  - (b) on a part of the bus beside or in front of the driver's seat.
- Maximum penalty: 5 penalty units.
- (4) An offence against this section is a strict liability offence.
- (5) Subsection (3) (b) does not apply in relation to a passenger occupying a seat beside the driver that is designed for a passenger.
- (6) Without limiting subsection (2), the parts of a bus not designed to carry passengers include the roof, steps and footboard.

**279 Effect of noncompliance notices—demand responsive service vehicle drivers**

- (1) This section applies to the driver of a DRS vehicle if a noncompliance notice under the [Act](#), section 120 (Attachment and removal of noncompliance notices) has been attached to the vehicle.

- (2) The driver commits an offence if the notice is attached to the vehicle and the driver uses, or allows someone else to use, the vehicle to operate a DRS after the time of effect of the notice.

Maximum penalty: 20 penalty units.

*Note 1* For the *time of effect*, see the [Act](#), s 120 (2) (b).

*Note 2* Unauthorised removal of a noncompliance notice is an offence (see the [Act](#), s 120 (4)).

- (3) The driver commits an offence if—
- (a) the driver uses, or allows someone else to use, the vehicle to operate a DRS after the time of effect of the notice; and
  - (b) the driver knows the notice has been removed otherwise than in accordance with the [Act](#), section 120.

Maximum penalty: 20 penalty units.

- (4) Strict liability applies to subsections (2) and (3) (a).
- (5) This section does not apply to the driver if a police officer or authorised person has directed under the [Act](#), section 120 that the notice be taken to have been removed.

## **Division 6.2.4 Demand responsive service tickets**

### **280 Validity of demand responsive service tickets**

- (1) A DRS ticket is valid for travel only for the journey or journeys for which it is issued.
- (2) A DRS ticket transferred in contravention of section 282 (Demand responsive service tickets not transferable) is not a valid ticket.

*Note* The dictionary defines *DRS ticket* as meaning anything issued by or on behalf of the authorised operator of a DRS for the purpose of authorising a person to travel in a DRS vehicle.

## 281 Valid demand responsive service ticket required for travel

- (1) A person must not travel in a DRS vehicle if the person does not hold a valid DRS ticket for the travel.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply if the person has a reasonable excuse.
- (4) For subsection (1), if a DRS vehicle uses automatic equipment to read or record any details in a DRS ticket, a ticket may be validated—
- (a) for equipment that is operated by inserting a ticket into the equipment—by putting the ticket into the automatic equipment in accordance with any instructions provided by the authorised operator; or
  - (b) for equipment operated by passing a ticket near the equipment—by passing the ticket near the equipment in accordance with any instructions provided by the authorised operator.

### **Example of ticket inserted into automatic equipment**

a DRS ticket with a magnetic strip

### **Example of ticket passed near automatic equipment**

a DRS ticket with a microchip

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

## 282 Demand responsive service tickets not transferable

- (1) A person who is issued with a DRS ticket must not transfer (or offer to transfer) the ticket, or a part of the ticket, to someone else.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply if—
  - (a) the ticket was bought for the other person; or
  - (b) the transfer is authorised by the authorised operator of the DRS.

**283 Damaged or changed demand responsive service tickets not to be used**

- (1) A person must not travel in a DRS vehicle using a DRS ticket if the ticket has been—
  - (a) damaged or defaced in a material respect; or
  - (b) changed in a material particular.

Maximum penalty: 5 penalty units.

**Examples of a DRS ticket damaged or defaced in a material respect—par (a)**

- 1 If the ticket has a magnetic strip or microchip, the ticket cannot be read or recorded by the automatic equipment used by a DRS vehicle to read or record any details in the ticket.
- 2 The information shown on the ticket by, or with the authorisation of, the authorised operator of the DRS for which the ticket is issued is missing or cannot be readily read.

**Examples of a DRS ticket changed in a material particular—par (b)**

- 1 The information shown on the ticket by, or with the authorisation of, the authorised operator of the DRS for which the ticket is issued has been changed or deleted without the authorised operator's authorisation.
- 2 If the ticket has a magnetic strip or microchip, the information recorded in the magnetic strip or microchip by, or with the authorisation of, the authorised operator of the DRS for which the ticket is issued, has been changed or deleted without the authorised operator's authorisation.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (2) An offence against this section is a strict liability offence.

## **284 Concession tickets for demand responsive service vehicles**

- (1) A person must not travel in a DRS vehicle using a concession ticket if the person is not entitled to use the concession ticket.

Maximum penalty: 5 penalty units.

- (2) A DRS vehicle driver, police officer or authorised person may require a person who uses (or attempts to use) a concession ticket to travel on a DRS vehicle to produce satisfactory evidence (for example, a student or pensioner concession card) that the person is entitled to use the ticket to travel on the vehicle.

*Note* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) A person must not fail to comply with a requirement under subsection (2).

Maximum penalty: 5 penalty units.

- (4) Subsection (3) does not apply if the person has a reasonable excuse.
- (5) A person may not be prosecuted for offences against both subsection (1) and subsection (3) in relation to the same journey.
- (6) For this section, a person is entitled to use a concession ticket for travel on a DRS if the authorised operator of the service has authorised the person to use the concession ticket.
- (7) A person must not provide a document containing information that is false, misleading or incomplete in a material particular—
- (a) in relation to an application for a concession ticket; or



(b) in purported compliance with a requirement under subsection (2).

Maximum penalty: 20 penalty units.

(8) A person must not in or in relation to an application for a concession ticket or in purported compliance with a requirement under subsection (2)—

(a) state anything that is false or misleading in a material particular; or

(b) omit from a statement anything without which the statement is misleading in a material particular.

Maximum penalty: 20 penalty units.

(9) In this section:

*concession ticket* means a DRS ticket issued free or at a reduced fare.

(10) An offence against this section is a strict liability offence.

## **285 Inspection and processing of demand responsive service tickets**

(1) A person who is in a DRS vehicle must make the person's DRS ticket available for inspection or processing by an authorised person on the authorised person's request.

Maximum penalty: 5 penalty units.

(2) An offence against this section is a strict liability offence.

## Division 6.2.5 Conduct of demand responsive service vehicle passengers

### 286 Conduct of people in demand responsive service vehicles generally

- (1) A person in a DRS vehicle must not unreasonably interfere with the comfort or safety of anyone else.

Maximum penalty: 5 penalty units.

- (2) Without limiting subsection (1), a person unreasonably interferes with the comfort or safety of someone else if the person—
- (a) puts a foot on a seat; or
  - (b) spits; or
  - (c) uses offensive language; or
  - (d) behaves offensively; or
  - (e) uses a wheeled recreational device within the meaning of the [Australian Road Rules](#), dictionary.

*Note* A person is not allowed to smoke on a DRS vehicle (see [Smoke-Free Public Places Act 2003](#)).

- (3) An offence against this section is a strict liability offence.

### 287 Demand responsive service vehicle seats for older people and people with disabilities

- (1) A person commits an offence if—
- (a) the authorised operator of a DRS has, by a notice in a DRS vehicle—
    - (i) set aside seats (a *designated seat*) for older people or people with a disability (a *designated person*); and
    - (ii) specified the people who may use the seats; and

- (b) the person occupies or continues to occupy a designated seat if a designated person is standing or indicates that the person wishes to use the seat.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.  
(3) Subsection (1) does not apply to a designated person.

**288 Drinking of liquor in demand responsive service vehicles generally prohibited**

- (1) A person must not drink, or be in possession of an open container of, liquor in a DRS vehicle.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.  
(3) Subsection (1) does not apply if the liquor is supplied in the vehicle by, or with the permission of, the authorised operator of the DRS.

**289 Eating and drinking in demand responsive service vehicles**

- (1) A person must not eat or drink in a DRS vehicle (or part of a DRS vehicle) if eating and drinking in the vehicle (or part of the vehicle) is prohibited by a notice displayed in the vehicle.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.  
(3) Subsection (1) does not apply if the person is eating or drinking—  
(a) with the permission of the authorised operator of the DRS; or  
(b) for medical reasons.

*Note* A person is not allowed to smoke in a DRS vehicle (see [Smoke-Free Public Places Act 2003](#)).

**290 Getting on and getting off demand responsive service vehicles**

- (1) A person must not get on or off a DRS vehicle—
- (a) while the vehicle is moving; or
  - (b) through a window of the vehicle (including a window used as an emergency exit) or a roof hatch (if any).

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.  
(3) Subsection (1) does not apply if the person has a reasonable excuse.

**291 No interference with demand responsive service vehicle equipment**

- (1) A person must not—
- (a) interfere with equipment attached to or forming part of a DRS vehicle; or
  - (b) block a door in a DRS vehicle; or
  - (c) open a locked door in a DRS vehicle; or
  - (d) open an unlocked door in a DRS vehicle while the vehicle is moving; or
  - (e) interfere with an automatically operated door in a DRS vehicle.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.  
(3) Subsection (1) does not apply if a person has a reasonable excuse.

**292 Throwing objects in or from demand responsive service vehicles**

- (1) A person must not throw anything in or from a DRS vehicle.  
Maximum penalty: 5 penalty units.
- (2) An offence against this section is a strict liability offence.

**293 Travel not allowed on certain parts of demand responsive service vehicle**

- (1) This section applies if a DRS vehicle is a bus.
- (2) A passenger on the bus must not—
  - (a) enter the driver's compartment (if any) of the bus; or
  - (b) occupy the driver's seat or a part of the driver's seat.Maximum penalty: 5 penalty units.
- (3) A passenger must not, while the bus is moving—
  - (a) be on a part of the bus not designed to carry passengers; or
  - (b) be on a part of the bus beside or in front of the driver's seat.Maximum penalty: 5 penalty units.
- (4) An offence against this section is a strict liability offence.
- (5) Subsection (3) (b) does not apply in relation to a passenger occupying a seat beside the driver that is designed for use by a passenger.
- (6) Without limiting subsection (3), the parts of a bus not designed to carry passengers include the roof, steps and footboard.

**294 Property not to be removed from demand responsive service vehicles**

- (1) A person must not remove from a DRS vehicle property of the authorised operator of the vehicle.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply to the authorised operator of the vehicle, a police officer or an authorised person.

**295 No littering in demand responsive service vehicles**

- (1) A person must not deposit, in a DRS vehicle, litter or anything that may endanger a person or property.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply to litter or a thing placed in a container provided in the vehicle for the collection of litter.

**296 Carriage of animals in demand responsive service vehicles**

- (1) A person must not take an animal onto a DRS vehicle without the driver's permission.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) Subsection (1) does not apply if—
- (a) the person has a disability and is accompanied by an animal trained to help the person to alleviate the effect of the disability; or

- (b) the person is training an animal to help to alleviate the effect of a disability.

*Note* If a person is treated unfavourably because the person is accompanied by an animal trained to help the person alleviate the effect of a disability, the person is discriminated against (see [Discrimination Act 1991](#), s 9).

**297 Demand responsive service vehicle passengers—soiled clothing etc**

- (1) A DRS vehicle driver, police officer or authorised person may direct a person not to get into, or to get out of, a DRS vehicle if the driver, police officer or authorised person believes on reasonable grounds that—
- (a) the person, the person's clothing or goods (or anything else on or carried by the person) may soil or damage the vehicle or the clothing or goods of someone else; or
- (b) any of the person's goods cannot, because of their size or dimensions, be carried in the vehicle without inconvenience or danger to someone else.
- (2) A person must comply with a direction given to the person under subsection (1).
- Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.
- (4) Subsection (1) (b) does not apply to anything used by a person with a disability to alleviate the effect of the disability.

**298 Intoxicated demand responsive service vehicle passengers**

- (1) A DRS vehicle driver, police officer or authorised person may direct a person not to get into, or to get out of, a DRS vehicle if the driver, police officer or authorised person believes on reasonable grounds that the person—
  - (a) is under the influence of liquor or a drug; and
  - (b) is causing, or is likely to cause, a nuisance or annoyance to someone else.
- (2) A person must comply with a direction given to the person under subsection (1).

Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.

**299 Offender to get out of demand responsive service vehicle when directed**

- (1) A DRS vehicle driver, police officer or authorised person may direct a person to get out of a DRS vehicle if the driver, police officer or authorised person believes on reasonable grounds that the person is committing, or has just committed, an offence against this division or division 6.2.4 (Demand responsive service vehicle tickets).
- (2) A person must comply with a direction given to the person under subsection (1).

Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.



**300 Removal of people from demand responsive service vehicles**

A person who fails to comply with a direction under this division to get out of a DRS vehicle may be removed from the vehicle by a police officer.

**301 Lost property found by demand responsive service vehicle passengers**

- (1) A person who finds something in a DRS vehicle must return it to its owner or give it to the DRS vehicle driver, the authorised operator of the vehicle, a police officer or an authorised person.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

**Division 6.2.6 Other matters relating to demand responsive services**

**301A Name Territory may operate demand responsive service under—Act, s 82A**

The Territory may operate a demand responsive service under the name ACTION.

**302 Code of practice—dress of demand responsive service vehicle drivers**

- (1) The road transport authority may approve a code of practice for the dress of DRS vehicle drivers.
- (2) The approval of a code of practice under subsection (1) is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

### 303 Standards about security cameras in demand responsive service vehicles

- (1) The road transport authority may approve standards in relation to security cameras in DRS vehicles.
- (2) A standard may make provision in relation to security cameras in DRS vehicles, including, for example—
  - (a) when security cameras may be installed; and
  - (b) the kinds of security cameras that may be installed; and
  - (c) the position of security cameras; and
  - (d) the operation of security cameras; and
  - (e) requirements about notices to be included in a vehicle that has a security camera installed.

*Note 1* The *Privacy Act 1988* (Cwlth) imposes obligations on some private sector organisations in relation to the collection, storage, use and disclosure of personal information collected about an individual.

*Note 2* An example is part of the regulation, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see [Legislation Act](#), s 126 and s 132).

- (3) An approval under subsection (1) is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).

- (4) A standard may apply, adopt or incorporate (with or without change) an instrument as in force from time to time.

*Note 1* The text of an applied, adopted or incorporated law or instrument, whether applied as in force from time to time or at a particular time, is taken to be a notifiable instrument if the operation of the [Legislation Act](#), s 47 (5) or (6) is not disappplied (see s 47 (7)).

*Note 2* A notifiable instrument must be notified under the [Legislation Act](#).

*Note 3* A reference to an instrument includes a reference to a provision of an instrument (see [Legislation Act](#), s 14 (2)).

- (5) A person must not contravene a standard approved under subsection (1).

Maximum penalty: 20 penalty units.

- (6) An offence against this section is a strict liability offence.

**304 Interference with demand responsive service vehicle security cameras and recordings**

- (1) A person must not, without lawful authority or excuse, interfere with a security camera in a DRS vehicle.

Maximum penalty: 20 penalty units.

- (2) A person must not change or otherwise interfere with a recording made by a security camera in a DRS vehicle.

Maximum penalty: 20 penalty units.

*Note* For the destruction of recordings, see s 264.

- (3) An offence against this section is a strict liability offence.

**305 DRS vehicles—bus stop and bus zone authorities**

- (1) The road transport authority may give the authorised operator of a DRS an authority for DRS vehicles used to operate the service to stop at a stated bus stop or in a stated bus zone.

- (2) An authorisation is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

## Chapter 7 Driver authority cards

### 306 Meaning of *driver authority card*—ch 7

In this chapter:

*driver authority card* means—

- (a) a public vehicle driver authority card issued under the *Road Transport (Driver Licensing) Regulation 2000*, section 64A (Authority cards for public vehicle drivers); or
- (b) for a person who is authorised by the law of another jurisdiction to drive a public passenger vehicle for hire or reward—an authority card that—
  - (i) is issued by the other jurisdiction for the person to display when driving a public passenger vehicle for hire or reward; and
  - (ii) includes a photograph of the person.

### 307 Driver authority card to be displayed or shown

- (1) A person who drives a public passenger vehicle (other than a restricted hire car) for hire or reward must—
  - (a) display the person's driver authority card so that the information on the photo-side of the card can reasonably be read by a passenger—
    - (i) if the public vehicle is a bus—on entering the vehicle; or
    - (ii) if the public vehicle is a car—when the passenger is seated in the vehicle; or
  - (b) if the public vehicle is a motorbike—show the person's driver authority card to the passenger at the start of the hire; or

- (c) display the person's driver authority card—
- (i) in accordance with any guidelines made under subsection (3); or
  - (ii) in accordance with an approval given under subsection (5).

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) The road transport authority may make guidelines about the display of driver authority cards.
- (4) A guideline is a notifiable instrument.

*Note* A notifiable instrument must be notified under the [Legislation Act](#).

- (5) On application by a person who drives a public passenger vehicle for hire or reward, the road transport authority may, in writing, approve a way in which the person may display the person's driver authority card.

### **308 Production of driver authority card**

- (1) A person who drives a public passenger vehicle for hire or reward commits an offence if the person fails to produce the person's driver authority card for inspection when required to do so by a police officer or authorised person.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.

## Chapter 8 Disciplinary action

*Note 1* For the power to suspend, vary or cancel a public vehicle licence, see the *Road Transport (Driver Licensing) Regulation 2000*, div 5.2.

*Note 2* For the power to disqualify a person who is exempt from holding a public vehicle licence from driving a public vehicle on a road or road related area in the ACT, see the *Road Transport (Driver Licensing) Regulation 2000*, div 6.4.

### 320 Meaning of *service authority* for ch 8

In this chapter:

*service authority* means—

- (a) an accreditation to operate a public passenger service; or
- (b) an accreditation to operate a taxi network; or
- (c) a hire car licence or taxi licence.
- (d) a DRS authorisation to operate a DRS.

### 321 When authority may take action in relation to accreditations and licences

- (1) The road transport authority may take action under section 323 (Procedure for authority taking disciplinary action) in relation to an accreditation held by a person if—
  - (a) a ground mentioned in section 8 (Mandatory refusal of accreditation) applies in relation to the person (including in relation to a relevant person for the accreditation); or
  - (b) the person has contravened an accepted service standard or an approved minimum service standard for the accreditation; or
  - (c) the person has contravened a condition of the person's accreditation; or

- (d) the person, or a relevant person for the accreditation, has contravened any other provision of the Act; or

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (e) the person has not maintained a public passenger vehicle policy under the [Act](#), section 111 (Public passenger vehicle insurance compulsory) for a public passenger vehicle operated by the person; or

- (f) the person obtained the accreditation (or renewal of the accreditation) because of a false or misleading statement made, or false or misleading information supplied, by the person or a relevant person for the accreditation; or

- (g) an amount payable under the [Road Transport \(General\) Act 1999](#) in relation to the accreditation has not been paid.

- (2) The road transport authority may take action under section 323 in relation to a hire car licence or taxi licence (the *licence*) held by a person if—

- (a) the person is operating the kind of public passenger service to which the licence relates without being accredited to operate the service; or

- (b) the person has contravened a condition of the person's licence; or

- (c) the person has contravened any other provision of the Act in relation to the licence; or

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see [Legislation Act](#), s 104).

- (d) the person obtained the licence (or the renewal of the licence) because of a false or misleading statement made, or false or misleading information supplied, by the person; or

- (e) the authority is taking action against the person under subsection (1) in relation to the operation of a hire car service or taxi service; or
  - (f) an amount payable under the *Road Transport (General) Act 1999* in relation to the licence has not been paid; or
  - (g) for a restricted taxi licence—the licence-holder is no longer operating the licensed vehicle as a taxi; or
  - (h) if the person is operating a stand-by hire car—
    - (i) the person is operating a stand-by hire car without a stand-by hire car permit; or
    - (ii) the person has contravened any other provision of the Act in relation to the permit; or
    - (iii) the person obtained the permit because of a false or misleading statement made, or false or misleading information supplied, by the person; or
    - (iv) an amount payable under the *Road Transport (General) Act 1999* in relation to the permit has not been paid.
- (3) In this section:
- relevant person*, in relation to an application for accreditation (including renewal) by a person or an accreditation held by a person—see section 6B.

### **322 Action that may be taken in relation to accreditations and licences**

- (1) The road transport authority may take any 1 or more of the following actions under section 323 (Procedure for authority taking disciplinary action) in relation to a service authority held by a person:



- (a) cancel the service authority, and disqualify the person from applying for a service authority of that kind for a period of not longer than 2 years;
- (b) suspend the service authority for a period of not longer than 1 year and, if the authority considers appropriate, disqualify the person from applying for a service authority of that kind for a period of not longer than 1 year;
- (c) if the service authority is a licence in relation to which an amount under the *Road Transport (General) Act 1999* has not been paid (see section 321 (2) (f))—
  - (i) suspend the licence for a period of not longer than 3 months; and
  - (ii) if the amount remains unpaid after that time and the authority considers appropriate, cancel the licence;
- (d) if the service authority is already suspended—do either of the following:
  - (i) cancel the service authority and disqualify the person from applying for a service authority of that kind for a period of not longer than 2 years;
  - (ii) suspend the service authority for an additional period of not longer than 1 year and, if the authority considers appropriate, disqualify the person from applying for a service authority of that kind for a period, or an additional period, of not longer than 1 year;
- (e) direct the person to undertake particular training;
- (f) impose a condition on, or amend a condition of, the service authority;

- (g) order the person to pay to the Territory an amount of not more than—
    - (i) for an individual—\$5 000; or
    - (ii) for a corporation—\$25 000;
  - (h) reprimand the person.
- (2) If the person holds more than 1 kind of service authority, the road transport authority may take action in relation to 1 or more of the service authorities.

**323 Procedure for authority taking disciplinary action**

- (1) If the road transport authority proposes to take action under this section in relation to a person's service authority, the authority must give the person a notice (a *disciplinary notice*) that—
- (a) states the proposed action (including any proposed period of suspension or disqualification from applying for a service authority of a particular kind); and
  - (b) if the person holds more than 1 kind of service authority—states the service authority or service authorities to which the proposed action relates; and
  - (c) states the grounds for the proposed action; and
  - (d) invites the person to make written representations within a stated period why the proposed action should not be taken.
- (2) For subsection (1) (d), the period stated in the disciplinary notice must be—
- (a) if the disciplinary notice includes an immediate suspension notice under section 324—a period of at least 14 days after the day the person is given the notice; or
  - (b) in any other case—a period of at least 28 days after the day the person is given the notice.

- (3) In deciding whether to take action under this section, the road transport authority must consider any response given to the authority in accordance with subsection (1) (d).
- (4) If the road transport authority is satisfied that grounds for taking action under this section have been established, the authority may take any of the following actions:
- (a) if the proposed action included cancelling the service authority—cancel the service authority, suspend the service authority for a period of not longer than 1 year or impose a condition on, or amend a condition of, the service authority;
  - (b) if the proposed action included suspending the service authority for a stated period or a stated additional period—either suspend the service authority for a period of not longer than that period or impose a condition on, or amend a condition of, the service authority;
  - (c) if the proposed action included disqualifying the person from applying for a service authority of that kind for a stated period or stated additional period—either disqualify the person from applying for a service authority of that kind for not longer than that period or impose a condition on, or amend a condition of, the service authority;
  - (d) if the proposed action included imposing a condition on, or amending a condition of, the service authority—impose a condition on, or amend a condition of, the service authority that is no more onerous than the proposed condition or a condition as proposed to be amended;
  - (e) if the proposed action included ordering the person to pay an amount of money to the Territory—order the person to pay to the Territory an amount of not more than that amount;
  - (f) in any case—direct the person to undertake particular training or reprimand the person.

- (5) If the road transport authority decides to cancel or suspend the service authority, disqualify the person from applying for a service authority or impose or amend a condition on the service authority, the internal review notice about the decision must include a statement about when the cancellation, suspension, disqualification, condition or condition as amended takes effect.

*Note* A decision to take action under this section is an internally reviewable decision (see *Road Transport (General) Act 1999*, s 90, def *internally reviewable decision* and *Road Transport (General) Regulation 2000*, sch 1), and the road transport authority must give an internal review notice to the person (see *Road Transport (General) Act 1999*, s 91).

- (6) A cancellation, suspension, condition or condition as amended takes effect on—
- (a) the 7th day after the day the internal review notice about the cancellation, suspension or condition is given to the person; or
  - (b) if the notice states a later date of effect—the stated date.
- (7) An amount ordered to be paid under subsection (4) (e) is a debt owing to the Territory.
- (8) If the debt is owed by 2 or more people, their liability for the debt is joint and several.

### **324 Immediate suspension of accreditation or licence**

- (1) This section applies if the road transport authority—
- (a) has decided to give, or has given, a disciplinary notice to a person; and
  - (b) believes on reasonable grounds that it is in the public interest that a service authority held by the person be suspended as soon as practicable before a decision is made to take action under section 323 (4) (Procedure for authority taking disciplinary action) in relation to the person.

- (2) In forming the belief, the road transport authority must consider—
  - (a) the circumstances leading to the decision to issue the disciplinary notice; and
  - (b) the grounds stated, or proposed to be stated, in the disciplinary notice.
- (3) If this section applies, the road transport authority may give the person a notice (an *immediate suspension notice*) suspending the service authority.
- (4) If an immediate suspension notice is given to the person, the service authority is suspended on the receipt of the notice by the person.
- (5) An immediate suspension notice given in relation to a service authority ends—
  - (a) if the service authority is cancelled or suspended under section 323 (4)—when the cancellation or suspension takes effect; or
  - (b) if a condition is imposed on the service authority, or a condition of the service authority is amended—when the condition or amended condition takes effect; or
  - (c) if the road transport authority decides to revoke the notice—when the person is given written notice by the authority of the revocation; or
  - (d) in any other case—when the person is told under section 323 (5) of the decision made on the disciplinary notice.

### **325 Effect of suspension of accreditation or licence**

- (1) This section applies if the road transport authority suspends a person's service authority.
- (2) During the period of the suspension, the person is taken not to hold the service authority under this regulation.

- (3) To remove any doubt, the service authority cannot be renewed during the period of the suspension.

### **326 Return of certificate of accreditation or licence**

- (1) The holder of a service authority commits an offence if the person's service authority is suspended or cancelled and the person does not, as soon as practicable but within 7 days of the suspension or cancellation taking effect—
- (a) return the certificate of accreditation, taxi licence or hire car licence (as appropriate) to the road transport authority; or
  - (b) if the certificate or licence has been lost, stolen or destroyed—give the authority a statement, verified by statutory declaration, that the certificate or licence has been lost, stolen or destroyed.

Maximum penalty: 5 penalty units.

*Note 1* The *Statutory Declarations Act 1959* (Cwlth) applies to the making of statutory declarations under ACT laws.

*Note 2* It is an offence to make a false or misleading statement, give false or misleading information or produce a false or misleading document (see [Criminal Code](#), pt 3.4).

- (2) An offence against this section is a strict liability offence.
- (3) If a person's service authority is suspended and it has not expired when the suspension ends, the road transport authority must return the certificate of accreditation or hire car licence or taxi licence (as appropriate) to the person.

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## **Schedule 1**      **Minimum service standards**

(see s 18B (2) (a))

### **Part 1.1**      **Bus services**

- 1 Standards in relation to the following:
  - (a) the location of bus depots;
  - (b) the inspection and servicing of buses for compliance with section 21 (Maintenance of buses);
  - (c) the parking, cleaning, servicing, maintenance and repair of buses;
  - (d) for servicing, maintenance or repairs to buses carried out by an accredited operator—the operation of the facilities for those activities carried out by the accredited operator and the training of people to carry out the activities;
  - (e) for servicing, maintenance or repairs to buses carried out on behalf of an accredited operator—how the accredited operator will ensure that the buses will comply with the Act (including the person by whom, and the place where, the activities will be carried out);
  - (f) the making and management of records and systems required to be kept under the Act (including a service contract under the [Act](#), section 17);

*Note*      A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).
  - (g) for the operation of a bus service—
    - (i) systems for ensuring compliance with section 26 (Bus drivers to hold appropriate driver licence or authority); and

- (ii) the training of bus drivers; and
- (iii) the driving hours of, and rest periods for, bus drivers; and
- (iv) the monitoring of the safety of bus drivers; and
- (v) how contraventions of the road transport legislation by bus drivers will be handled; and
- (vi) how customer inquiries (including for lost property) and complaints will be handled; and
- (vii) the recording and resolution of customer complaints; and
- (viii) the handling and disposal of lost property; and
- (ix) the making available to the public of fares, timetables, route maps and tour information (as appropriate); and
- (x) the training of people to manage, and the management of, any incident causing the death of, or bodily injury to, anyone caused by, or resulting from the use of, a bus used to operate the bus service; and
- (xi) systems for ensuring compliance with the [Act](#), section 111 (Public passenger vehicle insurance compulsory).



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## Part 1.2 Taxi network services

### 2 Standards in relation to the following:

- (a) the making, management and auditing (including performance auditing) of records and systems required to be kept under the Act;

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (b) for the operation of a taxi network—
  - (i) the affiliation of accredited taxi service operators with the network; and
  - (ii) systems for ensuring compliance with section 72 (2) (c) (Operation of taxis through taxi networks); and
  - (iii) the training of taxi drivers; and
  - (iv) the monitoring of the safety of taxi drivers; and
  - (v) the operation of taxi booking services operated by or for the taxi network; and
  - (vi) the maximum waiting times in each area of the ACT for each kind of taxi service for which the taxi network will provide taxi related services; and
  - (vii) if the network provides services for wheelchair-accessible taxis—
    - (A) the management and operation of the taxis, including ensuring that preference for hirings is given to wheelchair-dependent people; and
    - (B) how a failure of a driver to comply section 114 (Special responsibilities of wheelchair-accessible taxi drivers) will be handled; and

- (viii) how other contraventions of the road transport legislation by taxi drivers will be handled; and
- (ix) the procedures for processing ACT Taxi Subsidy Scheme vouchers and payments; and
- (x) how customer inquiries (including for lost property) and complaints will be handled; and
- (xi) the recording and resolution of customer complaints; and
- (xii) the handling and disposal of lost property; and
- (xiii) ensuring that an adequate number of taxis (including taxis equipped with baby capsules) are available to operate the taxi service.

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## Part 1.3 Taxi services and restricted taxi services

- 3 Standards in relation to the following:
- (a) the inspection and servicing of taxis for compliance with section 93 (Maintenance of taxis);
  - (b) the cleaning, servicing, maintenance and repair of taxis;
  - (c) for servicing, maintenance or repairs to taxis carried out by an accredited operator—the operation of the facilities for those activities carried out by the accredited operator and the training of people to carry out the activities;
  - (d) for servicing, maintenance or repairs to taxis carried out on behalf of an accredited operator—how the accredited operator will ensure that the taxis will comply with the Act (including the person by whom, and the place where, the activities will be carried out);
  - (e) the making and management of records and systems required to be kept under the Act;

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (f) for the operation of a taxi service or restricted taxi service—
  - (i) the terms under which drivers will be employed or a taxi will be made available to another person for use as a taxi; and
  - (ii) systems for ensuring compliance with section 97 (Taxi drivers to hold appropriate driver licence or authority); and
  - (iii) the training of taxi drivers; and

- (iv) the monitoring of the safety of taxi drivers; and
- (v) if the taxi service or restricted taxi service includes wheelchair-accessible taxis—how a failure of a driver to comply with section 114 (Special responsibilities of wheelchair-accessible taxi drivers) will be handled; and
- (vi) how other contraventions of the road transport legislation by taxi drivers will be handled.

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## Part 1.4 Hire car services (other than restricted hire car services)

- 4 Standards in relation to the following:
- (a) the inspection and servicing of hire cars for compliance with section 179 (Maintenance of hire cars);
  - (b) the cleaning, servicing, maintenance and repair of hire cars;
  - (c) for servicing, maintenance or repairs to hire cars carried out by an accredited operator—the operation of the facilities for those activities carried out by the accredited operator and the training of people to carry out the activities;
  - (d) for servicing, maintenance or repairs to hire cars carried out on behalf of an accredited operator—how the accredited operator will ensure that the hire cars will comply with the Act (including the person by whom, and the place where, the activities will be carried out);
  - (e) the advertising of the hire car service;
  - (f) the making and management of records and systems required to be kept under the Act;

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (g) for the operation of a hire car service—
  - (i) the terms under which drivers will be employed; and
  - (ii) systems for ensuring compliance with section 181 (Hire car drivers to hold appropriate driver licence or authority); and
  - (iii) the training of hire car drivers; and
  - (iv) the monitoring of the safety of hire car drivers; and

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- (v) how contraventions of the road transport legislation by hire car drivers will be handled; and
- (vi) how customer inquiries (including for lost property) and complaints will be handled; and
- (vii) the recording and resolution of customer complaints; and
- (viii) the handling and disposal of lost property; and
- (ix) if a motorbike will be used to operate the hire car service—the measures that will be taken for the safety of passengers; and
- (x) systems for ensuring compliance with the [Act](#), section 111 (Public passenger vehicle insurance compulsory).

## **Part 1.5**                      **Restricted hire car services**

5 Standards in relation to the following:

- (a) the inspection and servicing of hire cars for compliance with section 179 (Maintenance of hire cars);
- (b) the cleaning, servicing, maintenance and repair of hire cars;
- (c) the advertising of the hire car service;
- (d) the making and management of records and systems required to be kept under the Act;

*Note*     A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (e) systems for ensuring compliance with section 181 (Hire car drivers to hold appropriate driver licence or authority); and
- (f) if a motorbike will be used to operate the hire car service—the measures that will be taken for the safety of passengers;
- (g) systems for ensuring compliance with the [Act](#), section 111 (Public passenger vehicle insurance compulsory).

## Part 1.6 Demand responsive services

### 6 Standards in relation to the following:

- (a) the inspection and servicing of DRS vehicles for compliance with section 245 (Maintenance of demand responsive service vehicles);
- (b) the parking, cleaning, servicing, maintenance and repair of DRS vehicles;
- (c) for servicing, maintenance or repairs to DRS vehicles carried out by an authorised operator—the operation of the facilities for those activities carried out by the authorised operator and the training of people to carry out the activities;
- (d) for servicing, maintenance or repairs to DRS vehicles carried out on behalf of an authorised operator—how the authorised operator will ensure that the vehicles will comply with the Act (including the person by whom, and the place where, the activities will be carried out);
- (e) the advertising of the DRS;
- (f) the making and management of records and systems required to be kept under the Act (including a service contract under the [Act](#), section 89);

*Note* A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation and service standards (see [Legislation Act](#), s 104).

- (g) for the operation of a DRS—
  - (i) the operation of booking services by or for the DRS; and
  - (ii) systems for ensuring compliance with section 250 (Demand responsive service vehicle drivers to hold appropriate driver licence or authority); and
  - (iii) the training of DRS vehicle drivers; and



- (iv) the driving hours of, and rest periods for, bus drivers; and
- (v) the monitoring of the safety of DRS vehicle drivers; and
- (vi) how contraventions of the road transport legislation by DRS vehicle drivers will be handled; and
- (vii) how customer inquiries (including for lost property) and complaints will be handled; and
- (viii) the recording and resolution of customer complaints; and
- (ix) the handling and disposal of lost property; and
- (x) the making available to the public of information about fares and services; and
- (xi) the training of people to manage, and the management of, any incident causing the death of, or bodily injury to, anyone caused by, or resulting from the use of, a DRS vehicle; and
- (xii) systems for ensuring compliance with the [Act](#), section 111 (Public passenger vehicle insurance compulsory).

## Dictionary

(see s 3)

*Note 1* The [Legislation Act](#) contains definitions and other provisions relevant to this regulation.

*Note 2* For example, the [Legislation Act](#), dict, pt 1, defines the following terms:

- ACT
- Australian citizen
- contravene
- Corporations Act
- fail
- found guilty
- home address
- penalty unit
- the Territory.

*Note 3* Terms used in this regulation have the same meaning that they have in the [Road Transport \(Public Passenger Services\) Act 2001](#) (see [Legislation Act](#), s 148). For example, the following terms are defined in the [Road Transport \(Public Passenger Services\) Act 2001](#), dict:

- accredited taxi network provider
- affiliated
- authorisation
- demand responsive service
- demand responsive service vehicle
- fittings
- public passenger vehicle
- restricted hire car
- road
- taxi
- taxi booking service.

*Note 4* The *Road Transport (General) Act 1999* contains definitions relevant to this regulation. For example, the following terms are defined in the *Road Transport (General) Act 1999*, dictionary:

- another jurisdiction
- Australian Design Rule
- Australian Road Rules
- driver
- jurisdiction
- motor vehicle
- road transport authority (or authority) (see s 16)
- road transport legislation (see s 6)
- vehicle.

***accepted service standard*** means—

- (a) a service standard mentioned in section 12 (1) (b) (Accreditation and certificates of accreditation); or
- (b) if an amendment under section 13 or section 13A is in force in relation to the service standard—the amended service standard.

***accreditation*** means accreditation under this regulation to operate a public passenger service or taxi network.

***accredited operator*** means—

- (a) for a public passenger service—an accredited person who is entitled to operate the service; or
- (b) for a public passenger vehicle—an accredited person who is entitled to operate the public passenger service for which the vehicle is operated.

***accredited taxi-cab operator***—see the *Passenger Transport Act 1990* (NSW), section 29A.

***accredited taxi network provider's taxi booking service*** means a taxi booking service provided by an accredited taxi network provider for its taxi network.

**ACT taxi region** means the area declared under section 155 (1).

**affiliated driver**, for an interim rideshare booking service, for chapter 4A (Ridesharing)—see section 164B.

**applicable vehicle standards**—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), section 103.

**applicant**, for accreditation (including renewal), for part 2.2 (Accreditation procedure)—see section 7 (1).

**approved educational qualifications**, for a kind of accreditation, means educational qualifications approved by the road transport authority under section 19 for that kind of accreditation.

**approved minimum service standards**—

(a) for the operation of a regulated service—see section 18B; or

(b) for the operation of a WCBS—see section 154J.

**approved wheelchair-accessible taxi driver training course** means a course approved under section 162.

**authorised examiner**, for chapter 4A (Ridesharing)—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), section 115.

**authorised fixed-fare hiring**—see section 142A (1) (Exemption from operation of taximeter and metered fares for certain hirings—Act, s 128 (1) (a)).

**authorised operator**, for part 6.2 (Demand responsive services)—see section 244.

**authorised person**—see the [Road Transport \(General\) Act 1999](#), dictionary.

**begins**, for a taxi hiring—see section 127.

**booking fee**, for a taxi, means a charge for booking the taxi through a taxi booking service.

**bus** means a bus within the meaning of the Act used to operate a public passenger service.

**bus driver** means the driver of a bus used to operate a public passenger service.

**bus service**—see the [Act](#), section 11.

**bus ticket**, in relation to a bus, means anything issued by or on behalf of the accredited operator of a bus service for the purpose of authorising a person to travel in a bus operated for the service.

**certificate of inspection**, for chapter 4A (Ridesharing)—see section 164B.

**declared state of alert**, for chapter 4A (Ridesharing)—see section 164B.

**declared state of emergency**, for chapter 4A (Ridesharing)—see section 164B.

**defined right** means a defined right to the issue of a taxi licence.

**disciplinary notice**—see section 323 (1) (Procedure for authority taking disciplinary action).

**drive** a public passenger vehicle includes stop or park the vehicle.

**driver authority card**, for chapter 7 (Driver authority cards)—see section 306.

**driver licence**—see the [Road Transport \(Driver Licensing\) Act 1999](#), dictionary.

**DRS** means demand responsive service.

**DRS authorisation label** means a label issued under section 236.

**DRS ticket**, in relation to a DRS vehicle, means anything issued by or on behalf of the authorised operator of a DRS for the purpose of authorising a person to travel in a DRS vehicle.

**DRS vehicle driver**, for part 6.2 (Demand responsive services)—see section 244.

**duplicate restricted hire car licence** means the duplicate restricted hire car licence mentioned in section 172 (3) (Form of hire car licences), including any document that forms part of the licence under section 171 (Conditions of hire car licences).

**ends**, for a taxi hiring—see section 127A.

**executive officer**, for part 2.2 (Accreditation procedure)—see section 6.

**fare**, for the hiring of a taxi, means—

- (a) if the hiring is an authorised fixed-fare hiring—the amount agreed between the taxi's driver and the hirer or the taxi network for the taxi and the hirer; and
- (b) if the taxi is licensed both as a restricted taxi under this regulation and as a taxi-cab under the *Passenger Transport Act 1990* (NSW)—the amount chargeable for the hiring in accordance with the *Passenger Transport Act 1990* (NSW); and
- (c) in any other case—the amount chargeable for the hiring in accordance with the determination under the *Act*, section 60 (other than a charge for any period of the hiring when the taximeter is required to be stopped from registering a charge under section 143B (2) (Operation of taximeter during hiring)).

**fare deposit**, for the hiring of a taxi, means—

- (a) the fare for the waiting period mentioned in section 136 (2) (Taxi driver waiting or instructed to return); or
- (b) an amount paid by the hirer under section 142.

**fittings**, of a vehicle, includes the seats, seat covers and floor coverings of the vehicle.

*goods* includes luggage.

*hire car driver*—see section 178.

*hirer*, of a hire car or taxi, means the person by whom the hire car or taxi is hired.

*immediate suspension notice*—see section 324 (3).

*in* a vehicle includes on the vehicle.

*independent taxi booking service*—see section 81.

*interim rideshare booking service*, for chapter 4A (Ridesharing)—see section 164E.

*interim rideshare booking service agreement*, for chapter 4A (Ridesharing)—see section 164F.

*interim rideshare driver*, for chapter 4A (Ridesharing)—see section 164G.

*interim rideshare driver agreement*, for chapter 4A (Ridesharing)—see section 164H.

*interim rideshare vehicle*—see section 164H.

*ITO pilot*, for division 4.3.4A (Independent taxi services)—see section 154A.

*ITO pilot period*, for division 4.3.4A (Independent taxi services)—see section 154B.

*jump-the-queue fee*, for a rideshare, for chapter 4A (Ridesharing)—see section 164B.

*leased hire car licence* means a leased hire car licence issued under section 167.

*liquor*—see the *Liquor Act 2010*, dictionary.

*medical fitness certificate*, for chapter 4A (Ridesharing)—see section 164B.

**member**, of an emergency service—see the [Emergencies Act 2004](#), dictionary.

**multiple hiring**, of a taxi, means a hiring under section 141.

**non-transferable leased taxi licence**—see section 82 (2).

**NSW cross-border taxi** means a licensed taxi-cab under the [Passenger Transport Act 1990](#) (NSW) that is approved by the road transport authority to operate as a taxi in the ACT under arrangements between the authority and the NSW Government.

**NSW cross-border taxi licence**—see section 82A (1).

**operate** a public passenger vehicle includes drive a public passenger vehicle.

**operating**, a rideshare service, for chapter 4A (Ridesharing)—see section 164I.

**passenger number**, for a passenger for a rideshare booking service, for chapter 4A (Ridesharing)—see section 164B.

**prescribed driver authority information**, for a person, means—

- (a) if the person is the holder of a public vehicle licence—the number of the person’s public vehicle licence and its expiry date; or
- (b) in any other case—
  - (i) the number of the person’s Australian driver licence and its expiry date; and



- (ii) the number of the authority mentioned in the *Road Transport (Driver Licensing) Regulation 2000*, section 94A (1) (b) held by the person and its expiry date.

*Note 1* A person does not hold a public vehicle licence if the public vehicle licence has been suspended or cancelled under the road transport legislation or any other territory law.

*Note 2* The *Road Transport (Driver Licensing) Regulation 2000*, s 94A (4) provides that a person ceases to be exempt from holding a public vehicle licence if—

- (a) an automatic disqualifying circumstance applies to the person (see *Road Transport (Driver Licensing) Regulation 2000*, s 91); or
- (b) the person is disqualified by the road transport authority from driving a vehicle on a road or road related area (in the ACT) under that regulation, s 103.

**proposed service standards**, for an application for (including renewal) accreditation, for part 2.2 (Accreditation procedure)—see section 6A.

**public passenger service**—see the *Act*, section 10.

**public passenger vehicle policy**—see the *Act*, section 110 (Definitions—pt 8A).

**public vehicle licence**—see the *Road Transport (Driver Licensing) Act 1999*, dictionary.

**recording**, for a security camera, includes the storage of digital information from which an image can be produced.

**registered vehicle**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**registration number**, for a vehicle—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**regular route service**—see the *Act*, section 12.

**regulated service**, for part 2.2 (Accreditation procedure)—see section 6.

**relevant person**, in relation to an application for accreditation (including renewal) by a person or an accreditation held by a person—see section 6B.

**required medical standards**, for a person—see the *Road Transport (Driver Licensing) Regulation 2000*, section 15.

**restricted hire car licence label** means a label issued under section 168.

**restricted taxi**—see the *Act*, section 46.

**restricted taxi licence**—see the *Act*, section 38.

**restricted taxi service**—see the *Act*, section 48.

**rideshare**, for chapter 4A (Ridesharing)—see section 164C.

**rideshare booking service**, for chapter 4A (Ridesharing)—see section 164D.

**rideshare driver**, for chapter 4A (Ridesharing)—see section 164C.

**rideshare service**, for chapter 4A (Ridesharing)—see section 164C.

**rideshare vehicle**, for chapter 4A (Ridesharing)—see section 164C.

**rideshare vehicle suitability certificate**, for chapter 4A (Ridesharing)—see section 164B.

**security camera** includes any device that records images.

**service authority**, for chapter 8 (Disciplinary action)—see section 320.

**service contract**, for division 4.3.4B (Wheelchair-accessible taxi centralised booking services)—see section 154K.

**stand-by hire car**—see section 177B.

**stand-by hire car permit**—see section 177A.

*stand-by hire car permit label*, for division 5.1.3 (Stand-by hire cars)—see section 177A.

*stand-by taxi*—see section 109.

*surge pricing*, for ridesharing, for chapter 4A (Ridesharing)—see section 164B.

*taxi* means—

- (a) see the [Act](#), section 45; and
- (b) includes a restricted taxi and a stand-by taxi.

*taxi booking service*—see the [Act](#), section 29.

*taxi licence*—see the [Act](#), section 37.

*taxi network*—see the [Act](#), section 28.

*taxi service*—see the [Act](#), section 47.

*taxi zone*—

- (a) see the [Australian Road Rules](#), rule 182; and
- (b) includes a temporary taxi zone appointed under section 123.

*third-party property insurance policy*, for chapter 4A (Ridesharing)—see section 164B.

*tour and charter service*—see the [Act](#), section 13.

*transferable leased taxi licence*—see section 82 (2).

*usual hire car*, for division 5.1.3 (Stand-by hire cars)—see section 177B.

*vehicle inspection station*, for chapter 4A (Ridesharing)—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), dictionary.

*WCBS*—see section 154I.

*WCBS operator*—see section 154K.

*WCBS's approved procedures*—see section 125A (1) (a).

***WCBS's approved rules***—see section 125A (1) (b).

***wheelchair***—see the [Australian Road Rules](#), dictionary.

***wheelchair-accessible taxi*** means a taxi with wheelchair access.

***wheelchair-accessible taxi centralised booking service (WCBS)***—see section 154I.

***wheelchair-accessible taxi licence***—see section 82A (1).

***wheelchair-dependent person***, for the hiring of a taxi, means a person who is using a wheelchair for mobility.

## Endnotes

### 1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws are not included in the republished law. The details of these laws are underlined in the legislation history. Uncommenced expiries are underlined in the legislation history and amendment history.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

### 2 Abbreviation key

A = Act	NI = Notifiable instrument
AF = Approved form	o = order
am = amended	om = omitted/repealed
amdt = amendment	ord = ordinance
AR = Assembly resolution	orig = original
ch = chapter	par = paragraph/subparagraph
CN = Commencement notice	pres = present
def = definition	prev = previous
DI = Disallowable instrument	(prev...) = previously
dict = dictionary	pt = part
disallowed = disallowed by the Legislative Assembly	r = rule/subrule
div = division	reloc = relocated
exp = expires/expired	renum = renumbered
Gaz = gazette	R[X] = Republication No
hdg = heading	RI = reissue
IA = Interpretation Act 1967	s = section/subsection
ins = inserted/added	sch = schedule
LA = Legislation Act 2001	sdiv = subdivision
LR = legislation register	SL = Subordinate law
LRA = Legislation (Republication) Act 1996	sub = substituted
mod = modified/modification	<u>underlining</u> = whole or part not commenced or to be expired

## Endnotes

3 Legislation history

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### 3 Legislation history

This regulation was originally the *Road Transport (Public Passenger Services) Regulations 2002*. It was renamed under the [Legislation Act 2001](#).

#### **Road Transport (Public Passenger Services) Regulation 2002 SL No 3**

notified LR 27 February 2002  
s 1, s 2 commenced 27 February 2002 (LA s 75 (1))  
s 132 (4) commenced 1 March 2003 (s 2 (2))  
remainder commenced 1 March 2002 (s 2 (1) and see [CN2002-2](#))

as amended by

#### **Road Transport Legislation (Taxi Services) Amendment Regulations 2003 (No 1) SL2003-32 pt 2, sch 1**

notified LR 22 September 2003  
s 1, s 2 commenced 22 September 2003 (LA s 75 (1))  
pt 2, sch 1 commenced 23 September 2003 (s 2)

#### **Road Transport (Public Passenger Services) Amendment Regulations 2003 (No 1) SL2003-43**

notified LR 10 November 2003  
s 1, s 2 commenced 10 November 2003 (LA s 75 (1))  
remainder commenced 11 November 2003 (s 2)

#### **Road Transport Legislation Amendment Regulations 2004 (No 1) SL2004-47 pt 4**

notified LR 9 September 2004  
s 1, s 2 commenced 9 September 2004 (LA s 75 (1))  
pt 4 commenced 10 September 2004 (s 2)

#### **Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1) SL2005-4**

notified LR 7 March 2005  
s 1, s 2 commenced 7 March 2005 (LA s 75 (1))  
remainder commenced 9 March 2005 (s 2 and see [Road Transport \(Public Passenger Services\) \(Hire Cars\) Amendment Act 2004 A2004-69](#), s 2 and LA s 79)

**Road Transport Legislation Amendment Regulation 2005 (No 1)  
SL2005-39 pt 4**

notified LR 14 December 2005  
s 1, s 2 commenced 14 December 2005 (LA s 75 (1))  
pt 4 commenced 15 December 2005 (s 2)

**Road Transport Legislation (Taxi Licences) Amendment  
Regulation 2006 (No 1) SL2006-5**

notified LR 6 March 2006  
s 1, s 2 commenced 6 March 2006 (LA s 75 (1))  
remainder commenced 7 March 2006 (s 2)

**Road Transport Legislation Amendment Act 2006 A2006-26 pt 3**

notified LR 14 June 2006  
s 1, s 2 commenced 14 June 2006 (LA s 75 (1))  
pt 3 commenced 2 July 2006 (s 2 and [CN2006-12](#))

**Administrative (Miscellaneous Amendments) Act 2006 A2006-30  
sch 1 pt 1.11**

notified LR 16 June 2006  
s 1, s 2 commenced 16 June 2006 (LA s 75 (1))  
amdt 1.87 commenced 3 July 2006 (s 2 (2))  
sch 1 pt 1.11 remainder commenced 1 July 2006 (s 2 (1))

**Road Transport Legislation (Taxi Licences) Amendment  
Regulation 2006 (No 2) SL2006-31**

notified LR 26 June 2006  
s 1, s 2 commenced 26 June 2006 (LA s 75 (1))  
remainder commenced 2 July 2006 (s 2 and see [Road Transport  
Legislation Amendment Act 2006 A2006-26 s 2](#) and [CN2006-12](#))

**Road Transport (Public Passenger Services) Amendment  
Regulation 2006 (No 1) SL2006-32**

notified LR 26 June 2006  
s 1, s 2 commenced 26 June 2006 (LA s 75 (1))  
remainder commenced 3 July 2006 (s 2 (2))

## Endnotes

3 Legislation history

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**Road Transport Legislation (Accreditation and Licensing)  
Amendment Regulation 2006 (No 1) SL2006-59 pt 4**

notified LR 18 December 2006  
s 1, s 2 commenced 18 December 2006 (LA s 75 (1))  
pt 4 commenced 1 January 2007 (s 2 and [CN2006-24](#))

**ACT Civil and Administrative Tribunal Legislation Amendment  
Act 2008 (No 2) A2008-37 sch 1 pt 1.93**

notified LR 4 September 2008  
s 1, s 2 commenced 4 September 2008 (LA s 75 (1))  
sch 1 pt 1.93 commenced 2 February 2009 (s 2 (1) and see [ACT Civil  
and Administrative Tribunal Act 2008](#) A2008-35, s 2 (1) and [CN2009-2](#))

**Statute Law Amendment Act 2009 A2009-20 sch 3 pt 3.66**

notified LR 1 September 2009  
s 1, s 2 commenced 1 September 2009 (LA s 75 (1))  
sch 3 pt 3.66 commenced 22 September 2009 (s 2)

**Statute Law Amendment Act 2009 (No 2) A2009-49 sch 3 pt 3.64**

notified LR 26 November 2009  
s 1, s 2 commenced 26 November 2009 (LA s 75 (1))  
sch 3 pt 3.64 commenced 17 December 2009 (s 2)

**Smoking (Prohibition in Enclosed Public Places) Amendment  
Act 2009 A2009-51 sch 1 pt 1.3**

notified LR 18 December 2009  
s 1, s 2 commenced 18 December 2009 (LA s 75 (1))  
sch 1 pt 1.3 commenced 9 December 2010 (s 2 (1) (b) and [CN2010-4](#))

**Road Transport Legislation Amendment Regulation 2010 (No 1)  
SL2010-5 pt 3**

notified LR 1 March 2010  
s 1, s 2 commenced 1 March 2010 (LA s 75 (1))  
pt 3 commenced 15 March 2010 (s 2 (1))



**Road Transport Legislation Amendment Regulation 2010 (No 2)****SL2010-7 pt 4, sch 1 pt 1.4**

notified LR 16 March 2010

s 1, s 2 commenced 16 March 2010 (LA s 75 (1))

s 39, amdt 1.26, amdt 1.47 commenced 7 April 2010 (s 2 (2))

pt 4 remainder, sch 1 pt 1.4 remainder commenced 17 March 2010 (s 2 (1))

**Statute Law Amendment Act 2010 A2010-18 sch 3 pt 3.19**

notified LR 13 May 2010

s 1, s 2 commenced 13 May 2010 (LA s 75 (1))

sch 3 pt 3.19 commenced 3 June 2010 (s 2)

**Liquor (Consequential Amendments) Act 2010 A2010-43 sch 1 pt 1.19**

notified LR 8 November 2010

s 1, s 2 commenced 8 November 2010 (LA s 75 (1))

sch 1 pt 1.19 commenced 1 December 2010 (s 2 (4) and see [Liquor Act 2010 A2010-35](#), s 2 (3) (as am by [A2010-43](#) amdt 1.19) and [CN2010-14](#))

**Road Transport Legislation Amendment Regulation 2011 (No 1)****SL2011-2 pt 2**

notified LR 27 January 2011

s 1, s 2 commenced 27 January 2011 (LA s 75 (1))

pt 2 commenced 28 January 2011 (s 2)

**Road Transport Legislation Amendment Regulation 2011 (No 2)****SL2011-32 pt 3**

notified LR 24 November 2011

s 1, s 2 commenced 24 November 2011 (LA s 75 (1))

pt 3 commenced 1 February 2012 (s 2 and [CN2012-2](#))

**Road Transport (Public Passenger Services) Amendment Regulation 2012 (No 1) SL2012-1**

notified LR 19 January 2012

s 1, s 2 commenced 19 January 2012 (LA s 75 (1))

remainder commenced 1 March 2012 (s 2 and [CN2012-5](#))

## Endnotes

3 Legislation history

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**Statute Law Amendment Act 2012 A2012-21 sch 3 pt 3.41**

notified LR 22 May 2012

s 1, s 2 commenced 22 May 2012 (LA s 75 (1))

sch 3 pt 3.41 commenced 5 June 2012 (s 2 (1))

**Road Transport (Public Passenger Services) Amendment Regulation 2012 (No 2) SL2012-37**

notified LR 10 September 2012

s 1, s 2 commenced 10 September 2012 (LA s 75 (1))

remainder commenced 11 September 2012 (s 2)

**Road Transport Legislation Amendment Regulation 2012 (No 1) SL2012-44 pt 5**

notified LR 19 December 2012

s 1, s 2 commenced 19 December 2012 (LA s 75 (1))

pt 5 commenced 20 December 2012 (s 2)

**Statute Law Amendment Act 2013 A2013-19 sch 3 pt 3.43**

notified LR 24 May 2013

s 1, s 2 commenced 24 May 2013 (LA s 75 (1))

sch 3 pt 3.43 commenced 14 June 2013 (s 2)

**Road Transport Legislation Amendment Regulation 2013 (No 2) SL2013-14 pt 3**

notified LR 17 June 2013

s 1, s 2 commenced 17 June 2013 (LA s 75 (1))

pt 3 commenced 1 July 2013 (s 2)

**Statute Law Amendment Act 2013 (No 2) A2013-44 sch 3 pt 3.20**

notified LR 11 November 2013

s 1, s 2 commenced 11 November 2013 (LA s 75 (1))

sch 3 pt 3.20 commenced 25 November 2013 (s 2)

**Justice and Community Safety Legislation Amendment Act 2014 (No 2) A2014-49 sch 1 pt 1.20**

notified LR 10 November 2014

s 1, s 2 commenced 10 November 2014 (LA s 75 (1))

sch 1 pt 1.20 commenced 17 November 2014 (s 2)

**Road Transport (Public Passenger Services) Amendment Regulation 2015 (No 1) SL2015-11**

notified LR 15 April 2015  
s 1, s 2 commenced 15 April 2015 (LA s 75 (1))  
remainder commenced 16 April 2015 (s 2)

**Red Tape Reduction Legislation Amendment Act 2015 A2015-33  
sch 1 pt 1.58**

notified LR 30 September 2015  
s 1, s 2 commenced 30 September 2015 (LA s 75 (1))  
sch 1 pt 1.58 commenced 14 October 2015 (s 2)

**Road Transport (Public Passenger Services) (Exemptions) Amendment Regulation 2015 (No 1) SL2015-34**

notified LR 29 October 2015  
s 1, s 2 commenced 29 October 2015 (LA s 75 (1))  
remainder commenced 30 October 2015 (s 2)

## Endnotes

4 Amendment history

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### 4 Amendment history

#### Name of regulation

s 1 am R9 LA

#### Commencement

s 2 om LA s 89 (4)

#### Notes

s 4 s 4 (2), bracketed notes in s 4 (2) and s 4 (3)  
exp 31 December 2002 (s 4 (3))

#### Offences against regulation—application of Criminal Code etc

s 4A ins [SL2003-32](#) amdt 1.1  
sub [SL2005-4](#) amdt 1.1  
am [SL2005-39](#) s 13; [SL2006-5](#) amdt 1.29; [SL2006-31](#)  
amdt 1.12, amdt 1.13; [SL2006-32](#) amdt 1.47, amdt 1.48;  
[SL2010-7](#) amdt 1.26; [SL2012-37](#) s 4

#### Accreditations that may be approved

s 5 am [SL2005-4](#) s 4; [SL2006-5](#) s 4; [A2006-26](#) s 17; [SL2006-32](#)  
s 4

#### Definitions for pt 2.2

s 6 sub [SL2003-32](#) amdt 1.2; [SL2005-4](#) s 5  
def **applicant** ins [SL2003-32](#) amdt 1.2  
sub [SL2005-4](#) s 5  
def **executive officer** ins [SL2005-4](#) s 5  
sub [A2010-18](#) amdt 3.83  
def **mandatory disqualifying offence** ins [SL2005-4](#) s 5  
om [SL2006-59](#) s 23  
def **proposed service standards** ins [SL2005-4](#) s 5  
def **regulated service** sub [SL2003-32](#) amdt 1.2; [SL2005-4](#)  
s 5; [SL2006-5](#) amdt 1.6  
am [SL2006-32](#) s 5  
def **relevant person** sub [SL2003-32](#) amdt 1.2; [SL2005-4](#) s 5

#### Meaning of *proposed service standards* for pt 2.2

s 6A ins [SL2005-4](#) s 5  
(2), (3) exp 10 March 2006 (s 6A (3))

#### Meaning of *relevant person* for pt 2.2

s 6B ins [SL2005-4](#) s 5  
am [SL2010-7](#) s 38

#### Application procedure for accreditation

s 7 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 7 am [SL2003-32](#) amdt 1.3, amdt 1.4  
sub [SL2005-4](#) s 5  
am [A2013-19](#) amdt 3.431

**Mandatory refusal of accreditation**

s 8 sub [SL2005-4](#) s 5  
am [SL2006-32](#) s 6, amdt 1.88; [SL2006-59](#) ss 24-26; pars  
renum R19 LA; [SL2011-2](#) s 4

**Discretionary refusal of accreditation**

s 9 am [SL2005-4](#) s 6, amdt 1.2; [SL2006-5](#) amdt 1.7; ss renum  
R13 LA; [SL2006-32](#) amdt 1.88; [SL2010-7](#) amdt 1.27

**Issue or amendment of accreditation subject to conditions**

s 10 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Accredited people—procedure for imposition etc of conditions on authority's initiative**

s 11 am [SL2005-4](#) amdt 1.3; [SL2006-32](#) amdt 1.88

**Accreditation and certificates of accreditation**

s 12 am [SL2005-4](#) s 7, s 8; [SL2006-32](#) s 7

**Accepted service standards—amendment on accredited person's initiative**

s 13 sub [SL2004-47](#) s 25

**Accepted service standards—amendment on authority's initiative**

s 13A ins [SL2004-47](#) s 25

**Notification of change in details of accreditation or operation of regulated service**

s 14 am [SL2004-47](#) s 26; [SL2006-59](#) s 27

**Replacement of certificate of accreditation**

s 16 am [A2012-21](#) amdt 3.158

**Surrender of accreditation**

s 18 am [A2012-21](#) amdt 3.159

**Recovery of lost or stolen certificate of accreditation**

s 18A ins [SL2005-4](#) s 9

**Minimum service standards for regulated services**

s 18B ins [SL2005-4](#) s 10  
am [SL2006-5](#) amdt 1.8  
(6), (7) exp 10 March 2006 (s 18B (7))  
am [SL2006-32](#) amdt 1.89

**Approval of educational qualifications**

s 19 am [SL2006-32](#) amdt 1.89

**Accreditation guidelines—relevant offences**

s 19A ins [SL2006-59](#) s 28

## Endnotes

### 4 Amendment history

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#### **Tour and charter services from interstate—Act, s 128 (1) (a)**

s 20A hdg sub [SL2010-7](#) amdt 1.28  
s 20A ins [SL2003-43](#) s 4

#### **Maintenance of buses**

s 21 sub [SL2005-4](#) amdt 1.4

#### **Notification of changes to bus fleet**

s 23 am [SL2005-4](#) amdt 1.5  
sub [SL2006-32](#) amdt 1.49

#### **Notifiable incidents involving buses**

s 24 sub [SL2006-32](#) amdt 1.49

#### **Condition of buses**

s 25 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Bus drivers to hold appropriate driver licence or authority**

s 26 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 26 sub [SL2005-39](#) s 14

#### **Records of bus drivers etc to be maintained by accredited operator**

s 27 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 27 sub [SL2005-39](#) s 15  
am [SL2006-32](#) amdt 1.50, amdt 1.91

#### **Accredited operator to tell road transport authority about records of bus drivers etc**

s 27A ins [SL2005-39](#) s 15  
am [SL2006-32](#) amdt 1.91

#### **Road transport authority may tell accredited operator about bus drivers**

s 27B ins [SL2005-39](#) s 15  
am [SL2006-32](#) amdt 1.91

#### **Keeping and inspection etc of records about buses**

s 28 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 28 am [SL2006-32](#) amdt 1.51

#### **Display of notice on bus about maximum number of passengers**

s 29 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Accreditation details to be displayed on buses**

s 30 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 30 am [SL2006-32](#) amdt 1.89

#### **Advertisements for bus services to display accreditation number**

s 30A ins [SL2003-32](#) s 4  
(4), (5) exp 1 July 2004 (s 30A (5))

**Airconditioning of buses**

s 30B ins [SL2006-32](#) amdt 1.52

**Bus service vehicle livery**

s 30C ins [SL2006-32](#) amdt 1.52  
(5), (6) exp 3 October 2006 (s 30C (6))

**Offensive material etc in or on buses**

s 30D ins [SL2006-32](#) amdt 1.52

**Compliance with dress code of practice**

s 30E ins [SL2006-32](#) amdt 1.52

**Presence of security camera in bus to be indicated**

s 31 am [SL2006-32](#) amdt 1.53; [A2014-49](#) amdt 1.41

**Bus operator's responsibilities for security camera recordings**

s 32 am [SL2003-32](#) amdt 1.5; [SL2006-32](#) amdt 1.54; [A2014-49](#)  
amdt 1.42

**Effect of noncompliance notices—bus operators**

s 34 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 34 sub [SL2003-32](#) amdt 1.6; [SL2005-4](#) amdt 1.6  
am [SL2006-31](#) amdt 1.20, amdt 1.21; [SL2006-32](#) amdt 1.90

**Requirements about bus drivers stopping for passengers**

s 35 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Where bus drivers must stop on a road**

s 36 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Maximum number of passengers in buses**

s 37 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 37 am [SL2006-32](#) amdt 1.55, amdt 1.56

**Restrictions on carriage of goods in buses**

s 39 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Responsibility of bus drivers for lost property**

s 40 sub [SL2006-32](#) amdt 1.57

**Behaviour of bus drivers generally**

s 41 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 41 am [A2009-51](#) amdt 1.7

**Dress and conduct of bus drivers**

s 42 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 42 sub [SL2006-32](#) amdt 1.58

**Drivers to remain in bus**

s 43 hdg bracketed note exp 31 December 2002 (s 4 (3))

## Endnotes

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#### **Passengers not to be carried on certain parts of a bus**

s 44 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Effect of noncompliance notices—bus drivers**

s 45 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 45 sub [SL2003-32](#) amdt 1.7; [SL2005-4](#) amdt 1.7  
am [SL2006-31](#) amdt 1.20, amdt 1.21; [SL2006-32](#) amdt 1.90

#### **Validity of bus tickets**

s 46 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Valid bus ticket required for travel**

s 47 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Bus tickets not transferable**

s 48 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Damaged or changed bus tickets not to be used**

s 49 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Concession tickets for buses**

s 50 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 50 am [A2013-19](#) amdt 3.434

#### **Inspection and processing of bus tickets**

s 51 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Conduct of people in buses generally**

s 52 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 52 am [A2009-51](#) amdt 1.7

#### **Bus seats for older people and people with disabilities**

s 53 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 53 sub [SL2006-32](#) amdt 1.59

#### **Drinking of liquor in buses generally prohibited**

s 54 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Eating and drinking in buses**

s 55 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Getting on and getting off buses**

s 56 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **No interference with bus equipment**

s 57 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Throwing objects in or from buses**

s 58 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Travel not allowed on certain parts of bus**

s 59 hdg bracketed note exp 31 December 2002 (s 4 (3))



**Property not to be removed from buses**

s 60 hdg bracketed note exp 31 December 2002 (s 4 (3))

**No littering in buses**

s 61 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Carriage of animals in buses**

s 62 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Bus passengers—soiled clothing etc**

s 63 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Intoxicated bus passengers**

s 64 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Offender to get off bus when directed**

s 65 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Removal of people from buses**

s 66 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Lost property found by bus passengers**

s 67 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 67 sub [SL2006-32](#) amdt 1.60

**Name Territory may operate bus service under—Act, s 19A**

s 67A ins [A2006-30](#) amdt 1.86

**Code of practice—dress of bus drivers**

s 67B ins [SL2006-32](#) amdt 1.61

**Standards about security cameras in buses**

s 68 am [SL2006-32](#) amdt 1.89; [A2013-19](#) amdt 3.434; [A2013-44](#) amdt 3.177, amdt 3.178; [A2014-49](#) amdt 1.43

**Appointment of bus stops**

s 70 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Affiliation of accredited taxi service operators with taxi network**

s 71 sub [SL2006-31](#) s 4

**Operation of taxis through taxi networks**

s 72 am [SL2005-39](#) s 16; [A2013-19](#) amdt 3.434

**Accredited taxi network provider's taxi booking service to direct wheelchair-accessible taxi hiring to WCBS**

s 74 am [SL2003-32](#) amdt 1.8

sub [SL2012-37](#) s 5

**WCBS to direct driver to accept wheelchair-accessible taxi hiring**

s 74A ins [SL2012-37](#) s 5

## Endnotes

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**Accredited taxi network provider to direct driver to accept wheelchair-accessible taxi hiring**

s 74B ins [SL2012-37](#) s 5

**Booking service to give estimated arrival time for wheelchair-accessible taxis**

s 75 sub [SL2012-37](#) s 5

**Records of taxi drivers etc to be maintained by accredited network provider**

s 77 sub [SL2005-39](#) s 17  
am [SL2006-32](#) amdt 1.62, amdt 1.91

**Accredited network provider to tell road transport authority about records of taxi drivers etc**

s 77A ins [SL2005-39](#) s 17  
am [SL2006-32](#) amdt 1.91

**Road transport authority may tell accredited network provider about taxi drivers**

s 77B ins [SL2005-39](#) s 17  
am [SL2006-32](#) amdt 1.91

**Keeping and inspection etc of records of taxi networks**

s 78 am [SL2006-32](#) amdt 1.63

**Network provider's responsibilities for security camera recordings**

s 79 am [SL2006-32](#) amdt 1.64; [A2014-49](#) amdt 1.44

**Independent taxi booking services**

pt 4.1A hdg ins [SL2015-34](#) s 4

**Meaning of *independent taxi booking service***

s 81 om [SL2005-4](#) amdt 1.8  
ins [SL2015-34](#) s 4

**Exemption for independent taxi booking services—Act, s 128 (1) (a)**

s 81A ins [SL2015-34](#) s 4

**Taxi licences**

pt 4.2 hdg sub [SL2006-5](#) amdt 1.9

**Taxi licences that may be issued**

s 82 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 82 sub [SL2005-4](#) amdt 1.9; [SL2006-5](#) s 5  
am [SL2006-31](#) ss 5-7

**Kinds of restricted taxis**

s 82A ins [SL2006-5](#) s 5  
(3), (4) exp 30 September 2007 (s 82A (4))

**Transferable leased taxi licences—issue**

div 4.2.2 hdg sub [SL2006-5](#) s 6

**Transferable leased taxi licences—application for issue**

s 83 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 83 sub [SL2005-4](#) amdt 1.10; [SL2006-5](#) s 6  
am [SL2006-31](#) amdt 1.14

**Transferable leased taxi licences—decision on application**

s 83A ins [SL2006-5](#) s 6  
am [SL2006-31](#) amdt 1.15; [SL2010-7](#) amdt 1.29

**Non-transferable leased taxi licences—issue**

div 4.2.3 hdg orig div 4.2.3 hdg renum as div 4.2.4 hdg  
ins [SL2006-31](#) s 8

**Non-transferable leased taxi licences—application for issue**

s 83B ins [SL2006-31](#) s 8

**Non-transferable leased taxi licences—decision on application**

s 83C ins [SL2006-31](#) s 8  
am [SL2010-7](#) amdt 1.30

**Wheelchair-accessible taxi licences—issue**

div 4.2.4 hdg orig div 4.2.4 hdg renum as div 4.2.5 hdg  
(prev div 4.2.3 hdg) ins [SL2006-5](#) s 6  
renum [SL2006-31](#) s 9

**Wheelchair-accessible taxi licences—application for issue**

s 83D ins [SL2006-5](#) s 6  
am [SL2006-31](#) amdt 1.16

**Wheelchair-accessible taxi licences—decision on application**

s 83E ins [SL2006-5](#) s 6  
am [SL2006-31](#) amdt 1.17; [SL2010-7](#) amdt 1.31

**NSW cross-border taxi licences—issue**

div 4.2.5 hdg orig div 4.2.5 hdg renum as div 4.2.6 hdg  
(prev div 4.2.4 hdg) ins [SL2006-5](#) s 6  
renum [SL2006-31](#) s 9

**NSW cross-border taxi licences—application for issue**

s 83F ins [SL2006-5](#) s 6

**NSW cross-border taxi licences—decision on application**

s 83G ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 10; [SL2006-32](#) amdt 1.88

**Renewal of taxi licences**

div 4.2.6 hdg orig div 4.2.6 hdg renum as div 4.2.7 hdg  
(prev div 4.2.5 hdg) ins [SL2006-5](#) s 6  
renum [SL2006-31](#) s 9

## Endnotes

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#### **Leased taxi licences not renewable**

s 84 sub [SL2005-4](#) amdt 1.10; [SL2006-5](#) s 6; [SL2006-31](#) s 11  
om [SL2011-32](#) s 6

#### **Taxi licences—application for renewal**

s 84A hdg am [SL2011-32](#) s 7  
s 84A ins [SL2006-5](#) s 6  
am [SL2006-31](#) amdt 1.18; [SL2011-32](#) s 7

#### **Taxi licences—decision on application for renewal**

s 84B hdg am [SL2011-32](#) s 7  
s 84B ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 12; [SL2006-32](#) amdt 1.88; [SL2010-7](#)  
amdt 1.32; [SL2011-32](#) s 7

#### **Taxi licences—term of renewed licences**

s 84C hdg am [SL2011-32](#) s 7  
s 84C ins [SL2006-5](#) s 6  
am [SL2011-32](#) s 7

#### **Defined rights for certain taxi licences**

div 4.2.7 hdg orig div 4.2.7 hdg renum as div 4.2.8 hdg  
(prev div 4.2.6 hdg) ins [SL2006-5](#) s 6  
renum [SL2006-31](#) s 9

#### **Power to issue defined rights**

s 84D ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 13

#### **Defined rights ballots**

s 84E ins [SL2006-5](#) s 6

#### **Notification of ballots**

s 84F ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 14; [A2009-20](#) amdt 3.189; [SL2015-11](#) s 4;  
[A2015-33](#) amdt 1.207

#### **Application for entry in ballot**

s 84G ins [SL2006-5](#) s 6

#### **Decision on application for ballot**

s 84H ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 15; [SL2006-32](#) amdt 1.88

#### **Withdrawal from ballot**

s 84I ins [SL2006-5](#) s 6

#### **Ballot reserve list**

s 84J ins [SL2006-5](#) s 6  
am [SL2011-2](#) s 5; [A2015-33](#) amdt 1.208

**Offering defined rights to ballot reserves**

s 84K ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 16; ss renum [SL2006-31](#) s 17

**When defined rights end**

s 84L ins [SL2006-5](#) s 6

**Defined right conditions**

s 84M ins [SL2006-5](#) s 6

**Defined rights not transferable**

s 84N ins [SL2006-5](#) s 6

**Taxi licences—other provisions**

div 4.2.8 hdg (prev div 4.2.7 hdg) ins [SL2006-5](#) s 7  
renum [SL2006-31](#) s 9

**Amendment of taxi licences—conditions**

s 85 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 85 am [SL2005-4](#) amdt 1.11  
sub [SL2006-5](#) s 7

**Taxi licences—procedure for imposition etc of conditions on authority's initiative**

s 86 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 86 sub [SL2005-4](#) amdt 1.12  
am [SL2006-5](#) amdt 1.10, amdt 1.28; [SL2006-32](#) amdt 1.88

**Conditions of taxi licences**

s 86A ins [SL2005-4](#) amdt 1.12

**Form of taxi licences**

s 87 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 87 sub [SL2005-4](#) amdt 1.12

**Taxi licence-holders to notify change of name or address**

s 88 hdg bracketed note exp 31 December 2002 (s 4 (3))  
am [SL2006-5](#) amdt 1.29  
s 88 sub [SL2003-32](#) s 5  
am [SL2005-4](#) amdt 1.13; [SL2006-5](#) amdt 1.11; [A2009-49](#)  
amdt 3.155

**Holder of conditional taxi licence to comply with conditions**

s 89 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Replacement of taxi licence**

s 90 am [A2012-21](#) amdt 3.160

**Production of taxi licence**

s 91 am [SL2005-4](#) amdt 1.14

## Endnotes

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#### **Surrender of taxi licence**

s 92 am [A2012-21](#) amdt 3.161

#### **Maintenance of taxis**

s 93 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 93 am [SL2003-32](#) amdt 1.9

sub [SL2005-4](#) amdt 1.15

#### **Responsibility of operator for condition of taxi**

s 94 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Taxis to be fitted with complying taximeters**

s 95 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 95 sub [SL2003-32](#) s 6

#### **Exemption from requirement to comply with taximeter standards**

s 95A ins [SL2003-32](#) s 6

am [SL2006-32](#) amdt 1.89

#### **Taximeters to be clearly visible**

s 96 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Taxi drivers to hold appropriate driver licence or authority**

s 97 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 97 sub [SL2005-39](#) s 18

#### **Drivers of wheelchair-accessible taxis to be trained**

s 98 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 98 s (2), s (3) exp 1 March 2003 (s 98 (3))

#### **Records of taxi drivers etc to be maintained by accredited operator**

s 99 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 99 sub [SL2005-39](#) s 19

am [SL2006-32](#) amdt 1.65, amdt 1.91; [SL2010-7](#) amdt 1.33

#### **Keeping and inspection etc of records about taxis**

s 100 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 100 am [SL2005-4](#) amdt 1.16

am [SL2006-32](#) amdt 1.66

#### **Arrangements with taxi networks**

s 101 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 101 am [SL2006-32](#) amdt 1.89

#### **Wheelchair-accessible taxi operator to have equipment and arrangements with WCBS**

s 101A ins [SL2012-37](#) s 6

#### **Information to be displayed in taxis**

s 102 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 102 am [SL2006-32](#) amdt 1.89

**Presence of security camera in taxi to be indicated**

s 103 am [SL2006-32](#) amdt 1.67; [A2014-49](#) amdt 1.44

**Airconditioning of taxis**

s 104 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Child restraint anchorages in taxis**

s 105 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Taxi roof sign indicating hiring availability**

s 106 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 106 am [SL2006-32](#) amdt 1.89

**Taxi network livery**

s 107 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 107 sub [SL2006-32](#) amdt 1.68  
(4), (5) exp 3 October 2006 (s 107 (5))

**Offensive material etc in or on taxis**

s 108 am [SL2005-4](#) amdt 1.17

**Stand-by taxis**

s 109 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 109 am [SL2006-32](#) amdt 1.69; [SL2010-7](#) amdt 1.34

**Taxi network uniforms**

s 110 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Effect of noncompliance notices—taxi operators**

s 112 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 112 sub [SL2003-32](#) amdt 1.10; [SL2005-4](#) amdt 1.18  
am [SL2006-31](#) amdt 1.20, amdt 1.21; [SL2006-32](#) amdt 1.90

**Taxi drivers**

div 4.3.2 hdg (prev div 1.1.2 hdg) renum R1 LA

**Responsibility of drivers for condition of taxi**

s 113 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Special responsibilities of wheelchair-accessible taxi drivers**

s 114 am [SL2003-32](#) amdt 1.11, amdt 1.12; [SL2012-37](#) ss 7-9

**Restrictions on carriage of goods in taxis**

s 116 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Carriage of animals in taxis**

s 117 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Responsibility of taxi drivers for lost property**

s 118 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Behaviour of taxi drivers generally**

s 119 hdg bracketed note exp 31 December 2002 (s 4 (3))

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s 119 am [A2009-51](#) amdt 1.7

#### **Dress and conduct of taxi drivers**

s 120 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Drivers to remain in taxi**

s 121 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Use of taxi zones**

s 122 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Temporary taxi zones**

s 123 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Offence to park taxis on road for longer than 30 minutes**

s 124 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Use of accredited taxi network by drivers**

s 125 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Road transport authority may approve WCBS's procedures and rules**

s 125A ins [SL2012-37](#) s 10

#### **Wheelchair-accessible taxi driver to comply with WCBS's approved procedures and rules**

s 125B ins [SL2012-37](#) s 10

#### **Effect of noncompliance notices—taxi drivers**

s 126 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 126 sub [SL2003-32](#) amdt 1.13; [SL2005-4](#) amdt 1.19  
am [SL2006-31](#) amdt 1.20, amdt 1.21; [SL2006-32](#) amdt 1.90

#### **Taxi hirings**

div 4.3.3 hdg (prev div 1.1.3 hdg) renum R1 LA

#### **When a taxi hiring *begins***

s 127 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 127 sub [SL2003-32](#) s 7

#### **When a taxi hiring *ends***

s 127A ins [SL2003-32](#) s 7

#### **Soliciting for taxi hirings prohibited**

s 128 hdg bracketed note exp 31 December 2002 (s 4 (3))

#### **Requirements about acceptance of taxi hirings**

s 129 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 129 am [SL2012-37](#) s 11

#### **Directions by police officers or authorised people about acceptance and carrying out of hirings**

s 130 hdg bracketed note exp 31 December 2002 (s 4 (3))



**How taxi hiring to be carried out**

s 131 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Wheelchair passengers in wheelchair-accessible taxis**

s 132 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 132 am [SL2010-5](#) s 47; [A2013-19](#) amdt 3.434

**Where taxi drivers must stop**

s 133 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 133 am [SL2003-32](#) amdt 1.14

sub [SL2005-39](#) s 20

**Operation of taxi roof sign by drivers**

s 134 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 134 sub [SL2003-32](#) s 8

**Carriage of goods in taxis**

s 135 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Taxi driver waiting or instructed to return**

s 136 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 136 am [SL2003-32](#) s 9

**Ending of taxi hiring by hirer**

s 137 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Ending of taxi hiring by driver**

s 138 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 138 am [SL2010-5](#) s 48

**Extra taxi passengers**

s 139 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Sharing taxis**

s 140 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 140 am [SL2003-32](#) s 10; regs renum R5 LA (see [SL2003-32](#) s 11)

**Multiple hiring of taxis**

s 141 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Taxi fare deposits**

s 142 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 142 sub [SL2003-32](#) s 12

**Exemption from operation of taximeter and metered fares for certain hirings—Act, s 128 (1) (a)**

s 142A hdg sub [SL2010-7](#) amdt 1.35

s 142A ins [SL2003-32](#) s 12

am [SL2006-32](#) amdt 1.89

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### **Driver not to start taximeter before hiring begins**

s 143 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 143 sub [SL2003-32](#) s 12

### **When driver must start taximeter**

s 143A ins [SL2003-32](#) s 12

### **Operation of taximeter during hiring**

s 143B ins [SL2003-32](#) s 12

### **Operation of taximeter at end of hiring**

s 143C ins [SL2003-32](#) s 12

### **Driver to ask for correct fare**

s 144 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 144 sub [SL2003-32](#) s 12

### **Payment of taxi fare**

s 144A ins [SL2003-32](#) s 12

### **ACT Taxi Subsidy Scheme vouchers—offences**

s 144B ins [SL2003-32](#) s 12

### **Taxi fare not payable for avoidable delays**

s 145 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 145 am [A2013-19](#) amdt 3.434

### **Conduct of taxi passengers**

div 4.3.4 hdg (prev div 1.1.4 hdg) renum R1 LA

### **Offensive behaviour or language in taxis**

s 146 hdg bracketed note exp 31 December 2002 (s 4 (3))

### **Eating and drinking in taxis**

s 148 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 148 am [SL2003-32](#) amdt 1.15; [A2009-51](#) amdt 1.7

### **Restrictions on carriage of animals in taxis**

s 149 hdg bracketed note exp 31 December 2002 (s 4 (3))

### **Taxi passengers—soiled clothing etc**

s 150 hdg bracketed note exp 31 December 2002 (s 4 (3))

### **Intoxicated taxi passengers**

s 151 hdg bracketed note exp 31 December 2002 (s 4 (3))

### **Offender to get out of taxi when directed**

s 152 hdg bracketed note exp 31 December 2002 (s 4 (3))

### **Removal of people from taxis**

s 153 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Lost property found by taxi passengers**

s 154 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 154 sub [SL2006-32](#) amdt 1.70

**Independent taxi services**

div 4.3.4A hdg ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**Object—div 4.3.4A**

s 154A ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**What is the ITO pilot period?**

s 154B ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**Eligibility criteria**

s 154C ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**ITO pilot—application to participate**

s 154D ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**ITO pilot—decision on application**

s 154E ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**Exemption for ITO pilot participants—Act, s 128 (1) (b)**

s 154F ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**Review—div 4.3.4A**

s 154G ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**Expiry—div 4.3.4A**

s 154H ins [SL2012-1](#) s 4  
exp 1 March 2015 (s 154H)

**Wheelchair-accessible taxi centralised booking services**

div 4.3.4B hdg ins [SL2012-37](#) s 12

**Meaning of *wheelchair-accessible taxi centralised booking service (WCBS)***

s 154I ins [SL2012-37](#) s 12

**WCBS—minimum service standards**

s 154J ins [SL2012-37](#) s 12

**WCBS—service contracts**

s 154K ins [SL2012-37](#) s 12

## Endnotes

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### **WCBS—entitlement to operate**

s 154L ins [SL2012-37](#) s 12

### **Offence—operate WCBS without entitlement**

s 154M ins [SL2012-37](#) s 12

### **Exemption for WCBS operator—Act, s 128 (1) (b)**

s 154N ins [SL2012-37](#) s 12

### **Other matters relating to taxi services**

div 4.3.5 hdg (prev div 1.1.5 hdg) renum R1 LA

### **Declaration of ACT taxi region**

s 155 am [SL2006-32](#) amdt 1.89

### **Standards about security cameras in taxis**

s 156 am [SL2006-32](#) amdt 1.89; [A2013-19](#) amdt 3.434; [A2013-44](#) amdt 3.179, amdt 3.180

### **Interference with taxi security cameras and recordings**

s 157 hdg bracketed note exp 31 December 2002 (s 4 (3))

### **Standards for taximeters**

s 158 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 158 am [SL2006-32](#) amdt 1.89; [A2013-19](#) amdt 3.434

### **Interference with taximeters**

s 159 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 159 am [A2013-19](#) amdt 3.434

### **Approval of wheelchair-accessible taxi driver training courses**

s 162 am [SL2006-32](#) amdt 1.89

### **Exemption of certain taxis—Act, s 128 (1) (a)**

s 163 hdg sub [SL2010-7](#) amdt 1.36  
s 163 sub [SL2005-4](#) s 11

### **Exemption of certain wheelchair-accessible taxis—Act, s 128 (1) (a)**

s 164 hdg bracketed note exp 31 December 2002 (s 4 (3))  
sub [SL2010-7](#) amdt 1.37  
s 164 sub [SL2005-4](#) s 11

### **Ridesharing**

ch 4A hdg ins [SL2015-34](#) s 5

### **Preliminary**

pt 4A.1 hdg ins [SL2015-34](#) s 5

### **Object—ch 4A**

s 164A ins [SL2015-34](#) s 5

### **Definitions—ch 4A**

s 164B ins [SL2015-34](#) s 5

def **affiliated driver** ins [SL2015-34](#) s 5  
 def **certificate of inspection** ins [SL2015-34](#) s 5  
 def **declared state of alert** ins [SL2015-34](#) s 5  
 def **declared state of emergency** ins [SL2015-34](#) s 5  
 def **jump-the-queue fee** ins [SL2015-34](#) s 5  
 def **medical fitness certificate** ins [SL2015-34](#) s 5  
 def **passenger number** ins [SL2015-34](#) s 5  
 def **required medical standards** ins [SL2015-34](#) s 5  
 def **rideshare vehicle suitability certificate** ins [SL2015-34](#) s 5  
 def **surge pricing** ins [SL2015-34](#) s 5  
 def **third-party property insurance policy** ins [SL2015-34](#) s 5  
 def **vehicle inspection station** ins [SL2015-34](#) s 5

**Meaning of *rideshare service*, *rideshare driver*, *rideshare* and *rideshare vehicle*—ch 4A**

s 164C ins [SL2015-34](#) s 5

**Meaning of *rideshare booking service*—ch 4A**

s 164D ins [SL2015-34](#) s 5

**Interim *rideshare booking services***

pt 4A.2 hdg ins [SL2015-34](#) s 5

**Meaning of *interim rideshare booking service*—ch 4A**

s 164E ins [SL2015-34](#) s 5

**Meaning of *interim rideshare booking service agreement*—ch 4A**

s 164F ins [SL2015-34](#) s 5

**Interim *ridesharing arrangements***

pt 4A.3 hdg ins [SL2015-34](#) s 5

**Meaning of *interim rideshare driver*—ch 4A**

s 164G ins [SL2015-34](#) s 5

**Meaning of *interim rideshare driver agreement* and *interim rideshare vehicle*—ch 4A**

s 164H ins [SL2015-34](#) s 5

**When is a *rideshare driver operating* a *rideshare service*?**

s 164I ins [SL2015-34](#) s 5

**Exemption for *interim rideshare drivers*—Act, s 128 (1) (a)**

s 164J ins [SL2015-34](#) s 5

**Exemption for *registered operators of interim rideshare vehicles*—Act, s 128 (1) (a)**

s 164K ins [SL2015-34](#) s 5

## Endnotes

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#### **Hire cars**

ch 5 hdg sub [SL2005-4](#) s 12

#### **Hire car licences**

pt 5.1 hdg ins [SL2005-4](#) s 12

#### **Kinds of hire car licences**

div 5.1.1 hdg ins [SL2005-4](#) s 12

#### **Hire car licences that may be issued**

s 165 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 165 sub [SL2005-4](#) s 12  
am [SL2006-5](#) amdt 1.28

#### **Hire car licensing procedure**

div 5.1.2 hdg ins [SL2005-4](#) s 12

#### **Application procedure for issue of hire car licences**

s 166 sub [SL2005-4](#) s 12

#### **Issue of hire car licences**

s 167 am [SL2003-32](#) amdt 1.16  
sub [SL2005-4](#) s 12  
(7)-(9) exp 31 July 2005 (s 167 (9) and [NI2005-226](#))  
am [SL2006-5](#) amdt 1.12; ss renum R13 LA; [SL2006-32](#)  
amdt 1.88

#### **Restricted hire car licences—issue of licence labels**

s 168 sub [SL2005-4](#) s 12  
am [SL2006-5](#) amdt 1.28  
(2), (3) exp 10 March 2006 (s 168 (3))

#### **Hire car licences—other provisions**

div 5.1.2A hdg ins [SL2006-5](#) amdt 1.13

#### **Issue or amendment of hire car licence subject to conditions**

s 169 sub [SL2005-4](#) s 12  
am [SL2006-5](#) amdt 1.28

#### **Hire car licences—procedure for imposition etc of conditions on authority's initiative**

s 170 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 170 sub [SL2005-4](#) s 12  
am [SL2006-5](#) amdt 1.14, amdt 1.28; [SL2006-32](#) amdt 1.88

#### **Conditions of hire car licences**

s 171 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 171 sub [SL2005-4](#) s 12

**Form of hire car licences**

s 172 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 172 sub [SL2005-4](#) s 12

**Hire car licence-holders to notify change of name or address**

s 173 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 am [SL2006-5](#) amdt 1.29  
 s 173 sub [SL2005-4](#) s 12  
 am [SL2006-5](#) amdt 1.15, amdt 1.28; [A2009-49](#) amdt 3.155

**Hire car licensee to comply with conditions**

s 174 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 174 sub [SL2005-4](#) s 12  
 am [SL2006-5](#) amdt 1.16

**Replacement of hire car licence**

s 175 sub [SL2005-4](#) s 12  
 am [SL2006-5](#) amdt 1.17, amdt 1.28; [A2012-21](#) amdt 3.162

**Production of hire car licence**

s 176 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 176 sub [SL2005-4](#) s 12  
 am [SL2006-5](#) amdt 1.18, amdt 1.28

**Surrender of hire car licence**

s 177 sub [SL2005-4](#) s 12  
 am [SL2006-5](#) amdt 1.18, amdt 1.28; [A2012-21](#) amdt 3.163

**Stand-by hire cars**

div 5.1.3 hdg ins [SL2005-39](#) s 21

**Definitions for div 5.1.3**

s 177A ins [SL2005-39](#) s 21  
 def *stand-by hire car* ins [SL2005-39](#) s 21  
 def *stand-by hire car permit* ins [SL2005-39](#) s 21  
 def *stand-by hire car permit label* ins [SL2005-39](#) s 21  
 def *usual hire car* ins [SL2005-39](#) s 21

**Application for stand-by hire car permit**

s 177B ins [SL2005-39](#) s 21  
 am [SL2006-5](#) amdt 1.19, amdt 1.28

**Issue of stand-by hire car permit**

s 177C ins [SL2005-39](#) s 21  
 am [SL2006-5](#) amdt 1.30; pars renum R26 LA; [SL2010-7](#)  
 amdt 1.38; [SL2013-14](#) s 11

**Form of stand-by hire car permit**

s 177D ins [SL2005-39](#) s 21  
 am [SL2006-5](#) amdt 1.20, amdt 1.28, amdt 1.30

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### **Issue, form and display of stand-by hire car permit label**

s 177E ins [SL2005-39](#) s 21  
am [SL2006-5](#) amdt 1.28, amdt 1.30

### **Conditions of stand-by hire car permit**

s 177F ins [SL2005-39](#) s 21

### **Stand-by hire cars—replacement of permit label**

s 177G hdg am [SL2006-5](#) amdt 1.21  
s 177G ins [SL2005-39](#) s 21  
am [SL2006-5](#) amdt 1.21, amdt 1.22, amdt 1.28; [A2012-21](#)  
amdt 3.164

### **Stand-by hire cars—production of permit by hire car driver**

s 177H ins [SL2005-39](#) s 21

### **Hire car services**

pt 5.2 hdg ins [SL2005-4](#) s 12

### **Preliminary**

div 5.2.1 hdg ins [SL2005-4](#) s 12

### **Meaning of *hire car driver***

s 178 sub [SL2005-4](#) s 12

### **Hire car operators**

div 5.2.2 hdg ins [SL2005-4](#) s 12

### **Maintenance of hire cars**

s 179 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12

### **Condition of hire cars**

s 180 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12

### **Hire car drivers to hold appropriate driver licence or authority**

s 181 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12  
am [SL2005-39](#) s 22

### **Records of hire car drivers etc to be maintained by accredited operator**

s 182 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12  
sub [SL2005-39](#) s 23  
am [SL2006-32](#) amdt 1.71, amdt 1.91

### **Accredited operator to tell road transport authority about records of hire car drivers etc**

s 182A ins [SL2005-39](#) s 23  
am [SL2006-32](#) amdt 1.91



**Road transport authority may tell accredited operator about hire car drivers**

s 182B ins [SL2005-39](#) s 23  
am [SL2006-32](#) amdt 1.91

**Keeping and inspection etc of records about hire cars**

s 183 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.72

**Annual return of hiring statistics**

s 184 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12  
om [SL2013-14](#) s 12

**Restricted hire cars—carriage of duplicate licence**

s 185 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12

**Restricted hire cars—display of licence labels**

s 186 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12  
(5), (6) exp 10 March 2006 (s 186 (6))

**Restricted hire cars—replacement of licence label**

s 187 ins [SL2005-4](#) s 12  
am [SL2006-5](#) amdt 1.23, amdt 1.28; [A2012-21](#) amdt 3.165

**Advertisements for hire car services to display accreditation number**

s 188 ins [SL2005-4](#) s 12  
(4), (5) exp 10 March 2007 (s 188 (5))

**Presence of security camera in hire car to be indicated**

s 189 ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.73; [A2014-49](#) amdt 1.44

**Airconditioning of hire cars**

s 190 ins [SL2005-4](#) s 12  
om [SL2013-14](#) s 13

**Advertisements in or on hire cars**

s 191 ins [SL2005-4](#) s 12  
om [SL2013-14](#) s 13

**Offensive material etc in or on hire cars**

s 192 ins [SL2005-4](#) s 12

**Compliance with dress code of practice**

s 193 ins [SL2005-4](#) s 12  
om [SL2013-14](#) s 14

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### **Hire car operator's responsibilities for security camera recordings**

s 194 ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.74, amdt 1.75; [A2014-49](#) amdt 1.44

### **Hire car operators to comply with service standard for lost property**

s 195 ins [SL2005-4](#) s 12

### **Effect of noncompliance notices—hire car operators**

s 196 ins [SL2005-4](#) s 12  
am [SL2006-31](#) amdt 1.20, amdt 1.21; [SL2006-32](#) amdt 1.90

### **Hire car drivers**

div 5.2.3 hdg ins [SL2005-4](#) s 12  
am [SL2005-39](#) s 24

### **Responsibility of drivers for condition of hire car**

s 197 ins [SL2005-4](#) s 12

### **Responsibilities of hire car drivers for security cameras**

s 198 ins [SL2005-4](#) s 12

### **Restrictions on carriage of goods in hire cars**

s 199 ins [SL2005-4](#) s 12

### **Carriage of animals in hire cars**

s 200 ins [SL2005-4](#) s 12

### **Responsibility of hire car drivers for lost property**

s 201 ins [SL2005-4](#) s 12

### **Behaviour of hire car drivers generally**

s 202 ins [SL2005-4](#) s 12  
am [A2009-51](#) amdt 1.7

### **Dress and conduct of hire car drivers**

s 203 ins [SL2005-4](#) s 12  
am [SL2013-14](#) s 15; ss renum R41 LA

### **Restricted hire cars—production of duplicate licence by hire car driver**

s 204 ins [SL2005-4](#) s 12

### **Effect of noncompliance notices—hire car drivers**

s 205 ins [SL2005-4](#) s 12  
am [SL2006-31](#) amdt 1.20, amdt 1.21; [SL2006-32](#) amdt 1.90

### **Hire car hirings**

div 5.2.4 hdg ins [SL2005-4](#) s 12

### **Soliciting for hire car hirings prohibited**

s 206 ins [SL2005-4](#) s 12

**Where hire car drivers must stop**

s 207 ins [SL2005-4](#) s 12  
sub [SL2005-39](#) s 25

**Extra hire car passengers**

s 208 ins [SL2005-4](#) s 12

**Hire car fares**

s 209 ins [SL2005-4](#) s 12

**Conduct of hire car passengers**

div 5.2.5 hdg ins [SL2005-4](#) s 12

**Offensive behaviour or language in hire cars**

s 210 ins [SL2005-4](#) s 12

**Eating and drinking in hire cars**

s 211 ins [SL2005-4](#) s 12  
am [A2009-51](#) amdt 1.7  
om [SL2013-14](#) s 16

**Restrictions on carriage of animals in hire cars**

s 212 ins [SL2005-4](#) s 12

**Hire car passengers—soiled clothing etc**

s 213 ins [SL2005-4](#) s 12

**Intoxicated hire car passengers**

s 214 ins [SL2005-4](#) s 12

**Offender to get out of hire car when directed**

s 215 ins [SL2005-4](#) s 12

**Removal of people from hire cars**

s 216 ins [SL2005-4](#) s 12

**Lost property found by hire car passengers**

s 217 ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.76

**Other matters relating to hire car services**

div 5.2.6 hdg ins [SL2005-4](#) s 12

**Code of practice—dress of hire car drivers**

s 218 ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.89  
om [SL2013-14](#) s 17

**Standards about security cameras in hire car**

s 219 ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.89; [A2013-44](#) amdt 3.181, amdt 3.182

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### **Interference with hire car security cameras and recordings**

s 220 ins [SL2005-4](#) s 12

### **Authorisation for vehicles for other purposes—Act, s 128 (1) (b)**

s 221 hdg sub [SL2010-7](#) amdt 1.39

s 221 ins [SL2005-4](#) s 12

am [SL2006-32](#) amdt 1.89

### **Meaning of *service authority* for ch 6**

s 222 renum as s 320

### **When authority may take action in relation to accreditations and licences**

s 223 renum as s 321

### **Action that may be taken in relation to accreditations and licences**

s 224 renum as s 322

### **Procedure for authority taking disciplinary action**

s 225 renum as s 323

### **Immediate suspension of accreditation or licence**

s 226 renum as s 324

### **Effect of suspension of accreditation or licence**

s 227 renum as s 325

### **Return of certificate of accreditation or licence**

s 228 renum as 326

### **Purpose of powers under ch 7**

s 229 hdg am [A2006-26](#) s 19

s 229 ins [SL2005-4](#) s 12

am [A2006-26](#) s 20, s 21

reloc to [Road Transport \(Public Passenger Services\) Act 2001](#)

s 115 by [A2006-26](#) s 31

### **Demand responsive services**

ch 6 hdg **orig ch 6 hdg**

renum as ch 8 hdg

**pres ch 6 hdg**

ins [SL2006-32](#) s 10

### **Demand responsive service authorisations**

pt 6.1 hdg ins [SL2006-32](#) s 10

### **Application procedure for issue of authorisations**

s 230 ins [SL2005-4](#) s 12

reloc to [Road Transport \(Public Passenger Services\) Act 2001](#)

s 116 by [A2006-26](#) s 31

ins [SL2006-32](#) s 10

**Issue of authorisations**

s 231 ins [SL2005-4](#) s 12  
am [A2006-26](#) ss 22-25  
reloc to [Road Transport \(Public Passenger Services\) Act 2001](#)  
s 117 by [A2006-26](#) s 31  
ins [SL2006-32](#) s 10

**Issue or amendment of authorisations subject to conditions**

s 232 ins [SL2005-4](#) s 12  
am [A2006-26](#) s 26  
reloc to [Road Transport \(Public Passenger Services\) Act 2001](#)  
s 118 by [A2006-26](#) s 31  
ins [SL2006-32](#) s 10

**Demand responsive service authorisations—procedure for imposition etc of conditions on Minister's initiative**

s 233 ins [SL2005-4](#) s 12  
reloc to [Road Transport \(Public Passenger Services\) Act 2001](#)  
s 119 by [A2006-26](#) s 31  
ins [SL2006-32](#) s 10

**Conditions of authorisations**

s 234 ins [SL2005-4](#) s 12  
am [A2006-26](#) s 27, s 28  
reloc to [Road Transport \(Public Passenger Services\) Act 2001](#)  
s 120 by [A2006-26](#) s 31  
ins [SL2006-32](#) s 10

**Form of authorisations**

s 235 ins [SL2005-4](#) s 12  
am [A2006-26](#) s 29, s 30  
reloc to [Road Transport \(Public Passenger Services\) Act 2001](#)  
s 121 by [A2006-26](#) s 31  
ins [SL2006-32](#) s 10

**Authorisation labels—issue and display**

s 236 **orig s 236**  
renum as s 500  
**pres s 236**  
ins [SL2006-32](#) s 10

**Authorisation labels—replacement**

s 237 **orig s 237**  
renum as s 501  
**pres s 237**  
ins [SL2006-32](#) s 10  
am [A2012-21](#) amdt 3.166

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### **Authorisation-holders to notify change of name or address**

s 238            **orig s 238**  
                  renum as s 502  
                  **pres s 238**  
                  ins [SL2006-32](#) s 10  
                  am [A2009-49](#) amdt 3.155

### **Authorisation-holder to comply with conditions**

s 239            **orig s 239**  
                  renum as s 503  
                  **pres s 239**  
                  ins [SL2006-32](#) s 10

### **Replacement of authorisation**

s 240            **orig s 240**  
                  renum as s 504  
                  **pres s 240**  
                  ins [SL2006-32](#) s 10  
                  am [A2012-21](#) amdt 3.167

### **Production of authorisation**

s 241            **orig s 241**  
                  renum as s 505  
                  **pres s 241**  
                  ins [SL2006-32](#) s 10

### **Surrender of authorisation**

s 242            **orig s 242**  
                  renum as s 506  
                  **pres s 242**  
                  ins [SL2006-32](#) s 10  
                  am [A2012-21](#) amdt 3.168

### **Demand responsive service authorisations not transferable**

s 243            **orig s 243**  
                  renum as s 507  
                  **pres s 243**  
                  ins [SL2006-32](#) s 10

### **Demand responsive services**

pt 6.2 hdg        ins [SL2006-32](#) s 10

### **Preliminary**

div 6.2.1 hdg    ins [SL2006-32](#) s 10

### **Meaning of *authorised operator* and *DRS vehicle driver*—pt 6.2**

s 244            **orig s 244**  
                  renum as s 508  
                  **pres s 244**  
                  ins [SL2006-32](#) s 10

**Demand responsive service vehicle operators**

div 6.2.2 hdg ins [SL2006-32](#) s 10

**Maintenance of demand responsive service vehicles**

s 245 **orig s 245**  
renum as s 509  
**pres s 245**  
ins [SL2006-32](#) s 10

**Fleet and maintenance records for demand responsive service vehicles to be made**

s 246 **orig s 246**  
renum as s 510  
**pres s 246**  
ins [SL2006-32](#) s 10

**Notification of changes to demand responsive service vehicle fleet**

s 247 **orig s 247**  
renum as s 511  
**pres s 247**  
ins [SL2006-32](#) s 10

**Notifiable incidents involving demand responsive service vehicles**

s 248 ins [SL2005-4](#) s 12  
exp 31 July 2005 (s 252 and [NI2005-226](#))  
ins [SL2006-32](#) s 10

**Condition of demand responsive service vehicles**

s 249 ins [SL2005-4](#) s 12  
exp 31 July 2005 (s 252 and [NI2005-226](#))  
ins [SL2006-32](#) s 10

**Demand responsive service vehicle drivers to hold appropriate driver licence or authority**

s 250 ins [SL2005-4](#) s 12  
exp 31 July 2005 (s 252 and [NI2005-226](#))  
ins [SL2006-32](#) s 10

**Records of demand responsive service vehicle drivers etc to be maintained by authorised operator**

s 251 ins [SL2005-4](#) s 12  
exp 31 July 2005 (s 252 and [NI2005-226](#))  
ins [SL2006-32](#) s 10

**Authorised operator to tell road transport authority about records of demand responsive service vehicle drivers etc**

s 252 ins [SL2005-4](#) s 12  
exp 31 July 2005 (s 252 and [NI2005-226](#))  
ins [SL2006-32](#) s 10

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**Road transport authority may tell authorised operator about demand responsive service drivers**

s 253 ins [SL2006-32](#) s 10

**Keeping and inspection etc of records about demand responsive service vehicles**

s 254 ins [SL2006-32](#) s 10

**Display of notice about maximum number of passengers**

s 255 ins [SL2006-32](#) s 10

**Accreditation details to be displayed on demand responsive service vehicles**

s 256 ins [SL2006-32](#) s 10

**Advertisements for demand responsive services to display accreditation number**

s 257 ins [SL2006-32](#) s 10

**Information about fares to be displayed in demand responsive service vehicle**

s 258 ins [SL2006-32](#) s 10

**Presence of security camera in demand responsive service vehicle to be indicated**

s 259 ins [SL2006-32](#) s 10  
am [A2014-49](#) amdt 1.44

**Airconditioning of demand responsive service vehicles**

s 260 ins [SL2006-32](#) s 10

**Demand responsive service vehicle livery**

s 261 ins [SL2006-32](#) s 10  
(4), (5) exp 3 October 2006 (s 261 (5))

**Offensive material etc in or on demand responsive service vehicles**

s 262 ins [SL2006-32](#) s 10

**Compliance with dress code of practice**

s 263 ins [SL2006-32](#) s 10

**Authorised operator's responsibilities for security camera recordings**

s 264 ins [SL2006-32](#) s 10  
am [A2014-49](#) amdt 1.44

**Authorised operators to comply with service standard for lost property**

s 265 ins [SL2006-32](#) s 10

**Effect of noncompliance notices—authorised operators**

s 266 ins [SL2006-32](#) s 10

**Demand responsive service vehicle drivers**

div 6.2.3 hdg ins [SL2006-32](#) s 10



**Requirements about demand responsive service vehicle drivers stopping for passengers**s 267 ins [SL2006-32](#) s 10**Where demand responsive service vehicle drivers must stop on a road**s 268 ins [SL2006-32](#) s 10**Maximum number of passengers in demand responsive service vehicles**s 269 ins [SL2006-32](#) s 10**Wheelchair passengers in demand responsive service vehicles**s 270 ins [SL2006-32](#) s 10  
am [SL2010-5](#) s 49**Responsibilities of demand responsive service vehicle drivers for security cameras**s 271 ins [SL2006-32](#) s 10**Restrictions on carriage of goods in demand responsive service vehicles**s 272 ins [SL2006-32](#) s 10**Responsibility of demand responsive service vehicle drivers for lost property**s 273 ins [SL2006-32](#) s 10**Behaviour of demand responsive service vehicle drivers generally**s 274 ins [SL2006-32](#) s 10  
am [A2009-51](#) amdt 1.7**Dress and conduct of demand responsive service vehicle drivers**s 275 ins [SL2006-32](#) s 10**Responsibility of drivers for condition of demand responsive service vehicle**s 276 ins [SL2006-32](#) s 10**Drivers to remain in vehicle**s 277 ins [SL2006-32](#) s 10**Passengers not to be carried on certain parts of a demand responsive service vehicle**s 278 ins [SL2006-32](#) s 10**Effect of noncompliance notices—demand responsive service vehicle drivers**s 279 ins [SL2006-32](#) s 10**Demand responsive service tickets**div 6.2.4 hdg ins [SL2006-32](#) s 10**Validity of demand responsive service tickets**s 280 ins [SL2006-32](#) s 10

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**Valid demand responsive service ticket required for travel**

s 281 ins [SL2006-32](#) s 10

**Demand responsive service tickets not transferable**

s 282 ins [SL2006-32](#) s 10

**Damaged or changed demand responsive service tickets not to be used**

s 283 ins [SL2006-32](#) s 10

**Concession tickets for demand responsive service vehicles**

s 284 ins [SL2006-32](#) s 10

**Inspection and processing of demand responsive service tickets**

s 285 ins [SL2006-32](#) s 10

**Conduct of demand responsive service vehicle passengers**

div 6.2.5 hdg ins [SL2006-32](#) s 10

**Conduct of people in demand responsive service vehicles generally**

s 286 ins [SL2006-32](#) s 10  
am [A2009-51](#) amdt 1.7

**Demand responsive service vehicle seats for older people and people with disabilities**

s 287 ins [SL2006-32](#) s 10

**Drinking of liquor in demand responsive service vehicles generally prohibited**

s 288 ins [SL2006-32](#) s 10

**Eating and drinking in demand responsive service vehicles**

s 289 ins [SL2006-32](#) s 10  
am [A2009-51](#) amdt 1.7

**Getting on and getting off demand responsive service vehicles**

s 290 ins [SL2006-32](#) s 10

**No interference with demand responsive service vehicle equipment**

s 291 ins [SL2006-32](#) s 10

**Throwing objects in or from demand responsive service vehicles**

s 292 ins [SL2006-32](#) s 10

**Travel not allowed on certain parts of demand responsive service vehicle**

s 293 ins [SL2006-32](#) s 10

**Property not to be removed from demand responsive service vehicles**

s 294 ins [SL2006-32](#) s 10

**No littering in demand responsive service vehicles**

s 295 ins [SL2006-32](#) s 10

- Carriage of animals in demand responsive service vehicles**  
s 296 ins [SL2006-32](#) s 10
- Demand responsive service vehicle passengers—soiled clothing etc**  
s 297 ins [SL2006-32](#) s 10
- Intoxicated demand responsive service vehicle passengers**  
s 298 ins [SL2006-32](#) s 10
- Offender to get out of demand responsive service vehicle when directed**  
s 299 ins [SL2006-32](#) s 10
- Removal of people from demand responsive service vehicles**  
s 300 ins [SL2006-32](#) s 10
- Lost property found by demand responsive service vehicle passengers**  
s 301 ins [SL2006-32](#) s 10
- Other matters relating to demand responsive services**  
div 6.2.6 hdg (prev div 6.2.7 hdg) ins [SL2006-32](#) s 10  
renum R17 LA
- Name Territory may operate demand responsive service under—Act, s 82A**  
s 301A ins [A2006-30](#) amdt 1.87
- Code of practice—dress of demand responsive service vehicle drivers**  
s 302 ins [SL2006-32](#) s 10
- Standards about security cameras in demand responsive service vehicles**  
s 303 ins [SL2006-32](#) s 10  
am [A2013-44](#) amdt 3.183, amdt 3.184
- Interference with demand responsive service vehicle security cameras and recordings**  
s 304 ins [SL2006-32](#) s 10
- DRS vehicles—bus stop and bus zone authorities**  
s 305 ins [SL2006-32](#) s 10
- Other matters relating to demand responsive services**  
div 6.2.7 hdg renum as div 6.2.6 hdg
- Driver authority cards**  
ch 7 hdg sub [SL2005-4](#) s 12  
om [A2006-26](#) s 18  
ins [SL2010-7](#) s 39
- Meaning of *driver authority card*—ch 7**  
s 306 ins [SL2010-7](#) s 39
- Driver authority card to be displayed or shown**  
s 307 ins [SL2010-7](#) s 39

## Endnotes

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#### **Production of driver authority card**

s 308 ins [SL2010-7](#) s 39

#### **Disciplinary action**

ch 8 hdg **orig ch 8 hdg**  
exp 1 March 2003 (s 186)  
**prev ch 8 hdg**  
renum as ch 9 hdg  
**pres ch 8 hdg**  
(prev ch 6 hdg) sub [SL2005-4](#) s 12  
renum as ch 8 hdg [SL2006-32](#) s 11

#### **Small buses exemption**

pt 8.1 hdg renum as pt 9.1 hdg

#### **General provisions**

pt 8.2 hdg ins [SL2005-4](#) s 12  
exp 10 March 2006 (s 509)

#### **Modification of Act**

pt 8.3 hdg ins [SL2005-4](#) s 12  
exp 10 March 2006 (s 511)

#### **Accreditations for restricted taxi services**

pt 8.4 hdg **orig pt 8.4 hdg**  
ins [SL2005-4](#) s 12  
exp 31 July 2005 (s 252 and [NI2005-226](#))  
**prev pt 8.4 hdg**  
renum as pt 9.4 hdg

#### **Wheelchair-accessible taxi licences—issue to existing operators**

pt 8.5 hdg renum as pt 9.5 hdg

#### **Restricted taxi licences for restricted cross border taxis**

pt 8.6 hdg renum as pt 9.6 hdg

#### **Taxi network accreditations**

pt 8.7 hdg renum as pt 9.7 hdg

#### **Meaning of *service authority* for ch 8**

s 320 hdg (prev s 222 hdg) am [SL2006-32](#) amdt 1.77  
s 320 (prev s 222) ins [SL2005-4](#) s 12  
am [SL2006-32](#) s 8  
renum [SL2006-32](#) s 9

#### **When authority may take action in relation to accreditations and licences**

s 321 (prev s 223) ins [SL2005-4](#) s 12  
am [SL2005-39](#) s 26, s 27; [SL2006-5](#) s 8; [SL2006-32](#)  
amdt 1.87  
renum [SL2006-32](#) s 9

am [SL2010-7](#) amdt 1.40

**Action that may be taken in relation to accreditations and licences**

s 322 (prev s 224) ins [SL2005-4](#) s 12  
am [SL2005-39](#) s 28; pars renum [SL2005-39](#) s 29; [SL2006-32](#)  
amdt 1.78, amdt 1.87  
renum [SL2006-32](#) s 9

**Procedure for authority taking disciplinary action**

s 323 (prev s 225) ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.79  
renum [SL2006-32](#) s 9  
am [A2008-37](#) amdt 1.441; ss renum R23 LA

**Immediate suspension of accreditation or licence**

s 324 (prev s 226) ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.87  
renum [SL2006-32](#) s 9  
am [SL2010-7](#) s 40; pars renum R27 LA

**Effect of suspension of accreditation or licence**

s 325 (prev s 227) ins [SL2005-4](#) s 12  
sub [SL2006-5](#) amdt 1.24  
renum [SL2006-32](#) s 9

**Return of certificate of accreditation or licence**

s 326 (prev s 228) ins [SL2005-4](#) s 12  
renum [SL2006-32](#) s 9  
am [A2012-21](#) amdt 3.169

**Tracked vehicle—Act, dict, def *vehicle*, par (b)**

s 327 ins [SL2012-44](#) s 7  
om [A2013-19](#) amdt 3.432

**Transitional provisions**

ch 9 hdg (prev ch 8 hdg) ins [SL2005-4](#) s 12  
renum [SL2006-32](#) s 11  
om R34 LA

**Small buses exemption**

pt 9.1 hdg (prev pt 8.1 hdg) ins [SL2005-4](#) s 12  
renum [SL2006-32](#) s 12  
exp 1 July 2010 (s 500 (4))

**Exemption of certain small buses—Act, s 128 (1) (a)**

s 500 hdg sub [SL2010-7](#) amdt 1.41  
s 500 (prev s 236) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
am [SL2006-59](#) s 29  
exp 1 July 2010 (s 500 (4))

## Endnotes

### 4 Amendment history

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#### **Definitions for pt 8.2**

- s 501 (prev s 237) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)  
def **commencement** ins [SL2005-4](#) s 12  
exp 10 March 2006 (s 509)  
def **General Act** ins [SL2005-4](#) s 12  
exp 10 March 2006 (s 509)

#### **Application for transfer of private hire car operator's licence**

- s 502 (prev s 238) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

#### **Suspended hire car licences**

- s 503 (prev s 239) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

#### **Pending applications for restricted hire vehicle operator's licences**

- s 504 (prev s 240) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

#### **Variation of restricted hire car licence conditions**

- s 505 (prev s 241) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

#### **Review of decisions of authority**

- s 506 (prev s 242) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

#### **Noncompliance notices**

- s 507 (prev s 243) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

#### **Taxi network performance standards**

- s 508 (prev s 244) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

#### **Expiry of pt 8.2**

- s 509 (prev s 245) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 509)

**Modification of Act, pt 9, s 90—Act, s 89**

s 510 (prev s 246) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 511)

**Expiry of pt 8.3**

s 511 (prev s 247) ins [SL2005-4](#) s 12  
renum [SL2006-5](#) s 9  
exp 10 March 2006 (s 511)

**Accreditations for restricted taxi services**

pt 9.4 hdg (prev pt 8.4 hdg) ins [SL2006-5](#) s 10  
renum [SL2006-32](#) s 12  
exp 30 June 2008 (s 513)

**Accreditations for restricted taxi services**

s 512 ins [SL2006-5](#) s 10  
exp 30 June 2008 (s 513 (LA s 88 declaration applies))

**Expiry—pt 9.4**

s 513 hdg sub [SL2006-32](#) amdt 1.80  
s 513 ins [SL2006-5](#) s 10  
exp 30 June 2008 (s 513)

**Wheelchair-accessible taxi licences—issue to existing operators**

pt 9.5 hdg (prev pt 8.5 hdg) ins [SL2006-5](#) s 10  
renum [SL2006-32](#) s 12  
exp 30 September 2007 (s 518)

**Application—pt 9.5**

s 514 hdg sub [SL2006-32](#) amdt 1.81  
s 514 ins [SL2006-5](#) s 10  
exp 30 September 2007 (s 518)

**Power to issue licence to existing wheelchair-accessible taxi operators**

s 515 ins [SL2006-5](#) s 10  
am [SL2006-31](#) amdt 1.19  
exp 30 September 2007 (s 518)

**Notice to existing operators**

s 516 ins [SL2006-5](#) s 10  
exp 30 September 2007 (s 518)

**Issue of licence to existing operator**

s 517 ins [SL2006-5](#) s 10  
exp 30 September 2007 (s 518)

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#### **Expiry—pt 9.5**

s 518 hdg sub [SL2006-32](#) amdt 1.82  
s 518 ins [SL2006-5](#) s 10  
exp 30 September 2007 (s 518)

#### **Restricted taxi licences for restricted cross border taxis**

pt 9.6 hdg (prev pt 8.6 hdg) ins [SL2006-5](#) s 10  
renum [SL2006-32](#) s 12  
exp 30 June 2008 (s 520)

#### **Restricted taxi licences for restricted cross border taxis**

s 519 ins [SL2006-5](#) s 10  
exp 30 June 2008 (s 520 (LA s 88 declaration applies))

#### **Expiry—pt 9.6**

s 520 hdg sub [SL2006-32](#) amdt 1.83  
s 520 ins [SL2006-5](#) s 10  
exp 30 June 2008 (s 520)

#### **Taxi network accreditations**

pt 9.7 hdg (prev pt 8.7 hdg) ins [SL2006-26](#) s 32  
renum [SL2006-32](#) s 12  
exp 11 August 2011 (s 522)

#### **Accreditations to operate taxi network**

s 521 ins [SL2006-26](#) s 32  
exp 11 August 2011 (s 522)

#### **Expiry—pt 9.7**

s 522 hdg sub [SL2006-32](#) amdt 1.84  
s 522 ins [SL2006-26](#) s 32  
exp 11 August 2011 (s 522)

#### **Miscellaneous**

ch 10 hdg ins [SL2012-44](#) s 7  
om [A2013-19](#) amdt 3.432

#### **Minimum service standards**

sch 1 hdg am [SL2004-47](#) s 27  
sub [SL2005-4](#) s 13

#### **Bus services**

sch 1 pt 1.1 am [SL2004-47](#) s 28, s 29  
sub [SL2005-4](#) s 13  
am [SL2010-7](#) amdt 1.42

#### **Taxi network services**

sch 1 pt 1.2 am [SL2003-32](#) s 17, amdt 1.17; [SL2004-47](#) s 30, s 31  
sub [SL2005-4](#) s 13



**Taxi services and restricted taxi services**

sch 1 pt 1.3 hdg sub [SL2006-5](#) amdt 1.25  
 sch 1 pt 1.3 am [SL2004-47](#) regs 32–36; pars renum R8 LA (see  
[SL2004-47](#) s 37)  
 sub [SL2005-4](#) s 13  
 am [SL2006-5](#) amdt 1.26

**Hire car services (other than restricted hire car services)**

sch 1 pt 1.4 hdg am [SL2006-5](#) amdt 1.27  
 sch 1 pt 1.4 sub [SL2005-4](#) s 13  
 am [SL2010-7](#) amdt 1.43

**Restricted hire car services**

sch 1 pt 1.5 hdg am [SL2006-5](#) amdt 1.27  
 sch 1 pt 1.5 sub [SL2005-4](#) s 13  
 am [SL2010-7](#) amdt 1.44

**Demand responsive services**

sch 1 pt 1.6 ins [SL2006-32](#) s 13  
 am [SL2010-7](#) amdt 1.45

**Dictionary**

dict am [SL2003-32](#) amdt 1.18; [SL2005-4](#) amdt 1.20, amdt 1.21;  
[SL2006-31](#) amdt 1.22; [SL2006-32](#) s 14; [A2009-20](#)  
 amdt 3.190; [A2009-49](#) adm 3.156; [A2010-18](#) amdt 3.84,  
 amdt 3.85; [A2012-21](#) amdt 3.170; [SL2012-37](#) s 13; [A2013-19](#)  
 amdt 3.433; [A2015-33](#) amdt 1.209  
 def **accepted service standard** sub [SL2004-47](#) s 38  
 def **accreditation** ins [SL2003-32](#) amdt 1.19  
 def **accredited** om [SL2003-32](#) amdt 1.19  
 def **accredited operator** sub [SL2003-32](#) amdt 1.20  
 def **accredited taxi-cab operator** ins [SL2006-5](#) s 11  
 def **accredited taxi network provider** om [SL2003-32](#)  
 amdt 1.21  
 def **accredited taxi network provider's taxi booking service**  
 ins [SL2012-37](#) s 14  
 def **affiliated** om [SL2003-32](#) amdt 1.21  
 def **affiliated driver** ins [SL2015-34](#) s 6  
 def **another jurisdiction** om [SL2003-32](#) amdt 1.21  
 def **applicable vehicle standards** ins [SL2005-4](#) amdt 1.22  
 def **applicant** sub [SL2003-32](#) amdt 1.22; [SL2005-4](#) amdt 1.23  
 def **approved minimum service standards** ins [SL2005-4](#)  
 s 14  
 sub [SL2012-37](#) s 15  
 def **approved taxi network performance standard** om  
[SL2005-4](#) amdt 1.24  
 def **Australian Design Rule** om [A2010-18](#) amdt 3.86  
 def **Australian Road Rules** om [A2010-18](#) amdt 3.87

## Endnotes

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def **authorised examiner** ins [SL2015-34](#) s 6  
def **authorised fixed-fare hiring** ins [SL2003-32](#) s 13  
am [SL2010-7](#) amdt 1.46  
def **authorised operator** ins [SL2006-32](#) s 15  
def **beginning** om [SL2003-32](#) amdt 1.23  
def **begins** ins [SL2003-32](#) amdt 1.23  
def **bus stop** om [SL2005-4](#) amdt 1.24  
def **certificate of inspection** ins [SL2015-34](#) s 6  
def **declared state of alert** ins [SL2015-34](#) s 6  
def **declared state of emergency** ins [SL2015-34](#) s 6  
def **defined right** ins [SL2006-5](#) s 11  
def **disciplinary notice** sub [SL2005-4](#) amdt 1.25  
am [SL2006-32](#) amdt 1.87  
def **driver** om [A2010-18](#) amdt 3.88  
def **driver licence** ins [SL2015-34](#) s 6  
def **driver authority card** ins [SL2010-7](#) amdt 1.47  
def **DRS** ins [SL2006-32](#) s 15  
def **DRS authorisation label** ins [SL2006-32](#) s 15  
def **DRS ticket** ins [SL2006-32](#) s 15  
def **DRS vehicle driver** ins [SL2006-32](#) s 15  
def **duplicate restricted hire car licence** ins [SL2005-4](#)  
amdt 1.26  
def **ending** om [SL2003-32](#) amdt 1.24  
def **ends** ins [SL2003-32](#) amdt 1.24  
def **executive officer** ins [SL2005-4](#) amdt 1.26  
def **fare** sub [SL2003-32](#) s 14  
def **fare deposit** sub [SL2003-32](#) s 15  
def **hire car driver** ins [SL2005-4](#) s 15  
def **hirer** sub [SL2005-4](#) s 16  
def **home address** om [A2009-49](#) amdt 3.157  
def **immediate suspension notice** sub [SL2005-4](#) amdt 1.27  
am [SL2006-32](#) amdt 1.85  
def **independent taxi booking service** ins [SL2015-34](#) s 6  
def **inspect** om [A2006-26](#) s 33  
def **interim rideshare booking service** ins [SL2015-34](#) s 6  
def **interim rideshare booking service agreement** ins  
[SL2015-34](#) s 6  
def **interim rideshare driver** ins [SL2015-34](#) s 6  
def **interim rideshare driver agreement** ins [SL2015-34](#) s 6  
def **interim rideshare vehicle** ins [SL2015-34](#) s 6  
def **ITO pilot** ins [SL2012-1](#) s 5  
def **ITO pilot period** ins [SL2012-1](#) s 5  
def **jump-the-queue fee** ins [SL2015-34](#) s 6  
def **leased hire car licence** ins [SL2005-4](#) s 17  
def **licence** om [SL2003-32](#) amdt 1.25  
def **liquor** am [A2010-43](#) amdt 1.66

- def **mandatory disqualifying offence** sub [SL2005-4](#) amdt 1.28  
om [SL2006-59](#) s 30
- def **medical fitness certificate** ins [SL2015-34](#) s 6
- def **member** ins [SL2015-34](#) s 6
- def **motor vehicle** om [SL2003-32](#) amdt 1.25
- def **noncompliance notice** sub [SL2005-4](#) amdt 1.29  
om [A2006-26](#) s 33
- def **non-transferable leased taxi licence** ins [SL2005-31](#) s 18
- def **NSW cross-border taxi** ins [SL2006-5](#) s 11
- def **NSW cross-border taxi licence** ins [SL2006-5](#) s 11
- def **operating** ins [SL2015-34](#) s 6
- def **passenger number** ins [SL2015-34](#) s 6
- def **prescribed driver authority information** ins [SL2005-39](#) s 30
- def **proposed service standards** ins [SL2005-4](#) s 17
- def **public passenger vehicle** om R9 LA
- def **public passenger vehicle policy** ins [SL2010-7](#) amdt 1.48
- def **public vehicle policy** om [SL2010-7](#) amdt 1.49
- def **registered vehicle** ins [SL2015-34](#) s 6
- def **regulated service** sub [SL2003-32](#) amdt 1.26
- def **relevant person** sub [SL2003-32](#) amdt 1.27; [SL2005-4](#) amdt 1.30
- def **required medical standards** ins [SL2015-34](#) s 6
- def **restricted hire car licence label** ins [SL2005-4](#) amdt 1.31
- def **rideshare** ins [SL2015-34](#) s 6
- def **rideshare booking service** ins [SL2015-34](#) s 6
- def **rideshare driver** ins [SL2015-34](#) s 6
- def **rideshare service** ins [SL2015-34](#) s 6
- def **rideshare vehicle** ins [SL2015-34](#) s 6
- def **rideshare vehicle suitability certificate** ins [SL2015-34](#) s 6
- def **road** om [SL2003-32](#) amdt 1.28
- def **road transport authority** om [SL2003-32](#) amdt 1.28
- def **road transport legislation** om [A2010-18](#) amdt 3.88
- def **service authority** sub [SL2005-4](#) amdt 1.32  
am [SL2006-32](#) amdt 1.86, amdt 1.88
- def **service contract** ins [SL2012-37](#) s 16
- def **service standard** om [SL2005-4](#) amdt 1.33
- def **stand-by hire car** ins [SL2005-39](#) s 30
- def **stand-by hire car permit** ins [SL2005-39](#) s 30
- def **stand-by hire car permit label** ins [SL2005-39](#) s 30
- def **surge pricing** ins [SL2015-34](#) s 6
- def **taxi service** sub [SL2012-1](#) s 6
- def **third-party property insurance policy** ins [SL2015-34](#) s 6

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- def **time of effect** sub [SL2005-4](#) amdt 1.34  
om [A2006-26](#) s 33
- def **transferable leased taxi licence** ins [SL2006-5](#) s 11
- def **usual hire car** ins [SL2005-39](#) s 30
- def **vehicle inspection station** ins [SL2015-34](#) s 6
- def **vehicle standards** om [SL2005-4](#) amdt 1.35
- def **WCBS** ins [SL2012-37](#) s 16
- def **WCBS operator** ins [SL2012-37](#) s 16
- def **WCBS's approved procedures** ins [SL2012-37](#) s 16
- def **WCBS's approved rules** ins [SL2012-37](#) s 16
- def **wheelchair-accessible taxi centralised booking service**  
(**WCBS**) ins [SL2012-37](#) s 16
- def **wheelchair-accessible taxi licence** ins [SL2006-5](#) s 11
- def **wheelchair-dependent person** ins [SL2003-32](#) s 16

## 5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republication are identical.

Republication No	Amendments to	Republication date
1	not amended	1 March 2002
2	not amended	1 January 2003
3	not amended	1 March 2003
4	not amended	2 March 2003
5	<a href="#">SL2003-32</a>	23 September 2003
6	<a href="#">SL2003-43</a>	11 November 2003
7	<a href="#">SL2003-43</a>	2 July 2004
8	<a href="#">SL2004-47</a>	10 September 2004
9	<a href="#">SL2004-47</a>	2 November 2004
10	<a href="#">SL2005-4</a>	9 March 2005
11	<a href="#">SL2005-4</a>	13 December 2005
12	<a href="#">SL2005-39</a>	15 December 2005
13	<a href="#">SL2006-5</a>	7 March 2006
14	<a href="#">SL2006-5</a>	11 March 2006
15	<a href="#">A2006-30</a>	1 July 2006
16	<a href="#">SL2006-31</a>	2 July 2006
17	<a href="#">SL2006-32</a>	3 July 2006
18	<a href="#">SL2006-32</a>	4 October 2006
19	<a href="#">SL2006-59</a>	1 January 2007
20	<a href="#">SL2006-59</a>	11 March 2007
21*	<a href="#">SL2006-59</a>	1 October 2007

## Endnotes

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<b>Republication No</b>	<b>Amendments to</b>	<b>Republication date</b>
22	<a href="#">SL2006-59</a>	1 July 2008
23	<a href="#">A2008-37</a>	2 February 2009
24	<a href="#">A2009-20</a>	22 September 2009
25	<a href="#">A2009-49</a>	17 December 2009
26	<a href="#">SL2010-5</a>	15 March 2010
27	<a href="#">SL2010-7</a>	17 March 2010
28	<a href="#">SL2010-7</a>	7 April 2010
29	<a href="#">A2010-18</a>	3 June 2010
30	<a href="#">A2010-18</a>	2 July 2010
31	<a href="#">A2010-43</a>	1 December 2010
32*	<a href="#">A2010-43</a>	9 December 2010
33	<a href="#">SL2011-2</a>	28 January 2011
34	<a href="#">SL2011-2</a>	12 August 2011
35	<a href="#">SL2011-32</a>	1 February 2012
36	<a href="#">SL2012-1</a>	1 March 2012
37	<a href="#">A2012-21</a>	5 June 2012
38	<a href="#">SL2012-37</a>	11 September 2012
39	<a href="#">SL2012-44</a>	20 December 2012
40	<a href="#">A2013-19</a>	14 June 2013
41	<a href="#">SL2013-14</a>	1 July 2013
42	<a href="#">A2013-44</a>	25 November 2013
43	<a href="#">A2014-49</a>	17 November 2014
44	<a href="#">A2014-49</a>	2 March 2015
45	<a href="#">SL2015-11</a>	16 April 2015
46	<a href="#">A2015-33</a>	14 October 2015

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