



Australian Capital Territory

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

**SL2002-3**

made under the

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

**Republication No 63**

**Effective: 3 April 2020 – 27 August 2020**

Republication date: 3 April 2020

Last amendment made by [SL2020-11](#)

## 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 3 April 2020. It also includes any commencement, amendment, repeal or expiry affecting this republished law to 3 April 2020.

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

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### Penalties

At the republication date, the value of a penalty unit for an offence against this law is \$160 for an individual and \$810 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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## 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 15 (Holder of conditional accreditation to comply with conditions)
- s 17 (Production of certificate of accreditation)
- s 18A (Recovery of lost or stolen certificate of accreditation)
- s 20C (Regulated service must comply with service standards)
- 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 27B (Road transport authority to share information about bus drivers)
- s 31 (Signs about security cameras in buses)
- s 32 (Bus operator's responsibilities for security camera recordings)
- s 34 (Effect of noncompliance notices—bus operators)
- s 37 (Maximum number of passengers in buses)
- s 38 (Lost property in bus)
- s 39 (Passengers not to be carried in certain parts of a bus)
- s 45 (Effect of noncompliance notices—bus drivers)
- a provision of pt 3.2 (Bus tickets)
- a provision of pt 3.3 (Bus passengers)
- a provision of ch 3AA (Light rail services)
- a provision of pt 3A.1 (Transport booking services)
- a provision of div 3A.2.1 (Independent taxi service operators)

- a provision of div 3A.2.2 (Taxi licences)
- s 94 (Taxi service operator—must tell authority about affiliation)
- s 95 (Taxis to be fitted with complying taximeters)
- s 97 (Taxi service operator—drivers to be licensed and skilled)
- 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 WTBS)
- s 101B (Wheelchair-accessible taxi operator—WTBS’s approved procedures and rules)
- s 107 (Taxi must have identifying signs and livery)
- s 114 (Wheelchair-accessible taxi driver—special responsibilities)
- s 115 (Wheelchair-accessible taxi driver—connection to WTBS)
- s 116 (Wheelchair-accessible taxi driver—WTBS’s procedures and rules)
- 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 (Payment under taxi subsidy scheme)
- a provision of pt 3A.3 (Ridesharing)
- a provision of pt 3A.4 (Hire cars)
- a provision of pt 3A.5 (Bookable vehicles generally)
- a provision of ch 6 (Demand responsive services)
- a provision of ch 7 (Driver authority cards)
- 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            Regulated services**

### **Part 2.1            Meaning of *regulated service***

#### **4B            Meaning of *regulated service***

In this regulation:

*regulated service* means—

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

## **Part 2.1A                      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 transport booking services.
- (3) The road transport authority may accredit people to operate taxi services.
- (4) The road transport authority may accredit people to operate ridesharing services.
- (5) 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.
- (6) The road transport authority may accredit people to operate a DRS.

## 6B      **Meaning of *relevant person* for accreditation and applications for accreditation**

In this regulation:

***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 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 the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

- (2) The application must—
  - (a) be in writing; and
  - (b) state—
    - (i) the applicant's full name; and
    - (ii) the kind of accreditation for the application; and
    - (iii) an Australian address for service of notices; and

- (c) for an application for accreditation to operate a transport booking service—include contact details for a person who will be available at any time to deal with matters regarding the transport booking service; and
  - (d) include a police certificate for each relevant person, dated not earlier than 6 months before the date of the application.
- (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) In this section:

***police certificate***, for a person, means a written statement by the Australian Federal Police or the Australian Criminal Intelligence Commission indicating—

- (a) whether, according to the records held by the Australian Federal Police or the Australian Criminal Intelligence Commission, the person has been charged with, or convicted of, an offence against a law of—
  - (i) the Territory; or
  - (ii) the Commonwealth; or
  - (iii) a State; or
  - (iv) another country; and
- (b) if so—particulars of each offence.

*Note* A conviction does not include a spent conviction or an extinguished conviction (see [Spent Convictions Act 2000](#), s 16 (c) (i) and s 19H (1) (c) (i)).

## **8 Mandatory refusal of accreditation**

- (1) The road transport authority must refuse an application for accreditation (including renewal) if—
  - (a) if the applicant is an individual—the applicant is not—
    - (i) an Australian citizen; or
    - (ii) a permanent resident; or
    - (iii) a temporary resident who holds a visa that allows the person to work carrying out the regulated service to which the application relates; or
  - (b) the authority believes on reasonable grounds that the applicant is not a suitable person to operate the regulated service to which the application relates.
- (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 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).

## **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 a service standard for the operation of the regulated service 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 certificate of accreditation.
- (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 for which the road transport authority may accredit a person (or renew an accreditation) to operate a regulated service is 6 years.
- (5) An accreditation is not transferable.

## **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.

### **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.
- 6 A change of address for service of notices.

- (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.

- (6) An offence against subsection (5) is a strict liability offence.

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

- (1) A person commits an offence if—
- (a) the person holds an accreditation; and
  - (b) the accreditation is subject to a condition; and

(c) the person does not comply with the condition.

Maximum penalty: 20 penalty units.

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

## **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 verifying 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* 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) A person commits an offence if—

(a) the person is accredited for a particular kind of regulated service; and

(b) a police officer or authorised person asks to see the person's certificate of accreditation for the service; and

(c) the person fails to produce the certificate of accreditation for inspection—

(i) by the police officer or authorised person; or

- (ii) within 3 days at the place directed by the police officer or authorised person.

Maximum penalty: 5 penalty units.

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

## **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 verifying that the certificate has been lost, stolen or destroyed.

*Note* 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.

## **19 Approval of educational qualifications**

- (1) The road transport authority may approve educational qualifications for a kind of accreditation (*approved educational qualifications*).
- (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
- (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 transport booking service 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.

## Part 2.4 Service standards

### 20B Service standards for regulated services

- (1) The road transport authority may make service standards for a regulated service (the *service standards*).
- (2) Service standards for a regulated service may include standards about—
  - (a) the matters mentioned in schedule 1 for the regulated service; and
  - (b) anything else about the safe, reliable or efficient provision of the regulated service; and
  - (c) monitoring an accredited operator's compliance with the service standards, including, for example—
    - (i) the making, management and auditing (including performance auditing) of records and systems required to be kept under the Act; and
    - (ii) reporting requirements; and
  - (d) anything else the authority considers appropriate.

*Note* Power to make a statutory instrument includes power to make different provision in relation to different matters or different classes of matters, and to make an instrument that applies differently by reference to stated exceptions or factors (see [Legislation Act](#), s 48).

- (3) A service standard is a disallowable instrument.

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

**20C      Regulated service must comply with service standards**

- (1) A person commits an offence if the person—
- (a) operates a regulated service; and
  - (b) fails to comply with a service standard for the regulated service that applies to the person.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
- (a) the person holds a licence to use a vehicle for a regulated service; and
  - (b) the vehicle is used to operate a regulated service; and
  - (c) the vehicle fails to comply with a service standard for the regulated service.

Maximum penalty: 20 penalty units.

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

## 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)).

- (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) a notifiable incident that is caused by, or arises out of the use of, the bus;
  - (j) any other accidents or incidents—
    - (i) in which damage to property is caused by, or arises out of the use of, the bus; or
    - (ii) that significantly affect the operation of the bus service.

- (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 this section is a strict liability offence.

- (4) In this section:

***notifiable incident*** 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.

## **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 incident, give the road transport authority written notice of the time and date when, and the place where, the incident 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 incident), give the road transport authority written notice of the following information:
- (a) the make, model and registration number of the bus involved in the incident;
  - (b) the full name and home address of the driver of the bus involved in the incident;
  - (c) the circumstances of the incident;
  - (d) the name and address of anyone killed or injured in the incident;
  - (e) for an injured person—the kind of injuries received by the person.

Maximum penalty: 20 penalty units.

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

Maximum penalty: 20 penalty units.

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

***notifiable incident***—see section 22 (4).

## 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) An offence against this section is a strict liability offence.
- (3) 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) A person commits an offence if the person—
  - (a) is an accredited operator of a bus service; and
  - (b) fails to—
    - (i) keep a bus driver record for each bus driver for the service; or
    - (ii) take reasonable steps to ensure each bus driver record is kept up-to-date.

Maximum penalty: 10 penalty units.

- (2) 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 bus driver; and
  - (c) the bus driver was the holder of a public vehicle licence authorising the bus driver to drive a bus for hire or reward; and
  - (d) the bus driver's public vehicle licence is suspended or cancelled; and

- (e) the person fails to make a written record of the following for the bus driver:
  - (i) the suspension or cancellation of the bus 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.

- (3) 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 bus driver; and
  - (c) the bus driver was exempt from holding a public vehicle licence under the *Road Transport (Driver Licensing) Regulation 2000*, section 94A; and
  - (d) the bus driver is no longer exempt from holding a public vehicle licence; and
  - (e) the person fails to record for the bus driver that the bus driver is no longer exempt from holding a public vehicle licence.

Maximum penalty: 10 penalty units.

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

***bus driver record*** means a record of the following details for a person who is a bus driver:

- (a) the person's full name, home address and date of birth;
- (b) the person's prescribed driver authority information;
- (c) the days and times when a bus was driven by the person.

**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 to share information 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 must 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 2 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) 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 (1) (b) or (c).
- (5) 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.

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; and
- (b) the maximum number of standing passengers the bus is permitted to carry on the lower deck of the bus.

Maximum penalty: 5 penalty units.

- (3) In this section:

*permitted to be carried*—the number of passengers *permitted to be carried* in a particular way in a bus—see section 37 (4).

### **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](#).

### **31      Signs about security cameras in buses**

- (1) A person commits an offence if—
- (a) the person is the accredited operator of a bus used to operate a bus service; and
  - (b) the bus is fitted with a security camera; and
  - (c) the person does not ensure—
    - (i) there is a sign inside the bus stating that people may be under video surveillance while in the bus; and
    - (ii) the sign is located in a place that can be easily seen by anyone who may be under video surveillance.

Maximum penalty: 10 penalty units.

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

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

- (1) A person commits an offence if—
- (a) the person is the accredited operator of a bus used to operate a bus service; and
  - (b) the bus is fitted with a security camera; and
  - (c) a recording is made by the security camera; and
  - (d) a police officer or the road transport authority asks for the recording; and
  - (e) the person fails to give the recording to the police officer or the road transport authority.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if—
- (a) the person is the accredited operator of a bus used to operate a bus service; and
  - (b) the bus is fitted with a security camera; and
  - (c) a recording is made by the security camera; and
  - (d) neither a police officer or the road transport authority asks for the recording; and
  - (e) the person fails to—
    - (i) keep the recording for 30 days after the day it is made; or
    - (ii) destroy the recording within a reasonable time after the end of the 30-day period.

Maximum penalty: 10 penalty units.

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

- (3) A person commits an offence if—
- (a) the person is the accredited operator of a bus used to operate a bus service; and
  - (b) the bus is fitted with a security camera; and
  - (c) a recording is made by the security camera; and
  - (d) the person fails to maintain equipment that can display the recording.

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.

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

## **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 53 (Inconvenient or dangerous items in bus) if the driver picked up the person; or

- (b) the person is a person mentioned in section 66C (1) (b), (c) or (d).
- (4) This section does not, by implication, require a bus driver to pick up and drop off passengers only at bus stops.
- (5) An offence against this section is a strict liability offence.

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

- (1) 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.

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

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

- (1) A person commits an offence if—
  - (a) the person is the accredited operator of a single-decker bus; and
  - (b) the bus carries more passengers—
    - (i) seated than the number of passengers permitted to be carried seated in the bus; or
    - (ii) standing than the number of passengers permitted to be carried standing in the bus; or
    - (iii) whether seated or standing, than the total number of passengers permitted to be carried in the bus.

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if—
  - (a) the person is the accredited operator of a double-decker bus; and

- (b) the bus carries more passengers—
  - (i) seated on a deck of the bus than the number of passengers permitted to be carried seated on the deck of the bus; or
  - (ii) standing on the lower deck of the bus than the number of passengers permitted to be carried standing in the bus; or
  - (iii) whether seated or standing than the total number of passengers permitted to be carried 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 39 (2) (d).

- (3) An offence against this section is a strict liability offence.
- (4) In this section, the number of passengers *permitted to be carried* in a particular way in a bus means the number of passengers—
  - (a) stated in a certificate issued by the manufacturer of the bus as the appropriate number of passengers to be carried in that way; or
  - (b) if the road transport authority approved another number of passengers to be carried in a particular way—approved to be carried in that way by the road transport authority.

## **38 Lost property in bus**

- (1) A person commits an offence if the person—
  - (a) is the accredited operator of a bus used to operate a bus service; and
  - (b) does not ensure that each item of lost property found in the bus is—
    - (i) given to its owner; or

(ii) if the owner cannot be identified—

(A) held for a reasonable time at an office of the operator;  
and

(B) made available for collection by the owner during  
ordinary business hours.

Maximum penalty: 5 penalty units.

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

### **39      Passengers not to be carried in 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) in a part of the bus not designed to carry passengers; or

(b) in a part of the bus beside or in front of the driver's seat; or

(c) to travel in a part of the bus other than in the way for which that  
part of the bus is designed; or

(d) if the bus is a double-decker—to stand on the upper deck of the  
bus.

Maximum penalty: 5 penalty units.

**Example—par (c)**

sitting on the floor

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

- (3) Without limiting subsection (2), the parts of a bus not designed to carry passengers include—
- (a) the roof, steps, footboard and exterior surfaces of the vehicle; and
  - (b) if the bus is a double-decker—the stairs to the upper deck.
- (4) An offence against this section is a strict liability offence.

#### **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 a journey—
  - (a) for which it is issued; and
  - (b) if a passenger is required to assign a journey to a ticket—to which it is assigned.
- (2) If a passenger is required to use a device to assign a journey to a ticket, the passenger must use the device in accordance with any instructions provided by the road transport authority or the accredited operator of the bus service.
- (3) A bus ticket transferred in contravention of section 48 is not a valid ticket.

### **47                      Valid bus ticket required for travel**

- (1) A person commits an offence if the person—
  - (a) travels on a bus service; and
  - (b) does not hold a valid bus ticket for the travel.Maximum penalty: 5 penalty units.
- (2) An offence against this section is a strict liability offence.

### **48                      Bus ticket not transferable**

- (1) A person commits an offence if the person—
  - (a) holds a valid bus ticket for a journey; and
  - (b) before the journey ends—
    - (i) transfers the ticket to someone else; or

- (ii) offers to transfer the ticket to someone else.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if—
  - (a) the ticket was bought for the other person; or
  - (b) the transfer is authorised by the road transport authority or the accredited operator of the bus service.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

#### **49 Damaged or changed bus ticket not to be used**

- (1) A person commits an offence if the person—
  - (a) travels on a bus service; and
  - (b) holds a valid bus ticket for the travel; and
  - (c) the ticket is damaged, defaced or changed.

Maximum penalty: 5 penalty units.

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

#### **50 Entitlement to use concession bus ticket**

A person is entitled to use a bus ticket issued free or at a concession fare (a **concession bus ticket**) for travel on a bus service if the operator of the bus service has authorised the person to use the concession bus ticket.

#### **50A Application for concession bus ticket**

- (1) A person commits an offence if—
  - (a) the person applies to the operator of a bus service for a concession bus ticket; and

- (b) the application includes information; and
- (c) the information—
  - (i) is false or misleading; or
  - (ii) omits anything without which the information is false or misleading.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) A person must not be prosecuted for an offence against both this section and section 70AP (Application for concession light rail ticket) in relation to the same ticket.

#### **50B Use concession bus ticket when not entitled**

- (1) A person commits an offence if the person—
  - (a) travels on a bus service; and
  - (b) uses a concession bus ticket for the travel; and
  - (c) is not entitled to use the concession bus ticket.

Maximum penalty: 5 penalty units.

- (2) A police officer or authorised person may require a person who uses or attempts to use a concession bus ticket to travel on a bus service to produce evidence that the person is eligible to use the ticket to travel on the bus service.

##### **Examples—evidence**

student card, pensioner card, concession card

- (3) A person commits an offence if the person—
  - (a) is required to produce evidence under subsection (2); and



(b) does not comply with the requirement.

Maximum penalty: 5 penalty units.

(4) A person commits an offence if—

- (a) the person is required to produce evidence under subsection (2);  
and
- (b) the person produces evidence containing information; and
- (c) the information—
  - (i) is false or misleading; or
  - (ii) omits anything without which the information is false or misleading.

Maximum penalty: 10 penalty units.

(5) A person commits an offence if—

- (a) the person is required to produce evidence under subsection (2);  
and
- (b) the person makes a statement containing information to the police officer or authorised person; and
- (c) the information—
  - (i) is false or misleading; or
  - (ii) omits anything without which the information is false or misleading.

Maximum penalty: 10 penalty units.

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

(7) A person must not be prosecuted for an offence against more than 1 of the following provisions for a single journey:

- (a) subsection (1);

- (b) subsection (3);
  - (c) subsection (4);
  - (d) subsection (5);
  - (e) section 70AQ (1) (Use concession light rail ticket when not entitled);
  - (f) section 70AQ (3);
  - (g) section 70AQ (4);
  - (h) section 70AQ (5).
- (8) In this section:

*single journey* means a journey for which a single fare is payable.

**Example**

a single fare payment that allows a person to travel on multiple public passenger vehicles within a 90 minute period

## 51 Inspection of bus ticket

- (1) A police officer or authorised person may require a person to produce the person's bus ticket for inspection if the person—
- (a) is in a bus; or
  - (b) has just got off a bus.
- (2) A person commits an offence if the person—
- (a) is required to produce the person's bus ticket under subsection (1); and
  - (b) does not produce the ticket as required.
- Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.

## **Part 3.3                      Bus passengers**

### **52                      Behaviour that interferes with comfort or safety**

- (1) A person commits an offence if—
- (a) the person is in a bus; and
  - (b) the person—
    - (i) puts a foot on a bus seat; or
    - (ii) obstructs a bus seat; or
    - (iii) spits; or
    - (iv) uses a wheeled recreational device.

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if—
- (a) the person is in a bus; and
  - (b) the person—
    - (i) uses offensive language; or
    - (ii) behaves in an offensive way; or
    - (iii) behaves in an aggressive or menacing way.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is in a bus; and
  - (b) unreasonably interferes with the comfort or safety of someone else.

Maximum penalty: 10 penalty units.

- (4) An offence against subsection (1) or (2) is a strict liability offence.

## 53 Inconvenient or dangerous items in bus

- (1) A bus driver, authorised person or police officer may direct a passenger who brings an inconvenient or dangerous item into a bus to—
  - (a) place the item in a storage area in the bus; or
  - (b) remove the item from the bus.
- (2) A person commits an offence if the person—
  - (a) is given a direction under subsection (1); and
  - (b) does not comply with the direction.

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) This section does not apply to anything assisting a person with disability.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

- (5) In this section:

***inconvenient or dangerous item*** means an item that, because of its size or nature, cannot be carried in a bus without inconvenience or danger to someone else.

**Example**

item containing petrol

***storage area***, in a bus, means an area designed for the storage of goods or identified by a sign indicating that the area is for the storage of goods.

**54 Obstructing bus door**

- (1) A person commits an offence if the person obstructs a bus door.  
Maximum penalty: 5 penalty units.
- (2) An offence against this section is a strict liability offence.

**55 Getting on and off bus**

- (1) A person commits an offence if the person gets on or off a bus—
- (a) while the bus is moving; or
  - (b) at a place that is not a bus stop; or
  - (c) through an emergency exit or roof hatch.
- Maximum penalty: 5 penalty units.

*Note* A person is not criminally responsible for an offence if the person is responding to circumstances of sudden or extraordinary emergency (see [Criminal Code](#), s 41).

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

**56 Passenger not allowed in certain parts of bus**

- (1) A person commits an offence if—
- (a) the person is a passenger in a bus; and
  - (b) the person—
    - (i) enters the driver's compartment (if any) of the bus; or
    - (ii) occupies a driver's seat or part of a driver's seat.

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if—
- (a) the person is a passenger in a bus; and
  - (b) the bus is moving; and

(c) the person is—

- (i) in a part of the bus not designed to carry passengers; or
- (ii) in a part of the bus beside or in front of the driver's seat; or
- (iii) travelling in a part of the bus other than in the way for which the part of the bus is designed; or
- (iv) if the bus is a double-decker—standing on the upper deck of the bus.

Maximum penalty: 5 penalty units.

**Example—par (iii)**

sitting on the floor

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

- (3) An offence against this section is a strict liability offence.
- (4) Without limiting subsection (2), the parts of a bus not designed to carry passengers include the roof, steps, footboard and exterior surfaces of the bus.

## **57 Throwing objects in or from bus**

- (1) A person commits an offence if the person throws anything—
  - (a) in a bus; or
  - (b) from a bus.

Maximum penalty: 5 penalty units.

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

*Note* Intentionally throwing an object at, dropping an object on, or placing an object in the path of, a bus is also an offence (see [Crimes Act 1900](#), s 28A).

## 58 Vacating designated seats in bus

- (1) A person commits an offence if—
- (a) a sign in a bus indicates—
    - (i) that a seat is set aside for designated people; and
    - (ii) the designated people who may use the seat; and
  - (b) a designated person travelling in the bus—
    - (i) is standing; or
    - (ii) indicates that they wish to use the seat; and
  - (c) the person sits, or continues to sit, in the seat.

Maximum penalty: 5 penalty units.

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

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

- (4) In this section:

***designated people*** include seniors, people with disability and pregnant people.

## 59 Liquor in bus

- (1) A person commits an offence if the person—
- (a) consumes liquor or low-alcohol liquor in a bus; or
  - (b) possesses an open container of liquor or low-alcohol liquor in a bus.

Maximum penalty: 5 penalty units.

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

*Note* It is also an offence to consume or possess an open container of liquor at a bus station (see [Liquor Act 2010](#), s 199 and s 200).

- (3) In a prosecution for an offence against this section, unless there is evidence to the contrary, a substance is presumed to be liquor or low-alcohol liquor if—

- (a) the substance is in a container; and
- (b) a label or other mark on the container describes the contents as liquor or low-alcohol liquor.

**Examples—label or mark that describes container contents as liquor**

- 1 ‘2.6% Alc/Vol’ printed on a can
- 2 ‘14% Alc/Vol’ printed on the label of a bottle

*Note* A person rebutting the presumption in s (3) has an evidential burden in relation to the rebuttal (see [Criminal Code](#), s 58).

- (4) This section does not apply if the liquor is supplied in the bus—
- (a) by the accredited operator of the bus; or
  - (b) with the permission of the accredited operator of the bus.

## 60 Seizure of liquor in bus

- (1) This section applies if a bus driver, authorised person or police officer suspects on reasonable grounds that—
- (a) a person (the *possessor*) is in possession of liquor or low-alcohol liquor; and
  - (b) the liquor or low-alcohol liquor is connected with the commission of an offence against section 59.



- (2) A bus driver, authorised person or police officer may seize the liquor or low-alcohol liquor from the possessor if the bus driver, authorised person or police officer has told the possessor—
  - (a) that the bus driver, authorised person or police officer suspects the liquor or low-alcohol liquor is connected with the commission of an offence against section 59; and
  - (b) the grounds for the suspicion.
- (3) If a bus driver, authorised person or police officer seizes liquor or low-alcohol liquor under subsection (2), the bus driver, authorised person or police officer may dispose of the liquor or low-alcohol liquor.
- (4) However, the bus driver, authorised person or police officer must not dispose of the liquor or low-alcohol liquor under subsection (3) if the possessor indicates in any way that the possessor believes the bus driver's, authorised person's or police officer's grounds for the suspicion are incorrect.
- (5) If a bus driver, authorised person or police officer disposes of liquor or low-alcohol liquor under subsection (3)—
  - (a) the person must not be prosecuted for an offence in relation to the liquor or low-alcohol liquor; and
  - (b) a caution must not be issued to the possessor in relation to any act done in relation to the liquor or low-alcohol liquor.

## 61 Eating or drinking in bus

- (1) A person commits an offence if—
- (a) a sign in a bus indicates that a person must not eat or drink in the bus; and
  - (b) the person eats or drinks in the bus.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if the person eats or drinks in the bus for a medical reason.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

## 62 Animal in bus

- (1) A person commits an offence if—
- (a) the person travels with an animal in a bus; and
  - (b) the driver of the bus has not given permission to the person to travel with the animal on the bus.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if the animal is—
- (a) a guide-dog or other animal assisting a person with disability; or

- (b) being trained to assist a person with disability.

*Note 1* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

*Note 2* 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 5AA and s 8).

## **63 Lost property found on bus**

- (1) A person commits an offence if the person—
- (a) finds something that appears to be lost in a bus; and
  - (b) fails to give the thing to—
    - (i) a bus driver; or
    - (ii) its owner; or
    - (iii) the accredited operator of the bus; or
    - (iv) a police officer; or
    - (v) an authorised person.

Maximum penalty: 5 penalty units.

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

## **64 Removing bus property**

- (1) A person commits an offence if the person—
- (a) removes property belonging to an accredited operator of a bus service from—
    - (i) a bus; or
    - (ii) a bus stop; and

- (b) does not have the operator's consent to remove the property.

Maximum penalty: 10 penalty units.

*Note* Theft and minor theft are also offences against the [Criminal Code](#), s 308 and s 321.

- (2) A person commits an offence if the person—

- (a) removes property belonging to the Territory from—

- (i) a bus; or

- (ii) a bus stop; and

- (b) does not have the Territory's consent to remove the property.

Maximum penalty: 10 penalty units.

*Note* Dishonestly taking or retaining territory property are also offences against the [Criminal Code](#), s 319 and s 320.

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

- (4) In this section:

***property*** includes equipment, infrastructure, furniture, signs and fittings.

## 65 Damaging bus property

- (1) A person commits an offence if the person—

- (a) damages property belonging to an accredited operator of a bus service; and

- (b) does not have the operator's consent to damage the property.

Maximum penalty: 10 penalty units.

*Note* Damaging property is also an offence against the [Criminal Code](#), s 403.

- (2) A person commits an offence if the person—

- (a) damages property belonging to the Territory; and

(b) does not have the Territory's consent to damage the property.

Maximum penalty: 10 penalty units.

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

(4) In this section:

*property*—see section 64 (4).

## **66 Interfering with security camera or recording**

(1) A person commits an offence if the person interferes with a security camera that is fitted to a bus.

Maximum penalty: 20 penalty units.

(2) A person commits an offence if—

(a) a recording is made by a security camera fitted to a bus; and

(b) the person changes or otherwise interferes with the recording.

Maximum penalty: 20 penalty units.

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

*Note* In collecting personal information, an accredited operator of a bus service 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](#).

## **66A Interfering with bus equipment**

(1) A person commits an offence if the person interferes with—

(a) equipment attached to, or forming part of, a bus; or

(b) the correct operation of equipment attached to, or forming part of, a bus.

Maximum penalty: 10 penalty units.

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

**66B Littering in bus**

- (1) A person commits an offence if—
- (a) the person deposits litter in a bus; and
  - (b) the litter is not deposited in a container provided for the collection of litter.

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if the person deposits anything that may endanger a person or property in a bus.

Maximum penalty: 5 penalty units.

**Example**

person deposits an item containing petrol

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

***litter***—see the [Litter Act 2004](#), section 7.

**66C Bus driver, authorised person or police officer—power to direct person to get off, or not get on, bus**

- (1) A bus driver, authorised person or police officer may direct a person to get off, or not get on, a bus if the bus driver, authorised person or police officer believes on reasonable grounds that—
- (a) the person is committing, or has just committed, an offence against—
    - (i) part 3.2 (Bus tickets); or
    - (ii) part 3.3 (Bus passengers); or
  - (b) the person's clothing or anything carried by the person may soil or damage the bus or the clothing or goods of someone else on the bus; or

- (c) any of the person's goods cannot, because of their size or nature, be carried in the bus without inconvenience or danger to someone else on the bus; or
- (d) the person is—
  - (i) under the influence of liquor or a drug; and
  - (ii) causing, or is likely to cause, a nuisance or an annoyance to someone else.
- (2) Subsection (1) (c) does not apply to anything assisting a person with disability.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2) (see [Criminal Code](#), s 58).
- (3) A person commits an offence if the person—
  - (a) is given a direction under subsection (1); and
  - (b) does not comply with the direction.

Maximum penalty: 5 penalty units.
- (4) An offence against this section is a strict liability offence.

**67 Police officer—power to remove person from bus**

A police officer may remove a person from a bus if the person—

- (a) is given a direction under section 66C; and
- (b) does not comply with the direction.

## 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 either of the following names:

- (a) ACTION;
- (b) Transport Canberra.

### 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*                      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.

- (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 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, without reasonable excuse, contravene a standard approved under subsection (1).

Maximum penalty: 20 penalty units.

## 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 3AA      Light rail services

### Part 3AA.1      Light rail service operators

#### 70AA      Definitions—pt 3AA.1

In this part:

*light rail driver* means the driver of a light rail vehicle.

*light rail driving assessor* means a person who assesses a light rail driver's suitability to be a driver of a light rail vehicle.

*light rail driving instructor* means a person who instructs a person about how to drive a light rail vehicle.

#### 70AB      Notifiable occurrence involving light rail vehicle

- (1) A person commits an offence if—
  - (a) the person is a light rail service operator; and
  - (b) the light rail service is involved in a notifiable occurrence; and
  - (c) the person gives the Office of the National Rail Safety Regulator a report under the *Rail Safety National Law (ACT)*, section 121, about a notifiable occurrence; and
  - (d) the person fails to give the road transport authority a copy of the report at the same time as giving the report to the Office of the National Rail Safety Regulator.

Maximum penalty: 20 penalty units.

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

*notifiable occurrence*—see the *Rail Safety National Law (ACT)*, section 4.

## **70AC Light rail driver etc to hold driver licence**

- (1) A person commits an offence if the person—
- (a) is a light rail service operator; and
  - (b) does not take reasonable steps to ensure that each of the following people holds a full car licence or a licence of a higher class:
    - (i) a light rail driver for the service;
    - (ii) a light rail driving assessor for the service;
    - (iii) a light rail driving instructor for the service.

*Note* A person who drives a light rail vehicle must hold a full car licence (see [Road Transport \(Driver Licensing\) Regulation 2000](#), s 98A).

Maximum penalty: 20 penalty units.

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

***full car licence*** means a full car licence within the meaning of the [Road Transport \(Driver Licensing\) Regulation 2000](#).

## **70AD Light rail driver records**

- (1) A person commits an offence if the person—
- (a) is a light rail service operator; and
  - (b) does not—
    - (i) keep a light rail driver record for each light rail driver for the service; or
    - (ii) take reasonable steps to ensure each light rail driver record is up-to-date.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if the person—
- (a) is or has been a light rail service operator; and
  - (b) does not keep each light rail driver record for at least 2 years after the last date on which the driver drove a light rail vehicle for the service.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is or has been a light rail service operator; and
  - (b) does not provide a light rail driver record, on request, to—
    - (i) the road transport authority; or
    - (ii) a police officer; or
    - (iii) an authorised person.

Maximum penalty: 10 penalty units.

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

***light rail driver record*** means a record of the following details for a light rail driver:

- (a) the light rail driver's full name, home address and date of birth;
- (b) the light rail driver's driver licence number and expiry date;
- (c) the days and times when a light rail vehicle was driven by the light rail driver.

## **70AE Light rail driving instructor records**

- (1) A person commits an offence if the person—
- (a) is a light rail service operator; and
  - (b) does not—
    - (i) keep a light rail driving instructor record for each light rail driving instructor for the service; or
    - (ii) take reasonable steps to ensure each light rail driving instructor record is up-to-date.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if the person—
- (a) is or has been a light rail service operator; and
  - (b) does not keep each light rail driving instructor record for at least 2 years after the last date on which an instructor for the operator instructed a driver for the service.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is or has been a light rail service operator; and
  - (b) does not provide a light rail driving instructor record, on request, to—
    - (i) the road transport authority; or
    - (ii) a police officer; or
    - (iii) an authorised person.

Maximum penalty: 10 penalty units.

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

(5) In this section:

***light rail driving instructor record*** means a record of the following details for a light rail driving instructor:

- (a) the light rail driving instructor's full name, home address and date of birth;
- (b) the light rail driving instructor's driver licence number and expiry date;
- (c) the days and times when a light rail driver was instructed by the light rail driving instructor.

**70AF Light rail driving assessor records**

- (1) A person commits an offence if the person—
  - (a) is a light rail service operator; and
  - (b) does not—
    - (i) keep a light rail driving assessor record for each light rail driving assessor for the service; or
    - (ii) take reasonable steps to ensure each light rail driving assessor record is up-to-date.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if the person—
  - (a) is or has been a light rail service operator; and
  - (b) does not keep each light rail driving assessor record for at least 2 years after the last date on which a light rail driving assessor for the operator assessed a driver for the service.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is or has been a light rail service operator; and
  - (b) does not provide a light rail driving assessor record, on request, to—
    - (i) the road transport authority; or
    - (ii) a police officer; or
    - (iii) an authorised person.

Maximum penalty: 10 penalty units.

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

- (5) In this section:

***light rail driving assessor record*** means a record of the following details for a light rail driving assessor:

- (a) the light rail driving assessor's full name, home address and date of birth;
- (b) the light rail driving assessor's driver licence number and expiry date;
- (c) the days and times when a light rail driver was assessed by the light rail driving assessor.

## **70AG Road transport authority to share information**

- (1) If a light rail service operator has given the road transport authority a light rail driver record, the road transport authority must tell the light rail service operator about any suspension or cancellation of a driver licence held by the driver.
- (2) If a light rail service operator has given the road transport authority a light rail driving instructor record, the road transport authority must tell the light rail service operator about any suspension or cancellation of a driver licence held by the light rail driving instructor.

- (3) If a light rail service operator has given the road transport authority a light rail driving assessor record, the road transport authority must tell the light rail service operator about any suspension or cancellation of a driver licence held by the light rail driving assessor.
- (4) In this section:
  - light rail driving assessor record*—see section 70AF (5).
  - light rail driver record*—see section 70AD (5).
  - light rail driving instructor record*—see section 70AE (5).

**70AH Signs about security cameras in light rail vehicles and at light rail stops**

- (1) A person commits an offence if—
  - (a) the person is a light rail service operator; and
  - (b) a light rail vehicle for the service is fitted with a security camera; and
  - (c) the person does not ensure—
    - (i) there is a sign inside the light rail vehicle telling people they may be under video surveillance while in or near the light rail vehicle; and
    - (ii) the sign is located in a place that can be easily seen by a person who may be under video surveillance.

Maximum penalty: 10 penalty units.

*Note* In collecting personal information, a light rail service 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](#).

- (2) A person commits an offence if—
  - (a) the person is a light rail service operator; and



- (b) a light rail stop is fitted with a security camera; and
- (c) the person does not ensure—
  - (i) there is a sign on the light rail stop telling people they may be under video surveillance while on or near the light rail stop; and
  - (ii) the sign is located in a place that can be easily seen by a person who may be under video surveillance.

Maximum penalty: 10 penalty units.

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

#### **70AI      Lost property in light rail vehicles and at light rail stops**

- (1) A person commits an offence if the person—
  - (a) is a light rail service operator; and
  - (b) does not ensure that each item of lost property found in a light rail vehicle or at a light rail stop is—
    - (i) given to its owner; or
    - (ii) if the owner cannot be identified—
      - (A) held for a reasonable time at an office of the light rail service operator; and
      - (B) made available for collection by the owner during ordinary business hours.

Maximum penalty: 5 penalty units.

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

## Part 3AA.2 Light rail tickets

### 70AJ Meaning of *light rail ticket*—pt 3AA.2

In this part:

*light rail ticket* means anything issued by or on behalf of the road transport authority authorising a person to travel in a light rail vehicle operated for a light rail service.

### 70AK Validity of light rail tickets

- (1) A light rail ticket is valid for travel only for a journey—
  - (a) for which it is issued; and
  - (b) if a passenger is required to assign a journey to a ticket—to which it is assigned.
- (2) If a passenger is required to use a device to assign a journey to a ticket, the passenger must use the device in accordance with any instructions provided by the road transport authority.
- (3) A light rail ticket transferred in contravention of section 70AM is not a valid ticket.

### 70AL Valid light rail ticket required for travel

- (1) A person commits an offence if the person—
  - (a) travels on a light rail service; and
  - (b) does not hold a valid light rail ticket for the travel.

Maximum penalty: 5 penalty units.
- (2) An offence against this section is a strict liability offence.

**70AM Light rail ticket not transferable**

- (1) A person commits an offence if the person—
- (a) holds a valid light rail ticket for a journey; and
  - (b) before the journey ends—
    - (i) transfers the ticket to someone else; or
    - (ii) offers to transfer the ticket to someone else.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if—
- (a) the ticket was bought for the other person; or
  - (b) the transfer is authorised by the road transport authority.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

**70AN Damaged or changed light rail ticket not to be used**

- (1) A person commits an offence if the person—
- (a) travels on a light rail service; and
  - (b) holds a valid light rail ticket for the travel; and
  - (c) the ticket is damaged, defaced or changed.

Maximum penalty: 5 penalty units.

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

**70AO Entitlement to use concession light rail ticket**

A person is entitled to use a light rail ticket issued free or at a concession fare (a *concession light rail ticket*) for travel on a light rail service if the road transport authority has authorised the person to use the concession light rail ticket.

**70AP Application for concession light rail ticket**

- (1) A person commits an offence if—
- (a) the person applies to the road transport authority for a concession light rail ticket; and
  - (b) the application includes information; and
  - (c) the information—
    - (i) is false or misleading; or
    - (ii) omits anything without which the information is false or misleading.

Maximum penalty: 10 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) A person must not be prosecuted for an offence against both this section and section 50A (Application for concession bus ticket) in relation to the same ticket.

**70AQ Use concession light rail ticket when not entitled**

- (1) A person commits an offence if the person—
- (a) travels on a light rail service; and
  - (b) uses a concession light rail ticket for the travel; and

(c) is not entitled to use the concession light rail ticket.

Maximum penalty: 5 penalty units.

- (2) A police officer or authorised person may require a person who uses or attempts to use a concession light rail ticket to travel on a light rail service to produce evidence that the person is entitled to use the ticket to travel on the light rail service.

**Examples—evidence**

student card, pensioner card, concession card

- (3) A person commits an offence if the person—
- (a) is required to produce evidence under subsection (2); and
  - (b) does not comply with the requirement.

Maximum penalty: 5 penalty units.

- (4) A person commits an offence if—
- (a) the person is required to produce evidence under subsection (2); and
  - (b) the person produces evidence containing information; and
  - (c) the information—
    - (i) is false or misleading; or
    - (ii) omits anything without which the information is false or misleading.

Maximum penalty: 10 penalty units.

- (5) A person commits an offence if—
- (a) the person is required to produce evidence under subsection (2); and
  - (b) the person makes a statement containing information to the police officer or authorised person; and

- (c) the information—
  - (i) is false or misleading; or
  - (ii) omits anything without which the information is false or misleading.

Maximum penalty: 10 penalty units.

- (6) An offence against this section is a strict liability offence.
- (7) A person must not be prosecuted for an offence against more than 1 of the following provisions for a single journey:
  - (a) subsection (1);
  - (b) subsection (3);
  - (c) subsection (4);
  - (d) subsection (5);
  - (e) section 50B (1) (Use concession bus ticket when not entitled);
  - (f) section 50B (3);
  - (g) section 50B (4);
  - (h) section 50B (5).
- (8) In this section:

*single journey* means a journey for which a single fare is payable.

**Example**

a single fare payment that allows a person to travel on multiple public passenger vehicles within a 90 minute period

## **70AR Inspection of light rail ticket**

- (1) A police officer or authorised person may require a person to produce the person's light rail ticket for inspection if the person—
  - (a) is in a light rail vehicle; or

- (b) has just got off a light rail vehicle; or
  - (c) is at a light rail stop and the police officer or authorised person believes on reasonable grounds that the person is at the light rail stop because the person has got off a light rail vehicle; or
  - (d) is at a place declared under section 70AS in circumstances in which a valid light rail ticket is required.
- (2) A person commits an offence if the person—
- (a) is required to produce the person's light rail ticket under subsection (1); and
  - (b) does not produce the ticket as required.
- Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.

**70AS Minister may declare light rail ticket required at certain place**

- (1) The Minister may declare a place, connected to a light rail service, where a person is required to have a valid light rail ticket for travel on the light rail service.
- (2) The declaration must state—
  - (a) a description of the place; and
  - (b) the circumstances in which the valid light rail ticket is required; and
  - (c) the reason for the declaration; and
  - (d) the period when the declaration is to operate.
- (3) A declaration is a notifiable instrument.

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

## **Part 3AA.3 Light rail passengers and people at light rail stops**

### **70AT Behaviour that interferes with comfort or safety**

- (1) A person commits an offence if—
- (a) the person is in a light rail vehicle; and
  - (b) the person—
    - (i) puts a foot on a light rail vehicle seat; or
    - (ii) obstructs a light rail vehicle seat.

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

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if—
- (a) the person is—
    - (i) in a light rail vehicle; or
    - (ii) at a light rail stop; and
  - (b) the person—
    - (i) spits; or
    - (ii) uses a wheeled recreational device.

Maximum penalty: 5 penalty units.

- (3) A person commits an offence if—
- (a) the person is—
    - (i) in a light rail vehicle; or
    - (ii) at a light rail stop; and



- (b) the person—
  - (i) uses offensive language; or
  - (ii) behaves in an offensive way; or
  - (iii) behaves in an aggressive or menacing way.

Maximum penalty: 10 penalty units.

- (4) A person commits an offence if—
  - (a) the person is—
    - (i) in a light rail vehicle; or
    - (ii) at a light rail stop; and
  - (b) the person unreasonably interferes with the comfort or safety of someone else.

Maximum penalty: 10 penalty units.

- (5) An offence against subsection (1), (2) or (3) is a strict liability offence.

#### **70AU Inconvenient or dangerous items in light rail vehicle**

- (1) An authorised person or police officer may direct a passenger who brings an inconvenient or dangerous item into a light rail vehicle to—
  - (a) place the item in a storage area in the light rail vehicle; or
  - (b) remove the item from the light rail vehicle.
- (2) A person commits an offence if the person—
  - (a) is given a direction under subsection (1); and
  - (b) does not comply with the direction.

Maximum penalty: 5 penalty units.

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

- (4) This section does not apply to anything assisting a person with disability.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

- (5) In this section:

***storage area***, in a light rail vehicle, means an area identified by a sign indicating that the area is for the storage of goods.

***inconvenient or dangerous item*** means an item that, because of its size or nature, cannot be carried in a light rail vehicle without inconvenience or danger to someone else.

**Example**

item containing petrol

**70AV Obstructing light rail vehicle door**

- (1) A person commits an offence if the person obstructs a light rail vehicle door.

Maximum penalty: 5 penalty units.

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

**70AW Getting on and off light rail vehicle**

- (1) A person commits an offence if the person gets on or off a light rail vehicle—

- (a) while the light rail vehicle is moving; or
- (b) at a place that is not a light rail stop; or
- (c) through an emergency exit or roof hatch.

Maximum penalty: 5 penalty units.

*Note* A person is not criminally responsible for an offence if the person is responding to circumstances of sudden or extraordinary emergency (see [Criminal Code](#), s 41).

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

**70AX Passenger not allowed on certain parts of light rail vehicle**

- (1) A person commits an offence if the person—
- (a) is a passenger in a light rail vehicle; and
  - (b) enters the driver's cab of the light rail vehicle.

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if—
- (a) the person is a passenger in a light rail vehicle; and
  - (b) the light rail vehicle is moving; and
  - (c) the person is—
    - (i) in a part of the light rail vehicle not designed to carry passengers; or
    - (ii) travelling in a part of the light rail vehicle other than in the way for which that part of the light rail vehicle is designed.

**Example**

sitting on the floor

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

Maximum penalty: 5 penalty units.

- (3) An offence against this section is a strict liability offence.
- (4) Without limiting subsection (2), the parts of a light rail vehicle not designed to carry passengers include the roof, steps, footboard and exterior surfaces of the vehicle.

### **70AY Throwing objects in or from light rail vehicle**

- (1) A person commits an offence if the person throws anything—
- (a) in a light rail vehicle; or
  - (b) from a light rail vehicle.

Maximum penalty: 5 penalty units.

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

*Note* Intentionally throwing an object at, dropping an object on, or placing an object in the path of, a light rail vehicle is also an offence (see [Crimes Act 1900](#), s 28A).

### **70AZ Vacating designated seats in light rail vehicle**

- (1) A person commits an offence if—
- (a) a sign in a light rail vehicle indicates—
    - (i) that a seat is set aside for designated people; and
    - (ii) the designated people who may use the seat; and
  - (b) a designated person travelling in the light rail vehicle—
    - (i) is standing; or
    - (ii) indicates that they wish to use the seat; and
  - (c) the person sits, or continues to sit, in the seat.

Maximum penalty: 5 penalty units.

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

- (3) This section does not apply to a designated person.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

- (4) In this section:

*designated people* include seniors, people with disability and pregnant people.

### **70AAA Liquor in light rail vehicle or at light rail stop**

- (1) A person commits an offence if the person—
- (a) consumes liquor or low-alcohol liquor—
    - (i) in a light rail vehicle; or
    - (ii) at a light rail stop; or
  - (b) possesses an open container of liquor or low-alcohol liquor—
    - (i) in a light rail vehicle; or
    - (ii) at a light rail stop.

Maximum penalty: 5 penalty units.

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

*Note* It is also an offence to consume or possess an open container of liquor at a light rail stop (see [Liquor Act 2010](#), s 199 and s 200).

- (3) In a prosecution for an offence against this section, unless there is evidence to the contrary, a substance is presumed to be liquor or low-alcohol liquor if—
- (a) the substance is in a container; and
  - (b) a label or other mark on the container describes the contents as liquor or low-alcohol liquor.

**Examples—label or mark that describes container contents as liquor**

- 1 ‘2.6% Alc/Vol’ printed on a can
- 2 ‘14% Alc/Vol’ printed on the label of a bottle

*Note* A person rebutting the presumption in s (2) has an evidential burden in relation to the rebuttal (see [Criminal Code](#), s 58).

### **70AAB Seizure of liquor in light rail vehicle or at light rail stop**

- (1) This section applies if an authorised person or police officer suspects on reasonable grounds that—
  - (a) person (the *possessor*) is in possession of liquor or low-alcohol liquor; and
  - (b) the liquor or low-alcohol liquor is connected with the commission of an offence against section 70AAA.
- (2) An authorised person or police officer may seize the liquor or low-alcohol liquor from the possessor if the authorised person or police officer has told the possessor—
  - (a) that the authorised person or police officer suspects the liquor or low-alcohol liquor is connected with the commission of an offence against section 70AAA; and
  - (b) the grounds for the suspicion.
- (3) If an authorised person or police officer seizes liquor or low-alcohol liquor under subsection (2), the authorised person or police officer may dispose of the liquor or low-alcohol liquor.
- (4) However, the authorised person or police officer must not dispose of the liquor or low-alcohol liquor under subsection (3) if the possessor indicates in any way that the possessor believes the authorised person's or police officer's grounds for the suspicion are incorrect.
- (5) If an authorised person or police officer disposes of liquor or low-alcohol liquor under subsection (3)—
  - (a) the person must not be prosecuted for an offence in relation to the liquor or low-alcohol liquor; and
  - (b) a caution must not be issued to the possessor in relation to any act done in relation to the liquor or low-alcohol liquor.

## **70AAC Eating or drinking in light rail vehicle**

- (1) A person commits an offence if—
  - (a) a sign in a light rail vehicle indicates that a person must not eat or drink in the light rail vehicle; and
  - (b) the person eats or drinks in the light rail vehicle.

Maximum penalty: 5 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if the person eats or drinks in the light rail vehicle for a medical reason.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

## **70AAD Animal in light rail vehicle**

- (1) The Minister may determine—
  - (a) circumstances in which a light rail service operator must or must not allow an animal to be in a light rail vehicle; and
  - (b) ways in which an animal must or must not be carried in a light rail vehicle.

- (2) A determination is a notifiable instrument.

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

- (3) A person commits an offence if—
  - (a) the person travels with an animal in a light rail vehicle; and
  - (b) the animal is not—
    - (i) confined in a box, basket or other container; or
    - (ii) carried in a way allowed under the determination.

Maximum penalty: 5 penalty units.

- (4) An offence against this section is a strict liability offence.
- (5) This section does not apply if the animal is—
  - (a) a guide-dog or other animal assisting a person with disability; or
  - (b) being trained to assist a person with disability.

*Note 1* The defendant has an evidential burden in relation to the matters mentioned in s (5) (see [Criminal Code](#), s 58).

*Note 2* 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 5AA and s 8).

#### **70AAE Lost property found on light rail vehicle or at light rail stop**

- (1) A person commits an offence if the person—
  - (a) finds something that appears to be lost—
    - (i) in a light rail vehicle; or
    - (ii) at a light rail stop; and
  - (b) fails to give the thing to—
    - (i) its owner; or
    - (ii) the light rail service operator; or
    - (iii) a police officer; or
    - (iv) an authorised person.

Maximum penalty: 5 penalty units.

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



## 70AAF Removing light rail property

- (1) A person commits an offence if the person—
- (a) removes property belonging to a light rail service operator from—
    - (i) a light rail vehicle; or
    - (ii) a light rail stop; and
  - (b) does not have the light rail operator's consent to remove the property.

Maximum penalty: 10 penalty units.

*Note* Theft and minor theft are also offences against the [Criminal Code](#), s 308 and s 321.

- (2) A person commits an offence if the person—
- (a) removes property belonging to the Territory from—
    - (i) a light rail vehicle; or
    - (ii) a light rail stop; and
  - (b) does not have the Territory's consent to remove the property.

Maximum penalty: 10 penalty units.

*Note* Dishonestly taking or retaining territory property are also offences against the [Criminal Code](#), s 319 and s 320.

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

***property*** includes equipment, infrastructure, furniture, signs and fittings.

## 70AAG Damaging light rail property

- (1) A person commits an offence if—
- (a) the person damages property; and
  - (b) the property is light rail property; and
  - (c) the property belongs to a light rail service operator; and
  - (d) the person does not have the light rail operator's consent to damage the property.

Maximum penalty: 10 penalty units.

*Note* Damaging property is also an offence against the [Criminal Code](#), s 403.

- (2) A person commits an offence if—
- (a) the person damages property; and
  - (b) the property is light rail property; and
  - (c) the property belongs to the Territory; and
  - (d) the person does not have the Territory's consent to damage the property.

Maximum penalty: 10 penalty units.

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

***light rail property*** includes—

- (a) infrastructure forming part of light rail; and

*Note* ***Light rail*** includes tracks, catenaries, supports for tracks and catenaries, stops, pedestrian access to stops, signalling facilities and signalling equipment (see [Road Transport \(General\) Act 1999](#), dict).

- (b) devices and equipment used in relation to issuing and assigning light rail tickets; and

- (c) signs, furniture and fittings made available for light rail service passengers.

### **70AAH Interfering with security camera or recording**

- (1) A person commits an offence if the person interferes with a security camera that is—
  - (a) fitted to a light rail vehicle; or
  - (b) located at a light rail stop.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
  - (a) a recording is made by a security camera—
    - (i) fitted to a light rail vehicle; or
    - (ii) located at a light rail stop; and
  - (b) the person changes or otherwise interferes with the recording.

Maximum penalty: 20 penalty units.

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

*Note* In collecting personal information, a light rail service 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](#).

## **70AAI Interfering with emergency equipment**

- (1) A person commits an offence if the person—
- (a) applies an emergency brake on a light rail vehicle; or
  - (b) uses another emergency device fitted to a light rail vehicle.

Maximum penalty: 20 penalty units.

*Note* A person is not criminally responsible for an offence if the person is responding to circumstances of sudden or extraordinary emergency (see [Criminal Code](#), s 41).

- (2) A person commits an offence if—
- (a) the person uses an emergency device at a light rail stop; and
  - (b) the device belongs to the Territory or the light rail operator.

Maximum penalty: 20 penalty units.

- (3) A person commits an offence if the person interferes with—
- (a) an emergency device at a light rail stop; or
  - (b) the correct operation of an emergency device at a light rail stop.

Maximum penalty: 20 penalty units.

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

- (5) In this section:

***emergency device*** includes an emergency door open handle, an emergency help point, an emergency glass breakage device or a fire extinguisher.

**70AAJ Interfering with light rail vehicle equipment**

- (1) A person commits an offence if the person interferes with—
  - (a) equipment attached to, or forming part of, a light rail vehicle; or
  - (b) the correct operation of equipment attached to, or forming part of, a light rail vehicle.

Maximum penalty: 10 penalty units.

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

**70AAK Littering**

- (1) A person commits an offence if—
  - (a) the person deposits litter—
    - (i) in a light rail vehicle; or
    - (ii) at a light rail stop; and
  - (b) the litter is not deposited in a container provided for the collection of litter.

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if the person deposits anything that may endanger a person or property—
  - (a) in a light rail vehicle; or
  - (b) at a light rail stop.

Maximum penalty: 5 penalty units.

**Example**

person deposits an item containing petrol

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

- (4) In this section:

*litter*—see the [Litter Act 2004](#), section 7.

**70AAL Police officer or authorised person—power to direct person to get off, or not get on, light rail vehicle**

- (1) A police officer or authorised person may direct a person to get off, or not get on, a light rail vehicle if the police officer or authorised person believes on reasonable grounds that—
- (a) the person is committing, or has just committed, an offence against—
    - (i) part 3AA.2 (Light rail tickets); or
    - (ii) part 3AA.3 (Light rail passengers and people at light rail stops); or
  - (b) the person’s clothing or anything carried by the person may soil or damage the light rail vehicle or the clothing or goods of someone else on the light rail vehicle; or
  - (c) any of the person’s goods cannot, because of their size or nature, be carried in the light rail vehicle without inconvenience or danger to someone else on the light rail vehicle; or
  - (d) the person is—
    - (i) under the influence of liquor or a drug; and
    - (ii) causing, or is likely to cause, a nuisance or an annoyance to someone else.
- (2) Subsection (1) (c) does not apply to anything assisting a person with disability.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2) (see [Criminal Code](#), s 58).

- (3) A person commits an offence if the person—
- (a) is given a direction under subsection (1); and
  - (b) does not comply with the direction.

Maximum penalty: 5 penalty units.

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

**70AAM Police officer—power to remove person from light rail vehicle**

A police officer may remove a person from a light rail vehicle if the person—

- (a) is given a direction under section 70AAL; and
- (b) does not comply with the direction.

**70AAN Police officer or authorised person—power to direct person to leave light rail stop**

- (1) A police officer or authorised person may direct a person to leave a light rail stop if the police officer or authorised person believes on reasonable grounds that—
- (a) the person is committing, or has just committed, an offence against—
    - (i) section 70AT (Behaviour that interferes with comfort or safety); or
    - (ii) section 70AAA (Liquor in light rail vehicle or at light rail stop); or
    - (iii) section 70AAF (Removing light rail property); or
    - (iv) section 70AAG (Damaging light rail property); or

- (v) section 70AAH (Interfering with security camera or recording); or
  - (vi) section 70AAI (Interfering with emergency equipment); or
  - (vii) section 70AAK (Littering); or
- (b) the person is—
  - (i) under the influence of liquor or a drug; and
  - (ii) causing, or likely to cause, a nuisance or an annoyance to someone else.
- (2) A person commits an offence if the person—
  - (a) is given a direction under subsection (1); and
  - (b) does not comply with the direction.

Maximum penalty: 5 penalty units.
- (3) An offence against this section is a strict liability offence.

**70AAO Police officer—power to remove person from light rail stop**

A police officer may remove a person from a light rail stop if the person—

- (a) is given a direction under section 70AAN; and
- (b) does not comply with the direction.



## Chapter 3A Bookable vehicles

### Part 3A.1 Transport booking services

#### Division 3A.1.1 Transport booking services— generally

*Note* Some taxi drivers and taxi service operators must be affiliated with a transport booking service (see [Act](#), s 36E).

All rideshare drivers must be affiliated with a transport booking service (see [Act](#), s 36F).

Hire car drivers and hire car service operators may be affiliated with a transport booking service.

#### 70A Meaning of *affiliated driver*, *affiliated hire car driver* and *affiliated taxi driver*

In this regulation:

*affiliated driver*, for a transport booking service, includes a driver for an affiliated operator for the transport booking service.

*Note* *Affiliated driver*—see the [Act](#), s 35.  
*Affiliated operator*—see the [Act](#), s 36B.

*affiliated hire car driver*, for a transport booking service, means the following hire car drivers:

- (a) a hire car driver who has an affiliated driver agreement with the booking service;
- (b) a hire car driver for a hire car service operator who is an affiliated operator for the transport booking service.

*affiliated taxi driver*, for a transport booking service, means the following taxi drivers:

- (a) a taxi driver who has an affiliated driver agreement with the booking service;
- (b) a taxi driver for a taxi service operator who is an affiliated operator for the transport booking service.

**70B Transport booking service—must ensure affiliated drivers have required knowledge and skills**

- (1) A person commits an offence if—
  - (a) the person is a transport booking service; and
  - (b) a determination is in force under section 221U (Knowledge and skills to be bookable vehicle driver); and
  - (c) the person does not take reasonable steps to ensure that each affiliated driver has the knowledge and skills required under the determination to be a bookable vehicle driver.

Maximum penalty: 20 penalty units.

- (2) This section does not apply in relation to an affiliated wheelchair-accessible taxi driver.

*Note* Transport booking services must also ensure affiliated drivers are licensed (see [Act](#), s 36G).

**70C Transport booking service—must ensure bookable vehicle is licensed**

- (1) A person commits an offence if the person—
  - (a) is a transport booking service; and
  - (b) does not take reasonable steps to ensure that each—
    - (i) taxi to be used by an affiliated taxi driver is a licensed taxi; and

- (ii) rideshare vehicle to be used by an affiliated rideshare driver is a licensed rideshare vehicle; and
- (iii) hire car to be used by an affiliated hire car driver is a licensed hire car.

Maximum penalty: 20 penalty units.

- (2) This section does not apply to a WTBS.

**70D Transport booking service—must be available to take bookings**

- (1) A person commits an offence if the person—
  - (a) is a transport booking service; and
  - (b) has affiliated taxi drivers; and
  - (c) does not take reasonable steps to ensure that the booking service is available at all times to—
    - (i) accept bookings from people for taxis; and
    - (ii) communicate the bookings to affiliated taxi drivers.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if the person—
  - (a) is a transport booking service; and
  - (b) has affiliated rideshare drivers; and
  - (c) does not take reasonable steps to ensure that the booking service is available at all times to—
    - (i) accept bookings from people for rideshare vehicles; and
    - (ii) communicate the bookings to affiliated rideshare drivers.

Maximum penalty: 20 penalty units.

- (3) This section does not apply to a WTBS.

**70E Transport booking service—must give fare estimate and vehicle identifier**

- (1) A person commits an offence if—
- (a) the person is a transport booking service; and
  - (b) the person communicates a hirer’s booking to a bookable vehicle driver; and
  - (c) the Minister has not determined a maximum fare, or a way of calculating a maximum fare, for the hiring; and

*Note* The Minister may determine fares and ways of calculating fares under the [Act](#), s 60, s 60Q and s 79A.

- (d) the person does not, before the hiring begins, make available to the hirer an option to obtain an estimate of the fare for the hiring.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if the person—
- (a) is a transport booking service; and
  - (b) communicates a hirer’s booking to—
    - (i) a rideshare driver; or
    - (ii) a hire car driver; and
  - (c) does not, before the hiring begins, give the hirer sufficient information for the hirer to identify the booked vehicle and driver.

*Note* A taxi must have identifying signs and livery (see s 107).

Maximum penalty: 20 penalty units.

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

## Division 3A.1.2 Transport booking services—records

### 70F Meaning of *affiliated driver record* and *affiliated operator record*—div 3A.1.2

In this division:

*affiliated driver record* means a record of the following details for the affiliated driver:

- (a) the affiliated driver's full name, home address and date of birth;
- (b) the affiliated driver's prescribed driver authority information;

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

- (c) if a determination is in force under section 221U (Knowledge and skills to be bookable vehicle driver)—evidence that the affiliated driver has the knowledge and skills required under the determination to be a bookable vehicle driver;
- (d) for an affiliated taxi driver—whether the affiliated driver has—
  - (i) successfully completed an approved wheelchair-accessible taxi driver training course; or
  - (ii) 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;
- (e) the registration number of each bookable vehicle used by the affiliated driver to carry out each hiring booked via the transport booking service.

*Note* Taxi drivers must be affiliated drivers unless their taxi service operator is an affiliated operator or an independent taxi service operator (see [Act](#), s 36E).

Rideshare drivers must be affiliated drivers (see [Act](#), s 36F). Hire car drivers may be affiliated drivers.

***affiliated operator record***, for an affiliated operator for a transport booking service, means a record of the following details for the operator:

- (a) the operator's full name and home address;
- (b) if the operator is—
  - (i) an individual—the operator's date of birth; or
  - (ii) a corporation—the operator's ACN;
- (c) the operator's accreditation number;
- (d) the kind of public passenger service the operator is accredited to operate;
- (e) the expiry date of the accreditation;
- (f) the registration numbers of the bookable vehicles used by the operator to operate the public passenger service via the transport booking service.

*Note* Taxi service operators must be affiliated operators unless they are independent taxi service operators (see [Act](#), s 36E).  
Hire car service operators may be affiliated operators.

## **70G Transport booking service—affiliated driver records**

- (1) A person commits an offence if the person—
  - (a) is a transport booking service; and
  - (b) does not—
    - (i) keep an affiliated driver record for each affiliated driver for the transport booking service; and
    - (ii) take reasonable steps to ensure each affiliated driver record is up-to-date.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not keep each affiliated driver record for at least 2 years after the last date on which the driver carried out a booking via the transport booking service.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not provide an affiliated driver record, on request, to—
    - (i) the road transport authority; or
    - (ii) a police officer; or
    - (iii) a member of an emergency service.

Maximum penalty: 10 penalty units.

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

## **70H Transport booking service—affiliated operator records**

- (1) A person commits an offence if the person—
- (a) is a transport booking service; and
  - (b) does not—
    - (i) keep an affiliated operator record for each affiliated operator for the transport booking service; and
    - (ii) take reasonable steps to ensure each affiliated operator record is up-to-date.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not keep each affiliated operator record for at least 2 years after the last date on which a driver for the operator carried out a booking via the transport booking service.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not provide an affiliated operator record, on request, to—
    - (i) the road transport authority; or
    - (ii) a police officer; or
    - (iii) a member of an emergency service.

Maximum penalty: 10 penalty units.

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

## **70I Transport booking service—bookable vehicle records**

- (1) A person commits an offence if the person—
- (a) is a transport booking service; and
  - (b) does not—
    - (i) keep a bookable vehicle record for each bookable vehicle used by a bookable vehicle driver to carry out a booking via the transport booking service; and
    - (ii) take reasonable steps to ensure each bookable vehicle record is up-to-date.

Maximum penalty: 10 penalty units.



- (2) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not keep each bookable vehicle record for at least 2 years after the last date on which a bookable vehicle driver used the vehicle to carry out a booking via the transport booking service.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not provide a bookable vehicle record, on request, to—
    - (i) the road transport authority; or
    - (ii) a police officer; or
    - (iii) a member of an emergency service.

Maximum penalty: 10 penalty units.

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

***bookable vehicle record***, for a bookable vehicle used to operate a public passenger service via a transport booking service, means a record of the following details for the vehicle:

- (a) the vehicle's registration number;
- (b) the name of each affiliated driver and affiliated operator who uses the vehicle to operate a public passenger service via the transport booking service.

## 70J Transport booking service—booking records

- (1) A person commits an offence if the person—
- (a) is a transport booking service; and
  - (b) does not make a booking record for each bookable vehicle hiring booked via the transport booking service.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not keep each booking record for at least 2 years after the date the hiring was carried out.

Maximum penalty: 10 penalty units.

- (3) A person commits an offence if the person—
- (a) is or has been a transport booking service; and
  - (b) does not provide a booking record, on request, to—
    - (i) the road transport authority; or
    - (ii) a police officer; or
    - (iii) a member of an emergency service.

Maximum penalty: 10 penalty units.

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

- (5) In this section:

***booking record***, for a bookable vehicle hiring booked via a transport booking service, means a record of the following details for the hiring:

- (a) the name or driver number of the bookable vehicle driver;

- (b) the registration number of the bookable vehicle;
- (c) the name or passenger number of the person who booked the hiring;
- (d) when and where the first passenger for the hiring was picked up;
- (e) when and where the last passenger for the hiring was dropped off;
- (f) the fare paid.

***driver number***, for an affiliated driver for a transport booking service, means a unique identifying number given to the driver by the booking service.

***passenger number***, for a person who books a hiring via a transport booking service, means a unique identifying number given to the person by the booking service.

## **70K Road transport authority to share information**

- (1) If a transport booking service has given the road transport authority an affiliated driver record, the road transport authority must tell the transport booking service the following matters about the driver:
  - (a) any change in the prescribed driver authority information for the driver;

*Note Prescribed driver authority information—see the dictionary.*
  - (b) the suspension or cancellation of a public vehicle licence held by the driver;
  - (c) the ending of any exemption for the driver 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)).

- (2) If a transport booking service has given the road transport authority an affiliated operator record, the road transport authority must tell the transport booking service the following matters about the affiliated operator:
- (a) the suspension or cancellation of the operator's accreditation;
  - (b) the suspension or cancellation of any taxi licence or hire car licence held by the operator.
- (3) If a transport booking service has given the road transport authority a bookable vehicle record, the road transport authority must tell the transport booking service the following matters about the bookable vehicle:
- (a) the suspension or cancellation of the vehicle's registration;
  - (b) the suspension or cancellation of the vehicle's—
    - (i) for a taxi—taxi licence; or
    - (ii) for a rideshare vehicle—rideshare vehicle licence; or
    - (iii) for a hire car—hire car licence.

### **Division 3A.1.3 Transport booking services—wheelchair-accessible taxis**

#### **70L Meaning of *wheelchair-accessible taxi booking service (WTBS)***

In this regulation:

***wheelchair-accessible taxi booking service (WTBS)*** means a transport booking service that accepts bookings only for wheelchair-accessible taxis for wheelchair-dependent people.

*Note* ***Transport booking service***—see the [Act](#), s 28.  
***Wheelchair-accessible taxi***—see s 82.  
***Wheelchair-dependent person***—see the dictionary.

**70M Transport booking service—must direct wheelchair-accessible taxi booking to WTBS**

- (1) A person commits an offence if—
- (a) the person is a transport booking service other than a WTBS; and
  - (b) someone requests a wheelchair-accessible taxi booking via the transport booking service; and
  - (c) the booking is for a wheelchair-dependent person; and
  - (d) there is a WTBS operating in the Territory; and
  - (e) the person fails to, without delay, direct the booking request to a WTBS.

Maximum penalty: 10 penalty units.

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

**70N Transport booking service—must direct driver to accept wheelchair-accessible taxi hiring**

- (1) A person commits an offence if—
- (a) the person is a transport booking service; and
  - (b) someone requests a wheelchair-accessible taxi booking via the transport booking service; and
  - (c) the booking is for a wheelchair-dependent person; and
  - (d) there is no WTBS operating in the Territory; and
  - (e) a wheelchair-accessible taxi operated by an affiliated driver, or affiliated operator, for the transport booking service is available for hire; and
  - (f) the taxi's driver does not accept an offer of the booking; and

- (g) the person fails to, without delay, direct the driver to accept the booking.

Maximum penalty: 10 penalty units.

*Note* It is an offence for a wheelchair-accessible taxi driver to not comply with the direction (see s 114 (2)).

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

## **70O Transport booking service—must give estimated arrival time for wheelchair-accessible taxis**

- (1) A person commits an offence if—
  - (a) the person is a transport booking service; and
  - (b) someone (a *passenger*) books a wheelchair-accessible taxi through the transport booking service; and
  - (c) the transport booking service fails to, without delay, tell the passenger the estimated time when, or period within which, the taxi will arrive at the place where the taxi is to pick up the passenger.

Maximum penalty: 10 penalty units.

*Note* If a WTBS is operating in the Territory, the transport booking service must direct any request for a wheelchair-accessible taxi booking to a WTBS (see s 70M).

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

## **70P WTBS—service contracts**

- (1) The road transport authority may, on behalf of the Territory, enter into a contract (a *service contract*) with a person (the *WTBS operator*) for the person to operate a WTBS.
- (2) A service contract must state whether the right given under the contract to operate a WTBS is an exclusive right to operate the service.

- (3) A service contract may make provision for the operation of a WTBS and the administration of the contract, including, for example—
- (a) service requirements under the contract; and
  - (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 for 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 WTBS and the verification of the information and reports.

**Examples—par (a)**

- 1 communication options required to meet customer needs
- 2 procedures to deal with failure of technical equipment
- 3 recording and resolution of customer complaints

**70Q WTBS—entitlement to operate**

- (1) A person is entitled to operate a WTBS in the ACT only if the person holds a service contract for the service.
- (2) A person commits an offence if the person—
- (a) operates a WTBS in the ACT; and
  - (b) is not entitled to operate the service.

Maximum penalty: 20 penalty units.

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

**70R WTBS—exemption for WTBS operators—Act, s 128 (1) (b)**

- (1) The road transport authority may exempt a WTBS operator from the following provisions:
  - (a) the [Act](#), section 32 (Transport booking service must be accredited);
  - (b) the [Act](#), section 36G (Transport booking service—responsibilities).
- (2) An exemption is subject to—
  - (a) the condition that the WTBS operator does not breach the WTBS operator’s service contract; and
  - (b) any other condition the road transport authority considers appropriate.
- (3) The road transport authority may end an exemption if it is satisfied on reasonable grounds that the WTBS 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)).
- (4) If the road transport authority decides to end an exemption, the authority must give the WTBS 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.

## **70S WTBS—approval of procedures and rules**

- (1) The road transport authority may approve a WTBS's procedures and rules for wheelchair-accessible taxi service operators and wheelchair-accessible taxi drivers (the *WTBS's approved procedures and rules*).
- (2) An approved procedure or rule is a notifiable instrument.

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

## **70T WTBS—must direct driver to accept wheelchair-accessible taxi hiring**

- (1) A person commits an offence if—
- (a) the person is a WTBS; and
  - (b) someone requests a wheelchair-accessible taxi booking through the WTBS; and
  - (c) the booking is for a wheelchair-dependent person; and
  - (d) a wheelchair-accessible taxi is available for hire via the WTBS; and
  - (e) the taxi's driver does not accept an offer of the booking from the WTBS; and

- (f) the WTBS fails to, without delay, direct the driver to accept the booking.

Maximum penalty: 10 penalty units.

*Note* It is an offence for a wheelchair-accessible taxi driver to not comply with the direction (see s 114 (2)).

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

## Part 3A.2 Taxis

### Division 3A.2.1 Independent taxi service operators

*Note 1* **Independent taxi service operator**—see the [Act](#), dictionary.

*Note 2* A taxi service operator must either be an affiliated operator for a transport booking service or an independent taxi service operator (see [Act](#), s 36E).

#### 71 ITSO approval—application

An accredited operator of a taxi service may apply to the road transport authority for approval as an independent taxi service operator (an **ITSO approval**).

*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 the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

#### 72 ITSO approval—eligibility criteria

- (1) The road transport authority may determine eligibility criteria (**ITSO eligibility criteria**) for an ITSO approval.
- (2) A determination is a notifiable instrument.

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

#### 73 ITSO approval—decision on application

- (1) This section applies if the road transport authority receives an application for an ITSO approval.
- (2) The road transport authority may issue the approval to the applicant only if satisfied that the applicant—
  - (a) satisfies any ITSO eligibility criteria; and
  - (b) complies with the service standards for independent taxi services.

- (3) The road transport authority must give the applicant written notice of its decision on the application.

**74 ITSO approval—conditions**

An ITSO approval is subject to—

- (a) the condition that the operator complies with the service standards for independent taxi services; and
- (b) any condition imposed by the road transport authority when the approval is issued, renewed or amended.

**75 ITSO approval—term**

- (1) An ITSO approval comes into force on the day it is issued.
- (2) The road transport authority must not issue an ITSO approval for longer than 6 years.
- (3) An ITSO approval expires on the day stated in the approval.

**76 ITSO approval—not transferable**

An ITSO approval is not transferable.

**77 ITSO approval—application for renewal**

- (1) An ITSO approval-holder may apply to the road transport authority to renew the approval for a period not longer than 6 years.

*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 the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

- (2) The application must be—
  - (a) in writing; and
  - (b) made at least 14 days before the approval expires.

- (3) However, the authority may extend the time for making an application.

*Note* An approval-holder may apply to the road transport authority for the time to be extended, and the road transport authority may extend the time, even though the time has ended (see [Legislation Act](#), s 151C).

- (4) If an approval-holder applies to renew the approval under this section, the approval remains in force until the application is decided.

## **78 ITSO approval—decision on application for renewal**

- (1) This section applies if the road transport authority receives an application for renewal of an ITSO approval under section 77.
- (2) The authority may renew the approval only if satisfied that the approval-holder continues to—
- (a) satisfy any ITSO eligibility criteria; and
  - (b) comply with the service standards for independent taxi services.
- (3) The road transport authority may refuse to renew the approval if—
- (a) the authority believes on reasonable grounds that the approval-holder has contravened a condition of the approval; or
  - (b) any accreditation under the Act held by the approval-holder is suspended under chapter 8 (Disciplinary action).
- (4) If the authority decides to renew the approval, the authority may impose or amend a condition on the approval.
- (5) The authority must, not later than 28 days after the day the authority receives the application—
- (a) decide the application for renewal; and
  - (b) tell the approval-holder about the decision.

*Note* Failure to renew an approval within the required time is taken to be a decision not to renew the approval (see [ACT Civil and Administrative Tribunal Act 2008](#), s 12).

## **79 ITSO approval—replacing when lost, stolen or destroyed**

- (1) The road transport authority may issue a replacement ITSO approval to an approval-holder if satisfied the approval-holder's original approval has been lost, stolen or destroyed.
- (2) For subsection (1), the road transport authority may require the approval-holder to give the authority a statement verifying that the original approval has been lost, stolen or destroyed.

*Note* 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).

## **80 ITSO approval—must update name and address**

- (1) A person commits an offence if—
  - (a) the person is an ITSO approval-holder; and
  - (b) the person's name or address changes; and
  - (c) the person does not, within 14 days after the change, give the road transport authority—
    - (i) written notice of the change; and
    - (ii) the approval.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) If an ITSO approval-holder gives the road transport authority written notice of a change to the person's name or address and the approval, the authority must enter the changed details on the approval and return it to the person.

## 81 ITSO approval—surrender

- (1) An ITSO approval-holder may surrender the approval by giving written notice of the surrender to the road transport authority.
- (2) The surrender notice must be accompanied by—
  - (a) the approval; or
  - (b) if the approval has been lost, stolen or destroyed—a statement verifying that the approval has been lost, stolen or destroyed.

*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* 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).

## Division 3A.2.2 Taxi licences

### Subdivision 3A.2.2.1 Kinds of taxi licences

## 82 Kinds of taxi licences

- (1) In this regulation:

***perpetual taxi licence*** means a taxi licence that—

- (a) was issued before 7 March 2006; and
- (b) is not limited to a term stated in the licence.

*Note* Perpetual taxi licences are transferable (see [Act](#), s 41).

***standard taxi*** means a taxi other than a wheelchair-accessible taxi.

***standard taxi licence***—

- (a) means a taxi licence to use a vehicle as a standard taxi; but
- (b) does not include—
  - (i) a perpetual taxi licence; or

- (ii) a transferable leased taxi licence.

***transferable leased taxi licence*** means a taxi licence that—

- (a) was issued—
  - (i) before 1 August 2016; and
  - (ii) as a transferable taxi licence; and
- (b) is limited to a term stated in the licence.

***wheelchair-accessible taxi*** means a taxi with wheelchair access.

***wheelchair-accessible taxi licence*** means a taxi licence to use a vehicle as a wheelchair-accessible taxi.

- (2) 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.

### **Subdivision 3A.2.2.2 Standard and wheelchair-accessible taxi licences**

#### **83 Meaning of *pre-approval* for standard or wheelchair taxi licence**

In this regulation:

***pre-approval***, for a standard taxi licence or a wheelchair-accessible taxi licence, means a pre-approval issued under section 86 (Pre-approval—decision on application).

**Note** A pre-approval for a taxi licence gives the pre-approval holder—

- (a) a position on the taxi licence waiting list (see s 84); and
- (b) the opportunity to apply for the taxi licence (see s 92A).



## **84 Taxi licence waiting list**

- (1) The road transport authority must keep a list of pre-approval holders (the *taxi licence waiting list*)—
  - (a) in order of when their application for pre-approval was received by the authority; and
  - (b) divided into the following lists:
    - (i) the standard taxi licence waiting list;
    - (ii) the wheelchair-accessible taxi licence waiting list.
- (2) The road transport authority must add a pre-approval holder to the taxi licence waiting list as soon as possible after the pre-approval is issued under section 86 (Pre-approval—decision on application).
- (3) The road transport authority must move a pre-approval to the bottom of the taxi licence waiting list if the pre-approval resets to the bottom of the waiting list under—
  - (a) section 92A (3) (a) (Standard and wheelchair taxi licences—notice of availability); or
  - (b) section 92B (3) (a) (Standard and wheelchair taxi licences—application).
- (4) The road transport authority must remove a pre-approval holder from the taxi licence waiting list if—
  - (a) the pre-approval expires under—
    - (i) section 88 (2) (Pre-approval—term); or
    - (ii) section 92A (3) (b); or

(iii) section 92B (3) (b); or

*Note* A pre-approval expires under—

- s 88 after 2 years; or
- s 92A if the pre-approval is at the top of the waiting list, is notified that a licence is available, but does not apply for it; or
- s 92B if the pre-approval holder applies for a taxi licence.

(b) the pre-approval is surrendered under section 90 (Pre-approval—surrender).

- (5) The taxi licence waiting list may be kept in any form, including electronically, that the road transport authority decides.
- (6) The taxi licence waiting list may form part of the pre-approval register.

*Note* **Pre-approval register**—see s 91.

## **85 Pre-approval—application**

- (1) A person may apply to the road transport authority for pre-approval for 1 or more standard taxi licences or wheelchair-accessible taxi licences.
- (2) The application must—
- (a) be in writing; and
  - (b) state, for each relevant person for the application—
    - (i) the person's name; and
    - (ii) the person's date of birth; and
    - (iii) whether the person is—
      - (A) an Australian citizen; or
      - (B) a permanent resident; or

- (C) a temporary resident who holds a visa that allows the person to hold a taxi licence; and
- (c) state whether the pre-approval is for a standard taxi licence or a wheelchair-accessible taxi licence; and
- (d) if the person is applying for pre-approval for a wheelchair-accessible taxi licence—include, for each relevant person for the application, details of the person’s experience and background that indicate the person’s suitability to provide taxi services to people with disability.
- (3) In this section:
- relevant person***, for an application for a pre-approval for a taxi licence means—
- (a) if the applicant is an individual—the applicant; or
- (b) if the applicant is a corporation—each executive officer of the corporation.

*Note 1* Giving false or misleading information is an offence against the [Criminal Code](#), s 338.

*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 may be determined under the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

## **86 Pre-approval—decision on application**

- (1) This section applies if the road transport authority receives an application for pre-approval for 1 or more taxi licences under section 85 (1).
- (2) The road transport authority must issue the pre-approval to the applicant if satisfied that—
  - (a) each relevant person for the application is—
    - (i) an Australian citizen; or
    - (ii) a permanent resident; or
    - (iii) a temporary resident who holds a visa that allows the person to hold a taxi licence; and
  - (b) no relevant person for the application is disqualified from applying for the pre-approval; and

*Note* A person may be disqualified from applying for a pre-approval for a period of time if a previous taxi licence has been surrendered (see s 92O), suspended or cancelled (see s 322).

  - (c) if the application is for pre-approval for 1 or more standard taxi licences—the applicant does not already hold a pre-approval for a standard taxi licence; and
  - (d) if the application is for pre-approval for 1 or more wheelchair-accessible taxi licences—
    - (i) the applicant does not already hold a pre-approval for a wheelchair-accessible taxi licence; and
    - (ii) each relevant person for the application has experience or background likely to make the person suitable to provide taxi services to people with disability.
- (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 must, not later than the required time—
- (a) decide the application; and
  - (b) tell the applicant about the decision on the application; and
  - (c) if the decision is to issue the pre-approval—enter the pre-approval holder's details into the taxi licence waiting list.
- (5) In this section:

**relevant person**, for an application for a pre-approval for a taxi licence—see section 85 (3).

**required time** means the later of the following:

- (a) if the road transport authority requires the applicant to give the authority further information or a document under subsection (3)—14 days after the day the road transport authority receives the information or document;
- (b) 14 days after the day the road transport authority receives the application.

*Note* Failure to issue a pre-approval within the 14 days is taken to be a decision not to issue the pre-approval (see [ACT Civil and Administrative Tribunal Act 2008](#), s 12).

## **87 Pre-approval—form**

- (1) A pre-approval must—
- (a) be in writing; and
  - (b) state the name of the pre-approval holder; and
  - (c) state whether the pre-approval is for a standard taxi licence or a wheelchair-accessible taxi licence.
- (2) A pre-approval may include anything else the road transport authority considers relevant.

**88 Pre-approval—term**

- (1) A pre-approval comes into force on the day it is issued.
- (2) A pre-approval expires 2 years after the day it is issued.

*Note* A pre-approval is removed from the taxi licence waiting list if it expires (see s 92A and s 92B) or is surrendered (see s 84).

**89 Pre-approval—not transferable**

A pre-approval is not transferable.

**90 Pre-approval—surrender**

A pre-approval holder may surrender the pre-approval by giving written notice of the surrender to the road transport authority.

*Note* A pre-approval is removed from the taxi licence waiting list if it is surrendered (see s 84).

**91 Pre-approval register**

- (1) The road transport authority must keep a register of pre-approvals (the *pre-approval register*).
- (2) The pre-approval register may be kept in any form, including electronically, that the road transport authority decides.
- (3) The road transport authority may correct a mistake, error or omission in the pre-approval register.
- (4) The road transport authority may change a detail included in the pre-approval register to keep the register up-to-date.

*Note* The pre-approval register may include the taxi licence waiting list (see s 84).

## 92 Standard and wheelchair taxi licences—availability

- (1) In this subdivision:

**available**—a taxi licence of a kind is **available**—

- (a) if the Minister has not made an availability determination—
  - (i) for a standard taxi licence—if the number of standard taxi licences in force in the Territory is less than the maximum number of standard taxi licences; or
  - (ii) for a wheelchair-accessible taxi licence—if the number of wheelchair-accessible taxi licences in force in the Territory is less than the maximum number of wheelchair-accessible taxi licences; or

*Note* The Minister may determine the maximum number of taxi licences under the [Act](#), s 39.

- (b) if the Minister has made an availability determination—in the circumstances stated in the availability determination.
- (2) The Minister may determine the circumstances in which a standard taxi licence or wheelchair-accessible taxi licence is available (an **availability determination**).
- (3) A determination is a notifiable instrument.

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

## 92A Standard and wheelchair taxi licences—notice of availability

- (1) This section applies if—
- (a) a pre-approval for a standard taxi licence is at the top of the standard taxi licence waiting list and a standard taxi licence is available; or

- (b) a pre-approval for a wheelchair-accessible taxi licence is at the top of the wheelchair-accessible taxi licence waiting list and a wheelchair accessible taxi licence is available.
- (2) The road transport authority must give written notice to the pre-approval holder (an *availability notice*) that—
  - (a) the taxi licence is available; and
  - (b) the pre-approval holder may, not later than 14 days after the date of the availability notice, apply for the licence under section 92B.
- (3) If the pre-approval holder does not apply under section 92B within 14 days—
  - (a) if the pre-approval is for more than 1 licence—the pre-approval resets to the bottom of the taxi licence waiting list; or
  - (b) if the pre-approval is for 1 licence only—the pre-approval expires.

*Note* A pre-approval is removed from the taxi licence waiting list if it expires (see s 84).

## **92B Standard and wheelchair taxi licences—application**

- (1) A pre-approval holder who is given an availability notice about a taxi licence may apply to the road transport authority for the taxi licence.
- (2) The application must—
  - (a) be in writing; and
  - (b) if any of the details provided under section 85 (Pre-approval—application) have changed since the application for the pre-approval was made—state the new details.



(3) If an application is made under this section—

- (a) if the pre-approval is for more than 1 licence—the number of licences for the pre-approval is automatically reduced by 1 and the pre-approval resets to the bottom of the taxi licence waiting list; or
- (b) if the pre-approval is for 1 licence only—the pre-approval expires.

*Note 1* Giving false or misleading information is an offence against the [Criminal Code](#), s 338.

*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 may be determined under the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

## **92C Standard and wheelchair taxi licences—decision on application**

- (1) This section applies if the road transport authority receives an application for a taxi licence under section 92B.
- (2) The road transport authority must issue the taxi licence if satisfied that—
  - (a) each relevant person for the application is—
    - (i) an Australian citizen; or
    - (ii) a permanent resident; or
    - (iii) a temporary resident who holds a visa that allows the person to hold a taxi licence; and
  - (b) no relevant person for the application is disqualified from applying for the taxi licence; and

*Note* A person may be disqualified from applying for a taxi licence for a period of time if a previous taxi licence has been surrendered (see s 92O), suspended or cancelled (see s 322).

- (c) the applicant is accredited to operate—
    - (i) for an application for a standard taxi licence—a taxi service; or
    - (ii) for an application for a wheelchair-accessible taxi licence—a wheelchair-accessible taxi service; and
  - (d) if the application is for a wheelchair-accessible taxi licence—each relevant person for the application has experience or background likely to make the person suitable to provide taxi services to people with disability; and
  - (e) the vehicle for which the licence is to be issued is not a vehicle for which the road transport authority must refuse an application for registration as a taxi under the *Road Transport (Vehicle Registration) Regulation 2000*—
    - (i) for an application for a standard taxi licence—section 32B (1) (Deciding applications for registration—taxis); or
    - (ii) for an application for a wheelchair-accessible taxi licence—section 32B (3) or (4); and
  - (f) any additional eligibility criteria determined by the road transport authority under subsection (3) are satisfied.
- (3) The road transport authority may determine additional eligibility criteria for a taxi licence.
- (4) A determination is a notifiable instrument.
- Note* A notifiable instrument must be notified under the [Legislation Act](#).
- (5) 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.

- (6) The road transport authority need not decide the application if the requirement is made in writing and the applicant does not comply with the requirement.
- (7) In this section:  
*relevant person*, for an application for a taxi licence, means—
  - (a) if the applicant is an individual—the applicant; or
  - (b) if the applicant is a corporation—each executive officer of the corporation.

**92D      Standard and wheelchair taxi licences—time for decision on application**

- (1) The road transport authority must, not later than the required time—
  - (a) decide the application under section 92C; and
  - (b) tell the applicant about the decision on the application; and
  - (c) if the decision is to issue the licence—issue the licence to the applicant.
- (2) The road transport authority may make guidelines about circumstances sufficient to justify delaying deciding an application under section 92C.
- (3) The guidelines are a notifiable instrument.

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

(4) In this section:

***required time*** means the latest of the following:

- (a) if the road transport authority requires the applicant to give the authority further information or a document under section 92C (3)—
  - (i) for a standard taxi licence—60 days after the day the road transport authority receives the information or document; or
  - (ii) for a wheelchair-accessible taxi licence—120 days after the day the road transport authority receives the information or document;
- (b) if the road transport authority is satisfied that there are circumstances sufficient to justify delaying deciding the application—the day decided by the road transport authority;
- (c) in any other case—
  - (i) for a standard taxi licence—60 days after the day the road transport authority receives the application; or
  - (ii) for a wheelchair-accessible taxi licence—120 days after the day the road transport authority receives the application.

*Note* Failure to issue the licence within the required time is taken to be a decision not to issue the licence (see [ACT Civil and Administrative Tribunal Act 2008](#), s 12).

## 92E Standard and wheelchair taxi licences—conditions

- (1) A taxi licence is subject to—
  - (a) the condition that the licensee must make the taxi available for hiring on a regular basis; and
  - (b) any other condition imposed by the road transport authority when the licence is issued, renewed or amended.
- (2) A wheelchair-accessible taxi licence is subject to the condition that the licensee must ensure that priority for the hiring of the taxi is given to wheelchair-dependent people.

*Note* Standard and wheelchair-accessible taxi licences are subject to the condition that the licensee must not transfer the licence to anyone else (see s 92H and [Act](#), s 41 (4) and (5)).

- (3) A person commits an offence if the person—
  - (a) is a taxi licensee; and
  - (b) does not comply with a condition of the licence.

Maximum penalty: 20 penalty units.

- (4) In this section:  
***regular basis***, a taxi is available for hiring on a regular basis if—
  - (a) it is available for hiring 11 out of every 12 months; and
  - (b) is not unavailable for hiring for more than 2 consecutive weeks at a time; and
  - (c) it satisfies any other availability requirements determined by the road transport authority.
- (5) The road transport authority may determine availability requirements for taxis.
- (6) An availability requirement is a notifiable instrument.

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

**92F Standard and wheelchair taxi licences—term**

- (1) A taxi licence comes into force on the day it is issued.
- (2) The road transport authority must not issue a standard taxi licence or wheelchair-accessible taxi licence for longer than 6 years.
- (3) A taxi licence expires on the day stated in the licence.

**92G Standard and wheelchair taxi licences—form**

- (1) A taxi licence must—
  - (a) be in writing; and
  - (b) include the following information:
    - (i) the licensee’s full name and address;
    - (ii) whether the licence is a standard taxi licence or a wheelchair-accessible taxi licence;
    - (iii) the taxi licence number allocated to the licensee; and
    - (iv) the expiry date of the licence.
- (2) A taxi licence may also include anything else the road transport authority considers appropriate.

**92H Standard and wheelchair taxi licences—transferability—  
Act, s 41**

The following taxi licences must be issued as non-transferable taxi licences:

- (a) standard taxi licences;

(b) wheelchair-accessible taxi licences.

*Note 1* A taxi licence issued as a non-transferable taxi licence is not transferable and is issued subject to the condition that the licensee must not transfer the licence to anyone else (see [Act](#), s 41 (4) and (5)).

*Note 2* Perpetual taxi licences are transferable (see [Act](#), s 41 (1)). Transferable leased taxi licences are transferable (see [Act](#), s 41 (1) and (2)).

### Subdivision 3A.2.2.3 Taxi licences generally

#### 92I Taxi licences—amendment initiated by authority

- (1) The road transport authority may, by written notice (an ***amendment notice***) given to a taxi licensee, amend the licence.
- (2) However, the authority may amend the licence only if—
  - (a) the authority has given the licensee written notice of the proposed amendment (a ***proposal notice***); and
  - (b) the proposal notice states that written submissions about the proposal may be made to the authority before the end of a stated period of at least 14 days after the day the proposal notice is given to the licensee; and
  - (c) after the end of the stated period, the authority has considered any submissions made in accordance with the proposal notice.
- (3) Subsection (2) does not apply to a person if the licensee applied for, or agreed in writing to, the amendment.
- (4) The amendment takes effect on the day the amendment notice is given to the licensee or a later day stated in the notice.

## **92J Taxi licences—amendment initiated by licensee**

- (1) A taxi licensee may apply to the road transport authority to amend 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 may be determined under the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

- (2) The authority may amend the licence only if satisfied that, were the application for amendment an application for a licence, the authority would issue the licence as amended.
- (3) If the authority decides to amend the licence, the authority may impose or amend a condition on the licence.
- (4) The authority must, not later than 28 days after the day the authority receives the application—
- (a) decide the application; and
  - (b) tell the licensee about the decision.

*Note* Failure to amend a licence within the required time is taken to be a decision not to amend the licence (see [ACT Civil and Administrative Tribunal Act 2008](#), s 12).

## **92K Taxi licences—application for renewal**

- (1) A taxi licensee may apply to the road transport authority to renew the licence for a period not longer than 6 years.

*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 the [Road Transport \(General\) Act 1999](#), s 96 for this provision.



- (2) The application must be—
  - (a) in writing; and
  - (b) made at least 14 days before the licence expires.
- (3) However, the authority may extend the time for making an application.

*Note* A licensee may apply to the road transport authority for the time to be extended, and the road transport authority may extend the time, even though the time has ended (see [Legislation Act](#), s 151C).

- (4) If a licensee applies to renew a licence under this section, the licence remains in force until the application is decided.

## **92L Taxi licences—decision on application for renewal**

- (1) This section applies if the road transport authority receives an application for renewal of a taxi licence under section 92K.
- (2) The authority may renew the licence only if satisfied of the matters mentioned in section 92C (2) (Standard and wheelchair taxi licences—decision on application).
- (3) The road transport authority may refuse to renew the licence if—
  - (a) the authority believes on reasonable grounds that the licensee has contravened a condition of the licence or another taxi licence; or
  - (b) another taxi licence, or an accreditation to operate any kind of taxi service, held by the licensee is suspended under chapter 8 (Disciplinary action).
- (4) If the authority decides to renew the licence, the authority may impose or amend a condition on the licence.
- (5) The authority must, not later than 28 days after the day the authority receives the application—
  - (a) decide the application for renewal; and

- (b) tell the licensee about the decision.

*Note* Failure to renew a licence within the required time is taken to be a decision not to renew the licence (see *ACT Civil and Administrative Tribunal Act 2008*, s 12).

- (6) Compensation is not payable to anyone because a taxi licence is not renewed under this section.

## **92M Taxi licences—replacing when lost, stolen or destroyed**

- (1) The road transport authority may issue a replacement taxi licence to a taxi licensee if satisfied the licensee's original licence has been lost, stolen or destroyed.
- (2) For subsection (1), the road transport authority may require the licensee to give the authority a statement verifying that the original licence has been lost, stolen or destroyed.

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

*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).

## **92N Taxi licences—must be produced for inspection**

- (1) A person commits an offence if—
- (a) the person is a taxi licensee; and
  - (b) a police officer or authorised person requires the person to produce the licence for inspection; and
  - (c) the person fails to produce the licence for inspection.

Maximum penalty: 5 penalty units.

- (2) Subsection (1) does not apply if—
- (a) the person 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 person produces the licence at the place directed by the police officer or authorised person.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2) (see [Criminal Code](#), s 58).

## **92O Taxi licences—surrender**

- (1) A taxi licensee may surrender the licence by giving written notice of the surrender to the road transport authority.
- (2) The surrender notice must be accompanied by—
  - (a) the licence; or
  - (b) if the licence has been lost, stolen or destroyed—a statement verifying that the licence has been lost, stolen or destroyed.

*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* 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).

- (3) A taxi licensee who surrenders their licence is automatically disqualified from applying for a taxi licence, or a pre-approval for a taxi licence, for 2 years after the day the surrender takes effect.

## **92P Taxi licences—must update name and address**

- (1) A person commits an offence if—
  - (a) the person is a taxi licensee; and
  - (b) the person's name or address changes; and

(c) the person does not, within 14 days after the change, give the road transport authority—

- (i) written notice of the change; and
- (ii) the licence.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) If a taxi licensee gives the road transport authority written notice of a change to the person's name or address and the licence, the authority must enter the changed details on the licence and return it to the licensee.

## **Division 3A.2.3 Taxi services**

### **Subdivision 3A.2.3.1 Taxi operators**

#### **94 Taxi service operator—must tell authority about affiliation**

- (1) A person commits an offence if the person—
  - (a) is an affiliated taxi service operator for a transport booking service; and
  - (b) does not tell the road transport authority, as soon as practicable after entering into the affiliated operator agreement—
    - (i) about the affiliation; and
    - (ii) the name of the transport booking service.

Maximum penalty: 5 penalty units.

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

## **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 221E.

- (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 service operator—drivers to be licensed and skilled**

- (1) A person commits an offence if the person—
- (a) is a taxi service operator; and
  - (b) does not take reasonable steps to ensure that each taxi driver for the taxi service is either—
    - (i) the holder of a public vehicle licence to drive a taxi; 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)).

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
- (a) the person is an independent taxi service operator; and
  - (b) a determination is in force under section 221U (Knowledge and skills to be bookable vehicle driver); and
  - (c) the person does not take reasonable steps to ensure that each taxi driver for the taxi service has the knowledge and skills required under the determination to be a taxi driver.

Maximum penalty: 20 penalty units.

- (3) 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) if the operator is an independent taxi service operator and a determination is in force under section 221U (Knowledge and skills to be bookable vehicle driver)—evidence that the person has the knowledge and skills required under the determination to be a taxi driver;

- (d) 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;
  - (e) the dates and times when the taxi was driven by the person while it was operated as a taxi;
  - (f) 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.

## **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 2 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.

**101A Wheelchair-accessible taxi operator to have equipment and arrangements with WTBS**

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

*Note* **WTBS**—see s 70L.

- (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 WTBS 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 WTBS.

Maximum penalty: 10 penalty units.

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

**101B Wheelchair-accessible taxi operator—WTBS's approved procedures and rules**

- (1) A person commits an offence if—
- (a) the person is an—
    - (i) accredited operator of a wheelchair-accessible taxi; and
    - (ii) affiliated operator for a WTBS; and
  - (b) the WTBS gives the person the WTBS's approved procedures and rules; and
  - (c) the person does not comply with the WTBS's approved procedures and rules.

*Note* **WTBS's approved procedures and rules**—see s 70S.

Maximum penalty: 20 penalty units.

- (2) 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](#).

## **107 Taxi must have identifying signs and livery**

- (1) The road transport authority may determine requirements for signs and livery for taxis (the *taxi signs and livery requirements*).

- (2) A taxi sign and livery requirement is a notifiable instrument.

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

- (3) A person commits an offence if—

- (a) the person is an accredited taxi operator; and
- (b) the taxi is not fitted with signs and livery that—
  - (i) allows the public to identify the taxi as a taxi; and
  - (ii) complies with the taxi signs and livery requirements.

Maximum penalty: 10 penalty units.

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

## **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—
  - (i) the road transport authority; and
  - (ii) if the operator is an affiliated operator for a transport booking service—the transport booking service.
- (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 signs and livery in accordance with s 107.
  - 2 If the usual taxi is a wheelchair-accessible taxi, the other vehicle must be a wheelchair-accessible taxi.
- (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—
    - (a) the road transport authority; and
    - (b) if the operator is an affiliated operator for a transport booking service—the transport booking service.

- (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.

### **Subdivision 3A.2.3.2 Taxi drivers**

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

#### **114 Wheelchair-accessible taxi driver—special responsibilities**

- (1) A person commits an offence if the person—
- (a) is a wheelchair-accessible taxi driver; and
  - (b) becomes available to accept a hiring for the taxi; and
  - (c) does not tell a relevant transport booking service about their availability as soon as practicable after becoming available.

Maximum penalty: 10 penalty units.

- (2) A person commits an offence if—
- (a) the person is a wheelchair-accessible taxi driver; and
  - (b) a relevant transport booking service directs the person to accept a booking for the taxi for a wheelchair-dependent person; and
  - (c) the person does not comply with the direction.

Maximum penalty: 10 penalty units.

*Note* If a wheelchair-accessible taxi driver does not accept an offer of a booking for a wheelchair-dependent person, the WTBS or transport booking service must direct the driver to accept the booking (see s 70N and s 70T).

(3) In this section:

***relevant transport booking service*** means—

- (a) if a WTBS is operating in the Territory—a WTBS via which the wheelchair-accessible taxi may be booked; or
- (b) if there is no WTBS operating in the Territory and the driver is an affiliated driver for another transport booking service—the transport booking service.

*Note* **WTBS**—see s 70L.

**Transport booking service**—see the [Act](#), s 28.

## **115 Wheelchair-accessible taxi driver—connection to WTBS**

(1) A person commits an offence if—

- (a) the person is a wheelchair-accessible taxi driver; and
- (b) the taxi is being operated as a wheelchair-accessible taxi; and
- (c) a WTBS is operating in the Territory; and
- (d) the person fails to appropriately operate equipment allowing a WTBS to communicate bookings to the person.

Maximum penalty: 10 penalty units.

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

## **116 Wheelchair-accessible taxi driver—WTBS's procedures and rules**

(1) A person commits an offence if—

- (a) the person is a wheelchair-accessible taxi driver; and
- (b) the person is—
  - (i) an affiliated operator for a WTBS; or
  - (ii) a driver for an affiliated operator for a WTBS; and

- (c) the WTBS gives the person the WTBS's approved procedures and rules; and
- (d) the person does not comply with the WTBS's approved procedures and rules.

*Note* **WTBS's approved procedures and rules**—see s 70S.

Maximum penalty: 10 penalty units.

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

## **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.



### Subdivision 3A.2.3.3 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 (2) (Wheelchair-accessible taxi driver—must preferentially accept hirings for wheelchair-dependent people) 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 229 (1) (Bookable vehicle passenger—direction to get out of vehicle)—the hirer leaves the taxi; or
  - (e) if the hirer is removed from the taxi under section 229 (5)—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.

## **127B Meaning of *fare*—ch 3A**

In this chapter:

*fare*, for the hiring of a taxi, means—

- (a) for an authorised fixed-fare hiring—the amount agreed between the taxi driver and the hirer, or the transport booking service for the taxi and the hirer; or

- (b) in any other case—the amount chargeable for the hiring under a determination under the [Act](#), section 60 (Power to determine taxi fares) (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)).

**129 Wheelchair-accessible taxi driver—must preferentially accept hirings for wheelchair-dependent people**

- (1) 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.

- (2) 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.

- (3) Despite subsections (2) and (3), a taxi driver may refuse to accept a hiring if—
- (a) the driver would contravene any of the following provisions if the driver accepted the hiring:
- (i) section 132 (Wheelchair passengers in wheelchair-accessible taxis);
  - (ii) section 147 (Drinking of liquor in taxis prohibited);
  - (iii) section 221W (Bookable vehicle driver—carrying animals in vehicle); or
- (b) the intending passenger is a person mentioned in—
- (i) section 148 (Eating and drinking in taxis); or

- (ii) section 229 (1) (Bookable vehicle passenger—direction to get out of vehicle); or
- (c) the intending passenger's destination is outside the ACT region; or

*Note* **ACT region**—see s 221N.

- (d) the intending 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.
- (4) However, the driver must accept the hiring if directed to do so under section 225 (Bookable vehicle driver—directions by police officers or authorised people).
  - (5) To remove any doubt, a reference in this section to a ***hiring*** includes a hiring booked via a transport booking service.

*Note* A WTBS is a kind of transport booking service (see s 70L).

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

- (1) 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 region, unless the hirer asks that the taxi be driven to the place by another route.

Maximum penalty: 5 penalty units.

*Note* **ACT region**—see s 221N.

- (2) 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 region (the ***new destination***), even if that place was not originally stated.

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

Maximum penalty: 5 penalty units.

- (4) However, a taxi driver is not required to comply with a direction made under subsection (2) 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.

- (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 [Road Transport \(Road Rules\) Regulation 2017](#), s 265 and s 266).

*Note 2* For exemptions from wearing a seatbelt, including for medical reasons, see the [Road Transport \(Road Rules\) Regulation 2017](#), s 267.

- (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.

### **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—
- (a) the fare to the place where the hirer asked the driver to wait; and
  - (b) a fare deposit 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 (3) (Wheelchair-accessible taxi driver—must preferentially accept hirings for wheelchair-dependent people); 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 [Road Transport \(Road Rules\) Regulation 2017](#), s 265 and s 266).

*Note 2* For exemptions from wearing a seatbelt, including for medical reasons, see the [Road Transport \(Road Rules\) Regulation 2017](#), s 267.

## **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 region.

*Note 1* **ACT region**—see s 221N.

*Note 2* A hiring may be refused if the destination is outside the ACT region (see s 129 (3) (c)).

- (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.



## **140A Meaning of *multiple hiring* of a taxi—subdiv 3A.2.3.3**

In this subdivision:

***multiple hiring***, of a taxi, means a 2nd or subsequent hiring of the taxi during a taxi hiring.

*Note 1* The Minister may determine fares under the [Act](#), s 60 and may determine that each hirer is to be charged a separate fare.

*Note 2* The 2nd or subsequent hiring need not be to the same destination as the initial hiring.

## **141 Multiple hiring of taxis**

A taxi driver must not, without the agreement of anyone who has already hired the taxi, accept a multiple 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 region if, before the hiring is begun—
    - (i) the driver tells the intending passenger that the destination is outside the ACT region; and
    - (ii) the driver and the intending passenger agree on the amount payable as the fare for the hiring;
- Note* ACT region—see s 221N.
- (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 the fare for the hiring is to be paid under the taxi subsidy scheme; 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 the fare for the hiring is to be paid under the taxi subsidy scheme; 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* The fare may include amounts not shown on the taximeter, eg a toll.

- (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 Payment under taxi subsidy scheme**

- (1) A person commits an offence if the person—
  - (a) pays for the hiring of a taxi under the taxi subsidy scheme; and
  - (b) is not eligible to pay for the hiring under the taxi subsidy scheme.

Maximum penalty: 5 penalty units.

- (2) A person commits an offence if—
  - (a) the person makes a statement (whether orally, in a document or in any other way); and
  - (b) the statement is false or misleading; and
  - (c) the statement is made in paying for the hiring of a taxi under the taxi subsidy scheme.

Maximum penalty: 5 penalty units.



- (3) Subsection (2) (a) does not apply if the statement is not false or misleading in a material particular.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

- (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.

### **Subdivision 3A.2.3.4 Conduct of taxi passengers**

#### **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](#)).

### **Subdivision 3A.2.3.5 Other matters relating to taxi services**

#### **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 taxis.
- (3) An approval is a disallowable instrument.

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

#### **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 (an *approved wheelchair-accessible taxi driver training course*).
- (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) either—
  - (i) the road transport authority has approved, in writing, the operation of the vehicle as a taxi; or
  - (ii) the vehicle is operated as a wheelchair-accessible taxi by a wheelchair-accessible taxi licensee.
- (2) The vehicle is exempt from that part of the [Act](#), section 45 (Meaning of *taxi*) that prevents a bus being a taxi.

## Part 3A.3 Ridesharing

*Note 1* A rideshare driver must—

- (a) hold a driver licence (or exemption) to drive a public vehicle under the *Road Transport (Driver Licensing) Act 1999* (see s 164Q); and
- (b) be accredited to operate a rideshare service under the *Act*, s 60E.

*Note 2* The registered operator of a rideshare vehicle is responsible for—

- (a) the vehicle's registration under the *Road Transport (Vehicle Registration) Act 1999*; and
- (b) holding a rideshare vehicle licence for the vehicle under the *Act*, s 60J.

### Division 3A.3.1A Definitions—pt 3A.3

#### 163A Definitions—pt 3A.3

In this part:

*approved identifier*—see section 164C (3).

*rideshare vehicle identifier*, for a rideshare vehicle, means—

- (a) if an approval under section 164C (3) is in force for the vehicle—an approved identifier; or
- (b) in any other case—a rideshare vehicle label.

*rideshare vehicle label*—see section 164C (2).

### Division 3A.3.1 Rideshare vehicle licences

#### 164 Rideshare vehicle licence—application

- (1) The registered operator of a vehicle may apply to the road transport authority for a rideshare vehicle licence.
- (2) The application must—
  - (a) be in writing; and

- (b) state, for each relevant person for the application—
    - (i) the person's name; and
    - (ii) the person's date of birth; and
    - (iii) whether the person is—
      - (A) an Australian citizen; or
      - (B) a permanent resident; or
      - (C) a temporary resident who holds a visa that allows the person to hold a rideshare vehicle licence; and
    - (iv) whether the person is disqualified from applying for the licence; and
- Note* A person may be disqualified from applying for a licence for a period of time if another licence has been suspended or cancelled (see s 322).
- (v) the registration number of the vehicle to be licensed; and
  - (c) be accompanied by a rideshare vehicle compliance certificate for the vehicle, issued not more than 1 month before the date of the application.

- (3) In this section:

**authorised examiner**—see the *Road Transport (Vehicle Registration) Regulation 2000*, section 115.

**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).

**registered operator**, for a vehicle—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

**relevant person**, for an application for a rideshare vehicle licence means—

- (a) if the applicant is an individual—the applicant; or
- (b) if the applicant is a corporation—each executive officer of the corporation.

**rideshare vehicle compliance certificate** means a certificate of inspection—

- (a) issued by an authorised examiner at a vehicle inspection station; and
- (b) certifying that the vehicle, and its parts and equipment, comply with the applicable vehicle standards for the vehicle.

**vehicle inspection station**—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), dictionary.

*Note 1* Giving false or misleading information is an offence against the [Criminal Code](#), s 338.

*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 may be determined under the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

## **164A Rideshare vehicle licence—further information**

- (1) This section applies if the road transport authority is deciding whether to issue a rideshare vehicle licence.
- (2) The authority may, by written notice given to the applicant (an **information notice**), require the applicant to give the authority stated further information about the application, not later than a stated reasonable time.

- (3) The authority need not decide the application if—
  - (a) the authority has given the applicant an information notice; and
  - (b) the applicant does not comply with the notice.

**164B Rideshare vehicle licence—decision on application**

- (1) This section applies if the road transport authority receives an application for a rideshare vehicle licence under section 164 (1).
- (2) The road transport authority must issue the licence to the applicant if satisfied that—
  - (a) each relevant person for the application is—
    - (i) an Australian citizen; or
    - (ii) a permanent resident; or
    - (iii) a temporary resident who holds a visa that allows the person to hold a rideshare vehicle licence; and
  - (b) no relevant person for the application is disqualified from applying for the licence; and

*Note* A person may be disqualified from applying for a licence for a period of time if another licence has been suspended or cancelled (see s 322).

- (c) the vehicle—
    - (i) is a registered vehicle; and
    - (ii) is a suitable vehicle; and
    - (iii) complies with the applicable vehicle standards for the vehicle.
- (3) The road transport authority must, not later than the required time—
  - (a) decide the application; and
  - (b) tell the applicant about the decision on the application.



(4) In this section:

**ambulance**—see the *Motor Accident Injuries (Premiums and Administration) Regulation 2019*, schedule 1, section 1.1.

**bus**—see the *Motor Accident Injuries (Premiums and Administration) Regulation 2019*, schedule 1, section 1.1.

**heavy vehicle**—see the *Road Transport (Vehicle Registration) Act 1999*, dictionary.

**police vehicle**—see the *Road Transport (Vehicle Registration) Regulation 2000*, dictionary.

**relevant person**, for an application for a rideshare vehicle licence—see section 164 (3).

**required time** means the latest of the following:

- (a) if the road transport authority requires the applicant to give the authority further information under section 164A (Rideshare vehicle licence—further information)—28 days after the day the road transport authority receives the information;
- (b) 28 days after the day the road transport authority receives the application.

*Note* Failure to issue a licence within the required time is taken to be a decision not to issue the licence (see *ACT Civil and Administrative Tribunal Act 2008*, s 12).

**suitable vehicle**—

- (a) means a motor vehicle with 4 or more doors and seats for 4 or more adults (including the driver); but
- (b) does not include the following:
  - (i) an ambulance;
  - (ii) a bus;
  - (iii) a demand responsive service vehicle;

- (iv) a heavy vehicle;
- (v) a police vehicle.

#### **164C Rideshare vehicle licence—rideshare vehicle identifier**

- (1) This section applies if the road transport authority issues a rideshare vehicle licence to a person for a rideshare vehicle.
- (2) The road transport authority must issue a label for the rideshare vehicle (a *rideshare vehicle label*) to the person, unless there is an approved identifier for the vehicle.
- (3) The road transport authority may approve an identifier (an *approved identifier*) for a rideshare vehicle and any requirements for displaying the identifier.
- (4) An approval under subsection (3) is a notifiable instrument.

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

#### **164D Rideshare vehicle licence—conditions**

- (1) A rideshare vehicle licence is subject to any condition imposed by the road transport authority when the licence is issued, renewed or amended.
- (2) A person commits an offence if the person—
  - (a) is a rideshare vehicle licensee; and
  - (b) does not comply with a condition of the licence.

Maximum penalty: 20 penalty units.

**164E Rideshare vehicle licence—term**

- (1) A rideshare vehicle licence comes into force on the day it is issued.
- (2) The road transport authority must not issue a rideshare vehicle licence for longer than 6 years.
- (3) A rideshare vehicle licence expires on the day stated in the licence.

**164F Rideshare vehicle licence—form**

- (1) A rideshare vehicle licence must—
  - (a) be in writing; and
  - (b) include the following information:
    - (i) the licensee's full name and address;
    - (ii) the registration number of the licensed vehicle; and
    - (iii) the expiry date of the licence.
- (2) A rideshare vehicle licence may also include anything else the road transport authority considers appropriate.

**164G Rideshare vehicle licence—not transferable**

A rideshare vehicle licence is not transferable.

**164H Rideshare vehicle licence—amendment initiated by authority**

- (1) The road transport authority may, by written notice (an *amendment notice*) given to a rideshare vehicle licensee, amend the licence.

*Note* The power to make an instrument includes the power to amend or repeal the instrument. The power to amend or repeal the instrument is exercisable in the same way, and subject to the same conditions, as the power to make the instrument (see [Legislation Act](#), s 46).

- (2) However, the authority may amend the licence only if—
  - (a) the authority has given the licensee written notice of the proposed amendment (a *proposal notice*); and
  - (b) the proposal notice states that written submissions about the proposal may be made to the authority before the end of a stated period of at least 14 days after the day the proposal notice is given to the licensee; and
  - (c) after the end of the stated period, the authority has considered any submissions made in accordance with the proposal notice.
- (3) Subsection (2) does not apply to a licensee if the licensee applied for, or agreed in writing to, the amendment.
- (4) The amendment takes effect on the day the amendment notice is given to the licensee or a later day stated in the notice.

**164I Rideshare vehicle licence—amendment initiated by licensee**

- (1) A rideshare vehicle licensee may apply to the road transport authority to amend 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 may be determined under the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

- (2) The authority may amend the licence only if satisfied that, were the application for amendment an application for a licence, the authority would issue the licence as amended.
- (3) If the authority decides to amend the licence, the authority may impose or amend a condition on the licence.

- (4) The authority must, not later than 28 days after the day the authority receives the application—

- (a) decide the application; and
- (b) tell the licensee about the decision.

*Note* Failure to amend a licence within the required time is taken to be a decision not to amend the licence (see [ACT Civil and Administrative Tribunal Act 2008](#), s 12).

#### **164J Rideshare vehicle licence—application for renewal**

- (1) A rideshare vehicle licensee may apply to the road transport authority to renew the licence for a period not longer than 6 years.

*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 the [Road Transport \(General\) Act 1999](#), s 96 for this provision.

- (2) The application must be—

- (a) in writing; and
- (b) made at least 14 days before the licence expires.

- (3) However, the authority may extend the time for making an application.

*Note* A licensee may apply to the road transport authority for the time to be extended, and the road transport authority may extend the time, even though the time has ended (see [Legislation Act](#), s 151C).

- (4) If a licensee applies to renew a licence under this section, the licence remains in force until the application is decided.

**164K Rideshare vehicle licence—decision on application for renewal**

- (1) This section applies if the road transport authority receives an application for renewal of a rideshare vehicle licence under section 164J.
- (2) The authority may renew the licence only if satisfied that—
  - (a) the vehicle continues to—
    - (i) be a registered vehicle; and
    - (ii) be a suitable vehicle; and
    - (iii) comply with the applicable vehicle standards for the vehicle; and
  - (b) the licensee is not disqualified from applying for a rideshare vehicle licence.

*Note* A person may be disqualified from applying for a licence for a period of time if another licence has been suspended or cancelled (see s 322).

- (3) The road transport authority may refuse to renew the licence if—
  - (a) the authority believes on reasonable grounds that the licensee has contravened a condition of the licence or another rideshare vehicle licence; or
  - (b) another rideshare vehicle licence, or an accreditation to operate any kind of public passenger service, held by the licensee is suspended under chapter 8 (Disciplinary action).
- (4) If the authority decides to renew the licence, the authority may impose or amend a condition on the licence.

- (5) The authority must, not later than 28 days after the day the authority receives the application—

- (a) decide the application for renewal; and
- (b) tell the licensee about the decision.

*Note* Failure to renew a licence within the required time is taken to be a decision not to renew the licence (see [ACT Civil and Administrative Tribunal Act 2008](#), s 12).

- (6) In this section:

*suitable vehicle*—see section 164B (Rideshare vehicle licence—decision on application).

#### **164L Rideshare vehicle licence—must update name and address**

- (1) A person commits an offence if—
- (a) the person is a rideshare vehicle licensee; and
  - (b) the person's name or address changes; and
  - (c) the person does not, within 14 days after the change, give the road transport authority—
    - (i) written notice of the change; and
    - (ii) the licence.

Maximum penalty: 20 penalty units.

- (2) An offence against this section is a strict liability offence.
- (3) If a rideshare vehicle licensee gives the road transport authority written notice of a change to the person's name or address and the licence, the authority must enter the changed details on the licence and return it to the licensee.

**164M Rideshare vehicle licence—surrender**

- (1) A rideshare vehicle licensee may surrender the licence by giving written notice of the surrender to the road transport authority.
- (2) The surrender notice must be accompanied by—
  - (a) the—
    - (i) licence; and
    - (ii) if a rideshare vehicle label has been issued to the licensee—rideshare vehicle label; or
  - (b) if the licence, or licence label, has been lost, stolen or destroyed—a statement verifying that the licence, or licence label, has been lost, stolen or destroyed.

*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* 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).

**164N Rideshare vehicle licence and label—replacing when lost, stolen or destroyed**

- (1) The road transport authority may issue a replacement rideshare vehicle licence to a rideshare vehicle licensee if satisfied the licensee's original licence has been lost, stolen or destroyed.
- (2) The road transport authority may issue a replacement rideshare vehicle label to a rideshare vehicle licensee if satisfied the licensee's original licence label has been lost, stolen or destroyed.



- (3) For subsections (1) and (2), the road transport authority may require the licensee to give the authority a statement verifying that the original licence, or label, has been lost, stolen or destroyed.

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

*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).

**164O Rideshare vehicle licensee or transport booking service—must give rideshare vehicle identifier to rideshare driver**

- (1) A person commits an offence if—
- (a) the person is the rideshare vehicle licensee of a rideshare vehicle; and
  - (b) the road transport authority has issued a rideshare vehicle label for the vehicle to the person; and
  - (c) the person does not give the label to the vehicle's rideshare driver before the driver carries out a rideshare in the vehicle.

Maximum penalty: 20 penalty units.

- (2) Subsection (1) does not apply to a rideshare vehicle licensee of a rideshare vehicle if there is an approved identifier for the vehicle.
- (3) A person commits an offence if—
- (a) the person is a transport booking service; and
  - (b) an identifier is approved under section 164C (3); and
  - (c) the person does not give an approved identifier to each affiliated rideshare driver for the service before the driver carries out a rideshare for the service.

Maximum penalty: 20 penalty units.

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

**164P Rideshare vehicle licensee—must not advertise ridesharing**

- (1) A person commits an offence if the person—
- (a) is a rideshare vehicle licensee; and
  - (b) advertises that the rideshare vehicle is used to provide a rideshare service.

Maximum penalty: 10 penalty units.

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

**Division 3A.3.2 Rideshare drivers**

*Note 1* Accreditation of rideshare drivers is dealt with in ch 2.

*Note 2* All rideshare drivers must be affiliated with a transport booking service (see [Act](#), s 36F).

**164Q Rideshare driver—must hold appropriate driver licence**

- (1) A person commits an offence if the person—
- (a) is a rideshare driver; and
  - (b) is not either—
    - (i) the holder of a public vehicle licence to drive a rideshare vehicle; 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)).

Maximum penalty: 20 penalty units.

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

**164R Rideshare driver—must only accept bookings from accredited transport booking service**

- (1) A person commits an offence if—
- (a) the person is a rideshare driver; and
  - (b) the person accepts a rideshare booking other than via an accredited transport booking service.

Maximum penalty: 20 penalty units.

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

**164S Rideshare driver—must display rideshare vehicle identifier**

- (1) A person commits an offence if—
- (a) the person is the rideshare driver of a rideshare vehicle; and
  - (b) the rideshare vehicle identifier for the vehicle is not, during the rideshare, displayed in or on the vehicle—
    - (i) for an approved identifier—as required under the approval for the vehicle; or
    - (ii) for a rideshare vehicle label—so the label is readable.

Maximum penalty: 20 penalty units.

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

- (3) In this section:

***readable***, for a rideshare vehicle label on a rideshare vehicle, means—

- (a) the information on the label is able to be read from the outside of the vehicle; and

- (b) if the vehicle has a windscreen or fixed window—the label is displayed on—
  - (i) the lower left side (or nearside) of the windscreen; or
  - (ii) a fixed window on the left side (or nearside) of the vehicle.

**164T Rideshare driver—must produce rideshare vehicle licence and identifier for inspection**

- (1) A person commits an offence if—
  - (a) the person is a rideshare vehicle driver; and
  - (b) a police officer or authorised person requires the person to produce the rideshare vehicle licence for the rideshare vehicle for inspection; and
  - (c) the person fails to produce the licence for inspection.

Maximum penalty: 5 penalty units.

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

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (2) (see [Criminal Code](#), s 58).

- (3) A person commits an offence if—
  - (a) the person is the rideshare driver of a rideshare vehicle; and
  - (b) a police officer or authorised person requires the person to produce the rideshare vehicle identifier for the vehicle for inspection; and

(c) the person fails to produce the identifier for inspection.

Maximum penalty: 5 penalty units.

(4) Subsection (3) does not apply if the person—

- (a) has a reasonable excuse for failing to produce the rideshare vehicle identifier when required to do so; and
- (b) within 3 days after being required to produce the identifier, produces the identifier at the place directed by the police officer or authorised person.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

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

#### **164U Rideshare driver—advertising**

(1) A person commits an offence if the person—

- (a) is a rideshare driver; and
- (b) advertises—
  - (i) on the rideshare vehicle that the person is a rideshare driver; or
  - (ii) that the rideshare driver is immediately available to provide a rideshare.

Maximum penalty: 10 penalty units.

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

#### **164V Rideshare driver—end of affiliated driver agreement**

(1) This section applies to a person if—

- (a) the person is a rideshare driver who is affiliated with a transport booking service; and

- (b) the person has been given an approved identifier by the service;  
and
  - (c) the person's affiliated driver agreement with the service ends.
- (2) The person must give the road transport authority a statement verifying that the approved identifier has been returned to the service or destroyed.

*Note* 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).

## **Part 3A.4            Hire cars**

### **Division 3A.4.1      Hire car licences**

#### **Subdivision 3A.4.1.1 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.

## Subdivision 3A.4.1.2 Hire car licensing

### 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).

**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.

## **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.

Maximum penalty: 10 penalty units.

- (2) If a 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 verifying 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* 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.

- (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 verifying that the licence has been lost, stolen or destroyed.

*Note* 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, give the road transport authority a statement verifying 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.

### Subdivision 3A.4.1.3 Stand-by hire cars

#### 177A Definitions—subdiv 3A.4.1.3

In this subdivision:

*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 numberplates 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 verifying 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* 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.

**Division 3A.4.2 Hire car services**

**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.

**180 Hire car service operator—must tell authority about affiliation**

- (1) A person commits an offence if the person—
- (a) is an affiliated hire car service operator for a transport booking service; and
  - (b) does not tell the road transport authority, as soon as practicable after entering into the affiliated operator agreement—
    - (i) about the affiliation; and
    - (ii) the name of the transport booking service.

Maximum penalty: 5 penalty units.

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

**181 Hire car service operator—drivers to be licensed and skilled**

- (1) A person commits an offence if the person—
- (a) is a hire car service operator; and
  - (b) does not take reasonable steps to ensure that each hire car driver for the hire car service is either—
    - (i) the holder of a public vehicle licence to drive a hire car; 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)).

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
- (a) the person is a hire car service operator; and
  - (b) a determination is in force under section 221U (Knowledge and skills to be bookable vehicle driver); and
  - (c) the person does not take reasonable steps to ensure that each hire car driver for the hire car service has the knowledge and skills required under the determination to be a hire car driver.

Maximum penalty: 20 penalty units.

- (3) 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;

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

- (c) if a determination is in force under section 221U (Knowledge and skills to be bookable vehicle driver)—evidence that the driver has the knowledge and skills required under the determination to be a hire car driver;
- (d) the dates and times when the hire car was driven by the driver;
- (e) the registration number of the hire car driven by the driver.

Maximum penalty: 10 penalty units.

- (2) An offence against subsection (1) is a strict liability offence.

**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 2 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.
- (5) 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 verifying 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* 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).

## **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—
- (a) to and from the place or event stated in the declaration; and
- (b) during the period stated in the declaration.

- (3) The declaration may include any other information the road transport authority considers appropriate.
- (4) 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).

## Part 3A.5 Bookable vehicles generally

### Division 3A.5.1 Bookable vehicles—security devices, etc

#### 221A Definitions—div 3A.5.1

- (1) In this division:

*duress alarm*, for a bookable vehicle, means an alarm fitted to a bookable vehicle that may be activated by a person in the bookable vehicle.

*fitted*, a GPS tracking device in a mobile phone is *fitted* to a bookable vehicle if the mobile phone is secured in a mounting attached to the vehicle.

*security camera* does not include a camera in a mobile phone.

*security device* means—

- (a) a duress alarm; or
  - (b) a GPS tracking device; or
  - (c) a security camera.
- (2) In this section, a mobile phone is *secured in a mounting attached to a vehicle* only if—
- (a) the mounting is commercially designed and manufactured for that purpose; and
  - (b) the mobile phone is secured in the mounting, and the mounting is attached to the vehicle, in the manner intended by the manufacturer.

## **221B Duress alarms in taxis**

- (1) A person commits an offence if the person—
- (a) is a transport booking service; and
  - (b) communicates a booking to a taxi driver; and
  - (c) does not take reasonable steps to ensure that a duress alarm is accessible to the driver.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
- (a) the person is a taxi service operator; and
  - (b) a taxi used to operate the service is not fitted with a duress alarm accessible to the taxi driver.

Maximum penalty: 20 penalty units.

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

## **221C GPS tracking devices in bookable vehicles**

- (1) A person commits an offence if the person—
- (a) is a transport booking service; and
  - (b) communicates a booking to a bookable vehicle driver; and
  - (c) does not take reasonable steps to ensure that a GPS tracking device is operating in the bookable vehicle.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
- (a) the person is a taxi service operator; and
  - (b) a taxi used to operate the service is not fitted with a GPS tracking device.

Maximum penalty: 20 penalty units.

- (3) A person commits an offence if—
- (a) the person is a rideshare driver; and
  - (b) the person accepts a hiring communicated by a transport booking service; and
  - (c) the rideshare vehicle is not fitted with a GPS tracking device.

Maximum penalty: 20 penalty units.

- (4) A person commits an offence if—
- (a) the person is a hire car driver; and
  - (b) the person accepts a hiring communicated by a transport booking service; and
  - (c) the hire car is not fitted with a GPS tracking device.

Maximum penalty: 20 penalty units.

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

## **221D Security cameras in taxis**

- (1) A person commits an offence if—
- (a) the person is a taxi driver; and
  - (b) the taxi stands or plies for hire for the transport of passengers along a road or road related area; and

- (c) the taxi is not fitted with a security camera.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
  - (a) a recording is made by a security camera in a taxi; and
  - (b) the person changes or otherwise interferes with the recording.

Maximum penalty: 20 penalty units.

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

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

## **221E Interfere with security device, etc**

- (1) A person commits an offence if the person interferes with—
  - (a) a security device fitted to a bookable vehicle; or
  - (b) an electronic device fitted to a bookable vehicle; or
  - (c) anything else in the bookable vehicle that is being used to support the operation of a security device, or electronic device, fitted to the bookable vehicle.

Maximum penalty: 20 penalty units.

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

- (3) In this section:

***electronic device*** means—

- (a) a taximeter; or
- (b) equipment used for communicating with a transport booking service; or
- (c) an EFTPOS terminal.

## 221F Security device standards

- (1) The road transport authority may determine standards for security devices in bookable vehicles (*security device standards*).
- (2) A security device standard may make provision for security devices in bookable vehicles, including, for example—
  - (a) when security devices may be installed; and
  - (b) the kinds of security devices that may be installed; and
  - (c) the position of security devices; and
  - (d) the operation of security devices; and
  - (e) requirements about notices to be included in a bookable vehicle that has a security device installed.

*Note* 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.

- (3) A security device standard is a disallowable instrument.

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

- (4) A security device 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 commits an offence if the person contravenes a security device standard.

Maximum penalty: 20 penalty units.

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

## **Division 3A.5.2 Bookable vehicles—fees and surcharges**

### **221G Jump-the-queue fees prohibited for taxis**

- (1) A person commits an offence if the person—

- (a) is a transport booking service; and
- (b) accepts a jump-the-queue fee for a taxi booking.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if the person—

- (a) is a transport booking service; and
- (b) provides a way for a taxi driver to accept a jump-the-queue fee for a taxi booking made via the transport booking service.

Maximum penalty: 20 penalty units.

- (3) A person commits an offence if the person—

- (a) is a taxi driver; and
- (b) accepts a jump-the-queue fee for a taxi booking.

Maximum penalty: 20 penalty units.

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



(5) In this section:

*jump-the-queue fee*, for a bookable vehicle booking, means a fee—

- (a) decided by the transport booking service; and
- (b) paid—
  - (i) by a passenger; and
  - (ii) in addition to the fare; and
  - (iii) for the passenger to be the next passenger picked up by the bookable vehicle driver, ahead of the driver's existing bookings.

## **221H Up-front tipping prohibited for taxis and ridesharing**

(1) A person commits an offence if the person—

- (a) is a transport booking service; and
- (b) accepts an up-front tip for—
  - (i) a taxi booking; or
  - (ii) a rideshare booking.

Maximum penalty: 20 penalty units.

(2) A person commits an offence if the person—

- (a) is a transport booking service; and
- (b) provides a way for—
  - (i) a taxi driver to accept an up-front tip for a taxi booking made via the transport booking service; or
  - (ii) a rideshare driver to accept an up-front tip for a rideshare booking made via the transport booking service.

Maximum penalty: 20 penalty units.

- (3) A person commits an offence if the person—
- (a) is a taxi driver; and
  - (b) accepts an up-front tip for a taxi booking.

Maximum penalty: 20 penalty units.

- (4) A person commits an offence if the person—
- (a) is a rideshare driver; and
  - (b) accepts an up-front tip for a rideshare booking.

Maximum penalty: 20 penalty units.

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

- (6) In this section:

***up-front tip***, for a bookable vehicle booking, means an amount—

- (a) decided by a prospective passenger; and
- (b) paid by the prospective passenger—
  - (i) to a transport booking service, a bookable vehicle driver or both; and
  - (ii) in addition to the fare; and
  - (iii) for the passenger to be picked up sooner than would happen in the ordinary course of bookings.

## **221I Bookable vehicle pricing during emergencies**

- (1) A person commits an offence if—
- (a) the person is a transport booking service; and
  - (b) the booking service—
    - (i) accepts a jump-the-queue fee for a bookable vehicle booking; or

- (ii) provides a way for a bookable vehicle driver to accept a jump-the-queue fee for a bookable vehicle booking made via the transport booking service; or
- (iii) applies surge pricing for a bookable vehicle hiring; and
- (c) a declared state of alert, or declared state of emergency, is in force for all or part of the ACT.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
  - (a) the person is a bookable vehicle driver; and
  - (b) the person—
    - (i) accepts a jump-the-queue fee for a bookable vehicle booking; or
    - (ii) applies surge pricing for the bookable vehicle hiring; and
  - (c) a declared state of alert, or declared state of emergency, is in force for all or part of the ACT.

Maximum penalty: 20 penalty units.

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

***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 bookable vehicle booking—see section 221G.

***surge pricing***, for a bookable vehicle hiring, means the practice of increasing bookable vehicle fares during times of high demand for bookable vehicles.

*Note 1* Jump-the-queue fees are always prohibited for taxis (see s 221G).

*Note 2* The Minister may determine fares and ways of calculating fares for taxis, ridesharing and hire cars (see [Act](#), s 60, s 60Q and s 79A).

## **221J Meaning of *payment surcharge*—div 3A.5.2**

(1) In this division:

***payment surcharge***—

- (a) means a fee or charge (however calculated)—
  - (i) added to the amount otherwise payable by a hirer of a bookable vehicle because the amount payable for the hire of the vehicle is paid wholly or partly using a declared payment method; or
  - (ii) payable by a bookable vehicle driver, or a bookable vehicle licensee, because an amount payable for the hire of the vehicle is paid wholly or partly using a declared payment method; and
- (b) includes a fee or charge mentioned in paragraph (a) whether or not the fee or charge—
  - (i) is payable for accepting or processing payment made using a declared payment method; or
  - (ii) is based on the amount payable for a bookable vehicle hiring; but

(c) does not include a fee or charge imposed for the use of a declared payment method by—

- (i) a participant in a designated payment system; or
- (ii) a person consistently with a voluntary undertaking given by the person to, and accepted by, the Reserve Bank of Australia.

(2) In this section:

**designated payment system**—see the *Payment Systems (Regulation) Act 1998* (Cwlth), section 7 (Definitions).

**participant**, in a payment system—see the *Payment Systems (Regulation) Act 1998* (Cwlth), section 7 (Definitions).

## **221K Methods of payment and maximum payment surcharges**

- (1) The Minister may declare methods of payment (**declared payment methods**) for the definition of **payment surcharge**.
- (2) A declaration is a disallowable instrument.

*Note* A disallowable instrument must be notified, and presented to the Legislative Assembly, under the [Legislation Act](#).
- (3) The Minister may determine the maximum amount payable for a payment surcharge (a **maximum payment surcharge**).
- (4) A determination is a disallowable instrument.

## **221L Imposing more than the maximum payment surcharge**

- (1) A defined person commits an offence if—
  - (a) a payment surcharge is imposed; and
  - (b) the payment surcharge exceeds the maximum payment surcharge.

Maximum penalty: 20 penalty units.

- (2) It is a defence to a prosecution for an offence against this section if the defendant proves that—
- (a) someone else imposed the payment surcharge; and
  - (b) the defendant did not know, and could not reasonably be expected to know, that the other person would impose the payment surcharge.
- (3) It is a defence to a prosecution for an offence against this section if the defendant proves that—
- (a) someone else imposed the payment surcharge; and
  - (b) the defendant knew that the other person would impose the payment surcharge; and
  - (c) the defendant told the person on whom the payment surcharge was imposed that the person did not have to pay the part of the surcharge that exceeded the maximum payment surcharge.

*Note* The defendant has a legal burden in relation to the matters mentioned in s (2) and (3) (see [Criminal Code](#), s 59).

- (4) In this section:
- defined person*** means any of the following people:
- (a) the person who imposed the surcharge;
  - (b) the bookable vehicle driver;
  - (c) the bookable vehicle licensee;
  - (d) any person who provided or maintains any equipment installed in the bookable vehicle that enabled the surcharge to be imposed;
  - (e) any person who manages or administers the whole or any part of the system under which the amounts due for the hiring may be paid using a declared payment method.

## **221M Collecting more than the maximum payment surcharge**

- (1) A person commits an offence if—
- (a) the person initiates the collection of, or collects, a payment surcharge in a bookable vehicle; and
  - (b) the payment surcharge exceeds the maximum payment surcharge for the declared payment method.

Maximum penalty: 20 penalty units.

- (2) It is a defence to a prosecution for an offence against this section if the defendant proves that—
- (a) someone else initiated the collection of, or collected, the payment surcharge; and
  - (b) the defendant did not know, and could not reasonably be expected to know, that the other person would initiate the collection of, or collect, the payment surcharge.

*Note* The defendant has a legal burden in relation to the matters mentioned in s (2) (see [Criminal Code](#), s 59).

## **Division 3A.5.3 NSW bookable vehicles in the ACT**

### **221N Meaning of *ACT region***

- (1) In this regulation:
- ACT region*** means—
- (a) the ACT; and
  - (b) any area of NSW declared under subsection (2).
- (2) The road transport authority may declare a stated area of NSW to be part of the ACT region.
- (3) A declaration is a notifiable instrument.

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

**221O Exemption for NSW bookable vehicles—ACT pick up, drop off outside ACT region—Act, s 128 (1) (a)**

- (1) A person is exempt from the [Act](#), section 52 (1) (Unaccredited operators not to operate taxi services) in relation to the hiring of a taxi operated by the person if—
  - (a) the hiring is booked via—
    - (i) for a wheelchair-accessible taxi—a WTBS; or
    - (ii) a transport booking service; and
  - (b) the hiring starts in the ACT and finishes outside the ACT region; and
  - (c) the person is authorised to operate a taxi service, and provide that kind of hiring, under NSW law; and
  - (d) the person operates the service from an address outside the ACT region.
- (2) A person is exempt from the [Act](#), section 60E (1) (Rideshare driver must be accredited) in relation to a rideshare operated by the person if—
  - (a) the rideshare is booked via a transport booking service; and
  - (b) the rideshare starts in the ACT and finishes outside the ACT region; and
  - (c) the person is authorised to operate a rideshare service, and provide that kind of rideshare, under NSW law; and
  - (d) the person operates the service from an address outside the ACT region.



- (3) A person is exempt from the [Act](#), section 74 (1) (Unaccredited operators not to operate hire car services) in relation to the hiring of a hire car operated by the person if—
- (a) the hiring starts in the ACT and finishes outside the ACT region; and
  - (b) the person is authorised to operate a hire car service, and provide that kind of hiring, under NSW law; and
  - (c) the person operates the service from an address outside the ACT region.

*Note* NSW pick up, ACT drop off—exemption for NSW bookable vehicles. A NSW bookable vehicle that is hired in NSW may deliver a passenger to a destination in the ACT without the service operator holding ACT accreditation (see [Act](#), s 52, s 60E and s 74).

## **221P Exemption for NSW bookable vehicles—ACT pick up, drop off inside ACT region—Act, s 128 (1) (a)**

- (1) A person is exempt from the [Act](#), section 52 (1) (Unaccredited operators not to operate taxi services) in relation to the hiring of a taxi operated by the person if—
- (a) the hiring is booked via—
    - (i) for a wheelchair-accessible taxi—a WTBS; or
    - (ii) a transport booking service; and
  - (b) the hiring starts in the ACT and finishes in the ACT region; and
  - (c) the person is authorised to operate a taxi service, and provide that kind of hiring, under NSW law; and
  - (d) the person has notified the road transport authority of the person's intention to operate a taxi service in the ACT; and

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

- (e) the person operates the service from an address inside the ACT region; and
  - (f) any additional exemption criteria determined by the road transport authority under subsection (4) (a) are satisfied; and
  - (g) any exemption conditions determined by the road transport authority under subsection (4) (b) are complied with.
- (2) A person is exempt from the [Act](#), section 60E (1) (Rideshare driver must be accredited) in relation to a rideshare operated by the person if—
- (a) the rideshare is booked via a transport booking service; and
  - (b) the rideshare starts in the ACT and finishes in the ACT region; and
  - (c) the person is authorised to operate a rideshare service, and provide that kind of rideshare, under NSW law; and
  - (d) the person has notified the road transport authority of the person's intention to operate a rideshare service in the ACT; and
- Note* If a form is approved under the [Road Transport \(General\) Act 1999](#), s 225 for this provision, the form must be used.
- (e) the person operates the service from an address inside the ACT region; and
  - (f) any additional exemption criteria determined by the road transport authority under subsection (4) (a) are satisfied; and
  - (g) any exemption conditions determined by the road transport authority under subsection (4) (b) are complied with.
- (3) A person is exempt from the [Act](#), section 74 (1) (Unaccredited operators not to operate hire car services) in relation to the hiring of a hire car operated by the person if—
- (a) the hiring is booked via a transport booking service; and

- (b) the hiring starts in the ACT and finishes in the ACT region; and
- (c) the person is authorised to operate a hire car service, and provide that kind of hiring, under NSW law; and
- (d) the person has notified the road transport authority of the person's intention to operate a hire car service in the ACT; and

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

- (e) the person operates the service from an address inside the ACT region; and
  - (f) any additional exemption criteria determined by the road transport authority under subsection (4) (a) are satisfied; and
  - (g) any exemption conditions determined by the road transport authority under subsection (4) (b) are complied with.
- (4) The road transport authority may determine—
- (a) additional exemption criteria; and
  - (b) exemption conditions.
- (5) A determination is a notifiable instrument.

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

## Division 3A.5.4 Bookable vehicle licensees

### 221Q Meaning of *bookable vehicle licensee*—pt 3A.5

In this part:

*bookable vehicle licensee* means—

- (a) a taxi licensee; or
- (b) a rideshare vehicle licensee; or

- (c) a hire car licensee.

*Note 1* **Taxi licence**—see the [Act](#), s 37.

**Rideshare vehicle licence**—see the [Act](#), s 60J.

**Hire car licence**—see the [Act](#), s 61.

*Note 2* The taxi licensee is also the taxi service operator for the taxi. The hire car licensee is also the hire car service operator for the hire car. However, a rideshare vehicle licensee is not the rideshare service operator—the rideshare driver is the rideshare service operator.

## **221R Bookable vehicle licensee—offensive material in vehicle**

- (1) A person commits an offence if the person—
- (a) is a bookable vehicle licensee; and
  - (b) an advertisement, or other document, that a reasonable adult would consider indecent, insulting or offensive is displayed in the bookable 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 a bookable vehicle licensee to remove an advertisement or other document that the authority, officer or person believes on reasonable grounds contravenes subsection (1).
- (3) The bookable vehicle licensee must comply with a direction under subsection (2).

Maximum penalty: 10 penalty units.

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

## **221S Bookable vehicle licensee—noncompliance notices**

- (1) A person commits an offence if—
- (a) the person is a bookable vehicle licensee; and
  - (b) a noncompliance notice is in force for a bookable vehicle operated by the service; and
  - (c) the bookable vehicle is used for a hiring.

Maximum penalty: 20 penalty units.

*Note* **Noncompliance notice**—see the [Act](#), s 120 (1).

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

## **Division 3A.5.5 Bookable vehicle drivers**

### **221T Bookable vehicle driver—must have knowledge and skills**

- (1) A person commits an offence if—
- (a) the person is a bookable vehicle driver; and
  - (b) a determination is in force under section 221U; and
  - (c) the person does not have the knowledge and skills required under the determination to be a bookable vehicle driver.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
- (a) the person is a bookable vehicle driver; and
  - (b) a determination is in force under section 221U (Knowledge and skills to be bookable vehicle driver); and

- (c) the person does not—
  - (i) keep a record of evidence that the person has the knowledge and skills required under the determination to be a bookable vehicle driver; and
  - (ii) provide the record, on request, to the road transport authority.

Maximum penalty: 10 penalty units.

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

#### **221U Knowledge and skills to be bookable vehicle driver**

- (1) The road transport authority may determine the knowledge and skills required to be a bookable vehicle driver.

*Note* Power to make a statutory instrument includes power to make different provision in relation to different matters or different classes of matters (see [Legislation Act](#), s 48).

- (2) A determination is a notifiable instrument.

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

#### **221V Bookable vehicle driver—carrying goods in vehicle**

- (1) A person commits an offence if—
  - (a) the person is a bookable vehicle driver; and
  - (b) the person allows a passenger to place or carry a thing in the bookable vehicle; and
  - (c) the thing cannot be carried in the bookable vehicle without danger to someone.

Maximum penalty: 5 penalty units.

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

- (3) This section does not apply if the passenger has a disability and the thing is used by the passenger to alleviate the effect of the disability.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

## **221W Bookable vehicle driver—carrying animals in vehicle**

- (1) A person commits an offence if—
- (a) the person is a bookable vehicle driver; and
  - (b) the person allows a passenger to place or carry an animal in the bookable vehicle; and
  - (c) the animal is not 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) This section does not apply if the animal is a guide-dog or other animal assisting a person with disability.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

## **221X Bookable vehicle driver—offensive material in vehicle**

- (1) A person commits an offence if the person—
- (a) is a bookable vehicle driver; and
  - (b) an advertisement or other document that a reasonable adult would consider indecent, insulting or offensive is displayed in the bookable 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 a bookable vehicle driver to remove an advertisement or other document that the authority, officer or person believes on reasonable grounds contravenes subsection (1).
- (3) The bookable vehicle driver must comply with a direction under subsection (2).

Maximum penalty: 10 penalty units.

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

## **221Y Bookable vehicle driver—dropping off and picking up passengers**

- (1) A bookable vehicle driver—
  - (a) must refuse to stop the bookable vehicle at any place where stopping the vehicle would be unlawful; and
  - (b) may refuse to stop the bookable vehicle at any place where stopping the vehicle would be, in the driver's opinion, unsafe.
- (2) However, the bookable vehicle driver may stop the bookable 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—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

**222 Bookable vehicle driver—must not tout for passengers**

- (1) A person commits an offence if the person—
  - (a) is a bookable vehicle driver; and
  - (b) touts for—
    - (i) passengers for the bookable vehicle; or
    - (ii) a hiring of the bookable vehicle.

Maximum penalty: 20 penalty units.

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

**223 Bookable vehicle driver—notifiable accidents**

- (1) A person commits an offence if—
  - (a) the person is a bookable vehicle driver; and
  - (b) the bookable vehicle is involved in a notifiable accident; and
  - (c) the person fails to give, as soon as practicable (but within 24 hours) after the notifiable accident, written notice to the road transport authority of the following:
    - (i) the date and time when the accident happened;
    - (ii) the place where the accident happened.

Maximum penalty: 20 penalty units.

- (2) A person commits an offence if—
- (a) the person is a bookable vehicle driver; and
  - (b) the bookable vehicle is involved in a notifiable accident; and
  - (c) the person fails to give, as soon as practicable (but within 5 days) after the day of a notifiable accident, written notice to the road transport authority of the following:
    - (i) the person's full name and home address;
    - (ii) the make, model and registration number of the bookable vehicle involved in the accident;
    - (iii) the circumstances of the accident;
    - (iv) the name and address of anyone killed or injured in the accident;
    - (v) if a person is injured—the kind of injuries sustained.

Maximum penalty: 20 penalty units.

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

***notifiable accident***, for a bookable vehicle, 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, the bookable vehicle.

## **224 Bookable vehicle driver—noncompliance notices**

- (1) A person commits an offence if—
- (a) the person is a bookable vehicle driver; and
  - (b) a noncompliance notice is in force for the bookable vehicle; and

- (c) the person uses the bookable vehicle for a hiring.

Maximum penalty: 20 penalty units.

*Note* **Noncompliance notice**—see the [Act](#), s 120 (1).

- (2) An offence against this section is a strict liability offence.
- (3) This section does not apply if a police officer or authorised person has, under the [Act](#), section 120 (Attachment and removal of noncompliance notices), directed that the notice be taken to have been removed.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

## **225 Bookable vehicle driver—directions by police officers or authorised people**

- (1) A police officer or authorised person may give a bookable vehicle driver a direction—
- (a) to accept a particular hiring even though the driver could refuse to accept the hiring under section 129 (3) (Wheelchair-accessible taxi driver—must preferentially accept hirings for wheelchair-dependent people); 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 that would involve the driver committing an offence (other than an offence against this regulation).
- (3) A person commits an offence if the person—
- (a) is a bookable vehicle driver; and
  - (b) is given a direction under subsection (1); and
  - (c) fails to comply with the direction.

Maximum penalty: 5 penalty units.

- (4) Subsection (3) does not apply if the driver has a reasonable excuse for failing to comply with the direction.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (4) (see [Criminal Code](#), s 58).

- (5) If a bookable vehicle driver carries out a hiring in accordance with a direction under subsection (1)—
- (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.

## **Division 3A.5.6 Bookable vehicle passengers**

### **226 Bookable vehicle passenger—offensive behaviour or language**

- (1) A person commits an offence if the person—
- (a) is a bookable vehicle passenger; and
  - (b) does any of the following in a bookable vehicle:
    - (i) uses offensive language;
    - (ii) behaves in an offensive way;
    - (iii) behaves in an aggressive or menacing way.

Maximum penalty: 10 penalty units.

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

**227 Bookable vehicle passenger—carrying animals in vehicle**

- (1) A person commits an offence if—
- (a) the person is a bookable vehicle passenger; and
  - (b) the person places or carries an animal in the bookable vehicle; and
  - (c) the animal is not 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) This section does not apply if the animal is a guide-dog or other animal assisting a person with disability.

*Note* The defendant has an evidential burden in relation to the matters mentioned in s (3) (see [Criminal Code](#), s 58).

**228 Bookable vehicle passenger—lost property**

- (1) A person commits an offence if the person—
- (a) is a bookable vehicle passenger; and
  - (b) finds something in the bookable vehicle; and
  - (c) fails to give the thing to—
    - (i) its owner; or
    - (ii) the bookable vehicle driver; or
    - (iii) the transport booking service through which the person booked the bookable vehicle; or
    - (iv) a police officer; or

- (v) an authorised person.

Maximum penalty: 5 penalty units.

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

**229 Bookable vehicle passenger—direction to get out of vehicle**

- (1) A bookable vehicle driver, police officer or authorised person may direct a person not to get into, or to get out of, a bookable 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 bookable 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 bookable vehicle without inconvenience or danger to someone else; or
  - (c) the person is—
    - (i) under the influence of alcohol or a drug; and
    - (ii) causing, or likely to cause, a nuisance or annoyance to someone else; or
  - (d) committing an offence under this division.
- (2) Subsection (1) (b) 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) A person commits an offence if the person—
  - (a) is given a direction under subsection (1); and

(b) does not comply with the direction.

Maximum penalty: 5 penalty units.

- (4) An offence against this section is a strict liability offence.
- (5) A police officer may remove a person from a bookable vehicle if the person is given a direction under subsection (1) and the person does not comply with the direction.

## 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 road transport authority 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 road transport authority a completed application form for the authorisation.
- (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.

#### 231 Issue of authorisations

- (1) The road transport authority may refuse to issue (including renew) a DRS authorisation to an applicant if the authority 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 road transport authority 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 road transport authority must issue a DRS authorisation to the applicant if the authority 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 road transport authority.
- (2) A DRS authorisation may be amended by the road transport authority 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 road transport authority—
  - (a) on the authority'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 authority's initiative**

- (1) This section applies to the holder of a DRS authorisation if the road transport authority proposes, on the authority'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 road transport authority 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 authority 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.
- (2) An authorisation may also include any additional information that the road transport authority considers appropriate.

### **236 Authorisation labels—issue and display**

- (1) If the road transport authority issues a DRS authorisation to a person, the authority 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 road transport authority 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 road transport authority may require the authorisation-holder to give the authority a statement verifying 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* 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 road transport authority—
  - (a) written notice of the change; and

(b) the authorisation issued to the authorisation-holder.

Maximum penalty: 1 penalty unit.

- (2) If a DRS authorisation is returned to the road transport authority, the authority 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 road transport authority 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 road transport authority may require the authorisation-holder to give the authority a statement verifying 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* 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 road transport authority 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 road transport authority; or
  - (b) if the authorisation has been lost, stolen or destroyed—give the authority a statement verifying that the authorisation has been lost, stolen or destroyed.

*Note* 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 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)).

- (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* The authorised operator 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.
- (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 2 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

- (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.
- (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 [Road Transport \(Road Rules\) Regulation 2017](#), s 265 and s 266).

*Note 2* For exemptions from wearing a seatbelt, including for medical reasons, see the [Road Transport \(Road Rules\) Regulation 2017](#), s 267.

- (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**

### **279A Meaning of *DRS ticket*—div 6.2.4**

In this division:

***DRS ticket***, for 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.

**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.

**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

**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.

- (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.

- (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.

*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 either of the following names:

- (a) ACTION;  
(b) Transport Canberra.

**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* 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.

- (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 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 (4); or
  - (ii) in accordance with an approval given under subsection (6).

Maximum penalty: 20 penalty units.

- (2) Subsection (1) does not apply to a person who drives—
  - (a) a light rail vehicle; or
  - (b) a restricted hire car; or
  - (c) a public passenger vehicle if—
    - (i) the person is an affiliated driver for a transport booking service; and
    - (ii) the transport booking service gives the hirer sufficient information, including photo identification, for the hirer to identify the person before the hiring begins.

*Note* A light rail driver is not issued a driver authority card (see [Road Transport \(Driver Licensing\) Act 1999](#), s 64 and dict, def **public vehicle**).

- (3) An offence against this section is a strict liability offence.
- (4) The road transport authority may make guidelines about the display of driver authority cards.
- (5) A guideline is a notifiable instrument.

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

- (6) 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 regulated service; or

*Note* Accreditation to operate a light rail service, including disciplinary action, is dealt with in the [Rail Safety National Law \(ACT\)](#).

- (b) an accreditation to operate a transport booking service; or
- (c) a taxi licence, rideshare vehicle licence or hire car licence; or
- (d) an ITS0 approval; or
- (e) a DRS authorisation to operate a DRS.

### 321      **When authority may take action in relation to accreditations, licences and approvals**

- (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

*Note* **Relevant person**, for accreditation—see s 6B.

- (b) the person has contravened a service standard for the operation of the regulated service 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 taxi licence, rideshare vehicle licence, hire car licence or ITSO approval (the ***licence or approval***) held by a person if—
- (a) the person is operating the kind of public passenger service to which the licence or approval relates without being accredited to operate the service; or
  - (b) the person has contravened a condition of the person's licence or approval; or

- (c) the person has contravened any other provision of the Act in relation to the licence or approval; 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 approval (or the renewal of the licence or approval) 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 taxi service, rideshare service or hire car service; or
- (f) an amount payable under the [Road Transport \(General\) Act 1999](#) in relation to the licence or approval has not been paid; or
- (g) for a wheelchair-accessible taxi licence or an ITSO approval—the licensee, or approval-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.

**322 Action that may be taken in relation to service authorities**

- (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 or approval 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 or approval 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 or approval;
  - (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.
- (3) If the road transport authority disqualifies a person from applying for a standard taxi licence or wheelchair-accessible taxi licence for a period under subsection (1), the person is also disqualified from applying for a pre-approval for that kind of licence for the same period.

### **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 service authority**

- (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 service authority**

- (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 service authority certificate etc**

- (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, rideshare vehicle licence, hire car licence or ITSO approval (as appropriate) to the road transport authority; or
  - (b) if the certificate, licence or approval has been lost, stolen or destroyed—give the authority a statement verifying that the certificate, licence or approval has been lost, stolen or destroyed.

Maximum penalty: 5 penalty units.

*Note* 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 taxi licence, rideshare vehicle licence, hire car licence or ITSO approval (as appropriate) to the person.

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## **Schedule 1      Service standards**

(see s 20B (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                      Transport booking services**

2 Standards in relation to the following matters:

- (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 standards (see [Legislation Act](#), s 104).

- (b) for the operation of a transport booking service—
  - (i) the affiliation of—
    - (A) bookable vehicle drivers with the transport booking service, including matters to be included in affiliated driver agreements; and
    - (B) taxi service operators and hire car service operators with the transport booking service, including matters to be included in affiliated operator agreements; and
  - (ii) systems for ensuring compliance with the [Act](#), section 36G (Transport booking service—responsibilities); and
  - (iii) the knowledge and skills required to be a bookable vehicle driver and the training of bookable vehicle drivers; and
  - (iv) the monitoring of the safety of bookable vehicle drivers including the use of security devices; and
  - (v) the communications technology used by transport booking services; and
  - (vi) the operation of transport booking services in particular areas of the ACT; and
  - (vii) the maximum waiting times in each area of the ACT for a bookable vehicle; and

- (viii) how contraventions of the road transport legislation, and the *Discrimination Act 1991*, by affiliated drivers will be handled; and
- (ix) the procedures for processing payments under the taxi subsidy scheme; and
- (x) how customer inquiries (including for lost property), feedback and complaints will be handled; and
- (xi) the handling and disposal of lost property; and
- (xii) the recording of customer feedback and complaints, and resolution of customer complaints; and
- (xiii) ensuring that an adequate number of bookable vehicles (including bookable vehicles equipped with baby capsules) are available to operate; and
- (xiv) if the transport booking service provides transport booking 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 with section 114 (Wheelchair-accessible taxi driver—special responsibilities) will be handled.

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## **Part 1.3                      Taxi services**

### 3 Standards in relation to the following:

- (a) the inspection and servicing of taxis;
- (b) the 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—
  - (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 service operator—drivers to be licensed and skilled); and
  - (iii) the knowledge and skills required to be a taxi driver and the training of taxi drivers; and
  - (iv) the monitoring of the safety of taxi drivers including the use of security devices; and

- (v) if the taxi service includes wheelchair-accessible taxis—  
how a failure of a driver to comply with section 114  
(Wheelchair-accessible taxi driver—special  
responsibilities) will be handled; and
- (vi) how other contraventions of the road transport legislation  
by taxi drivers will be handled; and
- (vii) systems for ensuring compliance with the [Act](#), section 111  
(Public passenger vehicle insurance compulsory).

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## Part 1.3A Rideshare services

3A Standards in relation to the following:

- (a) the inspection and servicing of rideshare vehicles;
- (b) the maintenance and repair of rideshare vehicles;
- (c) for servicing, maintenance or repairs to a rideshare vehicle carried out by the rideshare vehicle licensee—the operation of the facilities for those activities carried out by the rideshare vehicle licensee and the training of people to carry out the activities;
- (d) for servicing, maintenance or repairs to rideshare vehicles carried out on behalf of a rideshare vehicle licensee—how the rideshare vehicle licensee will ensure that the rideshare vehicle 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 rideshare 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) the terms under which drivers will be engaged;
- (h) systems for ensuring compliance with section 164Q (Rideshare driver—must hold appropriate driver licence);
- (i) the training of, and knowledge required by, rideshare drivers;
- (j) the monitoring of the safety of rideshare drivers;
- (k) how contraventions of the road transport legislation by rideshare drivers will be handled;

- (l) how customer inquiries (including for lost property) and complaints will be handled;
- (m) the recording and resolution of customer complaints;
- (n) the handling and disposal of lost property;
- (o) systems for ensuring compliance with the [Act](#), section 111 (Public passenger vehicle insurance compulsory).

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## **Part 1.4                      Hire car services**

4 Standards in relation to the following:

- (a) the inspection and servicing of hire cars;
- (b) the 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 service operator—drivers to be licensed and skilled); and
  - (iii) the training of hire car drivers; and
  - (iv) the monitoring of the safety of hire car drivers; and
  - (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).



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## 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 (see s 133)
- 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 operator (see s 110)
- accredited rideshare driver
- accredited transport booking service
- affiliated driver (see s 35)
- affiliated driver agreement (see s 36)
- affiliated operator (see s 36B)
- affiliated operator agreement (see s 36C)
- authorisation
- bookable vehicle (see s 29)
- bookable vehicle driver (see s 29)
- bus service (see s 11)
- demand responsive service (see s 80)
- demand responsive service vehicle (see s 81)
- fittings

- hire car (see s 67)
- independent taxi service operator
- licensed rideshare vehicle
- public passenger service (see s 10)
- public passenger vehicle
- public passenger vehicle policy (see s 110)
- regular route service (see s 12)
- restricted hire car (see s 68)
- rideshare (see s 60A)
- rideshare driver (see s 60A)
- rideshare service (see s 60A)
- rideshare vehicle (see s 60A)
- rideshare vehicle licence (see s 60J)
- taxi (see s 45)
- taxi licence (see s 37)
- taxi service (see s 47)
- tour and charter service (see s 13)
- transport booking service (see s 28).

*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
- authorised person
- driver
- driver licence
- jurisdiction
- light rail
- light rail vehicle
- motor vehicle
- permanent resident
- road
- road related area

- road transport authority (or authority) (see s 16)
- road transport legislation (see s 6)
- vehicle.

**accreditation**, to operate a regulated service, means accreditation under this regulation to operate the service.

*Note* Accreditation to operate a light rail service is dealt with in the [Rail Safety National Law \(ACT\)](#).

**accredited operator**, of a public passenger service or transport booking service, means an accredited person who is entitled to operate the service.

*Note* **Accredited operator**, of a public passenger vehicle—see the [Act](#), s 110.

**ACT region**—see section 221N (1).

**affiliated driver**, for a transport booking service—see section 70A.

**affiliated driver record**, for division 3A.1.2 (Transport booking services—records)—see section 70F.

**affiliated hire car driver**, for a transport booking service—see section 70A.

**affiliated operator record**, for division 3A.1.2 (Transport booking services—records)—see section 70F.

**affiliated taxi driver**, for a transport booking service—see section 70A.

**applicable vehicle standards**, for a vehicle—see the [Road Transport \(Vehicle Registration\) Regulation 2000](#), section 103.

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

**approved educational qualifications**, for a kind of accreditation—see section 19 (1).

**approved identifier**, for part 3A.3 (Ridesharing)—see section 164C (3).

***approved wheelchair-accessible taxi driver training course***—see section 162 (1).

***authorised fixed-fare hiring***—see section 142A (1).

***authorised operator***, for part 6.2 (Demand responsive services)—see section 244.

***available***, for subdivision 3A.2.2.2 (Standard and wheelchair-accessible taxi licences)—see section 92.

***availability determination***, for a taxi licence—see section 92.

***availability notice***, for a taxi licence—see section 92A.

***begins***, for a taxi hiring—see section 127.

***bookable vehicle licensee***, for part 3A.5 (Bookable vehicles generally)—see section 221Q.

***bus*** means a public bus.

*Note* ***Public bus***—see the [Act](#), s 10A.

***bus driver*** means the driver of a bus.

***bus stop*** means a bus stop appointed under section 70.

***bus ticket*** means—

- (a) for a bus service operated by the Territory—anything issued by or on behalf of the Territory authorising a person to travel in a bus operated for the service; and
- (b) for a bus service operated by an accredited operator of the bus service—anything issued by or on behalf of the accredited operator of the bus service authorising a person to travel in a bus operated for the service.

***concession bus ticket***—see section 50.

***concession light rail ticket***—see section 70AO.

***declared payment methods***—see section 221K.

***disciplinary notice***—see section 323 (1).

***drive*** a public passenger vehicle includes stop or park the vehicle.

***driver authority card***, for chapter 7 (Driver authority cards)—see section 306.

***DRS*** means demand responsive service.

***DRS authorisation label***—see section 236 (1).

***DRS ticket***, for a DRS vehicle, for division 6.2.4 (Demand responsive service tickets)—see section 279A.

***DRS vehicle driver***, for part 6.2 (Demand responsive services)—see section 244.

***duress alarm***, for division 3A.5.1 (Bookable vehicles—security devices, etc)—see section 221A.

***ends***, for a taxi hiring—see section 127A.

***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.

***fare***, for the hiring of a taxi, for chapter 3A (Bookable vehicles)—see section 127B.

***fitted***, for a GPS tracking device in a mobile phone, for division 3A.5.1 (Bookable vehicles—security devices, etc)—see section 221A.

***goods*** includes luggage.

***hire car driver***—see section 178.

***hirer***, of a taxi, rideshare vehicle or hire car, means the person by whom the taxi, rideshare vehicle or hire car is hired.

***immediate suspension notice***—see section 324 (3).

**in** a vehicle includes on the vehicle.

**ITSO approval**—see section 71.

**ITSO eligibility criteria**, for an ITSO approval—see section 72.

**leased hire car licence** means a leased hire car licence issued under section 167.

**light rail driver**, for part 3AA.1 (Light rail service operators)—see section 70AA.

**light rail driving assessor**, for part 3AA.1 (Light rail service operators)—see section 70AA.

**light rail driving instructor**, for part 3AA.1 (Light rail service operators)—see section 70AA.

**light rail stop** means a place on a road or road related area where—

- (a) a light rail vehicle may stop for the purpose of allowing a passenger to get on or get off the light rail vehicle; and
- (b) there is a sign indicating that the place is a light rail stop.

**light rail ticket**, for part 3AA.2 (Light rail tickets)—see section 70AJ.

**liquor**—see the [Liquor Act 2010](#), section 11.

**low-alcohol liquor**—see the [Liquor Act 2010](#), dictionary.

**maximum payment surcharge**—see section 221K.

**member**, of an emergency service—see the [Emergencies Act 2004](#), dictionary.

**multiple hiring**, of a taxi, for subdivision 3A.2.3.3 (Taxi hirings)—see section 140A.

**operate** a public passenger vehicle includes drive a public passenger vehicle.

**payment surcharge**, for division 3A.5.2 (Bookable vehicles—fees and surcharges)—see section 221J.



***perpetual taxi licence***—see section 82.

***pre-approval***, for a standard taxi licence or a wheelchair-accessible taxi licence—see section 83.

***pre-approval register***—see section 91.

***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.

***public vehicle licence***—see the [Road Transport \(Driver Licensing\) Act 1999](#), dictionary.

***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.

***regulated service***—see section 4B.

***relevant person***, for accreditation and applications for accreditation—see section 6B.

***restricted hire car licence label***—see section 168.

***rideshare vehicle identifier***, for a rideshare vehicle, for part 3A.3 (Ridesharing)—see section 163A.

***rideshare vehicle label***, for part 3A.3 (Ridesharing)—see section 164C (2).

***security camera***, for division 3A.5.1 (Bookable vehicles—security devices, etc)—see section 221A.

***security device***, for division 3A.5.1 (Bookable vehicles—security devices, etc)—see section 221A.

***service authority***, for chapter 8 (Disciplinary action)—see section 320.

***service contract***, to operate a WTBS—see section 70P.

***service standards***, for the operation of a regulated service—see section 20B.

***standard taxi***—see section 82.

***standard taxi licence***—see section 82.

***stand-by hire car***, for subdivision 3A.4.1.3 (Stand-by hire cars)—see section 177B.

***stand-by hire car permit***, for subdivision 3A.4.1.3 (Stand-by hire cars)—see section 177A.

***stand-by hire car permit label***, for subdivision 3A.4.1.3 (Stand-by hire cars)—see section 177A.

***stand-by taxi***—see section 109.

***taxi*** includes a stand-by taxi.

*Note* ***Taxi***—see the [Act](#), s 45.

***taxi licence waiting list***—see section 84.

***taxi zone***—

- (a) see the [Road Transport \(Road Rules\) Regulation 2017](#), section 182; and
- (b) includes a temporary taxi zone appointed under section 123.

***transferable leased taxi licence***—see section 82.

***usual hire car***, for subdivision 3A.4.1.3 (Stand-by hire cars)—see section 177B.

***wheelchair***—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

***wheelchair-accessible taxi***—see section 82.

***wheelchair-accessible taxi booking service (WTBS)***—see section 70L.

***wheelchair-accessible taxi licence***—see section 82.

***wheelchair-dependent person*** means a person who is using a wheelchair for mobility.

***wheeled recreational device***—see the [Road Transport \(Road Rules\) Regulation 2017](#), dictionary.

***WTBS***—see section 70L.

***WTBS operator***—see section 70P.

***WTBS's approved procedures and rules***—see section 70S.

## Endnotes

1 About the endnotes

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## 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

### 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)

## Endnotes

3 Legislation history

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**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))

**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))

## Endnotes

3 Legislation history

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### **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](#))



**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)

## Endnotes

3 Legislation history

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**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)

**Red Tape Reduction Legislation Amendment Act 2016 A2016-18 sch 3 pt 3.40**

notified LR 13 April 2016  
s 1, s 2 commenced 13 April 2016 (LA s 75 (1))  
sch 3 pt 3.40 commenced 27 April 2016 (s 2)

**Road Transport (Taxi Industry Innovation) Legislation Amendment Regulation 2016 (No 1) SL2016-20**

notified LR 26 July 2016  
s 1, s 2 commenced 26 July 2016 (LA s 75 (1))  
ss 3-151 commenced 1 August 2016 (s 2 (1))

**Discrimination Amendment Act 2016 A2016-49 sch 1 pt 1.5**

notified LR 23 August 2016  
s 1, s 2 commenced 23 August 2016 (LA s 75 (1))  
sch 1 pt 1.5 commenced 24 August 2016 (s 2 (1))

**Road Transport (Public Passenger Services) Amendment Regulation 2016 (No 1) SL2016-26**

notified LR 8 September 2016  
s 1, s 2 commenced 8 September 2016 (LA s 75 (1))  
remainder commenced 9 September 2016 (s 2)

**Statute Law Amendment Act 2017 A2017-4 sch 3 pt 3.29**

notified LR 23 February 2017

s 1, s 2 commenced 23 February 2017 (LA s 75 (1))

sch 3 pt 3.29 commenced 9 March 2017 (s 2)

**Road Transport (Road Rules) (Consequential Amendments)****Regulation 2017 (No 1) SL2017-44 sch 1 pt 1.5**

notified LR 21 December 2017

s 1, s 2 commenced 21 December 2017 (LA s 75 (1))

sch 1 pt 1.5 commenced 30 April 2018 (s 2 and see [Road Transport \(Road Rules\) Regulation 2017 SL2017-43 s 2](#))

**Road Transport Reform (Light Rail) Legislation Amendment Act 2018 A2018-19 pt 3**

notified LR 17 May 2018

s 1, s 2 commenced 17 May 2018 (LA s 75 (1))

pt 3 commenced 24 May 2018 (s 2)

**Road Transport Legislation Amendment Regulation 2018 (No 2)****A2018-16 pt 4**

notified LR 6 September 2018

s 1, s 2 commenced 6 September 2018 (LA s 75 (1))

pt 4 commenced 8 October 2018 (s 2 (2))

**Motor Accident Injuries Act 2019 A2019-12 sch 3 pt 3.13**

notified LR 31 May 2019

s 1, s 2 commenced 31 May 2019 (LA s 75 (2))

sch 3 pt 3.13 commenced 1 February 2020 (s 2 (1) and [CN2019-13](#))

**Road Transport (Public Passenger Services) Amendment Regulation 2019 (No 1) SL2019-15**

notified LR 1 July 2019

s 1, s 2 commenced 1 July 2019 (LA s 75 (1))

ss 5-7 commenced 18 September 2019 (s 2 (2))

remainder commenced 15 July 2019 (s 2 (1))

**Road Transport Legislation Amendment Act 2019 A2019-21 pt 11**

notified LR 8 August 2019

s 1, s 2 commenced 8 August 2019 (LA s 75 (1))

pt 11 commenced 22 August 2019 (s 2 (4))

## Endnotes

3      Legislation history

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**Motor Accident Injuries (Premiums and Administration) Amendment  
Regulation 2020 (No 1) SL2020-11 sch 1 pt 1.3**

notified LR 2 April 2020

s 1, s 2 commenced 2 April 2020 (LA s 75 (1))

sch 1 pt 1.3 commenced 3 April 2020 (s 2 (1))

## 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; [SL2016-20](#) s 4;  
[A2018-19](#) s 11; [SL2018-16](#) s 14

### Regulated services

ch 2 hdg sub [SL2016-20](#) s 5

### Meaning of *regulated service*

pt 2.1 hdg sub [SL2016-20](#) s 6

### Meaning of *regulated service*

s 4B hdg sub [A2018-19](#) s 12  
s 4B ins [SL2016-20](#) s 6  
am [A2018-19](#) s 13

### Accreditation

pt 2.1A hdg ins [SL2016-20](#) s 7

### Accreditations that may be approved

s 5 am [SL2005-4](#) s 4; [SL2006-5](#) s 4; [A2006-26](#) s 17; [SL2006-32](#)  
s 4; [SL2016-20](#) s 8; ss renum R49 LA

### Accreditation procedure

pt 2.2 hdg om [SL2016-20](#) s 9

### Definitions for pt 2.2

s 6 sub [SL2003-32](#) amdt 1.2; [SL2005-4](#) s 5  
om [SL2016-20](#) s 10  
def **applicant** ins [SL2003-32](#) amdt 1.2  
sub [SL2005-4](#) s 5  
om [SL2016-20](#) s 10  
def **executive officer** ins [SL2005-4](#) s 5  
sub [A2010-18](#) amdt 3.83  
om [SL2016-20](#) s 10

## Endnotes

4 Amendment history

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def **mandatory disqualifying offence** ins [SL2005-4](#) s 5  
om [SL2006-59](#) s 23  
def **proposed service standards** ins [SL2005-4](#) s 5  
om [SL2016-20](#) s 10  
def **regulated service** sub [SL2003-32](#) amdt 1.2; [SL2005-4](#)  
s 5; [SL2006-5](#) amdt 1.6  
am [SL2006-32](#) s 5  
om [SL2016-20](#) s 10  
def **relevant person** sub [SL2003-32](#) amdt 1.2; [SL2005-4](#) s 5  
om [SL2016-20](#) s 10

### 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))  
om [SL2016-20](#) s 10

### Meaning of **relevant person** for accreditation and applications for accreditation

s 6B hdg sub [SL2016-20](#) s 11  
s 6B ins [SL2005-4](#) s 5  
am [SL2010-7](#) s 38; [SL2016-20](#) s 12

### 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; [SL2016-20](#) ss 13-16; ss renum R49  
LA; [SL2018-16](#) s 15

### 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; [SL2016-20](#) s 17, s 18; pars  
renum R49 LA

### 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;  
[SL2016-20](#) s 19

### 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; [SL2016-20](#) s 20, s 21

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

s 13 sub [SL2004-47](#) s 25  
om [SL2016-20](#) s 22

**Accepted service standards—amendment on authority's initiative**

s 13A ins [SL2004-47](#) s 25  
om [SL2016-20](#) s 22

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

s 14 am [SL2004-47](#) s 26; [SL2006-59](#) s 27; [SL2016-20](#) s 23, s 24;  
[SL2018-16](#) s 16

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

s 15 sub [SL2018-16](#) s 17

**Replacement of certificate of accreditation**

s 16 am [A2012-21](#) amdt 3.158; [A2016-18](#) amdt 3.181, amdt 3.182

**Production of certificate of accreditation**

s 17 sub [SL2018-16](#) s 18

**Surrender of accreditation**

s 18 am [A2012-21](#) amdt 3.159; [A2016-18](#) amdt 3.183, amdt 3.184

**Recovery of lost or stolen certificate of accreditation**

s 18A ins [SL2005-4](#) s 9

**Other matters relating to accreditation**

pt 2.3 hdg om [SL2016-20](#) s 25

**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  
om [SL2016-20](#) s 26

**Approval of educational qualifications**

s 19 am [SL2006-32](#) amdt 1.89; [SL2016-20](#) s 27

**Accreditation guidelines—relevant offences**

s 19A ins [SL2006-59](#) s 28

**Operator training**

s 20 am [SL2016-20](#) s 28

**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

## Endnotes

### 4 Amendment history

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#### **Service standards**

pt 2.4 hdg ins [SL2016-20](#) s 29

#### **Service standards for regulated services**

s 20B ins [SL2016-20](#) s 29

#### **Regulated service must comply with service standards**

s 20C ins [SL2016-20](#) s 29  
am [SL2018-16](#) s 19

#### **Maintenance of buses**

s 21 sub [SL2005-4](#) amdt 1.4

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

s 22 am [SL2018-16](#) s 20, s 21

#### **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  
am [SL2018-16](#) ss 22-25; ss renum R58 LA

#### **Condition of buses**

s 25 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 25 am [SL2018-16](#) s 26; ss renum R58 LA

#### **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  
sub [SL2018-16](#) s 27

#### **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 to share information about bus drivers**

s 27B hdg sub [SL2018-16](#) s 28  
s 27B ins [SL2005-39](#) s 15  
am [SL2006-32](#) amdt 1.91; [SL2018-16](#) s 29



**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; [SL2016-20](#) s 30; [SL2018-16](#) s 30;  
 ss renum R58 LA

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

s 29 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 29 am [SL2018-16](#) ss 31-33

**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))  
 om [SL2018-16](#) s 34

**Airconditioning of buses**

s 30B ins [SL2006-32](#) amdt 1.52  
 om [SL2018-16](#) s 34

**Bus service vehicle livery**

s 30C ins [SL2006-32](#) amdt 1.52  
 (5), (6) exp 3 October 2006 (s 30C (6))  
 om [SL2018-16](#) s 34

**Offensive material etc in or on buses**

s 30D ins [SL2006-32](#) amdt 1.52  
 om [SL2018-16](#) s 34

**Compliance with dress code of practice**

s 30E ins [SL2006-32](#) amdt 1.52  
 om [SL2018-16](#) s 34

**Signs about security cameras in buses**

s 31 am [SL2006-32](#) amdt 1.53; [A2014-49](#) amdt 1.41  
 sub [SL2018-16](#) s 35

**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  
 sub [SL2018-16](#) s 35

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

s 33 om [SL2016-20](#) s 31

**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

## Endnotes

### 4 Amendment history

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

s 35 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 35 am [SL2018-16](#) ss 36-38

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

s 36 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 36 am [SL2018-16](#) s 39

#### **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  
sub [SL2018-16](#) s 40

#### **Lost property in bus**

s 38 sub [SL2018-16](#) s 40

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

s 39 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 39 sub [SL2018-16](#) s 40

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

s 40 sub [SL2006-32](#) amdt 1.57  
om [SL2018-16](#) s 40

#### **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  
om [SL2018-16](#) s 40

#### **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  
om [SL2018-16](#) s 40

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

s 43 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 43 om [SL2018-16](#) s 40

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

s 44 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 44 om [SL2018-16](#) s 40

#### **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))  
s 46 am [SL2016-20](#) s 32  
sub [SL2018-16](#) s 41

**Valid bus ticket required for travel**

s 47 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 47 sub [SL2018-16](#) s 41

**Bus ticket not transferable**

s 48 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 48 sub [SL2018-16](#) s 41

**Damaged or changed bus ticket not to be used**

s 49 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 49 sub [SL2018-16](#) s 41

**Entitlement to use concession bus ticket**

s 50 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 50 am [A2013-19](#) amdt 3.434  
 sub [A2018-19](#) s 14

**Application for concession bus ticket**

s 50A ins [A2018-19](#) s 14

**Use concession bus ticket when not entitled**

s 50B ins [A2018-19](#) s 14

**Inspection of bus ticket**

s 51 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 51 sub [SL2018-16](#) s 42

**Bus passengers**

pt 3.3 hdg sub [SL2018-16](#) s 43

**Behaviour that interferes with comfort or safety**

s 52 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 52 am [A2009-51](#) amdt 1.7; [SL2017-44](#) amdt 1.25  
 sub [SL2018-16](#) s 43

**Inconvenient or dangerous items in bus**

s 53 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 53 sub [SL2006-32](#) amdt 1.59; [SL2018-16](#) s 43

**Obstructing bus door**

s 54 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 54 sub [SL2018-16](#) s 43

**Getting on and off bus**

s 55 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 55 sub [SL2018-16](#) s 43

**Passenger not allowed in certain parts of bus**

s 56 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 56 sub [SL2018-16](#) s 43

## Endnotes

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### Throwing objects in or from bus

s 57 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 57 sub [SL2018-16](#) s 43

### Vacating designated seats in bus

s 58 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 58 sub [SL2018-16](#) s 43

### Liquor in bus

s 59 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 59 sub [SL2018-16](#) s 43

### Seizure of liquor in bus

s 60 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 60 sub [SL2018-16](#) s 43

### Eating or drinking in bus

s 61 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 61 sub [SL2018-16](#) s 43

### Animal in bus

s 62 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 62 am [A2016-49](#) amdt 1.23  
sub [SL2018-16](#) s 43

### Lost property found on bus

s 63 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 63 sub [SL2018-16](#) s 43

### Removing bus property

s 64 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 64 sub [SL2018-16](#) s 43

### Damaging bus property

s 65 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 65 sub [SL2018-16](#) s 43

### Interfering with security camera or recording

s 66 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 66 sub [SL2018-16](#) s 43

### Interfering with bus equipment

s 66A ins [SL2018-16](#) s 43

### Interfering with bus equipment

s 66B ins [SL2018-16](#) s 43

### Bus driver, authorised person or police officer—power to direct direct person to get off, or not get on, bus

s 66C ins [SL2018-16](#) s 43

**Police officer—power to remove person from bus**

s 67 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 67 sub [SL2006-32](#) amdt 1.60; [SL2018-16](#) s 43

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

s 67A ins [A2006-30](#) amdt 1.86  
 sub [SL2018-16](#) s 44

**Littering in bus**

s 67B ins [SL2006-32](#) amdt 1.61  
 om [SL2018-16](#) s 44

**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

**Interference with bus security cameras and recordings**

s 69 om [SL2018-16](#) s 45

**Appointment of bus stops**

s 70 hdg bracketed note exp 31 December 2002 (s 4 (3))

**Light rail services**

ch 3AA hdg ins [A2018-19](#) s 15

**Light rail service operators**

pt 3AA.1 hdg ins [A2018-19](#) s 15

**Definitions—pt 3AA.1**

s 70AA ins [A2018-19](#) s 15  
 def *light rail driver* ins [A2018-19](#) s 15  
 def *light rail driving assessor* ins [A2018-19](#) s 15  
 def *light rail driving instructor* ins [A2018-19](#) s 15

**Notifiable occurrence involving light rail vehicle**

s 70AB ins [A2018-19](#) s 15

**Light rail driver etc to hold driver licence**

s 70AC ins [A2018-19](#) s 15

**Light rail driver records**

s 70AD ins [A2018-19](#) s 15  
 am [SL2018-16](#) s 46

**Light rail driving instructor records**

s 70AE ins [A2018-19](#) s 15  
 am [SL2018-16](#) s 46

**Light rail driving assessor records**

s 70AF ins [A2018-19](#) s 15  
 am [SL2018-16](#) s 46

## Endnotes

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**Road transport authority to share information**

s 70AG ins [A2018-19](#) s 15

**Signs about security cameras in light rail vehicles and at light rail stops**

s 70AH ins [A2018-19](#) s 15

**Lost property in light rail vehicles and at light rail stops**

s 70AI ins [A2018-19](#) s 15

**Light rail tickets**

pt 3AA.2 hdg ins [A2018-19](#) s 15

**Meaning of *light rail ticket*—pt 3AA.2**

s 70AJ ins [A2018-19](#) s 15

**Validity of light rail tickets**

s 70AK ins [A2018-19](#) s 15

**Valid light rail ticket required for travel**

s 70AL ins [A2018-19](#) s 15

**Light rail ticket not transferable**

s 70AM ins [A2018-19](#) s 15

**Damaged or changed light rail ticket not to be used**

s 70AN ins [A2018-19](#) s 15

**Entitlement to use concession light rail ticket**

s 70AO ins [A2018-19](#) s 15

**Application for concession light rail ticket**

s 70AP ins [A2018-19](#) s 15

**Use concession light rail ticket when not entitled**

s 70AQ ins [A2018-19](#) s 15

**Inspection of light rail ticket**

s 70AR ins [A2018-19](#) s 15

**Minister may declare light rail ticket required at certain place**

s 70AS ins [A2018-19](#) s 15

**Light rail passengers and people at light rail stops**

pt 3AA.3 hdg ins [A2018-19](#) s 15

**Behaviour that interferes with comfort or safety**

s 70AT ins [A2018-19](#) s 15

**Inconvenient or dangerous items in light rail vehicle**

s 70AU ins [A2018-19](#) s 15

**Obstructing light rail vehicle door**

s 70AV ins [A2018-19](#) s 15

**Getting on and off light rail vehicle**s 70AW ins [A2018-19](#) s 15**Passenger not allowed on certain parts of light rail vehicle**s 70AX ins [A2018-19](#) s 15**Throwing objects in or from light rail vehicle**s 70AY ins [A2018-19](#) s 15**Vacating designated seats in light rail vehicle**s 70AZ ins [A2018-19](#) s 15**Liquor in light rail vehicle or at light rail stop**s 70AAA ins [A2018-19](#) s 15**Seizure of liquor in light rail vehicle or at light rail stop**s 70AAB ins [A2018-19](#) s 15**Eating or drinking in light rail vehicle**s 70AAC ins [A2018-19](#) s 15**Animal in light rail vehicle**s 70AAD ins [A2018-19](#) s 15**Lost property found on light rail vehicle or at light rail stop**s 70AAE ins [A2018-19](#) s 15**Removing light rail property**s 70AAF ins [A2018-19](#) s 15  
am [SL2018-16](#) ss 47-50**Damaging light rail property**s 70AAG ins [A2018-19](#) s 15**Interfering with security camera or recording**s 70AAH ins [A2018-19](#) s 15**Interfering with emergency equipment**s 70AAI ins [A2018-19](#) s 15**Interfering with light rail vehicle equipment**s 70AAJ ins [A2018-19](#) s 15**Littering**s 70AAK ins [A2018-19](#) s 15**Police officer or authorised person—power to direct person to get off, or not get on, light rail vehicle**s 70AAL ins [A2018-19](#) s 15**Police officer—power to remove person from light rail vehicle**s 70AAM ins [A2018-19](#) s 15

## Endnotes

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**Police officer or authorised person—power to direct person to leave light rail stop**

s 70AAN ins [A2018-19](#) s 15

**Police officer—power to remove person from light rail stop**

s 70AAO ins [A2018-19](#) s 15

**Bookable vehicles**

ch 3A hdg ins [SL2016-20](#) s 33

**Transport booking services**

pt 3A.1 hdg ins [SL2016-20](#) s 33

**Transport booking services—generally**

div 3A.1.1 hdg ins [SL2016-20](#) s 33

**Meaning of *affiliated driver*, *affiliated hire car driver* and *affiliated taxi driver***

s 70A ins [SL2016-20](#) s 33

**Transport booking service—must ensure affiliated drivers have required knowledge and skills**

s 70B ins [SL2016-20](#) s 33

**Transport booking service—must ensure bookable vehicle is licensed**

s 70C ins [SL2016-20](#) s 33

**Transport booking service—must be available to take bookings**

s 70D ins [SL2016-20](#) s 33

**Transport booking service—must give fare estimate and vehicle identifier**

s 70E ins [SL2016-20](#) s 33

**Transport booking services—records**

div 3A.1.2 hdg ins [SL2016-20](#) s 33

**Meaning of *affiliated driver record* and *affiliated operator record*—div 3A.1.2**

s 70F ins [SL2016-20](#) s 33

**Transport booking service—affiliated driver records**

s 70G ins [SL2016-20](#) s 33

**Transport booking service—affiliated operator records**

s 70H ins [SL2016-20](#) s 33

**Transport booking service—bookable vehicle records**

s 70I ins [SL2016-20](#) s 33

**Transport booking service—booking records**

s 70J ins [SL2016-20](#) s 33

**Road transport authority to share information**

s 70K ins [SL2016-20](#) s 33



**Transport booking services—wheelchair-accessible taxis**div 3A.1.3 hdg ins [SL2016-20](#) s 33**Meaning of *wheelchair-accessible taxi booking service* (WTBS)**s 70L ins [SL2016-20](#) s 33**Transport booking service—must direct wheelchair-accessible taxi booking to WTBS**s 70M ins [SL2016-20](#) s 33**Transport booking service—must direct driver to accept wheelchair-accessible taxi hiring**s 70N ins [SL2016-20](#) s 33**Transport booking service—must give estimated arrival time for wheelchair-accessible taxis**s 70O ins [SL2016-20](#) s 33**WTBS—service contracts**s 70P ins [SL2016-20](#) s 33**WTBS—entitlement to operate**s 70Q ins [SL2016-20](#) s 33**WTBS—exemption for WTBS operators—Act, s 128 (1) (b)**s 70R ins [SL2016-20](#) s 33**WTBS—approval of procedures and rules**s 70S ins [SL2016-20](#) s 33**WTBS—must direct driver to accept wheelchair-accessible taxi hiring**s 70T ins [SL2016-20](#) s 33**Taxis**pt 3A.2 hdg ins [SL2016-20](#) s 34**Independent taxi service operators**div 3A.2.1 hdg ins [SL2016-20](#) s 35**ITSO approval—application**s 71 sub [SL2006-31](#) s 4; [SL2016-20](#) s 35**ITSO approval—eligibility criteria**s 72 am [SL2005-39](#) s 16; [A2013-19](#) amdt 3.434  
sub [SL2016-20](#) s 35**ITSO approval—decision on application**s 73 sub [SL2016-20](#) s 35**ITSO approval—conditions**s 74 am [SL2003-32](#) amdt 1.8  
sub [SL2012-37](#) s 5; [SL2016-20](#) s 35

## Endnotes

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### **WCBS to direct driver to accept wheelchair-accessible taxi hiring**

s 74A ins [SL2012-37](#) s 5  
om [SL2016-20](#) s 35

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

s 74B ins [SL2012-37](#) s 5  
om [SL2016-20](#) s 35

### **ITSO approval—term**

s 75 sub [SL2012-37](#) s 5; [SL2016-20](#) s 35

### **ITSO approval—not transferable**

s 76 sub [SL2016-20](#) s 35

### **ITSO approval—application for renewal**

s 77 sub [SL2005-39](#) s 17  
am [SL2006-32](#) amdt 1.62, amdt 1.91  
sub [SL2016-20](#) s 35

### **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  
om [SL2016-20](#) s 35

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

s 77B ins [SL2005-39](#) s 17  
am [SL2006-32](#) amdt 1.91  
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### **ITSO approval—decision on application for renewal**

s 78 am [SL2006-32](#) amdt 1.63  
sub [SL2016-20](#) s 35

### **ITSO approval—replacing when lost, stolen or destroyed**

s 79 am [SL2006-32](#) amdt 1.64; [A2014-49](#) amdt 1.44  
sub [SL2016-20](#) s 35

### **ITSO approval—must update name and address**

s 80 sub [SL2016-20](#) s 35

### **ITSO approval—surrender**

s 81 om [SL2005-4](#) amdt 1.8  
ins [SL2015-34](#) s 4  
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### **Exemption for independent taxi booking services—Act, s 128 (1) (a)**

s 81A ins [SL2015-34](#) s 4  
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**Taxi licences**

div 3A.2.2 hdg ins [SL2016-20](#) s 35

**Kinds of taxi licences**

sdiv 3A.2.2.1 hdg ins [SL2016-20](#) s 35

**Kinds of taxi licences**

s 82 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 82 sub [SL2005-4](#) amdt 1.9; [SL2006-5](#) s 5  
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 sub [SL2016-20](#) s 35

**Kinds of restricted taxis**

s 82A ins [SL2006-5](#) s 5  
 (3), (4) exp 30 September 2007 (s 82A (4))  
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**Standard and wheelchair-accessible taxi licences**

sdiv 3A.2.2.2 hdg ins [SL2016-20](#) s 35

**Meaning of *pre-approval* for standard or wheelchair taxi licence**

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  
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**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  
 om [SL2016-20](#) s 35

**Non-transferable leased taxi licences—application for issue**

s 83B ins [SL2006-31](#) s 8  
 om [SL2016-20](#) s 35

**Non-transferable leased taxi licences—decision on application**

s 83C ins [SL2006-31](#) s 8  
 am [SL2010-7](#) amdt 1.30  
 om [SL2016-20](#) s 35

**Wheelchair-accessible taxi licences—application for issue**

s 83D ins [SL2006-5](#) s 6  
 am [SL2006-31](#) amdt 1.16  
 om [SL2016-20](#) s 35

**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  
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### **NSW cross-border taxi licences—application for issue**

s 83F ins [SL2006-5](#) s 6  
om [SL2016-20](#) s 35

### **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  
om [SL2016-20](#) s 35

### **Taxi licence waiting list**

s 84 sub [SL2005-4](#) amdt 1.10; [SL2006-5](#) s 6; [SL2006-31](#) s 11  
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### **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  
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### **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  
om [SL2016-20](#) s 35

### **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  
om [SL2016-20](#) s 35

### **Power to issue defined rights**

s 84D ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 13  
om [SL2016-20](#) s 35

### **Defined rights ballots**

s 84E ins [SL2006-5](#) s 6  
om [SL2016-20](#) s 35

### **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  
om [SL2016-20](#) s 35

**Application for entry in ballot**

s 84G ins [SL2006-5](#) s 6  
om [SL2016-20](#) s 35

**Decision on application for ballot**

s 84H ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 15; [SL2006-32](#) amdt 1.88  
om [SL2016-20](#) s 35

**Withdrawal from ballot**

s 84I ins [SL2006-5](#) s 6  
om [SL2016-20](#) s 35

**Ballot reserve list**

s 84J ins [SL2006-5](#) s 6  
am [SL2011-2](#) s 5; [A2015-33](#) amdt 1.208  
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**Offering defined rights to ballot reserves**

s 84K ins [SL2006-5](#) s 6  
am [SL2006-31](#) s 16; ss renum [SL2006-31](#) s 17  
om [SL2016-20](#) s 35

**When defined rights end**

s 84L ins [SL2006-5](#) s 6  
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**Defined right conditions**

s 84M ins [SL2006-5](#) s 6  
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**Defined rights not transferable**

s 84N ins [SL2006-5](#) s 6  
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**Pre-approval—application**

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; [SL2016-20](#) s 35

**Pre-approval—decision on application**

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  
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**Conditions of taxi licences**

s 86A ins [SL2005-4](#) amdt 1.12  
om [SL2016-20](#) s 35

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#### **Pre-approval—form**

s 87 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 87 sub [SL2005-4](#) amdt 1.12; [SL2016-20](#) s 35

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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  
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#### **Pre-approval—not transferable**

s 89 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 89 sub [SL2016-20](#) s 35

#### **Pre-approval—surrender**

s 90 am [A2012-21](#) amdt 3.160; [A2016-18](#) amdt 3.185, amdt 3.186  
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#### **Pre-approval register**

s 91 am [SL2005-4](#) amdt 1.14  
sub [SL2016-20](#) s 35

#### **Standard and wheelchair taxi licences—availability**

s 92 am [A2012-21](#) amdt 3.161; [A2016-18](#) amdt 3.187, amdt 3.188  
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#### **Standard and wheelchair taxi licences—notice of availability**

s 92A ins [SL2016-20](#) s 35

#### **Standard and wheelchair taxi licences—application**

s 92B ins [SL2016-20](#) s 35

#### **Standard and wheelchair taxi licences—decision on application**

s 92C ins [SL2016-20](#) s 35

#### **Standard and wheelchair taxi licences—time for decision on application**

s 92D ins [SL2016-20](#) s 35

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s 93 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 93 am [SL2003-32](#) amdt 1.9sub [SL2005-4](#) amdt 1.15om [SL2016-20](#) s 38**Taxi service operator—must tell authority about affiliation**

s 94 hdg bracketed note exp 31 December 2002 (s 4 (3))

s 94 sub [SL2016-20](#) s 38**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 6am [SL2006-32](#) amdt 1.89**Taximeters to be clearly visible**

s 96 hdg bracketed note exp 31 December 2002 (s 4 (3))

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#### **Taxi service operator—drivers to be licensed and skilled**

s 97 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 97 sub [SL2005-39](#) s 18; [SL2016-20](#) s 39

#### **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;  
[SL2016-20](#) s 40, s 41; pars renum R49 LA

#### **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; [SL2016-20](#) s 42, s 43

#### **Arrangements with taxi networks**

s 101 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 101 am [SL2006-32](#) amdt 1.89  
om [SL2016-20](#) s 44

#### **Wheelchair-accessible taxi operator to have equipment and arrangements with WTBS**

s 101A hdg am [SL2016-20](#) s 45  
s 101A ins [SL2012-37](#) s 6  
am [SL2016-20](#) s 45, s 46

#### **Wheelchair-accessible taxi operator—WTBS's approved procedures and rules**

s 101B ins [SL2016-20](#) s 47

#### **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  
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#### **Airconditioning of taxis**

s 104 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 104 om [SL2016-20](#) s 48

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

s 105 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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**Taxi roof sign indicating hiring availability**

s 106 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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**Taxi must have identifying signs and 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))  
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s 108 am [SL2005-4](#) amdt 1.17  
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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; [SL2016-20](#) ss  
 49-51

**Taxi network uniforms**

s 110 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 110 om [SL2016-20](#) s 52

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

s 111 om [SL2016-20](#) s 52

**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  
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sdiv 3A.2.3.2 hdg ins [SL2016-20](#) s 53

**Responsibility of drivers for condition of taxi**

s 113 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 113 om [SL2016-20](#) s 54

**Wheelchair-accessible taxi driver—special responsibilities**

s 114 am [SL2003-32](#) amdt 1.11, amdt 1.12; [SL2012-37](#) ss 7-9  
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**Wheelchair-accessible taxi driver—connection to WTBS**

s 115 sub [SL2016-20](#) s 54

**Wheelchair-accessible taxi driver—WTBS's procedures and rules**

s 116 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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s 117 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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### **Responsibility of taxi drivers for lost property**

s 118 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 118 om [SL2016-20](#) s 54

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

s 119 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 119 am [A2009-51](#) amdt 1.7  
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### **Dress and conduct of taxi drivers**

s 120 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 120 om [SL2016-20](#) s 54

### **Drivers to remain in taxi**

s 121 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 121 om [SL2016-20](#) s 54

### **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))  
s 125 om [SL2016-20](#) s 55

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

s 125A ins [SL2012-37](#) s 10  
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### **Wheelchair-accessible taxi driver to comply with WCBS's approved procedures and rules**

s 125B ins [SL2012-37](#) s 10  
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### **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  
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### **Taxi hirings**

sdiv 3A.2.3.3 hdg ins [SL2016-20](#) s 56

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s 127 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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s 127A ins [SL2003-32](#) s 7  
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s 127B ins [SL2016-20](#) s 58

**Soliciting for taxi hirings prohibited**

s 128 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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**Wheelchair-accessible taxi driver—must preferentially accept hirings for wheelchair-dependent people**

s 129 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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 s 129 am [SL2012-37](#) s 11  
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**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))  
 s 130 om [SL2016-20](#) s 65

**How taxi hiring to be carried out**

s 131 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 131 am [SL2016-20](#) ss 66-69; ss renum R49 LA

**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; [SL2017-44](#)  
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**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  
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**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  
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s 135 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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s 136 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 136 am [SL2003-32](#) s 9; [SL2016-20](#) s 71

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

s 137 hdg bracketed note exp 31 December 2002 (s 4 (3))

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s 138 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 138 am [SL2010-5](#) s 48; [SL2016-20](#) s 72; [SL2017-44](#)  
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#### **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);  
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#### **Meaning of *multiple hiring of a taxi*—subdiv 3A.2.3.3**

s 140A ins [SL2016-20](#) s 74

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

s 141 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 141 am [SL2016-20](#) s 75

#### **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  
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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  
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#### **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

**Payment under taxi subsidy scheme**

s 144B ins [SL2003-32](#) s 12  
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**Taxi fare not payable for avoidable delays**

s 145 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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s 146 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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**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))  
 s 149 om [SL2016-20](#) s 82

**Taxi passengers—soiled clothing etc**

s 150 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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**Intoxicated taxi passengers**

s 151 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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**Offender to get out of taxi when directed**

s 152 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 152 om [SL2016-20](#) s 82

**Removal of people from taxis**

s 153 hdg bracketed note exp 31 December 2002 (s 4 (3))  
 s 153 om [SL2016-20](#) s 82

**Lost property found by taxi passengers**

s 154 hdg bracketed note exp 31 December 2002 (s 4 (3))  
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s 154A ins [SL2012-1](#) s 4  
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### **What is the *ITO pilot period*?**

s 154B ins [SL2012-1](#) s 4  
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### **Eligibility criteria**

s 154C ins [SL2012-1](#) s 4  
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### **ITO pilot—application to participate**

s 154D ins [SL2012-1](#) s 4  
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### **ITO pilot—decision on application**

s 154E ins [SL2012-1](#) s 4  
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### **Exemption for ITO pilot participants—Act, s 128 (1) (b)**

s 154F ins [SL2012-1](#) s 4  
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### **Review—div 4.3.4A**

s 154G ins [SL2012-1](#) s 4  
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### **Expiry—div 4.3.4A**

s 154H ins [SL2012-1](#) s 4  
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### **Meaning of *wheelchair-accessible taxi centralised booking service (WCBS)***

s 154I ins [SL2012-37](#) s 12  
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### **WCBS—minimum service standards**

s 154J ins [SL2012-37](#) s 12  
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### **WCBS—service contracts**

s 154K ins [SL2012-37](#) s 12  
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### **WCBS—entitlement to operate**

s 154L ins [SL2012-37](#) s 12  
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### **Offence—operate WCBS without entitlement**

s 154M ins [SL2012-37](#) s 12  
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s 154N ins [SL2012-37](#) s 12  
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**Other matters relating to taxi services**

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s 155 am [SL2006-32](#) amdt 1.89  
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**Standards about security cameras in taxis**

s 156 am [SL2006-32](#) amdt 1.89; [A2013-19](#) amdt 3.434; [A2013-44](#)  
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**Interference with taxi security cameras and recordings**

s 157 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 157 om [SL2016-20](#) s 85

**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; [SL2016-20](#) s  
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**Interference with taximeters**

s 159 hdg bracketed note exp 31 December 2002 (s 4 (3))  
s 159 am [A2013-19](#) amdt 3.434  
om [SL2016-20](#) s 87

**Approval of wheelchair-accessible taxi driver training courses**

s 162 am [SL2006-32](#) amdt 1.89; [SL2016-20](#) s 88

**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  
am [SL2016-20](#) s 89

**Ridesharing**

pt 3A.3 hdg ins [SL2016-20](#) s 91

**Definitions—pt 3A.3**

div 3A.3.1A hdg ins [SL2019-15](#) s 4

**Definitions—pt 3A.3**

s 163A ins [SL2019-15](#) s 4  
def **approved identifier** ins [SL2019-15](#) s 4  
def **rideshare vehicle identifier** ins [SL2019-15](#) s 4  
def **rideshare vehicle label** ins [SL2019-15](#) s 4

## Endnotes

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### Rideshare vehicle licences

div 3A.3.1 hdg ins [SL2016-20](#) s 91

### Rideshare vehicle licence—application

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  
om [SL2016-20](#) s 90  
ins [SL2016-20](#) s 91

### Rideshare vehicle licence—further information

s 164A ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

### Rideshare vehicle licence—decision on application

s 164B ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91  
am [SL2019-15](#) ss 5-7; [A2019-12](#) amdt 3.97 ; [SL2020-11](#)  
amdt 1.3  
def **affiliated driver** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **certificate of inspection** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **declared state of alert** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **declared state of emergency** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **jump-the-queue fee** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **medical fitness certificate** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **passenger number** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **required medical standards** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **rideshare vehicle suitability certificate** ins [SL2015-34](#)  
s 5  
om [SL2016-20](#) s 91  
def **surge pricing** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **third-party property insurance policy** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91  
def **vehicle inspection station** ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91

### Rideshare vehicle licence—rideshare vehicle identifier

s 164C ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91; [SL2019-15](#) s 8



**Rideshare vehicle licence—conditions**

s 164D ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—term**

s 164E ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—form**

s 164F ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—not transferable**

s 164G ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—amendment initiated by authority**

s 164H ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—amendment initiated by licensee**

s 164I ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—application for renewal**

s 164J ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—decision on application for renewal**

s 164K ins [SL2015-34](#) s 5  
sub [SL2016-20](#) s 91

**Rideshare vehicle licence—must update name and address**

s 164L ins [SL2016-20](#) s 91

**Rideshare vehicle licence—surrender**

s 164M ins [SL2016-20](#) s 91  
am [SL2019-15](#) s 9

**Rideshare vehicle licence and label—replacing when lost, stolen or destroyed**

s 164N ins [SL2016-20](#) s 91  
am [SL2019-15](#) s 10

**Rideshare vehicle licensee or transport booking service—must give rideshare vehicle identifier to rideshare driver**

s 164O ins [SL2016-20](#) s 91  
sub [SL2019-15](#) s 11

**Rideshare vehicle licensee—must not advertise ridesharing**

s 164P ins [SL2016-20](#) s 91

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### **Rideshare drivers**

div 3A.3.2 hdg ins [SL2016-20](#) s 91

### **Rideshare driver—must hold appropriate driver licence**

s 164Q ins [SL2016-20](#) s 91

### **Rideshare driver—must only accept bookings from accredited transport booking service**

s 164R ins [SL2016-20](#) s 91

### **Rideshare driver—must display rideshare vehicle identifier**

s 164S ins [SL2016-20](#) s 91  
sub [SL2019-15](#) s 12

### **Rideshare driver—must produce rideshare vehicle licence and label for inspection**

s 164T hdg sub [SL2019-15](#) s 13  
s 164T ins [SL2016-20](#) s 91  
am [SL2019-15](#) s 14

### **Rideshare driver—advertising**

s 164U ins [SL2016-20](#) s 91

### **Rideshare driver—end of affiliated driver agreement**

s 164V sub [SL2019-15](#) s 15

### **Hire cars**

pt 3A.4 hdg ins [SL2016-20](#) s 92

### **Hire car licences**

div 3A.4.1 hdg ins [SL2016-20](#) s 93

### **Kinds of hire car licences**

sdiv 3A.4.1.1 hdg ins [SL2016-20](#) s 94

### **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**

sdiv 3A.4.1.2 hdg ins [SL2016-20](#) s 94

### **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))

**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  
 am [SL2016-20](#) s 96

**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;  
[SL2016-20](#) s 97, s 98

**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;  
[A2016-18](#) amdt 3.189, amdt 3.190

**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; [SL2016-20](#) s 99

**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;  
[A2016-18](#) amdt 3.191, amdt 3.192; [SL2016-20](#) s 100

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### Stand-by hire cars

sdiv 3A.4.1.3 hdg ins [SL2016-20](#) s 101

### Definitions—subdiv 3A.4.1.3

s 177A hdg sub [SL2016-20](#) s 102

s 177A ins [SL2005-39](#) s 21

am [SL2016-20](#) s 103

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

### 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; [A2016-18](#) amdt 3.193, amdt 3.194

### Stand-by hire cars—production of permit by hire car driver

s 177H ins [SL2005-39](#) s 21

### Hire car services

div 3A.4.2 hdg ins [SL2016-20](#) s 104

### Meaning of *hire car driver*

s 178 sub [SL2005-4](#) s 12

### Maintenance of hire cars

s 179 exp 1 March 2003 (s 186)

ins [SL2005-4](#) s 12

om [SL2016-20](#) s 106

**Hire car service operator—must tell authority about affiliation**

s 180 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12  
sub [SL2016-20](#) s 106

**Hire car service operator—drivers to be licensed and skilled**

s 181 exp 1 March 2003 (s 186)  
ins [SL2005-4](#) s 12  
am [SL2005-39](#) s 22  
sub [SL2016-20](#) s 107

**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; [SL2016-20](#) s 108, s 109;  
pars renum R49 LA

**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; [SL2016-20](#) s 110, s 111

**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  
om [SL2016-20](#) s 112

**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))

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#### **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;  
[A2016-18](#) amdt 3.195, amdt 3.196

#### **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))  
om [SL2016-20](#) s 112

#### **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  
om [SL2016-20](#) s 112

#### **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  
om [SL2016-20](#) s 112

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

s 193 ins [SL2005-4](#) s 12  
om [SL2013-14](#) s 14

#### **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  
om [SL2016-20](#) s 112

#### **Hire car operators to comply with service standard for lost property**

s 195 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 112

#### **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  
om [SL2016-20](#) s 112

#### **Responsibility of drivers for condition of hire car**

s 197 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

#### **Responsibilities of hire car drivers for security cameras**

s 198 ins [SL2005-4](#) s 12

om [SL2016-20](#) s 113

**Restrictions on carriage of goods in hire cars**

s 199 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

**Carriage of animals in hire cars**

s 200 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

**Responsibility of hire car drivers for lost property**

s 201 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

**Behaviour of hire car drivers generally**

s 202 ins [SL2005-4](#) s 12  
am [A2009-51](#) amdt 1.7  
om [SL2016-20](#) s 113

**Dress and conduct of hire car drivers**

s 203 ins [SL2005-4](#) s 12  
am [SL2013-14](#) s 15; ss renum R41 LA  
om [SL2016-20](#) s 113

**Restricted hire cars—production of duplicate licence by hire car driver**

s 204 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

**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  
om [SL2016-20](#) s 113

**Soliciting for hire car hirings prohibited**

s 206 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

**Where hire car drivers must stop**

s 207 ins [SL2005-4](#) s 12  
sub [SL2005-39](#) s 25  
om [SL2016-20](#) s 113

**Extra hire car passengers**

s 208 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

**Hire car fares**

s 209 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

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### **Offensive behaviour or language in hire cars**

s 210 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

### **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  
om [SL2016-20](#) s 113

### **Hire car passengers—soiled clothing etc**

s 213 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

### **Intoxicated hire car passengers**

s 214 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

### **Offender to get out of hire car when directed**

s 215 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

### **Removal of people from hire cars**

s 216 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 113

### **Lost property found by hire car passengers**

s 217 ins [SL2005-4](#) s 12  
am [SL2006-32](#) amdt 1.76  
om [SL2016-20](#) s 113

### **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  
om [SL2016-20](#) s 115

### **Interference with hire car security cameras and recordings**

s 220 ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 115



**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; [SL2016-20](#) s 116, s 117; ss renum  
 R49 LA; [A2017-4](#) amdt 3.183

**Bookable vehicles generally**

pt 3A.5 hdg ins [SL2016-20](#) s 118

**Bookable vehicles—security devices, etc**

div 3A.5.1 hdg ins [SL2016-20](#) s 118

**Definitions—div 3A.5.1**

s 221A ins [SL2016-20](#) s 118  
 def **duress alarm** ins [SL2016-20](#) s 118  
 def **fitted** ins [SL2016-20](#) s 118  
 def **security camera** ins [SL2016-20](#) s 118  
 def **security device** ins [SL2016-20](#) s 118

**Duress alarms in taxis**

s 221B ins [SL2016-20](#) s 118

**GPS tracking devices in bookable vehicles**

s 221C ins [SL2016-20](#) s 118

**Security cameras in taxis**

s 221D ins [SL2016-20](#) s 118

**Interfere with security device, etc**

s 221E ins [SL2016-20](#) s 118

**Security device standards**

s 221F ins [SL2016-20](#) s 118

**Bookable vehicles—fees and surcharges**

div 3A.5.2 hdg ins [SL2016-20](#) s 118

**Jump-the-queue fees prohibited for taxis**

s 221G ins [SL2016-20](#) s 118

**Up-front tipping prohibited for taxis and ridesharing**

s 221H ins [SL2016-20](#) s 118

**Bookable vehicle pricing during emergencies**

s 221I ins [SL2016-20](#) s 118  
 am [A2017-4](#) amdt 3.183

**Meaning of payment surcharge—div 3A.5.2**

s 221J ins [SL2016-20](#) s 118

**Methods of payment and maximum payment surcharges**

s 221K ins [SL2016-20](#) s 118

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**Imposing more than the maximum payment surcharge**

s 221L ins [SL2016-20](#) s 118

**Collecting more than the maximum payment surcharge**

s 221M ins [SL2016-20](#) s 118

**NSW bookable vehicles in the ACT**

div 3A.5.3 hdg ins [SL2016-20](#) s 118

**Meaning of *ACT region***

s 221N ins [SL2016-20](#) s 118

**Exemption for NSW bookable vehicles—ACT pick up, drop off outside ACT region—Act, s 128 (1) (a)**

s 221O ins [SL2016-20](#) s 118

**Exemption for NSW bookable vehicles—ACT pick up, drop off inside ACT region—Act, s 128 (1) (a)**

s 221P ins [SL2016-20](#) s 118

**NSW bookable vehicles in the ACT**

div 3A.5.4 hdg ins [SL2016-20](#) s 118

**Meaning of *bookable vehicle licensee*—pt 3A.5**

s 221Q ins [SL2016-20](#) s 118

**Bookable vehicle licensee—offensive material in vehicle**

s 221R ins [SL2016-20](#) s 118

**Bookable vehicle licensee—noncompliance notices**

s 221S ins [SL2016-20](#) s 118

**Bookable vehicle drivers**

div 3A.5.5 hdg ins [SL2016-20](#) s 118

**Bookable vehicle driver—must have knowledge and skills**

s 221T ins [SL2016-20](#) s 118

**Knowledge and skills to be bookable vehicle driver**

s 221U ins [SL2016-20](#) s 118

**Bookable vehicle driver—carrying goods in vehicle**

s 221V ins [SL2016-20](#) s 118

**Bookable vehicle driver—carrying animals in vehicle**

s 221W ins [SL2016-20](#) s 118

**Bookable vehicle driver—offensive material in vehicle**

s 221X ins [SL2016-20](#) s 118

**Bookable vehicle driver—dropping off and picking up passengers**

s 221Y ins [SL2016-20](#) s 118

**Bookable vehicle driver—must not tout for passengers**

s 222 **orig s 222**  
 renum as s 320  
**pres s 222**  
 ins [SL2016-20](#) s 118

**Bookable vehicle driver—notifiable accidents**

s 223 **orig s 223**  
 renum as s 321  
**pres s 223**  
 ins [SL2016-20](#) s 118

**Bookable vehicle driver—noncompliance notices**

s 224 **orig s 224**  
 renum as s 322  
**pres s 224**  
 ins [SL2016-20](#) s 118

**Bookable vehicle driver—directions by police officers or authorised people**

s 225 **orig s 225**  
 renum as s 323  
**pres s 225**  
 ins [SL2016-20](#) s 118

**Bookable vehicle passengers**

div 3A.5.6 hdg ins [SL2016-20](#) s 118

**Immediate suspension of accreditation or licence**

s 226 **orig s 226**  
 renum as s 324  
**pres s 226**  
 ins [SL2016-20](#) s 118

**Effect of suspension of accreditation or licence**

s 227 **orig s 227**  
 renum as s 325  
**pres s 227**  
 ins [SL2016-20](#) s 118

**Return of certificate of accreditation or licence**

s 228 **orig s 228**  
 renum as 326  
**pres s 228**  
 ins [SL2016-20](#) s 118

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### **Bookable vehicle passenger—direction to get out of vehicle**

s 229 hdg am [A2006-26](#) s 19  
s 229 **orig 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  
**pres s 229**  
ins [SL2016-20](#) s 118

### **Taxis**

ch 4 hdg om [SL2016-20](#) s 34

### **Taxi networks**

pt 4.1 hdg om [SL2016-20](#) s 35

### **Independent taxi booking services**

pt 4.1A hdg ins [SL2015-34](#) s 4  
om [SL2016-20](#) s 35

### **Taxi licences**

pt 4.2 hdg sub [SL2006-5](#) amdt 1.9  
om [SL2016-20](#) s 35

### **Transferable leased taxi licences—issue**

div 4.2.2 hdg sub [SL2006-5](#) s 6  
om [SL2016-20](#) s 35

### **Non-transferable leased taxi licences—issue**

div 4.2.3 hdg **orig div 4.2.3 hdg**  
renum as div 4.2.4 hdg  
**prev div 4.2.3 hdg**  
ins [SL2006-31](#) s 8  
om [SL2016-20](#) s 35

### **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 4.2.4 hdg**  
(prev div 4.2.3 hdg) ins [SL2006-5](#) s 6  
renum [SL2006-31](#) s 9  
om [SL2016-20](#) s 35

### **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 4.2.5 hdg**  
(prev div 4.2.4 hdg) ins [SL2006-5](#) s 6  
renum [SL2006-31](#) s 9  
om [SL2016-20](#) s 35

**Renewal of taxi licences**

div 4.2.6 hdg **orig div 4.2.6 hdg**  
 renum as div 4.2.7 hdg  
**prev div 4.2.6 hdg**  
 (prev div 4.2.5 hdg) ins [SL2006-5](#) s 6  
 renum [SL2006-31](#) s 9  
 om [SL2016-20](#) s 35

**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 4.2.7 hdg**  
 (prev div 4.2.6 hdg) ins [SL2006-5](#) s 6  
 renum [SL2006-31](#) s 9  
 om [SL2016-20](#) s 35

**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  
 om [SL2016-20](#) s 35

**Taxi services**

pt 4.3 hdg om [SL2016-20](#) s 36

**Taxi operators**

div 4.3.1 hdg om [SL2016-20](#) s 37

**Taxi drivers**

div 4.3.2 hdg (prev div 1.1.2 hdg) renum R1 LA  
 om [SL2016-20](#) s 53

**Taxi hirings**

div 4.3.3 hdg (prev div 1.1.3 hdg) renum R1 LA  
 om [SL2016-20](#) s 56

**Conduct of taxi passengers**

div 4.3.4 hdg (prev div 1.1.4 hdg) renum R1 LA  
 om [SL2016-20](#) s 81

**Independent taxi services**

div 4.3.4A hdg 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  
 om [SL2016-20](#) s 83

**Other matters relating to taxi services**

div 4.3.5 hdg (prev div 1.1.5 hdg) renum R1 LA  
 om [SL2016-20](#) s 84

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#### **Ridesharing**

ch 4A hdg ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91

#### **Preliminary**

pt 4A.1 hdg ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91

#### **Interim rideshare booking services**

pt 4A.2 hdg ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91

#### **Interim ridesharing arrangements**

pt 4A.3 hdg ins [SL2015-34](#) s 5  
om [SL2016-20](#) s 91

#### **Hire cars**

ch 5 hdg sub [SL2005-4](#) s 12  
om [SL2016-20](#) s 92

#### **Hire car licences**

pt 5.1 hdg ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 93

#### **Kinds of hire car licences**

div 5.1.1 hdg ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 94

#### **Hire car licensing procedure**

div 5.1.2 hdg ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 94

#### **Hire car licences—other provisions**

div 5.1.2A hdg ins [SL2006-5](#) amdt 1.13  
om [SL2016-20](#) s 95

#### **Stand-by hire cars**

div 5.1.3 hdg ins [SL2005-39](#) s 21  
om [SL2016-20](#) s 101

#### **Hire car services**

pt 5.2 hdg ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 104

#### **Preliminary**

div 5.2.1 hdg ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 105

#### **Hire car operators**

div 5.2.2 hdg ins [SL2005-4](#) s 12  
om [SL2016-20](#) s 105

**Hire car drivers**

div 5.2.3 hdg ins [SL2005-4](#) s 12  
 am [SL2005-39](#) s 24  
 om [SL2016-20](#) s 113

**Hire car hirings**

div 5.2.4 hdg ins [SL2005-4](#) s 12  
 om [SL2016-20](#) s 113

**Conduct of hire car passengers**

div 5.2.5 hdg ins [SL2005-4](#) s 12  
 om [SL2016-20](#) s 113

**Other matters relating to hire car services**

div 5.2.6 hdg ins [SL2005-4](#) s 12  
 om [SL2016-20](#) s 114

**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  
 am [SL2016-20](#) s 149, s 150

**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  
 am [SL2016-20](#) s 149, s 150

**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  
 am [SL2016-20](#) s 149, s 151

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### **Demand responsive service authorisations—procedure for imposition etc of conditions on authority's initiative**

s 233 hdg am [SL2016-20](#) s 151  
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  
am [SL2016-20](#) ss 149-151

### **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  
am [SL2016-20](#) s 149

### **Authorisation labels—issue and display**

s 236 **orig s 236**  
renum as s 500  
**pres s 236**  
ins [SL2006-32](#) s 10  
am [SL2016-20](#) s 149, s 150

### **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; [A2016-18](#) amdt 3.197, amdt 3.198;  
[SL2016-20](#) s 149, s 150

### **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; [SL2016-20](#) s 119, s 149, s 150



**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; [A2016-18](#) amdt 3.199, amdt 3.200;  
[SL2016-20](#) s 149, s 150

**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; [A2016-18](#) amdt 3.201, amdt 3.202;  
[SL2016-20](#) s 149, s 150

**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

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### **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

### **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  
am [SL2016-20](#) s 120

**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

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**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; [SL2017-44](#) amdts 1.32-1.34

**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

**Meaning of *DRS ticket*—div 6.2.4**

s 279A ins [SL2016-20](#) s 121

**Validity of demand responsive service tickets**

s 280 ins [SL2006-32](#) s 10  
am [SL2016-20](#) s 122

**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; [SL2017-44](#) amdt 1.35

**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

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**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  
sub [SL2018-16](#) s 51

**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  
am [SL2016-26](#) s 4; ss renum R51 LA; [A2018-19](#) s 16, s 17

**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  
am [SL2016-20](#) s 123; pars renum R49 LA; [A2018-19](#) s 18

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### **When authority may take action in relation to accreditations, licences and approvals**

s 321 hdg sub [SL2016-20](#) s 124  
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; [SL2016-20](#) ss 125-130

### **Action that may be taken in relation to service authorities**

s 322 hdg sub [SL2016-20](#) s 131  
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  
am [SL2016-20](#) s 132, s 133

### **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 service authority**

s 324 hdg sub [SL2016-20](#) s 134  
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 service authority**

s 325 hdg sub [SL2016-20](#) s 134  
s 325 (prev s 227) ins [SL2005-4](#) s 12  
sub [SL2006-5](#) amdt 1.24  
renum [SL2006-32](#) s 9

### **Return of service authority certificate etc**

s 326 hdg sub [SL2016-20](#) s 134  
s 326 (prev s 228) ins [SL2005-4](#) s 12  
renum [SL2006-32](#) s 9  
am [A2012-21](#) amdt 3.169; [A2016-18](#) amdt 3.203, amdt 3.204;  
[SL2016-20](#) ss 135-137

### **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))

**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)

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### **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)

**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

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### **Transitional—Road Transport (Taxi Industry Innovation) Legislation Amendment Regulation 2016 (No 1)**

ch 11 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Accreditation**

pt 11.1 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Application for accreditation to operate taxi network to be application for accreditation to operate transport booking service**

s 523 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Accreditation to operate taxi network to be accreditation to operate transport booking service**

s 524 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Independent taxi operators taken to be accredited**

s 525 ins [SL2016-20](#) s 138  
exp 1 November 2016 (s 525 (3))

### **Accepted service standards**

s 526 ins [SL2016-20](#) s 138  
(3), (4) for a transport booking service exp 1 November 2016  
(s 526 (4) (a))  
(3), (4) for any other regulated service exp 1 February 2017  
(s 526 (4) (b))  
exp 1 August 2018 (s 538)

### **Transport booking services**

pt 11.2 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Exemption for interim rideshare booking services—Act, s 128 (1) (a)**

s 527 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Transport booking services**

pt 11.3 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Defined right reserve list to be taxi licence waiting list**

s 528 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

### **Non-transferable leased taxi licences to be standard taxi licences**

s 529 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Wheelchair-accessible taxi licences**

s 530 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**NSW cross-border taxi licences to expire**

s 531 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Taxi drivers—knowledge and skills**

s 532 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Standards about security cameras in taxis**

s 533 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Ridesharing**

pt 11.4 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Exemption for interim rideshare drivers—Act, s 128 (1) (a)**

s 534 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Exemption for registered operators of interim rideshare vehicles—Act, s 128 (1) (a)**

s 535 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Hire cars**

pt 11.5 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Hire car drivers—knowledge and skills**

s 536 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Demand responsive services**

pt 11.6 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Applications for DRS authorisations**

s 537 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

**Expiry**

pt 11.7 hdg ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

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#### **Expiry—ch 11**

s 538 ins [SL2016-20](#) s 138  
exp 1 August 2018 (s 538)

#### **Service standards**

sch 1 hdg am [SL2004-47](#) s 27  
sub [SL2005-4](#) s 13; [SL2016-20](#) s 139

#### **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

#### **Transport booking 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; [SL2016-20](#) s 140

#### **Taxi services**

sch 1 pt 1.3 hdg sub [SL2006-5](#) amdt 1.25; [SL2016-20](#) s 141  
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; [SL2016-20](#) s 142, s 143

#### **Rideshare services**

sch 1 pt 1.3A ins [SL2016-20](#) s 144

#### **Hire car services**

sch 1 pt 1.4 hdg am [SL2006-5](#) amdt 1.27  
sub [SL2016-20](#) s 145  
sch 1 pt 1.4 sub [SL2005-4](#) s 13  
am [SL2010-7](#) amdt 1.43; [SL2016-20](#) s 146

#### **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  
om [SL2016-20](#) s 147

#### **Demand responsive services**

sch 1 pt 1.6 ins [SL2006-32](#) s 13  
am [SL2010-7](#) amdt 1.45

## Dictionary

dict

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def **accepted service standard** sub [SL2004-47](#) s 38  
om [SL2016-20](#) s 148

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[SL2016-20](#) s 148

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[SL2016-20](#) s 148

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def **approved taxi network performance standard** om  
SL2005-4 amdt 1.24  
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def **Australian Design Rule** om A2010-18 amdt 3.86

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def **bookable vehicle licensee** ins SL2016-20 s 148

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     sub [SL2016-20](#) s 148  
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     amdt 1.26  
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- def **ITO pilot** ins [SL2012-1](#) s 5  
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- def **ITO pilot period** ins [SL2012-1](#) s 5  
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- def **ITSO approval** ins [SL2016-20](#) s 148
- def **ITSO eligibility criteria** ins [SL2016-20](#) s 148
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- def **leased hire car licence** ins [SL2005-4](#) s 17  
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- def **licence** om [SL2003-32](#) amdt 1.25
- def **light rail driver** ins [A2018-19](#) s 22
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     sub [A2017-4](#) amdt 3.187  
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     s 30  
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### 5 Earlier republishing

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## 5 Earlier republishing

Some earlier republishing were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republishing has been published in electronic pdf format on the ACT legislation register. A selection of authorised republishing have also been published in printed format. These republishing are marked with an asterisk (\*) in column 1. Electronic and printed versions of an authorised republishing are identical.

Republishing No	Amendments to	Republishing 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

Republication No	Amendments to	Republication date
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
47	<a href="#">SL2015-34</a>	30 October 2015
48	<a href="#">A2016-18</a>	27 April 2016

## Endnotes

### 6 Expired transitional or validating provisions

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Republication No	Amendments to	Republication date
49	<a href="#">SL2016-20</a>	1 August 2016
50	<a href="#">A2016-49</a>	24 August 2016
51	<a href="#">SL2016-26</a>	9 September 2016
52	<a href="#">SL2016-26</a>	2 November 2016
53	<a href="#">SL2016-26</a>	2 February 2017
54	<a href="#">A2017-4</a>	9 March 2017
55	<a href="#">SL2017-44</a>	30 April 2018
56	<a href="#">A2018-19</a>	24 May 2018
57	<a href="#">A2018-19</a>	2 August 2018
58	<a href="#">SL2018-16</a>	8 October 2018
59	<a href="#">SL2019-15</a>	15 July 2019
60	<a href="#">A2019-21</a>	22 August 2019
61	<a href="#">A2019-21</a>	18 September 2019
62	<a href="#">A2019-12</a>	1 February 2020

## 6 Expired transitional or validating provisions

This Act may be affected by transitional or validating provisions that have expired. The expiry does not affect any continuing operation of the provisions (see [Legislation Act 2001](#), s 88 (1)).

Expired provisions are removed from the republished law when the expiry takes effect and are listed in the amendment history using the abbreviation ‘exp’ followed by the date of the expiry.

To find the expired provisions see the version of this Act before the expiry took effect. The ACT legislation register has point-in-time versions of this Act.

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