

1990 - No. 671

PASSENGER TRANSPORT ACT 1990 - REGULATION

(Relating to licence fees for taxi-cabs and private hire vehicles and to certain other matters)

NEW SOUTH WALES



[Published in Gazette No. 125 of 12 October 1990]

HIS Excellency the Governor, with the advice of the Executive Council, and in pursuance of the Passenger Transport Act 1990, has been pleased to make the Regulation set forth hereunder.

BRUCE BAIRD
Minister for Transport.

Commencement

1. This Regulation commences on 12 October 1990.

Amendment

2. The Passenger Transport Regulation 1990 is amended:

- (a) by inserting in clause 20 after the word "carry" wherever occurring the words "in or";
- (b) by omitting from clause 21 (c) the words "intoxicating liquor" and by inserting instead the word "alcohol";
- (c) by omitting clause 31;
- (d) by inserting in clause 31A after the words "must not" the words ", while the bus is being driven";
- (e) by omitting from clause 31A (b) the words "while the bus is being driven";

- (f) by omitting clause 31B (a) and by inserting instead the following paragraph:
 - (a) ride on the front or rear platform, step, stairway, roof or other part of a bus not set apart or intended for the conveyance of passengers; or
- (g) by omitting from clause 33 (2) the word "Regulation" and by inserting instead the word "clause";
- (h) by inserting in clause 45 after the word "permission" the word "of";
- (i) by inserting after clause 47 the following clause:

Reduced fees for licences

47A (1) The Director-General, in accordance with section 38 (3) of the Act, may fix a licence fee at less than the current value of the licence on the open market or may decide not to impose a licence fee for the licence in circumstances where, in the opinion of the Director-General, the service concerned would for economic or other reasons be unlikely to be provided if the full licence fee were to be imposed.

(2) Without limiting the generality of subclause (1), circumstances of the kind referred to in that subclause may include the following:

- (a) where the service is to be provided for the benefit of persons who have disabilities;
- (b) where the service is to be provided in a fringe area of a transport district or outside such a district.
- (j) by inserting in clause 50 after the word "taxi-cab" where secondly occurring the words "which is hired or available for hire";
- (k) by omitting from clause 52 (1) the matter "clause 4A of" and by inserting instead the matter "paragraph 4A of Schedule F to";
- (l) by omitting from Part 1 of Schedule 1 the matter relating to clause 31;
- (m) by omitting from the matter relating to clause 35 in Part 2 of Schedule 1 the word "vehicle" and by inserting instead the words "driving seat".

EXPLANATORY NOTE

The object of this Regulation is to amend the Passenger Transport Regulation 1990 so as:

- (a) to make it clear that the obligation of a bus driver to ensure that certain portions of a bus are not occupied applies only while the bus is being driven (clause 2 (d)); and
- (b) to provide that the driver of a public passenger vehicle is to disregard a child under the age of 5 years carried on the lap of a passenger for the purposes of computing fares only, and not (unless specified elsewhere in the Regulation) for any other purposes (clause 2 (g)); and
- (c) to specify the circumstances in which the Director-General of the Department of Transport may fix licence fees for taxi-cabs or private hire vehicles at less than the current value of the licence on the open markets or may decide not to impose a fee for the licence (clause 2 (i)); and
- (d) to make it clear that the requirements that certain information be displayed in taxi-cabs does not apply while the vehicle concerned is not being used as a taxi-cab - that is, while it is not hired or available for hire (clause 2 (j)).

The Regulation makes consequential amendments and other minor amendments by way of law revision.
