

1992—No. 601

PASSENGER TRANSPORT ACT 1990—REGULATION

(Relating to quality standards for public passenger buses and taxi-cabs and other matters)

NEW SOUTH WALES



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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 1st December, 1992.

Amendments

2. The Passenger Transport Regulation 1990 is amended:
 - (a) by omitting from clause 6 (1) the words “An accredited service operator” and by inserting instead the words “A person who carries on a public passenger service by means of a bus or other motor vehicle”;
 - (b) by omitting from clause 6 (2) the words “the Government Insurance Office or”.
 - (c) by inserting in clause 15 (1A) after the word “taxi-cab” the words “or bus”;
 - (d) by inserting after clause 31C (2) the following subclause:
 - (2A) The accredited operator must ensure that there is displayed on a bus, in a conspicuous position on the outside of the rear of the bus and in letters 25 mm high and of proportionate breadth, the number of passengers authorised to be carried on the bus, seating and standing respectively.

- (e) by inserting after clause 63 the following clause:

Child restraint anchorage bolts in taxi-cabs

63A. A person who carries on a public passenger service by means of a taxi-cab must ensure that the taxi-cab is fitted with a child restraint anchorage bolt that complies with Australian Design Rules as in force at the commencement of this clause and that the bolt is so fitted that a child restraint can be attached to it easily and securely.

- (f) by omitting clause 66B and by inserting instead the following clause:

Non-compliance notices

66B. (1) An authorised officer, or a person carrying out an inspection of a public passenger vehicle under section 42 of the Act, may affix a notice (a “non-compliance notice”) to the vehicle if it appears to the authorised officer or other person that the vehicle does not comply with clause 66A.

(2) The notice is to specify:

- (a) the action necessary to be taken in order for the vehicle to comply with the relevant requirements; and
- (b) an expiry date—that is, a date after which the vehicle must not be used to provide a public passenger service unless the notice has been removed by an authorised officer.

(3) An authorised officer, being satisfied on inspection of the vehicle that the necessary action specified in the notice has been taken, may remove a non-compliance notice affixed to a public passenger vehicle.

(4) A person who is not an authorised officer must not remove a non-compliance notice from a public passenger vehicle to which it is affixed.

Maximum penalty: 5 penalty units.

(5) A person must not drive a vehicle for the purpose of providing a public passenger service, or allow a vehicle to be driven for that purpose, knowing that:

- (a) it is being driven after the expiry date of a non-compliance notice that remains affixed to it; or
- (b) a non-compliance notice has been removed from the vehicle by a person other than an authorised officer.

Maximum penalty: 5 penalty units.

- (g) by omitting from clause 70 the word “address” and by inserting instead the words “residential, address or name”;

- (h) by inserting in the matter relating to clause 15 (1A) in Part 2 of Schedule 1 after the word “taxi-cab” the words “or bus”
- (i) by inserting in Part 2 of Schedule 1 in appropriate order under the headings *Offence* and *Penalty*, respectively, the following matter:
Clause 31C (4) Fail to display passenger capacity..... 100

EXPLANATORY NOTE

The object of this Regulation is to amend the Passenger Transport Regulation 1990 so as to make provision with respect to the following:

- (a) to require that the authorised passenger carrying capacity of a public passenger bus be displayed on the outside of the bus; and
- (b) to make it clear that a public passenger bus must not only be clean and tidy, but also its exterior, interior and all fittings must be undamaged and in good repair, and to provide for the issue of penalty notices for an offence occasioned by not complying with this requirement; and
- (c) to modify the operation of non-compliance notices for public passenger vehicles (i.e. notices issued where a vehicle fails to comply with the requirements of the Regulation), so that a vehicle may in certain cases be driven for a limited period while adjustments necessary for compliance with the Regulation are being made; and
- (d) to require all taxi drivers to notify the Director-General of the Department of Transport of any change of name or residential address.

The Regulation also omits an obsolete reference to the Government Insurance Office.
