



New South Wales

Passenger Transport (Taxi-cab Services) Amendment Regulation 1998

under the
Passenger Transport Act 1990

His Excellency the Governor, with the advice of the Executive Council, has made the following Regulation under the *Passenger Transport Act 1990*.

CARL SCULLY, M.P.,
Minister for Transport

Explanatory note

The objects of this Regulation are as follows:

- (a) to require certain taxi-cabs to be fitted with security screens (Schedule 1 [1]),
- (b) to provide that the holder of a taxi-cab network authority must ensure that a specified number of taxi-cabs using the network's booking service during certain hours are capable of being fitted with and carry certain child restraints (Schedule 1 [2]).
- (c) to change (from 1 July 1998 to 1 July 1999) the date by which taxi-cabs are to be painted in their radio network colours (Schedule 1 [3]).
- (d) to create offences in relation to the use of advertisements within or on the outside of taxi-cabs without the approval of the Director-General and to provide for the issue of penalty notices in respect of the offences (Schedule 1 [4] and [6]).

1998 No 335

Passenger Transport (Taxi-cab Services) Amendment Regulation 1998

Explanatory note

- (e) to increase (from \$20 to \$100) the fee for an application for an authority as a taxi-cab driver under the *Passenger Transport Act 1990* and to prescribe the fee for the renewal of any such authority (the \$100 fee for an application for accreditation as an operator is not changed) (Schedule 1 [5]).

This Regulation adopts the standards for certain child restraints specified in the Australian/New Zealand Standard *Child restraint systems for use in motor vehicles* numbered AS/NZS 1754:1995.

This Regulation is made under the *passenger Transport Act 1990*, including sections 11A (Issue and renewal of authority), 41 (Taxi-cab networks) and 63 (the general regulation-making power).

Passenger Transport (Taxi-cab Services) Amendment Regulation 1998

1 Name of Regulation

This Regulation is the *Passenger Transport (Taxi-cab Services) Amendment Regulation 1998*.

2 Commencement

This Regulation commences on 1 July 1998.

3 Amendment of Passenger Transport (Taxi-cab Services) Regulation 1995

The *Passenger Transport (Taxi-cab Services) Regulation 1995* is amended as set out in Schedule 1.

4 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 3)

[1] Clause 7B

Omit the clause. Insert instead:

7B Security screens

- (1) This clause commences:
 - (a) in relation to taxi-cabs operating within the Metropolitan transport district, on 31 July 1998, and
 - (b) in relation to taxi-cabs operating within:
 - (i) the Newcastle or Wollongong transport district, or
 - (ii) the Gosford or Wyong local government area,on 31 January 1999.
- (2) The operator of a taxi-cab must ensure that the taxi-cab is fitted with an approved driver protection screen.
Maximum penalty: 10 penalty units.
- (3) In this clause, ***approved driver protection screen*** means a screen that protects the driver of a taxi-cab from attack by other persons in the taxi-cab, being a screen that complies with the requirements established for the time being by the Director-General by order published in the Gazette.

[2] Clause 10A

Insert after clause 10:

10A Certain child restraints to be carried in taxi-cabs

- (1) This clause commences on 31 July 1998.
- (2) For the purposes of section 41 (5) of the Act, subclause (3) is prescribed as a condition to which a taxi-cab network authority is subject.

(3) The holder of a taxi-cab network authority must ensure that between the hours of 8 am and 6 pm on any day that is not a Saturday or Sunday:

- (a) in the case of a taxi-cab network that has less than 10 taxi-cabs using its booking service during those hours—at least one of the taxi-cabs, or
- (b) in the case of a taxi-cab network that has 10 or more taxi-cabs using its booking service during those hours—at least one taxi-cab out of every 10 taxi-cabs using the service during those hours (disregarding any number less than 10),
is capable of being fitted with and carries a child restraint.

Maximum penalty: 200 penalty units.

(4) In this clause:

child restraint means a child restraint that complies with the requirements of the Australian/New Zealand Standard entitled *Child restraint systems for use in motor vehicles* and numbered AS/NZS 1754:1995, as published in 1995 by Standards Australia and Standards New Zealand, for both a Type A1 and a Type B child restraint.

taxi-cab network authority has the same meaning as in section 41 of the Act.

[3] Clause 11A Network decals and livery

Omit “1 July 1998” from clause 11A (1) (b).
Insert instead “1 July 1999”.

[4] Clause 11B

Insert after clause 11A

11B Advertisements within or on outside of taxi-cabs

(1) The operator of a taxi-cab must not display, affix or install, or permit a person to display, affix or install, any advertisement within or on the outside of the taxi-cab unless the advertisement has been approved by the Director-General.

Maximum penalty: 5 penalty units.

(2) The driver of a taxi-cab must not display, affix or install, or permit a person to display, affix or install, any advertisement within or on the outside of the taxi-cab unless the advertisement has been approved by the Director-General.

Maximum penalty: 5 penalty units.

[5] Clause 58

Omit the clause. Insert instead:

58 Fees

(1) For the purposes of section 11A (1) of the Act, the prescribed fee for the renewal of an authority to drive a taxi-cab is \$45.

(2) For the purposes of section 15 of the Act, the prescribed fee for consideration of an application is \$100.

[6] Schedule 1 Penalty notice offences

Insert in Part 2 after the matter relating to clause 11 (7):

Clause 11B (1)	taxi operator displays/affixes/ installs advertisement/permits display/affixing/installation of advertisement	\$150
Clause 11B (2)	taxi driver displays/affixes/ installs advertisement/permits display/affixing/installation of advertisement	\$150