



New South Wales

Passenger Transport (Taxi-cab Services) Amendment (Multiple Hiring) Regulation 1999

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
Minister for Transport

Explanatory note

The object of this Regulation is to provide for the multiple hiring of taxi-cabs in New South Wales. A distinction is made between multiple hiring and the current practice of sharing taxi-cabs, and it is made clear that the latter practice may continue.

This Regulation also:

- (a) amends the definition of *authorised fare* in the *Passenger Transport (Taxi-cab Services) Regulation 1995* (the **principal Regulation**) in consequence of the insertion in the *Passenger Transport Act 1990* of section 34A (which enables the Director-General of the Department of Transport to determine fares or approve other arrangements for remuneration in connection with taxi-cab or private hire vehicle services), and
- (b) prescribes an offence under clause 11A (Network decals and livery) of the principal Regulation as an offence in respect of which penalty notices ("on-the-spot fines") may be issued, and
- (c) makes consequential amendments.

This Regulation is made under the *Passenger Transport Act 1990* and, in particular, under sections 59 (Penalty notices for certain offences) and 63 (the general regulation-making power).

Passenger Transport (Taxi-cab Services) Amendment (Multiple Hiring) Regulation 1999

1 Name of Regulation

This Regulation is the *Passenger Transport (Taxi-cab Services) Amendment (Multiple Hiring) Regulation 1999*.

2 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.

3 Notes

The explanatory note does not form part of this Regulation.

Schedule 1 Amendments

(Clause 2)

[1] Clause 3 Definitions

Omit the definition of *authorised fare*. Insert instead:

authorised fare, in relation to the hiring of a taxi-cab, means:

- (a) if the hiring is not a multiple hiring, the amount chargeable for the hiring in accordance with:
 - (i) the fare determined (or the arrangement for remuneration approved) by the Director-General under section 34A of the Act, or
 - (ii) if no such fare or arrangement is determined or approved—the conditions of the licence for the taxi-cab, and
- (b) if the hiring is a multiple hiring—75% of the amount referred to in paragraph (a).

[2] Clause 3, definition of “hirer”

Omit “, and includes any other passenger accompanying the hirer”.

[3] Clause 3

Insert in alphabetical order:

multiple hiring, in relation to a taxi-cab, means a hiring under clause 38B (1).

[4] Clause 37 Termination of hiring by driver

Omit “the hirer” wherever occurring in clause 37 (1) (b) and (c). Insert instead “a passenger”.

[5] Clauses 38A and 38B

Insert after clause 38:

38A Sharing of taxi-cabs

- (1) At the commencement of (or during) a hiring of a taxi-cab, the hirer may require the driver:
 - (a) to permit other persons to share the taxi-cab with the hirer, and
 - (b) to drive one or more of the other persons to a destination other than the hirer's destination before driving the hirer to his or her destination.
- (2) The driver of the taxi-cab must comply with any such requirement.
Maximum penalty: 5 penalty units.
- (3) The driver of a shared taxi-cab must not demand payment from any passenger other than the hirer.
Maximum penalty: 5 penalty units.

38B Multiple hiring of taxi-cabs

- (1) The driver of a taxi-cab may accept separate hirings from 2 or more persons concurrently if:
 - (a) all of the hirers commence the hiring of the taxi-cab at the same time, and
 - (b) each of the hirers agrees that the driver may accept the other hirings. and
 - (c) all of the hirers are travelling to destinations in the same general locality or the same general direction.
- (2) A driver of a taxi-cab must not accept separate hirings from 2 or more persons concurrently otherwise than in accordance with subclause (1).
Maximum penalty: 5 penalty units

[6] Clause 39 Operation of meter by taxi-cab driver

Omit clause 39 (1) (d) and (e). Insert instead:

- (d) during any hiring, must stop the taxi-meter for as long as may be necessary to prevent it from registering a charge during any period during which:
 - (i) a hirer in a multiple hire is paying the authorised fare for his or her hire and getting out of the taxi-cab, or
 - (ii) the taxi-cab is delayed for a reason mentioned in clause 40 (5), and
- (e) on the termination of any hiring (other than a hiring that is not the last hiring in a multiple hiring), must operate the taxi-meter so that the fare indicators return to zero.

[7] Clause 40 (4)

Omit the subclause.

[8] Schedule 1 Penalty notice offences

Insert in numerical order in Part 2:

Clause 11A	taxi operator not ensure taxi-cab painted in network colours	\$ 150
Clause 38A (2)	not comply with hirer's request concerning passengers	\$150
Clause 38A (3)	unauthorised demand for payment from passenger in shared cab	\$150
Clause 38B (2)	unauthorised multiple hiring	\$150

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Schedule 1 Amendments

[9] Schedule 1, Part 2

Omit the matter relating to clause 38 (a) from Column 2.
Insert instead "extra person in taxi without hirer's consent".

[10] Schedule 1, Part 2

Omit the matter relating to clause 40 (4).