



# Passenger Transport (Taxi-cab Services) Amendment (Miscellaneous Amendments) Regulation 2004\*

under the

Passenger Transport Act 1990

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

MICHAEL COSTA, M.L.C.,  
Minister for Transport Services

## Explanatory note

The object of this Regulation is to amend the *Passenger Transport (Taxi-cab Services) Regulation 2001*:

- (a) to include appropriately qualified members of the National Institute of Accountants in the definition of *qualified accountant* for the purposes of the Regulation, and
- (b) to prescribe further seating requirements as part of the accommodation standard for taxi-cabs, and
- (c) to modify a requirement to display registration details on taxi-cabs licensed to operate within the Metropolitan transport district, to extend the requirement to operators of taxi-cabs licensed to operate outside that district, and to extend the date by which the requirement must be complied with to 1 April 2004, and
- (d) to require operators of taxi-cabs to record the driver licence number of each person who drives them, and
- (e) to require applicants for an authorisation to drive taxi-cabs to have held an unrestricted Australian driver licence for a total of at least 12 months in the preceding 2 years and to have passed an examination in the taxi-cab driver training course that applicants are currently required to complete under the Regulation, and

**\*Note. Published in error. Now see GG No 51 of 5 March 2004, p 1017 (Extract 2004 No 98).**

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Explanatory note

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- (f) to require taxi-cab drivers to record certain additional information on their worksheets when beginning and ending a driving shift, and
- (g) to remove a requirement for 3 yearly medical checks for taxi-cab drivers under 60 years of age, and
- (h) to remove an anomalous provision (relating to the proper operation of taxi-meters by taxi-cab drivers) and to correct certain references, and
- (i) to make it an offence (carrying a maximum penalty of 50 penalty units, that is, \$5,500) for a taxi-cab driver:
  - (i) to ply or stand a taxi-cab for hire outside the area within which the taxi-cab is authorised to ply for hire, or
  - (ii) to use a taxi-cab to carry out a pre-booked hiring to convey a passenger from a place outside that area unless to a place inside that area,and to prescribe the offence as a penalty notice offence.

This Regulation is made under the *Passenger Transport Act 1990*, including sections 59 and 63 (the general regulation-making power).

## **Passenger Transport (Taxi-cab Services) Amendment (Miscellaneous Amendments) Regulation 2004**

under the

Passenger Transport Act 1990

### **1 Name of Regulation**

This Regulation is the *Passenger Transport (Taxi-cab Services) Amendment (Miscellaneous Amendments) Regulation 2004*.

### **2 Amendment of Passenger Transport (Taxi-cab Services) Regulation 2001**

The *Passenger Transport (Taxi-cab Services) Regulation 2001* is amended as set out in Schedule 1.

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Schedule 1 Amendments

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**Schedule 1 Amendments**

(Clause 2)

**[1] The whole Regulation**

Omit “area of operations” wherever occurring.

Insert instead “area of operation”.

**[2] Clause 3 Definitions**

Omit “either of the following” from the definition of *qualified accountant*.

**[3] Clause 3, definition of “qualified accountant”**

Insert at the end of paragraph (b):

, or

- (c) a member of the National Institute of Accountants who holds a Public Practice Certificate issued by that Institute.

**[4] Clause 3, definition of “vehicle tracking device” and clause 50 (a)**

Omit “belongs” wherever occurring. Insert instead “is connected”.

**[5] Clause 9 Accommodation standard for taxi-cabs**

Omit clause 9 (4). Insert instead:

- (4) Subclauses (2) and (3) do not apply to a maxi-cab or wheelchair accessible taxi-cab.

**[6] Clause 9 (10)–(12)**

Insert after clause 9 (9):

- (10) A station-wagon that is used as a wheelchair accessible taxi-cab must not have any side-facing seat (whether fixed or folding) in the part of the station-wagon that is designed or intended for the conveyance of wheelchairs.
- (11) A taxi-cab (other than a station-wagon) that is required by a condition of its licence to be wheelchair accessible must not have any seat (other than a folding seat) installed in the part of the taxi-cab that is designed or intended for the conveyance of wheelchairs.

(12) In this clause:

*station-wagon* includes a station-wagon that has been modified.

**[7] Clause 22 Taxi-cabs to display registration details**

Omit “that is authorised by its licence to ply for hire within the Metropolitan transport district must ensure that, on and from 1 January 2002” from clause 22 (1).

Insert instead “must ensure that, on and from 1 April 2004”.

**[8] Clause 22 (2) (a)**

Insert “the upper half of” after “on”.

**[9] Clause 30 Records of drivers**

Insert after clause 30 (2) (c):

(d) the person’s driver licence number for the licence referred to in subclause (1) (b).

**[10] Clause 33 Criteria for authorisation to drive taxi-cabs**

Insert after clause 33 (2) (b):

(b1) must have held for a total of at least 12 months in the 2 years immediately preceding the date of the application, an Australian driver licence, and

**[11] Clause 33 (2) (d) (ia)**

Insert after clause 33 (2) (d) (i):

(ia) such part or parts of the taxi-cab driver training course referred to in paragraph (c) as may be required by the Director-General (or must have such competence as a driver of a taxi-cab as the Director-General considers appropriate),

**[12] Clause 33 (3)**

Insert in alphabetical order:

*Australian driver licence* means:

(a) a driver licence, or

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- (b) a licence issued under a law in force in a State or internal Territory authorising the holder to drive a motor vehicle on a road or road related area, excluding a conditional licence (other than a conditional licence the sole condition of which is that the holder must wear corrective lenses at all times while driving), probationary licence, provisional licence, restricted licence and driver licence receipt.

**[13] Clause 38 Drivers' worksheets**

Omit clause 38 (1) (a). Insert instead:

- (a) when beginning a driving shift:
  - (i) the driver's name, driver licence number and driver's authority card number, the registration number of the taxi-cab and the name of the taxi-cab network to which the taxi-cab is connected, and
  - (ii) the date and time the shift began and the odometer reading at that time, and
  - (iii) a notation that the driver has checked to see whether or not any security camera system fitted to the taxi-cab is operating, if that is the case, and

**[14] Clause 38 (1) (d) (ii)**

Insert "and the odometer reading at that time" after "ended".

**[15] Clause 44 Medical condition of driver**

Omit clause 44 (1) (but not the penalty). Insert instead:

- (1) On attaining the age of 60 years and from then on at intervals of 12 months, the driver of a taxi-cab must, at the driver's own expense, furnish the Director-General with a certificate from a medical practitioner containing the medical practitioner's assessment, in accordance with any requirements of the Director-General, of the driver's medical condition.

**[16] Clause 69 Operation of meter by taxi-cab driver**

Omit clause 69 (4).

**[17] Clause 69A**

Insert after clause 69:

**69A Hirings outside area of operation**

The driver of a taxi-cab must not:

- (a) ply or stand the taxi-cab for hire outside its area of operation, or
- (b) use the taxi-cab to carry out a pre-booked hiring to convey a passenger from a place outside the taxi-cab's area of operation unless to a place inside that area.

Maximum penalty: 50 penalty units.

**[18] Schedule 2 Penalty notice offences**

Insert in appropriate order in Part 2, in Columns 1 and 2, respectively:

Clause 69A (a)	\$500
Clause 69A (b)	\$500