



New South Wales

Passenger Transport Amendment (Taxi Fare Pre-payment Trial) Regulation 2011

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*.

GLADYS BEREJIKLIAN, MP
Minister for Transport

Explanatory note

The objects of this Regulation are to amend the *Passenger Transport Regulation 2007* as follows:

- (a) to provide for a trial for 12 months of a taxi fare pre-payment scheme for taxi-cabs for which a booking service is provided by Central Coast Taxis,
- (b) to provide for offences, and penalty notices for offences, relating to payment of fares and deposits and the provision of information under that scheme.

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

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Clause 1 Passenger Transport Amendment (Taxi Fare Pre-payment Trial) Regulation
2011

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Pre-payment Trial) Regulation 2011**

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1 Name of Regulation

This Regulation is the *Passenger Transport Amendment (Taxi Fare Pre-payment Trial) Regulation 2011*.

2 Commencement

This Regulation commences on 28 November 2011 and is required to be published on the NSW legislation website.

Schedule 1 Amendment of Passenger Transport Regulation 2007

[1] Clause 118 Information in taxi-cabs

Insert after clause 118 (2):

- (2A) Information about the Central Coast pre-payment trial (as referred to in clause 163A) must also be displayed in a taxi-cab to which that clause applies while that trial is in force.

[2] Clause 146 Driver of taxi-cab to accept hiring

Insert at the end of clause 146 (2) (h):

, or

- (i) if the intending passenger, on request, refuses to pay the deposit in accordance with clause 163A.

[3] Clause 161 Operation of meter by taxi-cab driver

Insert “(other than a deposit paid under clause 163A)” after “payment” in clause 161 (3).

[4] Clause 163A

Insert after clause 163:

163A Central Coast pre-payment trial

- (1) This clause applies to taxi-cabs for which Combined District Radio Cabs Pty Ltd (*Central Coast Taxis*) provides a booking service.
- (2) The driver of a taxi-cab may, before a hiring starts or at any time during a hiring, require the hirer to pay a deposit of not more than an amount equal to the driver’s reasonable estimate of the authorised fare for the proposed journey or the agreed fare (if agreed in accordance with clause 163 (1)).
- (3) A driver who receives payment of a deposit or an agreed fare under this clause must give the hirer a receipt, in the form approved by the Director-General, for the deposit.
Maximum penalty: 5 penalty units.
- (4) A driver who receives payment of a deposit based on an estimate of the authorised fare under this clause must, on the termination of the hiring (or on the hirer leaving the taxi-cab in compliance

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with a direction to do so), refund to the hirer any amount by which the deposit exceeds the authorised fare for the journey.

Maximum penalty: 10 penalty units.

- (5) After the termination of a hiring (or on leaving the taxi-cab in compliance with a direction to do so), a hirer who paid a deposit based on an estimate of the authorised fare under this clause must pay to the driver of the taxi-cab the amount (if any) by which the authorised fare for the hiring exceeds the deposit.

Maximum penalty: 10 penalty units.

- (6) A driver of a taxi-cab must not require a deposit or an agreed fare to be paid before or during a hiring if the hirer informs the driver that payment of the fare is to be made partly by a voucher under the Taxi Transport Subsidy Scheme.

Maximum penalty: 10 penalty units.

- (7) The operator of a taxi-cab must ensure that the taxi-cab is provided with a taxi-cab fare estimator of a kind approved for the purposes of this clause by the Director-General.

Maximum penalty: 5 penalty units.

- (8) A driver of a taxi-cab must, at the request of the hirer, show the hirer the taxi-cab fare estimator provided in accordance with subsection (7).

Maximum penalty: 5 penalty units.

- (9) Clause 163 (2) does not apply if a deposit is paid under this clause.

- (10) Central Coast Taxis or the operator of a taxi-cab must furnish to the Director-General such information as the Director-General may reasonably require for the purpose of monitoring or assessing the pre-payment trial established by this clause.

Maximum penalty: 5 penalty units.

- (11) This clause (other than subclause (10)) ceases to have effect on the first anniversary of the commencement of this clause.

[5] Schedule 3 Penalty notice offences

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

Clause 163A (3)	\$100
Clause 163A (4)	\$200
Clause 163A (5)	\$300

Clause 163A (6)	\$200
Clause 163A (7)	\$100
Clause 163A (8)	\$100
Clause 163A (10)	\$100