

Point to Point Transport (Fares) Order 2023

under the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*

I, Howard Collins, Secretary of the Department of Transport, for and on behalf of Transport for NSW, pursuant to section 76 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*, hereby determine that:

- (a) the maximum fares payable by hirers in respect of taxi services hired at a rank or hailed on any road or road related area in New South Wales, and
- (b) the maximum amount of a non-cash payment surcharge payable by hirers in respect of passenger services provided by a taxi in New South Wales,

shall be as set out hereunder.

1. Interpretation

Terms used, other than those defined hereunder, have the same meaning as they do in the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*.

'Country Area' means that part of New South Wales other than an Urban Area and an Exempt Area.

'Distance Rate' means a fixed amount payable per kilometre when the vehicle is travelling at or more than 26 kilometres per hour.

'Exempt Area' means the townships of Moama, Barham, Tocumwal, Mulwala, Barooga and Deniliquin.

'Hiring Charge' means the flag fall (or fixed charge) payable for the hiring of a taxi and payable at all times.

'Holiday Distance Rate' means a fixed amount payable per kilometre in respect of a journey commencing between 6am and 10pm on a Sunday or Public Holiday.

'Maxi-cab' means a taxi that has seating accommodation for 5 or more persons in addition to the driver.

'Multiple hiring' means an amount payable from each hirer to the driver of a taxi if the driver has accepted separate hirings from 2 or more persons concurrently and:

- (a) all of the hirers commence the hiring of the taxi 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.

Note: A driver of a taxi must not accept separate hirings from 2 or more persons concurrently otherwise than in accordance with this definition.

'Night Distance Rate' means a fixed amount payable per kilometre, calculated by applying the night-time surcharge of 20% of the Distance Rate, when the vehicle is travelling at or more than 26 kilometres per hour in respect of a journey commencing between 10pm and 6am.

'Passenger Service Levy' means the levy payable by providers of passenger services as set out at schedule 4 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* and schedule 3 of the *Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017*.

'Peak Time Hiring Charge' means a fixed surcharge, payable in addition to the Hiring Charge, for the hiring of a taxi that commences, or is provided in an Urban Area in respect of a journey commencing between 10pm on a Friday, Saturday or day before a Public Holiday and 6am on the next day.

'Public Holiday' means a day specified in section 4 of the *Public Holidays Act 2010*, any day specified by the Minister administering that Act as an additional public holiday in accordance with section 5 of that Act, or any day specified by the Minister administering that Act as a substituted day in accordance with section 6 of that Act.

'Taxi service' means a passenger service where the transport is by a motor vehicle that plies or stands for hire on a road or road related area.

'Taxi Transport Subsidy Scheme' means the scheme administered by Transport for NSW for eligible NSW residents who are unable to use public transport because of a disability.

'Tolls' mean all road, bridge, ferry, tunnel and airport tolls and charges that apply to a journey.

'Urban Area' means those parts of New South Wales specified in clause 2(g).

'Waiting Time' means a fixed amount payable per minute, while vehicle speed is less than 26 km/h.

Notes in the text of this Fares Order do not form part of the Fares Order.

2. Maximum fares and other arrangements payable in respect of a taxi service

This clause sets out the maximum fares and other arrangements payable only in respect of a taxi service that is hired at a rank or hailed on any road or road related area in New South Wales. The maximum fares specified in this clause do not apply to a passenger service that has been booked.

a) Maximum Fares in an Urban Area

The maximum fares and other arrangements payable in relation to a taxi service that commences, or is provided, in an Urban Area are as set out in this clause.

Hiring Charge:	\$3.60
Peak Time Hiring Charge:	\$2.50
Distance Rate:	\$2.29 per kilometre
Night Distance Rate:	\$2.73 per kilometre
Waiting Time:	94.4 cents per minute (\$56.68 per hour)

b) Maximum Fares in a Country Area

The maximum fares and other arrangements payable in relation to a taxi service that commences, or is provided, in a Country Area are as set out in this clause.

Hiring Charge:	\$4.10
Distance Rate:	\$2.36 per kilometre for the first 12 kilometres and \$3.23 per kilometre thereafter
Night Distance Rate:	\$2.81 per kilometre for the first 12 kilometres and \$3.85 per kilometre thereafter
Holiday Distance Rate:	\$2.81 per kilometre for the first 12 kilometres and \$3.85 per kilometre thereafter
Waiting Time:	96.0 cents per minute (\$57.65 per hour)

c) Tolls

Tolls are payable in addition to the fare in relation to a taxi service that commences, or is provided in either an Urban Area or a Country Area, if the taxi incurs a toll during the hiring.

Note: A toll is no longer payable for a northbound journey across the Sydney Harbour Bridge or a northbound journey through the Sydney Harbour Tunnel. A return toll will not be payable by the hirer to the taxi driver unless the toll is incurred on the relevant journey for which the fare is payable.

d) Maxi-cabs

An amount of up to 150% of the fare and other arrangements payable in accordance with this clause may be demanded by the driver of a maxi-cab if a maxi-cab is providing a taxi service that commences, or is provided in, an Urban Area or a Country Area and there are 5 or more passengers.

e) Multiple Hirings

An amount of 75% of the fare and other arrangements payable in accordance with this clause may be demanded by the driver from each hirer of a taxi service that is a multiple hiring.

f) Cleaning Fee

If, during the course of a taxi service, a passenger soils a taxi in such a manner that the taxi is no longer clean and tidy and the taxi could not reasonably be expected to be used to provide a passenger service before being cleaned, the driver is entitled to collect, and the hirer must pay, a cleaning fee that may not exceed \$120.00 (plus GST).

g) Urban Area

For the purpose of this clause the Urban Area includes:

- i. Metropolitan Transport District,
- ii. Newcastle Transport District,
- iii. Wollongong Transport District,
- iv. Blue Mountains Local Government Area,
- v. Central Coast Local Government Area,

vi. Shellharbour Local Government Area,

vii. The townships of Cams Wharf, Fern Bay, Minmi, Toronto, Williamtown, Medowie, Campvale, Ferodale, Raymond Terrace, Fassifern, Hexham, Maitland, Beresfield, Fullerton Cove, Tomago, Camden, Picton, Thirlmere, Tahmoor and Bargo.

h) Exempt Areas not included

Clause 2 does not apply to a taxi licensed to operate in an Exempt Area.

Note: Taxis licensed to operate in an Exempt Area are still subject to clause 4 (non-cash payment surcharges).

3. Amount payable in respect of the Passenger Service Levy

The Passenger Service Levy of \$1.32 (inclusive of GST) may be added to the fare for a taxi service for which the levy is payable.

4. Maximum amount payable for a non-cash payment surcharge

The maximum amount of a non-cash payment surcharge payable for a passenger service provided by a taxi is 5% inclusive of GST.

For the purposes of this section, a passenger service provided by a taxi includes a service that is hired at a rank or hailed on a road or road related area as well as a booked service provided in a motor vehicle that is a taxi.

a) Rounding rules

The following rounding rule applies when determining the amount of a non-cash payment surcharge: round down to the nearest whole cent below half a cent; round up to the nearest whole cent from half a cent.

Note: Under section 77 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016*, a non-cash payment surcharge means a fee or charge (however calculated):

- i. added to the amount otherwise payable by a hirer of a taxi or hire vehicle because the amount payable for the hire is paid wholly or partly by the use of a debit, credit, pre-paid or charge card, or
- ii. payable by all or any of the owner or driver of, or holder of a taxi licence for, a taxi or hire vehicle or the provider of a service using a taxi or hire vehicle because an amount payable for the hire of the taxi or hire vehicle is paid wholly or partly by the use of a debit, credit, pre-paid or charge card.

Note: the non-cash payment surcharge operates as a cap on all surcharges that may be applied because the amount payable in respect of the taxi hire is paid by debit, credit, pre-paid or charge card. For example, if the amount payable in respect of the hire is \$100, then the maximum (and only) non-cash payment surcharge is \$5.

5. Commencement

This determination takes effect on and from 1 July 2023.

6. Revocation of Previous Determinations

All previous Determinations made under section 76 of the *Point to Point Transport (Taxis and Hire Vehicles) Act 2016* are revoked.



Howard Collins
A/Secretary

DATED: 1st June 2023