

# Passenger Transport (Bus Services) Regulation 2000

[2000-531]



New South Wales

## Status Information

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### Authorisation

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# Passenger Transport (Bus Services) Regulation 2000



New South Wales

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# Passenger Transport (Bus Services) Regulation 2000



New South Wales

## Part 1 Preliminary

### 1 Name of Regulation

This Regulation is the *Passenger Transport (Bus Services) Regulation 2000*.

### 2 Commencement

This Regulation commences on 1 September 2000.

**Note—**

This Regulation replaces the *Passenger Transport (Bus Services) Regulation 1995* which is repealed on 1 September 2000 under section 10 (2) of the *Subordinate Legislation Act 1989*.

### 3 Application

This Regulation applies to the conduct of all bus services.

### 4 Definitions

In this Regulation:

**assistance animal** means an animal referred to in section 9 (Disability discrimination—guide dogs, hearing assistance dogs and trained animals) of the *Disability Discrimination Act 1992* of the Commonwealth.

**authority** means an authority issued under Division 2 of Part 2 of the Act.

**bus service** means a public passenger service provided by bus.

**bus stop** means a bus stop appointed under clause 51.

**concession ticket** means a ticket issued free or at a reduced fare.

**disability** has the same meaning as it has in the *Disability Discrimination Act 1992* of the Commonwealth.

**drive** a bus includes cause or allow the bus to stand.

**driver's authority card** means an authority card issued under clause 50.

**operator** means:

- (a) in relation to a bus service, the person who is accredited under Division 1 of Part 2 of the Act to operate the service, and
- (b) in relation to a bus, the person who is accredited under Division 1 of Part 2 of the Act to operate the bus service to which the bus belongs.

**smoke** includes be in possession of a lighted cigarette, pipe or similar article.

**the Act** means the [Passenger Transport Act 1990](#).

**ticket** means anything issued by or on behalf of the operator of a bus service for the purpose of authorising a person to travel in a bus belonging to the service.

**valid ticket**—see clause 23.

## 5 Notes

The explanatory note, table of contents and notes in the text of this Regulation do not form part of this Regulation.

## Part 2 Operation of bus services

### Division 1 Bus operators

#### 6 Buses to show accreditation details

- (1) The operator of a bus service must ensure that each bus used in the service displays, in accordance with this clause, the information required by this clause.

Maximum penalty: 10 penalty units.

- (2) The bus must display the following information:
  - (a) the name under which the accreditation for the bus service in which the bus is normally used is held,
  - (b) the accreditation number allocated by the Director-General to the operator in respect of that bus service,
  - (c) the location of the depot at which the bus is normally based.
- (3) The information must be displayed as follows:
  - (a) on the front nearside or offside panel of the bus,
  - (b) as far forward as possible (forward of the wheel arch, if possible),

(c) in block letters at least 50 millimetres high,

(d) in such a manner as to be clearly readable from a distance of 5 metres.

## **7 Equipment and condition of buses**

- (1) The operator of a bus service must ensure that each bus used in the service is fitted with a device suitable for holding the driver's authority card in such a manner as to enable the driver to display the card as required by clause 13 (1).

Maximum penalty: 5 penalty units.

- (2) The operator of a bus service must not allow a bus to be used in the service unless the bus is clean and tidy.

Maximum penalty: 10 penalty units.

## **8 Timetables**

- (1) The operator of a long-distance bus service must ensure that the timetable for the service can reasonably be met without any need for buses to break any relevant speed limits.

- (2) The operator of a long-distance bus service must, on request by the Director-General, provide a copy of the timetable for the service so that the timetable may be checked to ensure that it complies with this clause.

Maximum penalty: 10 penalty units.

## **9 School bus services**

For the purposes of section 18 (5) of the Act, the holder of a non-commercial contract for school bus services is entitled to a contract for a 5 year period, so long as the Director-General is satisfied that:

- (a) the holder's performance under the contract is satisfactory, and
- (b) the contract price is fixed at no more than the average rate of remuneration for comparable services in New South Wales.

## **10 Driving of buses**

- (1) The operator of a bus must not permit a person to drive the bus unless satisfied that the person is the holder of:

(a) an appropriate authority, and

(b) an appropriate licence under the *Road Transport (Driver Licensing) Act 1998*.

- (2) The operator of a bus must keep a written record of the following particulars for each

person who drives the bus:

- (a) the person's full name and residential address,
- (b) the dates and times during which the bus was driven by the person.

Maximum penalty: 10 penalty units.

### **11 Records in relation to the operation of a bus service**

(1) A person who is or has been the operator of a bus service:

- (a) must keep in the English language any record required to be kept by the person under the Act or this Regulation, and
- (b) must retain the record for a period of not less than 2 years after the date of the last entry in it, and
- (c) must, on demand by an authorised officer, produce the record for inspection, and
- (d) must, if required by the Director-General in writing to do so, deliver the record to the Director-General when required.

Maximum penalty: 10 penalty units.

(2) Subclause (1) (a) does not prevent a person from keeping a record referred to in that paragraph in a language other than English if the record is also kept in the English language.

### **12 Third party property insurance**

(1) The operator of a bus must (unless otherwise advised by written notice of the Director-General) maintain a policy of insurance issued by an authorised insurer providing cover of at least \$200,000 against liability in respect of damage to property caused by or arising out of the use of the bus.

Maximum penalty: 10 penalty units.

(2) In this clause, **authorised insurer** means a corporation authorised under the [Insurance Act 1973](#) of the Commonwealth to carry on insurance business.

## **Division 2 Bus drivers**

### **13 Driver to display driver's authority card**

(1) The driver of a bus must not drive the bus unless the appropriate driver's authority card:

- (a) is contained in a holder firmly affixed to the interior of the bus, and



(b) is displayed so that its face can be easily seen by any passenger in the bus.

Maximum penalty: 5 penalty units.

(2) The driver of a bus must not fail to produce the appropriate driver's authority card for inspection by an authorised officer on demand made by the officer.

Maximum penalty: 5 penalty units.

#### **14 Conveyance of passengers**

(1) Subject to this clause, the driver of a bus:

(a) must stop the bus and set down any passenger who indicates to the driver that the passenger wishes to leave the bus, and

(b) must stop the bus and pick up any person who indicates to the driver that the person wishes to board the bus.

Maximum penalty: 5 penalty units.

(2) The driver of a bus must not stop the bus on a road or road related area for the purpose of setting down or picking up passengers otherwise than close to and parallel with the side of the carriageway of the road or area.

Maximum penalty: 5 penalty units.

(3) The driver of a bus may refuse to stop the bus:

(a) at any place at which stopping the bus would be unlawful or, in the opinion of the driver, unsafe, or

(b) in the case of a bus operating along a route for which bus stops are indicated by signs, at any place other than a bus stop.

(4) The driver of a bus may refuse to stop the bus to set down a passenger at a bus stop at which the bus is not scheduled, as indicated on the bus or in the timetable for the journey concerned, to set down passengers.

(5) The driver of a bus may refuse to stop the bus to pick up a passenger:

(a) if by doing so the driver would contravene the provisions of clause 15 (Overloading) or 16 (Carriage of goods and animals), or

(b) if the intending passenger is a person referred to in clause 43 (Luggage and soiled clothing) or 44 (Passengers who are intoxicated), or

(c) at a bus stop at which the bus is not scheduled, as indicated on the bus or in the timetable for the journey concerned, to pick up passengers.

## **15 Overloading**

(1) The driver of a bus must not:

- (a) carry at any one time in a single-decked bus (or on either deck of a two-decked bus) a greater number of passengers seated than the number authorised to be carried seated in the single-decked bus (or on that deck of the two-decked bus), or
- (b) carry at any one time in a single-decked bus (or on the lower deck of a two-decked bus) a greater number of passengers standing than the number authorised to be carried standing.

Maximum penalty: 5 penalty units.

(2) In calculating the number of passengers being carried, the following persons are not to be taken into account:

- (a) any child apparently under the age of 5 years who is being held on the lap of a seated passenger,
- (b) of the children apparently under the age of 12 years (whether seated or standing), every third such child.

(3) For the purposes of subclause (2) (b), the following children are to be ignored:

- (a) children who are seated on single seats,
- (b) children who are seated on multiple seats that are designed (either by means of fixed armrests or seating places contoured for individual passengers) so as to be impracticable for use by more than the number of passengers for whom they are designed.

(4) The operator of a bus must ensure that there is displayed on the bus, in a conspicuous position on the outside of the rear of the bus and in letters at least 25 mm high and of proportionate breadth, the number of passengers authorised to be carried on the bus, seating and standing respectively.

Maximum penalty: 5 penalty units.

(5) The number of passengers who, for the purposes of this clause, are authorised to be carried seated, or are authorised to be carried standing, is the appropriate number specified in a certificate issued by the manufacturer of the bus or by a consulting engineer approved by the Roads and Traffic Authority for the purposes of this clause.

## **16 Carriage of goods and animals**

(1) The driver of a bus must not permit any person to place or carry in or on the bus any article or animal that is of such size or has such dimensions that it cannot be accommodated in or on the bus without inconvenience to any other person.

Maximum penalty: 5 penalty units.

- (2) Subclause (1) does not apply in respect of an assistance animal or an assistance animal in training.

### **17 Passengers not to be carried on certain portions of a bus**

The driver of a bus must not:

- (a) carry any passenger on any portion of the bus not set apart or intended for the conveyance of passengers, or
- (b) in the case of a two-decked bus, permit any passenger to stand on the upper deck of the bus, or
- (c) permit any person to occupy any portion of the driving seat or of the bus on the right-hand side of that seat and abreast of it, or
- (d) permit any person to be on any portion of the bus in front of the driving seat.

Maximum penalty: 5 penalty units.

### **18 Drivers of buses on regular passenger services**

The driver of a bus on a regular passenger service must drive the bus in accordance with the timetable and the route for the service as identified and published by the operator of the service.

Maximum penalty: 5 penalty units.

### **19 Behaviour of drivers**

The driver of a bus must not do any of the following:

- (a) smoke in a bus at any time,
- (b) eat or drink in a bus while the bus is conveying any passenger,
- (c) solicit for passengers or for a hiring,
- (d) move the bus while the doors are open,
- (e) negligently or wilfully start or cause the bus to be started so that any passenger or intending passenger in or on it or entering or alighting from it is subjected to the risk of injury.

Maximum penalty: 5 penalty units.

### **20 Dress and conduct of drivers**

A driver of a bus must not fail to do the following:

- (a) be clean and tidy and wear clean and respectable clothes,
- (b) behave in an orderly manner and with civility and propriety towards any passenger, intending passenger or authorised officer,
- (c) comply with every reasonable requirement of any passenger.

Maximum penalty: 5 penalty units.

#### **21 Driver to remain in bus**

The driver of a bus must not, without reasonable excuse, leave the driving seat of the bus.

Maximum penalty: 5 penalty units.

#### **22 Driver not to interfere with bus equipment or damage bus**

The driver of a bus must not:

- (a) without reasonable excuse, interfere with any equipment attached to, or forming part of, a bus, or
- (b) maliciously damage any part of a bus.

Maximum penalty: 5 penalty units.

### **Part 3 Tickets**

#### **23 Validity of tickets**

- (1) A ticket is valid for travel only for the journey or journeys for which it is issued.
- (2) A ticket transferred in contravention of clause 24 is not a valid ticket.

#### **24 Tickets not transferable**

- (1) A person who is issued with a ticket must not transfer (or offer to transfer) the ticket, or a portion of the ticket, to another person.

Maximum penalty: 5 penalty units.

- (2) This clause does not apply if:

- (a) the ticket was bought on behalf of that other person, or
- (b) the transfer is authorised by the bus operator.

#### **25 Alteration or defacement of tickets prohibited**

A person must not, with intent to deceive, alter or deface a ticket or make a ticket illegible (or, in the case of a ticket with a magnetic strip, inoperative).

Maximum penalty: 5 penalty units.

## **26 Valid ticket required for travel**

- (1) A person must not travel or attempt to travel in a bus without holding a valid ticket for the travel concerned.

Maximum penalty: 5 penalty units.

- (2) In this clause, **hold** a ticket means be able to produce the ticket on request.

## **27 Concession tickets**

- (1) A person must not travel in a bus on the authority of a concession ticket unless the person is, because of his or her age, occupation or status, entitled to the concession ticket.

Maximum penalty: 5 penalty units.

- (2) The driver of a bus or an authorised officer may direct a person:

- (a) who is travelling in a bus on the authority of a concession ticket, or
- (b) who makes a concession ticket available for inspection under clause 28, or
- (c) who offers a concession ticket for collection or processing under clause 29,

to produce to the driver or authorised officer evidence (for example, the person's pensioner or student concession card) that the person is entitled to the concession ticket.

- (3) A person must not fail to comply with any such direction.

Maximum penalty: 5 penalty units.

- (4) A person may not be prosecuted for offences under both subclause (1) and subclause (3) in relation to the same travel.

- (5) A person must not:

- (a) in or in connection with an application for a concession ticket, or
- (b) in purported compliance with a direction under this clause,

knowingly give any information or tender any document that contains a false or misleading particular with respect to the age, occupation or status of the person to whom the application or direction relates.

Maximum penalty: 5 penalty units.

## **28 Inspection of tickets**

A person who is in a bus must make his or her ticket available for inspection or processing by an authorised officer on that officer's request. In the case of a return ticket, this requirement extends to making the return half of the ticket available on the forward journey, if an authorised officer so requests.

Maximum penalty: 5 penalty units.

## **29 Tickets to be offered for collection or processing**

(1) A person must not, without reasonable excuse, board a bus without offering the person's ticket for processing in accordance with this clause.

Maximum penalty: 5 penalty units.

(2) For the purposes of this clause, a person offers a ticket for processing:

(a) by putting it into automatic equipment provided to read or record any details on the ticket, or

(b) by showing the ticket to an authorised officer on request.

(3) A person must offer his or her ticket for processing in the manner specified in subclause (2) (a), unless:

(a) the person's ticket is not designed for insertion in automatic equipment, or

(b) the bus concerned is not supplied with automatic equipment, or

(c) the person has a reasonable excuse for not using the automatic equipment.

## **Part 4 Conduct of passengers**

### **30 Conduct generally**

(1) A passenger must not in any bus wilfully interfere with the comfort or safety of other persons.

Maximum penalty: 5 penalty units.

(2) Without limiting subclause (1), a passenger who does any of the following interferes with the comfort or safety of other persons:

(a) puts his or her feet on a seat,

(b) spits,

(c) uses offensive language,

(d) behaves offensively,

(e) uses a scooter, roller skates, roller blades or a skateboard.

### **31 Seating for aged persons or persons with a disability**

- (1) An operator may, by appropriate notices, set aside seating in a bus for persons who are aged or have a disability.
- (2) A passenger who is not aged and does not have a disability must not continue to occupy a seat set aside for the aged and persons with disabilities if an aged person or a person with a disability wanting to use the seat (or a person on behalf of that person) asks the passenger to vacate it.

Maximum penalty: 5 penalty units.

### **32 Drinking of alcohol generally prohibited**

- (1) A passenger must not drink any intoxicating liquor in any bus.  
Maximum penalty: 5 penalty units.
- (2) This clause does not apply if the liquor is supplied in the bus by, or with the permission of, the bus operator.
- (3) In this clause, **drink** includes be in possession of an opened container of intoxicating liquor.

### **33 Smoking, eating and drinking**

- (1) A passenger must not smoke in any bus.  
Maximum penalty: 5 penalty units.
- (2) A passenger must not eat or drink in any bus or part of a bus in which eating and drinking is prohibited by signs displayed in the bus or part, except with the written permission of the bus operator.  
Maximum penalty: 5 penalty units.
- (3) However, nothing in this clause prohibits a passenger from drinking water, or eating or drinking for medical reasons, in a bus.

### **34 No unauthorised commercial activities**

- (1) A passenger must not carry on a commercial activity in any bus, except with the written permission of the bus operator.  
Maximum penalty: 5 penalty units.
- (2) For the purposes of this clause, a **commercial activity** means any one or more of the following:

- (a) the sale or hire (or the offer of sale or hire) of any thing,
- (b) the touting or soliciting for custom, hire or employment,
- (c) the distribution of handbills to any person,
- (d) the soliciting of money from any person (whether by way of busking or otherwise).

### **35 Entry to and exit from buses**

A passenger must not, without reasonable excuse, enter or leave a bus:

- (a) while the bus is in motion, or
- (b) by getting through a window.

Maximum penalty: 5 penalty units.

### **36 Limited stop buses**

- (1) An intending passenger must not board a bus at a bus stop at which the bus is not scheduled to pick up passengers.

Maximum penalty: 5 penalty units.

- (2) A passenger must not leave a bus at a bus stop at which the bus is not scheduled to set down passengers.

Maximum penalty: 5 penalty units.

### **37 No interference with bus equipment or damage to bus**

- (1) A passenger must not, without reasonable excuse:

- (a) interfere with any equipment attached to or forming part of a bus, or
- (b) block a bus door, or
- (c) open a locked bus door at any time, or
- (d) open an unlocked bus door while the bus is in motion, or
- (e) in any way interfere with an automatically operated bus door.

Maximum penalty: 5 penalty units.

- (2) A passenger must not maliciously damage any part of a bus.

Maximum penalty: 5 penalty units.

- (3) Subclause (1) does not apply to an authorised officer in the execution of his or her duty.



**38 No entry to driver's compartment of bus**

- (1) A passenger must not enter the driver's compartment of a bus.

Maximum penalty: 5 penalty units.

- (2) This clause does not apply to an authorised officer in the execution of his or her duty.

**39 Travel not allowed on certain parts of bus**

- (1) A passenger must not, without reasonable excuse, travel on any portion of a bus not intended for the conveyance of passengers.

Maximum penalty: 5 penalty units.

- (2) Without limiting subclause (1), portions of a bus not intended for the conveyance of passengers include the following:

- (a) the roof, steps and footboard,
- (b) the stairs of a two-decked bus.

**40 Property not to be removed**

- (1) A passenger must not remove any property of the bus operator from any bus.

Maximum penalty: 5 penalty units.

- (2) This clause does not apply to an authorised officer in the execution of his or her duty.

**41 No littering**

A passenger must not in any bus:

- (a) deposit any litter otherwise than in a receptacle provided for that purpose, or
- (b) deposit any thing that may endanger any person or property.

Maximum penalty: 5 penalty units.

**42 Animals**

- (1) A passenger must not take into or on any bus any dog, cat, bird or other animal, except with the consent of the driver of the bus.

Maximum penalty: 5 penalty units.

- (2) Subclause (1) does not apply in respect of an assistance animal or an assistance animal in training.

**43 Luggage and soiled clothing**

- (1) If, in the opinion of the driver of a bus or an authorised officer, a passenger's (or an

intending passenger's) clothing or luggage (or any other thing on or carried by the passenger or intending passenger):

- (a) may soil or damage the bus or the clothing or luggage of other passengers, or
- (b) is of such a size or has such dimensions that it cannot be accommodated in the bus without inconvenience to other passengers,

the driver or authorised officer may direct the person concerned to leave, or not to enter, the bus.

- (2) A passenger must not fail to comply with such a direction.

Maximum penalty: 5 penalty units.

#### **44 Passengers who are intoxicated**

- (1) If, in the opinion of a driver or an authorised officer, a passenger (or an intending passenger):

- (a) is under the influence of alcohol or any drug, and
- (b) is causing, or is likely to cause, a nuisance or annoyance to other passengers,

the driver or authorised officer may direct the person concerned to leave, or not to enter, any bus.

- (2) A passenger must not fail to comply with such a direction.

Maximum penalty: 5 penalty units.

#### **45 Throwing things**

A passenger must not, without reasonable excuse, throw any thing in or from a bus.

Maximum penalty: 5 penalty units.

#### **46 Leaving bus when directed**

- (1) If, in the opinion of the driver of a bus or an authorised officer, a passenger is committing an offence under this Part, the driver or authorised officer may direct the passenger to leave the bus.

- (2) A passenger must not fail to comply with such a direction.

Maximum penalty: 5 penalty units.

#### **47 Lost property**

- (1) A passenger who finds any article in or on a bus must:

- (a) return it to its owner, or

(b) give it to the driver of the bus or an authorised officer.

Maximum penalty: 5 penalty units.

- (2) Any article given to the driver of a bus or an authorised officer under this clause is to be dealt with according to directions given by the Director-General.
- (3) Those directions may, if the Director-General considers it appropriate, be directions for the disposal of the article.

## **Part 5 Penalty notice offences**

### **48 Penalty notice offences**

- (1) For the purposes of section 59 of the Act:
- (a) each offence created by a provision specified in Column 1 of Schedule 1 is declared to be a penalty notice offence, and
- (b) the prescribed penalty for such an offence is the amount specified in Column 4 of Schedule 1.
- (2) If the reference to a provision in Column 1 of Schedule 1 is qualified by words that restrict its operation to specified kinds of offences or to offences committed in specified circumstances, an offence created by the provision is a prescribed offence only if it is an offence of a kind so specified or is committed in the circumstances so specified.

### **49 Short descriptions**

- (1) For the purposes of section 145B of the *Justices Act 1902*, the prescribed expression for an offence created by a provision specified in Column 1 of Schedule 1 consists of the IPB Code set out in relation to the offence in Column 2 of Schedule 1 together with:
- (a) the expression specified in Column 3 of that Schedule, or
- (b) if a choice of words is indicated in that expression, the words remaining after the omission of the words irrelevant to the offence.
- (2) For the purposes of any proceedings for an offence created by a provision specified in Column 1 of Schedule 1, the prescribed expression for the offence is taken to relate to the offence created by the provision, as the provision was in force when the offence is alleged to have been committed.
- (3) The amendment or repeal of a prescribed expression does not affect the validity of any information, complaint, summons, warrant, notice, order or other document in which the expression is used, and any such document continues to have effect as if

that expression had not been amended or repealed.

- (4) Subclause (3) applies to any information, complaint, summons, warrant, notice, order or other document (whether issued, given or made before or after the amendment or repeal) that relates to an offence alleged to have been committed before the amendment or repeal.
- (5) In this clause and Schedule 1:
  - (a) **Infringement Processing Bureau** means the Infringement Processing Bureau within the Police Service.
  - (b) **IPB Code**, in relation to an offence, means the code allocated to the offence by the Infringement Processing Bureau.

## Part 6 Miscellaneous

### 50 Drivers' authority cards

- (1) The Director-General may issue a driver's authority card to the holder of an authority to drive a bus.
- (2) A driver's authority card must display:
  - (a) a photograph of the person, and
  - (b) the number of the authority, and
  - (c) the expiry date for the card.
- (3) A driver's authority card expires at midnight on the date specified on the card as the expiry date.

### 51 Appointment of bus stops

- (1) The Director-General may appoint bus stops, to be indicated by signs erected or displayed with the approval of the roads authority for the road concerned and on which the words "BUS STOP", "BUS STAND" or "BUS ZONE", or some suitable pictorial representation, appear.
- (2) An operator of a bus service may appoint bus stops, but only in accordance with a prior written approval of the roads authority for the road concerned.
- (3) If times are specified on a sign referred to in this clause, the sign operates only during those times, but if no times are so specified the sign operates at all times.
- (4) In this clause, **roads authority** has the same meaning as it has in the [Roads Act 1993](#).

## **52 Change of address of operator or driver**

If:

- (a) an operator of a bus service, or
- (b) a driver of a bus,

changes his or her name or residential address, the operator or driver concerned must, within 7 days after the change, give written notice of the fact and of the new name or address to the Director-General.

Maximum penalty: 5 penalty units.

## **53 Misuse of authorities and authority cards**

- (1) This clause applies to authorities to drive buses and to drivers' authority cards.
- (2) A person must not:
  - (a) alter or deface any authority or driver's authority card, or
  - (b) lend or part with any authority or driver's authority card.

Maximum penalty: 5 penalty units.

- (3) An authority or driver's authority card that has been altered or defaced is void and may be returned to the Director-General for replacement.
- (4) On the return of an authority or driver's authority card, or on proof to the satisfaction of the Director-General that an authority or driver's authority card has been destroyed, stolen or lost, the Director-General may cause a duplicate of it to be issued, and any such duplicate then becomes, for the purposes of the Act and this Regulation, the authority or driver's authority card in respect of which the duplicate is issued, and the original authority or driver's authority card becomes void.

## **54 Return of authorities**

- (1) The holder of an authority to drive a bus who has received notice of the variation, cancellation or suspension of the authority must immediately deliver the authority to the Director-General at an address specified in the notice.

Maximum penalty: 10 penalty units.

- (2) The holder of an expired driver's authority card must, on the receipt of a written notice from the Director-General, immediately deliver the card to the Director-General at an address specified in the notice.

Maximum penalty: 10 penalty units.

## **55 Buses registered interstate**

A person must not carry on a bus service using a bus that is not registered under the [Road Transport \(Vehicle Registration\) Act 1997](#) unless there is displayed in the bus, in a manner and form approved by the Director-General, an indication that the person is an accredited bus operator.

Maximum penalty: 10 penalty units.

## **56 Interstate bus drivers: exemption from section 11**

- (1) A person who holds a licence, permit or other authority:
  - (a) that allows the person to drive a public bus (that is, a bus that is used to provide a public passenger service) in some other State or Territory, and
  - (b) that is recognised by the Department of Transport for the purposes of this clause,is exempt from the provisions of section 11 (1) of the Act, and so does not have to hold an authority under Division 2 of Part 2 of the Act in order to drive such a bus in New South Wales.
- (2) This exemption does not apply in relation to journeys that take place wholly within New South Wales.

## **57 Fees**

- (1) For the purposes of section 15 of the Act, the prescribed fee:
  - (a) for an application for accreditation as a bus operator is \$100, and
  - (b) for an application for an authority to drive a bus:
    - (i) is \$20 if the application is received by the Director-General before 17 August 2002, or
    - (ii) is \$70 if the application is received by the Director-General on or after 17 August 2002.
- (2) For the purposes of section 11A of the Act, the prescribed fee for the renewal of an authority to drive a bus:
  - (a) is \$20 if the authority is subject to renewal before 17 August 2002, or
  - (b) is \$70 if the authority is subject to renewal on or after 17 August 2002.

## **58 Service of notices**

Any notice required to be served or given under this Regulation is sufficiently served on any person if it is:

- (a) served personally, or
- (b) left at the last known place of residence or business of the person to be served, or
- (c) sent by prepaid letter or post to the person at the person's last known place of residence or business (in which case notice is to be taken to be served on the date on which the letter would in the ordinary course of post be delivered to the place to which it is addressed).

## 59 Saving

Any act, matter or thing that had effect under the *Passenger Transport (Bus Services) Regulation 1995* immediately before the repeal of that Regulation by the *Subordinate Legislation Act 1989* is taken to have effect under this Regulation.

## Schedule 1 Penalty notice offences

(Clauses 48 and 49)

### Part 1 Offences under the **Passenger Transport Act 1990**

| Column 1       | Column 2   | Column 3                                | Column 4 |
|----------------|------------|---|----------|
| Provision      | IPB Code   | Short description                       | Penalty  |
| Section 11 (1) | 1689, 5495 | drive bus without appropriate authority | \$200    |

### Part 2 Offences under the **Passenger Transport (Bus Services) Regulation 2000**

| Column 1          | Column 2   | Column 3   | Column 4 |
|-------------------|------------|--|----------|
| Provision         | IPB Code   | Short description                                    | Penalty  |
| Clause 6 (1)      | 0156, 4346 | bus not display accreditation information            | \$200    |
| Clause 7 (1)      | 0160, 4347 | not ensure bus fitted with authority holder          | \$200    |
| Clause 7 (2)      | 2101, 5000 | allow use unclean/untidy bus                         | \$200    |
| Clause 8 (1)      | 2102, 5001 | not ensure bus timetable can be met without speeding | \$200    |
| Clause 8 (2)      | 2103, 5002 | not provide copy bus timetable to Director-General   | \$200    |
| Clause 10 (1) (a) | 2104, 5003 | not ensure bus driver authorised                     | \$200    |
| Clause 10 (1) (b) | 2105, 5004 | not ensure bus driver licensed                       | \$200    |

|                   |            |  |       |
|-------------------|------------|--|-------|
| Clause 10 (2) (a) | 2106, 5005 | not keep record bus driver's name/address                      | \$200 |
| Clause 10 (2) (b) | 2107, 5006 | not keep record bus driver's dates/times of driving            | \$200 |
| Clause 11 (1) (a) | 0172, 4348 | not keep bus record in English                                 | \$200 |
| Clause 11 (1) (b) | 2108, 5007 | not retain bus record  | \$200 |
| Clause 11 (1) (c) | 2109, 5008 | not produce bus record to authorised officer                   | \$200 |
| Clause 11 (1) (d) | 2110, 5009 | not deliver bus record to Director-General                     | \$200 |
| Clause 12         | 2111, 5010 | bus operator not maintain required insurance                   | \$200 |
| Clause 13 (1)     | 2112, 5011 | drive bus without displaying authority card properly           | \$100 |
| Clause 13 (2)     | 2113, 5012 | bus driver not produce authority card                          | \$100 |
| Clause 14 (1) (a) | 2114, 5013 | bus driver not set down passenger                              | \$100 |
| Clause 14 (1) (b) | 2115, 5014 | bus driver not pick up passenger                               | \$100 |
| Clause 14 (2)     | 2116, 5015 | driver not stop bus close/parallel to kerb                     | \$100 |
| Clause 15 (1) (a) | 2118, 5017 | bus driver carry extra seated passenger                        | \$100 |
| Clause 15 (1) (b) | 2119, 5018 | bus driver carry extra standing passenger                      | \$100 |
| Clause 15 (4)     | 2120, 5019 | operator not display carrying capacity of bus properly         | \$100 |
| Clause 17 (a)     | 2121, 5020 | carry passenger on unauthorised portion of bus                 | \$200 |
| Clause 17 (b)     | 2122, 5021 | allow standing on upper deck                                   | \$200 |
| Clause 17 (c)     | 2123, 5022 | allow person occupy driving seat/area to right of driving seat | \$200 |
| Clause 17 (d)     | 2124, 5023 | allow person in front of driving seat                          | \$200 |
| Clause 18         | 2125, 5024 | driver not follow bus route/timetable                          | \$100 |



|                   |            |   |       |
|-------------------|------------|---|-------|
| Clause 19 (a)     | 2126, 5025 | driver smoke on bus   | \$100 |
| Clause 19 (b)     | 0180, 4349 | driver eat/drink on bus while conveying passenger                           | \$100 |
| Clause 19 (c)     | 2127, 5026 | solicit passenger/hiring  | \$100 |
| Clause 19 (d)     | 2128, 5027 | move bus with doors open  | \$200 |
| Clause 19 (e)     | 2129, 5028 | negligent/wilful start/cause start bus risking passenger/intended passenger | \$200 |
| Clause 20 (a)     | 2130, 5029 | bus driver not clean/tidy/wearing clean/respectable clothes                 | \$100 |
| Clause 20 (b)     | 2131, 5030 | bus driver not behave in orderly manner/with civility/propriety             | \$100 |
| Clause 21         | 2132, 5031 | bus driver leave driving seat   | \$100 |
| Clause 22 (a)     | 0181, 4350 | driver interfere with equipment on bus                                      | \$200 |
| Clause 22 (b)     | 0182, 4351 | driver maliciously damage part of bus                                       | \$200 |
| Clause 24 (1)     | 1690, 4447 | transfer/offer to transfer bus ticket                                       | \$100 |
| Clause 25         | 1691, 4448 | alter/deface bus ticket/make bus ticket illegible/inoperative               | \$100 |
| Clause 26         | 1692, 4449 | travel/attempt to travel on bus while not in possession of bus ticket       | \$100 |
| Clause 27 (1)     | 1693, 4450 | use bus concession ticket when not entitled                                 | \$100 |
| Clause 27 (3)     | 1694, 4451 | fail to produce evidence of entitlement to bus concession                   | \$100 |
| Clause 27 (5) (a) | 1695, 4452 | supply false particulars for bus concession                                 | \$100 |
| Clause 27 (5) (b) | 0183, 4352 | supply false particulars in answer to direction (bus)                       | \$100 |
| Clause 28         | 1696, 4453 | fail to make bus ticket available for inspection                            | \$100 |
| Clause 29 (1)     | 1697, 4454 | fail to offer bus ticket for processing                                     | \$100 |

|                   |            |  |       |
|-------------------|------------|--|-------|
| Clause 30 (1)     | 1698, 4455 | wilfully interfere with comfort/<br>safety of person on bus            | \$200 |
| Clause 31 (2)     | 1699, 4456 | fail to vacate seat set aside on<br>bus for aged or disabled<br>person | \$100 |
| Clause 32 (1)     | 1700, 4457 | drink alcohol on bus   | \$200 |
| Clause 33 (1)     | 1701, 4080 | smoke on bus   | \$200 |
| Clause 33 (2)     | 1702, 4458 | eat/drink in prohibited place<br>on bus                                | \$100 |
| Clause 34 (1)     | 1703, 4459 | carry on unauthorised<br>commercial activity on bus                    | \$100 |
| Clause 35 (a)     | 1704, 4460 | enter/leave bus in motion  | \$200 |
| Clause 35 (b)     | 0184, 4353 | enter/leave bus through<br>window                                      | \$200 |
| Clause 36 (1)     | 1705, 4461 | board bus at unscheduled stop  | \$100 |
| Clause 36 (2)     | 1706, 4462 | leave bus at unscheduled stop  | \$100 |
| Clause 37 (1) (a) | 1707, 4463 | passenger interfere with<br>equipment on bus                           | \$200 |
| Clause 37 (1) (b) | 0185, 4354 | block door of bus  | \$200 |
| Clause 37 (1) (c) | 0231, 4355 | open locked bus door   | \$200 |
| Clause 37 (1) (d) | 0234, 4356 | open unlocked bus door while<br>bus in motion                          | \$200 |
| Clause 37 (1) (e) | 0235, 4357 | interfere with automatic bus<br>door                                   | \$200 |
| Clause 37 (2)     | 0239, 4358 | passenger maliciously damage<br>part of bus                            | \$200 |
| Clause 38 (1)     | 1709, 4465 | enter driver's compartment of<br>bus                                   | \$200 |
| Clause 39 (1)     | 1710, 4466 | travel on portion of bus not<br>intended for passengers                | \$200 |
| Clause 40 (1)     | 1711, 4467 | remove property of bus<br>operator from bus                            | \$200 |
| Clause 41         | 1712, 4468 | deposit litter/dangerous thing<br>in bus                               | \$100 |
| Clause 42 (1)     | 1713, 4469 | take animal on bus without<br>authority                                | \$100 |

|                   |            |  |       |
|-------------------|------------|--|-------|
| Clause 43 (2)     | 1714, 4470 | fail to comply with direction to leave/not to enter bus due to luggage/clothing  | \$100 |
| Clause 44 (2)     | 1715, 4471 | fail to comply with direction to leave/not to enter bus when intoxicated/on drugs/causing a nuisance/causing annoyance | \$100 |
| Clause 45         | 0240, 4464 | throw object/thing in/from bus   | \$200 |
| Clause 46 (2)     | 1716, 4472 | fail to leave bus when directed  | \$100 |
| Clause 47 (1)     | 1717, 5037 | not deal properly with property found on bus   | \$100 |
| Clause 52         | 0264, 4501 | operator of bus service not notify change of name/address  | \$100 |
| Clause 52         | 0241, 8520 | bus driver not notify change of name/address   | \$100 |
| Clause 53 (2) (a) | 2133, 4359 | alter/deface bus driver's authority/authority card   | \$100 |
| Clause 53 (2) (b) | 2134, 4360 | lend/part with bus driver's authority/authority card   | \$200 |
| Clause 54 (1)     | 2135, 4361 | not surrender varied/cancelled/suspended bus authority   | \$200 |
| Clause 54 (2)     | 2136, 4362 | not surrender expired bus authority card   | \$200 |
| Clause 55         | 0243, 4363 | interstate bus not display approved notice of accreditation  | \$200 |