

# Passenger Transport (Bus Services) Regulation 2000

[2000-531]



New South Wales

## Status Information

### Currency of version

Historical version for 16 July 2004 to 30 June 2005 (accessed 17 July 2024 at 18:26)

Legislation on this site is usually updated within 3 working days after a change to the legislation.

### Provisions in force

The provisions displayed in this version of the legislation have all commenced.

### Notes—

- **Does not include amendments by**  
*Passenger Transport (Bus Services) Amendment (Operators of Bus Services) Regulation 2005 (237) (GG No 73 of 17.6.2005, p 2386) (not commenced — to commence on 1.7.2005)*

### Authorisation

This version of the legislation is compiled and maintained in a database of legislation by the Parliamentary Counsel's Office and published on the NSW legislation website, and is certified as the form of that legislation that is correct under section 45C of the [Interpretation Act 1987](#).

File last modified 17 June 2005

# Passenger Transport (Bus Services) Regulation 2000



New South Wales

## Contents

<b>Part 1 Preliminary</b> .....	5
1 Name of Regulation .....	5
2 Commencement .....	5
3 Application.....	5
4 Definitions .....	5
5 Notes .....	6
<b>Part 2 Operation of bus services</b> .....	6
<b>Division 1 Bus operators</b> .....	6
6 Buses to show accreditation details .....	6
7 Equipment and condition of buses .....	7
8 Timetables.....	7
9 (Repealed) .....	7
10 Driving of buses.....	7
11 Records in relation to the operation of a bus service .....	8
12 Third party property insurance .....	8
12A Operator must notify test results .....	8
<b>Division 2 Bus drivers</b> .....	9
13 Driver to display driver's authority card .....	9
14 Conveyance of passengers.....	9
15 Overloading .....	10

16 Carriage of goods and animals .....	11
17 Passengers not to be carried on certain portions of a bus .....	11
18 Drivers of buses on regular passenger services .....	11
19 Behaviour of drivers .....	11
20 Dress and conduct of drivers .....	12
21 Driver to remain in bus .....	12
22 Driver not to interfere with bus equipment or damage bus .....	12
<b>Division 3 Conditions of service contracts .....</b>	<b>12</b>
22A Conditions of service contracts .....	12
<b>Part 3 Tickets .....</b>	<b>13</b>
23 Validity of tickets .....	13
24 Tickets not transferable .....	13
25 Alteration or defacement of tickets prohibited .....	14
26 Valid ticket required for travel .....	14
27 Concession tickets .....	14
28 Inspection of tickets .....	15
29 Tickets to be offered for collection or processing .....	15
<b>Part 4 Conduct of passengers .....</b>	<b>15</b>
<b>Division 1 General provisions .....</b>	<b>15</b>
30 Conduct generally .....	15
31 Seating for aged persons or persons with a disability .....	16
32 Drinking of alcohol generally prohibited .....	16
33 Smoking, eating and drinking .....	16
34 No unauthorised commercial activities .....	16
35 Entry to and exit from buses .....	17
36 Limited stop buses .....	17
37 No interference with bus equipment or damage to bus .....	17
38 No entry to driver's compartment of bus .....	18
39 Travel not allowed on certain parts of bus .....	18
40 Property not to be removed .....	18
41 No littering .....	18

42 Animals.....	18
43 Luggage and soiled clothing.....	19
44 Passengers who are intoxicated.....	19
45 Throwing things.....	19
46 Leaving bus when directed.....	19
46A Driver to take action in relation to dangerous conduct.....	20
47 Lost property.....	20

## **Division 2 Special provisions relating to conduct of school students on buses**

.....	20
47A Dealing with contraventions of this Regulation by school students.....	20
47B Directions to move to certain part of the bus.....	20
47C Leaving bus when directed.....	21
47D Refusal to pick up school student.....	21
47E Review of action taken by operator or driver.....	21

## **Part 5 Penalty notice offences.....**

48 Penalty notice offences.....	21
49 (Repealed).....	21

## **Part 6 Miscellaneous.....**

50 Drivers' authority cards.....	22
51 Appointment of bus stops.....	22
52 Change of address of operator or driver.....	22
53 Misuse of authorities and authority cards.....	23
54 Return of authorities.....	23
55 Buses registered interstate.....	23
56 Interstate bus drivers: exemption from section 11.....	23
57 (Repealed).....	24
58 Service of notices.....	24
59 Saving.....	24

## **Schedule 1 Penalty notice offences.....**

# 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 (Repealed)**

## **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.

### 12A Operator must notify test results

- (1) It is a condition of accreditation of the operator of a bus service that the operator notify the Director-General in accordance with this clause as soon as practicable after becoming aware that a test carried out under the [Passenger Transport \(Drug and Alcohol Testing\) Regulation 2004](#) indicates that a transport safety employee of the operator may have carried out transport safety work while:
  - (a) the prescribed concentration of alcohol (within the meaning of that Regulation) was present in the employee's blood, or
  - (b) under the influence of alcohol or any other drug.
- (2) The notice must be in writing and must contain the particulars (if any) required by the Director-General.



## **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.

# **Division 3 Conditions of service contracts**

## **22A Conditions of service contracts**

- (1) The following are conditions of every service contract that authorises the carrying on of a bus service:
  - (a) the operator of the bus service must ensure that every driver of a bus in the service is made aware of the provisions of Part 4 and of any guidelines referred to in clause 47A (2),
  - (b) the operator must take all reasonable steps to notify a parent or guardian of a school student:
    - (i) before action is taken by the operator or a driver of a bus in the service in

relation to a contravention of this Regulation by the school student, or

(ii) as soon as possible after such action is taken if immediate action was required in the circumstances,

unless the operator considers that the action or the behaviour was of a minor nature,

(c) the operator must take all necessary steps to comply with any requirement given to the operator by the Director-General as a result of a review undertaken under clause 47E.

- (2) An operator is to be considered to have taken all reasonable steps to notify a parent or guardian for the purposes of subclause (1) (b) if the operator sends the notification to the last address that the operator has recorded for the parent or guardian.
- (3) The conditions specified in subclause (1) for a service contract are in addition to the terms and conditions set out in the contract under section 16 (1) of the Act.
- (4) An operator of a bus service who is the holder of a service contract authorising the carrying on of the bus service must not contravene or fail to comply with the terms and conditions of the service contract.

Maximum penalty: 50 penalty units.

(5) Nothing in this clause affects the operation of Part 3 of the Act.

## **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**

## **Division 1 General provisions**

### **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.

**Note—**

Clause 47C contains further provisions relating to the giving of directions under this clause to school students.

**46A Driver to take action in relation to dangerous conduct**

- (1) The driver of a bus is to take such action as is appropriate (for example, contacting the operator of the bus or the police for help) if the driver believes on reasonable grounds that the conduct of a passenger is endangering the safety of any person.
- (2) This clause has effect despite clause 47C.

**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.

**Division 2 Special provisions relating to conduct of school students on buses**

**47A Dealing with contraventions of this Regulation by school students**

- (1) Despite any other provision of this Regulation, the operator of a bus service, a driver of a bus or an authorised officer may take only such action under this Regulation as is reasonable in the circumstances when dealing with a school student who has contravened a provision of this Regulation.
- (2) In determining what action is reasonable for the purposes of subclause (1), regard is to be had to any guidelines for managing the behaviour of school students on buses published from time to time by the Director-General.

**47B Directions to move to certain part of the bus**

- (1) A driver of a bus, or an authorised officer on a bus, may direct a school student on the bus to occupy a specified seat on the bus, or to move to a particular part of the bus, if the driver or authorised officer believes on reasonable grounds that it is necessary for the preservation of order on the bus.

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

Maximum penalty (subclause (2)): 5 penalty units.

#### **47C Leaving bus when directed**

A driver of a bus, or an authorised officer on a bus, is not to make a direction under clause 46 in relation to a person who the driver or authorised officer knows is a school student or ought reasonably to know is a school student unless:

- (a) on leaving the bus, the school student will be in the care of a person who is legally responsible for the student, or
- (b) the place at which the student is directed to leave the bus would appear to a reasonable person to be appropriate, having regard to the traffic conditions, proximity to other transport and nature of the locality.

#### **47D Refusal to pick up school student**

A driver of a bus may refuse to stop for, or to allow onto the bus, a school student who the driver believes on reasonable grounds has contravened a provision of this Regulation (whether or not the student has been prosecuted in relation to the contravention).

#### **47E Review of action taken by operator or driver**

The Director-General may review any action taken by the operator of a bus service or by a driver of a bus that involves the refusal to carry a particular school student on a bus or the placing of conditions on the carrying of a particular school student on a bus.

### **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 2 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 (Repealed)**

## 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 (Repealed)**

### **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**

(Clause 48)

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

<b>Column 1</b>	<b>Column 2</b>
<b>Provision</b>	<b>Penalty</b>
Section 9B (3)	\$500
Section 11 (1)	\$200

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

<b>Column 1</b>	<b>Column 2</b>
-----------------	-----------------



<b>Provision</b>	<b>Penalty</b>
Clause 6 (1)	\$200
Clause 7 (1)	\$200
Clause 7 (2)	\$200
Clause 8 (1)	\$200
Clause 8 (2)	\$200
Clause 10 (1) (a)	\$200
Clause 10 (1) (b)	\$200
Clause 10 (2) (a)	\$200
Clause 10 (2) (b)	\$200
Clause 11 (1) (a)	\$200
Clause 11 (1) (b)	\$200
Clause 11 (1) (c)	\$200
Clause 11 (1) (d)	\$200
Clause 12	\$200
Clause 13 (1)	\$100
Clause 13 (2)	\$100
Clause 14 (1) (a)	\$100
Clause 14 (1) (b)	\$100
Clause 14 (2)	\$100
Clause 15 (1) (a)	\$100
Clause 15 (1) (b)	\$100
Clause 15 (4)	\$100
Clause 17 (a)	\$200
Clause 17 (b)	\$200
Clause 17 (c)	\$200
Clause 17 (d)	\$200
Clause 18	\$100
Clause 19 (a)	\$100
Clause 19 (b)	\$100
Clause 19 (c)	\$100

Clause 19 (d)	\$200
Clause 19 (e)	\$200
Clause 20 (a)	\$100
Clause 20 (b)	\$100
Clause 21	\$100
Clause 22 (a)	\$200
Clause 22 (b)	\$200
Clause 22A (4)	\$1,000
Clause 24 (1)	\$100
Clause 25	\$100
Clause 26	\$100
Clause 27 (1)	\$100
Clause 27 (3)	\$100
Clause 27 (5) (a)	\$100
Clause 27 (5) (b)	\$100
Clause 28	\$100
Clause 29 (1)	\$100
Clause 30 (1)	\$200
Clause 31 (2)	\$100
Clause 32 (1)	\$200
Clause 33 (1)	\$200
Clause 33 (2)	\$100
Clause 34 (1)	\$100
Clause 35 (a)	\$200
Clause 35 (b)	\$200
Clause 36 (1)	\$100
Clause 36 (2)	\$100
Clause 37 (1) (a)	\$200
Clause 37 (1) (b)	\$200
Clause 37 (1) (c)	\$200
Clause 37 (1) (d)	\$200

Clause 37 (1) (e)	\$200
Clause 37 (2)	\$200
Clause 38 (1)	\$200
Clause 39 (1)	\$200
Clause 40 (1)	\$200
Clause 41	\$100
Clause 42 (1)	\$100
Clause 43 (2)	\$100
Clause 44 (2)	\$100
Clause 45	\$200
Clause 46 (2)	\$100
Clause 47 (1)	\$100
Clause 47B (2)	\$100
Clause 52	\$100
Clause 52	\$100
Clause 53 (2) (a)	\$100
Clause 53 (2) (b)	\$200
Clause 54 (1)	\$200
Clause 54 (2)	\$200
Clause 55	\$200