



Australian Capital Territory

Road Transport (Public Passenger Services) Act 2001

A2001-62

Republication No 11

Effective: 2 June 2005 – 9 March 2006

Republication date: 2 June 2005

Last amendment made by A2005-20

Authorised by the ACT Parliamentary Counsel

About this republication

The republished law

This is a republication of the *Road Transport (Public Passenger Services) Act 2001* (including any amendment made under the *Legislation Act 2001*, part 11.3 (Editorial changes)) as in force on 2 June 2005. It also includes any amendment, repeal or expiry affecting the republished law to 2 June 2005.

The legislation history and amendment history of the republished law are set out in endnotes 3 and 4.

Kinds of republications

The Parliamentary Counsel's Office prepares 2 kinds of republications of ACT laws (see the ACT legislation register at www.legislation.act.gov.au):

- authorised republications to which the *Legislation Act 2001* applies
- unauthorised republications.

The status of this republication appears on the bottom of each page.

Editorial changes

The *Legislation Act 2001*, part 11.3 authorises the Parliamentary Counsel to make editorial amendments and other changes of a formal nature when preparing a law for republication. Editorial changes do not change the effect of the law, but have effect as if they had been made by an Act commencing on the republication date (see *Legislation Act 2001*, s 115 and s 117). The changes are made if the Parliamentary Counsel considers they are desirable to bring the law into line, or more closely into line, with current legislative drafting practice.

This republication does not include amendments made under part 11.3 (see endnote 1).

Uncommenced provisions and amendments

If a provision of the republished law has not commenced or is affected by an uncommenced amendment, the symbol **U** appears immediately before the provision heading. The text of the uncommenced provision or amendment appears only in the last endnote.

Modifications

If a provision of the republished law is affected by a current modification, the symbol **M** appears immediately before the provision heading. The text of the modifying provision appears in the endnotes. For the legal status of modifications, see *Legislation Act 2001*, section 95.

Penalties

The value of a penalty unit for an offence against this republished law at the republication date is—

- (a) if the person charged is an individual—\$100; or
- (b) if the person charged is a corporation—\$500.



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Australian Capital Territory

Road Transport (Public Passenger Services) Act 2001

An Act to regulate public transport services, and for other purposes

Part 1 Preliminary

1 Name of Act

This Act is the *Road Transport (Public Passenger Services) Act 2001*.

Note 1 This Act is part of the road transport legislation. See the *Road Transport (General) Act 1999* for various provisions about the administration and enforcement of the road transport legislation generally.

Note 2 Other road transport legislation includes the following:

- *Road Transport (Alcohol and Drugs) Act 1977*
- *Road Transport (Dimensions and Mass) Act 1990*
- *Road Transport (Driver Licensing) Act 1999*
- *Road Transport (Safety and Traffic Management) Act 1999*
- *Road Transport (Vehicle Registration) Act 1999*.

Note 3 A reference to an Act includes a reference to the statutory instruments made or in force under the Act, including any regulation (see Legislation Act, s 104).

2 Objects

The objects of this Act include—

- (a) to provide for the accreditation of the operators of public passenger services and taxi networks that operate within or partly within the ACT; and
- (b) to provide for the licensing of vehicles used as taxis and hire cars within or partly within the ACT; and
- (c) to encourage public passenger services that meet the reasonable expectations of the community for safe, reliable and efficient public passenger services.

3 Dictionary

The dictionary at the end of this Act is part of this Act.

Note 1 The dictionary at the end of this Act defines certain words and expressions used in this Act, and includes references (*signpost definitions*) to other words and expressions defined elsewhere in this Act or in the road transport legislation.

For example, the signpost definition ‘*bus service*—see section 11 (Meaning of *bus service*).’ means that the expression ‘bus service’ is defined in section 11 of this Act.

Note 2 A definition in the dictionary (including a signpost definition) applies to the entire Act unless the definition, or another provision of the Act, provides otherwise or the contrary intention otherwise appears (see *Legislation Act 2001*, s 155 and s 156 (1)).

4 Notes

A note included in this Act is explanatory and is not part of this Act.

Note See *Legislation Act 2001*, s 127 (1), (4) and (5) for the legal status of notes.

4A Offences against Act—application of Criminal Code etc

Other legislation applies in relation to offences against this Act.

Note 1 *Criminal Code*

The Criminal Code, ch 2 applies to the following offences against this Act (see Code, pt 2.1):

- s 60D (1) and (2) (Use of vehicles as hire cars)
- s 60E (1) and (2) (Pretending vehicles are licensed hire cars)
- s 60N (1) (Unaccredited operators not to operate hire car services)
- s 60O (1) and (2) (Pretending to be an accredited hire car service operator)
- s 60T (Unauthorised public passenger services).

The chapter sets out the general principles of criminal responsibility (including burdens of proof and general defences), and defines terms used for offences to which the Code applies (eg *conduct*, *intention*, *recklessness* and *strict liability*).

Note 2 Penalty units

The Legislation Act, s 133 deals with the meaning of offence penalties that are expressed in penalty units.

5 Functions of road transport authority

The functions of the road transport authority under this Act are—

- (a) to administer the accreditation schemes established under this Act for the accreditation of the operators of public passenger services and taxi networks; and
- (b) to administer the licensing schemes established under this Act for the licensing of taxis and hire cars; and
- (c) to keep registers of accreditations given, and licences issued, under this Act; and
- (d) to provide information about accredited and licensed people in accordance with this Act and other laws in force in the ACT; and
- (e) to exercise any other functions given to the authority under this Act.

6 Registers of accredited people and licences

- (1) A register of accreditations given, and licences issued, under this Act may include information given to the road transport authority under this Act and any other information the authority considers appropriate.

Note Section 5 (c) requires registers for the following to be kept:

- accredited bus service operators
- accredited taxi network providers
- accredited taxi service operators
- accredited hire car operators
- taxi licences
- restricted taxi licences

- hire car licences
 - restricted hire car licences.
- (2) A register may be kept in the form of, or as part of, 1 or more computer databases or in any other form the road transport authority considers appropriate.
- (3) The road transport authority may correct any mistake, error or omission in a register subject to the requirements (if any) of the regulations.
- (4) This section does not limit the functions of the road transport authority in relation to a register.

7 Security and disclosure of information in registers

The road transport authority must ensure that information in a register of accreditations or licences is kept securely and disclosed only in accordance with this Act or another law in force in the ACT.

Note 1 The Information Privacy Principles apply to the road transport authority. Principle 4 states requirements about the storage and security of personal information and principle 11 states when personal information may be disclosed by an agency (see *Privacy Act 1988* (Cwlth), s 14).

Note 2 Access to the register may be sought under the *Freedom of Information Act 1989* (which also provides that certain information is exempt from disclosure).

8 Trade Practices Act authorisation

For the *Trade Practices Act 1974* (Cwlth) and the Competition Code of the Australian Capital Territory, the following are authorised by this Act:

- (a) everything done under this Act;
- (b) all service contracts made under this Act;

(c) everything done under a service contract, or a provision of a service contract, authorised by this Act.

Note 1 For the Competition Code of the Australian Capital Territory, see the *Competition Policy Reform Act 1996*, s 5 and s 10.

Note 2 A reference to an Act includes a reference to statutory instruments made or in force under the Act, including regulations (see *Legislation Act 2001*, s 104).

9 Combinations of accreditations and licences

This Act does not prevent a person from holding any combination of accreditations and licences under this Act.

10 What is a *public passenger service*?

A *public passenger service* is a service for the transport of passengers for a fare or other consideration by public passenger vehicles along a road or road related area.

Part 2 Bus services

Division 2.1 Basic concepts

10A Meaning of *bus* and *public bus*

In this Act:

bus means a motor vehicle built mainly to carry people that seats over 9 adults (including the driver).

public bus means a bus used to provide a bus service.

11 Meaning of *bus service*

A *bus service* is a service for the transport of passengers for a fare or other consideration by a bus along a road or road related area.

12 What is a *regular route service*?

A bus service is a *regular route service* if it is conducted according to regular routes and timetables, but does not include—

- (a) a bus service designed mainly to transport tourists; or
- (b) a long-distance service.

13 What is a *tour and charter service*?

A bus service is a *tour and charter service* if the bus service is not a regular route service or a long-distance service.

14 What is a *long-distance service*?

A bus service is a *long-distance service* if—

- (a) it is conducted according to regular routes and timetables; and
- (b) each passenger travels at least 40km.

Division 2.2 Accreditation of bus service operators

15 Bus operators—purposes of accreditation

The purpose of accreditation under the regulations to operate a bus service is to ensure that—

- (a) the accredited person has the financial capacity to meet the service standards for the service; and
- (b) the accredited person, and each person who is concerned with, or takes part in, the management of the service, are suitable people to operate the service; and
- (c) the accredited person, and each person who is concerned with, or takes part in, the management of the service, have demonstrated the capacity to comply with the relevant regulations and, in particular, the regulations about—
 - (i) the safety of passengers and the public; and
 - (ii) the maintenance of public buses.

16 Regulations about accreditation system

- (1) The regulations are to provide a system for the accreditation of operators of bus services, including, for example—
 - (a) the kinds of accreditations; and
 - (b) the bus services that a person who holds a kind of accreditation is entitled to operate; and
 - (c) the conditions of accreditations; and
 - (d) matters relating to the giving, refusal or surrender of accreditations; and

- (e) the action that may be taken in relation to accreditations in circumstances prescribed under the regulations, including—
 - (i) the suspension or cancellation of an accreditation; and
 - (ii) the imposition of a condition on, or the amendment of a condition of, an accreditation; and
 - (iii) an order that an accredited person pay to the Territory an amount of not more than—
 - (A) for an individual—\$5 000; or
 - (B) for a corporation—\$25 000; and
 - (iv) the reprimanding of an accredited person.
- (2) The regulations may make provision in relation to the accreditation of people to operate bus services, including, for example—
 - (a) requirements about the suitability of the applicant and each person who will be concerned with, or take part in, the management of the services; and
 - (b) capacity to meet service standards; and
 - (c) financial viability.
- (3) For subsection (1) (a), the regulations must provide for the accreditation of people to operate the following kinds of bus services:
 - (a) regular route services;
 - (b) tour and charter services.
- (4) However, this section does not require the regulations to provide an accreditation system for all kinds of bus services.

Division 2.3 Service contracts for regular route services

17 Service contracts

- (1) The road transport authority may, on behalf of the Territory, enter into a contract (a *service contract*) for the operation of a regular route service with a person accredited to operate regular route services.
- (2) A service contract must state whether the right given under the contract to operate a route is an exclusive right to operate the route or a stated part of the route.
- (3) A service contract may make provision in relation to the operation of a regular route service and the administration of the contract, including, for example—
 - (a) service requirements under the contract; and
 - (b) the transfer, suspension, cancellation and surrender of the contract; and
 - (c) the fees (if any) payable under the contract; and
 - (d) the adjustment of payments and refunds in relation to any contract fees; and
 - (e) financial or other penalties for breaches of the contract; and
 - (f) the records (including accounts) to be made and kept, how they are to be made and kept, and their inspection; and
 - (g) the provision of information and reports to the road transport authority about the regular route service and the verification of the information and reports; and
 - (h) the publication and the collection of fares payable by passengers; and

- (i) the sale of tickets and the conditions under which tickets must be sold; and
 - (j) free or reduced fares for travel; and
 - (k) the issue and acceptance of free or concession passes.
- (4) Subsection (3) does not limit the matters about which a service contract may make provision.

Division 2.4 Entitlement to operate certain bus services

18 Entitlement to operate regular route services

A person is entitled to operate a regular route service, within or partly within the ACT, if—

- (a) the person is accredited under the regulations to operate regular route services; and
- (b) the person holds a service contract for the service.

19 Entitlement to operate tour and charter services

A person is entitled to operate a tour and charter service, within or partly within the ACT, if the person is accredited under the regulations to operate tour and charter services.

20 Unaccredited operators not to operate certain bus services

- (1) A person must not operate, within or partly within the ACT, a regular route service unless the person is accredited under the regulations to operate regular route services.

Maximum penalty: 50 penalty units.

- (2) A person must not operate, within or partly within the ACT, a tour and charter service unless the person is accredited under the regulations to operate tour and charter services.

Maximum penalty: 50 penalty units.

21 Pretending to be an accredited bus service operator

A person must not pretend to be accredited under the regulations to operate a bus service.

Maximum penalty: 30 penalty units.

22 Operators of regular route services to hold service contracts

- (1) A person must not operate, within or partly within the ACT, a regular route service unless the person holds a service contract for the service.

Maximum penalty: 50 penalty units.

- (2) However, if a regular route service is discontinued because of a variation or termination of a service contract, the road transport authority may make arrangements with an appropriately accredited person to operate a temporary regular route service to replace the discontinued service even though the person does not hold a service contract for the replacement service.

Division 2.5 Regulation of bus services

23 Regular route services—power to determine maximum fares

- (1) The Minister may determine maximum fares, and ways of calculating maximum fares, payable by passengers on regular route services.

- (2) A determination is a disallowable instrument.

Note A disallowable instrument must be notified and presented to the Legislative Assembly, under the *Legislation Act 2001*.

24 Regulations about operation of bus services by accredited people

The regulations may make provision in relation to the operation of bus services by accredited bus service operators, including, for example—

- (a) the conduct of bus services, including, for example—
 - (i) the safety of passengers and the public; and
 - (ii) the qualifications, training and experience of bus drivers and other people providing services on behalf of accredited bus service operators; and
 - (iii) maximum driving times and minimum rest times of bus drivers; and
 - (iv) insurance; and
 - (v) the issue of tickets; and
 - (vi) customer complaints and inquiries; and
- (b) the preparation and publication of, and compliance with, timetables for regular route services; and
- (c) the obligations of drivers of public buses and other people providing services on behalf of accredited bus service operators; and
- (d) the requirements that public buses, and their equipment and fittings (internal and external), must comply with; and
- (e) the maintenance and cleaning of public buses; and
- (f) maintenance, parking and other facilities for public buses; and

- (g) the making and keeping of records and their inspection; and
- (h) the auditing of records and systems; and
- (i) requirements for display of accreditation numbers on advertisements for the service; and
- (j) the provision of information and reports to the road transport authority.

25 Regulations about operation of public buses

The regulations may make provision in relation to the operation of public buses, including, for example—

- (a) the regulation or prohibition of the use of public buses on certain roads or road related areas; and
- (b) the picking-up and dropping-off of passengers and other matters relating to the transport of passengers; and
- (c) the records to be made and kept by drivers, how they are to be made and kept, and their inspection; and
- (d) the transport of passengers' luggage or other goods, and animals; and
- (e) the regulation or prohibition of the transportation of passengers standing in or on any part of a public bus; and
- (f) the maximum speed of public buses; and
- (g) the prohibition of anyone from soliciting for passengers or for a hiring; and
- (h) the design, equipment and fittings (internal or external) of public buses; and
- (i) the sections, terminal points and bus stops on bus routes; and
- (j) the regulation or prohibition of notices, signs and advertisements inside or on the outside of public buses.

26 Regulations about bus drivers

The regulations may make provision in relation to drivers of public buses, including, for example—

- (a) the powers, duties and conduct of drivers; and
- (b) how drivers must dress.

27 Regulations about conduct of passengers

The regulations may make provision in relation to the conduct of passengers on public buses, including, for example—

- (a) the regulation or prohibition of eating and drinking; and
- (b) the authority of public bus drivers, police officers and authorised people to direct people contravening a regulation to leave a bus and to remove them if they fail to leave.

Part 3 Taxi networks

Division 3.1 Basic concepts

28 Meaning of *taxi network*

A *taxi network* is an entity that provides taxi related services to affiliated accredited taxi service operators, including providing (directly or through another entity) a taxi booking service for the network.

29 Meaning of *taxi booking service*

A *taxi booking service* is a service provided by or for an accredited taxi network provider that—

- (a) accepts bookings for taxis from people; and
- (b) sends messages about bookings to taxi drivers by electromagnetic energy to equipment in taxis that can receive such messages.

Division 3.2 Accreditation of taxi network providers

30 Taxi network providers—purposes of accreditation

The purpose of accreditation under the regulations to operate a taxi network is to ensure that—

- (a) the accredited person has the financial capacity to meet the service standards for the network; and
- (b) the accredited person, and each person who is concerned with, or takes part in, the management of the network, are suitable people to operate the network; and

- (c) the accredited person, and each person who is concerned with, or takes part in, the management of the network, have demonstrated the capacity to comply with the relevant regulations and, in particular, the regulations about—
 - (i) the operation of the network; and
 - (ii) the supervision and monitoring of affiliated accredited taxi service operators and drivers of taxis operated by affiliated accredited taxi service operators.

31 Taxi network providers—regulations about accreditation system

- (1) The regulations are to provide a system for the accreditation of people to operate taxi networks, including, for example—
 - (a) the kind or kinds of taxi services in relation to which an accredited person is entitled to provide taxi related services; and
 - Note* For kinds of taxi services, see s 47 and s 48.
 - (b) the conditions of an accreditation; and
 - (c) matters relating to the giving, refusal or surrender of an accreditation; and
 - (d) the action that may be taken in relation to an accredited person in circumstances prescribed under the regulations, including—
 - (i) the suspension or cancellation of an accreditation; and
 - (ii) the imposition of a condition on, or the amendment of a condition of, an accreditation; and
 - (iii) an order that an accredited person pay to the Territory an amount of not more than—
 - (A) for an individual—\$5 000; or
 - (B) for a corporation—\$25 000; and

- (iv) the reprimanding of an accredited person.
- (2) The regulations may make provision in relation to the accreditation of people to operate taxi networks, including, for example—
 - (a) requirements about the suitability of the applicant and each person who will be concerned with, or take part in, the management of the network; and
 - (b) capacity to meet service standards; and
 - (c) financial viability.

Division 3.3 Entitlement to operate taxi networks

32 Entitlement to operate taxi networks

A person is entitled to operate a taxi network, within or partly within the ACT, for a particular kind of taxi service if the person is accredited under the regulations to operate a taxi network for that kind of taxi service.

33 Unaccredited persons not to operate taxi network

A person must not operate, within or partly within the ACT, a taxi network for a particular kind of taxi service unless the person is accredited under the regulations to operate a taxi network for that kind of taxi service.

Maximum penalty: 50 penalty units.

34 Pretending to be an accredited taxi network provider

- (1) A person must not pretend to be accredited under the regulations to operate a taxi network.

Maximum penalty: 30 penalty units.

- (2) A person must not pretend to be accredited under the regulations to operate a taxi network for a particular kind of taxi service.

Maximum penalty: 30 penalty units.

Division 3.4 Regulation of taxi networks

35 Regulations about operation of taxi networks by accredited people

The regulations may make provision in relation to the operation of taxi networks by accredited people, including, for example—

- (a) the affiliation of accredited taxi service operators with networks; and
- (b) network rules for affiliated accredited taxi service operators and drivers of taxis operated by affiliated accredited taxi service operators; and
- (c) the specifications for equipment operated by or for networks for sending messages (including messages sent through a taxi booking service) to taxi drivers; and
- (d) the specifications for taximeters; and
- (e) the circumstances in which networks must accept applications for affiliation from, and maintain affiliation with, accredited taxi service operators; and
- (f) the operation of, and service standards for, taxi booking services operated by or for networks (including, for example, service standards about when a booking must be transferred to another taxi or a taxi booking service for another taxi network); and
- (g) the numbers and kinds of taxis, and the numbers of taxis with particular equipment (including, for example, baby capsules), operated by affiliated accredited taxi service operators that are to be available at particular times and places; and

- (h) directions that networks may give to affiliated accredited taxi service operators and drivers of taxis operated by affiliated accredited taxi service operators; and
- (i) the supervision and monitoring of affiliated accredited taxi service operators, and drivers of taxis operated by affiliated accredited taxi service operators, for compliance with network service standards and other requirements and the responsibilities of networks in relation to a failure to comply with the standards; and
- (j) the management of particular kinds of taxis (including, for example, taxis with wheelchair access) and taxi services; and
- (k) customer complaints and inquiries; and
- (l) the making and keeping of records and their inspection; and
- (m) the auditing of records and systems; and
- (n) the provision of information and reports to the road transport authority.

36 Regulations about operation of taxi networks

The regulations may make provision in relation to the obligations that an accredited taxi network provider must ensure that affiliated accredited taxi service operators, and drivers of taxis operated by affiliated accredited taxi service operators, must comply with, including, for example—

- (a) service standards for booked taxis; and
- (b) the safety of drivers and passengers (including, for example, particular kinds of security devices); and
- (c) the qualifications, training and experience of affiliated accredited taxi service operators, taxi drivers and other people providing services on behalf of networks; and

- (d) the operation of equipment for sending messages between a network (including messages sent through a taxi booking service) and taxi drivers; and
- (e) the maintenance and cleaning of taxis.

41 Transferability of taxi licences

- (1) If the holder of a taxi licence (other than a restricted taxi licence) asks the road transport authority to transfer the licence to someone else, the authority must transfer the licence to the person.
- (2) A restricted taxi licence is not transferable (including, for example, by hiring the licence to another person).

42 Use of vehicles as taxis

- (1) A person must not use a vehicle as a taxi (other than a restricted taxi) unless the vehicle is licensed under the regulations as a taxi.

Maximum penalty: 50 penalty units.

- (2) A person must not use a vehicle as a restricted taxi unless the vehicle is licensed under the regulations as a restricted taxi.

Maximum penalty: 50 penalty units.

- (3) This section does not apply to a person in relation to the hiring of a vehicle used by the person if—

- (a) the vehicle is licensed as a taxi under the law of another jurisdiction; and

- (b) the hiring begins in that jurisdiction and is completed in the ACT.

- (4) This section also does not apply to a person who is using a substitute vehicle as a licensed taxi in accordance with the regulations.

43 Pretending vehicles are licensed taxis

- (1) A person must not pretend that a vehicle is licensed under the regulations as a taxi (other than a restricted taxi).

Maximum penalty: 30 penalty units.

- (2) A person must not pretend that a vehicle is licensed under the regulations as a restricted taxi.

Maximum penalty: 30 penalty units.

44 Regulations about taxi licences

- (1) The regulations are to provide a system for the licensing of taxis and restricted taxis, including, for example—
- (a) matters relating to the giving, refusal or surrender of licences; and
 - (b) the term of restricted taxi licences; and
 - (c) the conditions of licences; and
 - (d) the circumstances in which a substitute vehicle may be used as a licensed taxi; and
 - (e) the action that may be taken in relation to licences in circumstances prescribed under the regulations, including—
 - (i) the suspension or cancellation of a licence; and
 - (ii) the imposition of a condition on, or the amendment of a condition of, a licence; and
 - (iii) an order that the holder of a licence pay to the Territory an amount of not more than—
 - (A) for an individual—\$5 000; or
 - (B) for a corporation—\$25 000; and
 - (iv) the reprimanding of the holder of a licence.

Examples of conditions for restricted taxi licences—s (1) (c)

- 1 How the vehicle to which the restricted taxi licence relates must be equipped.
- 2 The kinds of restricted taxi services that may be operated using the vehicle.

- (2) The regulations may place different requirements on the person to whom a taxi licence (other than a restricted taxi licence) is issued and a person to whom the licence is hired.

Part 5 Taxi services

Division 5.1 Basic concepts

45 Meaning of *taxi*

A *taxi* is a vehicle (other than a bus) that stands or plies for hire for the transport of passengers along a road or road related area, and includes a restricted taxi.

Note References to *taxi* include a *restricted taxi* unless the contrary intention otherwise appears (see Legislation Act, s 155).

46 Meaning of *restricted taxi*

A *restricted taxi* is a vehicle (other than a bus) that stands or plies for hire for the transport of passengers along a road or road related area and that is licensed under the regulations as a restricted taxi.

47 Meaning of *taxi service*

A *taxi service* is a public passenger service operated using 1 or more taxis (including restricted taxis).

48 Meaning of *restricted taxi service*

A *restricted taxi service* is a public passenger service operated using only 1 or more restricted taxis.

Examples of kinds of restricted taxi services

- 1 A service that must give priority to the transport of people with disabilities.
- 2 A service with no requirement to give priority to the transport of people with disabilities.

Division 5.2 Accreditation of taxi service operators

49 Taxi service operators—purposes of accreditation

The purpose of accreditation under the regulations to operate a taxi service is to ensure that—

- (a) the accredited person has the financial capacity to meet the service standards for the service; and
- (b) the accredited person, and each person who is concerned with, or takes part in, the management of the service, are suitable people to operate the service; and
- (c) the accredited person, and each person who is concerned with, or takes part in, the management of the service, have demonstrated the capacity to comply with the relevant regulations and, in particular, the regulations about—
 - (i) the safety of passengers and the public; and
 - (ii) the maintenance of taxis.

50 Taxi service operators—regulations about accreditation system

- (1) The regulations are to provide a system for the accreditation of people to operate taxi services, including, for example—
 - (a) the kinds of accreditations; and
 - (b) the kinds of taxis and taxi services that a person who holds a particular kind of accreditation is entitled to operate; and
 - (c) the conditions of accreditations; and
 - (d) matters relating to the giving, refusal or surrender of accreditations; and
 - (e) the action that may be taken in relation to an accredited person in circumstances prescribed under the regulations, including—

- (i) the suspension or cancellation of an accreditation; and
 - (ii) the imposition of a condition on, or the amendment of a condition of, an accreditation; and
 - (iii) an order that an accredited person pay to the Territory an amount of not more than—
 - (A) for an individual—\$5 000; or
 - (B) for a corporation—\$25 000; and
 - (iv) the reprimanding of an accredited person.
- (2) The regulations may make provision in relation to the accreditation of people to operate taxi services, including, for example—
- (a) requirements about the suitability of the applicant and each person who will be concerned with, or take part in, the management of the service; and
 - (b) capacity to meet service standards; and
 - (c) financial viability.
- (3) For subsection (1) (a), the regulations must provide for the accreditation of people to operate—
- (a) a taxi service (other than a restricted taxi service); and
 - (b) a restricted taxi service.

Note For examples of kinds of restricted taxi services, see s 48.

Division 5.3 Entitlement to operate taxi services

51 Entitlement to operate taxi services

A person is entitled to operate a particular kind of taxi service, within or partly within the ACT, if—

- (a) the person is accredited under the regulations to operate a taxi service of that kind; and

- (b) the vehicles used to operate the service are licensed under the regulations as taxis for that kind of taxi service; and
- (c) the person is affiliated with an accredited taxi network provider who is entitled to provide taxi related services to that kind of taxi service.

52 Unaccredited operators not to operate taxi services

- (1) A person must not operate, within or partly within the ACT, a taxi service of a particular kind unless the person is accredited under the regulations to operate the taxi service of that kind.

Maximum penalty: 50 penalty units.

- (2) This section does not apply to a person in relation to the hiring of a taxi operated by the person if—
 - (a) the person is authorised to operate a taxi service under the law of another jurisdiction; and
 - (b) the hiring begins in that jurisdiction and is completed in the ACT.

53 Pretending to be an accredited taxi service operator

- (1) A person must not pretend to be accredited under the regulations to operate a taxi service.

Maximum penalty: 30 penalty units.

- (2) A person must not pretend to be accredited under the regulations to operate a particular kind of taxi service.

Maximum penalty: 30 penalty units.

54 Taxi service operators to be affiliated with taxi network

An accredited taxi service operator must not operate a taxi service of a particular kind unless the person is affiliated with an accredited

taxi network provider who is entitled to provide taxi related services to that kind of taxi service.

Maximum penalty: 50 penalty units.

55 Pretending to be affiliated with taxi network

A person must not pretend to be affiliated with an accredited taxi network provider.

Maximum penalty: 30 penalty units.

Division 5.4 Regulation of taxi services

56 Regulations about operation of taxi services by accredited people

The regulations may make provision in relation to the operation of taxi services by accredited taxi service operators, including, for example—

- (a) the specifications for, and operation of, equipment in taxis operated by accredited taxi service operators to receive messages from the accredited taxi network provider with which the operator is affiliated and for taximeters; and
- (b) compliance with the requirements of the accredited taxi network provider with which an accredited taxi service operator is affiliated; and
- (c) the supervision and monitoring of drivers of taxis operated by an accredited taxi service operator for compliance with the service standards and other requirements of the operator's affiliated taxi network provider and the responsibilities of the operator in relation to a failure to comply with the standards; and
- (d) the safety of passengers (including, for example, particular kinds of security devices) and the public; and

- (e) the qualifications, training and experience of accredited taxi service operators and taxi drivers (including, for example, in relation to particular kinds of taxi services); and
- (f) maximum driving times and minimum rest times of taxi drivers; and
- (g) insurance; and
- (h) customer complaints and inquiries; and

Note For the vehicle age limitations on the registration of a motor vehicle as a taxi, see the *Road Transport (Vehicle Registration) Regulations 2000*, reg 32.

- (i) lost property; and
- (j) the obligations of accredited taxi network providers and taxi drivers and other people providing services to or on behalf of accredited taxi service operators; and
- (k) the operation of particular kinds of taxis (including, for example, taxis with wheelchair access) and taxi services; and
- (l) the requirements that taxis, and their equipment and fittings (internal and external) (including, for example, baby capsules), must comply with; and
- (m) the maintenance and cleaning of taxis; and
- (n) the making and keeping of records and their inspection; and
- (o) the auditing of records and systems; and
- (p) the provision of information and reports to the road transport authority.

57 Regulations about operation of taxis

The regulations may make provision in relation to the operation of taxis, including, for example—

- (a) the solicitation of passengers or hirings; and

- (b) the hiring of vehicles and the payment of fares; and
- (c) the picking-up and dropping-off of passengers and other matters relating to the transport of passengers; and
- (d) the transport of passengers' luggage or other goods, and animals; and
- (e) the regulation or prohibition of the use of vehicles on certain roads or road related areas; and
- (f) the maximum speed of a vehicle; and
- (g) the design, equipment and fittings (internal or external) of vehicles; and
- (h) the regulation or prohibition of notices, signs and advertisements inside or on the outside of vehicles; and
- (i) the records to be made and kept by drivers, how they are to be made and kept, and their inspection; and
- (j) the provision, use and operation of taxi zones.

58 Regulations about taxi drivers

The regulations may make provision in relation to taxi drivers, including, for example—

- (a) the powers, duties and conduct of taxi drivers; and
- (b) the training of drivers; and
- (c) how taxi drivers must dress.

Note For the licensing of people to drive taxis, see the *Road Transport (Driver Licensing) Regulations 2000*.

59 Regulations about conduct of taxi passengers

The regulations may make provision in relation to the conduct of passengers being carried by taxis, including, for example—

- (a) the regulation or prohibition of eating and drinking; and
- (b) the authority of taxi drivers, police officers and authorised people to direct people contravening a regulation to leave a taxi and to remove them if they fail to leave.

60 Power to determine maximum taxi fares

- (1) The Minister may, in writing, determine maximum fares, and ways of calculating maximum fares, relating to hiring or using a taxi.
- (2) A determination is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

- (3) This section does not require the Minister to determine maximum fares for hiring or using a taxi.

Note The Independent Competition and Regulatory Commission may give price directions for regulated industries, see the *Independent Competition and Regulatory Commission Act 1997*, s 20.

- (4) In this section:

fare includes a charge relating to hiring or using a taxi.

Part 6 Licensing of hire cars

Division 6.1 Basic concepts

61 **Meaning of *hire car licence***

A *hire car licence* is a licence issued under the regulations to use a vehicle as a hire car, and includes a restricted hire car licence.

Note References to *hire car licence* include a *restricted hire car licence* unless the contrary intention otherwise appears (see Legislation Act, s 155).

62 **Meaning of *restricted hire car licence***

A *restricted hire car licence* is a licence issued under the regulations to use a vehicle as a restricted hire car.

Division 6.2 Hire car licences

63 **Transferability of hire car licences**

- (1) A hire car licence (other than a restricted hire car licence) issued before the commencement of this section is transferable.

Examples of how licence might be transferred

- 1 hiring the licence to someone else
- 2 selling the licence to someone else

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) A hire car licence issued after the commencement of this section is not transferable.
- (3) A restricted hire car licence is not transferable.

- (4) If the holder of a transferable hire car licence asks the road transport authority to transfer the licence to someone else, the authority must transfer the licence to the person.

64 Use of vehicles as hire cars

- (1) A person must not use a vehicle as a hire car (other than a restricted hire car) unless the vehicle is licensed under the regulations as a hire car.

Maximum penalty: 50 penalty units.

- (2) A person must not use a vehicle as a restricted hire car unless the vehicle is licensed under the regulations as a restricted hire car.

Maximum penalty: 50 penalty units.

- (3) This section does not apply to a person in relation to the hiring of a vehicle used by the person if—

- (a) the vehicle is licensed as a hire car under the law of another jurisdiction; and
(b) the hiring begins in that jurisdiction and is completed in the ACT.

- (4) This section also does not apply to a person who is using a substitute vehicle as a licensed hire car in accordance with the regulations.

- (5) An offence against this section is a strict liability offence.

65 Pretending vehicles are licensed hire cars

- (1) A person must not pretend that a vehicle is licensed under the regulations as a hire car (other than a restricted hire car).

Maximum penalty: 30 penalty units.

- (2) A person must not pretend that a vehicle is licensed under the regulations as a restricted hire car.

Maximum penalty: 30 penalty units.

- (3) An offence against this section is a strict liability offence.

66 Regulations about hire car licences

- (1) The regulations are to provide a system for the licensing of hire cars and restricted hire cars, including, for example—
- (a) matters in relation to the giving, refusal or surrender of licences; and
 - (b) the term of restricted hire car licences; and
 - (c) the conditions of licences; and
 - (d) the circumstances in which a substitute vehicle may be used as a licensed hire car; and
 - (e) the action that may be taken in relation to licences in circumstances prescribed under the regulations, including, for example—
 - (i) the suspension or cancellation of a licence; and
 - (ii) the imposition of a condition on, or the amendment of a condition of, a licence; and
 - (iii) an order that the holder of a licence pay to the Territory an amount of not more than—
 - (A) for an individual—\$5 000; or
 - (B) for a corporation—\$25 000; and
 - (iv) the reprimanding of the holder of a licence.

Examples of conditions for restricted hire car licences—s (1) (c)

- 1 how the vehicle to which the restricted hire car licence relates must be equipped

2 the kinds of restricted hire car services that may be operated using the vehicle

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

(2) The regulations may place different requirements on the person to whom a hire car licence (other than a restricted hire car licence) is issued and a person to whom the licence is hired.

Part 7 Hire car services

Division 7.1 Basic concepts

67 Meaning of *hire car*

A *hire car* is a vehicle (other than a bus or taxi) that—

- (a) is used, or is intended to be used, for the transport of passengers under a contract; and
- (b) does not stand or ply for hire for the transport of passengers along a road or road related area;

and includes a restricted hire car.

Note References to *hire car* include a *restricted hire car* unless the contrary intention otherwise appears (see Legislation Act, s 155).

68 Meaning of *restricted hire car*

A *restricted hire car* is a vehicle (other than a bus or taxi) that—

- (a) is used, or is intended to be used, for the transport of passengers under a contract; and
- (b) does not stand or ply for hire for the transport of passengers along a road or road related area; and
- (c) is licensed under the regulations as a restricted hire car.

69 Meaning of *hire car service*

A *hire car service* is a public passenger service operated using 1 or more hire cars (including restricted hire cars).

70 **Meaning of *restricted hire car service***

A *restricted hire car service* is a public passenger service operated using only 1 or more restricted hire cars.

Example of a restricted hire car service

a pre-booked public passenger service that provides transport to weddings and school formals

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

Division 7.2 **Accreditation of hire car service operators**

71 **Hire car service operators—purposes of accreditation**

The purpose of accreditation under the regulations to operate a hire car service is to ensure that—

- (a) each person, including the accredited person, who is concerned with, or takes part in, the management of the service, is a suitable person to operate the service; and
- (b) each person, including the accredited person, who is concerned with, or takes part in, the management of the service, has demonstrated the capacity to comply with the relevant regulations and, in particular, the regulations about—
 - (i) the safety of passengers and the public; and
 - (ii) the maintenance of hire cars.

72 **Hire car service operators—regulations about accreditation system**

- (1) The regulations are to provide a system for the accreditation of people to operate hire car services, including, for example—

- (a) the kinds of accreditations; and
- (b) the kinds of hire cars and hire car services that a person who holds a particular kind of accreditation is entitled to operate; and
- (c) the conditions of accreditations; and
- (d) matters in relation to the giving, refusal or surrender of accreditations; and
- (e) the action that may be taken in relation to an accredited person in circumstances prescribed under the regulations, including, for example—
 - (i) the suspension or cancellation of an accreditation; and
 - (ii) the imposition of a condition on, or the amendment of a condition of, an accreditation; and
 - (iii) an order that an accredited person pay to the Territory an amount of not more than—
 - (A) for an individual—\$5 000; or
 - (B) for a corporation—\$25 000; and
 - (iv) the reprimanding of an accredited person.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (2) The regulations may make provision in relation to the accreditation of people to operate hire car services, including, for example—
 - (a) requirements about the suitability of the applicant and each person who will be concerned with, or take part in, the management of the service; and
 - (b) capacity to meet service standards.

- (3) For subsection (1) (a), the regulations must provide for the accreditation of people to operate—
- (a) a hire car service (other than a restricted hire car service); and
 - (b) a restricted hire car service.

Note For examples of kinds of restricted hire car services, see s 70.

Division 7.3 Entitlement to operate hire car services

73 Entitlement to operate hire car services

A person is entitled to operate a particular kind of hire car service, within or partly within the ACT, if—

- (a) the person is accredited under the regulations to operate a hire car service of that kind; and
- (b) the vehicles used to operate the service are licensed under the regulations as hire cars for that kind of hire car service.

74 Unaccredited operators not to operate hire car services

- (1) A person must not operate, within or partly within the ACT, a hire car service of a particular kind unless the person is accredited under the regulations to operate a hire car service of that kind.

Maximum penalty: 50 penalty units.

- (2) This section does not apply to a person in relation to the hiring of a hire car operated by the person if—
- (a) the person is authorised to operate a hire car service under the law of another jurisdiction; and
 - (b) the hiring begins in that jurisdiction and is completed in the ACT; and

(c) the hiring is of a kind that the person is authorised to operate under the law of that jurisdiction.

(3) An offence against this section is a strict liability offence.

75 Pretending to be an accredited hire car service operator

(1) A person must not pretend to be accredited under the regulations to operate a hire car service.

Maximum penalty: 30 penalty units.

(2) A person must not pretend to be accredited under the regulations to operate a particular kind of hire car service.

Maximum penalty: 30 penalty units.

(3) An offence against this section is a strict liability offence.

Division 7.4 Regulation of hire car services

76 Regulations about operation of hire car services by accredited people

The regulations may make provision in relation to the operation of hire car services by accredited hire car service operators, including, for example—

(a) the supervision and monitoring of drivers of hire cars operated by an accredited hire car service operator for compliance with the service standards and the responsibilities of the operator in relation to a failure to comply with the standards; and

(b) the safety of passengers (including, for example, particular kinds of security devices) and the public; and

(c) the qualifications, training and experience of accredited hire car service operators and hire car drivers (including, for example, in relation to particular kinds of hire car services); and

- (d) maximum driving times and minimum rest times of hire car drivers; and
- (e) insurance; and
- (f) customer complaints and inquiries; and
- (g) lost property; and
- (h) the operation of particular kinds of hire cars and hire car services; and
- (i) the requirements that hire cars, and their equipment and fittings (internal and external) (including, for example, baby capsules), must comply with; and
- (j) the maintenance and cleaning of hire cars; and
- (k) the making and keeping of records and their inspection; and
- (l) the auditing of records and systems; and
- (m) the display of licences; and
- (n) requirements for display of accreditation numbers on advertisements for the service; and
- (o) the provision of information and reports to the road transport authority.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

77 Regulations about operation of hire cars

The regulations may make provision in relation to the operation of hire cars, including, for example—

- (a) the solicitation of passengers or hirings; and
- (b) the hiring of vehicles; and

- (c) the picking-up and dropping-off of passengers and other matters relating to the transport of passengers; and
- (d) the transport of passengers' luggage or other goods, and animals; and
- (e) the regulation or prohibition of the use of vehicles on certain roads or road related areas; and
- (f) the maximum speed of a vehicle; and
- (g) the design, equipment and fittings (internal or external) of vehicles; and
- (h) the regulation or prohibition of notices, signs and advertisements inside or on the outside of vehicles; and
- (i) the records to be made and kept by drivers, how they are to be made and kept, and their inspection; and
- (j) approval of uniforms or industry codes of practice for dress standards.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

78 Regulations about hire car drivers

The regulations may make provision in relation to hire car drivers, including, for example—

- (a) the powers, duties and conduct of hire car drivers; and
- (b) the training of drivers; and
- (c) how hire car drivers must dress.

Note 1 For the licensing of people to drive hire cars, see the *Road Transport (Driver Licensing) Regulations 2000*.

Note 2 An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

79 Regulations about conduct of hire car passengers

The regulations may make provision in relation to the conduct of passengers being carried by hire cars, including, for example the authority of hire car drivers, police officers and authorised people to direct people contravening a regulation to leave a hire car and to remove them if they fail to leave.

Note An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

Part 8 Miscellaneous

80 Unauthorised public passenger services

- (1) A person must not use a vehicle for the transport of passengers for a fare or other consideration along a road or road related area.

Maximum penalty: 50 penalty units.

- (2) This section does not apply to the person if—
- (a) the monetary or other consideration receivable by the person is not more than the cost of operating the vehicle to transport the passengers; or
 - (b) the person is entitled under this Act to operate the public passenger service being operated by the person.

Examples for par (a)

- 1 A car pool in which participants share the costs of operating the vehicle for the car pool.
- 2 Helen is a member of Bush Hikers Anonymous. She carries 2 other members in her car to a club walk. The 2 other members pay Helen part of the costs of operating her car for the club walk.

Note 1 For the entitlement of a person to operate a public passenger service, see the following provisions of this Act:

- s 18 and s 19 (bus services)
- s 51 (taxi services)
- s 73 (hire car services).

Note 2 This section also does not apply if the person is exempted from the operation of this section under s 84 or s 85.

Note 3 An example is part of the Act, is not exhaustive and may extend, but does not limit, the meaning of the provision in which it appears (see Legislation Act, s 126 and s 132).

- (3) An offence against this section is a strict liability offence.

81 Regulation-making power

- (1) The Executive may make regulations for this Act.

Note Regulations must be notified and presented to the Legislative Assembly, under the *Legislation Act 2001*.

- (2) The regulations may create offences for contraventions of the regulations and prescribe maximum penalties of not more than 20 penalty units for offences against the regulations.

82 Regulations may apply certain laws and instruments

The regulations may apply a law of another jurisdiction or any other instrument, as in force from time to time.

Note 1 The text of an applied, adopted or incorporated law or instrument, whether applied as in force from time to time or as at a particular time, is taken to be a notifiable instrument if the operation of the *Legislation Act 2001*, s 47 (5) or (6) is not disapplied (see s 47 (7)).

Note 2 A notifiable instrument must be notified under the *Legislation Act 2001*.

83 Regulations about enforcement

The regulations may make provision in relation to the powers and duties of police officers and authorised officers in relation to public passenger services, including, for example, in relation to public passenger vehicles, drivers of public passenger vehicles and passengers.

84 Minister may exempt vehicles and people from Act

- (1) The Minister may exempt a vehicle or person from this Act (or a stated provision of this Act).
- (2) An exemption is a disallowable instrument.

Note A disallowable instrument must be notified, and presented to the Legislative Assembly, under the *Legislation Act 2001*.

85 Regulations may exempt vehicles and people from Act

- (1) The regulations may—
 - (a) exempt a vehicle or person, or a kind of vehicle or person, prescribed under the regulations from this Act (or a stated provision of this Act); or
 - (b) authorise the road transport authority to exempt a vehicle or person, or a kind of vehicle or person, prescribed under the regulations from this Act (or a stated provision of this Act).
- (2) An exemption given under a regulation mentioned in subsection (1) may be conditional.
- (3) The regulations may provide for the road transport authority to—
 - (a) suspend the operation of a regulation mentioned in subsection (1) (a) in the way and circumstances prescribed under the regulations; or
 - (b) suspend the operation of an exemption given by the authority to a vehicle or person in the way and circumstances prescribed under the regulations.

86 References to Motor Traffic Act, Traffic Act etc

- (1) In any Act, instrument made under an Act or document, a reference to an earlier law is, in relation to anything to which this Act applies, a reference to this Act.
- (2) In this section:

earlier law means any of the following:

 - (a) *Motor Traffic Act 1936*;
 - (b) *Motor Traffic Regulations 1934*;
 - (c) *Road Transport (Bus Services) Regulations 2000*;
 - (d) *Road Transport (General) Act 1999*;

- (e) *Road Transport (Hire Vehicle Services) Regulations 2000*;
- (f) *Road Transport (Taxi Services) Regulations 2000*.

Part 9 Transitional provisions

87 Definitions for pt 9

In this part:

annual weddings and school formals licence means a restricted hire vehicle operator's licence issued for 1 year under the General Act for providing hire car services for weddings and school formals.

commencement means the commencement of this part.

General Act means the *Road Transport (General) Act 1999*, as in force immediately before the commencement.

88 Transitional regulations

- (1) The regulations may prescribe savings or transitional matters necessary or convenient to be prescribed because of the enactment of part 6 (Licensing of hire cars) and part 7 (Hire car services).
- (2) Without limiting the scope of subsection (1), the regulations may prescribe matters necessary or convenient to be prescribed for carrying out or giving effect to the provisions of part 6, part 7 and this part.
- (3) Regulations made for this section must not be taken to be inconsistent with—
 - (a) this Act as far as they can operate concurrently with this Act; or
 - (b) any other provision of the road transport legislation as far as they can operate concurrently with the provision.
- (4) This section is additional to, and does not limit, section 89 (Modification of pt 9's operation).

89 Modification of pt 9's operation

The regulations may modify the operation of this part to make provision in relation to any matter that, in the Executive's opinion, is not, or not adequately, dealt with in this part.

M 90 Continuation of hire car licences

- (1) This section applies to a person who, immediately before the commencement, was the holder of—
 - (a) a private hire car operator's licence under the General Act; or
 - (b) an annual weddings and school formals licence.
- (2) The person is taken, after the commencement—
 - (a) for a person mentioned in subsection (1) (a)—to be the holder of a hire car licence (other than a restricted hire car licence) issued under this Act; or
 - (b) for a person mentioned in subsection (1) (b)—to be the holder of a restricted hire car licence issued under this Act.
- (3) If the licence held by the person was, immediately before the commencement, subject to conditions, the licence the person is taken to hold under subsection (2) is taken to be subject to the conditions.
- (4) The term of a restricted hire vehicle operator's licence that is taken to be a restricted hire car licence issued under this Act is taken to be the unexpired term of the licence before the commencement.

91 Interim accreditation of existing hire car operators

- (1) This section applies to a person who—
 - (a) immediately before the commencement, operated a hire car service (other than a restricted hire car service) within the meaning of this Act; or

- (b) immediately before the commencement, was the holder of an annual weddings and school formals licence.
- (2) The person is taken, after the commencement—
 - (a) for a person mentioned in subsection (1) (a)—to be accredited under the regulations to operate a hire car service; or
 - (b) for a person mentioned in subsection (1) (b)—to be accredited under the regulations to operate a restricted hire car service.
- (3) The accreditation the person is taken to hold under subsection (2) may be varied or ended by the road transport authority in accordance with the regulations.
- (4) If the accreditation a person mentioned in subsection (1) (a) or (b) is taken to hold under subsection (2) has not been ended in accordance with the regulations, the accreditation ends 1 year after the day this section commences.

92 Interim accreditation of tour and charter service operators

- (1) This section applies to a person who was taken to be an accredited tour and charter service operator under section 83 (Existing small buses) immediately before the section's expiry.

Note Section 83 expired on 1 June 2003.

- (2) The person is taken, after the commencement, to be accredited under the regulations to operate a restricted hire car service.
- (3) The person is taken, after the commencement, to be the holder of a restricted hire car licence issued under the regulations.
- (4) If the accreditation or licence the person is taken to hold under subsection (2) or (3) has not been ended in accordance with the regulations, the accreditation or licence ends 1 year after the day this section commences.

93 Expiry of pt 9

This part expires 1 year after the day this section commences.

Dictionary

(see s 4)

Note 1 The *Legislation Act 2001* contains definitions and other provisions relevant to this Act.

Note 2 In particular, the *Legislation Act 2001*, dict, pt 1, defines the following terms:

- ACT
- exercise
- function
- the Territory.

accredited, in relation to a kind of public passenger service, means accredited under the regulations to operate that kind of public passenger service.

accredited hire car service operator means accredited under the regulations to operate a hire car service.

accredited taxi network provider means accredited under the regulations to operate a taxi network.

accredited taxi service operator means accredited under the regulations to operate a taxi service.

affiliated, in relation to an accredited taxi service operator, means affiliated with an accredited taxi network provider.

another jurisdiction means a jurisdiction other than the ACT.

authority—see *road transport authority*.

bus—see section 10A.

bus service—see section 11 (Meaning of *bus service*).

fare means the amount payable by passengers for transport, or for the transport of passengers' luggage or other goods, on public passenger vehicles.

hire car—see section 67.

hire car licence—see section 61.

hire car service—see section 69.

jurisdiction means a State, the Commonwealth or an internal Territory, including the ACT.

long-distance service—see section 14 (What is a *long-distance service*?).

motor vehicle means a vehicle built to be propelled by a motor that forms part of the vehicle.

public bus—see section 10A.

public passenger service—see section 10 (What is a *public passenger service*?).

public passenger vehicle means a public bus, taxi or hire car.

public vehicle licence—see the *Road Transport (Driver Licensing) Act 1999*, dictionary.

regular route service—see section 12 (What is a *regular route service*?).

restricted hire car—see section 68.

restricted hire car licence—see section 62.

restricted hire car service—see section 70.

restricted taxi—see section 46 (Meaning of *restricted taxi*).

restricted taxi licence—see section 38 (Meaning of *restricted taxi licence*).

restricted taxi service—see section 48 (Meaning of *restricted taxi service*).

road means an area that is open to or used by the public and is developed for, or has as 1 of its main uses, the driving or riding of motor vehicles, but does not include an area that would otherwise be a road so far as a declaration under the *Road Transport (General) Act 1999*, section 12 (Power to include or exclude areas in road transport legislation) declares that this Act does not apply to the area.

road related area means—

- (a) an area that divides a road; or
- (b) a footpath or nature strip adjacent to a road; or
- (c) an area that is open to the public and is designated for use by cyclists or animals; or
- (d) an area that is not a road and that is open to or used by the public for driving, riding or parking vehicles; or
- (e) a shoulder of a road; or
- (f) any other area that is open to or used by the public so far as a declaration under the *Road Transport (General) Act 1999*, section 12 (Power to include or exclude areas in road transport legislation) declares that this Act applies to the area;

but does not include an area that would otherwise be a road related area so far as a declaration under that section declares that this Act does not apply to the area.

road transport authority (or **authority**) means the Australian Capital Territory Road Transport Authority.

Note The chief executive of the department responsible for the *Road Transport (General) Act 1999* is the road transport authority (see *Road Transport (General) Act 1999*, s 16).

service contract—see section 17 (Service contracts).

taxi—see section 45 (Meaning of *taxi*).

taxi booking service—see section 29 (Meaning of *taxi booking service*).

taxi driver means the person driving a taxi if the person holds a public vehicle licence authorising the person to drive the taxi for hire or reward.

taxi licence—see section 37 (Meaning of *taxi licence*).

taxi network—see section 28 (Meaning of *taxi network*).

taxi service—see section 47 (Meaning of *taxi service*).

taxi zone—see the Australian Road Rules, rule 182.

tour and charter service—see section 13 (What is a *tour and charter service*?).

vehicle means—

- (a) any description of vehicle on wheels, other than a vehicle used on railways or tramways; or
- (b) any other vehicle prescribed under the regulations;

and includes anything else that, under the regulations, is to be treated as a vehicle.

Endnotes

1 About the endnotes

Endnotes

1 About the endnotes

Amending and modifying laws are annotated in the legislation history and the amendment history. Current modifications are not included in the republished law but are set out in the endnotes.

Not all editorial amendments made under the *Legislation Act 2001*, part 11.3 are annotated in the amendment history. Full details of any amendments can be obtained from the Parliamentary Counsel's Office.

Uncommenced amending laws and expiries are listed in the legislation history and the amendment history. These details are underlined. Uncommenced provisions and amendments are not included in the republished law but are set out in the last endnote.

If all the provisions of the law have been renumbered, a table of renumbered provisions gives details of previous and current numbering.

The endnotes also include a table of earlier republications.

2 Abbreviation key

| | |
|--|--|
| am = amended | ord = ordinance |
| amdt = amendment | orig = original |
| ch = chapter | par = paragraph/subparagraph |
| def = definition | pres = present |
| dict = dictionary | prev = previous |
| disallowed = disallowed by the Legislative Assembly | (prev...) = previously |
| div = division | pt = part |
| exp = expires/expired | r = rule/subrule |
| Gaz = gazette | renum = renumbered |
| hdg = heading | reloc = relocated |
| IA = Interpretation Act 1967 | R[X] = Republication No |
| ins = inserted/added | RI = reissue |
| LA = Legislation Act 2001 | s = section/subsection |
| LR = legislation register | sch = schedule |
| LRA = Legislation (Republication) Act 1996 | sdiv = subdivision |
| mod = modified/modification | sub = substituted |
| o = order | SL = Subordinate Law |
| om = omitted/repealed | <u>underlining</u> = whole or part not commenced or to be expired |

3 Legislation history

Road Transport (Public Passenger Services) Act 2001 No 62

notified 10 September 2001 (Gaz 2001 No S66)

s 1, s 2 commenced 10 September 2001 (IA s 10B)

remainder commenced 1 December 2001 (s 2 and CN 2001 No 2)

as amended by

Road Transport (Public Passenger Services) Amendment Act 2001 No 94

notified LR 27 September 2001

s 1, s 2 commenced 27 September 2001 (LA s 75)

remainder commenced 1 March 2002 (s 2 and CN 2002 No 2)

Statute Law Amendment Act 2002 No 30 pt 3.70

notified LR 16 September 2002

s 1, s 2 taken to have commenced 19 May 1997 (LA s 75 (2))

pt 3.70 commenced 17 September 2002 (s 2 (1))

Statute Law Amendment Act 2002 (No 2) No 49 pt 3.23

notified LR 20 December 2002

s 1, s 2 taken to have commenced 7 October 1994 (LA s 75 (2))

pt 3.23 commenced 17 January 2003 (s 2 (1))

Road Transport (Public Passenger Services) (Hire Cars) Amendment Act 2004 A2004-69 pt 2

notified LR 9 September 2004

s 1, s 2 commenced 9 September 2004 (LA s 75 (1))

pt 2 commenced 9 March 2005 (s 2 and LA s 79)

as modified by

Road Transport (Public Passenger Services) Regulation 2002 SL2002-3 (as am by SL2005-4 s 12)

notified LR 27 February 2002

s 1, s 2 commenced 27 February 2002 (LA s 75 (1))

s 132 (4) commenced 1 March 2003 (s 2 (2))

remainder commenced 1 March 2002 (s 2 (1) and see CN2002-2)

Endnotes

4 Amendment history

Road Transport Legislation (Hire Cars) Amendment Regulation 2005 (No 1) SL2005-4 s 12

notified LR 7 March 2005

s 1, s 2 commenced 7 March 2005 (LA s 75 (1))

s 12 commenced 9 March 2005 (s 2 and see Road Transport (Public Passenger Services) (Hire Cars) Amendment Act 2004 A2004-69, s 2 and LA s 79)

Note This regulation only amends the Road Transport (Public Passenger Services) Regulation 2002 SL2002-3.

Statute Law Amendment Act 2005 A2005-20 sch 3 pt 3.57

notified LR 12 May 2005

s 1, s 2 taken to have commenced 8 March 2005 (LA s 75 (2))

amdt 3.372, amdt 3.374 commenced 2 June 2005 (s 2 (2))

remainder sch 3 pt 3.57 commenced 2 June 2005 (s 2 (1))

4 Amendment history

Preliminary

pt 1 hdg note om A2005-20 amdt 3.369

Name of Act

s 1 am A2005-20 amdt 3.370

Objects

s 2 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 2 orig s 2 om R1 LA (s 89 (4))
(prev s 3) sub 2001 No 94 s 4
renum as s 2 R1 LA (see 2001 No 94 s 17)
am A2004-69 s 4

Dictionary

s 3 (prev s 4) renum as s 3 R1 LA (see 2001 No 94 s 17)

Notes

s 4 (prev s 5) sub 2001 No 94 s 5
renum as s 4 R1 LA (see 2001 No 94 s 17)
ss (2), (3) exp 30 June 2002 (s 4 (3))

Offences against Act—application of Criminal Code etc

s 4A ins A2004-69 s 5

Functions of road transport authority

s 5 (prev s 6) sub 2001 No 94 s 5
renum as s 5 R1 LA (see 2001 No 94 s 17)
am A2004-69 s 6

Registers of accredited people and licences

s 6 (prev s 7) sub 2001 No 94 s 5
renum as s 6 R1 LA (see 2001 No 94 s 17)
am A2004-69 s 7

Security and disclosure of information in registers

s 7 (prev s 8) sub 2001 No 94 s 5
renum as s 7 R1 LA (see 2001 No 94 s 17)
sub 2002 No 49 amdt 3.229

Trade Practices Act authorisation

s 8 (prev s 9) renum as s 8 R1 LA (see 2001 No 94 s 17)

Combinations of accreditations and licences

s 9 (prev s 9A) ins 2001 No 94 s 6
renum as s 9 R1 LA (see 2001 No 94 s 17)

Combinations of accreditations and licences

s 9A renum as s 9

Meaning of *bus* and *public bus*

s 10A ins A2005-20 amdt 3.371

Meaning of *bus service*

s 11 hdg bracketed note exp 30 June 2002 (s 4 (3))

What is a *regular route service*?

s 12 hdg bracketed note exp 30 June 2002 (s 4 (3))

What is a *long-distance service*?

s 14 hdg bracketed note exp 30 June 2002 (s 4 (3))

Bus operators—purposes of accreditation

s 15 hdg bracketed note exp 30 June 2002 (s 4 (3))

Regulations about accreditation system

s 16 am 2002 No 30 amdt 3.748

Service contracts

s 17 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 17 am 2002 No 49 amdt 3.230; A2005-20 amdt 3.372

Unaccredited operators not to operate certain bus services

s 20 hdg bracketed note exp 30 June 2002 (s 4 (3))

Pretending to be an accredited bus service operator

s 21 sub 2002 No 30 amdt 3.749

Operators of regular route services to hold service contracts

s 22 hdg bracketed note exp 30 June 2002 (s 4 (3))

Regulations about operation of bus services by accredited people

s 24 am A2004-69 s 8

Endnotes

4 Amendment history

Regulations about bus drivers

s 26 am 2002 No 49 amdt 3.230

Regulations about conduct of passengers

s 27 am 2002 No 49 amdt 3.230

Taxi networks

pt 3 hdg sub 2001 No 94 s 8

Basic concepts

div 3.1 hdg ins 2001 No 94 s 8

Meaning of *taxi network*

s 28 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 28 orig s 28 om 2001 No 94 s 7
(prev s 29) sub 2001 No 94 s 8
renum as s 28 R1 LA (see 2001 No 94 s 17)

Meaning of *taxi booking service*

s 29 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 29 (prev s 29A) ins 2001 No 94 s 8
renum as s 29 R1 LA (see 2001 No 94 s 17)

Meaning of *taxi booking service*

s 29A renum as s 29

Taxi network providers—purposes of accreditation

s 29B renum as s 30

Taxi network providers—regulations about accreditation system

s 29C renum as s 31

Entitlement to operate taxi networks

s 29D renum as s 32

Unaccredited persons not to operate taxi network

s 29E renum as s 33

Pretending to be an accredited taxi network provider

s 29F renum as s 34

Regulations about operation of taxi networks by accredited people

s 29G renum as s 35

Regulations about operation of taxi networks

s 29H renum as s 36

Accreditation of taxi network providers

div 3.2 hdg ins 2001 No 94 s 8

Taxi network providers—purposes of accreditation

s 30 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 30 (prev s 29B) ins 2001 No 94 s 8
renum as s 30 R1 LA (see 2001 No 94 s 17)

Meaning of *restricted taxi licence*

s 30A renum as s 38

Maximum numbers of taxi licences

s 30B renum as s 39

Issue of taxi licences

s 30C renum as s 40

Transferability of taxi licences

s 30D renum as s 41

Use of vehicles as taxis

s 30E renum as s 42

Pretending vehicles are licensed taxis

s 30F renum as s 43

Regulations about taxi licences

s 30G renum as s 44

Taxi network providers—regulations about accreditation system

s 31 hdg bracketed note exp 30 June 2002 (s 4 (3))

s 31 (prev s 29C) ins 2001 No 94 s 8

renum as s 31 R1 LA (see 2001 No 94 s 17)

Meaning of *restricted taxi*

s 31A renum as s 46

Meaning of *taxi service*

s 31B renum as s 47

Meaning of *restricted taxi service*

s 31C renum as s 48

Taxi service operators—purposes of accreditation

s 31D renum as s 49

Taxi service operators—regulations about accreditation system

s 31E renum as s 50

Entitlement to operate taxi services

s 31F renum as s 51

Unaccredited operators not to operate taxi services

s 31G renum as s 52

Pretending to be an accredited taxi service operator

s 31H renum as s 53

Taxi service operators to be affiliated with taxi network

s 31I renum as s 54

Endnotes

4 Amendment history

- Pretending to be affiliated with taxi network**
s 31J renum as s 55
- Regulations about operation of taxi services by accredited people**
s 31K renum as s 56
- Regulations about operation of taxis**
s 31L renum as s 57
- Regulations about taxi drivers**
s 31M renum as s 58
- Regulations about conduct of taxi passengers**
s 31N renum as s 59
- Power to determine maximum taxi fares**
s 31O renum as s 60
- Entitlement to operate taxi networks**
div 3.3 hdg ins 2001 No 94 s 8
- Entitlement to operate taxi networks**
s 32 (prev s 29D) ins 2001 No 94 s 8
renum as s 32 R1 LA (see 2001 No 94 s 17)
- Regulations may apply certain laws and instruments**
s 32A renum as s 62 and then s 82
- Regulations about enforcement**
s 32B renum as s 63 and then s 83
- Minister may exempt vehicles and people from Act**
s 32C renum as s 64 and then s 84
- Regulations may exempt vehicles and people from Act**
s 32D renum as s 65 and then s 85
- Unaccredited persons not to operate taxi network**
s 33 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 33 orig s 33 renum as s 66 and then s 87
(prev s 29E) ins 2001 No 94 s 8
renum as s 33 R1 LA (see 2001 No 94 s 17)
- Pretending to be an accredited taxi network provider**
s 34 orig s 34 renum as s 67 and then s 88
(prev s 29F) ins 2001 No 94 s 8
renum as s 34 R1 LA (see 2001 No 94 s 17)
- Regulation of taxi networks**
div 3.4 hdg ins 2001 No 94 s 8

Regulations about operation of taxi networks by accredited people

s 35 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 35 orig s 35 renum as s 68 and then s 89
(prev s 29G) ins 2001 No 94 s 8
renum as s 35 R1 LA (see 2001 No 94 s 17)

Regulations about operation of taxi networks

s 36 orig s 36 renum as s 69 and then s 90
(prev s 29H) ins 2001 No 94 s 8
renum as s 36 R1 LA (see 2001 No 94 s 17)

Licensing of taxi vehicles

pt 4 hdg orig pt 4 hdg renum as pt 7 hdg (see 2001 No 94 s 9)
ins 2001 No 94 s 8

Basic concepts

div 4.1 hdg orig div 4.1 hdg renum as div 7.1 hdg
ins 2001 No 94 s 8

Meaning of taxi licence

s 37 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 37 orig s 37 renum as s 70 and then s 91
(prev s 30) sub 2001 No 94 s 8
renum as s 37 R1 LA (see 2001 No 94 s 17)
sub A2004-69 s 37

Meaning of restricted taxi licence

s 38 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 38 orig s 38 renum as s 71 and then s 92
(prev s 30A) ins 2001 No 94 s 8
renum as s 38 R1 LA (see 2001 No 94 s 17)

Taxi licences

div 4.2 hdg orig div 4.2 hdg renum as div 7.2 hdg
ins 2001 No 94 s 8

Maximum numbers of taxi licences

s 39 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 39 orig s 39 renum as s 72 and then s 93
(prev s 30B) ins 2001 No 94 s 8
renum as s 39 R1 LA (see 2001 No 94 s 17)

Issue of taxi licences

s 40 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 40 orig s 40 renum as s 73
(prev s 30C) ins 2001 No 94 s 8
renum as s 40 R1 LA (see 2001 No 94 s 17)

Endnotes

4 Amendment history

Transferability of taxi licences

s 41 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 41 orig s 41 renum as s 74
(prev s 30D) ins 2001 No 94 s 8
renum as s 41 R1 LA (see 2001 No 94 s 17)

Use of vehicles as taxis

s 42 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 42 orig s 42 renum as s 75
(prev s 30E) ins 2001 No 94 s 8
renum as s 42 R1 LA (see 2001 No 94 s 17)
am A2004-69 s 10

Pretending vehicles are licensed taxis

s 43 orig s 43 renum as s 76
(prev s 30F) ins 2001 No 94 s 8
renum as s 43 R1 LA (see 2001 No 94 s 17)

Regulations about taxi licences

s 44 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 44 orig s 44 renum as s 77
(prev s 30G) ins 2001 No 94 s 8
renum as s 44 R1 LA (see 2001 No 94 s 17)

Taxi services

pt 5 hdg orig pt 5 hdg om R1 LA (s 89 (3)) but see s 54
prev pt 5 hdg exp 31 December 2001 (s 54)
ins 2001 No 94 s 8

Basic concepts

div 5.1 hdg ins 2001 No 94 s 8

Meaning of *taxi*

s 45 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 45 orig s 45 renum as s 78
(prev s 31) sub 2001 No 94 s 8
renum as s 45 R1 LA (see 2001 No 94 s 17)
sub A2004-69 s 11

Meaning of *restricted taxi*

s 46 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 46 orig s 46 renum as s 79
(prev s 31A) ins 2001 No 94 s 8
renum as s 46 R1 LA (see 2001 No 94 s 17)

Meaning of *taxi service*

s 47 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 47 orig s 47 renum as s 80
(prev s 31B) ins 2001 No 94 s 8
renum as s 47 R1 LA (see 2001 No 94 s 17)

Meaning of restricted taxi service

s 48 orig s 48 renum as s 81
(prev s 31C) ins 2001 No 94 s 8
renum as s 48 R1 LA (see 2001 No 94 s 17)

Accreditation of taxi service operators

div 5.2 hdg ins 2001 No 94 s 8

Taxi service operators—purposes of accreditation

s 49 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 49 orig s 49 renum as s 82
(prev s 31D) ins 2001 No 94 s 8
renum as s 49 R1 LA (see 2001 No 94 s 17)

Taxi service operators—regulations about accreditation system

s 50 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 50 orig s 50 renum as s 83
(prev s 31E) ins 2001 No 94 s 8
renum as s 50 R1 LA (see 2001 No 94 s 17)

Entitlement to operate taxi services

div 5.3 hdg ins 2001 No 94 s 8

Entitlement to operate taxi services

s 51 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 51 orig s 51 renum as s 84
(prev s 31F) ins 2001 No 94 s 8
renum as s 51 R1 LA (see 2001 No 94 s 17)

Existing approved taxi networks

s 51A renum as s 85

Existing taxi licences and restricted taxi licences

s 51B renum as s 86

Interim accreditation of existing taxi operators

s 51C renum as s 87

Determination about maximum number of taxi licences

s 51D renum as s 88

Determination about maximum number of restricted taxi licences

s 51E renum as s 89

Application to transfer taxi licence

s 51F renum as s 90

Determination about maximum taxi fares

s 51G renum as s 91

Expiry of div 7.7

s 51H renum as s 92

Endnotes

4 Amendment history

Unaccredited operators not to operate taxi services

s 52 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 52 orig s 52 exp 31 December 2001 (s 54)
(prev s 31G) ins 2001 No 94 s 8
renum as s 52 R1 LA (see 2001 No 94 s 17)
am A2004-69 s 12

Pretending to be an accredited taxi service operator

s 53 orig s 53 exp 31 December 2001 (s 54)
(prev s 31H) ins 2001 No 94 s 8
renum as s 53 R1 LA (see 2001 No 94 s 17)

Taxi service operators to be affiliated with taxi network

s 54 orig s 54 exp 31 December 2001 (s 54)
(prev s 31I) ins 2001 No 94 s 8
renum as s 54 R1 LA (see 2001 No 94 s 17)

Pretending to be affiliated with taxi network

s 55 (prev s 31J) ins 2001 No 94 s 8
renum as s 55 R1 LA (see 2001 No 94 s 17)

Regulation of taxi services

div 5.4 hdg ins 2001 No 94 s 8

Regulations about operation of taxi services by accredited people

s 56 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 56 (prev s 31K) ins 2001 No 94 s 8
renum as s 56 R1 LA (see 2001 No 94 s 17)

Regulations about operation of taxis

s 57 (prev s 31L) ins 2001 No 94 s 8
renum as s 57 R1 LA (see 2001 No 94 s 17)

Regulations about taxi drivers

s 58 (prev s 31M) ins 2001 No 94 s 8
renum as s 58 R1 LA (see 2001 No 94 s 17)

Regulations about conduct of taxi passengers

s 59 (prev s 31N) ins 2001 No 94 s 8
renum as s 59 R1 LA (see 2001 No 94 s 17)

Power to determine maximum taxi fares

s 60 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 60 (prev s 31O) ins 2001 No 94 s 8
renum as s 60 R1 LA (see 2001 No 94 s 17)

Licensing of hire cars

pt 5A hdg renum as pt 6 hdg

Basic concepts

div 5A.1 hdg renum as div 6.1 hdg

Hire car licences

div 5A.2 hdg renum as div 6.2 hdg

Hire car services

pt 5B hdg renum as pt 7 hdg

Basic concepts

div 5B.1 hdg renum as div 7.1 hdg

Accreditation of hire car service operators

div 5B.2 hdg renum as div 7.2 hdg

Entitlement to operate hire car services

div 5B.3 hdg renum as div 7.3 hdg

Regulation of hire car services

div 5B.4 hdg renum as div 7.4 hdg

Licensing of hire cars

pt 6 hdg orig pt 6 hdg renum as pt 8 hdg
(prev pt 5A hdg) ins A2004-69 s 13
renum as pt 6 hdg R10 LA (see A2004-69 s 17)

Basic concepts

div 6.1 hdg (prev div 5A.1 hdg) ins A2004-69 s 13
renum as div 6.1 hdg R10 LA (see A2004-69 s 17)

Meaning of *hire car licence*

s 60A renum as s 61

Meaning of *restricted hire car licence*

s 60B renum as s 62

Transferability of hire car licences

s 60C renum as s 63

Use of vehicles as hire cars

s 60D renum as s 64

Pretending vehicles are licensed hire cars

s 60E renum as s 65

Regulations about hire car licences

s 60F renum as s 66

Meaning of *hire car*

s 60G renum as s 67

Meaning of *restricted hire car*

s 60H renum as s 68

Meaning of *hire car service*

s 60I renum as s 69

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4 Amendment history

Meaning of *restricted hire car service*

s 60J renum as s 70

Hire car service operators—purposes of accreditation

s 60K renum as s 71

Hire car service operators—regulations about accreditation system

s 60L renum as s 72

Entitlement to operate hire car services

s 60M renum as s 73

Unaccredited operators not to operate hire car services

s 60N renum as s 74

Pretending to be an accredited hire car service operator

s 60O renum as s 75

Regulations about operation of hire car services by accredited people

s 60P renum as s 76

Regulations about operation of hire cars

s 60Q renum as s 77

Regulations about hire car drivers

s 60R renum as s 78

Regulations about conduct of hire car passengers

s 60S renum as s 79

Unauthorised public passenger services

s 60T renum as s 80

Meaning of *hire car licence*

s 61 (prev s 32) renum as s 61 and then s 81
(prev s 60A) ins A2004-69 s 13
renum as s 61 R10 LA (see A2004-69 s 17)

Meaning of *restricted hire car licence*

s 62 (prev s 32A) renum as s 62 and then s 82
(prev s 60B) ins A2004-69 s 13
renum as s 62 R10 LA (see A2004-69 s 17)

Hire car licences

div 6.2 hdg (prev div 5A.2 hdg) ins A2004-69 s 13
renum as div 6.2 hdg R10 LA (see A2004-69 s 17)

Transferability of hire car licences

s 63 (prev s 32B) renum as s 63 and then s 83
(prev s 60C) ins A2004-69 s 13
renum as s 63 R10 LA (see A2004-69 s 17)

Use of vehicles as hire cars

s 64 (prev s 32C) renum as s 64 and then s 84
 (prev s 60D) ins A2004-69 s 13
 renum as s 64 R10 LA (see A2004-69 s 17)

Pretending vehicles are licensed hire cars

s 65 (prev s 32D) renum as s 65 and then s 85
 (prev s 60E) ins A2004-69 s 13
 renum as s 65 R10 LA (see A2004-69 s 17)

References to Motor Traffic Act, Traffic Act etc

s 65A renum as s 86

Regulations about hire car licences

s 66 orig s 66 (prev s 33) def *restricted taxi operator's licence* ins
 2001 No 94 s 10
 def *taxi operator's licence* ins 2001 No 94 s 10
 renum as s 66 R1 LA (see 2001 No 94 s 17)
 exp 1 June 2003 (s 69)
 prev s 66 renum as s 87
 pres s 66 (prev s 60F) ins A2004-69 s 13
 renum as s 66 R10 LA (see A2004-69 s 17)

Hire car services

pt 7 hdg orig pt 7 hdg renum as pt 9 hdg
 (prev pt 5B hdg) ins A2004-69 s 13
 renum as pt 7 hdg R10 LA (see A2004-69 s 17)

Basic concepts

div 7.1 hdg (prev div 4.1 hdg) renum 2001 No 94 s 9
 exp 1 June 2003 (s 69)
 (prev div 5B.1 hdg) ins A2004-69 s 13
 renum as div 7.1 hdg R10 LA (see A2004-69 s 17)

Meaning of hire car

s 67 orig s 67 (prev s 34) renum as s 67 R1 LA (see 2001 No 94
 s 17)
 exp 1 June 2003 (s 69)
 prev s 67 renum as s 88
 pres s 67 (prev s 60G) ins A2004-69 s 13
 renum as s 67 R10 LA (see A2004-69 s 17)

Meaning of restricted hire car

s 68 orig s 68 (prev s 35) renum as s 68 R1 LA (see 2001 No 94
 s 17)
 am 2002 No 49 amdt 3.231
 exp 1 June 2003 (s 69)
 prev s 68 renum as s 89
 pres s 68 (prev s 60H) ins A2004-69 s 13
 renum as s 68 R10 LA (see A2004-69 s 17)

Endnotes

4 Amendment history

Meaning of hire car service

s 69 orig s 69 (prev s 36) renum as s 69 R1 LA (see 2001 No 94 s 17)
sub 2002 No 30 amdt 3.751
exp 1 June 2003 (s 69)
prev s 69 renum as s 90
pres s 69 (prev s 60I) ins A2004-69 s 13
renum as s 69 R10 LA (see A2004-69 s 17)

Meaning of restricted hire car service

s 70 orig s 70 (prev s 37) renum as s 70 R1 LA (see 2001 No 94 s 17)
exp 1 December 2002 (s 72)
prev s 70 renum as s 91
pres s 70 (prev s 60J) ins A2004-69 s 13
renum as s 70 R10 LA (see A2004-69 s 17)

Accreditation of hire car service operators

div 7.2 hdg (prev div 4.2 hdg) renum 2001 No 94 s 9
exp 1 December 2002 (s 72)
(prev div 5B.2 hdg) ins A2004-69 s 13
renum as div 7.2 hdg R10 LA (see A2004-69 s 17)

Hire car service operators—purposes of accreditation

s 71 orig s 71 (prev s 38) renum as s 71 R1 LA (see 2001 No 94 s 17)
exp 1 December 2002 (s 72)
prev s 71 renum as s 92
pres s 71 (prev s 60K) ins A2004-69 s 13
renum as s 71 R10 LA (see A2004-69 s 17)

Hire car service operators—regulations about accreditation system

s 72 orig s 72 (prev s 39) renum as s 72 R1 LA (see 2001 No 94 s 17)
exp 1 December 2002 (s 72)
prev s 72 renum as s 93
pres s 72 (prev s 60L) ins A2004-69 s 13
renum as s 72 R10 LA (see A2004-69 s 17)

Entitlement to operate hire car services

div 7.3 hdg (prev div 4.3 hdg) renum 2001 No 94 s 9
exp 1 June 2002 (s 78)
(prev div 5B.3 hdg) ins A2004-69 s 13
renum as div 7.3 hdg R10 LA (see A2004-69 s 17)

Entitlement to operate hire car services

s 73 (prev s 40) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2002 (s 78)
(prev s 60M) ins A2004-69 s 13
renum as s 73 R10 LA (see A2004-69 s 17)

Unaccredited operators not to operate hire car services

s 74 (prev s 41) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2002 (s 78)
(prev s 60N) ins A2004-69 s 13
renum as s 74 R10 LA (see A2004-69 s 17)

Pretending to be an accredited hire car service operator

s 75 (prev s 42) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2002 (s 78)
(prev s 60O) ins A2004-69 s 13
renum as s 75 R10 LA (see A2004-69 s 17)

Regulation of hire car services

div 7.4 hdg (prev div 4.4 hdg) renum 2001 No 94 s 9
exp 1 December 2002 (s 80)
(prev div 5B.4 hdg) ins A2004-69 s 13
renum as div 7.4 hdg R10 LA (see A2004-69 s 17)

Regulations about operation of hire car services by accredited people

s 76 (prev s 43) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2002 (s 78)
(prev s 60P) ins A2004-69 s 13
renum as s 76 R10 LA (see A2004-69 s 17)

Regulations about operation of hire cars

s 77 (prev s 44) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2002 (s 78)
(prev s 60Q) ins A2004-69 s 13
renum as s 77 R10 LA (see A2004-69 s 17)

Regulations about hire car drivers

s 78 (prev s 45) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2002 (s 78)
(prev s 60R) ins A2004-69 s 13
renum as s 78 R10 LA (see A2004-69 s 17)

Regulations about conduct of hire car passengers

s 79 (prev s 46) renum R1 LA (see 2001 No 94 s 17)
exp 1 December 2002 (s 80)
(prev s 60S) ins A2004-69 s 13
renum as s 79 R10 LA (see A2004-69 s 17)

Bus service licences

div 7.5 hdg (prev div 4.5 hdg) renum R1 LA (see 2001 No 94 s 17)
exp 1 December 2002 (s 82)

Small buses

div 7.6 hdg (prev div 4.6 hdg) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2003 (s 84)

Endnotes

4 Amendment history

Taxis

div 7.7 hdg ins 2001 No 94 s 11
exp 2 March 2003 (s 92)

Miscellaneous

pt 8 hdg (prev pt 6 hdg) ins 2001 No 94 s 8
renum as pt 8 hdg R10 LA (see A2004-69 s 17)

Unauthorised public passenger services

s 80 (prev s 47) renum R1 LA (see 2001 No 94 s 17)
sub 2002 No 30 amdt 3.753
exp 1 December 2002 (s 80)
(prev s 60T) ins A2004-69 s 14
renum as s 80 R10 LA (see A2004-69 s 17)

Regulation-making power

s 81 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 81 (prev s 48) renum R1 LA (see 2001 No 94 s 17)
exp 1 December 2002 (s 82)
(prev s 32) sub 2001 No 94 s 8
renum as s 61 R1 LA (see 2001 No 94 s 17)
renum as s 81 R10 LA (see A2004-69 s 17)

Regulations may apply certain laws and instruments

s 82 (prev s 32A) ins 2001 No 94 s 8
renum as s 62 R1 LA (see 2001 No 94 s 17)
sub 2002 No 30 amdt 3.750
renum as s 82 R10 LA (see A2004-69 s 17)

Regulations about enforcement

s 83 (prev s 50) renum R1 LA (see 2001 No 94 s 17)
exp 1 June 2003 (s 84)
(prev s 32B) ins 2001 No 94 s 8
renum as s 63 R1 LA (see 2001 No 94 s 17)
renum as s 83 R10 LA (see A2004-69 s 17)

Minister may exempt vehicles and people from Act

s 84 (prev s 51) renum R1 LA (see 2001 No 94 s 17)
sub 2002 No 30 amdt 3.755
exp 1 June 2003 (s 84)
(prev s 32C) ins 2001 No 94 s 8
renum as s 64 R1 LA (see 2001 No 94 s 17)
renum as s 84 R10 LA (see A2004-69 s 17)

Regulations may exempt vehicles and people from Act

s 85 hdg bracketed note exp 30 June 2002 (s 4 (3))
s 85 (prev s 51A) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
exp 2 March 2003 (s 92)

(prev s 32D) ins 2001 No 94 s 8
renum as s 65 R1 LA (see 2001 No 94 s 17)
renum as s 85 R10 LA (see A2004-69 s 17)

References to Motor Traffic Act, Traffic Act etc

s 86 (prev s 51B) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
exp 2 March 2003 (s 92)
(prev s 65A) ins A2004-69 s 15
renum as s 86 R10 LA (see A2004-69 s 17)

Transitional provisions

pt 9 hdg (prev pt 4 hdg) renum 2001 No 94 s 9
om R9 LA
(prev pt 7 hdg) ins A2004-69 s 16
renum as pt 9 hdg R10 LA (see A2004-69 s 17)
exp 9 March 2006 (s 93)

Definitions for pt 9

s 87 (prev s 51C) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
exp 2 March 2003 (s 92)
(prev s 66) ins A2004-69 s 16
def **annual weddings and school formals licence** ins
A2004-69 s 16
def **commencement** ins A2004-69 s 16
def **General Act** ins A2004-69 s 16
renum as s 87 R10 LA (see A2004-69 s 17)
exp 9 March 2006 (s 93)

Transitional regulations

s 88 (prev s 51D) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
exp 2 March 2003 (s 92)
(prev s 67) ins A2004-69 s 16
renum as s 88 R10 LA (see A2004-69 s 17)
exp 9 March 2006 (s 93)

Modification of pt 9's operation

s 89 (prev s 51E) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
exp 2 March 2003 (s 92)
(prev s 68) ins A2004-69 s 16
renum as s 89 R10 LA (see A2004-69 s 17)
exp 9 March 2006 (s 93)

Continuation of hire car licences

s 90 (prev s 51F) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
exp 2 March 2003 (s 92)

Endnotes

4 Amendment history

(prev s 69) ins A2004-69 s 16
renum as s 90 R10 LA (see A2004-69 s 17)
mod SL2002-3 s 246 (as am by SL2005-4 s 12)
exp 9 March 2006 (s 93)

Interim accreditation of existing hire car operators

s 91 (prev s 51G) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
exp 2 March 2003 (s 92)
(prev s 70) ins A2004-69 s 16
renum as s 91 R10 LA (see A2004-69 s 17)
exp 9 March 2006 (s 93)

Interim accreditation of tour and charter service operators

s 92 (prev s 51H) ins 2001 No 94 s 11
renum R1 LA (see 2001 No 94 s 17)
sub 2002 No 30 amdt 3.756
exp 2 March 2003 (s 92)
(prev s 71) ins A2004-69 s 16
renum as s 92 R10 LA (see A2004-69 s 17)
exp 9 March 2006 (s 93)

Expiry of pt 9

s 93 (prev s 72) ins A2004-69 s 16
renum as s 93 R10 LA (see A2004-69 s 17)
exp 9 March 2006 (s 93)

Dictionary

dict
am 2002 No 30 amdt 3.757
def **accredited** sub 2001 No 94 s 12
def **accredited bus operators register** om 2001 No 94 s 14
def **accredited hire car service operator** ins A2004-69 s 18
def **accredited taxi network provider** ins 2001 No 94 s 13
def **accredited taxi service operator** ins 2001 No 94 s 13
def **affiliated** ins 2001 No 94 s 13
def **bus** sub A2005-20 amdt 3.373
def **function** om 2002 No 30 amdt 3.758
def **hire car** ins A2004-69 s 18
def **hire car licence** ins A2004-69 s 18
def **hire car service** ins A2004-69 s 18
def **holder** sub 2001 No 94 s 12; A2004-69 s 19
om A2005-20 amdt 3.374
def **licence** ins 2001 No 94 s 13
om A2004-69 s 20
def **public bus** sub A2005-20 amdt 3.375
def **public passenger vehicle** sub 2001 No 94 s 12;
A2004-69 s 21
def **public vehicle licence** ins 2001 No 94 s 13
def **restricted hire car** ins A2004-69 s 22

def **restricted hire car licence** ins A2004-69 s 22
 def **restricted hire car service** ins A2004-69 s 22
 def **restricted taxi** ins 2001 No 94 s 13
 def **restricted taxi licence** ins 2001 No 94 s 13
 def **restricted taxi service** ins 2001 No 94 s 13
 def **road** am 2002 No 30 amdt 3.759, amdt 3.760
 def **road related area** am 2002 No 30 amdt 3.759, amdt 3.760
 def **taxi** ins 2001 No 94 s 13
 def **taxi booking service** ins 2001 No 94 s 13
 def **taxi driver** ins 2001 No 94 s 13
 def **taxi licence** ins 2001 No 94 s 13
 def **taxi network** ins 2001 No 94 s 13
 def **taxi service** ins 2001 No 94 s 13
 def **taxi zone** ins 2001 No 94 s 13

Consequential amendments

sch 1 om R1 LA (s 89 (3)) but see s 54

5 Earlier republications

Some earlier republications were not numbered. The number in column 1 refers to the publication order.

Since 12 September 2001 every authorised republication has been published in electronic pdf format on the ACT legislation register. A selection of authorised republications have also been published in printed format. These republications are marked with an asterisk (*) in column 1. Electronic and printed versions of an authorised republication are identical.

| Republication No | Amendments to | Republication date |
|-------------------------|-----------------------|---------------------------|
| 1 | <u>Act 2001 No 94</u> | 1 December 2001 |
| 2 | Act 2001 No 94 | 1 March 2002 |
| 3 | Act 2001 No 94 | 3 June 2002 |
| 4 | Act 2001 No 94 | 1 July 2002 |
| 5 | Act 2002 No 30 | 3 October 2002 |
| 6 | Act 2002 No 30 | 2 December 2002 |
| 7 | Act 2002 No 49 | 17 January 2003 |
| 8 | Act 2002 No 49 | 3 March 2003 |
| 9 | A2002-49 | 2 June 2003 |
| 10* | A2004-69 | 9 March 2005 |

Endnotes

6 Renumbered provisions

6 Renumbered provisions

This Act was renumbered under the *Legislation Act 2001*, in R2 (see A2001-94 s 17). Details of renumbered provisions are shown in endnote 4 (Amendment history). For a table showing the renumbered provisions, see R2.

7 Modification of republished law with temporary effect

The following modification has not been included in this republication:

| |
|---|
| Road Transport (Public Passenger Services) Regulation 2002 SL2002-3 (as am by SL2005-4 s 12) |
|---|

246 Modification of Act, pt 9, s 90—Act, s 89

The Act, section 90 (Continuation of hire car licences) is modified by inserting the following subsection:

(5) In this section:

holder, of a private hire car operator's licence under the General Act, means the owner of the licence.

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