

Road Transport (Public Passenger Services) (Minimum Service Standards—Independent Taxi Services) Approval 2012 (No 1)

Disallowable instrument DI2012–34

made under the

**Road Transport (Public Passenger Services) Regulation 2002, s18B
(Minimum service standards for regulated services)**

1 Name of instrument

This instrument is the *Road Transport (Public Passenger Services) (Minimum Service Standards—Independent Taxi Services) Approval 2012 (No 1)*.

2 Commencement

This instrument commences on the day after notification.

3 Approval

I approve the Standards contained in Schedule 1 as the Minimum Service Standards for Independent Taxi Services.

Kathy Leigh
Road Transport Authority
8 March 2012

SCHEDULE 1

MINIMUM SERVICE STANDARDS FOR INDEPENDENT TAXI SERVICES

PART 1 Minimum Service Standard for Cleaning, Servicing, Inspection, Maintenance & Repair of Taxis (Including Compliance with Section 93 of the Road Transport (Public Passenger Services) Regulation 2002 (Maintenance of Taxis))

- 1.1 The operator of an independent taxi service must implement a regular maintenance, service and inspection program for taxis to ensure compliance with the manufacturer's standards for the vehicles. The program must include:
- (1) ensuring appropriate facilities (whether those of the taxi service or of a contractor of the operator) are available to service, maintain and repair the operator's vehicle;
 - (2) ensuring the people undertaking the servicing, maintenance and repairs of taxis are appropriately trained and have a trade certificate or licence for the work they are performing;
 - (3) if the operator undertakes "in-house" servicing, providing the details and relevant qualifications of persons who will do the servicing;
 - (4) for servicing, maintenance or repairs of taxis carried out on behalf of the operator, having suitable arrangements in place to ensure the taxis comply with the Act;
 - (5) for servicing, maintenance or repairs of taxis carried out on behalf of the operator, providing the details of the person, and the place where those activities will be carried out;
 - (6) ensuring equipment, including equipment that monitors driver safety i.e. security cameras, GPS and alarms is maintained and serviceable at all times, and will be repaired immediately on report of any defects or faults;
 - (7) ensuring that taximeters comply with the Road Transport Authority (the Authority) Approved Taximeter Standards;
 - (8) ensuring that taximeters are calibrated and tested within three (3) months of a fare change or when requested by the manufacturer;
 - (9) ensuring that records are kept for all taximeter calibrations and testing and provide evidence, when requested by the Authority that the meter has been calibrated and tested in accordance with the Standards;
 - (10) ensuring that while the taxi is operating as a taxi, its fittings are clean and undamaged, properly fitted and securely in place, fully operational and comply with any Standards approved by the Authority; and
 - (11) ensuring a process is in place for drivers to inspect taxis before every shift and a mechanism for reporting vehicle defects and faults (including to equipment) is available.
- 1.2 The operator of an independent taxi service must implement a cleaning program that ensures taxis are cleaned on a regular basis. The cleaning program must include, at a minimum:
- (1) the frequency of general cleaning and what is undertaken, eg vacuuming, wash windows, door trim etc

- (2) who will conduct the cleaning;
- (3) how often detailed cleaning will occur;
- (4) what detailed cleaning will be undertaken; and

PART 2 Minimum Service Standard for Making and Management of Records

Maintenance Reporting

- 2.1 The operator of an independent taxi service must maintain records which are capable of being audited to establish:
- (1) the dates maintenance was undertaken for any taxi used to operate the taxi service;
 - (2) repairs and type of maintenance conducted;
 - (3) details of who conducted the maintenance;
 - (4) the dates when equipment or devices installed in or on the taxi were checked, tested or serviced; and
 - (5) the dates and times that each driver drove a particular taxi.

Performance Reporting

- 2.2. The operator of an independent taxi service must comply with the following reporting standards:
- (1) the reporting period is calculated over a one (1) month period, unless otherwise requested by the Authority:
 - (a) a report of the number of hirings during peak and off peak periods within fourteen (14) days from the end of the reporting period, [peak periods are from 8am – 10am and 3pm and 5pm Monday – Friday. Off peak period is at all other times];
 - (b) a report of the number of hirings rejected and the number of hirings off-loaded within fourteen (14) days from the end of the reporting period;
 - (c) a report on the number of hirings that experience a wait of sixty (60) minutes or more including for each such hirings, the time, locations and pick-up point, and the reasons for the delay, within fourteen (14) days from the end of the reporting period.
 - (2) an independent taxi operator must submit the following monthly reports in the format provided by the Authority, for all taxi hirings undertaken:
 - (a) Part A – Number of Private and Rank Hirings
 - (a) Part B – Number of Hirings rejected/offloaded
 - (b) Part C – Details of Each Sixty Minute or More Wait

PART 3 Minimum Service Standard for the Operation of an Independent Taxi Service

3.1 The operator of an independent taxi service must:

- (1) if the taxi service is operated by a corporation, ensure no person other than the directors, office holders or managers have management of the day-to-day operations of the taxi service;
- (2) comply with all lawful directions of the Authority in relation to the operation of the taxi service;
- (3) ensure that if a vehicle's registration has been suspended by the Authority, because the vehicle did not pass a roadworthy inspection, that the vehicle is not used as a taxi;
- (4) ensure that, if disciplinary action by the taxi operator or the Authority has been taken against a taxi driver, the driver does not drive the taxi for the time specified under the operator's disciplinary process;
- (5) ensure that if the operator has been advised by the Authority that a taxi driver's authority to drive a taxi has been suspended by the Authority that the driver does not drive the taxi until the suspension has been lifted;
- (6) comply with all conditions of the taxi licence, including payment of the required fees within the specified timeframe;
- (7) provide to taxi drivers employed or otherwise utilised by the operator, a copy of the independent operator's Accepted Service Standards, and if there are specific rules governing the operation of the taxi service, a copy of those rules;
- (8) ensure that taxi drivers employed or otherwise utilised are made aware of their responsibilities under the *Road Transport (Public Passenger Services) Regulation 2002 (the Regulation)*;
- (9) ensure that when arrangements are made for the bailment of the taxi, or employment of a taxi driver, such arrangements will bind those persons to the independent taxi operator's Accepted Service Standards;
- (10) advise the Authority of any changes to the independent taxi service within 24 hours of any change in status. For example, the taxi is off the road for more than 24 hours or the operator has sought affiliation with a taxi network;
- (11) not participate in, promote or encourage, wilful dishonest behaviour towards a taxi network or another taxi operator or taxi driver;
- (12) have processes in place to ensure that any new taxi driver's details are provided to the Authority before the driver commences driving for the independent taxi operator and advise the Authority when a driver ceases driving for the operator;
- (13) have arrangements in place to allow off-loads to be undertaken by another independent taxi operator or taxi network within 5 minutes from the time of the original request for a taxi unless a delay in the pickup time has been negotiated and agreed to by the customer;
- (14) not charge the customer any additional fees if a booking has been off-loaded and accepted by another taxi operator or taxi network;
- (15) provide the Authority with the telephone numbers and copies of any business cards or marketing media used by the operator and each individual driver that will be used in the operation of the taxi service;

- (16) include the operator's accreditation number in any form of advertising used by the operator; and
- (17) ensure that every person who books an independent taxi is given the opportunity of leaving a contact phone number to use in the event of a delayed pickup.

**PART 4 Minimum Service Standard for Compliance with Section 97
(Taxi drivers to hold appropriate driver licence or authority)**

4.1 The operator of an independent taxi service must:

- (1) regularly check the expiry dates of taxi driver licences and authorities held by drivers employed, or otherwise utilised to ensure licences and authorities remain current;
- (2) as requested by the Authority from time to time, provide the Authority with a list of all drivers used by the operator for the provision of the taxi service, including the driver's full name and address, and driver licence or driver authority number; and
- (3) if notified by the Authority that a taxi driver's licence has been suspended or cancelled, ensure that the person does not drive a taxi for the operator.

4.2 The operator of an independent taxi service must have processes in place to verify the visa status and working conditions of any drivers who are not permanent residents or Australian citizens to ensure they have working rights and do not breach any such rights while in your employ.

PART 5 Minimum Service Standard for the Safety of Passengers and Taxi Drivers – Monitoring and Training

5.1 The operator of an independent taxi service must:

- (1) fit the taxi with a security camera system which adheres to the Standards for Taxi Security Cameras approved by the Authority and an emergency button for use by the driver when under duress;
- (2) fit the taxi with a vehicle tracking device, eg GPS;
- (3) have measures in place which ensure that a third party security provider continuously monitors the equipment that registers the activation of alarms in the taxis and ensures a prompt response by the third party security staff to an activated alarm;
- (4) provide the authority with the third party provider's details for the monitoring of the security camera and GPS equipment;
- (4) provide full details of all security devices installed in the taxi;
- (5) provide details for the receipt, storage, reproduction and disposal of video recordings from the security camera system; and
- (6) ensure that any defects or faults of equipment that monitors the safety of drivers and passengers is repaired expeditiously.

5.2 The operator of an independent taxi service must ensure training programs are undertaken by taxi drivers concerning the use of any communications equipment, alarms, vehicle tracking devices and security cameras used.

PART 6 Minimum Service Standard for How Contraventions of Road Transport Legislation by Taxi Drivers will be handled

6.1 The operator of an independent taxi service must:

- (1) ensure that taxi drivers are aware of the operator's disciplinary procedures;
- (2) take appropriate action in accordance with the operator's disciplinary procedures against taxi drivers who smoke within the taxi; and
- (3) take appropriate action against taxi drivers who do not comply with the road transport legislation and/or the operator's accepted service standards.

6.2 The operator of an independent taxi service must develop and provide a copy to the Authority (for its agreement) a taxi driver monitoring and disciplinary program containing:

- (1) the arrangements and processes for dealing with drivers who have been reported as having breached the road transport legislation, minimum service standards or are alleged to have engaged in illegal, harassing or unsafe behaviour;
- (2) the arrangements for investigating alleged breaches;
- (3) the arrangements for identifying, and notifying the Authority of, very serious disciplinary matters (for example, the linkages between the complaints and disciplinary processes, and the establishment of 'triggers' for when a series of complaints about a driver warrant investigation by the operator or referral to the Authority or when a single complaint is considered serious enough to be referred to the Authority); and
- (4) processes for tracking the number of occasions the disciplinary process has been applied to each driver.

PART 7 Minimum Service Standard for Insurance

7.1 The operator of an independent taxi service who operates more than one taxi must implement a system to allow for the easy identification of each public passenger vehicle insurance policy expiry date.

7.2 The operator of an independent taxi service must provide a current certificate of their public passenger vehicle insurance when requested by the Authority or any other authorised person and when renewing their annual accreditation.

PART 8 Minimum Service Standard for the Processing of ACT Tax Subsidy Scheme (TSS) and Lift Fee Only (LFO) Vouchers and Payments

8.1 The operator of an independent taxi service must (where applicable):

- (1) develop and implement procedures for processing TSS voucher and LFO vouchers and payments;
- (2) assist taxi drivers in completing and processing TSS vouchers in accordance with the Community Services Directorate's (CSD) rules and LFO vouchers in accordance with the Authority's rules;
- (3) ensure records are kept of all TSS voucher and LFO voucher claims and that the records are capable of being audited to verify the authenticity of such claims. Information for such audits include, taxi number, driver ID number, journey details such as pick up place and time and drop off point and time, fare information where applicable and the signatures of the client and taxi driver;
- (4) provide a copy of the procedures for processing TSS and LFO vouchers and payments to the Authority; and
- (5) Contact CSD to arrange the administrative process for payments of TSS vouchers directly to the operator and the Authority for the administrative process for payments of LFO vouchers directly to the operator.

PART 9 Minimum Service Standard for Customer Inquiries and Complaints

9.1 An independent taxi operator must:

- (1) develop procedures for handling and recording customer complaints and dispute resolution including:
 - (a) recording all complaints, including telephone and written complaints;
 - (b) recording contact details of complainants and reason for complaint;
 - (c) action taken as a result of complaint; and
 - (d) for serious complaints regarding the personal safety of passengers, notify the Authority immediately in writing.
- (2) provide the Authority with procedures for handling and resolving customer complaints;
- (3) respond to the Authority within seven (7) days after a customer complaint has been forwarded to the operator by the Authority.
- (4) provide a monthly report, in the format provided by the Authority detailing the recording of all complaints.

9.2 The operator of an independent taxi service must meet or exceed the following standards for responding to complaints:

Standard for Responding to Complaints	Required Measure
a. First response to complainant within 3 days	Greater than 90%
b. Complaints substantially acted on within 14 days	Greater than 90%

9.3 The operator of an independent taxi service must:

- (1) provide a quarterly statistical report on the total numbers of complaints and resolutions;

- (2) submit the quarterly statistical report on (a) and (b) within fourteen (14) days from the end of the quarterly reporting period, unless otherwise agreed to by the Authority;
- (3) produce the report on standards (a) and (b) in the format provided by the Authority.

PART 10 Minimum Service Standard for the Handling of Lost Property

10.1 The operator of an independent taxi service must:

- (1) develop and implement procedures for handling and recording lost property including:
 - (a) ensuring the security of stored lost property; and
 - (b) specifying the responsibilities of drivers;
recording the receipt of lost property.
- (2) ensure that any lost property is dealt with according to the procedures notified to the Authority and disposed of in accordance with those procedures or any direction given by the Authority;
- (3) provide a copy of their lost property procedures to the Authority.

PART 11 Other Matters

Contributions to industry wide innovations which benefit operators

11.1 The operator of an independent taxi service must participate in initiatives or activities which benefit the taxi industry as a whole, either by contributing to any cost associated with such initiatives or activities or by personal contribution, eg, if an independent operator does not wish to contribute to the cost incurred by the Canberra Taxi Industry Association in any industry fare submission, the independent operator will need to put forward their own submission to the fare review.

Livery

11.2 The operator of an independent taxi service must ensure that, where the taxi is fitted with signs and livery (including colours), that these comply with the requirements and design specified by the Authority as set out in Annexure A.

Dress Standards

11.3 While drivers of an independent taxi service are not required to wear a specified uniform, they are required to maintain a reasonable standard of personal cleanliness and appearance. Driver's attire is to be neat, clean and without holes, tears or stains. At a minimum, a 'Dress' standard should apply rather than 'Casual', 'Work' or 'Sporting' standard. In keeping with this standard, attire should adhere to the following:

Males

- shirt : pressed business style or polo/T-shirt with collar. T shirts without collars, singlets, etc are not acceptable;
- shoes: to be enclosed. Thongs/flip-flops, sandals etc are not acceptable;
- trousers pressed business or casual style;

- shorts: pressed business style walk shorts with long socks pulled up. Sports styled shorts are not acceptable.

Female

- shirt: pressed business style or polo/T-shirt with collar. T shirts without collars, singlets, etc are not acceptable;
- shoes: to be enclosed. Thongs/flip-flops, sandals etc are not acceptable;
- trousers: pressed business or casual style;
- shorts: pressed business style walk shorts. Sports style shorts are not acceptable;
- skirts: pressed business or casual style. Sports style skirts are not acceptable.

Independent Operator Business Plan

- 11.4 The operator of an independent taxi service must provide the Authority with a Business Plan setting out:
- the percentage of current income derived from jobs allocated by their affiliated taxi network;
 - strategies for offsetting the loss of taxi network derived income when starting out as an independent taxi service operator;
 - a strategy for establishing the viability of the business, including goals and targets and the tactics for achieving those goals and targets;
 - an Asset Management Plan addressing maintenance, refurbishment, cleaning, replacement of vehicle, equipment and business systems
 - driver recruitment, training and retention strategies;
 - a Risk Management Plan which identifies risks that would threaten the viability of the business and identify actions that could be taken to remove or reduce the risk;
 - a Customer Service Charter which sets out how the independent taxi service operator will address those aspects of these MSS which focus on client aspects, eg. taxi bookings, complaints, waiting times, driver behaviour and responsibilities and vehicle presentation and maintenance, and
 - procedures on how the business will comply with directions issued by the Authority

INDEPENDENT TAXI SERVICE VEHICLE LIVERY

The signage 'Independent Taxi' lettering must be at least Times New Roman 350 pt which results in lettering 800mm high.

Any advertising or additional livery must be clear of the 'Independent Taxi' livery and approved by the Road Transport Authority.

