

Australian Capital Territory

Road Transport (Public Passenger Services) Demand Responsive Services— Service Standards 2016 (No 1)*

Disallowable instrument DI2016-207

made under the

Road Transport (Public Passenger Services) Regulation 2002, section 20B (Service standards for regulated services)

1 Name of instrument

This instrument is the *Road Transport (Public Passenger Services) Demand Responsive Services—Service Standards 2016 (No 1)*.

2 Commencement

This instrument commences on 1 August 2016.

3 Setting standards

I have set the standards contained in Schedule 1 as the Services Standards for the operation of a Demand Responsive Service.

Craig Simmons
Delegate
Road Transport Authority, Access Canberra

29 July 2016

SCHEDULE 1

SERVICE STANDARDS FOR DEMAND RESPONSIVE SERVICES

PART 1 Minimum Service Standard for Parking, Cleaning, Servicing, Maintenance & Repair of DRS vehicles (Including Compliance with Section 245 (Maintenance of demand responsive service vehicles))

- 1.1 The Operator of a Demand Responsive Service (DRS) must:
- (1) ensure, if a vehicle to be used for the DRS is a bus, the bus is not parked in residential areas other than in accordance with Part 1.3.1 Heavy Vehicle Parking under the *Road Transport (Safety and Traffic Management) Regulation 2000*.
- 1.2 The Operator of a DRS must implement a regular maintenance, service and inspection program for all vehicles used to provide the DRS, to ensure compliance with the vehicles manufacturers' standards for each vehicle. The program must include:
- (1) ensuring appropriate facilities are available for the service, repair and maintenance of DRS vehicles;
 - (2) ensuring the people undertaking the servicing, maintenance and repairs of DRS vehicles 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 DRS vehicles carried out on behalf of the Accredited Operator, having suitable arrangements in place with the entity providing the services to ensure the DRS vehicles comply with the Act;
 - (5) for servicing, maintenance and repairs of DRS vehicles carried out on behalf of the Accredited Operator, providing the details of the entity providing those services, and the place where those activities are carried out;
 - (6) ensuring appropriate people are engaged to service and repair equipment in DRS vehicles and that faults in equipment can be responded to within a reasonable period after they occur;
 - (7) ensuring users of the equipment are trained in the efficient operation of the equipment including, if applicable, security cameras in DRS vehicles; and
 - (8) ensuring processes are in place for drivers to inspect DRS vehicles prior to departure and report defects and faults (including to equipment).

1.3 The Operator of a DRS must implement a cleaning program that ensures all DRS vehicles are cleaned on a regular basis. The cleaning program must include, at a minimum:

- (1) the frequency of general and detailed cleaning and details of what is undertaken, eg vacuuming, wash windows, steam cleaning etc;
- (2) the nomination of persons/positions in the organisation who conduct the cleaning, and the facility at which DRS vehicles are cleaned;
- (3) the procedure to ensure that all vehicles used to operate the DRS are captured under the program.

The areas to be cleaned include:

- (a) the interior, including overhead luggage compartments;
- (b) the exterior, including the body and door panels, the bumper bars, the trim, and the wheels; and
- (c) the fittings including seats, seat covers, floor coverings and any device or equipment required to be installed under the *Road Transport (Public Passenger Services) Regulation 2002* or the Authority approved Standards.

PART 2 Minimum Service Standard for Advertising of the Demand Responsive Service

2.1 The Operator of a DRS must provide the Authority with:

- (1) information on how and where demand responsive services will be advertised, including what category of public passenger service any listings will be made under;
- (2) any brochures and business cards that are to be made available to the public; and
- (3) details of any internet address and information provided on the website about the operator's demand responsive service.

2.2 The Operator of a DRS must provide the Authority, within seven (7) days prior to publication, with new brochures, business cards or advertising material.

PART 3 Minimum Service Standards for Making and Management of Records and Systems (including a service contract under the Act, section 89)

- 3.1 The Operator of a DRS must maintain records which are capable of being audited for:
- (1) the date, time, origin and destination of every route or corridor;
 - (2) the DRS vehicle/s used, for every route or corridor;
 - (3) the details of drivers driving the DRS vehicle/s used for every route or corridor;
 - (4) records required to be kept under a service contract for a DRS;
 - (5) the vehicle maintenance, servicing and inspection program (as set out in 1.2)
 - (6) the testing and servicing of equipment or devices installed in or on a bus;
 - (7) if vehicle maintenance is undertaken on behalf of the accredited operator, the invoices and receipts for that maintenance work;
 - (8) a lost property register with numerically numbered pages indicating sequential recording of lost items; and
 - (9) motor vehicle accidents or other incidents in which:
 - (a) the death of, or bodily injury to, a person is caused by, or arises out of the use of, a bus; or
 - (b) damage to property is caused by, or arises out of the use of, a DRS vehicle.
- 3.2 The Operator of a DRS must:
- (1) in accordance with the requirements under section 248 of the *Road Transport (Public Passenger Services) Regulation 2002*, report any notifiable incident using the Authority approved form and have processes in place to ensure reports are generated, and forwarded to the Authority for each incident, within 5 days of the incident; and
 - (2) provide to the Authority, the details of a person or position within the organisation responsible for the recording and reporting of notifiable incidents.

PART 4 Minimum Service Standard for the Operation of the Demand Responsive Service

4.1 The Operator of a DRS must:

- (1) if a corporation, ensure no person other than the directors, office holders or managers have management of the day-to-day operations of the DRS; and
- (2) provide to DRS vehicle drivers, a copy of the DRS Operator's Accepted Service Standards or, where approved by the Authority, a condensed version of the DRS Operator's Accepted Service Standards contained in the Operator's Driver Handbook.

PART 5 Minimum Service Standard for the Operation of Booking Services by or for the Demand Responsive Service

1.1 The Operator of a DRS must ensure that:

- (1) a booking service is provided (directly or through another entity) to the public for the period the service is being provided;
- (2) appropriate technicians (whether employees or contractors of the booking service) will be available at all times to ensure that faults in transmission can be responded to immediately;
- (3) all booking service equipment is maintained by appropriate technicians (whether employees or contractors of the network);
- (4) appropriate facilities (whether employees of the booking service or of a contractor of the booking service) are available to service and repair the booking service equipment expeditiously; and
- (5) training programs are undertaken by staff of the booking service, about customer relations and the use of any communications equipment, alarms, vehicle tracking devices and security cameras used as part of the booking service.

PART 6 Minimum Service Standard for Compliance with Section 250 (Demand responsive service vehicle drivers to hold appropriate driver licence or authority)

6.1 The Operator of a DRS must:

- (1) regularly check the expiry dates of driver licences and authorities held by DRS vehicle 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 DRS vehicle drivers used by the

Operator for the provision of the DRS, including each driver's full name and driver licence or driver authority number;

- (3) have processes in place to ensure that any new driver's details are provided to the Authority by the time the person commences driving for the Operator and that the Authority is notified of any driver who ceases driving for the Operator; and
- (4) if notified by the Authority that a driver's licence has been suspended or cancelled, ensure that the person does not drive a DRS vehicle for the Operator.

PART 7 Minimum Service Standard for the Training of DRS Vehicle Drivers

7.1 The Operator of a DRS must:

- (1) ensure DRS vehicle drivers are trained in relevant public safety and occupational health and safety laws and regulations applying within the ACT;
- (3) ensure DRS vehicle drivers are trained in the use of any communications equipment, alarms, tracking devices, and security cameras;
- (4) ensure DRS vehicle drivers are trained to manage any incident causing the death of, or bodily injury to, a person;
- (5) ensure DRS vehicle drivers are made aware of their responsibilities under the *Road Transport (Public Passenger Services) Regulation 2002*;
- (6) return lost property to its owner ;
- (7) give the Authority a copy of any training programs that are implemented by the Operator of the DRS and undertaken by DRS vehicle drivers.

PART 8 Minimum Service Standard for Driving Hours and Rest Periods for Bus Drivers

8.1 If a vehicle to be used for the DRS is a bus, the Operator of a DRS must:

- (1) develop rosters that allow DRS vehicle drivers employed or otherwise utilised to comply with the following driving and rest hours:
 - (a) time period of 5 & ½ hours – a minimum of 30 minutes rest, either in one period of 30 minutes or two 15 minute periods;

- (b) time period of 24 hours – a maximum of 12 total driving hours with a minimum of 12 total rest hours which must include one continuous period of 8 hours rest;
- (c) time period of 168 hours (1 week) – a maximum of 72 total driving hours;
- (d) time period of 672 hours (4 weeks) – a minimum of 384 rest hours which must include continuous rest periods of:
 - 4 X 24 hours, or
 - 1 X 72 plus 1 X 24 hours, or
 - 2 X 48 hours, or
 - 1 X 96 hours;

(2) in relation to driving hours:

- (a) ensure that a person or position within the DRS Operator's organisation is specifically tasked with ensuring rosters comply with driving hours requirements;
- (b) develop arrangements for informing DRS vehicle drivers of the driving hours requirements; and
- (c) develop arrangements for ensuring DRS vehicle drivers with a second job driving buses comply with driving hour requirements.

PART 9 Minimum Service Standard for the Monitoring of the Safety of DRS Vehicle Drivers

9.1 The Operator of a DRS must:

- (1) ensure that DRS vehicles are cleaned and maintained (for example, regularly inspecting DRS vehicles), and in-house driver training addresses all relevant public safety and occupational health and safety laws and regulations applying within the ACT;
- (2) ensure that all DRS vehicles used for the DRS are fitted with an alarm mechanism for the safety of DRS vehicle drivers;
- (3) at all times when DRS vehicles are connected to the booking service, monitor the equipment that registers the activation of alarms in DRS vehicles and ensure the prompt response by staff to an activated alarm;

- (4) if any DRS vehicle used to operate the DRS is fitted with a security camera system, ensure that Standards for Security Cameras approved by the Authority are adhered to and the Authority is notified of the security camera system before becoming operational; and
- (5) ensure that any defects or faults reported for equipment that monitors the safety of DRS vehicle drivers are repaired expeditiously.

PART 10 Minimum Service Standard for How Contraventions of Road Transport Legislation by DRS Vehicle Drivers will be Handled

10.1 For operators other than operators who are the sole driver for the DRS, the Operator of the DRS must develop and provide to the Authority, a DRS driver disciplinary program setting out the arrangements and processes for dealing with drivers who have been reported to the Operator of the DRS as having breached the Road Transport Legislation or are the subject of a serious complaint.

10.2 The program must include:

- (1) the arrangements for investigating alleged breaches;
- (2) escalation processes which could include referrals, graded penalties and/or disciplinary action such as suspension from driving for the DRS;

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 of the DRS or referral to the Authority or when a single complaint is considered serious enough to be referred to the Authority); and

- (3) processes for tracking the number of occasions the disciplinary process has been applied to each driver.

10.3 The Operator of a DRS must ensure drivers are disciplined in accordance with the disciplinary program.

PART 11 Minimum Service Standard for Customer Inquiries and Complaints

10.1 The Operator of a DRS must:

- (1) respond to customer inquiries in a timely and accurate manner;

- (2) respond to the Authority within seven (7) days after a customer complaint has been forwarded to the operator of a DRS by the Authority;
- (3) establish procedures for handling and recording customer complaints and dispute resolution;
- (4) investigate all customer complaints and report the results of the investigation of the complaint to the complainant in a timely and courteous manner;
- (5) establish processes for ensuring serious complaints are reported to management and the Authority as necessary;
- (6) provide training for relevant staff on customer complaints processes and dispute resolution; and
- (7) provide a copy of the procedures for the handling and recording of customer complaints and dispute resolution.

PART 12 Minimum Service Standard for the Handling and Disposal of Lost Property

12.1 The Operator of a DRS must:

- (1) establish procedures for handling and recording lost property including:
 - ensuring the security of stored lost property,
 - (a) notifying the Authority of the names and contact numbers of those of its employees who have responsibility for lost property,
 - (b) continuous public notification that the DRS operates a lost property service and the telephone number for the service, and
 - (c) the availability for receipt of lost property seven (7) days a week;
- (2) ensure that any lost property is dealt with according to the procedures and is disposed of in accordance with any directions given by the Authority; and
- (3) provide a copy of the lost property procedure to the Authority.

12.2 The driver of a DRS vehicle must return any lost property found or given to the driver by a passenger to:

- (1) its owner; or

- (2) if the owner cannot be identified – the authorised operator of the vehicle as soon as practicable (but within 24 hours).

PART 13 Minimum Service Standard for Making Available Information to the Public About Fares and Services

13.1 A Operator of a DRS must:

- (1) make information on fares, timetables and route maps widely available to the public;
- (2) ensure information on fares are displayed in accordance with section 258 of the *Road Transport (Public Passenger Services) Regulation 2002* where the fare information is displayed inside the vehicle in a form approved by the road transport authority in a position where it can readily be read by a passenger; and
- (3) information on timetables, route maps and tour information is provided to the Authority on a continuous basis.

PART 14 Minimum Service Standard for the Training of People to Manage, and the Management of, Incidents Involving Death or Injury

14.1 The Operator of a DRS must develop and provide to the Authority, an incident management program containing:

- (1) the training of staff to manage any incident causing the death of, or bodily injury to a person as a result of the DRS vehicle being used to operate the DRS;
- (2) details of the persons/positions within the organisation responsible for the management of critical incidents; and
- (3) the arrangements and processes for dealing with critical incidents.

PART 15 Minimum Service Standard for Insurance

15.1 The Operator of a DRS who operates a DRS with more than one vehicle must implement a system to allow for the easy identification of each public vehicle policy expiry date.

15.2 The Operator of a DRS must provide evidence of the currency of the public vehicle policy at the request of the Authority or any other authorised person when required to do so.