

Australian Capital Territory

Road Transport (Public Passenger Services) (Minimum Service Standards for Demand Responsive Services) Approval 2006 (No 1)

Disallowable instrument DI2006–172

made under the

Road Transport (Public Passenger Services) Regulation 2002, section 18B (Minimum service standards for regulated services)

EXPLANATORY STATEMENT

Section 18B(1) of the *Road Transport (Public Passenger Services) Regulation 2002* (the Regulation) requires the Road Transport Authority (the Authority) to approve minimum service standards for the operation of a regulated service. Section 6 of the Regulation provides that a regulated service is:

- a bus service
- a taxi network
- a taxi service
- a restricted taxi service
- a hire car service
- a restricted hire car service
- a demand responsive service.

An approval under section 18B(1) is a disallowable instrument by virtue of section 18B(4).

Schedule 1 of the Instrument sets out the minimum requirements that must be consistently maintained by the operator of a demand responsive service (DRS).

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))

Part 1 requires the operator of a DRS to ensure that, if a vehicle used for the DRS is a bus, the bus may only be parked in residential areas in accordance with Part 1.3.1 Heavy Vehicle Parking under the *Road Transport (Safety and Traffic Management) Regulation 2000*.

Also, under Part 2, the operator of a DRS is required to implement a regular maintenance, servicing and inspection program to ensure DRS vehicles comply with the manufacturer's maintenance standards. The operator must provide details of the entity responsible for any maintenance or servicing undertaken and ensure drivers inspect DRS vehicles prior to departure and report defects and faults.

The operator of a DRS must implement a cleaning program that ensures all DRS vehicles are cleaned on a regular basis.

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

Under Part 2 the operator of a DRS must provide the Authority with information on how and where the DRS will be advertised. The operator must continue to provide the details of any advertising and any other materials in relation to the DRS that are to be made available to the public, prior to publishing. This information includes, but is not limited to:

- brochures and business cards;
- websites; and
- advertisements to be displayed on vehicles.

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

Part 3 requires the operator of a DRS to maintain complete records capable of being audited for:

- the date, time, origin and destination of every route or corridor, including the details of the vehicle and the DRS vehicle driver;
- records required to be kept under a service contract for a DRS;
- all aspects of the vehicle maintenance, servicing and inspection program;
- lost property;
- accidents or incidents causing death or bodily injury or damage to property; and
- customer complaints, including the resolution of the complaint.

Part 3 also requires the operator of the DRS to develop processes for the reporting of notifiable incidents in accordance with the requirements of section 248 of the *Road Transport (Public Passenger Services) Regulation 2002*.

Part 4 Minimum Service Standard for the Operation of the Bus Service

Under Part 4, if the DRS is operated by a corporation, the operator must ensure only the directors, office holders or managers have management of the day-to-day operations of the bus service.

The operator must ensure DRS vehicle drivers are provided with a copy of the operator's Accepted Service Standards, or where approved by the Authority, a condensed version of the Accepted Service Standards contained in a Driver Handbook.

Part 5 Minimum Service Standard for the Operation of Booking Services by or for the DRS

Part 5 requires an operator of a DRS to:

- provide a booking service for the period the service is being provided;
- have arrangements in place for the repair and maintenance of the booking service equipment so that DRS vehicles have continuous access to and from the booking service and faults can be responded to without delay; and
- train staff using the booking service, in 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)

Part 6 requires the operator of a DRS to regularly check the expiry dates of driver licences and authorities for DRS vehicle drivers. Under Part 5, the operator must ensure the Authority always has a current list of all drivers for the DRS and if notified by the Authority of the suspension or cancellation of a drivers licence, the operator must ensure the driver does not drive DRS vehicles for the operator.

Part 7 Minimum Service Standard for the Training of DRS Drivers

Part 6 requires the operator of a DRS to train DRS vehicle drivers in the use of any communications equipment and alarms and the management of incidents involving death or serious injury. Training must also include driver responsibilities under the *Road Transport (Public Passenger Services)*

Regulation 2002, occupational health and safety, complaints handling, and lost property.

A copy of any in-house training program is to be provided to the Authority.

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

Part 8 requires the operator of a DRS, if the DRS vehicle is a bus, to develop rosters that allow DRS vehicle drivers to comply with the National Driving Hour and Rest Period requirements. The operator must ensure drivers are informed of the driving hour requirements and have processes in place for ensuring drivers with a second job driving buses comply with driving hour requirements.

The operator of a DRS must ensure a person or position within the operator's organisation is specifically tasked with ensuring rosters comply with driving hours requirements.

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

Part 9 requires the operator of a DRS to ensure all DRS vehicles are fitted with an alarm mechanism for the safety of DRS vehicle drivers and any defects or faults in equipment that monitors the safety of drivers are rectified immediately. If DRS vehicles are fitted with security cameras, the operator must adhere to the approved Security Camera Standards set by the Authority and ensure the system is monitored and any activated alarms are responded to immediately.

Part 10 Minimum Service Standard for How Contraventions of the Road Transport Legislation by Bus Drivers will be Handled

Part 10 requires an operator (other than a person who is an operator/driver and is the sole driver for the service) to establish a driver disciplinary program. The program must include:

- the investigation of complaints;
- an escalation process possibly including suspension from driving for the DRS service;
- tracking the number of occasions a driver has been disciplined; and
- the establishment of processes for identifying, and referring to the Authority, serious disciplinary matters.

The operator is required to ensure drivers are disciplined in accordance with the disciplinary program.

Part 11 Minimum Service Standard for Customer Inquiries and Complaints

Part 11 sets out the requirements for the operator of a DRS in relation to customer complaints and inquiries. All complaints are to be recorded and responded to. There is to be a process for reporting complaints to management and all relevant staff are to be trained in complaints and resolution processes.

If the Authority forwards a complaint to the operator of a DRS, the operator must respond to the Authority within seven days.

Part 12 Minimum Service Standard for the Handling of Lost Property

Part 12 sets out the requirements for handling lost property. The operator of a DRS must develop procedures for the handling and recording of lost property. The operator must notify the Authority of the person/position responsible for the handling of lost property.

Part 13 Minimum Service Standard for Making Available Information to the Public

Part 12 requires the operator of a DRS to make information on fares, timetables and route maps widely available to the public. Also, the operator must display fares in DRS vehicles in accordance with section 258 of the *Road Transport (Public Passenger Services) Regulation 2002*. The operator must provide to the Authority the information provided to the public.

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

Part 14 sets out the requirement for the operator of a DRS to develop a critical incident management program containing:

- the training of staff to manage any incident causing the death of, or bodily injury to a person;
- the arrangements and processes for dealing with a critical incidents; and
- responsibility within the organisation for the management of critical incidents.

Part 15 Minimum Service Standard for Insurance

The operator of a DRS must create a process to ensure all public vehicle policies remain current, and provide the Authority with evidence of the currency of public vehicle policies held by the operator.