

Australian Capital Territory

# Road Transport (Public Passenger Services) (Authorised Fixed Fare Hiring) Approval 2009 (No 1)

Disallowable instrument DI2009–49

made under the

***Road Transport (Public Passenger Services) Regulation 2002, section 142A (Exemption from operation of taxi meter and metered fares for certain hirings – Act s 85(1))***

## EXPLANATORY STATEMENT

---

Section 142A of the *Road Transport (Public Passenger Services) Regulation 2002* (the Regulation) provides for authorised fixed-fare hirings.

A taxi driver performing an authorised fixed-fare hiring is exempt from the following provisions of the Regulation:

- Section 143A (When driver must start taximeter)
- Section 143B (Operation of taximeter during hiring)
- Section 143C (Operation of taximeter at end of hiring)
- Section 144(2) (Driver to ask for correct fare).

Subsection 142A (2) provides that the road transport authority may approve a hiring to be a fixed fare hiring. Other kinds of fixed-fare hirings are hirings to destinations outside the ACT taxi region and hirings for the delivery of goods, if no passengers are carried in the taxi during the hiring.

This instrument gives approval for hirings by Nightlink taxis, between midnight on Friday nights and 6.00am on Saturday mornings, or between midnight on Saturday nights and 6.00am on Sunday mornings, to be authorised fixed-fare hirings.

Nightlink taxis provide a ride-share service under which individual passengers or groups of passengers will not have the exclusive use of the vehicle. Passengers and passenger groups with destinations in the same general direction will travel together in larger taxis. The fixed fares will be paid by passengers at the start of the journey. Taxi meters will not be used by the driver.

Nightlink's revised fixed fare structure has been developed by the Canberra Taxi Industry Association and Aerial Capital Group Ltd (which operates the Nightlink service) to reflect the cost of operating Nightlink as a viable passenger service.

The Nightlink Fares Schedule will be displayed at the Nightlink rank, on the ACT Government website and on Aerial's website.

Subsection 142A (3) provides that an approval under subsection 142A (2) is a disallowable instrument.

***Note:***

The reference to the Act in the title 'section 142A (Exemption from operation of taxi meter and metered fares for certain hirings – Act s85 (1)) is incorrect.

Amendments made to the *Road Transport (Public Passenger Services) Act 2001*, in 2006, to include provisions for Demand Responsive Services, resulted in renumbering of some provisions including s85(1) which has been renumbered as s128 (1).