

Australian Capital Territory

# Road Transport (Public Passenger Services) Independent Taxi Services— Service Standards 2016 (No 1)

Disallowable instrument DI2016-205

made under the

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

## EXPLANATORY STATEMENT

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Section 20B(1) of the *Road Transport (Public Passenger Services) Regulation 2002* (**the Regulation**) permits the Road Transport Authority (**the Authority**) to make service standards for the operation of a regulated service including an independent taxi service. An approval under section 20B(1) is a disallowable instrument by virtue of section 20B(4).

### OVERVIEW

The purpose of this instrument is to replace the service standards currently applying to operators and drivers of independent taxi services to reflect market reforms. The objective is to reduce regulatory burden while supporting public safety and accessibility to better enable competitive market outcomes.

Increased market competition is expected to lead to an increase in the quality of service delivery overall and obviate the need for a number of regulatory requirements.

Further background on the Taxi Industry Innovation Reforms can be found in the Explanatory Statements to the: *Road Transport (Public Passenger Services) (Taxi Industry Innovation) Amendment Act 2015*, *Road Transport (Public Passenger Services) (Taxi Industry Innovation) Amendment Regulation 2016 (No.1)*, and *Taxi Industry Innovation Review - Supporting Analysis* (September 2015).

The instrument revokes the previous minimum service standards for independent taxi car services (DI2012–34).

The instrument is in force until it is amended or revoked.

## CLAUSE NOTES

### Clause 1 Name of instrument

This Disallowable Instrument is known as the *Road Transport (Public Passenger Services) Independent Taxi Services—Service Standards 2016 (No 1)*.

### Clause 2 Determination

This clause refers the determination of service standards to Schedule 1 of the instrument.

### Clause 3 Revocation of previous instrument

Disallowable Instrument DI2012-34 (as notified on the ACT Government Legislation Register) is revoked.

### Clause 3 Commencement

The instrument commences on 1 August 2016.

## SCHEDULE 1

### Part 1 Safety

This part focuses on the safety responsibilities residing with the independent taxi operator related to the vehicle, and the operation and maintenance of fittings, should they be located in the vehicle.

The independent taxi operator is expected to comply with the *Road Transport (Public Passenger Services) Minimum Service Standards—Taxi Services 2016 (No 1)*, with the exception of:

- Clause 3.1, related to compliance of customer inquiry and complaints procedures set by a transport booking service;
- Clause 3.2, related to lost property procedures set by a transport booking service; and
- Clause 4.2, related to records maintained by a transport booking service.

The operator must inform the Authority if his or her taxi vehicle is unavailable for service for more than 24 hours.

### Part 2 Customers

This part addresses obligations of operators and/or drivers in appropriately serving customers.

## **Section 2.1**

This section defines complaint for the purposes of this part.

## **Section 2.2**

This section requires that an independent taxi operator must establish a process for handling and recording customer complaints and resolution of disputes. This requirement is consistent with the consumer requirements for transport booking services.

An operator must also respond to the Authority seven days after a customer complaint has been forwarded to the operator by the Authority.

## **Section 2.3**

This section requires the operator to establish and manage a procedure for passenger lost property. This requirement is consistent with the consumer requirements for transport booking services.

## **Part 3 ACT Taxi Subsidy Scheme (TSS)**

This part requires that the operator develop and manage procedures for processing TSS payments. This requirement is consistent with the procedural requirements for transport booking services.

## **Part 4 Certain Records Must Be Kept**

This part outlines to operational record keeping requirements necessary for compliance and enforcement activity. The additional record requirements above taxi services reflect the independent nature of the service and records that would be kept by transport booking services.

## **Part 5 Certain Records to Be Kept – Performance Information**

This part requires the independent taxi service operator to record information for the relevant service related to meeting or exceeding prescribed threshold wait-times. The data is to be divided into trips undertaken during ‘prescribed period’ hours and ‘all other times’. The thresholds wait-times are detailed in the Minimum Service Standard.

This information required is consistent with the performance reporting requirements for transport booking services.

## **Part 6 Performance Reporting – Quarterly**

This part requires the independent taxi service to report, by the fourteenth day from the start of each quarter, information related to market operations and service provision.

This required information is consistent with the performance reporting requirements for transport booking services.