



Australian Capital Territory

Road Transport Legislation Amendment Regulations 2002

Subordinate Law 2002 No 2

The Australian Capital Territory Executive makes the following regulations under the *Road Transport (General) Act 1999* and *Road Transport (Public Passenger Services) Act 2001*.

Dated 25 February 2002.

BILL WOOD
Minister

TED QUINLAN
Minister



Australian Capital Territory

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Part 1 Preliminary

1 Name of regulations

These regulations are the *Road Transport Legislation Amendment Regulations 2002*.

2 Commencement

These regulations commence when the *Road Transport (Public Passenger Services) Amendment Act 2001*, section 8 commences.

Part 2

Amendments of Road Transport (Driver Licensing) Regulations 2000

3 Regulations amended—pt 2

This part amends the *Road Transport (Driver Licensing) Regulations 2000*.

4 Regulation 11, table of public vehicle licence codes, item 4, column 2

omit

or restricted taxi

5 Dictionary, definition of *public vehicle regulations*

substitute

public vehicle regulations means—

- (a) the *Road Transport (Hire Vehicle Services) Regulations 2000*;
and
- (b) the *Road Transport (Public Passenger Services) Regulations 2002*.

6 Dictionary, definition of *taxi*

substitute

taxi—see the *Road Transport (Public Passenger Services) Act 2001*, section 45 (Meaning of *taxi*).

Part 3

Amendments of Road Transport (General) Regulations 2000

7 Regulations amended—pt 3

This part amends the *Road Transport (General) Regulations 2000*.

8 Regulation 14 (1) (k) to (m)

substitute

- (k) a fee, charge or other amount paid in relation to an application for the issue or transfer of a taxi licence under the *Road Transport (Public Passenger Services) Act 2001*, part 4, or a licence under the *Road Transport (General) Act 1999*, part 9 (Public vehicles), if the application is refused;
- (l) a fee, charge or other amount paid in relation to an application for an accreditation (other than an application for an accreditation under the *Road Transport (Public Passenger Services) Act 2001*), approval, authority, certificate, exemption, permit or anything else not mentioned in paragraphs (c) to (k) if the application is refused;
- (m) a fee, charge or other amount paid by a person in relation to an application to which paragraph (l) applies if the accreditation, approval, authority, certificate, exemption, permit or other thing is given, issued or done in error, is then cancelled and anything given to the person by the road transport authority because of the authority's decision on the application is surrendered to the authority.

9 Regulation 14 (3), note

omit

Road Transport (Public Passenger Services) Regulations 2001, reg 18

substitute

Road Transport (Public Passenger Services) Regulations 2002, reg 18

10 Regulation 16 (1) (h)

substitute

(h) a fee, charge or other amount paid in relation to an application for the issue or transfer of a taxi licence under the *Road Transport (Public Passenger Services) Act 2001*, part 4, or a licence under the *Road Transport (General) Act 1999*, part 9 (Public vehicles).

11 Schedule 1, part 1.5, items 1 to 13

omit

12 Schedule 1, part 1.5, items 33 and 34, column 3

omit

taxi, restricted taxi,

13 Schedule 1, part 1.5, items 35 and 36, column 3

omit

taxi, restricted taxi or

14 Schedule 1, part 1.5, items 37 and 38, column 3

omit

taxi, restricted taxi,

15 Schedule 1, part 1.5, items 14 to 42*renumber as items 1 to 29***16 Schedule 1, part 1.7***omit***17 Schedule 1, parts 1.10 to 1.12***renumber as schedule 1, parts 1.9 to 1.11***18 Schedule 1, parts 1.8 and 1.9***substitute*

Part 1.7 Road Transport (Public Passenger Services) Act 2001

column 1 item	column 2 provision	column 3 decision
1	64	Minister—refuse to exempt vehicle or person from Act or provision of Act

Part 1.8 Road Transport (Public Passenger Services) Regulations 2002

column 1 item	column 2 provision	column 3 decision
1	8 or 9	road transport authority—refuse to accredit/renew accreditation to operate public passenger service/taxi network

Regulation 18

column 1 item	column 2 provision	column 3 decision
2	10 (1)	road transport authority—issue/renew accreditation to operate public passenger service/taxi network subject to conditions imposed by authority
3	10 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on accreditation to operate public passenger service/taxi network by authority
4	10 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on accreditation to operate public passenger service/taxi network on application by holder of accreditation
5	12 (4)	road transport authority—period of issue/renewal of accreditation to operate public passenger service/taxi network
6	13 (2)	road transport authority—refuse to amend accepted service standard for public passenger service/taxi network
7	16 (1)	road transport authority—refuse to issue replacement for certificate of accreditation to operate public passenger service/taxi network that has been lost, stolen or destroyed
8	20	road transport authority—direct accredited person to undertake training
9	37 (3) (a)	road transport authority—number of seated/standing passengers bus permitted to carry
10	70 (1) (a)	road transport authority—appointment of a bus stop by authority

column 1 item	column 2 provision	column 3 decision
11	70 (1) (b)	road transport authority—approve/refuse to approve accredited operator to appoint bus stops
12	84 (1)	road transport authority—refuse to issue taxi licence
13	85 (1)	road transport authority—issue/renew taxi licence subject to condition imposed by authority
14	85 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on taxi licence by authority
15	85 (2)	road transport authority—amend/revoke, or refuse to amend/revoke, condition imposed on taxi licence on application by holder of accreditation
16	90 (1)	road transport authority—refuse to issue replacement taxi licence for licence that has been lost, stolen or destroyed
17	95 (2)	road transport authority—refuse to exempt taxi from being fitted with taximeter complying with standards for taximeters
18	101 (3)	road transport authority—refuse to exempt taxi service operator from requirement for arrangements with accredited taxi network provider for provision of a taxi booking service for taxi
19	101 (3)	road transport authority—refuse to exempt taxi from requirement to be fitted with equipment for driver to send messages to and receive messages from accredited taxi network provider

column 1 item	column 2 provision	column 3 decision
20	107 (1)	road transport authority—refuse to approve network decal signs for accredited taxi network provider
21	107 (2)	road transport authority—refuse to approve network colours for accredited taxi network provider
22	110	road transport authority—refuse to approve network uniform for accredited taxi network provider
23	160 (1)	road transport authority—refuse to exempt person from requirement to successfully complete wheelchair accessible taxi driver training course
24	160 (2)	road transport authority—exempt subject to conditions person from requirement to successfully complete wheelchair accessible taxi driver training course
25	161	road transport authority—require person to undertake wheelchair accessible taxi driver training course
26	162 (1)	road transport authority—refuse to approve wheelchair accessible taxi driver training course
27	166 (4)	road transport authority—suspend/cancel accreditation/disqualify from applying for accreditation (including suspending or disqualifying for additional period)/impose/vary condition on accreditation/impose financial penalty/reprimand
28	167 (3)	road transport authority—immediately suspend accreditation

column 1 item	column 2 provision	column 3 decision
29	166 (4)	road transport authority—suspend/cancel taxi licence/disqualify from applying for taxi licence (including suspending or disqualifying for additional period)/impose/vary condition on taxi licence /impose financial penalty/reprimand
30	167 (3)	road transport authority—immediately suspend taxi licence
31	175 (1)	police officer, authorised person or person inspecting vehicle—attach noncompliance notice to vehicle
32	175 (3)	police officer or authorised person—refuse to remove noncompliance notice
33	175 (3)	police officer or authorised person—refuse to direct that noncompliance notice be taken to have been removed

Part 4 Amendments of Road Transport (Offences) Regulations 2001

19 Regulations amended—pt 4

This part amends the *Road Transport (Offences) Regulations 2001*.

20 Regulation 8 (1) (e) to (i)

substitute

- (e) part 1.9 (Road Transport (Third-Party Insurance) Regulations 2000);
- (f) part 1.10 (Road Transport (Public Passenger Services) Act 2001);
- (g) part 1.11 (Road Transport (Public Passenger Services) Regulations 2002);
- (h) part 1.12 (Road Transport (Safety and Traffic Management) Regulations 2000), items 16 to 22, 27 to 35, 41, 43 and 53 to 57.

21 Schedule 1, part 1.7, items 16 to 23

omit

22 Schedule 1, part 1.7, items 24 to 69

renumber as items 16 to 61

23 Schedule 1, part 1.9

omit

24 Schedule 1, part 1.10

renumber as schedule 1, part 1.9

25 Schedule 1, parts 1.13 to 1.16

renumber as schedule 1, parts 1.12 to 1.15

26 Schedule 1, parts 1.11 and 1.12

substitute

Part 1.10 Road Transport (Public Passenger Services) Act 2001

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
1	20 (1)	unaccredited person operate regular route service	50		
2	20 (2)	unaccredited person operate tour and charter service	50		
3	21	pretend to be accredited to operate a bus service	30		
4	22 (1)	operate regular route service without service contract	50		
5	33	unaccredited person operate taxi network	50		

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
		for particular kind of taxi service			
6	34 (1)	pretend to be accredited to operate taxi network	30		
7	34 (2)	pretend to be accredited to operate taxi network for particular kind of taxi service	30		
8	42 (1)	use of vehicle not licensed as taxi as a taxi	50		
9	42 (2)	use of vehicle not licensed as restricted taxi as a restricted taxi	50		
10	43 (1)	pretend vehicle licensed as taxi	30		
11	43 (2)	pretend vehicle licensed as restricted taxi	30		
12	52 (1)	unaccredited person operate particular kind of taxi service	50		
13	53 (1)	pretend to be accredited to operate taxi service	30		
14	53 (2)	pretend to be accredited to operate	30		

Part 4 Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
		particular kind of taxi service			
15	54	operate taxi service without network affiliation	50		
16	55	pretend to be affiliated with taxi network	30		

Part 1.11 Road Transport (Public Passenger Services) Regulations 2002

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
1	14 (2)	accredited person not notify change in accreditation/service operation/financial circumstances	20	300	
2	14 (5)	person not provide relevant information after change of relevant person	20	300	
3	15	holder of conditional accreditation not comply with conditions	20	300	
4	17 (1)	accredited person not produce certificate of accreditation when required by police officer/authorised person	5	100	
5	21 (1)	bus operator not service/maintain bus	20	300	

Part 4 Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
6	21 (2)	bus operator not ensure bus complies with vehicle standards	20	300	
7	22 (2)				
7.1	<ul style="list-style-type: none"> by contravening 22 (1) (a) 	bus operator not record bus manufacture details	10	200	
7.2	<ul style="list-style-type: none"> by contravening 22 (1) (b) 	bus operator not record bus registration number	10	200	
7.3	<ul style="list-style-type: none"> by contravening 22 (1) (c) 	bus operator not record bus insurance policies	10	200	
7.4	<ul style="list-style-type: none"> by contravening 22 (1) (d) 	bus operator not record bus passenger capacity	10	200	
7.5	<ul style="list-style-type: none"> by contravening 22 (1) (e) 	bus operator not record bus operation start/end dates	10	200	
7.6	<ul style="list-style-type: none"> by contravening 22 (1) (f) 	bus operator not record bus safety inspections	10	200	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
7.7	<ul style="list-style-type: none"> by contravening 22 (1) (g) 	bus operator not record bus safety defects	10	200	
7.8	<ul style="list-style-type: none"> by contravening 22 (1) (h) 	bus operator not record bus maintenance	10	200	
7.9	<ul style="list-style-type: none"> by contravening 22 (1) (i) (i) 	bus operator not record details of bus accident details causing death/injury	10	200	
7.10	<ul style="list-style-type: none"> by contravening 22 (1) (i) (ii) 	bus operator not record details of bus accident details causing property damage	10	20	
8	23	bus operator not give notice of additional bus	20	100	
9	24 (1)	bus operator not give immediate notice of notifiable accident	20	200	
10	24 (2)	bus operator not give follow-up notice of notifiable accident	20	200	
11	24 (3)	bus operator not give notice of incident	20	200	

Part 4

Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
12	25 (1)	bus operator not ensure interior/exterior/ fittings of bus clean/undamaged/ properly fitted/securely in place	10	200	
13	26	bus operator allow unlicensed/unauthorised person drive bus	20	300	
14	27 (2)				
14.1	<ul style="list-style-type: none"> by contravening 27 (1) (a) 	bus operator not record driver's name and address	10	200	
14.2	<ul style="list-style-type: none"> by contravening 27 (1) (b) 	bus operator not record prescribed driver authority information	10	200	
14.3	<ul style="list-style-type: none"> by contravening 27 (1) (c) 	bus operator not record driving dates/times	10	200	
15	28 (2)				
15.1	<ul style="list-style-type: none"> by contravening 28 (1) (a) 	not keep bus records as required	10	200	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
15.2	<ul style="list-style-type: none"> by contravening 28 (1) (b) 	not produce bus records as required	10	200	
15.3	<ul style="list-style-type: none"> by contravening 28 (1) (c) 	not provide bus records as required	10	200	
16	29 (1)	bus operator not state on single-decker bus maximum number of passengers permitted	5	100	
17	29 (2)	bus operator not state on double-decker bus maximum number of passengers permitted	5	100	
18	30 (1)	bus operator not display accreditation information	5	100	
19	31	bus operator not display security camera notice	5	200	
20 20.1	32 (3) <ul style="list-style-type: none"> by contravening 32 (2) (a) 	bus operator not keep security camera recording as required	10	200	

Part 4

Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
20.2	<ul style="list-style-type: none">by contravening 32 (2) (b)	bus operator not destroy security camera recording as required	10	200	
21	32 (4)	bus operator not produce security camera recording to police officer/authority	10	200	
22	32 (5)	bus operator not maintain equipment to display security camera recordings	5	100	
23	33	bus operator not deal with lost property as required	5	100	
24	34 (1) (a)	bus operator allow bus operation after time of effect of noncompliance notice	20	300	
25	34 (1) (b)	bus operator allow bus operation after unauthorised removal of noncompliance notice	20	300	
26	35 (1)	bus driver not drop off passenger	5	100	
27	35 (2)	bus driver not pick up passenger	5	100	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
28	36	bus driver not stop bus parallel/close to side of road	5	100	
29	37 (1) (a)	bus driver carry more than maximum number of passengers permitted in bus	5	100	
30	37 (1) (b) (i)	bus driver carry more than maximum number of seated passengers than permitted in single-decker	5	100	
31	37 (1) (b) (ii)	bus driver carry more than maximum number of standing passengers than permitted in single-decker	5	100	
32	37 (1) (c) (i)	bus driver carry more than maximum number of seated passengers on deck of double-decker than permitted on the deck	5	100	
33	37 (1) (c) (ii)	bus driver carry more than maximum number of standing passengers on deck of double-decker than permitted on the deck	5	100	

Part 4

Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
34	38 (2)	bus driver not check security camera operating	5	150	
35	38 (3)	bus driver not tell accredited operator security camera not operating	5	150	
36	39 (1)	bus driver allow inconvenient/dangerous thing in bus	5	100	
37	40	bus driver not deal with lost property as required	5	100	
38	41 (a)	bus driver solicit passenger/hiring	10	100	
39	41 (b)	bus driver move bus with door open	10	200	
40	41 (c)	bus driver start/stop bus in way to subject person to unnecessary risk of injury	10	200	
41	42 (1)	bus driver not clean/tidy/wearing clean/respectable clothes	5	100	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
42	42 (2)	bus driver not behave in orderly way/politely/with propriety	5	100	
43	43	bus driver leave driver's seat	5	100	
44	44 (1) (a)	bus driver allow passenger in driver's compartment	5	200	
45	44 (1) (b)	bus driver allow passenger on driver's seat	5	200	
46	44 (2) (a)	bus driver allow passenger on unauthorised part of bus	5	200	
47	44 (2) (b)	bus driver allow passenger beside/in front of driver's seat	5	200	
48	44 (2) (c)	bus driver allow passenger to stand on upper deck	5	200	
49	45 (1) (a)	bus driver operate bus after time of effect of noncompliance notice	20	300	

Part 4 Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
50	45 (1) (b)	bus driver operate bus after unauthorised removal of noncompliance notice	20	300	
51	47 (1)	travel on bus without valid bus ticket	5	100	
52	48 (1)	transfer bus ticket to someone else	5	100	
53	49 (a)	use damaged/defaced bus ticket	5	100	
54	49 (b)	use changed bus ticket	5	100	
55	50 (1)	use concession bus ticket when not entitled	5	100	
56	50 (3)	not produce evidence of entitlement to bus ticket concession	5	100	
57	50 (6)	provide document containing false/ misleading/incomplete information for bus ticket concession application/evidence of entitlement to bus ticket concession	20	100	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
58	50 (7) (a)	state false/misleading thing for bus ticket concession application/evidence of entitlement to bus ticket concession	20	100	
59	50 (7) (b)	omit thing from statement for bus ticket concession application/evidence of entitlement to bus ticket concession so it is misleading	20	100	
60	51	not make bus ticket available to authorised person for inspection/ processing	5	100	
61	52 (1)	interfere with comfort/safety of person in bus	5	200	
62	53 (2)	occupy reserved bus seat	5	100	
63	54 (1)	drink/possess open container of liquor in bus	5	200	
64	55 (1)	eat/drink on bus contrary to sign	5	100	
65	56 (a)	get on/get off moving bus	5	200	

Part 4

Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
66	56 (b)	get on/get off bus through window/roof hatch	5	200	
67	57 (a)	interfere with bus equipment	5	200	
68	57 (b)	block bus door	5	200	
69	57 (c)	unlock bus door	5	200	
70	57 (d)	open door while bus moving	5	200	
71	57 (e)	interfere with automatic bus door	5	200	
72	58	throw thing in/from bus	5	200	
73	59 (1) (a)	bus passenger enter driver's compartment	5	200	
74	59 (1) (b)	bus passenger occupy driver's seat	5	200	
75	59 (2) (a)	bus passenger travel on unauthorised part of bus	5	200	
76	59 (2) (b)	bus passenger beside/in front of driver's seat	5	100	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
77	59 (2) (c)	bus passenger stand on upper bus deck	5	100	
78	60 (1)	remove property of bus operator from bus	5	200	
79	61	deposit litter/dangerous thing in bus	5	100	
80	62 (1)	bus passenger take animal on bus without permission	5	100	
81	63 (3)	bus passenger not comply with direction by driver/police officer/authorised person because soil/damage bus/person	5	200	
82	64 (2)	intoxicated bus passenger not comply with direction by driver/police officer/authorised person	5	200	
83	65 (2)	bus passenger offender not comply with direction by driver/police officer/authorised person	5	200	
84	67	not deal with lost property on bus as required	5	100	

Part 4

Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
85	68 (5)	not comply with bus security camera standard	20	200	
86	69 (1)	interfere with bus security camera	20	300	
87	69 (2)	interfere with bus security camera recording	20	300	
88	71 (1)	taxi network provider refuse affiliation	20	200	
89	71 (3)	taxi network affiliate unaccredited taxi operator	20	300	
90	72 (3)				
90.1	<ul style="list-style-type: none"> • by contravening 72 (2) (a) 	taxi network not ensure vehicle licensed as taxi	20	300	
90.2	<ul style="list-style-type: none"> • by contravening 72 (2) (b) 	taxi network not ensure vehicle operated by accredited person	20	300	
90.3	<ul style="list-style-type: none"> • by contravening 72 (2) (c) 	taxi network allow unlicensed/unauthorised person drive taxi	20	300	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
90.4	<ul style="list-style-type: none"> by contravening 72 (2) (d) 	taxi network not ensure taxi complies with network standards	20	300	
91	73 (1)	taxi network not ensure taxi booking service available	20	200	
92	73 (2)	taxi network not ensure taxi booking service complies with service standards	20	200	
93	74 (2)	taxi network not direct driver of wheelchair accessible taxi to accept booking	10	200	
94	75	taxi network not tell waiting period for wheelchair accessible taxi	10	200	
95	76 (2)				
95.1	<ul style="list-style-type: none"> by contravening 76 (1) (a) 	taxi network not record operator's name and address	10	200	
95.2	<ul style="list-style-type: none"> by contravening 76 (1) (b) 	taxi network not record operator's accreditation number	10	200	

Part 4 Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
95.3	<ul style="list-style-type: none"> by contravening 76 (1) (c) 	taxi network not record kind of taxi service operator accredited for	10	200	
95.4	<ul style="list-style-type: none"> by contravening 76 (1) (d) 	taxi network not record operator's accreditation expiry date	10	200	
95.5	<ul style="list-style-type: none"> by contravening 76 (1) (e) 	taxi network not record registration number of taxi operated by operator	10	200	
96	77 (2)				
96.1	<ul style="list-style-type: none"> by contravening 77 (1) (a) 	taxi network not record driver's name and address	10	200	
96.2	<ul style="list-style-type: none"> by contravening 77 (1) (b) 	taxi network not record prescribed driver authority information	10	200	
96.3	<ul style="list-style-type: none"> by contravening 77 (1) (c) 	taxi network not record driving dates/times	10	200	
96.4	<ul style="list-style-type: none"> by contravening 77 (1) (d) 	taxi network not record registration number of taxi driven by driver	10	200	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
97	78 (2)				
97.1	<ul style="list-style-type: none"> by contravening 78 (1) (a) 	not keep taxi network records as required	10	200	
97.2	<ul style="list-style-type: none"> by contravening 78 (1) (b) 	not produce taxi network records as required	10	200	
97.3	<ul style="list-style-type: none"> by contravening 78 (1) (c) 	not provide taxi network records as required	10	200	
98	79 (3)				
98.1	<ul style="list-style-type: none"> by contravening 79 (2) (a) 	taxi network not keep security camera recording as required	10	200	
98.2	<ul style="list-style-type: none"> by contravening 79 (2) (b) 	taxi network not destroy security camera recording as required	10	200	
99	79 (4)	taxi network not produce security camera recording to police officer/authority	10	200	

Part 4

Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
100	79 (5)	taxi network not maintain equipment to display security camera recordings	5	100	
101	80	taxi network not deal with lost property as required	5	100	
102	88 (2)	taxi operator not give notice of change in licence particulars	20	300	
103	89	taxi operator contravene condition of taxi licence	20	300	
104	91 (1)	taxi operator not produce licence when required by police officer/authorised person	5	100	
105	93 (1)	taxi operator not service/maintain taxi	20	300	
106	93 (2)	taxi operator not ensure taxi complies with vehicle standards	20	300	
107	94 (1)	taxi operator not ensure taxi interior/exterior/ clean/undamaged	10	200	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
108	94 (2)	taxi operator not ensure taxi fittings clean/undamaged/ properly fitted/securely in place	10	200	
109	95 (1)	taxi operator not ensure complying taximeter fitted	20	300	
110	96	taxi operator not ensure metered fare visible	5	300	
111	97	taxi operator allow unlicensed/unauthorised person drive taxi	20	300	
112	98	taxi operator not ensure wheelchair accessible taxi driver trained/exempted	20	200	
113	99 (2)				
113.1	<ul style="list-style-type: none"> by contravening 99 (1) (a) 	taxi operator not record driver's name and address	10	200	
113.2	<ul style="list-style-type: none"> by contravening 99 (1) (b) 	taxi operator not record prescribed driver authority information	10	200	

Part 4 Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
113.3	<ul style="list-style-type: none"> by contravening 99 (1) (c) 	taxi operator not record wheelchair accessible taxi training/exemption information	10	200	
113.4	<ul style="list-style-type: none"> by contravening 99 (1) (d) 	taxi operator not record driving times	10	200	
113.5	<ul style="list-style-type: none"> by contravening 99 (1) (e) 	taxi operator not record registration number of taxi driven by driver	10	200	
114	100 (2)				
114.1	<ul style="list-style-type: none"> by contravening 100 (1) (a) 	not keep taxi operator records as required	10	200	
114.2	<ul style="list-style-type: none"> by contravening 100 (1) (b) 	not produce taxi operator records as required	10	200	
114.3	<ul style="list-style-type: none"> by contravening 100 (1) (c) 	not provide taxi operator records as required	10	200	
115	101 (1)	taxi operator not ensure booking service	10	200	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
		arrangements with taxi network			
116	101 (2)	taxi operator not ensure communications equipment fitted	10	200	
117	102 (1)	taxi operator not ensure required information displayed in taxi	5	200	
118	103	taxi operator not display security camera notice	5	200	
119	104	taxi operator not ensure taxi fitted with operational airconditioning /in good repair	10	200	
120	105	taxi operator not ensure complying child restraint anchorage fitted	10	200	
121	106 (1)	taxi operator not ensure roof sign/roof sign light fitted/working properly	10	200	
122	106 (5)	taxi operator not ensure taxi not displaying unauthorised thing to show hire availability	10	200	

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Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
123	107 (1)	taxi operator not ensure approved network decal sign fitted as required	10	150	
124	107 (2)	taxi operator not ensure taxi painted in approved network colours	10	150	
125	108 (1)	taxi operator not ensure inappropriate advertisement/document not displayed	10	150	
126	108 (3)	taxi operator not remove inappropriate advertisement/document as directed	10	200	
127	109 (2)				
127.1	<ul style="list-style-type: none"> • by contravening 109 (1) (a) 	taxi operator use stand-by taxi when usual taxi available	10	200	
127.2	<ul style="list-style-type: none"> • by contravening 109 (1) (b) 	taxi operator not comply with stand-by taxi requirements	10	200	
127.3	<ul style="list-style-type: none"> • by contravening 109 (1) (c) 	taxi operator not give notice of stand-by taxi	10	200	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
128	110	taxi operator not ensure driver wearing clean/approved uniform	10	150	
129	111	taxi operator not deal with lost property as required	5	100	
130	112 (1) (a)	taxi operator allow taxi operation after time of effect of noncompliance notice	20	300	
131	112 (1) (b)	taxi operator allow taxi operation after unauthorised removal of noncompliance notice	20	300	
132	113	taxi driver operate dirty/untidy taxi	5	150	
133	114 (2)	wheelchair accessible taxi driver not tell network of hiring availability	10	200	
134	114 (3)	wheelchair accessible taxi driver not comply with network direction to accept booking for person in wheelchair	10	200	

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Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
135	115 (2)	taxi driver not check security camera operating	5	150	
136	115 (3)	taxi driver not tell network security camera not operating	5	150	
137	116 (1)	taxi driver allow inconvenient/dangerous thing in taxi	5	100	
138	117 (1)	taxi driver allow unconfined dog/cat/bird/other animal in taxi	5	100	
139	118	taxi driver not deal with lost property as required	5	100	
140	119 (1) (a)	taxi driver move taxi while door open	10	200	
141	119 (1) (b)	taxi driver start/stop taxi subject person to unnecessary injury of risk	10	200	
142	119 (1) (c)	taxi driver eat/drink in available/hired taxi	10	150	
143	120 (2)	taxi driver not clean/tidy	5	100	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
144	120 (3)	taxi driver not wear clean network uniform	5	100	
145	120 (4)	taxi driver not behave in orderly way/ politely/with propriety	5	100	
146	120 (5)	taxi driver not comply with passenger request	5	100	
147	121	taxi driver leave driver's seat during hiring	5	100	
148	122 (1)	taxi driver illegally stop taxi in taxi zone	5	150	
149	122 (3)	taxi driver not place/keep taxi in 1st available position at taxi zone	5	150	
150	122 (5)	taxi driver contravene another taxi's right to next hiring	5	150	
151	122 (6)	taxi driver leave taxi zone/pick up area/drop off area/ contrary to police officer/authorised person direction	10	200	
152	123 (2)	taxi driver use temporary taxi zone	10	200	

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Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
		contrary to police officer/authorised person direction			
153	124 (1)	taxi driver park taxi longer than 30 minutes	10	200	
154	125 (1)	taxi driver not use communications equipment according to network procedures	5	150	
155	125 (2)	taxi driver not follow network rules	5	150	
156	125 (3)	taxi driver not comply with network request	5	150	
157	126 (1) (a)	taxi driver operate taxi after time of effect of noncompliance notice	20	300	
158	126 (1) (b)	taxi driver operate taxi after unauthorised removal of noncompliance notice	20	300	
159	128	taxi driver solicit passenger/hiring	10	150	
160	129 (1)	taxi driver not accept hiring promptly	5	150	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
161	129 (2)	wheelchair accessible taxi driver not prefer hiring offered by person in wheelchair	5	200	
162	129 (3)	wheelchair accessible taxi driver not accept hiring offered by person in wheelchair	5	200	
163	130 (3)	taxi driver not carry out hiring directed by police officer/authorised person	5	200	
164	131 (1)	taxi driver not carry out hiring promptly	5	150	
165	131 (2)	taxi driver not drive by shortest route	5	150	
166	131 (4)	taxi driver not comply with direction to take hirer to new destination	5	150	
167	132 (1)	wheelchair accessible taxi driver not carry wheelchair in safe way	10	200	
168	132 (2)	wheelchair accessible taxi driver not carry person in wheelchair in safe way	10	200	
169	132 (4)	wheelchair accessible taxi driver carry	10	200	

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Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
		person in scooter/tricycle			
170	132 (5)	wheelchair accessible taxi driver not provide loading assistance for person in wheelchair when asked	10	200	
171	133 (2)	taxi driver not stop taxi parallel/close to side of road	5	150	
172	134 (1)				
172.1	<ul style="list-style-type: none"> by contravening 134 (2) 	taxi driver not ensure roof sign off when taxi not for hire	5	150	
172.2	<ul style="list-style-type: none"> by contravening 134 (3) (a) 	taxi driver not ensure roof sign off when taxi with noncomplying taximeter hired	5	150	
172.3	<ul style="list-style-type: none"> by contravening 134 (3) (b) 	taxi driver not ensure roof sign on when taxi with noncomplying taximeter available for hire	5	150	
173	135 (1)	taxi driver not carry goods when asked	5	150	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
174	135 (3) (a)	taxi driver carry goods on taxi roof without permission	5	150	
175	135 (3) (b)	taxi driver carry overweight goods in passenger compartment	5	150	
176	135 (5)	taxi driver not provide reasonable assistance with goods	5	150	
177	135 (6)	taxi driver not take reasonable care with goods	5	150	
178	135 (7)	taxi driver not deliver goods promptly/in received condition	5	150	
179	136 (1)	taxi driver not wait 15mins/as agreed	5	150	
180	139	taxi driver allow extra person in taxi without hirer's agreement	5	150	
181	140 (2)	taxi driver not comply with hirer's requirement about sharing taxi	5	150	

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column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
182	140 (3)	taxi driver make unauthorised demand for payment from passenger in shared taxi	5	150	
183	141	taxi driver accept subsequent hiring without hirer's agreement	5	150	
184	142 (2)				
184.1	• by contravening 142 (1) (a)	taxi driver start taximeter before taxi hired	5	150	
184.2	• by contravening 142 (1) (b)	taxi driver not start taximeter when taxi hired	5	150	
184.3	• by contravening 142 (1) (c)	taxi driver not keep taximeter operating during hiring	5	150	
184.4	• by contravening 142 (1) (d)	taxi driver not stop taximeter at end of hiring	5	150	
184.5	• by contravening 142 (1) (e)	taxi driver not ensure taximeter fare indicators show zero after payment	5	150	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
185	142 (4)	taxi driver not ensure taximeter readily readable by hirer/state extra charges	5	150	
186	144 (1)	taxi driver ask more than correct fare	5	150	
187	144 (2)	taxi driver make agreement for payment of more than fare	5	150	
188	144 (4) (a)	taxi driver not pay fare deposit difference	5	150	
189	144 (4) (b)	taxi hirer not pay fare deposit difference	5	150	
190	144 (5)	taxi hirer not pay fare	5	150	
191	144 (6)	taxi driver not offer correct change	5	150	
192	145 (a)	taxi driver charge fare for breakdown/accident	5	150	
193	145 (b)	taxi driver charge fare for avoidable action	5	150	
194	146 (a)	taxi passenger offensive behaviour	10	200	
195	146 (b)	taxi passenger offensive language	10	200	

Part 4 Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
196	147	taxi passenger drink liquor	5	200	
197	148 (1)	taxi passenger eat/drink without taxi driver's agreement	5	100	
198	149 (1)	taxi passenger take unconfined dog/cat/bird/other animal into taxi	5	100	
199	150 (3)	taxi passenger not comply with direction by driver/police officer/authorised person because soil/damage taxi/person	5	200	
200	151 (2)	intoxicated taxi passenger not comply with direction by driver/police officer/authorised person	5	200	
201	152 (2)	taxi passenger offender not comply with direction by driver/police officer/authorised person	5	200	
202	154	taxi passenger not deal with lost property in taxi as required	5	100	

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
203	156 (5)	not comply with taxi security camera standard	20	200	
204	157 (1)	interfere with taxi security camera	20	300	
205	157 (2)	interfere with taxi security camera recording	20	300	
206	159	unlawfully interfere with taximeter	20	300	
207	169 (1)	not return suspended/cancelled certificate of accreditation/taxi licence as required	5	200	
208	171 (5)	not provide records/information for enforcement purposes	20	300	
209	172 (5)	not comply with request by police officer/authorised person for maintenance facility enforcement purposes	20	300	
210	173 (4)	not comply with request/signal by police officer/authorised person for enforcement purposes	20	300	

Part 4

Amendments of Road Transport (Offences) Regulations 2001

Section 26

column 1 item	column 2 offence provision and, if relevant, case	column 3 short description	column 4 offence penalty (pu)	column 5 infringement penalty (\$)	column 6 demerit points
211	174 (3)	operator not comply with inspection requirement by police officer/ authorised person for enforcement purposes	20	300	
212	175 (4)	unauthorised removal of noncompliance notice	20	300	
213	176 (2) (a)	not state name/address when required by police officer/authorised person for enforcement purposes	10	200	
214	176 (2) (b)	state false name/address for enforcement purposes	10	200	

Part 5

Amendments of Road Transport (Safety and Traffic Management) Regulations 2000

27 Regulations amended—pt 5

This part amends the *Road Transport (Safety and Traffic Management) Regulations 2000*.

28 Regulation 23B (2)

substitute

- (2) A passenger mentioned in subregulation (1) is exempt from wearing a seatbelt if—
- (a) the motor vehicle is not required to be fitted with child restraint anchorages or seatbelts under the 2nd or 3rd edition ADR and the vehicle has not been fitted with a child restraint anchorage point or a seatbelt for a seating position that is available for the passenger; or
 - (b) the motor vehicle is registered in a State that does not have a law that substantially corresponds to subregulation (1); or
 - (c) the motor vehicle is a taxi and a seating position (other than a front passenger seat) fitted with a suitable approved child restraint or seatbelt is not available for the passenger.

Note 1 The exemption applies to a passenger in a vehicle that has 2 or more rows of seats only if the passenger sits in the rear seats, see the ARR, r 267 (1).

Note 2 **Taxi** includes a private hire car and a restricted hire vehicle, see reg 33 (1), def of **taxi**.

Regulation 29

Note 3 The defence of sudden or extraordinary emergency is also available, see the *Criminal Code*, s 10.3 (as applied by reg 115).

29 Regulation 33 (1), definition of *taxi*

substitute

taxi—

- (a) see the *Road Transport (Public Passenger Services) Act 2001*, section 45 (Meaning of *taxi*); and
- (b) except in the Australian Road Rules, rule 182 (which is about stopping in taxi zones), includes a private hire car and a restricted hire vehicle.

30 Dictionary, definition of *restricted taxi*

omit

31 Dictionary, definition of *taxi*

substitute

taxi—see the *Road Transport (Public Passenger Services) Act 2001*, section 45 (Meaning of *taxi*).

Part 6

Amendments of Road Transport (Third-Party Insurance) Regulations 2000

32 Regulations amended—pt 6

This part amends the *Road Transport (Third-Party Insurance) Regulations 2000*.

33 Schedule 1, item 3, column 3

omit

restricted taxi,

34 Schedule 1, item 16, column 3

omit

or restricted taxi

35 Dictionary, definition of *restricted taxi*

omit

36 Dictionary, definition of *taxi*

substitute

taxi—see the *Road Transport (Public Passenger Services) Act 2001*, section 45 (Meaning of *taxi*).

Part 7 Amendments of Road Transport (Vehicle Registration) Regulations 2000

37 Regulations amended—pt 7

This part amends the *Road Transport (Vehicle Registration) Regulations 2000*.

38 Regulation 32 (5)

substitute

(5) In this regulation:

wheelchair accessible taxi—see the *Road Transport (Public Passenger Services) Regulations 2002*, dictionary.

39 Regulation 59 (8)

substitute

(8) In this regulation:

stand-by taxi—see the *Road Transport (Public Passenger Services) Regulations 2002*, regulation 109 (1).

usual taxi—see the *Road Transport (Public Passenger Services) Regulations 2002*, regulation 109 (1).

40 Schedule 1, new div 1.5.3

insert

Division 1.5.3 Additional requirements for taxis

60A Fire extinguisher

A taxi must be equipped with a fire extinguisher.

41 Dictionary, definition of *taxi*

substitute

taxi—see the *Road Transport (Public Passenger Services) Act 2001*, section 45 (Meaning of *taxi*).

Endnotes

Republications of amended laws

- 1 For the latest republication of amended laws, see www.legislation.act.gov.au.

Notification

- 2 Notified under the *Legislation Act 2001* on 27 February 2002.
(see www.legislation.act.gov.au)

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