The Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017 (the Regulation) is made under the Point to Point Transport (Taxis and Hire Vehicles) Act 2016 (the Act). It prescribes the requirements for safety standards, authorisation of providers, taxi licences, fares and other matters. Together the Act and the Regulation provide a regulatory framework for passenger services undertaken in any vehicle with 12 seats or less (including the driver).

The Act, in accordance with the recommendations by the Point to Point Transport Taskforce, creates two types of entities: providers of passenger services (including taxi services) and providers of booking services and states that these entities must be authorised.

The Regulation elaborates on the provisions in the Act relating to the authorisation of providers of taxi and booking services including authorisation conditions and disqualifying offences for applicants and nominated directors or managers.

What does ‘provide a taxi service’ mean?

A taxi service means a passenger service provided in a vehicle which is authorised to stand at a rank waiting for passengers or to ply for hire on the street. To provide a taxi service means a person who carries on the business of providing a taxi service. A provider of a taxi service includes a person who facilitates the provision of a taxi service and an affiliated provider.

A person who facilitates the provision of a taxi service is in the business of providing one or more services for taxis operating under a common service name and which are branded in a common way.

The Act requires that a person must not use a motor vehicle to provide a taxi service unless the provider of a taxi service or an affiliated provider is the holder of a taxi licence, a lessee or sublessee of a taxi licence or a person who has the benefit of a licence.

Who can be a Taxi Service Provider (TSP)?

An application for authorisation may be made by an individual, two or more persons operating as business partners, a body corporate or an entity prescribed by the regulations. Taxi-cab network providers already authorised under the Passenger Transport Act 1990 will be automatically deemed to be TSP’s under the Point to Point Transport Act. Authorised taxi operators may apply for authorisation if they wish to become a provider of a taxi service in their own right.

Authorisation standards and conditions

The Act prescribes generals standards for authorisation including that the applicant or nominated managers for body corporates has not been convicted of, or is facing proceedings for, a disqualifying offence. Disqualifying offences are found in the Regulation. Similar standards also apply to close associates of the applicant.

Conditions of authorisation are prescribed in the Regulation, such as record keeping relating to drivers and vehicles. The Regulation also requires that the Commissioner must be notified of changes to nominated directors or managers as well as changes of address to premises and the place where records are kept. Facilitators of an affiliated service must provide the name and business address of affiliated providers.
**Authorisation fees**

The Regulation prescribes authorisation fees for taxi service providers. Fees rise according to the number of passenger service transactions. The Taskforce recommended that any government-imposed fees for the authorisation of industry participants be charged on a consistent basis and should reflect the efficient cost of regulating the point to point transport industry.

**Safety Management System**

Safety duty holders, including a provider of a taxi service, are required to have a safety management system in place to manage and eliminate risk. The steps for managing risk involve identifying hazards, assessing and controlling risks and ongoing review of risk controls.

Providers are also required to regularly consult with other duty holders to ensure there are no gaps in managing safety risks. Throughout the risk management process, the duty holder must document any hazards identified, risks assessed and the proposed control measures.

Maintaining a safety management system will assist providers in managing the risks involved in carrying on a business of providing a taxi service with the intention of maintaining better safety outcomes for customers.

**Safety standards**

The Regulation provides a number of safety standards for TSPs including:

- Ensuring vehicles meet safety standards and have appropriate insurance
- Ensuring drivers have not committed a disqualifying offence and are eligible to provide point to point transport services
- Ensuring drivers of wheelchair accessible vehicles are competent in the loading, unloading and carriage of wheelchair passengers
- Ensuring taxi drivers meet English language requirements
- Providing driver identification to drivers
- Ensuring signs, lights and markings on taxis comply with requirements
- Ensuring the display of information in taxis
- Ensuring taxis, including wheelchair accessible taxis, meet requirements
- Ensuring each taxi has a fare calculation device that complies with requirements
- Ensuring each taxi has a duress alarm system, vehicle tracking systems and security camera systems

**Taxi fares**

TSPs must establish fares and charges for their rank and hail services that do not exceed the maximum fares, and make this information available on their website (if they have one) and provide copies to potential passengers on request (refer to Fares fact sheet).

**Passenger Service Levy**

TSPs are liable to pay the $1 passenger service levy per trip (refer to Levy fact sheet).

**More information**