



### **Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017**

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. However, drivers no longer require authorisation as required under the *Passenger Transport Act 1990*.

### **Eligibility**

The Regulation specifies safety standards for drivers. The Regulation prescribes offences which, if the person is found guilty, would disqualify him or her from driving a taxi or hire vehicle. These disqualifying offences include murder, manslaughter, assault, domestic violence, offences involving firearms, fraud, drug supply and other serious matters.

A person whose driver authority was cancelled or whose application was rejected within the previous ten years is ineligible to drive a taxi or hire vehicle. A driver of a taxi or hire vehicle must have held an unrestricted Australian driver licence for at least 12 months in the preceding 2 years. Drivers must also meet the medical standards set out in the most recent 'Assessing Fitness to Drive', published by Austroads and the National Transport Commission.

Drivers of wheelchair accessible vehicles must be competent in the loading, unloading and carriage of wheelchair passengers. Taxi drivers in the Metropolitan transport district (as defined by the *Transport Administration Act 1988*) have an additional English language competency requirement.

### **Duty of drivers**

The Act provides that the driver of a vehicle used for a passenger service has a duty to take reasonable care of his or her own safety and ensure that his or her actions do not adversely impact on the health and safety of others. Drivers must comply with instructions, policies and procedures relating to health and safety from the provider of a passenger service (including a taxi service) or a booking service to ensure that the Act is complied with. Failure to comply with a safety duty incurs significant penalties.

### **Obligations – All Services**

Drivers of passenger services have a number of obligations under the Regulation. These include prohibitions against:

- Smoking in a vehicle
- Driving a non-compliant vehicle

- Behaving in an offensive manner and intentionally interfering with the comfort and safety of others
- Interfering with equipment
- Touting or soliciting for passengers
- Refusing to carry an assistance animal in the vehicle

## **Obligations – Taxi Services**

In addition to general obligations, drivers of taxis have specific obligations:

- Must not provide a taxi service outside the area of operation specified in the licence.
- Must not interfere with safety devices fitted to taxis such as vehicle tracking devices, fare calculation devices and security cameras.
- Must accept a hire immediately when offered except under certain circumstances.
- Must not start a fare calculation device before the taxi is hired and keep it running for the duration of the hiring.
- Must display in the vehicle his/her taxi driver identity document issued by the taxi service provider.
- Must report in writing to the provider of the taxi service for which he or she provides services any change in circumstances which would render him or her ineligible to drive the taxi (such as the being found guilty of a serious criminal or traffic offence). Notice must be given within 7 days of the driver becoming aware of the change in circumstances.

Additional provisions relate to the operation of taxis such as the use of taxi zones, acceptance of hirings, multiple hirings, termination of hirings, wheelchair accessible taxis and stand-by taxis; these are largely carried over from provisions in the existing regulation with minor modifications. A taxi driver or an authorised officer may also direct a person not to enter, or to leave, a taxi under certain circumstances.

## **Obligations – Booking Services**

In addition to general obligations, drivers of hire vehicles have specific obligations:

- Must display a sign on the vehicle indicating the vehicle is a hire vehicle when providing a passenger service.
- Must not ply or stand for hire or carry out anything other than a booked hiring.
- Must report in writing to the provider of the booking service for which he or she provides services any change in circumstances which would render him or her ineligible to drive the hire vehicle (such as the being found guilty of a serious criminal or traffic offence). Notice must be given within 7 days of the driver becoming aware of the change in circumstances.

The driver of a hire vehicle or an authorised officer may also direct a person not to enter or leave a vehicle under certain circumstances.

## **More information**

A copy of the proposed Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017, the Regulatory Impact Statement, and the latest updates on the point to point transport reforms are available at [www.transport.nsw.gov.au/pointtopoint](http://www.transport.nsw.gov.au/pointtopoint).