

## **PASSENGER TRANSPORT ACT 2014**

### **Section 125 Fares Order for Taxi Services Determination of Maximum Fares for Taxis**

#### **Determination of the Maximum Taxi Non-Cash Payment Surcharge**

I, David Malcolm Stewart, Secretary of the Department of Transport, for and on behalf of Transport for NSW pursuant to section 125 of the *Passenger Transport Act 2014*, hereby determine that:

- a) the maximum fares payable by hirers in respect of taxi services in New South Wales shall be as set out hereunder; and
- b) the maximum taxi non-cash payment surcharge in respect of taxi services in New South Wales shall be as set out hereunder.

#### **1. Interpretation**

Terms used, other than those defined hereunder, have the same meaning as they do in the *Passenger Transport Act 2014*.

'Country Area' means that part of New South Wales other than an Urban Area and an Exempt Area.

'Distance Rate' means a fixed amount payable per kilometre, as set out in clauses 3 and 4 (as the case may be), when the vehicle is travelling more than 26 kilometres per hour.

'Exempt Area' means the townships of Moama, Barham, Tocumwal, Mulwala, Barooga and Deniliquin.

'Hiring Charge' means the flag fall (or fixed charge) payable, as set out in clauses 3 and 4 (as the case may be), for the hiring of a taxi and payable at all times.

'Holiday Distance Rate' means a fixed amount payable per kilometre, as set out in clause 4, in respect of a journey commencing between 6am and 10pm on a Sunday or Public Holiday.

'Night Distance Rate' means a fixed amount payable per kilometre, calculated by applying the night-time surcharge of 20% of the Distance Rate, as set out in clauses 3 and 4 (as the case may be), when the vehicle is travelling more than 26 kilometres per hour in respect of a journey commencing between 10pm and 6am.

'Peak Time Hiring Charge' means a fixed surcharge, as set out in clause 3, payable in addition to the Hiring Charge set out in clause 3, for the hiring of a taxi licensed to operate in an Urban Area in respect of a journey commencing between 10pm on a Friday, Saturday or day before a Public Holiday and 6am on the next day.

'Public Holiday' means a day specified in section 4 of the *Public Holidays Act 2010*, any day specified by the Minister administering that Act as an additional public holiday in accordance with section 5 of that Act, or any day specified by the Minister administering that Act as a substituted day in accordance with section 6 of that Act.

'Tolls' mean all road, bridge, ferry, tunnel and airport tolls that apply to a journey and, in respect of a northbound journey over the Sydney Harbour Bridge or through the Sydney Harbour Tunnel, mean an amount equal to the toll applicable to southbound traffic at the time of the hirer's northbound journey.

'Urban Area' means those parts of New South Wales specified in Schedule 1.

'Waiting Time' means a fixed amount payable per minute, as set out in clauses 3 and 4 (as the case may be), while vehicle speed is less than 26 km/h.

Notes in the text of this Fares Order do not form part of the Fares Order.

## **2. Commencement**

This determination takes effect on 12 December 2014.

## **3. Maximum Fares in an Urban Area**

The maximum fares and other arrangements payable in relation to a taxi licensed to operate in an Urban Area are as set out in this clause.

Hiring Charge:	\$3.60
Peak Time Hiring Charge:	\$2.50
Distance Rate:	\$2.19 per kilometre
Night Distance Rate:	\$2.63 per kilometre
Booking Fee:	\$2.50
Waiting Time:	94.4 cents per minute (\$56.68 per hour)

## **4. Maximum Fares in a Country Area**

The maximum fares and other arrangements payable in relation to a taxi licensed to operate in a Country Area are as set out in this clause.

Hiring Charge:	\$4.10
Distance Rate:	\$2.26 per kilometre for the first 12 kilometres and \$3.13 per kilometre thereafter

Night Distance Rate:	\$2.71 per kilometre for the first 12 kilometres and \$3.75 per kilometre thereafter
Holiday Distance Rate:	\$2.71 per kilometre for the first 12 kilometres and \$3.75 per kilometre thereafter
Booking Fee:	\$1.20
Waiting Time:	96.0 cents per minute (\$57.65 per hour)

## 5. Tolls

Tolls are payable in addition to the authorised fare in relation to a journey in a taxi licensed to operate in either an Urban Area or a Country Area.

## 6. Maxi-cabs

An amount of up to 150% of the fare and other arrangements payable in accordance with clauses 3 and 4 (as the case may be), may be demanded by the driver of a maxi-cab licensed to operate in either an Urban Area or a Country Area, if:

- (a) when a taxi is booked, a maxi-cab is requested; or
- (b) a maxi-cab is hired from a taxi-zone or street and there are 5 or more adult passengers.

This clause does not apply:

- (a) in respect of a multiple hiring; or
- (b) if the maxi-cab is booked for a group of passengers which includes a passenger using a wheelchair, unless the person who made the booking requested a taxi with seating for 5 or more adult passengers, including the passenger using a wheelchair.

In this clause, 'maxi-cab' means a taxi that has seating accommodation for 6 or more adult persons in addition to the driver.

## 7. Multiple Hirings

An amount of 75% of the fare and other arrangements payable in accordance with clauses 3 and 4 (as the case may be) may be demanded by the driver of a taxi licensed to operate in either an Urban Area or a Country Area and payable by each hirer of the taxi provided:

- (a) all of the hirers commence the hiring of the taxi at the same time, and

(b) each of the hirers agrees that the driver may accept the other hirings,  
and

(c) all of the hirers are travelling to destinations in the same general locality  
or the same general direction.

#### **8. Exempt Area**

This determination does not apply to a taxi licensed to operate in an Exempt Area.

Note: Exempt Area is defined in Clause 1.

#### **9. Taxi non-cash payment surcharge**

The maximum amount payable for a taxi non-cash payment surcharge is 5% inclusive of GST.

The following rounding rule applies when determining the amount payable for a taxi non-cash payment surcharge: round down to the nearest whole cent below half a cent; round up to the nearest whole cent from half a cent.

Note: Under section 126 of the *Passenger Transport Act 2014* a taxi non-cash payment surcharge means a fee or charge (however calculated):

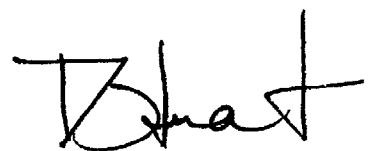
- (a) added to the amount otherwise payable by a hirer of a taxi because the amount payable for the hire of the taxi is paid wholly or partly by the use of a debit, credit, pre-paid or charge card, or
- (b) payable by all or any of the owner or driver of, or holder of a licence for, a taxi or the operator of a taxi service using a taxi because an amount payable for the hire of the taxi is paid wholly or partly by the use of a debit, credit, pre-paid or charge card.

Note: The taxi non-cash payment surcharge operates as a cap on all surcharges that may be applied because the amount payable in respect of the taxi hire is paid by debit, credit, pre-paid or charge card. For example, if the amount payable in respect of the taxi hire is \$100, then the maximum (and only) taxi non-cash payment surcharge will be \$5.

#### **10. Revocation of Previous Determinations**

All previous Determinations made under section 60A of the *Passenger Transport Act 1990* are revoked.

DATED: 25 NOV 2014 2014

  
David Malcolm Stewart  
Secretary

## **SCHEDULE 1**

### **URBAN AREA**

- (a) Metropolitan Transport District
- (b) Newcastle Transport District
- (c) Wollongong Transport District
- (d) Blue Mountains Local Government Area
- (e) Gosford Local Government Area
- (f) Wyong Local Government Area
- (g) Shellharbour Local Government Area
- (h) The townships of Cams Wharf, Fern Bay, Minmi, Toronto, Williamtown, Medowie, Campvale, Ferodale, Raymond Terrace, Fassifern, Hexham, Maitland, Beresfield, Fullerton Cove, Tomago, Camden, Picton, Thirlmere, Tahmoor and Bargo.