



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

Submission by BusNSW - 9 May 2017

Transport for NSW

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

Point to Point Implementation

Freight, Strategy and Planning

Transport for NSW

pointtopoint@transport.nsw.gov.au

BusNSW is the peak body for the NSW private bus and coach industry whose members provide essential services on a daily basis and provide a key interface with the travelling public. The BusNSW mission is to foster the efficient and sustainable growth of public transport in NSW, and to promote the benefits of bus and coach travel.

Buses and coaches play a vital role in delivering public transport in NSW. In conjunction with other public transport modes and the point to point transport industry, bus and coach transport will be an important part of an integrated mobility solution for the community.

BusNSW members include operators who provide tourist/charter services using vehicles with less than 12 seats (including the driver). Members also include operators providing regular passenger services using vehicles with less than 12 seats (including the driver), under service contracts with Transport for NSW. The tourist/charter services and regular passenger services are currently regulated by Roads and Maritime Services under the Bus Operator Accreditation Scheme (BOAS).

A significant portion of BusNSW members operate both tourist/charter services and regular passenger services under Transport for NSW service contracts. Some members operate a mixed fleet, which includes vehicles with between 8-12 seats (including the driver) and vehicles with more than 12 seats (including the driver).

BusNSW has reviewed the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017, in conjunction with the Point to Point (Taxis and Hire Vehicles) Act and would make the following comments:

- There would seem to be an overlap between the scope of the new PtP legislation and the current Passenger Transport Act 2014. While the Act exempts vehicles with more than 12 seats (section 3) and regular route buses of any size (section 4(2)) it would seem to leave a gap in terms of buses with more than 8 seats (section 4 PT Act) and less than 12 seats which undertake charter journeys.
- The nature of the bus industry means that the majority of buses undertake BOTH regular route and tourist/charter work. This would mean that smaller buses (9 to 12 seats) would effectively fall within BOTH administrations: under the Bus Operator Accreditation Scheme (BOAS) when the bus is undertaking regular route work, AND under PtP authorisation when the bus is undertaking tourist/charter work.
- While the PtP Regulation mirrors many BOAS requirements (e.g. vehicle maintenance, third party property insurance, notifiable occurrences, etc.), BOAS is a more detailed and stringent administration requiring a detailed SMS, drug and alcohol requirements, mandatory auditing, etc.
- This small class of vehicles/operators would face two set sets of administration fees (for both BOAS and PTP) would need to belong to or become a “booking service”, and would potentially be caught by the “taxi levy” imposed by Schedule 3 of the Regulation. This would seem to be an unnecessary impost.
- To prevent such overlap, we would recommend that a clause be included that provides that a vehicle (seating more than 8 adults) which undertake regular route charter services under BOAS does not require PtP authorisation when undertaking charter or coach services. This could be achieved perhaps by a small amendment to clause 90 of the PtP Regulation (which excludes other types of transport, such as the Assisted School Travel Scheme, from the scope of the PtP Act)
- Such an amendment would also ensure that any tourist/charter “buses” between 9 to 12 seats that were not part of a BOAS accreditation would still require PtP authorisation.

If you would like to discuss these comments in more detail please do not hesitate to call me on [REDACTED].”

Regards



Darryl Mellish
Executive Director, BusNSW
27 Villiers Street, North Parramatta 2151 NSW
[REDACTED]