

Public Passenger Vehicles Information Sheet

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1. General Information

a. Is my vehicle a Public Passenger Vehicle?

Your vehicle is a Public Passenger Vehicle (PPV) if:

- it has 13 or more seats, including the driver's seat (a large PPV); or
- it has less than 13 seats, including the driver's seat, and is used or hired, together with a driver, for the carriage of passengers for reward (a small PPV).

2. About The Vehicle

a. What can my Large Public Passenger Vehicle do?

A large PPV may provide:

- a Regular Passenger Transport Service, either for school students or for the general public - provided the service is approved by the Transport Commission (see section 3b);
- a hire and drive (rental vehicle) service subject to provisions relating to accreditation; or
- an open (unrestricted) tour or charter service; or
- restricted tour or charter services for specific clientele groups, or a community, private or courtesy service.

b. What can my Small Public Passenger Vehicle do?

A small PPV may;

- operate under the authority of a taxi licence, subject to it meeting the requirements for taxis; or
- operate under the authority of a luxury hire car licence, subject to it meeting the requirements for luxury hire cars; or
- operate as a hire and drive (rental) vehicle; or
- provide Limited Passenger Services (see section 3a); or
- provide a Regular Passenger Transport Service, either for school students or for the general public - provided the service is approved by the Transport Commission (see section 3b);

Certain small public passenger vehicles which meet the criteria set out in the Regulations may be approved as luxury hire cars. Provided these vehicles are approved and are operating under the authority of a luxury hire car licence they are able to undertake all the services of a small PPV as well as undertake personal passenger services. However, Luxury Hire Cars will only be able to undertake pre-booked passenger services, and are not permitted to stand on taxi ranks or solicit for work in the street.

Additionally, if a small PPV is not operating under the authority of a taxi licence, it cannot stand or ply for hire on a taxi rank, nor be called or advertised as a taxi or cab service.

3. Services

a. What are Limited Passenger Services?

The following table details Limited Passenger Services as prescribed in legislation (Passenger Transport Act 1997).

Category	Limited Passenger Services	Explanation
(a)	The hiring out of a classic or vintage car, or a custom car such as a "hot-rod", for weddings or other special occasions, together with a driver.	This category is aimed at weddings, school leavers dinners, special anniversaries and similar special occasions where the focus is not on personal travel from point A to point B, but rather in the arrival at point B in a specialty vehicle. Category (a) is not seen as a means of bypassing the requirements of vehicles to obtain a Luxury Hire Car licence.
(ab)	The hiring out, for weddings or funerals, of a small passenger vehicle that, apart from any consideration of age, would be classified as a luxury hire car for the purposes of the Taxi and Luxury Hire Car Industries Act 2008.	This category is to allow a vehicle that might otherwise, except for its age, be a luxury hire car, to operate weddings and funerals.
(b)	The hiring out of a motor cycle for irregular tours or general hire, together with a driver.	This category is self-explanatory.
(c)	The hiring out of a bus for irregular tours or general hire, together with a driver.	This category allows small buses (less than 13 seats, including the driver's seat) to be used for general hire, charter and tour work. The term "bus" is a standard body- type classification, being a vehicle with more than 9 seats including the driver's seat. This category, then, applies to buses of 10-12 seats.
(d)	The hiring out of a small passenger vehicle, together with a driver, for adventure, recreational, educational or other brochured tours, either in accordance with guidelines issued by the Transport Commission under section 25A of the Passenger Transport Act 1997 or an approval under that section.	<p>This category covers brochured tours, as well as irregular or specially tailored tours. 4-wheel drive vehicles involved in regular tours are also included here. This category covers vehicles that may have once operated as luxury hire cars or taxis but may have exceeded the maximum age limits. The tour is either a brochured tour, which is available through a number of outlets, or is part of some overall package tour where the itinerary is tailored to the needs of the client.</p> <p>The Transport Commission will issue guidelines defining brochured tours.</p> <p>General personalised or individual travel from point A to point B is not included in this category. This type of travel requires a vehicle operating under a Luxury Hire Car Licence or a Taxi Licence, or a small bus operating under (c) above.</p>
(e)	The use of a small passenger vehicle on regular passenger transport services.	This category is required for situations where a small vehicle is used on an approved regular passenger transport service.
(f)	The hiring out of a 4-wheel drive vehicle for irregular tours, together with a driver.	This category provides for 4-wheel drive tours, which may also be covered by category (e).

(g)	The hiring out of a vehicle that is fitted with a wheelchair lift for general hire by persons with disabilities, together with a driver.	This category is self-explanatory.
(h)	Such other passenger services as may be prescribed to be limited passenger services.	This category provides for other limited services to be prescribed by regulation, such as taxi-type services in isolated areas, and "novelty" or entertainment vehicles.

b. What is a Regular Passenger Transport Service?

A Regular Passenger Transport Service is defined in legislation as a service which:

- involves the carriage of passengers for reward (payments can be by passengers, by the Department of Infrastructure, Energy and Resources, by someone else, or by a combination of these);
- involves a vehicle travelling over a defined route (or between defined places) on a regular basis according to an advertised or publicly accessible schedule; and
- is open to use by the general public or a significant sub-group (eg school children).

Legislation also requires all Regular Passenger Transport Services to be authorised by, and registered with, the Transport Commission.

c. What if my vehicle is being used to carry passengers for reward?

Your small passenger vehicle must be registered as a PPV if it is used or hired, together with a driver, for the carriage of passengers for reward.

The meaning of "for reward";

DIER has received legal advice that transport providers are technically carrying passengers for reward using small passenger vehicles (that is, vehicles with less than 13 seats including the driver) when:

- a fare or fee is paid for transport;
- a donation is paid, or reimbursement made, for transport; and
- a fee is paid for a group or bundle of services which includes the provision of transport, among other things.

When a reward is received, the transport provider has a legal obligation to:

- register the relevant vehicle as a public passenger vehicle and pay the Motor Accidents Insurance Board (MAIB) premium applicable to a PPV, rather than the premium payable for a private vehicle;
- obtain operator accreditation;
- undertake regular vehicle inspections; and
- ensure all drivers transporting passengers in that vehicle must apply for and obtain an ancillary certificate to drive a public passenger vehicle.

The requirement for an ancillary certificate applies to all drivers transporting passengers, irrespective of whether they are paid employees or volunteers.

Organisations that may be affected by this legal advice include (but are not necessarily limited to) those that transport clients and are funded by the Department of Health and Human Services (DHHS) through the Home and Community Care (HACC), Disability and Mental Health programs.

A temporary exemption is available from the requirements listed above for transport providers using small passenger vehicles to provide a Community Transport Service. Such a service is one which is provided by an organisation that is either:

- a not-for-profit organisation and is funded entirely, or partially, by the Commonwealth, the State or local government or some combination of government funding; OR
- entitled to be endorsed by the Australian Taxation Office as a charitable or benevolent institution; OR
- local government; OR
- the Crown.

Note that all requirements now applying to large passenger vehicles (that is, a vehicle with 13 or more seats including the driver) operated by the community transport sector will remain in force.

These special arrangements temporarily remove the significant and unanticipated impost on the community sector of needing to comply with the existing regulatory arrangements. They also provide time for DIER to complete a full review of the issue to determine the most appropriate degree and type of regulation that should be applied to the sector. The review is a comprehensive process taking account of the views of those organisations involved, together with their clients and other stakeholder groups.

At present, the temporary exemptions have been established until 1 January 2010. DIER will continue to monitor the appropriateness of this deadline.

Irrespective of the above actions by DIER, all registered operators of motor vehicles are reminded of their legal responsibility to ensure that vehicles are roadworthy. Further, it is important that organisations ensure that all drivers of the vehicles under their control are fit and proper persons.

NOTE: Small vehicles being used to carry passengers for reward by the community transport sector which benefit from the legal exemption above are NOT exempt from the provisions of the Road Safety (Alcohol and Drugs) Act 1970. Sections 6(2) and 6(3)(b) of that Act make it an offence for the driver of such a vehicle to drive while alcohol is present in their body whether or not they are carrying passengers at the time.

4. Registration

a. How is my vehicle registered as a Public Passenger Vehicle?

The registration of your vehicle as a PPV is:

- at your initiative in the case of a small passenger vehicle undertaking services for reward;
- automatic for large passenger vehicles at the time of its first registration (even if it is not being used for reward). PPV status for a large passenger vehicle can only be avoided if an exemption is granted by the Registrar (see section 4d).

To register a small passenger vehicle as a PPV, you will need to fill in the appropriate application form (see section 7a).

Registration of a vehicle as a PPV simply entails:

- the payment of the correct MAIB premium;
- the need to have the vehicle regularly inspected.

Significant penalties are provided for operation of a vehicle carrying passengers for reward if that vehicle is not registered as a PPV. In such cases both the owner and the driver are liable for the offence.

b. What are the appropriate MAIB insurance classes?

The appropriate MAIB premium class on the vehicle's registration record signifies PPV registration. The premium class is also shown on a vehicle's registration certificate. You should contact the MAIB for further information on premium classes (see section 8).

c. Can I be issued with a permit to operate my vehicle as a Public Passenger Vehicle without it being registered as such?

Yes, a vehicle that is not registered as a PPV may be issued with a special public passenger vehicle permit under certain circumstances.

A small passenger vehicle that is registered in Tasmania can be registered as a PPV on the request of its owner. However, there are occasions where a vehicle needs to be used as a PPV but is not registered as a PPV, or not registered in Tasmania, or both. Legislation enables special public passenger vehicle permits to be issued for individual vehicles in such situations (Passenger Transport Regulations 2000). The legislation also identifies certain classes of vehicles that can be given a General Permit by publication in the Gazette.

In addition, special public passenger vehicle permits can be issued to individual vehicles in some circumstances. This will include:

- vehicles moved from interstate to meet short-term peak workloads by a local operator; and
- small passenger vehicles that are registered as Hire and Drive Vehicles that are suddenly required to be used as a PPV.

To apply for special public passenger vehicle permit for an individual vehicle, you will need to fill in the appropriate application form (see section 7b).

d. Can my large passenger vehicle be exempt from being registered as a Public Passenger Vehicle?

The only category of exemption is if a large passenger vehicle is used as a private family vehicle.

e. How do I obtain a Public Passenger Vehicle exemption?

You must fill in the appropriate form (see section 7c).

5. Licensing

a. Taxis and Luxury Hire Cars

The only PPVs that operate under the authority of a licence are taxis and luxury hire cars.

These vehicles carry distinctive plates. Separate information on these vehicles can be found on the following information sheets;

- [Small Public Passenger Vehicle, Taxi and Luxury Hire Car Operations](#)
- [Luxury Hire Cars](#)

6. Accreditation

a. What is Public Passenger Vehicle operator accreditation?

Generally, anyone who provides a Public Passenger Vehicle service must be accredited. However, exemptions are available in some cases. For example, there will be a range of circumstances under which you may wish to undertake a one-off public passenger service. You may apply for an exemption from accreditation to conduct the service provided you are the registered operator of the vehicle.

Exemptions may also be available in the case of operators who are accredited, to the Transport Commission's satisfaction, under a corresponding law of another State or Territory.

For further information on Public Passenger Vehicle operator accreditation, please refer to the [Public Passenger Vehicle Operator Accreditation Information Sheet](#).

7. Application Forms/Fees

a. Addition/removal of Public Passenger Vehicle and/or Hire and Drive status

- Application forms are available through this [link](#) or from Service Tasmania shops.
- Completed application forms should be returned to a Service Tasmania shop, where a Customer Service Officer will change the vehicle record and enter the appropriate MAIB premium class.
- A current certificate of inspection must be presented for recording of PPV status if the vehicle is not new, or it has more than 9 seats, including the driver's seat.
- You will be provided with a replacement registration certificate once the record has been changed.
- If you are adding PPV status to your vehicle, you may need to pay additional MAIB premium.
- If you are removing PPV status from your vehicle, a refund of MAIB premium may be applicable.

b. Special Public Passenger Vehicle Permits

- Application forms are available through this [link](#) or from Service Tasmania shops. All applications are subject to approval by the Transport Operator Accreditation section of the Department of Infrastructure, Energy and Resources.

- Completed application forms should be returned to a Service Tasmania shop or to the Transport Operator Accreditation section of the Department of Infrastructure, Energy and Resources, GPO Box 936, Hobart 7001.
- If the vehicle is not registered in Tasmania, a copy of the current registration certificate must be attached to your application form.
- There are no fees associated with this service.

c. Exemption from Public Passenger Vehicle status

- Application forms are available through this [link](#) or from Service Tasmania shops. All applications are subject to approval by the Transport Operator Accreditation section of the Department of Infrastructure, Energy and Resources.
- Completed application forms should be returned to a Service Tasmania shop or to the Transport Operator Accreditation section of the Department of Infrastructure, Energy and Resources, GPO Box 936, Hobart 7001.
- There are no fees associated with this service.

8. Like Further Information?

This Information Sheet is one in a series that provide further detail on a range of public vehicle licensing reform matters. This information can be accessed from the Department of Infrastructure, Energy and Resources' public website at <http://www.dier.tas.gov.au>. Copies of the Information Sheets are available from Service Tasmania shops or by contacting the Department of Infrastructure, Energy and Resources' Telephone Enquiry Service on 1 300 851 225.

Other Information Sheets available are:

- [Hire and Drive Operations](#)
- [Luxury Hire Cars](#)
- [Public Passenger Vehicle Operator Accreditation](#)
- [Loading Zone Use](#)
- [Vehicle Inspection Scheme](#)
- [Small Public Passenger Vehicle, Taxi and Luxury Hire Car Operations](#)
- [Review of Decisions Under Passenger Transport Legislation](#)

More detailed information on the legislation relevant to Public Passenger Vehicles (listed below) can be found on the legislation website <http://www.thelaw.tas.gov.au/> or you can obtain a copy from the Print Applied Technology Bookshop at 123 Collins Street, Hobart 7000, telephone 1 800 030 940.

- [Taxi and Luxury Hire Car Industries Act 2008](#)
- [Taxi Industry Regulations 2008](#)
- [Luxury Hire Car Industry Regulations 2008](#)
- [Passenger Transport Act 1997](#)
- [Passenger Transport Regulations 2000](#)

The MAIB can be contacted on telephone (03) 6336 4800 or email <mailto:info@maib.info.tas.gov.au>.