



October 2020

On-Demand Bill

The Government has tabled the *On-Demand Passenger Transport Services Industry (Miscellaneous Amendments) Bill 2020* in Parliament. This Bill is part of a new way to regulate taxis, ride-sourcing and restricted hire vehicles.

Key elements include:

- the annual release of new owner-operator taxi licences by tender will be suspended for a further four years;
- reserve prices will be set by the Tasmanian Economic Regulator, and are not to be reduced by more than 10 per cent annually for the first five years;
- regulatory and compliance costs will be lower for most existing operators;
- multiple hirers for taxis will be allowed, providing benefits to consumers;
- a chain of responsibility model for safety will be introduced, with licences holders, booking service providers and drivers held responsible for compliance as it relates to their role;
- drivers will be regulated to ensure they are suitable to provide commercial passenger services; and

- vehicles will be regulated to ensure they are safe to be transporting passengers.

Michael Ferguson, the Minister for Infrastructure and Transport, has also announced funding for the Tasmanian Taxi Council to support the development of a Code of Conduct and Service Quality.

Passenger Transport Service Audit

When is your next compliance audit? Check your accreditation certificate to find the date your audit is due.

Book your compliance audit with an approved auditor at least six weeks before your audit is due. This gives plenty of time for the auditor to undertake the audit, write the report and send the report to the Transport Commission (Commission) before the due date.

You can find a full list of auditors at https://www.transport.tas.gov.au/public_transport/industry_and_operator_information/approved_auditors

This list includes a new auditor, Benjamin Swain, who has been approved as an auditor to undertake audits. He can be contacted by phone on 0438 667 947 or 0438 667 948 or by e-mail btsauditing@outlook.com.

The Commission understands that audits cost time and money. It is important that audits are undertaken to check the systems are in place to run a safe service.

National Police Certificate (NPC)

To help you remember to supply your NPC on time, the Commission will start sending SMS reminders. The SMS will be sent at least 8 weeks before the NPC is to be supplied. Email reminders are already provided where we have an email address.

Apply for your NPC when you receive the SMS or email reminder. It can take up to six weeks between making an application and receiving an NPC through Service Tasmania or Tasmania Police.

The NPC is one way the Commission establishes that an operator is a fit and proper person.

Changes to the taxi fare receipts

The start of a capped limit on taxi smartcards has been delayed for participants of the National Disability Insurance Scheme (NDIS) with a taxi smartcard.

However, in preparation for the cap to be applied in future, there will soon be some changes to taxi fare receipts produced from the Cab-charge terminal in taxis. The receipts will show:

- the word “CAP” but there will not be a number next to it, as the capped limit has not started and
- the word “USED”, which will show how much fare subsidy the holder of the smartcard has used in the financial year.

For the time being, it is important to note that a cap does not apply. The Commission will tell operators, drivers and affected passengers when the cap arrangements are to start.

Driver Behaviour

Around Salamanca

Hobart drivers in the waterfront precinct must use the Castray Esplanade and Morrison Street taxi ranks.

The City of Hobart has received many complaints from Tasmania Police and businesses about dangerous behaviour by taxi drivers. This includes drivers making unsafe u-turns and double parking. This behaviour is placing other road users and pedestrians at risk.

Note that it is an offence to stand or park on a public street unless on a taxi rank, picking up or dropping off passengers or displaying a ‘not for hire’ sign.

Taxi Ranks

There are rules around use of taxi ranks. Let your drivers know they must:

- not refuse to accept a hiring when on a taxi rank (unless they fear for their safety);
- move the taxi to the first vacant space available within the rank;
- not prevent another taxi from leaving a taxi rank;
- not to tell a person that they must hire the front taxi on the taxi rank; and
- not to leave the taxi parked unattended on a taxi rank.

Leaving a taxi unattended on a rank without reasonable excuse is committing an offence regardless of whether a ‘not for hire’ sign is displayed.

Common questions being asked this month?

Can external signage be on ride-sourcing vehicles?

Yes.

Ride sourcing vehicles must clearly display a ‘not for hire’ sign when standing or parked on a public street if displaying external signage advertising that they are a ride-sourcing vehicle.

Ride sourcing drivers must not solicit or accept hires from passers-by or accept hires that have not pre-booked through their ride sourcing platform.

Can forward-facing cameras (dash cams) be placed in taxis?

Yes provided that they face forward to outside of the vehicle. Activity happening inside the taxi **cannot** be recorded on a dash cam.

Be aware of privacy concerns and make sure that images of individuals inside your taxi are not captured.

This does not apply to safety security cameras.

Can I strap a pram or reclining chair bed to a wheelchair accessible taxi anchorage?

No.

A pram or a reclining chair bed (such as Princess Chairs) cannot be strapped to a wheelchair accessible taxi anchorage.

Wheelchair occupant restraint systems in WATS are designed to restrain wheelchairs. A separate restraint built in restrains the occupant of the wheelchair.

These restraints are not designed to restrain prams. The occupant restraints are not designed to be used on infants or small children. Infants and small children cannot be properly restrained in the taxi if their pram is secured in wheelchair anchorages.

Infants under the age of one are not required to be restrained in a taxi as long as:

- the infant is on the lap of a passenger not sitting in the front seat; and
- no approved child restraint is available.

WAT anchorages are also not designed for reclining chair beds. As reclining chair beds are designed to recline there is a lack of rigidity of the wheeled mobility device. This may result in a lack of adequate occupant restraint.

Pre-departure Inspections (Accreditation Standard 2.2)

You are responsible for ensuring that each taxi is roadworthy and safe.

If your taxi is unsafe, you are not only putting your driver's life at risk, but also the safety of the passengers that ride in your taxi and other road users.

One way that the safety of your taxi is checked, is through a daily pre-inspection check. This is a quick visual inspection that can be undertaken on a taxi prior to starting a shift.

Often operators ask their drivers to do pre-departure inspections. It is your responsibility to ensure that they do the inspections properly and once a day.

The minimum requirements that must be covered in a pre-departure inspection are...

Interior	<ul style="list-style-type: none">• seatbelts are in working order, retract and lock appropriately and not frayed, twisted or damaged
Lights and reflectors	<ul style="list-style-type: none">• lights including clearance lights reflectors and lenses are operational• reflectors and lenses are present and in good condition (not faded, damaged or broken)
Regulation signs and labels	<ul style="list-style-type: none">• inspection label and no-smoking sign attached
Mirrors, windows and windcreens	<ul style="list-style-type: none">• mirrors are present, in good condition, secured and appropriately adjusted• windcreens, windows and mirror surfaces are clean and without damage• wipers are functioning to ensure a clear view
Wheels, trims and rims	<ul style="list-style-type: none">• tyres are correctly inflated• condition and depth of the tyre tread• wheels are secure with no loose or missing wheel nuts) pressure and tread integrity• wheel nuts)
Horns and signals	<ul style="list-style-type: none">• horn is working
Wipers and washers	<ul style="list-style-type: none">• wipers• windscreen washers have sufficient fluid
Emergency exit	<ul style="list-style-type: none">• Where originally fitted emergency hammer/s is/are in place <p>Note this will only apply to some WATs that have 10 or more seats</p>
Oils, fuel and water	<ul style="list-style-type: none">• oil or fluid is leaking from the vehicle onto the ground, exhaust or brakes• leaks of any fluid (oil, water, refrigerant/coolant, hydraulic fluid, brake fluid or other)
Structure and body work	<ul style="list-style-type: none">• panels and readily visible structural members are secure and don't display sharp edges of dangerous protrusions• SRS system warning light doesn't display on start up or extinguish after self-test
Brakes	<ul style="list-style-type: none">• brake failure indicators• brake application

Some examples of faults are...

Lights and reflectors	<ul style="list-style-type: none">• The headlights, direction indicator lights, brake lights, tail lights, reversing lights or clearance lights are damaged or not operational• For an LED type light more than 30% of the individual LEDs do not function. (For examples, if a lamp has 10 LEDs, at least 7 must be working).
Mirrors, windows and windcreens	<ul style="list-style-type: none">• The primary vision area (the area of the windscreen which is swept by the windscreen wipers) must not be damaged (such as scoring, sandblasting or severe discolouration) so that it interferes with the driver's view• The primary vision area must be free from any bulls-eye or star fractures that exceeds 16mm in diameter, or either of the following: hairline crack up to 30mm long• a crack from the edge of the windscreen up to 75mm long
Wheels, trims and rims	<ul style="list-style-type: none">• A tyre does not have at least 1.5mm tread depth in a continuous band which runs around the whole circumference of the tyre and extends across the entire road contact surface area• A tyre (including sidewalls) has deep cuts, chunking, bumps, bulges, exposed cords or other signs of carcass failure• Any wheel has missing, cracked or broken wheel nuts, studs or bolts or• Hub seals are leaking.
Wipers and washers	<ul style="list-style-type: none">• The primary vision area (the area of the windscreen which is swept by the windscreen wipers) must not be damaged (such as scoring, sandblasting or severe discolouration) so that it interferes with the driver's view• The primary vision area must be free from any bulls-eye or star fractures that exceeds 16mm in diameter, or either of the following: hairline crack up to 30mm long• a crack from the edge of the windscreen up to 75mm long.

You must keep a record of every pre-departure inspection that is undertaken for each taxi used for your service.

If a fault is detected, then it should be recorded in your fault reporting system. Forms (templates) can be found here:

https://www.transport.tas.gov.au/_data/assets/pdf_file/0010/111979/Operator_Accreditation_Manual_-_Forms.pdf.

For a quick guide about checking vehicle roadworthiness go to the Fact Sheet 'Are you checking your vehicle regularly?'.

To access the Fact Sheet go to:

https://www.transport.tas.gov.au/_data/assets/pdf_file/0014/110426/FACT_SHEET_NO_3_-_Are_you_Checking_your_Light_Vehicle_Regularly.pdf.

For more comprehensive information go to the Light Vehicle Inspection Manual (LVIM). Take particular note of Chapter 15 as it relates to the additional requirements that taxis must meet.

To access the LVIM go to:

https://www.transport.tas.gov.au/_data/assets/pdf_file/0010/149959/Light_Vehicle_Inspection_Manual.pdf.

Regulations and Concessions Unit

Contact us by e-mail:

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