

## Other than Taxi Services



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## Introduction

### Who is this Manual for?

The Passenger Transport Operator Accreditation Manual is for passenger transport service operators who are required to hold operator accreditation in order to operate their service.

If you are unsure about whether you need to be accredited, you should refer to the Passenger Transport Operator Accreditation Guide and the online self-assessment tool at [www.transport.tas.gov.au/passenger/operators/accreditation](http://www.transport.tas.gov.au/passenger/operators/accreditation)

If you operate a taxi service you should refer to the manual for taxi operators.

### What is in this Manual?

This manual outlines the service, security and operational standards that Passenger Transport Operators must comply with in order to be granted, and to retain, operator accreditation. These Accreditation Standards are the minimum standards expected of all passenger transport service operators and include requirements to:

- keep relevant records relating to your service;
- ensure that your vehicles are safe and inspected regularly; and
- ensure that your drivers are appropriately qualified and suitable people to be driving your vehicles.

If you can demonstrate that you are doing everything outlined in the Accreditation Manual, you can expect to be assessed as complying with the minimum Accreditation Standards.

### What are the Accreditation Modules?

The Accreditation Standards are divided into three modules, which are set out in the manual. Some of the modules will vary slightly for different types of services.

#### **Module 1: General Administration**

This module includes record keeping, and ensuring that you keep the Department up to date with the contact details and other details about your service.

#### **Module 2: Vehicle Management and Administration**

This module includes regular inspections, a fault reporting system and emergency management procedures.

#### **Module 3: Driver Management and Administration**

This module includes checks you need to undertake before you engage a driver, records you need to keep, and ongoing monitoring of driver qualifications. It also includes procedures that drivers need to be aware of, including passenger behaviour management, reportable incidents management and emergency management.

## Do I have to comply with everything in the Manual?

If you operate a **passenger transport service**, including bus, luxury hire car, restricted hire vehicle etc, you must comply with all of the minimum requirements in all three modules, unless you are eligible to hold Category B or C accreditation as outlined below.

If you operate a taxi service you should refer to the manual for taxi operators.

- **Category B accreditation** is only available and only applies to operators of passenger transport services operated using a vehicle with 13 or more seats, to which one or more components of the three-part test do not apply.
- **Category C accreditation** is only available and only applies to operators of passenger transport services operated using a vehicle with 10, 11 or 12 more seats, to which one or more components of the three-part test do not apply.

If you operate a small passenger vehicle to provide a service that is not a passenger transport service (that is, where one or more components of the three-part test do not apply), you may apply for voluntary accreditation.

The requirements for you to confirm that your drivers hold Ancillary Certificates (explained in Standard 3.1) and to check that each driver holds an Ancillary Certificate every year (explained in Standard 3.3) are not mandatory if you are eligible for Category B or C accreditation or for voluntary accreditation. These are the only optional requirements. You must comply with all other requirements in all three modules.

If you are unsure whether your service is eligible for Category B or C accreditation or for voluntary accreditation, you should refer to the Passenger Transport Operator Accreditation Guide and the online assessment tool at [www.transport.tas.gov.au/passenger/operators/accreditation](http://www.transport.tas.gov.au/passenger/operators/accreditation)

If you are not eligible for Category B or C accreditation or voluntary accreditation, you must hold Category A accreditation and you must comply with all of the minimum requirements in all three modules.

## Can I do more than what is in the Manual?

Yes. The Accreditation Standards outlined in this manual are the minimum requirements you must meet in order to be assessed as compliant. These are the standards your service will be assessed against in an audit.

If you wish to put additional systems and processes in place that suit the needs of your business, you are free to do this. In some modules, some “Best Practice” principles are suggested for you to adopt if you wish to do so. These are encouraged, but are not mandatory and will not be assessed in the audit.

## Forms

Some standards refer to forms that you can use or adapt to the needs of your service. The forms are provided in a document that accompanies this manual.

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# Module 1:

# Administration

## Introduction

This module explains the administration requirements of the Passenger Transport Operator Accreditation Scheme.

There are four standards in the Administration Module.

The standards are:

- 1.1 Responsible Person
- 1.2 Record Keeping
- 1.3 Maintaining Accreditation Details
- 1.4 Vehicle Registration



## Standard 1.1

### Responsible Person

#### **For businesses, partnerships and other organisations only**

*If you are accredited in your own name (that is, as an individual person), Standard 1.1 does not apply to you. You are considered to be the Responsible Person for your service.*

#### Requirements for Standard 1.1

If your accreditation is for a business, a partnership, or another type of organisation you must appoint an individual aged over 18 years as your service's **Responsible Person** for your operator accreditation. (Section 18 of the *Passenger Transport Services Act 2011*.)

The person you appoint will depend on the type of organisation that operates the transport service, as shown below:

Type of organisation	Responsible person
Government Body	A member or senior employee
Partnership	One of the partners
Incorporated body	An officer or an employee
Unincorporated body	A member

You must nominate the Responsible Person in your **application for accreditation**.

The Responsible Person's role is to:

- be the primary contact for the Department about the safety, security and other matters relating to your service;
- oversee the day to day safety, security and related matters in respect of your service; and
- be responsible for ensuring that your business complies with the Passenger Transport Operator Accreditation Scheme and the legislation.

The Responsible Person may delegate any of the duties they have to perform under the legislation or the accreditation scheme to another person.

**However, the Responsible Person is legally responsible for ensuring that the duties are carried out correctly.** The Responsible Person is the person that the Transport Commission will contact if your service does not meet these requirements.

If the Responsible Person ceases to have that role, you must inform the Transport Commission who the new Responsible Person is, in writing, within 14 days (refer to Standard 1.3).



# Standard 1.2

## Record Keeping

### Requirements for Standard 1.2

You must ensure that the records and documents that you are required to keep for the Passenger Transport Operator Services Accreditation Scheme (refer below) are always:

- ▶ Kept up to date
- ▶ Stored in a readily accessible and secure place
- ▶ Available for inspection on demand by an Accreditation Auditor, the Department officer or a Transport Inspector.

### Which records must be kept?

You are required to keep the following records and documents for the Passenger Transport Operator Accreditation Scheme for a minimum of three (3) years:

Standard Reference	Document
	Accreditation Certificate issued by the Transport Commission
	National Police Certificate for your service's Responsible Person
	Passenger Transport Operator Accreditation Manual
1.4	List or register of all the vehicles that you use to operate your service Registration documents for all vehicles
2.1	All roadworthiness inspection reports for each vehicle
2.2	All completed pre-departure inspection checklists for each vehicle
2.3	All fault reports for each vehicle Records of repairs undertaken as a result of faults identified
2.4	Records of major vehicle safety inspections
2.5	Emergency management procedures
3.2	Driver register, including driver acknowledgement of awareness of: <ul style="list-style-type: none"> <li>• Pre-departure inspection procedures (Standard 2.2)</li> <li>• Fault reporting system (Standard 2.3)</li> <li>• Emergency management procedures (Standard 2.5)</li> <li>• Passenger behaviour management procedures (Standard 3.4)</li> <li>• Reportable incident management procedures (Standard 3.5)</li> </ul>
3.2	Driver file or other filing method to keep documents relevant to each driver's engagement or employment
3.3	Record of having checked the details held in your driver register for each driver to ensure that each driver still holds a current driver licence and Ancillary Certificate
3.4	Passenger behaviour management procedures
3.5	Reportable incident management procedures

# Standard 1.3

## Maintaining Accreditation Details

### Requirements for Standard 1.3

- ▶ You must have a method in place to ensure that the Transport Commission is informed if certain events occur, or if any relevant details relating to your service change, as outlined below.

#### **1. Events you must inform the Transport Commission about**

There are certain events that you are legally obliged to inform the Transport Commission about. These are:

- If you are accredited in your own name, and are charged with a serious offence\* you must notify the Commission within 14 days.
- If your service's Responsible Person is charged with a serious offence\* he or she must notify the Commission within 14 days.
- If your Responsible Person ceases to have that role, you must notify the Commission of this and advise the Commission of the new Responsible Person within 14 days.

\* A **serious offence** is an offence prescribed in the Passenger Transport Services Act. These offences are outlined in the Glossary.

#### **2. Changes of details you must advise the Transport Commission of**

You must inform the Transport Commission of any changes to your accreditation details including:

- Partnership, business or company name
- Business and postal addresses
- Telephone and fax numbers and email address
- Contact details of your Responsible Person
- The type of passenger transport service you are operating
- If you are operating large passenger vehicles (10+ seats), the size of the vehicle(s) being used to operate the passenger transport service
- Any other relevant information advised to you by the Commission

# Standard 1.4

## Vehicle Registration

### Requirements for Standard 1.4

- ▶ You must keep a list or register of all the vehicles that you use to operate your service, including the carrying capacity of each vehicle, the registration details of each vehicle and, where there is a legislated maximum age of operation for your vehicle (luxury hire cars), the date from which each vehicle can no longer be used. Form 1.4 is an example of a vehicle register.
- ▶ The vehicles you use to provide your passenger transport service must be currently and correctly registered and you must keep the current registration documents for each vehicle.
- ▶ The vehicles you use to provide your passenger transport service must have the correct Motor Accidents Insurance Board (MAIB) premium paid for the use of the vehicle.

#### **MAIB Premium Classes relevant to vehicles providing passenger transport services**

Class 6	Luxury hire car
Class 7	Vehicle with more than 16 seats
Class 16	Medium passenger vehicle (vehicle with 16 seats or less, including a restricted hire vehicle but not a taxi or luxury hire car)

# Module 2:

## Vehicle Management

### Introduction

To ensure that your service is safe, it is important that your vehicle(s) are safe and roadworthy at all times.

This Module explains the requirements of the Passenger Transport Operator Accreditation Scheme relating to vehicle management.

### Vehicle Management Standards

There are five standards in the Vehicle Management Module. These relate to inspections, fault management, and emergency management as listed below:

- 2.1 Roadworthiness Inspections
- 2.2 Pre-Departure Inspections
- 2.3 Fault Reporting And Clearance
- 2.4 Safety Inspections
- 2.5 Emergency Management

There are a number of regular inspections that apply to vehicles used to provide passenger transport services. Some of these are required by law and others form part of the Accreditation Standards. These must all be included in your vehicle management system under Module 2.

Please Note: Approved Inspection Station (AIS) Vehicle Examiners are qualified mechanic approved by the Registrar of Motor Vehicles. If the AIS inspection and the safety inspection fall due at the same time, only the AIS inspection need be undertaken.

The schedules are outlined below:

Activity	Timing	Carried out by	Reference
Pre-departure inspection	Before the first departure of the day	Driver, employee, operator or person nominated by the Responsible Person	Standard 2.2
Roadworthiness inspection	6 or 12 monthly, depending on the vehicle	Approved Inspection Station Vehicle Examiner	Standard 2.1
Safety inspection	Every 6 months or 10,000 km, whichever comes first	Qualified mechanic or person approved by registered training organisation	Standard 2.4

## Documents to keep

You must keep a record of all of the relevant documentation that supports your vehicle management system. This forms part of the record keeping requirements set out in Standard 1.2. The records and documents you must keep are:

- Reports and documents relating to each vehicle you operate:
  - Vehicle register (Standard 1.4)
  - Registration documents (Standard 1.4)
  - All roadworthiness inspection reports for each vehicle (Standard 2.1)
  - All completed pre-departure inspection checklists for each vehicle (Standard 2.2/Form 2.2);
  - All fault reports for each vehicle (Standard 2.3/Form 2.3);
  - Records of repairs undertaken as a result of faults identified, including the date the work was carried out and the name of the person or organisation undertaking the work (Standard 2.3/Form 2.3);
  - Records of major vehicle safety inspections including the date of the inspection, the inspection findings and the name of the person who undertook the inspection (Standard 2.4)
- Your service's emergency management procedures (Standard 2.5/Form 2.5)

You may also wish to retain vehicle records that are not required to be kept for the purpose of accreditation, such as:

- Records of replacements and modifications to the vehicle (including the date the work was carried out and the name of the person or organisation undertaking the work)
- Records of scheduled maintenance and services for each vehicle

It may assist you when developing your vehicle management system to make a list of all tasks involved in keeping your vehicle records up to date and the names (or position titles) of the people who are responsible for carrying out each task. You may also wish to consider the procedures you have in place for ensuring that all relevant staff can access your vehicle management documentation.

You must retain all vehicle records for at least three (3) years. (In effect, the documents that were examined during your previous compliance audit may be securely discarded following successful completion of the next ongoing compliance audit.)





## Standard 2.1

### Roadworthiness Inspections

#### Requirements for Standard 2.1

Vehicles used to provide a passenger transport service (unless exempt) are required by law to have a regular roadworthiness inspection, as outlined in the table below. These inspections must be carried out by an Approved Inspection Station.

- ▶ You must have a system in place to ensure that your vehicles are inspected as required.

*The age of a vehicle is determined by the month and year of manufacture on the vehicle's compliance plate.*

- ▶ All of your vehicles must display a current inspection label.
- ▶ You must retain copies of all roadworthiness inspections for a minimum of three (3) years.

Large passenger vehicle (10+ seats)	Frequency
Less than 12 months old	Initial inspection
More than 12 months old	12 monthly
More than 15 years old	6 monthly

Small passenger vehicle (other than taxi) 9 or fewer seats	Frequency
Less than 3 years old	Initial inspection
More than 3 years old	12 monthly
More than 15 years old	6 monthly

# Standard 2.2

## Pre-Departure Inspections

### Requirements for Standard 2.2

- ▶ Every vehicle that you operate must be inspected every day before it is driven on the road if it will be providing a passenger transport service that day. This is called a pre-departure inspection.
- ▶ You must develop a pre-departure inspection checklist that covers (at a minimum) the items listed in the *What must be covered by a pre-departure inspection?* box that are relevant to the type of service you operate. Form 2.2 is an example of a checklist that you can use, or modify to suit your service.
- ▶ *You may carry out the inspections yourself or nominate an employee or the driver of the vehicle to do it. However, ultimately it is your (or your Responsible Person's, if you have one) responsibility to ensure that the inspections are done correctly.*
- ▶ The person carrying out the inspection must satisfy themselves that the vehicle is currently registered before it is driven. If the vehicle is a light vehicle it is not required to have a registration sticker affixed. Its registration can be confirmed by keeping a copy of the registration receipt with the pre-departure inspection documents for the vehicle, or by checking the vehicle's registration on the Department's website at <http://www.transport.tas.gov.au/registration/buying-selling>
- ▶ The inspection procedures should include a process for the person carrying out the inspection to report any faults or defects identified during the inspection (refer Standard 2.3).
- ▶ Your drivers must sign an acknowledgement that they are aware of, and understand, the procedures. This acknowledgement must be kept with your driver register (refer to Standard 3.2).
- ▶ You must keep records of these inspections for a minimum of three (3) years.

### What must be covered by a pre-departure vehicle inspection?

At a minimum, the pre-departure inspection checklist must include the following items, if they are applicable to the vehicles you operate:

- Interior check
- Lights and reflectors
- Regulation signs and labels
- Mirrors, windows and windscreens
- Wheels, tyres and rims
- Horns and signals
- Wipers and washers
- Oils/fuel/water
- Structure and bodywork
- Brakes
- Fire extinguisher
- Emergency exit

Form 2.2 provides details of what should be inspected in relation to each item listed above.



# Standard 2.3

## Fault Reporting And Clearance

### Requirements for Standard 2.3

- ▶ You must have a fault reporting and clearance system in place to enable you to identify any mechanical or electrical faults or defects that occur in your vehicles and to have these repaired and cleared. Form 2.3 is an example fault reporting form.
- ▶ This must include the things listed in the section titled ***What must be in a fault reporting system?***
- ▶ The system must apply to faults that:
  - are identified during the pre-departure inspection (Standard 2.2);
  - are identified during routine roadworthiness inspections (Standard 2.1);
  - are identified during safety inspections (Standard 2.4); or
  - occur while the vehicle is on the road.
- ▶ Your drivers must sign an acknowledgement that they are aware of, and understand, the procedures and this acknowledgement must be kept with your driver register (refer to Standard 3.2).
- ▶ You must retain all records and documentation recording all fault reports and repairs to the vehicle, including the date the repairs were done and the name of the person or organisation who has undertaken the work.
- ▶ You must retain all records for at least three (3) years.

### What must be in a fault reporting system?

Your fault reporting system must include the following things at a minimum:

- ▶ There is process to ensure that vehicle faults are reported to the person who is responsible for actioning any repairs.
- ▶ Drivers are aware of their responsibilities for reporting faults.
- ▶ If a fault has been assessed as not requiring immediate repair, the system should:
  - identify that the repair has been deferred;
  - record the reason for the deferral;
  - identify how the mechanical/electrical fault is to be monitored until repaired; and
  - identify the person who made the decision.
- ▶ The system must allow for any on-road fault to be recorded and reported as soon as practicable and must ensure that appropriate action is taken at the time (e.g. taking the vehicle off the road if the fault could compromise safety).
- ▶ In the case of a vehicle found to be unsafe to operate, the system must include a method of preventing that vehicle from being operated until the fault is repaired and the safety of the vehicle assured.
- ▶ The system must include a method of formally recording the completion of a fault repair.



# Standard 2.4

## Safety Inspections

### Requirements for Standard 2.4

- ▶ You must have a system in place to ensure that all of your vehicles undergo a full safety inspection every six (6) months or 10,000 km, whichever occurs first. These inspections must be carried out either by a qualified mechanic, or a person who has been assessed by a Registered Training Organisation as having the skills necessary to undertake these inspections.
  - **Vehicle up to 4.5 tonnes GVM:** The vehicle must be checked for compliance with the Light Vehicle Inspection Manual.
  - **Vehicle over 4.5 tonnes GVM:** The vehicle must be checked for compliance with the Heavy Vehicle Inspection Manual.
- ▶ Safety inspection checklists must cover all roadworthiness and safety related items and it must be possible to identify the specific items that were inspected.
- ▶ The safety inspection system must provide for the documenting of inspection findings and identity of the person undertaking the inspection, as well as the recording of faults and the action taken to rectify the fault.
- ▶ You must retain records of these safety inspections for a minimum of three (3) years.

**Please Note:** When a vehicle moves to a 6 monthly inspection regime, unless the vehicle travels more than 10 000 km in the 6 month period, the safety inspection is no longer required, as the AIS inspection and the safety inspection will fall due at the same time. Therefore, your vehicle need only be inspected every 6 months by an AIS.

# Standard 2.5

## Emergency Management

### Requirements for Standard 2.5

- ▶ You must have in place written procedures for vehicles that are involved in an accident, that break down or are in other situations where the safety of the passenger/s could be compromised. The procedures should include things that drivers must do if such a situation occurs to ensure that the passenger/s are safe. These may be different according to the type of incident that occurs.

Refer below to some suggestions for how to formulate the procedures.

- ▶ A summary of the procedures, together with any forms that the driver needs to complete at the scene of an incident, must be readily available in each operating vehicle.
- ▶ All relevant staff must be made aware of the procedures. Your drivers must sign an acknowledgement that they are aware of, and understand, the procedures. This acknowledgement must be kept with your other driver records (refer to Standard 3.2).
- ▶ You must review the emergency management procedures from time to time and update them if necessary. You must inform all of your drivers of any changes to the procedures and have them sign a new acknowledgement form. The revised procedures must replace the outdated version in each vehicle.

**BEST PRACTICE:** The Department recommends that you develop a contingency plan for vehicle breakdowns and accidents, which includes procedures for obtaining back-up transport for passengers. This may be combined with your emergency management procedures.

### What must be included in emergency management procedures?

Key issues to consider when formulating emergency management procedures include:

- Events that may trigger the implementation of the procedures (vehicle breakdown, accident involving the vehicle, accident in the vicinity of the vehicle that doesn't directly involve the vehicle etc)
- What the driver is required to do (including legal obligations if the vehicle is involved in an accident and duties if passengers are injured in the incident)
- Who the driver is required to contact
- Who is responsible for informing Tasmania Police (if the vehicle is involved in an accident)
- Directions and advice the driver should provide to passengers to ensure their safety
- Instructions the driver should apply if passengers fail to comply with the directions of the driver
- Assistance that will be provided from the base or depot



# Module 3:

## Driver Administration

### Introduction

As an operator of a passenger transport service, you are required by law to ensure that your drivers are suitably skilled and meet minimum standards. Module 3 will assist you to do this.

To comply with this module you will need to ensure that:

- Your drivers are appropriately licensed and certified to drive your vehicles and that they continue to remain so while driving your vehicles
- Your drivers' details are recorded in a register and updated as changes occur.
- You have procedures for managing inappropriate passenger behaviour and any breaches of legislation by your drivers

### Driver Administration Standards

There are five standards in the Driver Administration Module. These relate to checks that you must perform in relation to drivers and records that you must keep, as well as policies and codes that drivers must be aware of.

The Standards are:

- 3.1 Initial Check Of Driver Qualifications
- 3.2 Driver Records
- 3.3 Driver Monitoring
- 3.4 Passenger Behaviour Management
- 3.5 Reportable Incident Management

There is also one “Best Practice” standard that is not mandatory:

- Driver code of behaviour



## Documents to keep

You must keep all of the relevant documents that support your driver administration system. These records are part of the record keeping requirements set out in Standard 1.2.

The records and documents you must keep are:

- A driver register (Standard 3.2/Form 3.2) that includes:
  - Record of each driver's qualifications (Standard 3.1)
  - Driver's personal information and contact details (Standard 3.2)
  - Details of your annual check of the driver's driver licence and Ancillary Certificate (Standard 3.3/Form 3.3)
  - Driver's signed acknowledgement of awareness of pre-departure inspection procedures
  - Driver's signed acknowledgement of awareness of fault reporting system
  - Driver's signed acknowledgement of awareness of emergency management procedures
  - Driver's signed acknowledgement of awareness of passenger behaviour management procedures
  - Driver's signed acknowledgement of awareness of reportable incident management procedures
- Policies and procedures:
  - Passenger behaviour management procedures (Standard 3.4/Form 3.4)
  - Reportable incident management procedures (Standard 3.5/Form 3.4)

It may assist you when developing your driver administration system to make a list of all tasks involved in keeping your driver records up to date and the names (or position titles) of the people who are responsible for carrying out each task. You may also wish to consider the procedures you have in place for ensuring that all authorised staff can access your driver administration documentation and that personal information is stored securely.

You must retain all vehicle records for at least three (3) years. However, the documents that were examined during your previous audit do not need to be reviewed at each following audit

## Workplace Health and Safety

The *Work Health and Safety Act 2012* (WHS Act) commenced on 1 January 2013. This legislation is consistent with Work Health and Safety legislation in all other states and territories and aims to ensure that workers and workplaces are safe.

Under the legislation, all parties involved in a workplace have specific duties relating to the health and safety of themselves and other people at that workplace.

This accreditation manual cannot provide advice to Passenger Transport Operators on the specific responsibilities of operators, their employees, contractors, subcontractors or visitors to the workplace under the WHSA, as this will vary according to the position a person holds within a business and their relationship to the operator.

It is the responsibility of responsible operators to determine how the WHSA applies to their business and to put into place the measures required under the legislation to ensure that they comply.

It is also the responsibility of operators to ensure that people who work for them, or operate their service on their behalf (including bus drivers, taxi drivers, employees and contractors) are aware of their own responsibilities and have taken steps to do what the legislation requires them to do.

The Department cannot provide advice on how the WHSA applies to an individual transport business. As an accredited operator, you must familiarise yourself with the legislation and its requirements. Consequently, there is no auditable work health and safety requirement in respect of Passenger Transport Operator Accreditation. There may, however, be specific requirements in any contract between the Department and an operator for the provision of transport services.

In granting operator accreditation the Transport Commission does not warrant that the WHS systems that you have in place comply with the legislation. Neither the Commission nor an accreditation auditor can assess or conclude that your systems comply with the legislation.

For further information you should contact WorkSafe Tasmania on 1300 366 322. Information is also available on the WorkSafe Tasmania website [www.worksafe.tas.gov.au](http://www.worksafe.tas.gov.au).



## Standard 3.1

### Initial Check Of Driver Qualifications

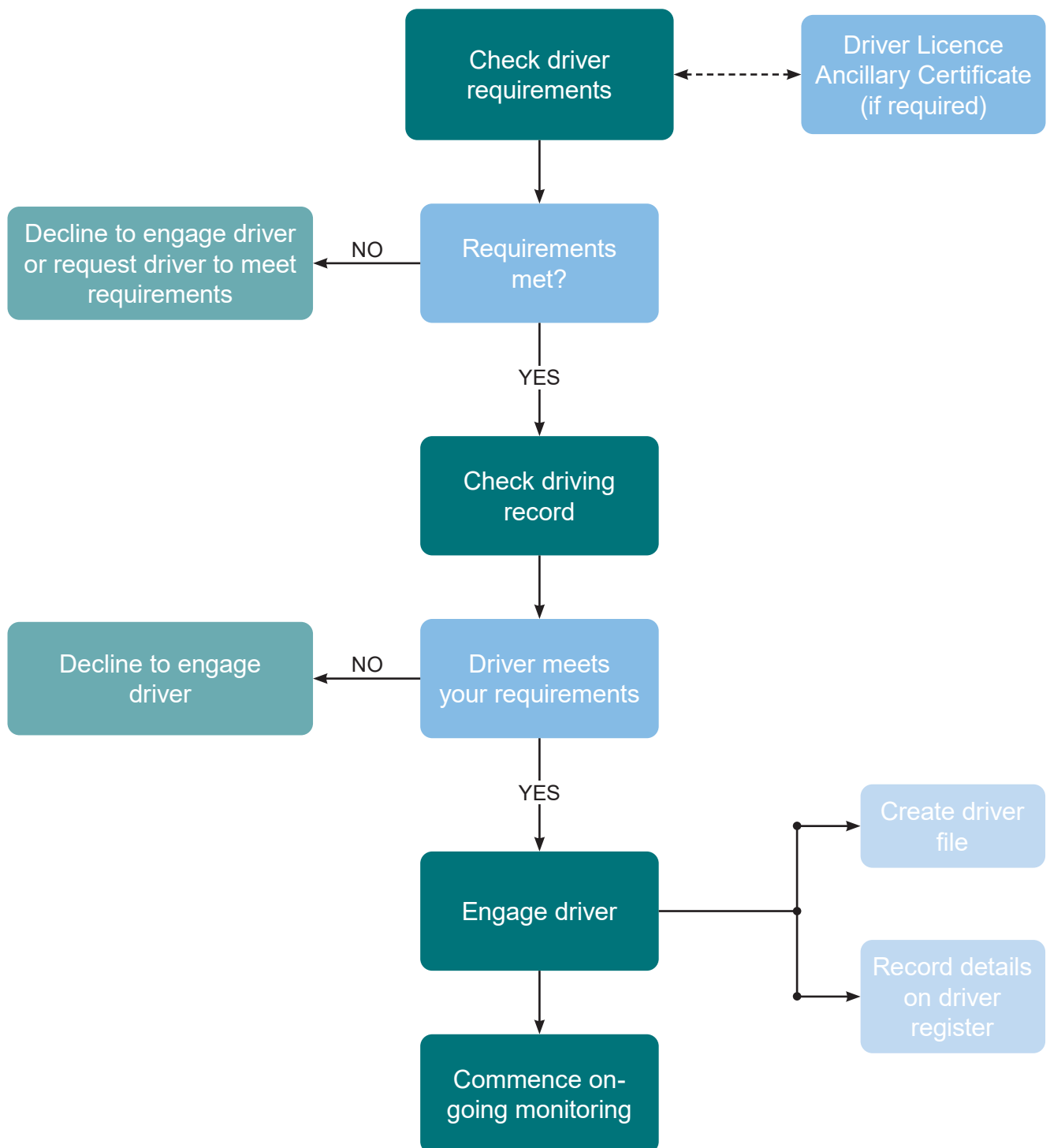
#### Requirements for Standard 3.1

Before you engage a person to drive your vehicles you must:

- ▶ Check and confirm that the driver has the relevant driver qualifications as required by law (refer overleaf)
- ▶ Record the driver's qualifications on the driver register that you establish in Standard 3.2

A suggested process for engaging a driver and recording details is provided in the flow chart overleaf.

## Suggested process for driver engagement





## Driver qualification requirements

Driver qualification requirements are as follows:

A driver must have the relevant **driver licence** to drive the vehicle providing the service. Driver licence categories are as follows:

- Motorcycle (R): a two wheeled motor vehicle (includes a motorcycle with side car).
- Car (C): a motor vehicle not more than 4.5t GVM and seating no more than 12 adults (including driver).
- Light Rigid (LR): any rigid vehicle, including truck and bus, greater than 4.5t GVM, but not more than 8t GVM plus trailer of not more than 9t GVM (also includes vehicles seating more than 12 adults but less than 4.5t GVM).
- Medium Rigid (MR): any 2 axle rigid vehicle, including truck and bus, greater than 8t GVM plus trailer not more than 9t GVM.
- Heavy Rigid (HR): any rigid vehicle with 3 or more axles, including truck and bus, greater than 8t GVM plus trailer not more than 9t GVM.
- Heavy Combination (HC): either a prime mover and single semi or a heavy rigid with a trailer greater than 9t GVM.
- Multiple Combination (MC): heavy combination vehicle with more than one trailer.

If you are required to hold Category A operator accreditation, (refer to page 3) a driver must have an **Ancillary Certificate** in order to drive a public passenger vehicle.

- To obtain an Ancillary Certificate, the driver will need to satisfy a knowledge test, medical assessment and a good character check (which involves checking the criminal record of the applicant).

You can verify that a driver has a current Ancillary Certificate on the Department's website at [www.transport.tas.gov.au/passenger/operators](http://www.transport.tas.gov.au/passenger/operators)

Details on Ancillary Certificates can be found under the link *Current Ancillary Certificates for Public Passenger Vehicles*.

## Standard 3.2

### Driver Records

#### Requirements for Standard 3.2

You must keep up-to-date records of all drivers who drive your vehicle/s, including yourself if you are an owner/driver, as outlined below. At a minimum you should establish a **driver register** to keep this information.

As there are a number of forms and documents you are required to keep in respect of each driver, you must also have a system for storing these documents. This could be by establishing an individual file for each driver, or another filing method that suits your operation.

You must retain all driver files for at least three (3) years. (In effect, the documents that were examined during your previous compliance audit may be discarded securely following successful completion of the next ongoing compliance audit.)

#### What information is required to be kept in relation to drivers?

You must keep the following information as a minimum:

- Driver's full name
- Driver's address and contact details (phone numbers, email etc)
- Driver's licence details including licence number, class and expiry date (a photocopy of the licence is advisable)
- Driver's Ancillary Certificate type and expiry date (if required for your service)
- The date you engaged the driver
- Details of your annual check of the driver's licence and ancillary certificate as outlined in Standard 3.3
- The driver's signed acknowledgement of your:
  - Pre-departure inspection procedures (Standard 2.2)
  - Fault reporting system (Standard 2.3)
  - Emergency management procedures (Standard 2.5)
  - Passenger behaviour management procedures (Standard 3.4)
  - Reportable incident management procedures (Standard 3.5)

A sample register is at Form 3.2. There is no specified format for driver files.

**BEST PRACTICE:** You may choose to use your driver files to keep additional information about their performance and their history as a driver with your service. This could include:

- The driver's acknowledgement of the Driver Code of Behaviour if you have one
- The driver's acknowledgement of any other policies or procedures relevant to your service
- Customer complaints made against the drivers, including details of how the complaint was handled and the outcome
- Details of any breaches of your code of behaviour (if you have one), including decisions made in relation to the driver's continued engagement
- Any other information about the driver that is relevant to their employment or engagement with your service



## Standard 3.3

### Driver Monitoring

#### Requirements for Standard 3.3

You must do the following things **at least once a year** for every driver to ensure that the information is current and up to date:

- Check the details held in your driver register for each driver and ensure that each driver still holds a current driver licence and Ancillary Certificate (if required).

Refer to [www.transport.tas.gov.au/passenger/operators](http://www.transport.tas.gov.au/passenger/operators) for this information under "Current Ancillary Certificates for Public Passenger Vehicles".

- Update your driver register/individual driver files with any changes

You must keep a record of having done these checks, including the date the information was checked and the name of the person who checked the information.

**BEST PRACTICE:** You may choose to undertake more regular reviews of your drivers' licence information, and/or you could schedule these reviews to coincide with the expiry of each driver's Ancillary Certificate.

You may choose to undertake additional, more detailed reviews of your drivers' performance to determine whether you wish them to continue to drive your vehicles.

This may include:

- Asking each driver to provide you with a copy of their own driver record on a regular basis
- Reviewing any breaches of your code of behaviour (refer to Best Practice: Driver Code of Behaviour)
- Reviewing any offences committed by your drivers that did not result in action being taken in respect of their Ancillary Certificate
- Reviewing any customer service complaints made against the driver (refer to Best Practice: Driver Code of Behaviour)
- Any other matter that you consider relevant

# Standard 3.4

## Passenger Behaviour Management

### Requirements for Standard 3.4

You must have procedures for managing passenger behaviour in the event that a passenger on one of your vehicles may be breaching the Passenger Transport Services Regulations or behaving in a manner that puts the safety of the driver, other passengers or the vehicle at risk.

You should refer to Part 3 of the Passenger Transport Services Regulations when developing your procedures.

You may use the example procedures included (Form 3.4) or create your own that satisfies the intent of the example procedures. These are minimum requirements for the purpose of accreditation. Your procedures may also cover behaviour that is less serious or not covered by the Regulations.

All relevant staff must be made aware of the procedures. Your drivers must sign an acknowledgement that they are aware of, and understand, the procedures. This acknowledgement must be kept with your other driver records (refer to Standard 3.2).

**School bus operators:** The contractual obligations between the Department and school bus operators may require different procedures to be followed for misbehaviour by a student travelling on your service. This may include requirements to notify the student's school and parents, and for action to be taken by those parties. This is not included in the example policy and does not form part of the accreditation requirements.

**BEST PRACTICE:** *You may also wish include in your procedures guidelines for drivers in dealing with passenger behaviour that may not be in breach of any regulations, but is still unacceptable in terms of the Conditions of Travel for your service, as set out in Regulation 11 of the Passenger Transport Regulations 2013. It is not mandatory to develop Conditions of Travel for your service. Conditions of Travel can cover any area that is not addressed in the Passenger Transport Services Act or Regulations, but must not be inconsistent with the legislation.*

*Your service's Conditions of Travel must be displayed in a prominent location inside the vehicle used to provide the passenger transport service or, if this is not practicable, be available to members of the public on request (e.g. on your website).*



# Standard 3.5

## Reportable Incident Management

### Requirements for Standard 3.5

- ▶ You must have a system in place to ensure that you take appropriate action if you become aware of any alleged offences or breaches of legislation (“reportable incidents”) that occur in relation to your service. This includes acts committed by drivers and other employees of your organisation including:
  - Criminal offences
  - Breaches of the Passenger Transport Services Act and Passenger Transport Services Regulations
  - Breaches of the Taxi and Hire Vehicle Industries Act and associated regulations
  - Breaches of the Traffic Act
  - Breaches of the Road Rules
  - Breaches of the Vehicle Standards Regulations
  - Breaches of Federal or State Anti-Discrimination Legislation

- ▶ To achieve this you must have a procedure in which you:
  - acknowledge allegations of breaches by a driver or other person in connection to your service, take steps to manage such allegations.
  - Nominate a person or people who are responsible for taking appropriate action, including referencing allegations to the relevant party for investigation if necessary, and
  - maintain records of allegations and of any action you have taken..
- ▶ All relevant staff must be made aware of the procedures
- ▶ Your drivers must sign an acknowledgement that they are aware of, and understand, the procedures and this acknowledgement must be kept with your driver register (refer to Standard 3.2)

**BEST PRACTICE:** You may also decide to put in place a complaints management system to address complaints made by customers regarding the service provided by your drivers and/or other employees or representatives of your service. For complaints relating to customer service that are not specific offences or breaches of legislation, this is not mandatory for accreditation purposes.

Refer to Form 3.5 for information on the types of complaints and allegations that must be referred to the appropriate authority and which should be dealt with in-house.





# Best Practice

## Driver Code Of Behaviour

*You may wish to have a written code of behaviour that details minimum standards for your transport service.*

*All of your drivers should be provided with a copy of the code and the Department recommends that you have each driver sign an acknowledgement of receiving the code that you keep with their other driver records (Standard 3.2).*

*If you have a code, the Department recommends that you monitor drivers' compliance with the code and take appropriate action if a driver breaches the code.*

### What could be included in the code of behaviour?

*The code of behaviour should outline minimum standards of acceptable driver behaviour.*

*It could cover the following issues and you are free to include any other issues you consider to be appropriate for your operation:*

- *Driver attitude*
- *Dress standards*
- *Cleanliness of vehicles*
- *Customer expectations and customer service*
- *Road safety*
- *Knowledge of routes around the area of operation*
- *When it is permissible to refuse a person travel (anything in your code regarding refusal of travel should be consistent with the provisions of the Passenger Transport Services Regulations)*



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# Glossary

**Responsible Person** An individual aged over 18 years appointed under section 18 of the Passenger Transport Services Act for the purposes of accreditation of a body politic, a partnership, an incorporated body or an unincorporated body. This person is responsible for ensuring that the organisation complies with the relevant legislation and accreditation conditions. If they delegate some of the duties to another employee or agent, the Responsible Person is still legally responsible for ensuring that the duties are carried out according to the law.

In this manual, if your accreditation is in the name of a business, a partnership or other type of organisation, the references to “you” are taken to be references to the Responsible Person. If your accreditation is in the name of an individual, that individual is taken to be the Responsible Person.

**Transport Commission** The Transport Commission is the body responsible for administering the Passenger Transport Services Act and other related legislation. In practice most of the Transport Commission’s functions, powers and duties are delegated to officers within the Department.

## Serious Offence

### What is a serious offence?

A serious offence is an offence prescribed in the Passenger Transport Services Act and includes offences under:

- Sections 124 125A, 125B, 125C, 125D, 126 and 127 of the *Criminal Code Act 1924* (sexual offences against children)
- Sections 158, 167A, 167B, 170 and 172 of the *Criminal Code Act 1924* (murder, causing death or grievous bodily harm by dangerous driving, causing grievous bodily harm generally)
- Chapter XIX or XX of Part V of the *Criminal Code Act 1924* (assault, rape, abduction or stalking)
- Section 7A of the *Police Offences Act 1935* (loitering near children)
- Sections 37B and 37C of the *Police Offences Act 1935* (stealing a motor vehicle or obtaining a motor vehicle by fraudulent means)
- Section 32 of the *Traffic Act 1925* (reckless or negligent driving)
- Division 1 of Part 3 of the *Vehicle and Traffic Act 1999* (e.g. driving unlicensed or while disqualified)
- Part 4 of the *Vehicle and Traffic Act 1999* (e.g. driving unregistered vehicles)
- Section 53 of the *Vehicle and Traffic Act 1999* (hindering or obstructing police officers or authorised officers)
- Section 64 of the *Vehicle and Traffic Act 1999* (obtaining a driver licence, ancillary certificate, vehicle registration etc dishonestly, providing false or misleading information in respect of vehicle registration, driver licences)



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[www.transport.tas.gov.au/passenger/operators](http://www.transport.tas.gov.au/passenger/operators)

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