



On-Demand Passenger Transport Services legislation changes

New 'on-demand' legislation came into effect recently.

Over the next few weeks, information will be sent to taxi operators about the changes.

Requirement to keep certain records

Accredited taxi operators now need to keep certain records in addition to those which are specified in the Accreditation Manual.

Records for every driver:

- number of drivers
- driver licence number
- date that each driver started driving for you
- date that each driver stopped driving for you

Records for every taxi:

- number of taxis
- registration number of each taxi
- VIN for each taxi
- date that each taxi started being operated
- date that each taxi stopped being operated

You need to update your driver and vehicle registers so that you can record this information.

Records of incidents:

- when a taxi was used when unregistered
- a driver drove a taxi when unlicensed
- a taxi broke down and couldn't complete the hiring
- an incident which resulted in –
 - a person being injured and needing treatment by an ambulance or hospital
 - the taxi being damaged so it couldn't complete the hiring
 - a complaint to police containing allegations of assault or indecency

Records of any:

- accidents
- incidents
- hazards identified
- complaints

You need to consider how you will keep these records and update your record keeping system to accommodate this new requirement.

If the Transport Commission asks you to provide it with copies of any of these records, you must comply.

A fact sheet about record keeping requirements is available on the [Transport Services website](#).

If you have any questions about what records you need to keep, email the Regulations Team at operator.accreditation@stategrowth.tas.gov.au

Lawful operation of taxis – using a taximeter

Taxi drivers have legal duties which include the proper use of a taxi meter.

Taxi drivers:

must:

- start the taximeter at the commencement of the hiring (when the taxi starts moving)
- stop the taximeter at the conclusion of the hiring (upon arrival at the destination)

may:

- ask for payment of a deposit prior to the journey provided the deposit amount is not more than the expected cost of the hiring

must not:

- operate a taximeter on the wrong tariff
- charge a passenger more than the fare displayed on the taximeter for the hiring period

Importantly

It is unlawful to start the taximeter while passengers are boarding the vehicle.

This also applies to wheelchair-accessible taxis (WATs). WAT drivers are not allowed to start the meter until the wheelchair is loaded, all passengers are boarded, and the journey begins.

It is unlawful to take a hiring when not using a taximeter. A taxi driver who does not comply with their legal duties may incur a fine.

Taxi operators also have a legal duty to ensure drivers are informed of, and comply with, their legal duties.

New taxi driver grant

Funds remain available in the third round of the New Taxi Drivers' grant program for accredited taxi operators to help new taxi drivers into the industry.

The grant is intended to remain open until 30 June 2023 but may close earlier if the funds have been fully committed.

Only taxi operators and networks are eligible for the grant.

Information on how to apply for the grant is at [New Taxi Drivers' Program 2022 - Round 3 - Department of State Growth \(smartygrants.com.au\)](https://www.smartygrants.com.au).

For more information contact

operator.accreditation@stategrowth.tas.gov.au

Enforcement activity

Transport Safety Investigation Officers have followed up on complaints about taxis being left unattended on a taxi rank and taxi drivers refusing to accept a hiring, resulting in the issue of several infringement notices.

Taxi drivers:

- must stay with their taxi in a taxi zone unless they have reasonable grounds for leaving it
- can only refuse a hiring if they believe their safety is at risk or the person won't pay

If you need more information about the laws that apply to the operation of taxis, email

operator.accreditation@stategrowth.tas.gov.au

Taxi licences

A taxi licence is needed to operate a taxi service. The Commission needs to know when a person commences or ceases a lease of a perpetual taxi licence (PTL).

You can find the form [here](#).

A [fee](#) applies to notify the commencement of a lease of a PTL and is payable at Service Tasmania. There is [no fee](#) to notify the termination of a lease of a PTL.

Owner-operator and wheelchair-accessible taxi licences cannot be leased.

Wheelchair-accessible taxi (WAT) services

WAT services provide a vital link to the community for those people living with disability or requiring the use of a wheelchair.

Currently there are around 1600 Transport Access Scheme (TAS) members with a WAT endorsed taxi smart card in Tasmania.

To support the provision of WAT services and offset the higher set-up cost of a WAT -

- WAT licences are free and are still available (the moratorium on licence release only applies to Owner Operator Taxi Licences)
- there is no restriction on how many WAT licences the Transport Commission can issue
- The Commission pays a trip subsidy each time a WAT endorsed TAS member is transported

WATs can also operate as normal taxis.

Recent legislative changes mean that the Commission may approve a vehicle for use as a WAT if it is not more than 7 years old and meets

all other criteria required under [Schedule 1](#) of the [Taxi and Hire Vehicle Industries Act 2008](#).

Currently there is demand for WAT services in various taxi areas.

If you would like to discuss the requirements to become a WAT operator, call Tania Shilcock (Senior Regulations and Concessions Officer) on 6166 3303 or email the Regulations Team at operator.accreditation@stategrowth.tas.gov.au

Accreditation certificate

Check that every taxi you operate has a copy of your accreditation certificate in it. The Commission requires that the certificate is prominently displayed. The driver must be able to produce the certificate to a Transport Safety and Investigation Officer if asked. If an accreditation certificate cannot be provided, you may incur a fine.

If you need another certificate, email operator.accreditation@stategrowth.tas.gov.au

Regulations Team

Contact us by e-mail at operator.accreditation@stategrowth.tas.gov.au