

**NORTHERN TERRITORY OF AUSTRALIA**

**MOTOR VEHICLE (HIRE CAR) REGULATIONS 1985**

As in force at 20 June 2018

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 20 June 2018

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## MOTOR VEHICLE (HIRE CAR) REGULATIONS 1985

### Regulations under the *Motor Vehicles Act 1949*

#### Part I Preliminary

##### 1 Citation

These Regulations may be cited as the *Motor Vehicle (Hire Car) Regulations 1985*.

##### 2 Commencement

These Regulations shall come into operation on a date to be fixed by the Administrator by notice in the *Gazette*.

##### 4 Definitions

In these Regulations:

***hire car*** means a private hire car, limousine or taxi.

***licence*** means:

- (a) other than in respect of Division 2 of Part II and regulation 72 – a licence granted under section 26(1) or 27(1) of the Act; and
- (b) in respect of Division 2 of Part II and regulation 72 – a licence granted under section 10(1) of the Act entitling the holder of the licence to drive a hire car of the type specified in that licence.

***passenger***, in relation to a hire car, includes the hirer of the hire car but does not include the driver of that hire car.

## **Part II            Licensing of drivers**

### **Division 2        Licensing of drivers**

#### **6                  Driver of hire car to be specially licensed**

A person shall not drive a hire car as a hire car unless he holds a licence which specifies that he is licensed to drive a hire car of that type.

Maximum penalty:        15 penalty units.

#### **7                  Registrar to be satisfied in relation to certain matters before issuing licence**

The Registrar shall not grant a licence to an applicant for the licence except where he is satisfied that the applicant is:

- (a) a person of good character; and
- (b) a fit and proper person to hold the licence.

#### **8                  Certificate in relation to fitness and competency**

An applicant for a licence shall answer in writing the questions specified in an approved certificate of fitness and competency to drive a hire car.

#### **9                  Medical certificate in relation to hire car driver**

The Registrar may, before granting or renewing a licence, require the applicant for the licence to present a medical certificate given by a medical testing officer to the effect that the medical testing officer:

- (a) has, on the date of the certificate, personally examined the applicant, knowing him to be an applicant for the grant or renewal of that licence; and
- (b) is of the opinion that, having proper regard to the health and safety of passengers and of the public generally, the applicant is a medically fit and proper person to be employed as the driver of a hire car.

**Part III            Conduct, &c., of drivers and passengers****Division 1        General****10            Driver conduct**

The driver of a hire car must act in an orderly manner and with civility and propriety towards a passenger or intending passenger.

Maximum penalty:        15 penalty units.

**10A          Driver to display identification card**

The driver of a hire car shall, whilst so employed, display in that car an identification card:

- (a) of a type;
- (b) containing his photograph; and
- (c) displayed in a manner,

approved by the Registrar.

Maximum penalty:        15 penalty units.

**32            Operation of taximeter**

The driver of a taxi to which a taximeter is fitted shall:

- (a) as soon as the car is hired, but not sooner, set the taximeter in operation; and
- (b) immediately upon the termination of a hiring, stop the taximeter.

Maximum penalty:        15 penalty units.

**Part VIII        Miscellaneous****70            Driver of private hire car not to tout for passengers**

The driver of a private hire car shall not tout for passengers for, or importune a person to use, the private hire car.

Maximum penalty:        15 penalty units.

**75 Regulatory offences**

An offence of contravening or failing to comply with these Regulations is a regulatory offence.

**76 Offences resulting from accident or other unavoidable causes**

It is a defence to a prosecution for an offence against these Regulations if the person charged with the offence proves to the satisfaction of the court hearing the case that the occurrence which is the subject of the case was the result of accident, or could not have been avoided by any reasonable effort on his part.

**77 Transitional and savings**

(1) In this regulation, **repealed Regulations** means the *Motor Vehicle (Hire Car) Regulations 1953* as in force at any time before the commencement of these Regulations.

(2) Where:

- (a) a notice under regulation 6;
- (b) an instrument under regulation 32K(2);
- (c) a conversion card issued under regulation 32L; or
- (d) a suspension under regulation 32N(2),

of the repealed Regulations is:

(e) in the case of the notice, instrument and suspension – in force; and

(f) in the case of the conversion card – in existence,

immediately before the commencement of these Regulations, the notice, instrument, conversion card and suspension shall, on and from that commencement, continue in force or in existence, as the case may be, as if made or issued, as the case may be, under these Regulations but:

(g) subject to the same terms and conditions (including conditions relating to its duration), if any, to which it was subject immediately before that commencement; and

(h) may be varied or revoked by action taken under these Regulations.

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**ENDNOTES**
**1 KEY**

Key to abbreviations

<b>amd = amended</b>	<b>od = order</b>
<b>app = appendix</b>	<b>om = omitted</b>
<b>bl = by-law</b>	<b>pt = Part</b>
<b>ch = Chapter</b>	<b>r = regulation/rule</b>
<b>cl = clause</b>	<b>rem = remainder</b>
<b>div = Division</b>	<b>renum = renumbered</b>
<b>exp = expires/expired</b>	<b>rep = repealed</b>
<b>f = forms</b>	<b>s = section</b>
<b>Gaz = Gazette</b>	<b>sch = Schedule</b>
<b>hdg = heading</b>	<b>sdiv = Subdivision</b>
<b>ins = inserted</b>	<b>SL = Subordinate Legislation</b>
<b>lt = long title</b>	<b>sub = substituted</b>
<b>nc = not commenced</b>	

**2 LIST OF LEGISLATION*****Motor Vehicle (Hire Car) Regulations (SL No. 30, 1985)***

Notified	6 November 1985
Commenced	18 November 1985 ( <i>Gaz S71</i> , 18 November 1985)

***Amendment of Motor Vehicle (Hire Car) Regulations (SL No. 34, 1986)***

Notified	29 August 1986
Commenced	r 3: 1 September 1986; rem: 13 September 1986 (r 1)

***Statute Law Revision Act (No. 2) 1987 (Act No. 59, 1987)***

Assent date	31 December 1987
Commenced	31 December 1987

***Statute Law Revision Act 1988 (Act No. 66, 1988)***

Assent date	22 December 1988
Commenced	22 December 1988

***Amendment of the Motor Vehicle (Hire Car) Regulations (SL No. 25, 1989)***

Notified	2 October 1989
Commenced	2 October 1989

***Amendment of Motor Vehicle (Hire Car) Regulations (SL No. 38, 1990)***

Notified	1 October 1990
Commenced	1 October 1990

***Amendment of the Motor Vehicle (Hire Car) Regulations (SL No. 42, 1991)***

Notified	1 August 1991
Commenced	1 August 1991

***Statute Law Revision Act 2003 (Act No. 12, 2003)***

Assent date	18 March 2003
Commenced	18 March 2003

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**Commercial Passenger (Road) Transport (Consequential Amendments) Act 2003 (Act No. 41, 2003)**

Assent date 7 July 2003  
 Commenced 1 August 2003 (*Gaz* G30, 30 July 2003, p 2)

**Penalties Amendment (Miscellaneous) Act 2013 (Act No. 23, 2013)**

Assent date 12 July 2013  
 Commenced 28 August 2013 (*Gaz* G35, 28 August 2013, p 2)

**Commercial Passenger Vehicle Legislation Amendment Regulations 2016 (SL No. 33, 2016)**

Notified 6 July 2016  
 Commenced 1 October 2016 (r 2)

**Commercial Passenger Vehicle Legislation Amendment Regulations 2017 (SL No. 34, 2017)**

Notified 29 November 2017  
 Commenced 1 December 2017 (r 2)

**Statute Law Revision Act 2018 (Act No. 10, 2018)**

Assent date 23 May 2018  
 Commenced 20 June 2018 (*Gaz* S41, 20 June 2018)

### 3 GENERAL AMENDMENTS

General amendments of a formal nature (which are not referred to in the table of amendments to this reprint) are made by the *Interpretation Legislation Amendment Act 2018* (Act No. 22, 2018) to: rr 1 and 77.

### 4 LIST OF AMENDMENTS

r 3	amd No. 34, 2017, r 33
pt 2 hdg	amd Act No. 10, 2018, s 9
pt 2	
div 1 hdg	rep Act No. 10, 2018, s 6
r 4	amd Act No. 41, 2003, s 6; No. 33, 2016, r 14; No. 34, 2017, r 34
r 5	rep Act No. 41, 2003, s 6
r 6	amd No. 34, 2017, r 35
r 10	sub No. 34, 2017, r 36
r 10A	ins No. 34, 1986, r 2
rr 11 – 27	rep No. 34, 2017, r 37
r 28	sub No. 33, 2016, r 15
	rep No. 34, 2017, r 37
r 29	rep No. 34, 2017, r 37
r 30	amd Act No. 59, 1987, s 6
	rep No. 34, 2017, r 37
r 31	rep No. 34, 2017, r 37
r 32	amd No. 34, 2017, r 39
r 33	rep No. 34, 2017, r 40
pt IV hdg	rep No. 34, 2017, r 40
pt IV	
div 1 hdg	rep No. 34, 2017, r 40
r 34	rep No. 34, 2017, r 40
pt IV	
div 2 hdg	rep No. 34, 2017, r 40
rr 34 – 38	rep No. 34, 2017, r 40



## ENDNOTES

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r 39	amd No. 33, 2016, r 16 rep No. 34, 2017, r 40
r 40	rep Act No. 66, 1988, s 6(2) rep No. 34, 2017, r 40
r 41	amd No. 33, 2016, r 17 rep No. 34, 2017, r 40
rr 42 – 43	rep No. 34, 2017, r 40
r 44	rep No. 33, 2016, r 18
r 45	rep No. 34, 2017, r 40
pt V hdg	rep No. 34, 2017, r 40
rr 46 – 50	rep No. 34, 2017, r 40
r 51	amd No. 34, 1986, r 3; No. 25, 1989; No. 38, 1990; No. 42, 1991; Act No. 12, 2003, s 19 rep No. 34, 2017, r 40
pt VI hdg	rep No. 34, 2017, r 40
rr 52 – 53	rep No. 34, 2017, r 40
pt VII hdg	rep No. 34, 2017, r 40
rr 54 – 69	rep No. 34, 2017, r 40
r 70	rep No. 34, 2017, r 41
r 71	rep Act No. 41, 2003, s 6
rr 72 – 73	rep No. 34, 2017, r 42
r 74	amd Act No. 23, 2013, s 4 rep No. 34, 2017, r 42
r 75	amd No. 34, 2017, r 43
sch 1	rep No. 34, 2017, r 44
sch 2	rep Act No. 66, 1988, s 6(2)
sch 3	rep No. 34, 2017, r 44