

NORTHERN TERRITORY OF AUSTRALIA

PRIVATE HIRE CAR REGULATIONS

As in force at 1 January 1999

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 1 January 1999

PRIVATE HIRE CAR REGULATIONS

Regulations under the *Commercial Passenger (Road) Transport Act*

Part 1 Preliminary

1 Citation

These regulations may be cited as the *Private Hire Car Regulations*.

2 Commencement

These regulations shall come into operation on the commencement of the *Commercial Passenger (Road) Transport Act*.

3 Interpretation

In these regulations unless the contrary intention appears:

driver means the person driving or in charge of a private hire car.

operator means a person who operates a private hire car otherwise than only as a driver.

public place includes any place to which the public are admitted on payment of a fee or charge.

Part 2 Operators and drivers

4 Operator to maintain records

- (1) The operator of a private hire car shall make a written record of:
 - (a) the dates and times during which the private hire car is operated for the carriage of passengers;
 - (b) the full name and residential address of the driver of the private hire car during those periods and the number of the driver's licence issued to him or her under the *Motor Vehicles Act*;

- (c) every booking and hiring made by the private hire car; and
 - (d) any other matter that the Director requires as a condition of the operator's licence.
- (2) The record referred to in subregulation (1):
 - (a) shall be kept in a safe place at the principal place of business of the operator; and
 - (b) shall be produced whenever required by an inspector.

4A Maintenance

- (1) The operator of a private hire car must ensure the private hire car is properly and regularly maintained.
- (2) If the Registrar of Motor Vehicles specifies minimum maintenance that is to be carried out on a private hire car, the operator must ensure that maintenance carried out on the private hire car is in accordance with that specified.

5 Plying for hire prohibited

A person shall not use a private hire car for the purpose of standing or plying for hire.

6 Hiring to be negotiated

- (1) A person shall not offer a private hire car for hire or accept the offer of the hire of a private hire car in a road or public place unless the offer or acceptance, as the case may be, occurs as result of an oral or written contract or by attending personally at the office of the operator.
- (2) A person who operates a private hire car is not compelled to accept a hiring.

7 No touting

A person shall not tout or solicit for passengers for a private hire car.

8 Driver to return to base

The driver of a private hire car shall on completion of a hiring return directly to a place approved by the Director in relation to that hire car as a place from which the private hire car is to operate unless the driver has been directed to proceed to another hiring.

9 Parking of private hire cars

- (1) A driver shall not park or stand a private hire car on a road or a public place or on a lot off a road or public place unless the parking or standing is for the purposes of:
 - (a) picking up or setting down passengers;
 - (b) waiting under the instructions of a passenger; or
 - (c) by direction or with the consent of an inspector,but only if the parking or standing of the private hire car is otherwise lawful.
- (2) Subregulation (1) does not apply if the private hire car is parked on a lot approved in relation to the private hire car by the Director.

10 Driver to search

- (1) A driver shall immediately after the completion of a hiring or any termination of a hiring, search the private hire car to ascertain whether a passenger has left any article in the private hire car.
- (2) If as a result of the search carried under subregulation (1) a driver discovers an article that appears to have been left by a passenger the driver shall:
 - (a) immediately call the hirer and return the article to the hirer; and
 - (b) if the return of the article under paragraph (a) has not been successful, deliver the article to the nearest police station as soon as practicable.

11 Purchase of intoxicating liquor

- (1) An operator or a driver of a private hire car shall not accept a hiring under which the driver of the hire car is required to purchase intoxicating liquor for or on behalf of another person whether or not that other person is a passenger.
- (2) The driver of a private hire car shall not in the course of a hiring purchase intoxicating liquor for or on behalf of a passenger.

Part 3 Miscellaneous

12 Operator to supply information

- (1) The operator of a private hire car shall whenever requested by the Director to do so furnish to the Director within the time specified by the Director full and correct information of any details specified in the request relating to journeys undertaken by the private hire car.
- (2) A person who refuses or fails to comply with a request made under subregulation (1) commits an offence.

13 Advertisements on hire cars

- (1) The operator of a hire car shall not operate a hire car that bears or is marked with an advertisement unless the Director has approved of the advertisement.
- (2) In subregulation (1) **advertisement** includes a statement or representation of any kind whether made by means of:
 - (a) letters, maps, plans or drawings; or
 - (b) pictorial representation or design,or any combination of those means.

14 Fees

The fees set out in the Schedule are payable in relation to the matters specified in that Schedule.

15 Offences

A person who contravenes or fails to comply with any of the provisions of these regulations commits an offence.

Penalty: \$3,000.

Schedule

| | regulation 14 |
|---|---------------|
| | \$ |
| 1. Application for entitlement to hold a private hire car licence | 10,000 |
| 2. Application for grant or renewal of private hire car licence | 1,000 |
| 3. Application for transfer of entitlement to hold a private hire car licence and a private hire care licence | 250 |

ENDNOTES

1 KEY

Key to abbreviations

amd = amended
 app = appendix
 bl = by-law
 ch = Chapter
 cl = clause
 div = Division
 exp = expires/expired
 f = forms
 Gaz = Gazette
 hdg = heading
 ins = inserted
 lt = long title
 nc = not commenced

od = order
 om = omitted
 pt = Part
 r = regulation/rule
 rem = remainder
 renum = renumbered
 rep = repealed
 s = section
 sch = Schedule
 sdiv = Subdivision
 SL = Subordinate Legislation
 sub = substituted

2 LIST OF LEGISLATION

Private Hire Car Regulations (SL No. 57, 1992)

| | |
|-----------|---|
| Notified | 21 October 1992 |
| Commenced | 27 October 1992 (r 2, s 2 <i>Commercial Passenger (Road) Transport Act 1991</i> (No. 34, 1991) and Gaz G42, 21 October 1992, p 2) |

Amendments of Private Hire Car Regulations (SL No. 58, 1998)

| | |
|-----------|---|
| Notified | 23 December 1998 |
| Commenced | 1 January 1999 (r 1 and s 2 <i>Commercial Passenger (Road) Transport Amendment Act 1998</i> (Act No. 83, 1998)) |

3 LIST OF AMENDMENTS

| | |
|------|-----------------------|
| r 4 | amd No. 58, 1998, r 2 |
| r 4A | ins No. 58, 1998, r 3 |
| sch | sub No. 58, 1998, r 4 |