

NORTHERN TERRITORY OF AUSTRALIA

PASSENGER BUS REGULATIONS

As in force at 19 October 2005

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 19 October 2005

PASSENGER BUS REGULATIONS

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

Part 1 Preliminary

1 Citation

These regulations may be cited as the *Passenger Bus 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:

bus means a motor omnibus.

bus stop means a bus stop as defined under the *Traffic Act*.

driver means the person driving or in control of a bus.

operator means a person who operates a bus otherwise than only as a driver.

passenger includes any person travelling on a bus other than the driver.

ticket includes a pass, voucher or other document that entitles a person to travel on a bus as a passenger.

Part 2 Operators

4 Operator to keep records

(1) The operator of a bus shall make a record of the following:

(a) each bus operated by the operator;

- (b) the name and residential address of each driver engaged or employed by the operator and the number of the driver's licence issued in relation to that person under the *Motor Vehicles Act*;
 - (c) a general description of the route on which the bus was operated on each day it was operated; 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) shall be:
- (a) kept at the principal place of business of the operator; and
 - (b) shall be produced on request by an inspector.

5 Maintenance

The operator of a bus shall ensure that maintenance is properly and regularly carried out on every bus operated by the operator and, where the Registrar specifies a minimum maintenance in relation to a bus or class of bus, shall ensure that the maintenance carried out in relation to the bus or class of bus in question is not less than that required by that specification.

6 Operator to supply information

The operator of a bus shall whenever requested by the Director to do so furnish to the Director full and correct information of any kind that relates to journeys undertaken by a bus as is specified by the Director in the request.

7 Fares and timetables

- (1) The operator of a bus who provides a route service shall make available to any person on demand the following information:
- (a) each route along which the bus is operated;
 - (b) the bus stops along each route;
 - (c) the approximate times at which a bus will be available along each route;
 - (d) the fares payable by passengers; and
 - (e) the class of bus provided for the route service.

- (2) The operator of a bus shall amend any timetable issued for the purposes of subregulation (1) whenever requested to do so by the Director.

Part 3 Conduct of drivers and passengers

8 Limitation on passengers

The driver of a bus shall ensure that:

- (a) the number of passengers carried on a bus does not exceed the maximum number that is permitted to be carried on the bus;
- (b) a passenger is not carried in any part of the bus unless that part of the bus is designed to carry passengers.

9 Accidents

The driver of a bus that is involved in any accident involving the bus or a bus passenger shall immediately notify the operator of the bus of that fact unless prevented from doing so by reason of injury or absence of a reasonable means of communication.

10 Animals

- (1) A bus driver shall not refuse to allow a person to embark on a bus by reason only that the person is accompanied by a guide-dog or a hearing-dog.
- (2) A person shall not bring on to a bus any animal other than a guide-dog or a hearing-dog.

11 Certain conduct prohibited

- (1) If a passenger or prospective passenger:
 - (a) is apparently:
 - (i) suffering from an infectious disease; or
 - (ii) under the influence of drugs or intoxicating liquor;
 - (b) soils or damages, or likely to soil or damage a bus;
 - (c) causes a nuisance or is likely to cause a nuisance on a bus;
 - (d) is carrying an article or thing that is causing or is likely to cause inconvenience to other passengers;

- (e) is smoking;
- (f) consuming intoxicating liquor; or
- (g) is using profane or objectionable language,

the bus driver or an inspector may direct the passenger or prospective passenger as the case requires:

- (h) to alight from the bus; or
 - (j) not to board the bus.
- (2) A person who fails to comply with a direction given under subregulation (1)(h) or (j) commits an offence.

12 Illegal purposes

The driver of a bus shall not use the bus for an illegal purpose or cause or permit the bus to be used for an illegal purpose.

13 Smoking, &c., on a bus

A person shall not:

- (a) smoke in a bus;
- (b) consume intoxicating liquor or a prohibited substance in a bus;
or
- (c) if a bus is on an urban route service, consume food while on the bus.

14 Passenger to hold a valid ticket

- (1) A person shall not travel on a bus on a route service as a passenger without a valid ticket.
- (2) A ticket is not valid if:
- (a) it does not apply in relation to the journey being undertaken by the passenger;
 - (b) it has expired;
 - (c) it is defaced; or
 - (d) it is not issued in relation to the passenger who produces the ticket or on whose behalf it is produced.

15 Passenger to produce ticket

A passenger travelling on a bus on a route service shall on demand by a driver or an inspector produce his or her ticket to the driver or inspector.

Part 4 Miscellaneous**16 Fees**

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

17 School buses

- (1) If a bus is being operated principally as a school bus the driver shall ensure that the bus is marked with or bears a **SCHOOL BUS** sign on the front and rear of the bus.
- (2) The sign referred to in subregulation (1):
 - (a) shall be on a rectangular yellow background not less than 1500 mm in length and 250 mm in height;
 - (b) shall be in black letters not less than 200 mm in height;
 - (c) shall be legible to a person with normal vision at not less than 30 metres from the bus; and
 - (d) shall be displayed both at the front and at the rear of the bus.
- (3) The operator of a bus shall ensure that a bus is not operated contrary to the provisions of subregulations (1) and (2).
- (4) A person shall not operate a bus while it is bearing or marked with a sign referred to in subregulation (1) and (2) unless it is being operated as a school bus.

18 Damage or interference

A person shall not damage or interfere with a bus unless he or she is authorised to do so by the operator of the bus.

19 Inspector may require name and address

An inspector may require any person whom he reasonably suspects of having committed an offence to give his or her full name or address.

20 Offences

A person who contravenes or fails to comply with a provision of these Regulations commits an offence.

Penalty: \$3,000.

Schedule Fees

regulation 16

| | \$ |
|---|-----|
| For issuing or renewing a licence | 500 |
| For each endorsement on a licence | 60 |
| For an application to extend the period of a declaration of a pioneer route | 60 |
| For an urban service area licence | 60 |

ENDNOTES

1**KEY**

Key to abbreviations

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

2**LIST OF LEGISLATION*****Passenger Bus Regulations (SL No. 56, 1992)***

| | |
|-----------|-----------------|
| Notified | 21 October 1992 |
| Commenced | 21 October 1992 |

Amendments of Passenger Bus Regulations (SL No. 60, 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)) |

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

| | |
|-------------|---------------|
| Assent date | 18 March 2003 |
| Commenced | 18 March 2003 |

Amendments of Passenger Bus Regulations (SL No. 43, 2003)

| | |
|-----------|----------------------|
| Notified | 1 August 2003 |
| Commenced | 1 October 2003 (r 1) |

Passenger Bus Amendment (Inspector Powers) Regulations 2005 (SL No. 36, 2005)

| | |
|-----------|-----------------|
| Notified | 19 October 2005 |
| Commenced | 19 October 2005 |

3**LIST OF AMENDMENTS**

| | |
|------|--|
| r 4 | amd No. 60, 1998, r 2 |
| r 11 | amd No. 36, 2005, r 3 |
| r 14 | amd Act No. 12, 2003, s 19 |
| r 16 | amd No. 60, 1998, r 3; No. 43, 2003, r 3 |
| r 17 | amd Act No. 12, 2003, s 19 |
| r 21 | ins No. 60, 1998, r 4 |
| | rep No. 43, 2003, r 4 |
| sch | amd No. 60, 1998, r 5; No. 43, 2003, r 5 |