

# **NORTHERN TERRITORY OF AUSTRALIA**

## **TOURIST VEHICLES REGULATIONS**

As in force at 18 March 2003

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# NORTHERN TERRITORY OF AUSTRALIA

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This reprint shows the Regulations as in force at 18 March 2003. Any amendments that commence after that date are not included.

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## TOURIST VEHICLES REGULATIONS

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

#### Part 1 Preliminary

##### 1 Citation

These regulations may be cited as the *Tourist Vehicles 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 tourist vehicle.

**operator** means the person who operates a tourist vehicle otherwise than only as a driver.

#### Part 2 Operators

##### 4 Operator to keep record

- (1) An operator of a tourist vehicle shall make a record of the following:
  - (a) each tourist vehicle 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 and the date or dates of each journey undertaken by each tourist vehicle operated by the operator and the name and address of each driver who has operated the tourist vehicle on the journey; 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) retained in a safe place at the principal place of business of the operator; and
  - (b) produced on request by an inspector.

## **5 Relief vehicle**

- (1) If:
  - (a) a tourist vehicle is unable to proceed by reason of a mechanical or other failure; and
  - (b) the driver is unable to complete the journey specified in any agreement with the passengers or any of them,the driver shall notify the operator of that fact.
- (2) On receiving a notification under subregulation (1) the operator of the tourist vehicle shall:
  - (a) make another vehicle available for the purposes of completing the journey under the terms of the arrangements with the passengers; or
  - (b) make other arrangements for the completion of the journey by agreement with the passengers who desire to complete the journey.
- (3) The operator of a tourist vehicle shall not use a vehicle for the purposes referred to in subregulation (2) for a period exceeding 4 days without the approval of the Director.

## **6 Maintenance of tourist vehicles**

The operator of a tourist vehicle shall ensure that maintenance is properly and regularly carried out on every tourist vehicle operated by the operator and, where the Registrar specifies a minimum maintenance in relation to a tourist vehicle or class of tourist vehicle, shall ensure that maintenance is carried out in relation to the tourist vehicle or class of tourist vehicle in question in

accordance with that specification.

### **Part 3 Drivers**

#### **7 Driver to carry passengers according to instructions**

The driver of a tourist vehicle shall convey a passenger on the tourist vehicle in accordance with the instructions of the operator of the tourist vehicle.

#### **8 Driver to ensure passengers properly seated**

A driver of a tourist vehicle shall ensure that:

- (a) the number of passengers carried on the tourist vehicle does not exceed the maximum number permitted to be carried on the tourist vehicle; and
- (b) a passenger is not carried in any part of the tourist vehicle unless that part of the tourist vehicle is designed to provide seating accommodation for passengers.

#### **9 Accidents**

The driver of a tourist vehicle that is involved in any accident in which the tourist vehicle is damaged or a passenger is injured shall immediately notify the operator of the tourist vehicle of that event unless prevented from doing so by reason of injury or absence of a reasonable means of communication.

#### **10 Illegal purposes**

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

### **Part 4 Miscellaneous**

#### **11 Smoking or drinking**

A person shall not in a tourist vehicle:

- (a) smoke; or
- (b) consume or use any intoxicating liquor or a prohibited substance.

**12 Fees**

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

**13 Interference or damage**

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

**14 Offences**

A person who contravenes or fails to comply with a provision of these Regulations commits an offence and is liable to a penalty not exceeding \$3,000.

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**Schedule**

	regulation 12
	\$
For a tourist vehicle licence or renewal of a tourist vehicle licence	500
For each endorsement on a licence in a calendar year	45

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## ENDNOTES

### 1 KEY

Key to abbreviations

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

### 2 LIST OF LEGISLATION

***Tourist Vehicles Regulations* (SL No. 55, 1992)**

Notified	21 October 1992
Commenced	21 October 1992

***Amendment of Tourist Vehicles Regulations* (SL No. 61, 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

### 3 LIST OF AMENDMENTS

r 4	amd No. 61, 1998, r 2
r 8	amd Act No. 12, 2003, s 19