

NORTHERN TERRITORY OF AUSTRALIA

SPECIAL FUNCTION VEHICLE REGULATIONS

As in force at 28 August 2013

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NORTHERN TERRITORY OF AUSTRALIA

As in force at 28 August 2013

SPECIAL FUNCTION VEHICLE REGULATIONS

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

1 Citation

These Regulations may be cited as the *Special Function Vehicle Regulations*.

2 Commencement

These Regulations come into operation on 1 October 2003.

3 Definitions

In these Regulations, unless the contrary intention appears:

driver means the person driving or in charge of a special function vehicle.

hiring, of a special function vehicle, means the use of the special function vehicle for hire or reward.

operator means a person who operates a special function vehicle otherwise than only as a driver.

4 Operator to maintain records

- (1) An operator must make a written record of:
 - (a) the special function vehicle;
 - (b) the dates and times during which the special function vehicle is operated for hiring;
 - (c) the full name and residential address of the driver during those periods and the number of the driver's licence issued to him or her under the *Motor Vehicles Act*;
 - (d) each booking and hiring made by the special function vehicle;
and

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- (e) any other matter that the Director requires as a condition of the operator's licence.

Maximum penalty: 25 penalty units.

- (2) An operator must ensure that the record referred to in subregulation (1):

(a) is kept in a safe place at the principal place of business of the operator; and

(b) is produced whenever required by an inspector.

Maximum penalty: 25 penalty units.

5 Operator to furnish information

An operator must, whenever requested by the Director to do so, furnish to the Director within the time specified by the Director full and correct information about any details specified in the request relating to any hiring made by the special function vehicle.

Maximum penalty: 25 penalty units.

6 Maintenance

- (1) An operator must ensure the special function vehicle is properly and regularly maintained.

Maximum penalty: 25 penalty units.

- (2) If the Registrar of Motor Vehicles specifies minimum maintenance that is to be carried out on a special function vehicle, the operator must ensure that maintenance carried out on the special function vehicle is in accordance with that specified.

Maximum penalty: 25 penalty units.

7 Damage or interference

A person must not damage or interfere with a special function vehicle unless the person is authorised to do so by the operator.

Maximum penalty: 25 penalty units.

8 Advertisements on special function vehicle

- (1) An operator must not operate the special function vehicle for a hiring if it bears or is marked with an advertisement unless the advertisement is approved.

Maximum penalty: 25 penalty units.

- (2) In subregulation (1):

advertisement includes a statement or representation of any kind whether made by letters, maps, plans, drawings, pictorial representations or designs or a combination of any of those means.

9 Plying for hire prohibited

A person must not use a special function vehicle for the purpose of standing or plying for hire.

Maximum penalty: 25 penalty units.

10 Hiring to be pre-booked

- (1) A person must not use a special function vehicle (whether as a driver or a passenger) for a hiring unless the journey is pre-booked with the operator.

Maximum penalty: 25 penalty units.

- (2) An operator is not compelled to accept a hiring for the special function vehicle.

11 No touting or soliciting

A person must not tout or solicit for passengers for a special function vehicle.

Maximum penalty: 25 penalty units.

12 Driver to search

- (1) A driver must, immediately after the completion of a hiring or any termination of a hiring, search the special function vehicle to ascertain whether a passenger has left any article in the special function vehicle.

Maximum penalty: 25 penalty units.

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- (2) If, as a result of the search carried out under subregulation (1), a driver discovers an article that appears to have been left in the special function vehicle by a passenger, the driver must:
- (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.

Maximum penalty: 25 penalty units.

13 Purchase of intoxicating liquor prohibited

- (1) An operator or a driver must not accept a hiring of the special function vehicle under which the driver is required to purchase intoxicating liquor for or on behalf of another person whether or not that other person is a passenger.

Maximum penalty: 25 penalty units.

- (2) A driver must not during a hiring of the special function vehicle purchase intoxicating liquor for or on behalf of a passenger.

Maximum penalty: 25 penalty units.

14 Provision or consumption of intoxicating liquor permitted

These Regulations do not prevent a passenger during a hiring of a special function vehicle being provided with, or consuming, intoxicating liquor in accordance with the *Liquor Act* or any other law of the Territory.

15 Illegal purpose

An operator or a driver must not:

- (a) use the special function vehicle for an illegal purpose; or
- (b) cause or permit the special function vehicle to be used for an illegal purpose.

Maximum penalty: 25 penalty units.

16 Annual licence fee

The annual fee payable for a special function vehicle licence is \$550.

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***Special Function Vehicle Regulations (SL No. 48, 2003)***

Notified	1 October 2003
Commenced	1 October 2003 (r 2)

Fees and Charges (Transport) Amendment Regulations 2012 (SL No. 45, 2012)

Notified	14 December 2012
Commenced	1 January 2013 (r 2)

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

Assent date	12 July 2013
Commenced	28 August 2013 (<i>Gaz</i> G35, 28 August 2013, p 2)

3 LIST OF AMENDMENTS

rr 4 – 12	amd Act No. 23, 2013, s 4
r 14	amd Act No. 23, 2013, s 4
r 16	amd No. 45, 2012, r 14