

**NORTHERN TERRITORY OF AUSTRALIA**

**COURTESY VEHICLE REGULATIONS 2003**

As in force at 1 December 2017

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# NORTHERN TERRITORY OF AUSTRALIA

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As in force at 1 December 2017

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## COURTESY VEHICLE REGULATIONS 2003

### Regulations under the *Commercial Passenger (Road) Transport Act 1991*

#### 1 Citation

These Regulations may be cited as the *Courtesy Vehicle Regulations 2003*.

#### 2 Commencement

These Regulations come into operation on the commencement of Part 5B of the *Commercial Passenger (Road) Transport Act 1991*.

#### 3 Definitions

In these Regulations, unless the contrary intention appears:

***driver*** means the person driving or in charge of a courtesy vehicle.

***hiring***, of a courtesy vehicle, means the use of the courtesy vehicle to carry passengers for hire or reward.

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

#### 4 Operator to maintain records

- (1) An operator must make a written record of:
  - (a) the courtesy vehicle;
  - (b) the dates and times during which the courtesy 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 1949*;
  - (d) each hiring made by the courtesy 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 courtesy vehicle.

Maximum penalty: 25 penalty units.

## **10 Plying for hire prohibited**

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

Maximum penalty: 25 penalty units.

## **11 Hiring arrangements**

- (1) A person must not use a courtesy vehicle (whether as the driver or a passenger) for a hiring unless the carriage of passengers:

- (a) is offered as an inducement in respect of an agreement for the provision of accommodation or an activity for recreation or pleasure; and

- (b) is provided without payment of a fare.

Maximum penalty: 25 penalty units.

- (2) A driver must not ask for, or accept, payment of a fare for a hiring of the courtesy vehicle.

Maximum penalty: 25 penalty units.

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(3) If:

- (a) the carriage of passengers by a courtesy vehicle is offered as an inducement in respect of an agreement for the provision of accommodation or an activity for recreation or pleasure; and
- (b) a person enters into an agreement for the provision of that accommodation or activity,

the operator must provide:

- (c) the courtesy vehicle; or
- (d) if unable to do so – another commercial passenger vehicle,

to carry the person in accordance with the offer but otherwise subject to the Act and any regulations under the Act.

Maximum penalty: 25 penalty units.

## **12 No touting or soliciting**

- (1) A person must not tout or solicit for passengers for a courtesy vehicle.

Maximum penalty: 25 penalty units.

- (2) A person does not commit an offence against subsection (1) if the person:
  - (a) publicises or promotes the provision of accommodation or an activity for recreation or pleasure; and
  - (b) as part of that publicity or promotion, offers to carry passengers in a courtesy vehicle as an inducement in respect of an agreement for the provision of that accommodation or activity.

## **16 Purchase of intoxicating liquor prohibited**

- (1) An operator or a driver must not agree to a hiring of the courtesy 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.

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- (2) A driver must not during a hiring of the courtesy vehicle purchase intoxicating liquor for himself or herself or for or on behalf of a passenger or another person.

Maximum penalty: 25 penalty units.

- (3) A passenger must not during a hiring of the courtesy vehicle purchase intoxicating liquor for himself or herself or for or on behalf of another passenger or other person.

Maximum penalty: 25 penalty units.

## **19 Illegal purpose**

An operator or a driver must not:

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

Maximum penalty: 25 penalty units.

## **20 Driver to have identity card**

- (1) For section 74 of the Act, a courtesy vehicle is a prescribed class of commercial passenger vehicle.

- (2) An identity card issued under section 74 of the Act to a driver is to:

- (a) display the name of the driver;
- (b) display a recent photograph of the driver;
- (c) specify the expiry date of the card; and
- (d) indicate that the holder of the card is authorised to drive a courtesy vehicle.

- (3) A driver must during a hiring of the courtesy vehicle:

- (a) display his or her identity card issued under subregulation (2) in a conspicuous place in the courtesy vehicle while driving the courtesy vehicle; and
- (b) produce that identity card when requested by a passenger or an inspector.

Maximum penalty: 25 penalty units.

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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

#### ***Courtesy Vehicle Regulations (SL No. 49, 2003)***

Notified	1 October 2003
Commenced	1 October 2003 (r 2, s 2 <i>Commercial Passenger (Road) Transport Amendment Act (No. 2) 2003</i> (Act No. 40, 2003) and <i>Gaz G38</i> , 24 September 2003, p 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 G35</i> , 28 August 2013, p 2)

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

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

### 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 of 2018) to: rr 1, 2 and 4.

### 4 LIST OF AMENDMENTS

rr 4 – 5	amd Act No. 23, 2013, s 4
rr 6 – 9	amd Act No. 23, 2013, s 4 rep No. 34, 2017, r 11
rr 10 – 12	amd Act No. 23, 2013, s 4

## ENDNOTES

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- rr 13 – 15      amd Act No. 23, 2013, s 4  
                    rep No. 34, 2017, r 11
- r 16              amd Act No. 23, 2013, s 4
- rr 17 – 18      amd Act No. 23, 2013, s 4  
                    rep No. 34, 2017, r 11
- rr 19 – 20      amd Act No. 23, 2013, s 4
- r 21              amd No. 45, 2012, r 4  
                    rep No. 34, 2017, r 11