

NORTHERN TERRITORY OF AUSTRALIA

TAXI AMENDMENT (WHEELCHAIR PASSENGERS AND OTHER  
MATTERS) REGULATIONS 2008

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Subordinate Legislation No. 4 of 2008

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## ***Taxis Amendment (Wheelchair Passengers and Other Matters) Regulations 2008***

I, Thomas Ian Pauling, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Commercial Passenger (Road) Transport Act*.

Dated 18 March 2008.

T. I. Pauling  
Administrator

By His Honour's Command

L. F. Kiely  
Minister for Natural Resources, Environment and Heritage  
acting for the  
Minister for Infrastructure and Transport

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\* Notified in the *Northern Territory Government Gazette* on 26 March 2008.

## **Part 1 Preliminary matters**

### **1 Citation**

These Regulations may be cited as the *Taxis Amendment (Wheelchair Passengers and Other Matters) Regulations 2008*.

## **Part 2 Amendment of Taxis Regulations**

### **2 Regulations amended**

This Part amends the *Taxis Regulations*.

### **3 Amendment of regulation 3 (Interpretation)**

#### **(1) Regulation 3(1)**

*insert (in alphabetical order)*

**lift incentive**, see regulation 3A.

#### **(2) Regulation 3(2)**

*omit, substitute*

- (2) For these Regulations (but subject to regulation 3A), the time a taxi is kept waiting by the hirer may be included in the time of the hiring.

### **4 New regulation 3A**

After regulation 3

*insert*

#### **3A Lift incentive**

- (1) An eligible person who requires the wheelchair capability of a multiple purpose taxi may offer a lift incentive to the driver of the taxi.
- (2) The lift incentive may be provided in the form of:
- (a) a redeemable voucher approved by the Minister; or
  - (b) another means of payment approved by the Minister.
- (3) If the taxi driver accepts the offer of the lift incentive:
- (a) the hiring is taken to commence only after the wheelchair, and

any person in the wheelchair, have been loaded into the vehicle and made secure; and

(b) the driver must not charge for any time spent waiting:

(i) for the hirer before loading the wheelchair; or

(ii) in loading and unloading the wheelchair.

(4) A taxi driver is not obliged to accept a lift incentive and may instead charge for time spent waiting for the hirer and in loading and unloading the wheelchair.

(5) The Minister may, by *Gazette* notice:

(a) determine the class or classes of persons who are eligible to participate in the lift incentive scheme; and

(b) determine the amount payable for a lift incentive from time to time.

## **5 Amendment of regulation 4 (Operator to maintain records)**

(1) After regulation 4(1)

*insert*

(1A) The operator of a multiple purpose taxi must maintain a record of each journey made by the taxi entailing the carriage of a wheelchair passenger.

Maximum penalty: 30 penalty units.

(2) Regulation 4(2)

*omit*

subregulation (1)

*substitute*

subregulation (1) or (1A)

## **6 New regulation 10A**

After regulation 10

*insert*

**10A Hiring by passenger with wheelchair**

- (1) The driver of a multiple purpose taxi must not refuse a request for a hiring, allocated by a communications network or dispatch network, entailing the carriage of a wheelchair passenger.

Maximum penalty: 30 penalty units.

- (2) However, a driver does not commit an offence against subregulation (1) in circumstances permitted by any of the following:

- (a) these Regulations;
- (b) a code of conduct applicable under the Act to taxis;
- (c) the multiple purpose taxi licence applicable to the taxi;
- (d) the approval under the Act to operate the communications network or dispatch network.

- (3) The driver of a multiple purpose taxi must:

- (a) record all journeys entailing the carriage of a wheelchair passenger while he or she was the driver; and
- (b) provide the records to the operator of the taxi as soon as practicable.

Maximum penalty: 30 penalty units.

- (4) Subregulation (3) does not apply if the hiring was booked through a communications or dispatch network which itemises wheelchair journeys in reports by the network.

**7 Repeal and substitution of regulation 24**

Regulation 24

*repeal, substitute*

**24 Operation of taximeter**

The driver of a taxi which is fitted with a taximeter must:

- (a) as soon as a hiring commences – set the taximeter to operate; and
- (b) immediately on the completion or termination of the hiring – stop the taximeter.

**8 Repeal and substitution of regulation 28**

Regulation 28

*repeal, substitute***28 Smoking, eating or drinking in taxi**

(1) A person must not, in a taxi:

(a) smoke; or

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

Maximum penalty: 30 penalty units.

(2) A person, while travelling in a taxi as either a passenger or the driver, must not consume food.

Maximum penalty: 30 penalty units.

(3) A person must not carry any intoxicating liquor in a taxi unless:

(a) it is the property of a passenger; and

(b) it is in an unopened container.

Maximum penalty: 30 penalty units.

**9 Amendment of regulation 35 (Offences)**

(1) Regulation 35

*omit*

A person

*substitute*

(1) A person

(2) After regulation 35(1)

*insert*

(2) The penalty in subsection (1) does not apply if a provision indicates a penalty applicable for a contravention of that provision.

**10 Repeal and substitution of Schedule 1**

## Schedule 1

*repeal, substitute***Schedule 1 Fees**

regulation 30

1. The annual fee for a taxi licence to operate a taxi in a taxi area specified in Column 1 is, from the date specified in Column 2, 3, 4 or 5, the amount specified opposite the taxi area in that Column.

Column 1 Taxi Area	Column 2 31 March 2007 \$	Column 3 31 March 2008 \$	Column 4 31 March 2009 \$	Column 5 31 March 2010 \$
Darwin	16 000	16 800	17 600	18 400
Alice Springs	13 000	13 650	14 300	14 950
Katherine	9 000	9 450	9 900	10 350
Tennant Creek	4 500	4 725	4 950	5 175
Gove	5 000	5 250	5 500	5 750

2. The annual fee for a multiple purpose taxi licence to operate a multiple purpose taxi in a taxi area specified in Column 1 is, from the date specified in Column 2, 3, 4 or 5, the amount specified opposite the taxi area in that Column.

Column 1 Taxi Area	Column 2 31 March 2007 \$	Column 3 31 March 2008 \$	Column 4 31 March 2009 \$	Column 5 31 March 2010 \$
Darwin	8 000	8 400	8 800	9 200
Alice Springs	6 500	6 825	7 150	7 475
Katherine	4 500	4 725	4 950	5 175
Tennant Creek	2 250	2 362	2 475	2 587
Gove	2 500	2 625	2 750	2 875

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3.	Application for a substitute taxi licence	\$450
4.	Application for refund on surrender of taxi licence	\$20
5.	Inspection of taximeter under regulation 26 by an employee as defined in the <i>Public Sector Employment and Management Act</i>	\$31.50

### **Part 3                      Amendment of Commercial Passenger (Miscellaneous) Regulations**

#### **11                      Regulations amended**

This Part amends the *Commercial Passenger (Miscellaneous) Regulations*.

#### **12                      Amendment of Schedule 1**

##### **(1)                      Schedule 1, after item 17**

*insert*

17A.	Reg 10A(1)	Refusing request for hire for wheelchair passenger (multiple purpose taxi)	100
17B.	Reg 10A(3)	Failing to record journey with wheelchair passenger	100

##### **(2)                      Schedule 1, item 31**

*omit, substitute*

31.	Reg 28(1)(a)	Smoking in taxi	100
31A.	Reg 28(1)(b) 28(2) and (3)	Consuming food or liquor in taxi or carrying liquor in taxi	50