

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1983, No. 37*

I, ERIC EUGENE JOHNSTON, the Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, hereby make the following Regulations under the *Motor Vehicles Act*.

Dated this 17th day of October, 1983.

E.E. JOHNSTON
Administrator

AMENDMENTS OF THE MOTOR OMNIBUS REGULATIONS

1. PRINCIPAL REGULATIONS

The Motor Omnibus Regulations are in these Regulations referred to as the Principal Regulations.

2. DEFINITIONS

Regulation 5 of the Principal Regulations is amended -

(a) by inserting after the definition of "advertisement" the following:

"'bus stop' means an area of a public street that is marked off by -

* Notified in the *Northern Territory Government Gazette* on 28 October, 1983.

G. L. DUFFIELD, Government Printer of the Northern Territory

Price: 80 cents

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- (a) a part of the kerb of the public street that is between a traffic sign bearing an arrow and the words 'BUS STOP' erected on or near to that kerb and another such traffic sign on the same side of the public street nearest in the direction indicated by that arrow; or
 - (b) markings on the pavement of the public street, and which markings are adjacent to -
 - (i) a traffic sign bearing the words 'BUS STOP', 'BUSES ONLY' or 'BUSES EXCEPTED'; or
 - (ii) the words 'BUS STOP' marked on that pavement;" ; and
- (b) by omitting the definition of "omnibus stop".

3. COLLECTION OF FARES

Regulation 12 of the Principal Regulations is amended by omitting sub-regulations (1) and (2) and substituting the following:

"(1) Subject to the approval of the Registrar, the licensee of an omnibus service may make such arrangements with respect to -

- (a) the collection of fares from passengers and persons who intend to travel on an omnibus of the omnibus service;
- (b) the issue of tickets to passengers or persons referred to in paragraph (a);
- (c) the granting of concession fares to specified classes of passengers or persons referred to in paragraph (a); or
- (d) the circumstances in which no fare shall be payable by passengers and persons referred to in paragraph (a),

as he thinks fit.

"(2) Where a licensee requires a conductor of an omnibus to issue tickets to passengers on the omnibus, the conductor shall, other than in circumstances referred to in sub-regulation (1)(d), issue to each passenger who pays the fare payable a ticket, in accordance with sub-regulation (3), in acknowledgement of the payment of the fare."

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4. EXACT LEGAL FARE TO BE DEMANDED

Regulation 13 of the Principal Regulations is amended -

- (a) by omitting from sub-regulation (1) "A" and substituting "Subject to regulation 12(1)(c) and (d), a"; and
- (b) by omitting from sub-regulation (2) "fare" and substituting "fare, if any,".

5. REPEAL AND SUBSTITUTION

Regulations 33 and 34 of the Principal Regulations are repealed and the following substituted:

"33. STOPPING AT BUS STOPS

"(1) Subject to sub-regulation (2), where the driver or conductor of an omnibus -

- (a) is signalled by an intending passenger at a bus stop specified in the service licence in respect of the omnibus; or
- (b) receives an indication from a passenger in or upon the omnibus that the passenger wishes to alight from that omnibus,

the driver or conductor shall stop that omnibus or cause it to stop close to and parallel with the footpath at the bus stop -

- (c) at which the intending passenger so signalled; or
- (d) next after receiving the indication from the passenger that he wished to alight from that omnibus,

and shall there allow -

- (e) that intending passenger to enter that omnibus; or
- (f) that passenger to alight from that omnibus,

as the case may be.

"(2) Subject to sub-regulation (3), where it is impracticable for the driver or conductor of an omnibus, due to -

- (a) road works being carried out;
- (b) parked or stationary vehicles; or

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(c) an obstruction,

to stop the omnibus or cause it to stop in accordance with sub-regulation (1) at a bus stop, the driver or conductor of that omnibus may, where it is safe and reasonable to do so in all the circumstances, stop that omnibus or cause it to stop at a place adjacent, as near as practicable, to the bus stop.

"(3) The driver or conductor of an omnibus shall not, in pursuance of sub-regulation (2), stop the omnibus or cause it to stop at a place other than a bus stop without due regard to -

(a) the safety of passengers entering or alighting from that omnibus; and

(b) avoiding, where practicable, obstruction to other traffic,

and, where so stopping the omnibus, shall not allow it to stand longer than for the period required to pick up or set down passengers."

6. CARRIAGE OF ANIMALS

Regulation 38 of the Principal Regulations is amended by omitting "animal" and substituting "animal, other than a guide dog being used by a blind person".

7. REPEAL AND SUBSTITUTION

Regulation 44 of the Principal Regulations is repealed and the following substituted:

"44. DRIVERS TO REMAIN ON DRIVING SEAT

"(1) Subject to sub-regulation (2), the driver of an omnibus upon a public street or in a public place shall remain on the driving seat of the omnibus.

"(2) The driver of an omnibus referred to in sub-regulation (1) may leave the driving seat of the omnibus where he has taken precautions against that omnibus being started or moved in his absence and such absence -

(a) is for the purpose of being employed in or about that omnibus; or

(b) is with the prior approval of that driver's employer."

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8. REPEAL AND SUBSTITUTION

Regulation 51 of the Principal Regulations is repealed and the following substituted:

"51. ONLY PASSENGERS ALLOWED ON OMNIBUS

"(1) Subject to sub-regulation (2), except in the course of his duty under the Act, a person, other than a passenger or intending passenger, shall not enter or go upon an omnibus.

"(2) A passenger or intending passenger shall not enter or go upon an omnibus which is unmanned by a driver or conductor except where the driver or conductor of the omnibus has given express permission to the passenger or intending passenger to enter or go upon the omnibus during the absence of that driver or conductor."

9. DOGS OR OTHER ANIMALS

Regulation 68 of the Principal Regulations is amended by omitting "animal" and substituting "animal, other than a guide dog where the person is blind".

10. BUS STOPS

Regulation 86 of the Principal Regulations is amended by omitting "omnibus stops" and substituting "bus stops".

11. FURTHER AMENDMENTS

The Principal Regulations are further amended as set out in the Schedule.

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SCHEDULE

Regulation 11

| Provision | Amendment | |
|---------------------------------|---|--|
| | omit | substitute |
| Regulation 3 | "37, 81 thereof) shall apply to motor omnibuses the property of the Commonwealth" | "12(3)(b), 37, 81 thereof) shall apply to motor omnibuses the property of the Territory" |
| Regulation 4 | the whole regulation | |
| Regulation 5 | the whole definition | |
| - definition of "the Ordinance" | the whole definition | |
| Regulation 26 | "first schedule" | "Schedule 1" |
| Regulation 83 | "ORDINANCE" | "ACT" |
| Regulation 83(2) | "6 inches" | "150 mm" |
| Regulation 87 | "50 dollars" | "\$50" |
| THE SCHEDULES | "THE SCHEDULES" | |
| THE FIRST SCHEDULE | "THE FIRST SCHEDULE" | "SCHEDULE 1" |
| | <i>"Motor Vehicles Ordinance"</i> (twice occurring) | <i>"Motor Vehicles Act"</i> |
| Regulations 5, 7, 16(c) and 51 | "Ordinance" (wherever occurring) | "Act" |