

NORTHERN TERRITORY OF AUSTRALIA

Regulations 1980, No. 34*

Regulations under the Motor Vehicles Act

I, JOHN ARMSTRONG ENGLAND, 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 21 JUL 1980 day of , 1980.

J. A. ENGLAND

Administrator

By His Honour's Command

N. M. DONDAS

Minister for Transport and Works

AMENDMENTS OF THE MOTOR VEHICLE (HIRE CAR)
REGULATIONS

1. PRINCIPAL REGULATIONS

The Motor Vehicle (Hire Car) Regulations are in these Regulations referred to as the Principal Regulations.

2. REPEAL

Regulation 3 of the Principal Regulations is repealed.

3. REPEAL AND SUBSTITUTION

Regulations 4 and 5 of the Principal Regulations are repealed and the following regulation substituted:

"4. INTERPRETATION

"In these Regulations, unless the contrary intention appears -

'Alice Springs area' means the town of Alice Springs;

* Notified in the Northern Territory Government Gazette
on 22 JUL 1980, 1980.

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'conversion card' means a card issued under regulation 32L;

'Darwin area' means the area described in the Darwin Lands Acquisition Act 1945 of the Commonwealth;

'Katherine area' means the town of Katherine;

'Nhulunbuy area' means the area within 13 kilometres of the Post Office at Nhulunbuy;

'official traffic sign' means any notice, sign or other device marked, placed or erected on or at the side of a public street by the authority of the Minister for the purpose of guiding, directing, regulating or warning motor vehicles or traffic;

'parking area' means an area set aside for the parking of vehicles and indicated by an official traffic sign;

'public stand' means an area set aside for the exclusive use of public hire cars and indicated by an official traffic sign;

'Tennant Creek area' means the town of Tennant Creek;

'testing officer' means an officer appointed under the Act to be a testing officer."

4. NEW REGULATION

The Principal Regulations are amended by inserting after regulation 19 the following regulation:

"19A. MULTIPLE HIRING

"(1) Subject to this regulation, the driver of a public hire car may, with the consent of the first hirer, carry more than one hirer.

"(2) The driver of a public hire car shall not carry more than one hirer unless the car has been approved for multiple hiring by the Registrar and the carrying is in accordance with the conditions, if any, to which that approval is subject."

5. DRIVER TO ACCEPT HIRING

Regulation 21 of the Principal Regulations is amended by omitting all words after and including "offered:" and substituting the following words:

"offered unless the hiring is -

(a) by a person referred to in regulation 20(a)(i), (ii) or (iii);
or

(b) to proceed to a place -

(i) outside the Territory; or

(ii) more than 40 kilometres from the place of hiring."

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6. DRIVER BOUND TO CARRY PASSENGERS

Regulation 22(1) of the Principal Regulations is amended by omitting the words "not exceeding" and substituting "but so that the number of passengers in the car does not exceed".

7. REPEAL AND SUBSTITUTION

Regulation 24A of the Principal Regulations is repealed and the following regulation substituted:

"24A. OPERATION OF TAXIMETER

"The driver of a public hire car to which a taximeter is fitted shall -

- (a) as soon as the car is hired, but not sooner, set the taximeter in operation; and
- (b) immediately upon the termination of the hiring, stop the taximeter."

8. TRAVEL BY SHORTEST PRACTICABLE ROUTE

Regulation 24B of the Principal Regulations is amended -

- (a) by omitting "In conveying" and substituting "Subject to sub-regulation (2), in conveying"; and
- (b) by inserting at the end thereof the following sub-regulation:

"(2) Where a public hire car carries more than one hirer, the driver of the car shall convey the hirers of the car to the place or places specified by them so that the distance travelled by each hirer is the shortest distance which, in all the circumstances, it is practicable to travel."

9. DIVISION HEADING

The Principal Regulations are amended by omitting the heading to Division 1 of Part III and substituting the following heading:

"Division 1 - General".

10. REPEAL

Regulations 25, 25A and 26 of the Principal Regulations are repealed.

11. FARES TO BE DISPLAYED

Regulation 27 of the Principal Regulations is amended by omitting "a notice indicating legibly the fares charged for hire" and substituting "a legible notice setting out the fares and charges prescribed by these Regulations and applicable to the area in respect of which the licence for the car is issued".

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12. REPEAL AND SUBSTITUTION

Regulation 31 of the Principal Regulations is repealed and the following regulation substituted:

"31. FARE TO BE PAID ON DEMAND

"(1) The hirer of a public hire car shall -

(a) after the termination of the hiring; or

(b) otherwise in accordance with these Regulations,

and upon demand by the driver, pay the fare chargeable for the journey in accordance with these Regulations or such lesser amount as may be agreed upon.

"(2) The driver of a public hire car shall not demand a fare in respect of a journey in excess of the fare chargeable in accordance with these Regulations for that journey.

"(3) Where there is more than one hirer of a public hire car, the fare chargeable to each hirer is equal to 75 per cent of the fare chargeable for the journey from the place where the hiring commenced to the place specified by that hirer."

13. SEPARATE FARES NOT TO BE DEMANDED OR COLLECTED

Regulation 32 of the Principal Regulations is amended by omitting "The owner" and substituting "Subject to regulation 31, the owner".

14. DIVISION HEADING

The Principal Regulations are amended by omitting the heading to Division 2 of Part III and substituting the following heading:

"Division 2 - Fares for Public Hire Cars".

15. REPEAL AND SUBSTITUTION

Regulations 32A, 32B and 32C of the Principal Regulations are repealed and the following regulations substituted:

"32A. FARES

"Subject to these Regulations, the fare chargeable in respect of the hiring of a public hire car for a journey shall not exceed the sum of the amounts specified in, or calculated by reference to, Schedule 2 in respect of the flag fall for, the distance travelled in and the waiting time, if any, during, the journey.

"32B. DISPLAY OF RATES

"A person shall not drive or be in charge of a public hire car unless there is installed in that hire car a taximeter approved by the Registrar and capable of calculating, recording and displaying the fares and charges prescribed by these Regulations.

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"32C. DISPLAY OF AMOUNT OF FARE

"(1) The driver of a public hire car shall, before requesting or receiving payment in respect of a hiring, cause the amount recorded on the taximeter installed in the car to be displayed in such a fashion that it can easily be read by the hirer of the car.

"(2) If it is necessary for the purposes of enabling the hirer of a public hire car to read the amount recorded on the taximeter installed in the car, the driver of the public hire car shall cause the face of the taximeter to be illuminated."

16. JOURNEY TO PICKING UP PLACE

(1) Regulation 32D(1) of the Principal Regulations is amended by omitting "to which a taximeter is fitted".

(2) Regulation 32D(3) of the Principal Regulations is amended by omitting "to which a taximeter is fitted".

17. DRIVER WAITING OR REQUESTED TO RETURN LATER

Regulation 32E(1), (3) and (4)(a) of the Principal Regulations is amended by omitting "to which a taximeter is fitted" (wherever occurring).

18. USE OF FARE CARD WHERE TAXIMETER NOT WORKING OR NOT FITTED

Regulation 32F(3) of the Principal Regulations is amended by omitting "the mileage of the journey as shown by, or ascertained from, the reading of the speedometer of the car" and substituting "the distance of the journey shown by or ascertained from the odometer of the car".

19. SEPARATE FARES FROM PASSENGERS NOT TO BE ACCEPTED

Regulation 32G of the Principal Regulations is amended by omitting "The driver" and substituting "Subject to regulation 31, the driver".

20. REPEAL

Regulation 32H of the Principal Regulations is repealed.

21. INFORMATION AS TO FARES

Regulation 32J(1) of the Principal Regulations is amended by omitting "to which a taximeter is fitted or which is exempted under regulation 35K".

22. REQUIREMENT AND EXEMPTION

Regulation 32K(1) of the Principal Regulations is amended -

(a) by omitting from paragraph (a) "the Schedule" and substituting "Schedule 1"; and

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(b) by omitting paragraph (c) and substituting the following paragraph:

"(c) the taximeter is so adjusted that, when set in motion in respect of a particular hiring, it will calculate and display the fare for that hiring in accordance with these Regulations."

23. FARE CONVERSION CARDS

Regulation 32L(1) of the Principal Regulations is amended by omitting paragraph (a) and substituting the following paragraph:

"(a) Schedule 2 is amended and a taximeter in a public hire car consequently requires adjustment; and"

24. MAINTENANCE OF TAXIMETER

(1) Regulation 32M of the Principal Regulations is amended by omitting "to which a taximeter is fitted".

(2) Regulation 32M(c) of the Principal Regulations is amended by omitting "the Schedule" and substituting "Schedule 1".

25. INSPECTION OF TAXIMETER

Regulation 32N(2)(b) of the Principal Regulations is amended by omitting "the Schedule" and substituting "Schedule 1".

26. REPEAL

Regulations 32R, 32S and 32T of the Principal Regulations are repealed and the following regulation substituted:

"32R. 'VACANT' SIGN

"(1) Each public hire car shall have fitted to it a roof sign displaying towards the front of the vehicle the word 'TAXI' and a lamp within that sign.

"(2) A roof sign required under sub-regulation (1) shall be so constructed that -

(a) when the taximeter of the car to which it is fixed is set in the disengaged position, the lamp in the sign is illuminated;

(b) when the taximeter referred to in paragraph (a) is set in the engaged position, the lamp in the sign is extinguished; and

(c) at all times during daylight when the lamp in the sign is illuminated, the lamp can clearly be seen to be illuminated.

"(3) Each public hire car shall have a device visible to the driver when seated in the normal driving position within the car and capable of indicating whether or not the lamp in the roof sign required by sub-regulation (1) is illuminated.

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"(4) The colour of a roof sign required under sub-regulation (1), when illuminated, shall not be red, blue or amber."

27. REPEAL

Regulation 40 of the Principal Regulations is repealed.

28. REPEAL AND SUBSTITUTION

The Principal Regulations are amended by omitting the Schedule and substituting the following Schedules:

"SCHEDULE 1

Regulation 32K

REQUIREMENT FOR TAXIMETERS

1. A taximeter shall be of a type approved by the Registrar and -
 - (a) have a tariff indicator;
 - (b) be capable of displaying -
 - (i) the tariff prescribed by these Regulations for the journey being undertaken;
 - (ii) the hire charge; and
 - (iii) the distance rate,
in easily discernible letters and figures;
 - (c) be capable of being effectively sealed against unauthorized alteration; and
 - (d) be capable of being installed in a position and manner approved by the Registrar.
2. The Registrar shall be satisfied that a taximeter in a public hire car approved or proposed to be approved for multiple hiring has the operational capability of accurately computing and displaying the proportion of the fare for the journey of each hirer.
3. If required by the Registrar, a taximeter shall, before being fitted to a public hire car, be sent to the Registrar and tested for accuracy of mileage and timing.
4. After being fitted to a public hire car, a taximeter shall be tested by actual use of the taximeter.
5. Where a taximeter is, after testing, found to be satisfactory, it shall bear the seal of a testing officer so affixed that the internal part of the taximeter cannot be reached without the seal being broken.

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"SCHEDULE 2

Regulation 31

FARES AND CHARGES

Part 1 For journeys other than journeys specified
in Part 2

1. For flag-fall -
 - (a) in the Darwin, Katherine or Nhulunbuy area - \$0.70; and
 - (b) in the Alice Springs or Tennant Creek area - \$0.85.
2. For distance travelled -
 - (a) 5 cents for each 130 metres after the first 130 metres of distance travelled in a journey which takes place wholly within the Darwin area and on a weekday or Saturday morning;
 - (b) 5 cents for each 110 metres after the first 110 metres of distance travelled in a journey which takes place partly within the Darwin area or wholly within the Darwin area and during a time not referred to in paragraph (a);
 - (c) 5 cents for each 112 metres after the first 112 metres of distance travelled in a journey which takes place wholly within the Katherine, Nhulunbuy, Alice Springs or Tennant Creek area and on a weekday or a Saturday morning; and
 - (d) 5 cents for each 90 metres after the first 90 metres of distance travelled in a journey which takes place partly within the Katherine, Nhulunbuy, Alice Springs or Tennant Creek area or wholly within the Katherine, Nhulunbuy, Alice Springs or Tennant Creek area and not during a time referred to paragraph (c).
3. For waiting time - 5 cents for each 15.65 seconds or part thereof of waiting time.

Part 2 - For journeys for the purpose of weddings or funerals,
where the hiring includes waiting until the wedding or
funeral has taken place and further carriage of the
hirer immediately afterwards

1. During the first hour during which the public hire car is engaged - \$23.00.
2. During each subsequent hour or part thereof - \$11.50.

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Part 3 - Interpretation

A reference in this Schedule to -

- (a) a weekday - is a reference to the time commencing at 6 o'clock in the morning and ending at 9 o'clock in the evening on a day which is not a Saturday, Sunday or a public holiday; and
- (b) a Saturday morning - is a reference to the time commencing at 6 o'clock in the morning and ending at 1 o'clock in the afternoon of a Saturday."