

TR301\*

Taxi Act 1994

## **Taxi Amendment Regulations (No. 2) 2004**

Made by the Governor in Executive Council.

**1. Citation**

These regulations may be cited as the *Taxi Amendment Regulations (No. 2) 2004*.

**2. The regulations amended**

The amendments in these regulations are to the *Taxi Regulations 1995\**.

[\* Reprinted as at 12 December 1997.

For amendments to 23 December 2003 see *Western Australian Legislation Information Tables for 2002, Table 4, p. 376, and Gazette 30 June 2003.*]

**3. Regulation 3 amended**

Regulation 3 is amended by inserting in the appropriate alphabetical position the following definition —

“

“**plying for hire**” includes the time spent waiting at a taxi rank by a driver when a vehicle is being used as a taxi by the driver;

”.

**4. Regulation 7 amended**

- (1) Regulation 7 is amended before “Where” by inserting the subregulation designation “(1)”.
- (2) At the end of regulation 7 the following subregulation is inserted —

“

- (2) The name of the taxi dispatch service involved is to be included on the fare schedule displayed under this regulation.

”.

**5. Regulation 8 amended**

- (1) After regulation 8(1) the following subregulation is inserted —

“

- (1a) A driver shall not select a tariff for a passenger that is not the appropriate tariff as set out in the fare schedule required to be displayed in the taxi under regulation 7.

”.

- (2) Regulation 8(2a) is amended by deleting “as payment or part-payment of a fare”.

- (3) After regulation 8(2a) the following subregulations are inserted —

“

- (2b) A driver shall not accept a voucher that contains information that the driver knows or ought to know to be false in a material particular.
- (2c) A person shall not tender a voucher to which they are not entitled, or that contains information that is false in a material particular.

”.

**6. Regulation 11 amended**

Regulation 11 is amended by deleting “route.” and inserting instead —

“

route, once the hirer has informed the driver of the destination.

”.

**7. Regulation 13 amended**

- (1) Regulation 13(1) is amended as follows:
  - (a) in paragraph (b) after “abusive” by inserting —  
“ or aggressive ”;
  - (b) in paragraph (c) after “abusive” by inserting —  
“ or aggressive ”;

- (c) after paragraph (c) by deleting “or”;
- (d) after paragraph (d) by deleting the full stop and inserting instead —  
“ ; or ”;
- (e) after paragraph (d) by inserting the following paragraph —  
“  
(e) the driver requires the hirer to pay a deposit under regulation 12, and the hirer does not pay it.  
”.

(2) Regulation 13(2) is amended by inserting after “abusive” —  
“ or aggressive, ”.

(3) After regulation 13(2) the following subregulation is inserted —  
“  
(3) A driver shall not terminate a hiring before reaching the agreed destination, for reasons other than those set out in subregulation (2).  
”.

#### **8. Regulation 13A amended**

- (1) Regulation 13A(1) is amended as follows:
- (a) by deleting “occasion that —” and inserting instead —  
“  
occasion that the driver commences or completes a period during which he or she is operating the taxi.  
”;
  - (b) by deleting paragraphs (a), (b) and (c).

(2) Regulation 13A(2) is repealed.

#### **9. Regulation 15 replaced**

Regulation 15 is repealed and the following regulation is inserted instead —

“

#### **15. Display of driver identification**

A driver shall display an approved identification card, in the form and manner directed by the Director General, —

- (a) in a prominent position in the taxi he or she is driving; and
- (b) in a position and in a manner that allows a passenger in the taxi to be able to read it from the front and the back seat.

”.

**10. Regulation 16 amended**

- (1) Regulation 16 is amended as follows:
- (a) by inserting before “A driver” the subregulation designation “(1)”;
  - (b) by inserting after “while engaged as a driver” —  
“ or when plying for hire ”;
  - (c) by deleting “if requested,” and inserting instead —  
“ offer reasonable assistance to ”.
- (2) At the end of regulation 16 the following subregulation is inserted —

“

- (2) A driver shall, while engaged as a driver or when plying for hire, comply with any lawful and reasonable request by the hirer relating to the hirer’s comfort, if that request would not interfere with the safe operation of the taxi.

”.

**11. Regulation 17B amended**

Regulation 17B(2) is repealed and the following subregulation is inserted instead —

“

- (2) A driver must wear the approved uniform of —
- (a) the taxi dispatch service shown on the fare schedule required to be displayed under regulation 7; or
  - (b) the independent operator whose vehicle the driver is using as a taxi,

at all times while engaged as a driver of a taxi or when plying for hire.

”.

**12. Schedule 1 replaced**

Schedule 1 is repealed and the following Schedule inserted instead —

“

**Schedule 1 — Offences for which infringement notices  
may be issued**

[r. 22(1)]

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
1	Section 15(1)	Owner or driver of vehicle operating as a taxi within a control area without using taxi plates	500

<b>Item</b>	<b>Section of Act or Regulation</b>	<b>Description of Offence</b>	<b>Modified Penalty \$</b>
2	Section 20(2)	Failure to comply with conditions imposed under section 20(1), other than conditions relating to driver standards	250
3	Section 21(1)	Plate holder failing to ensure that plates used in manner directed	100
4	Section 21(2)	Using taxi plates on vehicle other than taxi	250
5	Section 25(1)	Failure to return taxi plates	150
6	Section 26	Provide or advertise an unregistered taxi dispatch service	250
7	Section 29(2)	Failure to comply with taxi dispatch service conditions	300
8	Section 32(5)	Operating taxi the operation of which prohibited	100
9	Section 32(6)	Failure to comply with notice or rectify defect	300
10	Section 36(2) and (5)	Offences relating to the issue of receipts and statements regarding driver bonds	100
11	Section 36(8)	Failure to return driver bond within 14 days of the driver ceasing to be contracted, engaged or employed	500
12	Regulation 7	Failure to ensure display of fare schedule	100
13	Regulation 8(1)	Charge more than fare shown on meter	200
14	Regulation 8(1a)	Selecting a tariff that is not the appropriate tariff as set out in the fare schedule	200
15	Regulation 8(2)	Failure to accept fare voucher	200
16	Regulation 8(2a)	Driver entering false or misleading information on fare voucher	200
17	Regulation 8(3)	Directing driver to contravene fare regulations	200
18	Regulation 9(2) and (3)	Offences relating to setting and stopping meter	200
19	Regulation 9A	Hirer failing to pay fare at termination of hiring or as agreed	100
20	Regulation 11	Driver failing to use most economical route	100

<b>Item</b>	<b>Section of Act or Regulation</b>	<b>Description of Offence</b>	<b>Modified Penalty \$</b>
21	Regulation 13(1)	Driver failing to accept hiring	200
22	Regulation 13(3)	Driver terminating a hiring prior to reaching the agreed destination	200
23	Regulation 13A(1)	Driver failing to inform provider of taxi dispatch service as required	100
24	Regulation 13A(3)	Driver giving incorrect information regarding their identity to the provider of a taxi dispatch service	200
25	Regulation 13B(1)	Driver obstructing, interfering with, damaging etc., a camera surveillance unit	100
26	Regulation 14	Driver failing to transport a guide dog	300
27	Regulation 15	Driver failing to display approved identification card	200
28	Regulation 16(1)	Offences relating to the conduct of drivers	200
29	Regulation 17	Offences relating to conduct of driver at taxi rank	200
30	Regulation 17B	Driver failing to wear uniform, uniform not clean etc.	200
31	Regulation 18(2)	Operating or driving taxi with an unsealed meter	250
32	Regulation 18(4) and (5)	Offences relating to meters	250

By Command of the Governor,

M. C. WAUCHOPE, Clerk of the Executive Council.