
TRANSPORT

TR301*

Taxi Act 1994

Taxi Amendment Regulations 1998

Made by the Governor in Executive Council.

1. Citation

These regulations may be cited as the *Taxi Amendment Regulations 1998*.

2. Commencement

These regulations come into operation on the day on which section 4 of the *Taxi Amendment Act 1998* comes into operation.

3. The regulations amended

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

[* *Published in Gazette 10 January 1995, pp. 75-90.*
For amendments to 24 November 1998 see 1997 Index to Legislation of Western Australia, Table 4, p. 264.]

4. Regulation 8 amended

After regulation 8(2) the following subregulation is inserted —

“

- (2a) A driver who accepts a voucher as payment or part-payment of a fare shall not enter on the voucher any information that the driver knows to be false or misleading.

”.

5. Regulations 9A and 9B inserted

After regulation 9 the following regulation is inserted —

“

9A. Hirer shall pay fare at termination of hiring or as otherwise agreed

The hirer of a taxi who is obliged to pay for carriage in the taxi any fare that is in accordance with the Act commits an offence if —

- (a) at the termination of the hiring; or
(b) contrary to an agreement made with the driver at the commencement of the hiring,

the hirer fails to pay the fare.

Penalty: \$1 000.

9B. Unpaid fare may be added to modified penalty and paid to driver

- (1) If an infringement notice is given under section 39 for an offence under regulation 9A, the amount of the fare that the hirer failed to pay may be added to the amount that would otherwise be payable as the modified penalty.
- (2) If subregulation (1) has effect, the person entitled to the fare that the hirer failed to pay shall be paid, towards the discharge of that entitlement, so much of the amount added as is recovered through payment of the modified penalty.

”.

6. Regulation 13 amended

Regulation 13(1) is amended as follows:

- (a) by inserting before paragraph (a) the following paragraph —

“

- (aa) the driver has reasonable grounds to believe that —
 - (i) the hirer or a person accompanying the hirer; or
 - (ii) the place at which the hiring is to commence or terminate, poses a threat to the driver’s safety;

”;

- (b) after paragraph (b) by deleting “or”;
- (c) by deleting the full stop at the end of paragraph (c) and inserting the following instead —
“ ; or ”;
- (d) after paragraph (c) by inserting the following paragraph —

“

- (d) the driver has reasonable grounds to believe that the hirer, or a person accompanying the hirer, has evaded or attempted to evade the payment of a fare for hiring a taxi.

”.

7. Regulations 13A and 13B inserted

After regulation 13 the following regulations are inserted —

“

13A. Driver shall inform provider of taxi dispatch service of certain matters

- (1) The driver of a taxi that is operated using a taxi dispatch service shall not fail to inform the provider of the taxi dispatch service on each occasion that —
 - (a) the driver commences or completes a period of duty driving the taxi;

- (b) a hiring commences or terminates and where it commences or terminates; or
 - (c) while the driver is plying for hire, the taxi enters or leaves an area designated by the provider of the taxi dispatch service (a **“designated area”**).
- (2) It is a defence to a charge of an offence under subregulation (1)(c) for the person charged to prove that the person had not been given sufficient information by the provider of the taxi dispatch service to enable the person to identify the relevant designated area.
- (3) When contacting the provider of a taxi dispatch service for the purpose of complying with subregulation (1), a driver shall correctly identify himself or herself to the provider.

13B. Driver shall not interfere with operation of camera surveillance unit

- (1) If a taxi is fitted with a camera surveillance unit in compliance with a condition imposed by the Director General under section 20, the driver of the taxi shall not obstruct, interfere with, damage, destroy or remove the unit.
- (2) In subregulation (1) —
- “camera surveillance unit”** means an approved device that is fitted to a taxi for the purpose of enabling photographs to be taken of persons who enter or leave the taxi.

8. Regulation 17 amended

Regulation 17 is amended as follows:

- (a) by inserting before the first word the subregulation designation “(1)”; and
- (b) by inserting at the end of the regulation the following subregulation —

- “
- (2) A driver shall not leave the taxi unattended while it is at a taxi rank.
- ”.

9. Schedule 1 amended

- (1) Schedule 1 is amended by inserting after the item that refers to regulation 8(2) the following item —

Regulation 8(2a)	Driver entering false or misleading information on fare voucher	200
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- (2) Schedule 1 is amended by inserting after the item that refers to regulation 9(2) and (3) the following item —

“

Regulation 9A	Hirer failing to pay fare at termination of hiring or as agreed	100
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- (3) Schedule 1 is amended by inserting after the item that refers to regulation 13(1) the following items —

“

Regulation 13A(1)	Driver failing to inform provider of taxi dispatch service as required	100
Regulation 13B(1)	Driver obstructing, interfering with, damaging, etc., camera surveillance unit	100

”

By Command of the Governor,

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