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[1961

TRAFFIC ACT, 1919 (AS AMENDED).

Office of the Commissioner of Police,
Perth, 23rd January, 1961.

HIS Excellency the Governor in Executive Council, acting pursuant to the powers conferred by the Traffic Act, 1919 (as amended), has been pleased to make the regulations set out in the schedule hereunder.

J. I. JOHNSTON,
Deputy Commissioner of Police.

Schedule.

Regulations.

- Principal regulations. 1. In these regulations the Traffic Regulations, 1954, published in the *Government Gazette* on the 15th December, 1954, as amended by the regulations amending the same published in the *Gazette*, from time to time, are referred to as the principal regulations.
- Part XII added. 2. The principal regulations are amended by adding, after Part XI, the following Part:—

PART XII.—REGULATION OF TAXI-CARS.

Interpretation. Division 1.—Interpretation.

424. In this Part—
- “driver” in relation to a taxi-car includes any person for the time being in charge of the taxi-car;
- “dead running charge” means a charge permitted, by this Part, to be made for distance travelled by a taxi-car fitted with a taxi-meter, to a place specified by the hirer, without a passenger and without the taxi-meter being set in operation;
- “detention charge” means the charge permitted, by this Part, to be made to a passenger of a taxi-car, while no charge is being made under a mileage rate;
- “flagfall” means the amount of fare recorded by a taxi-meter immediately upon the taxi-meter being set in operation at the commencement of a hiring;
- “hirer” means a passenger or other person who engages a taxi-car for any purpose;

"meter taxi-car" means any taxi-car equipped with a taxi-meter approved by a licensing authority;

"mileage rate" means the rate of fare for distance travelled by a taxi-car;

"passenger" means any person carried in or upon a taxi-car, excluding the driver;

"taxi-meter" means any instrument or device designed and intended to indicate by figures the aggregate sum of money payable for the hire of a taxi-car in accordance with the flagfall, distance travelled and time the vehicle is detained and not travelling;

"taxi-stand" means a position or a group of positions set apart by a competent authority, by means of a sign on or near a road, for the standing of disengaged taxi-cars and includes a taxi feeder rank, as defined in Division 10 of this Part.

Division 2.—Licensing and Specifications of Taxi-cars.

Prohibition
of plying
for hire of
unlicensed
taxi-car.

425. A person shall not drive, nor suffer or permit any person to drive, a taxi-car plying for hire or carrying any passenger for reward, unless that taxi-car shall first have been submitted to, and duly inspected by, and a license for that purpose obtained from, the appropriate licensing authority.

Specifications
and other
requirements
of licensed
taxi-cars.
Dimensions.

426. A licensing authority shall not license any taxi-car unless, in respect to that taxi-car—

(a) the height,

(i) from the floor to the top of a seat cushion is not less than 13 inches;

(ii) from the top of a seat cushion to the roof is not less than 2 feet 10 inches; and

(iii) of any doorway opening is not less than 3 feet 3 inches;

(b) the least width,

(i) of any doorway opening is not less than 1 foot 10 inches; and

(ii) of any seat is 4 feet;

(c) the least depth of any seat is not less than 16 inches;

(d) the minimum distance between the front and the rear seat is 14 inches;

(e) there is seating accommodation for at least four passengers, comprising not less than 17 inches of space measured along the front of any seat for each passenger;

Furniture
and appoint-
ments.

(f) there are provided floor mats or floor covering of other usual type;

(g) the cushions and lining trims are of good materials, adequately sprung or padded (as the case may be) and covered with leather or other usual substitute material;

(h) the windscreen and windows are of approved safety glass, soundly and properly fitted;

(i) any movable window is provided with a usual contrivance for the purpose of opening or closing the window;

(j) provision is made for the safe carriage of a reasonable amount of luggage;

(k) all usual requisites for securing proper cleanliness and the safety and convenience of passengers are provided;

Chassis.

(l) the wheel-base is so proportioned that skidding or other improper movement is, as far as practicable, eliminated;

(m) the wheel track width is not less than 4 feet 4 inches and the front width no less than the rear;

- (n) the suspension is of adequate strength, stability and flexibility for a reasonable load and is dampened by shock absorbers so as to alleviate the effect of all surfaces over which the vehicle would ordinarily travel;
- (o) the steering is such as will enable the vehicle to be turned within a radius of 40 feet, on either lock;
- Motor. (p) the carburettor is not placed in close proximity to the magneto, coil, distributor or to any connection of wiring carrying electric current, except where it or they are suitably encased or screened;
- (q) any guard tray fixed below the carburettor is so constructed that any overflow of petrol or other liquid fuel is not retained in that tray;
- Fuel tanks. (r) any tank for petrol or other liquid fuel is made of a durable material and is properly constructed and of sufficient strength for its purpose and so placed that any overflow shall not accumulate where it may be readily ignited and have the filling nozzle or other inlet brought to the outside of the body of the vehicle;
- Exhaust. (s) effective means are provided to prevent heat or fumes from the motor or from exhaust connections injuring other parts of the vehicle or occasioning discomfort or danger to the driver and passengers;
- Wiring. (t) any wire carrying electric current is properly insulated and protected from damage and is so placed as not to occasion danger;
- Interior lights. (u) there is an interior lamp or lamps of a power not exceeding 7 watts and which affords or afford sufficient white light for the convenience of passengers; and
- Painting and marking. (v) the exterior is painted in such colour or colours and in such manner as may be approved by the licensing authority.

Taxi-car to be equipped with speedometer. 427. Every taxi-car or private taxi-car shall be equipped with an efficient speedometer which shall—

- (a) at all times when the vehicle is being driven, readily indicate to the driver whilst retaining his normal driving position, the speed at which the vehicle is being driven within a margin of accuracy of plus or minus 10 per cent.;
- (b) indicate the cumulative mileage with an accuracy of plus or minus 2½ per cent.;
- (c) be kept illuminated during the hours of darkness; and
- (d) be kept free from any obstruction which might prevent its being easily read.

Production of taxi-cars for inspection. 428. A licensing authority may by notice to the owner of a taxi-car require the production of that taxi-car at a time and place stipulated in the notice for the purpose of ascertaining whether the taxi-car conforms with these regulations and the owner to whom the notice is directed shall comply with its terms.

Taxi-car to be serviceable. 429. A driver shall not stand a taxi-car for hire or drive it on a public road for reward, unless the vehicle, its parts and equipment are clean and in a completely serviceable condition and complying with these regulations and is fit for public use.

Police or traffic inspector may require unfit vehicle to be removed. 430. A member of the Police Force or a traffic inspector may, at any time, inspect any taxi-car then on a taxi-stand or public road and, if in his opinion that vehicle does not comply with these regulations or is dirty or is otherwise in such condition as to be unfit for public use, may require the driver to remove the vehicle from the stand or road, until such time as the vehicle shall have been cleansed or any other defect shall have been remedied to his satisfaction; and a driver shall not thereupon stand or ply the vehicle for hire until it has been so cleansed or its defects have been remedied.

Maximum seating to be displayed and not exceeded. 431. (1) The maximum seating accommodation of any taxi-car, as approved by the licensing authority and endorsed on the license, shall be painted or exhibited in some conspicuous place inside the vehicle where it may clearly be seen, by day or by night.

(2) The driver of a taxi-car shall not carry any person in excess of the number for which that vehicle is licensed.

Division 3.—Management.

Record of drivers to be kept. 432. The owner of any taxi-car shall—
(a) record the full name and place of abode of, and the dates on which, any person was the driver of that taxi-car; and
(b) at the request of a member of the Police Force or a traffic inspector, produce that record, in respect of any period falling within the three months preceding that request, for his inspection.

Owner to ensure driver is holder of current license. 433. The owner of any taxi-car shall—
(a) before permitting any person to drive or stand that vehicle for hire, cause that person to produce for the owner's inspection his Driver's and Conductor's License; and
(b) not permit or suffer any person not holding a current Driver's and Conductor's License to drive or stand that vehicle for hire.

Driver of taxi-car not to engage in other full time employment. 434. A person employed as the driver of a taxi-car shall not engage in any other employment while so employed, except with the approval of the Commissioner of Police.

Division 4.—Private Taxi-cars.

Private taxi-cars not to ply on roads. 435. The owner or driver of a private taxi-car shall not cause or suffer that taxi-car to stand, or ply, for hire on any road.

Private taxi-cars to be engaged at specified places, only. 436. The owner or driver of a private taxi-car shall not cause or suffer that taxi-car to proceed on any hiring unless it has been engaged at the place or places specified in the license for that vehicle.

None but specified places of hire to be advertised. 437. The owner or driver of a private taxi-car shall not cause or suffer to be exhibited on that taxi-car or elsewhere any advertisement, sign or indication that the taxi-car is available for hire at any place other than a place specified in the license for that vehicle.

Private taxi-car not to have meter. 438. The owner of a private taxi-car shall not cause or suffer that taxi-car to be equipped with a taxi-meter.

Private taxi-cars to be of uniform approved colour. 439. The owner of a private taxi-car shall not cause or suffer that taxi-car to be painted in any but such uniform dark colour as the licensing authority may, from time to time, approve.

Table of fares to be displayed. 440. The owner of a private taxi-car shall cause a readily legible table of the fares prescribed by these regulations to be displayed and kept displayed in a conspicuous place in that taxi-car.

Division 5.—Meter Taxi-cars.

Taxi-cars licensed for Metropolitan Area to be fitted with taxi-meters. 441. A person shall not use, keep, let, ply or stand for hire on any road in the Metropolitan Area any taxi-car in respect of which a license has been granted for that area, unless there is affixed to that taxi-car, in the prescribed manner, a taxi-meter complying in every respect with these regulations; but nothing in this regulation prohibits the equipping of a taxi-car licensed to ply for hire outside the Metropolitan Area, with a taxi-meter which complies with these regulations.

- Taxi-meters to be regulated and tested. 442. The owner of any taxi-car, whether required by regulation 441 of these regulations to equip that taxi-car with a taxi-meter or not, shall, prior to fitting a taxi-meter to that vehicle, cause the taxi-meter to be regulated to record the charges prescribed by the Appendix to Division 11 of these regulations and thereupon submit it to the licensing authority for inspection, testing and sealing.
- Fee for testing. 443. The owner of any taxi-car in respect of which a taxi-meter is required to be examined and tested shall, prior to that examination and testing, pay to the licensing authority a fee of ten shillings.
- None but tested taxi-meters to be used. 444. A person shall not stand, or ply for hire any taxi-car fitted with a taxi-meter unless that taxi-meter has been tested as required by this Division.
- Taxi-meter to be maintained as tested. 445. The owner of any taxi-car fitted with a taxi-meter shall—
- (a) cause the taxi-meter to be maintained in good order and condition and shall cause it to be re-adjusted and tested by the licensing authority as occasion may require and, in any event, once in every twelve months after being last tested;
 - (b) on becoming aware that the taxi-meter is not registering correctly or has become in any way unserviceable or no longer sealed, shall forthwith notify the licensing authority to that effect;
 - (c) not affix to that taxi-car any wheels other than those which were affixed when the taxi-meter was last tested, unless the taxi-meter is thereupon forthwith re-tested;
 - (d) not make any alteration to the taxi-car which would in any way affect the correct operation of the taxi-meter; or
 - (e) not alter or render indistinguishable or illegible the number or other markings on the taxi-meter by which it is identifiable as that previously tested and approved, or cause or suffer it to be done by any person.
- Taxi-meter not to be interfered with. 446. A person shall not without the permission of the licensing authority interfere with or cause or suffer any other person to interfere with any taxi-meter affixed to a taxi-car, or with any mechanism controlling or operating that taxi-meter or tamper with any seal or mark affixed or placed on that taxi-meter by the direction of the licensing authority.
- Specifications for taxi-meters. 447. (1) Any taxi-meter affixed to a meter taxi-car shall be of a type approved by the licensing authority and shall be submitted for testing in a completely serviceable condition.
- (2) A taxi-meter shall not be approved for use on a taxi-car unless that taxi-meter—
- (a) has upon its face a slot wherein the amount of fare registered by the taxi-meter is clearly visible;
 - (b) has upon its face, above or below the slot, referred to in paragraph (a) of this subregulation the word, "FARE" in block letters;
 - (c) is so adjusted as to register in the slot marked "FARE" the amount payable by the hirer in respect of flagfall, distance travelled and detention charge;
 - (d) is installed in such position that the fact that the taxi-meter is operating, and the amount of fare being registered by the taxi-meter, is readily discernible by any passenger and the driver, each from his sitting position;
 - (e) is illuminated, in such manner that the requirements of paragraph (d) of this subregulation may be complied with during the hours of darkness;

(f) has either—

- (i) a metallic flag, bearing the words, "FOR HIRE", capable of being locked in a vertical position when the taxi-car is disengaged and provided with a cover, bearing the words, "NOT FOR HIRE" in block letters, capable of being fitted over the flag when the taxi-car is disengaged and not available for hire; or
 - (ii) some other controlling device, approved by the licensing authority, for the operation of the taxi-meter;
- (g) is so constructed that when it is set in operation the prescribed amount of flagfall is forthwith registered on the taxi-meter and thereafter one or both of the prescribed charge for distance travelled or detention charge, as the case may be, is registered, by operation of the taxi-meter;
- (h) is so constructed that, when the flag or other controlling device is moved from an operating position, the taxi-meter forthwith ceases to operate and when that flag or device is moved to the "For Hire" position the fare indicators return to zero; and
- (i) is fitted with lugs or the case is drilled in such manner that a wire may be inserted and the ends of the wire sealed together with the effect that access may not be gained to the interior mechanism of the taxi-meter, unless the wire is severed or the seal is broken; and in the case of a taxi-meter which does not contain the distance gear box, the distance gear box is capable of being similarly sealed.

(3) Upon being fitted to a taxi-car, a taxi-meter shall, prior to the vehicle being permitted or suffered to stand or ply for hire, be tested by an authorised member of the Police Force or a traffic inspector for—

- (a) distance, over a distance of not less than one mile; and
- (b) time, over a period of not less than ten minutes.

(4) A taxi-meter tested under the provisions of subregulation (3) of this regulation shall not be approved for use on any taxi-car if there is an error—

- (a) of 40 yards or more, over a distance of one mile; or
- (b) three per cent. or more, over the space of 10 minutes.

(5) Upon a taxi-meter being found to satisfy the requirements of this regulation, it shall forthwith be sealed by a person authorised in that regard, by the licensing authority, in such a manner as to prevent access to the internal mechanism of the taxi-meter, without severing a wire or breaking a seal.

Police or traffic inspector may require production of taxi-car for examination of taxi-meter.

448. (1) Whenever it appears to a member of the Police Force or a traffic inspector that a taxi-meter affixed to a meter taxi-car is not registering correctly or does not for any reason conform with these regulations, he may require the driver to produce the taxi-car to a place and at a time stipulated by him.

(2) The owner or driver of a meter taxi-car shall comply with the requirement of a member of the Police Force or traffic inspector made under the provisions of subregulation (1) of this regulation.

(3) If upon examination the taxi-meter affixed to a meter taxi-car is found to be defective or not in conformity with these regulations the member of the police force or traffic inspector ascertaining that fact shall acquaint the driver or owner of it and the provisions of regulation 445 of these regulations shall apply.

For Hire
sign.

449. (1) Any meter taxi-car which is standing or plying for hire shall display in a rectangular sign (in these regulations called "a For Hire sign") of a type approved by the licensing authority, of dimensions not exceeding 9 inches by 3 inches, bearing the words, "FOR HIRE" in block letters of at least 1½ inches in height and in clear contrast with the background.

(2) A For Hire sign shall, unless otherwise approved by the licensing authority, be displayed inside the windscreen, as nearly as practicable to the left side upper edge of the windscreen.

(3) A For Hire sign shall, during the hours of darkness, be illuminated by a lamp showing a white light only of a power not exceeding 7 watts and capable of being extinguished upon the taxi-meter being set in operation.

(4) Except in accordance with regulations 450 and 451 of these regulations, a person shall not cause or suffer any device, word, letter or sign, other than one For Hire sign and the words prescribed for the flag of a taxi-meter, to be displayed on any taxi-car.

Other
permitted
signs.

450. (1) Notwithstanding the provisions of subregulation (4) of regulation 449 of these regulations, a person may display on a meter taxi-car—

- (a) a sign indicating that a taxi-car is not for hire;
- (b) a sign mounted on the exterior of the vehicle, above the centre of the windscreen or visor, of dimensions not greater than 12 inches by 4 inches and bearing the word, "TAXI";
- (c) the fare rates prescribed by these regulations; and
- (d) the name, address and telephone number of the owner of the taxi-car or of the company or association with which the taxi-car is operating.

(2) A sign mentioned in paragraph (b) of subregulation (1) of this regulation may, except when the taxi-car is under hire, be illuminated, during the hours of darkness by a white light showing towards the front of the vehicle, of a power not exceeding 7 watts, if that light is capable of being extinguished upon the setting in operation of the taxi-meter.

Flagfall and
mileage rate
to be
displayed.

451. (1) The owner of a meter taxi-car shall not cause or suffer that taxi-car to stand or be driven for hire, unless the flagfall and mileage rate is displayed on that vehicle so that—

- (a) each rate is displayed conspicuously by one inch by one quarter of an inch gilt figures and letters on a dark background;
- (b) the word, "flagfall" preceded by the rate prescribed by the Appendix to Division 11 of this Part and the words, "per mile" preceded by the rate so prescribed is used; and
- (c) the rates in this subregulation mentioned are displayed—
 - (i) in a conspicuous position on the front door panel on the left hand side of the vehicle;
 - (ii) at the rear of the vehicle, at the lower edge of the left hand side of the rear window; and
 - (iii) within the vehicle at a conspicuous place near the taxi-meter.

(2) The figures and words required by this regulation to be displayed shall not be displayed by the owner of the taxi-car on anything movable but shall be displayed by painting, transfer or in some other durable manner.

(3) A driver of a meter taxi-car shall not stand or ply for hire unless the rates required by this regulation to be displayed are displayed on that taxi-car.

Division 6.—Duties and Conduct of Drivers of Meter Taxi-cars.

Taxi-car
not to be
used unless
taxi-meter
conforms
with
regulations.

452. The driver of a meter taxi-car shall not use, keep, let, ply or stand that taxi-car for hire unless—

- (a) there is affixed to the taxi-car a taxi-meter complying, in every respect, with the provisions of these regulations;
- (b) the taxi-meter affixed to the taxi-car is sealed by an authorised officer in such manner that access to the internal mechanism of the taxi-meter cannot be had without breaking the seal; and
- (c) the seal mentioned in paragraph (b) of this regulation and the wire to which it is affixed is intact.

Driver to
notify owner
of defective
taxi-meter.

453. The driver of a meter taxi-car who is not its owner shall immediately notify the owner upon its coming to his notice that the taxi-meter affixed to that taxi-car is registering incorrectly or is unserviceable or is not properly sealed.

Operation of
taxi-meter
on hiring.

454. The driver of a meter taxi-car shall—

- (a) except in the circumstances mentioned in paragraph (b) of this regulation, set the taxi-meter on that taxi-car in operation upon the entry into the vehicle of the person hiring it and no sooner;
- (b) where that taxi-car is engaged to travel to a specified place, inform the hirer or the passenger to be carried of his presence as soon as practicable after arrival at that place, and may thereupon, or if the taxi-car is engaged to be at that place at a specified time, on arrival, set the taxi-meter on the taxi-car in operation;
- (c) not during a hiring stop the taxi-meter on the taxi-car;
- (d) immediately upon the termination of the hiring, set the flag of, or other device controlling, the taxi-meter so that the taxi-meter no longer operates and thereupon direct the attention of the hirer to the amount registered on the taxi-meter;
- (e) not engage in any hiring unless the taxi-meter on the taxi-car registers zero;
- (f) not manipulate or attempt to manipulate a taxi-meter in a manner likely to, or capable of, defrauding any person; and
- (g) not, while engaged on a hiring, carry out or attempt to carry out any other hiring or a portion of another hiring.

Taxi-car
not for hire.

455. (1) The driver of a meter taxi-car shall at any time when that taxi-car is not available for hire cause the For Hire sign and the flag (if any) of the taxi-meter to be covered or obscured so as to be no longer visible from the exterior of the taxi-car and, if during the hours of darkness, shall extinguish any light illuminating that sign, the flag and the "Taxi" sign, if the latter sign is fitted.

(2) Unless the signs and the flag mentioned in subregulation (1) of this regulation are covered or obscured and the lights are extinguished, as provided by that subregulation, the driver of a taxi-car shall not refuse a hiring on any road or taxi-stand where it is lawful for him to accept it.

Driver to
advise hirer
of any extra
charge.

456. The driver of a taxi-car shall advise the hirer of the amount of any charge made under the authority of these regulations and not registered on a taxi-meter and the manner in which those charges have been computed.

Driver not
to charge
less than
prescribed
fares.

457. Except in the case of a voluntary agreement between the driver and the hirer of a taxi-car, made at the time of the hiring and before the commencement of a journey, or in the case of any specific route for which other fixed charges may have been approved by a licensing authority, a driver of a taxi-car shall not—

- (a) demand any amount other than, or accept any amount less than, the fare prescribed by these regulations; or
- (b) in any manner allow or offer to allow—
 - (i) any consideration or advantage other than the hiring;
 - (ii) refund of any portion of a prescribed fare; or
 - (iii) any rebate of or deduction from the prescribed fare.

Division 7.—Conduct and Duties of Drivers of
Taxi-cars Generally.

Interpre-
tation.

458. For the purposes of this Division, a reference to a taxi-car includes a reference to a private taxi-car.

Prohibited
acts and
conduct.

459. The driver of a taxi-car shall not—

- (a) unless the permission of the hirer is first obtained, smoke in the taxi-car while it is engaged under a hiring;
- (b) whether by calling out, whistling or other means, attract notice or in any manner solicit or importune any person to hire the taxi-car;
- (c) leave the taxi-car for the purpose of seeking passengers or a hiring;
- (d) when any hirer, passenger or other person is entering or leaving the taxi-car, negligently or wilfully start or cause the vehicle to be started, before the hirer, passenger or other person has completely entered, or alighted from, the vehicle;
- (e) use any contrivance whereby a passenger has not complete control of the opening and shutting of the doors of the taxi-car, independent of the driver;
- (f) carry in or upon the taxi-car any passenger or person in excess of the number for which the vehicle is licensed;
- (g) sleep or consume meals in the taxi-car or permit or suffer any other person to do so;
- (h) exhibit in the taxi-car any scale of fares not in conformity with those set out in the Appendix to Division 11 of this Part, or demand or receive any fare not in conformity with those fares;
- (i) permit any scale of fares exhibited in conformity with these regulations to become obscured, mutilated or illegible;
- (j) having agreed to accept a hiring for an amount less than the fare prescribed in the Appendix to Division 11 of this Part, demand a greater amount than that agreed for the hiring;
- (k) demand or receive any charge or fare in respect of extra passengers, luggage or other unrecorded charge unless, before the hiring is commenced, the hirer has been informed of that charge or fare;

- (l) neglect, refuse or, through any fault of his own, fail punctually to carry out any hiring which he has accepted;
- (m) loiter or stand the taxi-car at any place upon a road, other than a place which may lawfully be used for the standing of that taxi-car, except—
 - (i) while taking up or setting down a passenger or passengers;
 - (ii) by the direction, or with the consent, of a member of the Police Force or a traffic inspector; or
 - (iii) while engaged in a hiring;
 but nothing in this paragraph precludes the use of a taxi-car, as a private vehicle, by the driver for his own purposes;
- (n) prevent the driver of any other licensed taxi-car from obtaining a hiring which it is lawful for that driver to accept or take;
- (o) accept a hiring known by him to be for an unlawful or immoral purpose;
- (p) drive the taxi-car with the intention of obtaining a hiring by—
 - (i) persistently driving the taxi-car to and fro before, or interfering with the proper and orderly access to, or egress from, any theatre, hall, hotel, railway station or other place of public gathering; or
 - (ii) driving in any street or road at a lesser speed than 15 miles per hour; or
 - (iii) cruising for hire, during the course of which cruising he passes the same point twice within the space of 20 minutes;
 and evidence of the driving of a taxi-car in any manner mentioned in this paragraph shall be *prima facie* evidence of the fact that the driving was done for the purpose of obtaining a hiring;
- (q) carry any person, other than the hirer, in the taxi-car, without the consent of the hirer; or
- (r) carry any corpse, whether contained in a coffin or not, in that taxi-car.

Conduct
required of
drivers of
taxi-cars.

460. The driver of a taxi-car shall—

- (a) be clean as to his person, clothing and appearance;
- (b) conduct himself in an orderly manner and with civility and propriety, towards any hirer or passenger, or intending hirer or passenger, and comply with any reasonable requirement of a hirer or passenger, of that taxi-car;
- (c) exhibit, and permit any hirer or passenger, or intending hirer or passenger, of that taxi-car to inspect the scale of fares prescribed by the Appendix to Division 11 of this Part;
- (d) keep in that taxi-car, and produce at the request of any member of the Police Force, traffic inspector, hirer or intending hirer, a copy of this Part of these regulations;
- (e) upon the request of any hirer, passenger or intending hirer or passenger, give to that person all information required, as to the fares charged for travelling in, or hiring, that vehicle;
- (f) be constantly in attendance on or, in his absence, arrange for some other competent person to be in attendance on that taxi-car, while it is standing on a taxi-stand;

- (g) at any time that the taxi-car is available for hire accept any *bona fide* hiring and not represent the taxi-car as being unavailable for hire when, in fact, it is available for hire; and, for the purposes of this paragraph, a taxi-car is presumed to be available for hire, if any For Hire sign is visible from the exterior of the taxi-car;
- (h) when requested by any hirer carry in that taxi-car any person not in excess of the number which the vehicle is licensed to carry; and
- (i) afford all reasonable assistance to any passenger or intending passenger in the loading or unloading of luggage to or from that taxi-car, from or to the doorway or entrance to any house, station, wharf or place and take all due care with that luggage.

Certain persons not to be carried. 461. The driver of a taxi-car shall not knowingly carry in that taxi-car—

- (a) any person suffering from an infectious or contagious disease;
- (b) any person who is so unclean in respect of his person or clothing as to cause a nuisance or annoyance to any other passenger, or to be likely to soil the vehicle or the apparel of any other or subsequent passenger; and
- (c) any person who is drunk, noisy, violent or disturbing the peace, except at the requirement of a member of the Police Force.

Treatment of taxi-car after carriage of diseased person. 462. (1) Where any person suffering from an infectious or contagious disease has been carried in or upon a taxi-car the driver or owner of that vehicle shall, upon learning or being informed of that circumstance—

- (a) forthwith cause the taxi-car to be disinfected to the satisfaction of the appropriate officer of the Public Health Department or of the Local Health Authority;
- (b) obtain from that officer a certificate that the taxi-car has been disinfected as prescribed by paragraph (a) of this subregulation; and
- (c) produce the certificate prescribed by paragraph (b) of this subregulation for the inspection of a member of the Police Force or traffic inspector, on demand, at any time within three months of the day of issue of the certificate.

(2) Until a taxi-car to which this regulation applies has been disinfected as therein prescribed, a person shall not cause or suffer that vehicle to stand or ply for hire.

Taxi to be driven by shortest possible route. 463. Unless the hirer of a taxi-car directs that it be driven by some other route, the driver of the taxi-car shall drive it by the shortest practicable route to the place specified at the commencement of the hiring.

Driver to accept changed directions. 464. Notwithstanding the specification of any destination by the hirer, at the commencement of the hiring, the hirer may, in the course of the journey terminate the hiring or require the taxi-car to be driven to some other place then specified and the driver shall comply with any requirement of the hirer permitted by this regulation.

Driver instructed to wait or return. 465. (1) Where the hirer of a taxi-car requires the driver to wait while the hirer leaves the vehicle, the driver shall, unless some other period is stipulated and agreed upon, wait for the space of 15 minutes; but a driver may refuse to wait for any period, unless he is first paid the amount of the fare due at that time, together with the detention charge, for the period that the taxi-car is required to wait.

(2) When the hirer of a taxi-car discharges the vehicle and requires the driver to return, the driver may claim the fare due at the time of discharge and is not obliged to accept the hiring to return.

(3) Notwithstanding any requirement of a hirer, the driver of a taxi-car shall not wait at any place, contrary to the provisions of any regulation relating to the parking or standing of vehicles.

Division 8.—Conduct of Hirers and Passengers.

Fare to be
paid on
demand.

466. (1) The hirer of a taxi-car shall on demand, at the termination of the hiring pay the prescribed fare to the driver of that vehicle.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, the driver may, except in the case of a hiring by a member of the Police Force, before the commencement of the hiring require the deposit of the estimated fare for the hiring and may, failing the payment of that deposit, refuse the hiring.

(3) Any person who, being the hirer of a taxi-car, refuses at the conclusion of the hiring to pay the prescribed fare for that hiring is guilty of an offence; and the court before which that person is brought may, in addition to imposing any penalty, order that person to make payment of the amount of the fare.

(4) Where any dispute arises between a hirer and the driver of a taxi-car, as to the correctness of any fare demanded, either party to the dispute shall, when required by the other, furnish his full name and address to the party requiring it.

Restrictions
on the use of
taxi-cars.

467. A person shall not—

- (a) drive a licensed taxi-car without the consent of the owner or driver of that taxi-car;
- (b) enter or ride upon a taxi-car without the consent of the hirer;
- (c) enter or ride upon a taxi-car while suffering from any infectious or contagious disease or, if recovered from that disease, while still likely to be a source of infection or contagion;
- (d) carry or place in or upon a taxi-car—
 - (i) any animal, other than a guide dog, in company with a blind person;
 - (ii) any substance of an offensive nature;
 - (iii) any article or object of such nature or dimension, as to be likely to incommode any passenger or the driver;
 - (iv) any substance or object likely to soil or damage the clothing of another passenger or the interior of the taxi-car;
 - (v) any loaded firearm or any substance or object which is inherently dangerous or explosive, except an emergency supply of fuel being carried in a suitable container in the boot of the vehicle; or
 - (vi) any object which projects beyond the cab of the taxi-car;
- (e) use any taxi-car for any unlawful or immoral purpose;
- (f) enter or attempt to enter or ride upon any taxi-car which is already carrying the maximum number of persons for which it is licensed; or
- (g) on any road, call out or solicit or importune any person to hire or ride in any taxi-car.

Driver may
require
certain
persons to
alight or
not to enter
taxi-car.

468. (1) The driver of a taxi-car may require any person who has entered the taxi-car to alight or, if about to enter, not to enter the taxi-car, if—

- (a) the taxi-car is already carrying the maximum number of persons for which it is licensed;
- (b) that person is under the influence of drink or drugs, or is unclean as to his person or clothing or is causing or is likely to cause annoyance to any passenger or the driver;
- (c) that person continues to act in a noisy, violent or abusive manner, after being required to desist; or
- (d) that person is suffering or there is reasonable grounds for believing that person is suffering from an infectious or contagious disease.

(2) A person who refuses to comply with the requirements of the driver of a taxi-car, made under the provisions of subregulation (1) of this regulation, is guilty of an offence.

Lost
property.

469. (1) The driver of a taxi-car shall, on the termination of each hiring, search the taxi-car for any property which may inadvertently have been left in the vehicle by any passenger and shall hand any property so found by, or any property handed to him, as soon as practicable and, in any case, within 24 hours, if not sooner claimed by the owner, to, or to the representative of, the owner of the taxi-car, who shall give the driver a receipt for that property.

(2) Any person, not being the driver, who finds any property in a taxi-car shall forthwith hand that property to the driver of that vehicle, in the state in which he found it.

(3) The owner, or any representative of the owner, of a taxi-car who receives any property handed to him pursuant to this regulation shall—

- (a) enter into a register, kept for that purpose—
 - (i) a description of the property;
 - (ii) the date on which, and the circumstances in which, the property was found; and
 - (iii) the name of the driver who handed the property to the owner or person making the entry;
- (b) if the property is not sooner claimed by the owner, 7 days after its finding take the property, if in the Metropolitan Area, to the Criminal Investigation Branch of the Police Department, at Perth or Fremantle, or, otherwise, to the nearest Police Station and obtain a receipt for the property from the officer receiving it.

(4) A register required to be kept under the provisions of subregulation (3) of this regulation shall be produced by the person keeping it, for inspection, to a member of the Police Force or a traffic inspector, on demand.

(5) Any person claiming property of the driver or owner, or representative of the owner, of a taxi-car shall prove to the satisfaction of the person of whom it is claimed that the property is, in fact, his property and shall sign any register wherein particulars of the property may have been entered.

(6) The provisions of paragraph (b) of subregulation (3) of this regulation do not apply to any property of a perishable nature not claimed by the owner within 24 hours of its being found.

Division 9.—Taxi-stands.

Temporary
stands for
taxi-cars.

470. At any place where disengaged taxi-cars are congregated, a member of the Police Force or a traffic inspector may appoint any temporary stand for the standing of those vehicles and the provisions of this Division shall apply to that stand as though it were a taxi-stand set apart by a competent authority.

Only
disengaged
taxi-cars
to stand on
taxi-stand.

471. A person shall not stand any vehicle upon a taxi-stand, unless it be a licensed taxi-car then available for hire.

Taxi to be
driven off
taxi-stand
if hired.

472. The driver of any taxi-car standing upon a taxi-stand shall, forthwith upon that taxi-car being hired, drive it away from and clear of the taxi-stand.

Positions of
taxis on
taxi-stands.

473. Unless otherwise directed by a member of the Police Force or a traffic inspector, the driver of a taxi-car, on arriving at a taxi-stand comprising positions for two or more vehicles, shall—

- (a) if no other vehicle is upon the taxi-stand, stand his taxi-car on the foremost position of that stand;
- (b) if any other vehicle is upon the taxi-stand, stand his taxi-car in the foremost vacant position behind that last occupied on that stand; and shall, whenever a position in advance of that occupied by his taxi-car is or becomes vacant, forthwith stand his taxi-car on that vacant position; and
- (c) if there is no vacant position upon that taxi-stand, not occupy any position adjacent to that stand.

No taxi to
be abreast of
or too near
to another.

474. Unless otherwise directed by a member of the Police Force or a traffic inspector, the driver of a taxi-car shall not cause it to stand abreast of or within 4 feet of, another vehicle, on a road.

Foremost
taxi to have
prior right
of hiring.

475. (1) When more than one taxi-car is upon a taxi-stand, the foremost taxi-car shall, unless the person hiring selects a particular taxi-car, have prior right to a hiring and the driver of a taxi-car shall not, except as provided in this regulation, take a hiring out of his turn or before any other taxi-car standing in advance of his taxi-car.

(2) Where a person selects for hire a taxi-car other than the foremost on a taxi-stand, the driver of any taxi-car in advance, or to the rear, of the selected taxi-car shall, if so required, move his vehicle to afford egress from the taxi-stand to the selected vehicle.

Division 10.—Movement of Taxi-cars in Prescribed Areas.

Interpre-
tation.

476. In this Division—

“prescribed area” means an area described in Appendix “A” to this Division;

“taxi circuit” means a system by which a disengaged taxi-car may progress in a specified road from a taxi feeder rank to, and by, a series of taxi circuit stands;

“taxi circuit stand” means a position in a taxi circuit which is set apart, by a competent authority by means of a sign on or near a road in that circuit, for the standing of disengaged taxi-cars in a prescribed area;

"taxi feeder rank" means a group of positions set apart, by a competent authority by means of a sign on or near a road, for the standing of disengaged taxi-cars, intending to enter a taxi circuit.

Prohibition
of taxi-cars
in prescribed
areas.

477. (1) Subject to subregulation (2) of this regulation, a person shall not, between the hours of 8 a.m. and 12 midnight on any day, except a Sunday, drive a taxi-car upon any road or portion thereof which is within a prescribed area.

(2) Notwithstanding the provisions of subregulation (1) of this regulation, a person who drives a taxi-car upon any road or portion thereof within a prescribed area, during the hours prohibited, by subregulation (1) of this regulation, does not commit an offence against that subregulation if that taxi-car—

- (a) is occupied by a passenger, under a *bona fide* hiring;
- (b) is being driven, by the shortest practicable route—
 - (i) to a place within that area, for the purpose of carrying out a pre-arranged hiring;
 - (ii) to and onto, a vacant taxi circuit stand within that area, as provided by this Division; and
 - (iii) out of that area.

Conditions
for use of
circuit
taxi-stands.

478. (1) A person shall not, between the hours of 8 a.m. and 12 midnight on any day, except a Sunday, drive a taxi-car onto a taxi circuit stand in any street mentioned in Appendix "B" to this Division, unless he shall first have stationed his vehicle on the corresponding feeder rank appearing opposite that street in that Appendix.

(2) The driver of a taxi-car occupying the foremost position on a feeder rank shall, upon a taxi circuit stand or a position on any other taxi-stand next in advance of that feeder rank becoming vacant, drive his taxi-car off and away from that feeder rank.

(3) A person shall not, in the course of his progress in a taxi circuit, drive a taxi-car to or beyond, any taxi circuit stand then occupied by another taxi-car, except for the purpose of leaving that prescribed area.

(4) Upon a taxi circuit stand next in advance of that occupied by a taxi-car being vacated, the driver of that taxi-car shall drive it, either to, and onto, that stand, or out of that prescribed area.

(5) Where the driver of a taxi-car abandons, or discontinues his progress in, a taxi circuit, otherwise than in the course of a hiring, he shall forthwith drive his taxi-car out of that prescribed area.

(6) The driver of a taxi-car shall not accept a hiring within a prescribed area, other than at a place designated by a pre-arranged hiring, or at a place within a taxi circuit.

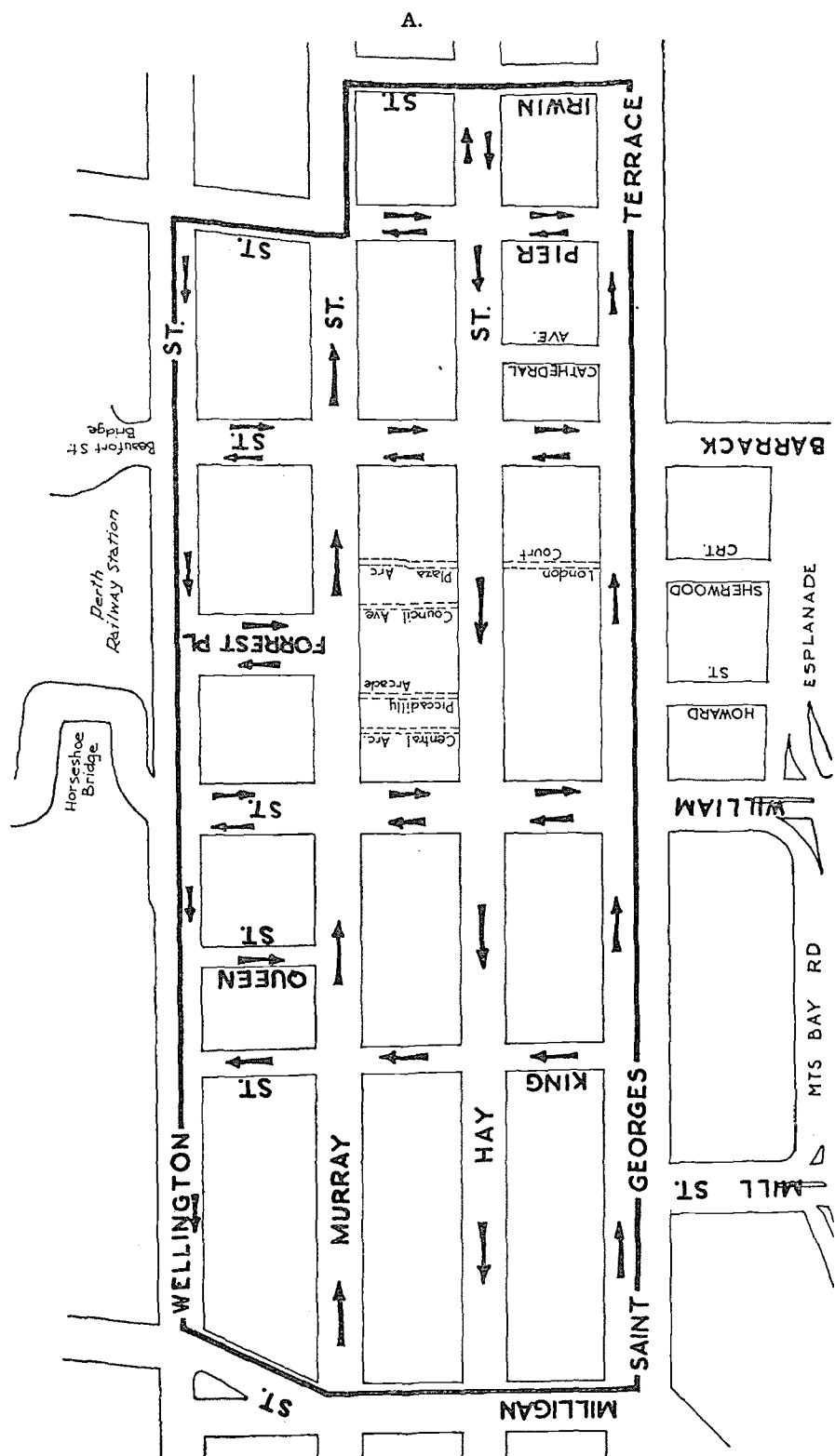
Reg. 476.

Appendix A.

PREScribed AREAS.

City of Perth:

All that portion of the Municipal District of the City of Perth which is contained within the bold outline depicted on the Diagram marked A hereunder.



Reg. 478.

Appendix "B."

City of Perth:

Street; Corresponding Feeder Rank.
 Wellington Street—Wellington Street.
 Murray Street—Murray Street.
 Hay Street—Victoria Avenue.
 St. George's Terrace—Malcolm Street.

Division 11.—Fares and Charges.

Appendix

479. (1) The rates and charges that may be levied are as set forth in the Appendix to this Division.

(2) The rates and charges set forth in the Appendix to this Division are the amounts to be charged for the services mentioned in that Appendix and, except as by regulation 457 of these regulations and in this Division provided, no greater or lesser charge shall be made.

Taxi-meter units.

480. A taxi-meter fitted to a meter taxi-car shall be so adjusted as to register the flagfall when the taxi-meter is set in operation and to register the amount charged for distance travelled and the detention charge in progressive units of 3d.

No detention charge in certain cases.

481. No charge shall be made for the detention of any taxi-car arising from any accident or emergency or from mechanical failure, or any deficiency or insufficiency, in respect of the taxi-car.

Charges outside Metropolitan Area.

482. Where a charge is provided in the Appendix to this Division for a taxi-car operating outside of the Metropolitan Area that charge is applicable only to taxi-cars not licensed to operate in the Metropolitan Area.

Luggage.

483. The driver of a taxi-car may, notwithstanding any other provision of this Division, refuse to carry any luggage which would, together with the passengers to be carried, cause the vehicle to be overloaded or which by reason of its bulk or character cannot conveniently be carried in that vehicle.

Compilation of mileage for taxi-cars not being meter taxi-cars.

484. In the case of taxi-cars which are not meter taxi-cars the mileage charges provided by the Appendix to this Division are for mileages travelled by the taxi-car from the point of engagement to the destination and for the return journey to the point of engagement, whether or not the taxi-car is occupied by a passenger during the whole of that journey.

485. In computing the number of passengers for which a taxi-car is licensed, or the number of passengers to be carried without extra charge, any two passengers under the age of 12 years shall be reckoned as one passenger.

486. The hirer of a taxi-car shall pay any tolls and parking fees incurred during a hiring at the hirer's request.

Private agreement.

487. The charges set forth in the Appendix to this Division may be varied, prior to the commencement of the hiring, by any agreement entered into between the hirer and the driver, owner or representative of the owner of a taxi-car, for the payment of any lesser charge and, in such case, the hirer shall pay that lesser charge instead of the prescribed charge.

Appendix.

Reg. 479.

Meter Taxi-cars:

	s.	d.
Flagfall—all areas	2	0
Mileage rate—		
Metropolitan Area—for each 1/6th mile		3
Outside Metropolitan Area—for each 1/10th mile		3

		s.	d.
Detention charge—all areas—for each minute or			
part minute	....	....	3
Dead running charge—			
If taxi-car employed	....	....	no charge
If taxi-car not employed	....	....	3 0
Other Taxi-cars:			
Mileage rate—			
Metropolitan Area—for each 1/3rd mile	....		5
Minimum charge	....	....	3 0
Outside Metropolitan Area—for each 1/3rd mile	....		6
Minimum charge	....	....	4 0
Detention charge—5 minutes or portion of that			
period	....	....	1 3
Extra passengers in excess of five—			
Each, per mile travelled	....	....	3
All Taxi-cars:			
Luggage—			
Per passenger not exceeding 28 lb.	....		no charge
Per passenger for each, or each portion of,			
56 lb. exceeding 28 lb.—per mile	....	....	3

Division 12.—Penalties.

Penalty for
breach of
a regulation.

488. Any person committing a breach of any regulation in this Part, either by act or omission, shall, on conviction, be liable to a penalty not exceeding £20, or to imprisonment for a period not exceeding one month, and for any subsequent offence a penalty not exceeding £50 or to imprisonment for a period not exceeding 50 days with or without hard labour.

CITY OF PERTH PARKING FACILITIES ACT, 1956-1958.

Office of the Minister for Transport,
Perth, 23rd January, 1961.

HIS Excellency the Governor in Executive Council, acting pursuant to the provisions of the City of Perth Parking Facilities Act, 1956-1958, has been pleased to confirm the amendments to by-law 60 made under that Act, which amendments were made with the approval of the Minister for Transport by order of the Council of the City of Perth dated the 19th December, 1960, and set forth in the schedule hereunder.

C. C. PERKINS,
Minister for Transport.

Schedule.

City of Perth Parking Facilities Act, 1956-1958.

City of Perth.

By-law No. 60—Care, Control and Management of Parking Facilities
(Amendment).

IN pursuance of the powers conferred by the City of Perth Parking Facilities Act, 1956-1958, the Lord Mayor and Councillors of the Municipality of the City of Perth, with the approval of the Minister, order that by-law No. 60 relating to the care, control and management of parking facilities be amended as follows:—

1. A new part is inserted immediately after clause 37, as follows:—

Part 4A—Standing of Taxis.

37A. In this Part, unless the context otherwise requires, the prescribed area shall mean all that part of the City of Perth Municipal District within the boundaries described hereunder:—

Commencing at the south-eastern corner of the junction of Malcolm Street and Harvest Terrace; thence northerly along the eastern alignment of Harvest Terrace and by the prolongation of the eastern alignment of Harvest Terrace and the eastern alignment of Coolgardie Street to the junction on the northern alignment of Wellington Street with the prolongation of the eastern alignment of Coolgardie Street; thence easterly along the northern alignment of Wellington Street to the intersection with the western alignment of Hill Street; thence southerly along the western alignment of Hill Street to its intersection with the southern alignment of Adelaide Terrace; thence westerly along the southern alignment of Adelaide Terrace and St. George's Terrace to its intersection with the eastern alignment of Malcolm Street; thence south-westerly along the eastern alignment of Malcolm Street to its junction with the prolongation southerly of the eastern alignment of Harvest Terrace.

“Taxi circuit” means a system by which a disengaged taxi may progress in a specified road from a taxi feeder rank to, and by, a series of taxi circuit stands.

“Taxi circuit stand” means a position in a taxi circuit which is set apart by means of a sign on or near a road in that circuit, for the standing of disengaged taxis.

“Taxi feeder rank” means a group of positions set apart, by means of a sign on or near a road, for the standing of disengaged taxis intending to enter a taxi circuit.

37B. Unless otherwise directed by a member of the Police Force or an inspector, the driver of a taxi on arriving at any taxi feeder rank in the prescribed area shall stand his taxi on the foremost vacant

position on that rank; and, upon any position or positions on the rank in the prescribed area in advance of his taxi becoming vacant, shall forthwith stand that taxi on that, or where there is more than one, the foremost position.

37C. The driver of a taxi shall not stand his taxi for hire in a taxi circuit in the prescribed area, other than on a taxi circuit stand.

37D. The driver of a taxi shall not stand his taxi on any taxi circuit stand in the prescribed area having a vacant taxi circuit stand immediately in advance of it.

Passed by the Council of the City of Perth at the ordinary meeting of the Council held on the 19th day of December, 1960.

[L.S.]

H. R. HOWARD,
Lord Mayor.

W. A. McI. GREEN,
Town Clerk.

Approved—

C. C. PERKINS,
Minister for Transport.

Confirmed by His Excellency the Governor in Executive Council this 18th day of January, 1961.

E. P. FOREMAN,
Acting Clerk of the Council.