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ROAD TRAFFIC (AUTHORISATION TO DRIVE) ACT 2008

TAXI ACT 1994

TRANSPORT CO ORDINATION ACT 1966

**ON-DEMAND TRANSPORT
REGULATIONS AMENDMENT
REGULATIONS 2016**

Western Australia

On-demand Transport Regulations Amendment Regulations 2016

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Road Traffic (Authorisation to Drive) Act 2008
Taxi Act 1994
Transport Co-ordination Act 1966

On-demand Transport Regulations Amendment Regulations 2016

Made by the deputy of the Governor in Executive Council.

Part 1 — Preliminary

1. Citation

These regulations are the *On-demand Transport Regulations Amendment Regulations 2016*.

2. Commencement

These regulations come into operation as follows —

- (a) Part 1 — on the day on which these regulations are published in the *Gazette*;
- (b) the rest of the regulations — on 4 July 2016.

On-demand Transport Regulations Amendment Regulations 2016

Part 2 Country Taxi-cars (Fares and Charges) Regulations 1991 amended

r. 3

**Part 2 — Country Taxi-cars (Fares and Charges)
Regulations 1991 amended**

3. Regulations amended

This Part amends the *Country Taxi-cars (Fares and Charges) Regulations 1991*.

4. Regulation 1 amended

In regulation 1 delete “*Country Taxi-cars (Fares and Charges)*” and insert:

Transport (Country Taxi-cars Fares)

5. Regulation 2A amended

- (1) In regulation 2A(1) delete the definition of ***call out***.
- (2) In regulation 2A(1) insert in alphabetical order:

booking service, for a taxi-car driver, means a person that, at the request of a person to be provided with a taxi-car, arranges the provision of a taxi-car that is driven by the driver;

call out means hiring a taxi-car through the driver or the driver’s booking service (but not hiring a taxi-car at a taxi-stand or as a result of hailing the driver);

contract fare means an amount payable for the hire of a taxi-car agreed under regulation 3AA(1);

GST has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth);

On-demand Transport Regulations Amendment Regulations 2016
Country Taxi-cars (Fares and Charges) Regulations 1991 **Part 2**
amended

r. 6

Schedule 1 fare means the fare for the hire of a taxi-car referred to in regulation 3(1) and includes any surcharge or fee of a kind set out in Schedule 1 for the hire;

6. Regulation 3 amended

(1) Delete regulation 3(1) and (1a) and insert:

- (1) Each owner, driver and other operator of a taxi-car that is hired in a region must ensure that the fare, and any surcharge and fee of a kind set out in Schedule 1, for the hire of the taxi-car, inclusive of GST, are not more than those set out in Schedule 1 in respect of that region.
- (1A) A driver of a taxi-car must not select a tariff for a passenger that is not the appropriate tariff as set out in Schedule 1.
- (1B) Subregulations (1) and (1A) do not apply to a taxi-car that is hired for a contract fare.

(2) Delete regulation 3(5).

Note: The heading to amended regulation 3 is to read:

Schedule 1 fares

7. Regulations 3AA and 3AB inserted

After regulation 3 insert:

3AA. Contract fares

- (1) The amount payable for the hire of a taxi-car may be agreed between the hirer and the driver of the taxi-car or the driver's booking service (a ***contract fare***).

On-demand Transport Regulations Amendment Regulations 2016**Part 2** Country Taxi-cars (Fares and Charges) Regulations 1991
amended**r. 7**

- (2) Subregulation (1) does not apply if —
 - (a) the taxi-car is hired at a taxi-stand or as a result of hailing the driver; or
 - (b) a voucher, as defined in regulation 5A(1), is to be used as payment or part-payment of the fare.
- (3) A contract fare may be higher or lower than the Schedule 1 fare that would otherwise apply.
- (4) A contract fare has no effect, and cannot be recovered, unless —
 - (a) the contract fare is agreed before the journey starts; and
 - (b) before the journey starts, the hirer is given a written record (which may be in electronic form) complying with subregulation (5).
- (5) The written record must set out —
 - (a) sufficient details to enable the identification of the driver, taxi-car, the hirer and at least one of the passengers; and
 - (b) details of the proposed journey's origin and destination; and
 - (c) details of the date and departure time of the proposed journey; and
 - (d) the amount of the contract fare; and
 - (e) a statement to the effect that, in addition to the contract fare, there may be payable in respect of the journey —
 - (i) parking fees mentioned in regulation 3AB(2); and
 - (ii) costs of cleaning mentioned in regulation 3AB(3); and

On-demand Transport Regulations Amendment Regulations 2016
Country Taxi-cars (Fares and Charges) Regulations 1991 **Part 2**
amended

r. 7

- (iii) a surcharge for a non-cash payment mentioned in regulation 3B.
- (6) A taxi-car driver must retain a copy of the record of each contract fare agreed by the driver, or agreed on behalf of the driver by the driver's booking service, for a period of 12 months starting on the day the contract fare was agreed.

3AB. Parking fees and cleaning costs

- (1) This regulation applies whether a taxi-car is hired for a Schedule 1 fare or a contract fare.
- (2) The hirer of a taxi-car must pay the fee, if any, for parking during the journey at a passenger's request.
Penalty for this subregulation: a fine of \$200.
- (3) The hirer of a taxi-car may be charged for the costs of cleaning the taxi-car if it is soiled by a passenger during the journey.
- (4) A person must not charge another person for the costs mentioned in subregulation (3) —
 - (a) for a taxi-car hired in the Mid West region, at a rate higher than \$49.45 for each hour or part of an hour for the time required to clean the taxi-car; or
 - (b) for a taxi-car hired in any other region, at a rate higher than \$49.00 for each hour or part of an hour for the time required to clean the taxi-car.

Penalty for this subregulation: a fine of \$200.

On-demand Transport Regulations Amendment Regulations 2016

Part 2 Country Taxi-cars (Fares and Charges) Regulations 1991
amended

r. 8

8. Regulation 3B amended

- (1) In regulation 3B(1) insert after “because a”:

Schedule 1 fare or a contract

- (2) In regulation 3B(2) and (3) delete “Penalty:” and insert:

Penalty for this subregulation:

9. Regulation 4 amended

- (1) In regulation 4(1) delete “shall not evade or attempt to evade the payment of fares or charges” and insert:

must not evade or attempt to evade the payment of a Schedule 1 fare or a contract fare

- (2) In regulation 4(2) delete “shall report any evasion or attempted evasion of the payment of or charge” and insert:

must report any evasion or attempted evasion of a Schedule 1 fare

Note: The heading to amended regulation 4 is to read:

Evading fares

On-demand Transport Regulations Amendment Regulations 2016
Country Taxi-cars (Fares and Charges) Regulations 1991 **Part 2**
amended

r. 10

10. Regulation 4A amended

In regulation 4A:

- (a) after “hiring, a” insert:

taxi-car

- (b) after “anticipated” insert:

Schedule 1

- (c) delete “driver.” and insert:

driver or the contract fare.

11. Regulation 5 replaced

Delete regulation 5 and insert:

5. Multiple hiring

- (1) In this regulation —

multiple hiring, in relation to a taxi-car, means the hiring of the taxi-car by 2 or more passengers who are not accompanying each other but who agree to share the hire of the taxi-car and pay separate fares for carriage in the taxi-car.

- (2) The hirer of a taxi-car may refuse to consent to the carriage of passengers, other than those accompanying the hirer, during the period of the hiring.

On-demand Transport Regulations Amendment Regulations 2016**Part 2** Country Taxi-cars (Fares and Charges) Regulations 1991
amended**r. 11**

- (3) If a taxi-car is the subject of multiple hiring, each separate hirer may, at that hirer's destination, be charged —
 - (a) 75% of the sum of the amount of the fare then recorded on the taximeter and any surcharge or fee of a kind set out in Schedule 1 for the hire that is not included in the metered amount; or
 - (b) if the taxi-car is not fitted with a taximeter, 75% of the amount of the Schedule 1 fare that would be payable at that time if the taxi-car were being used for the carriage of a hirer or hirers for a single fare.
- (4) A taxi-car that is hired for a contract fare cannot be the subject of multiple hiring (but nothing in this regulation prevents 2 or more passengers who are not accompanying each other from agreeing to share the cost of the contract fare).
- (5) If a taxi-car is the subject of multiple hiring —
 - (a) the hirer for the purposes of regulation 3AB(2) who must pay the fee, if any, for parking during the journey at a passenger's request is the hirer who is, or who is accompanying, that passenger; and
 - (b) the hirer for the purposes of regulation 3AB(3) who may be charged for the costs of cleaning the taxi-car if it is soiled by a passenger during the journey is the hirer who is, or who is accompanying, that passenger; and
 - (c) the amounts to be paid by a hirer for the purposes of adding a surcharge under regulation 3B(1) are, in respect of each hirer, the amounts for the separate fare incurred by that hirer and any parking fee or cleaning costs

On-demand Transport Regulations Amendment Regulations 2016
Country Taxi-cars (Fares and Charges) Regulations 1991 **Part 2**
amended

r. 11

payable by that hirer as mentioned in
paragraph (a) or (b).

5A. Taxi user subsidy scheme vouchers

- (1) In this regulation —
voucher means a voucher issued under an approved State or Commonwealth Government scheme which is intended to make taxi travel available to people with disability.
- (2) A taxi-car driver must not refuse to accept a voucher as payment or part-payment of a Schedule 1 fare if the payment or part-payment is in accordance with guidelines published by the Director General.
- (3) A taxi-car driver who accepts a voucher must not enter on the voucher any information that the driver knows to be false or misleading.
- (4) A taxi-car driver must not accept a voucher that contains information that the driver knows or ought to know to be false in a material particular.
- (5) A person must not tender a voucher to which they are not entitled, or that contains information that is false in a material particular.
- (6) An owner or operator of a taxi-car must not direct a taxi-car driver to refuse to accept a voucher as payment or part-payment of a Schedule 1 fare if the payment or part-payment is in accordance with guidelines published by the Director General.

On-demand Transport Regulations Amendment Regulations 2016

Part 2 Country Taxi-cars (Fares and Charges) Regulations 1991
amended

r. 12

12. Regulation 6 replaced

Delete regulation 6 and insert:

6. Fare schedule to be available to hirers

- (1) The owner of a taxi-car must ensure that there is carried in the vehicle a schedule in a form approved by the Director General detailing the rates and other amounts in Schedule 1 to be paid in the event that the taxi-car is hired for a Schedule 1 fare (the *fare schedule*).
- (2) A taxi-car driver must make the fare schedule available to the hirer at the hirer's request.
- (3) A person must not drive a taxi-car in which the fare schedule is not carried.

13. Regulation 7 amended

In regulation 7 delete "offence and" and insert:

offence and, unless otherwise provided in these regulations,

14. Schedule 1 amended

- (1) In Schedule 1 in the heading delete "**Fees and charges**" and insert:

Fares

On-demand Transport Regulations Amendment Regulations 2016
Country Taxi-cars (Fares and Charges) Regulations 1991 **Part 2**
amended

r. 15

(2) In Schedule 1:

(a) after “**Metered rates**” (each occurrence) insert:

(maximums)

(b) delete “(if the vehicle was manufactured to carry 6 or more adult passengers)” (each occurrence);

(c) after “**Off meter rates**” (each occurrence) insert:

(maximums)

(d) delete “**Other charges**” (each occurrence) and insert:

Other amounts (maximums)

(e) delete each item relating to Cleaning.

15. Schedule 2 amended

In Schedule 2 delete the Table and insert:

Table

Item	Regulation	Description of offence	Modified penalty \$
1.	r. 3(1)	Fare, surcharge or fee of a kind set out in Schedule 1 for hire of taxi-car is more than that in Schedule 1	50
2.	r. 3(1A)	Selecting a tariff that is not the appropriate tariff as set out in Schedule 1	50

On-demand Transport Regulations Amendment Regulations 2016**Part 2** Country Taxi-cars (Fares and Charges) Regulations 1991
amended**r. 15**

Item	Regulation	Description of offence	Modified penalty \$
3.	r. 3AA(6)	Not retaining contract fare record for 12 months	50
4.	r. 3AB(2)	Hirer failing to pay parking fee incurred at passenger's request	50
5.	r. 3AB(4)	Charging excessive cleaning costs	50
6.	r. 3B(2)	Imposing excessive surcharge	50
7.	r. 3B(3)	Not using correct payment terminal	50
8.	r. 4(1)	Evading or attempting to evade payment of fare	50
9.	r. 4(2)	Failing to report evasion or attempted evasion of payment of fare to Director General	50
10.	r. 5A(2)	Refusing to accept voucher	50
11.	r. 5A(3)	Entering false or misleading information on voucher	50
12.	r. 5A(6)	Directing taxi-car driver to refuse to accept voucher	50
13.	r. 6(1)	Owner failing to ensure fare schedule carried in vehicle	50
14.	r. 6(2)	Driver failing to make schedule available to hirer upon request	50

On-demand Transport Regulations Amendment Regulations 2016
Country Taxi-cars (Fares and Charges) Regulations 1991 **Part 2**
amended

r. 16

Item	Regulation	Description of offence	Modified penalty \$
15.	r. 6(3)	Driving a taxi-car in which relevant fare schedule is not carried	50

16. Schedule 3 amended

(1) In Schedule 3 Form 1:

- (a) delete “COUNTRY TAXI-CARS (FARES AND CHARGES)” and insert:

TRANSPORT (COUNTRY TAXI-CARS FARES)

- (b) delete “for Planning and Infrastructure” and insert:

of Transport

- (c) delete “for Planning and Infrastructure” and insert:

of Transport

(2) In Schedule 3 Form 2:

- (a) delete “COUNTRY TAXI-CARS (FARES AND CHARGES)” and insert:

TRANSPORT (COUNTRY TAXI-CARS FARES)

- (b) delete “for Planning and Infrastructure” and insert:

of Transport

On-demand Transport Regulations Amendment Regulations 2016

Part 3 Road Traffic (Authorisation to Drive) Regulations 2014
amended

r. 17

**Part 3 — *Road Traffic (Authorisation to Drive)*
Regulations 2014 amended**

17. Regulations amended

This Part amends the *Road Traffic (Authorisation to Drive) Regulations 2014*.

18. Regulation 12 amended

Delete regulation 12(7) and (8) and insert:

- (7) The CEO may make an extension F or T endorsement if the applicant pays the relevant fee payable under Part 7 for making the endorsement and the CEO is satisfied that the applicant —
- (a) has, for a period of at least 3 years or periods adding up to at least 3 years, held a relevant driving authorisation; and
 - (b) has reached 20 years of age; and
 - (c) is of good character; and
 - (d) is mentally and physically fit to drive a motor vehicle for the purposes of carrying passengers for reward.

On-demand Transport Regulations Amendment Regulations 2016
Taxi Regulations 1995 amended **Part 4**

r. 19

Part 4 — *Taxi Regulations 1995* amended

19. Regulations amended

This Part amends the *Taxi Regulations 1995*.

20. Regulation 3 amended

- (1) In regulation 3 delete the definitions of:

fare

fare schedule

- (2) In regulation 3 insert in alphabetical order:

booking service, for a driver, means a person that, at the request of a person to be provided with a taxi, arranges the provision of a taxi that is driven by the driver;

call out means hiring a taxi through the driver or the driver's booking service (but not hiring a taxi at a taxi rank or as a result of hailing the driver);

contract fare means an amount payable for the hire of a taxi agreed under regulation 6A(1);

guaranteed booking means hiring a taxi through the driver or the driver's booking service (but not hiring a taxi at a taxi rank or as a result of hailing the driver) in order to guarantee the arrival of the taxi at the arranged time and place;

GST has the meaning given in the *A New Tax System (Goods and Services Tax) Act 1999* (Commonwealth);

Schedule 3 fare means the fare for the hire of a taxi referred to in regulation 6(1) and includes any surcharge or fee of a kind set out in Schedule 3 for the hire;

On-demand Transport Regulations Amendment Regulations 2016**Part 4** Taxi Regulations 1995 amended**r. 21**

21. Regulations 6, 6A and 6B inserted

After regulation 5A insert:

6. Schedule 3 fares

- (1) Each plate holder, driver, other operator and person providing a taxi dispatch service in respect of a taxi must ensure that the fare, and any surcharge and fee of a kind set out in Schedule 3, for the hire of the taxi, inclusive of GST, are not more than those set out in Schedule 3.
- (2) A driver must not select a tariff for a passenger that is not the appropriate tariff as set out in Schedule 3.
- (3) Subregulations (1) and (2) do not apply to a taxi that is hired for a contract fare.

6A. Contract fares

- (1) The amount payable for the hire of a taxi may be agreed between the hirer and the driver or the driver's booking service (a *contract fare*).
- (2) Subregulation (1) does not apply if —
 - (a) the taxi is hired at a taxi rank or as a result of hailing the driver; or
 - (b) a voucher, as defined in regulation 8(1), is to be used as payment or part-payment of the fare.
- (3) A contract fare may be higher or lower than the Schedule 3 fare that would otherwise apply.
- (4) A contract fare has no effect, and cannot be recovered, unless —
 - (a) the contract fare is agreed before the journey starts; and

On-demand Transport Regulations Amendment Regulations 2016

Taxi Regulations 1995 amended

Part 4**r. 21**

- (b) before the journey starts, the hirer is given a written record (which may be in electronic form) complying with subregulation (5).
- (5) The written record must set out —
 - (a) sufficient details to enable the identification of the driver, taxi, the hirer and at least one of the passengers; and
 - (b) details of the proposed journey's origin and destination; and
 - (c) details of the date and departure time of the proposed journey; and
 - (d) the amount of the contract fare; and
 - (e) a statement to the effect that, in addition to the contract fare, there may be payable in respect of the journey —
 - (i) parking fees mentioned in regulation 6B(2); and
 - (ii) costs of cleaning mentioned in regulation 6B(3); and
 - (iii) a surcharge for a non-cash payment mentioned in regulation 8B.
- (6) A driver must retain a copy of the record of each contract fare agreed by the driver, or agreed on behalf of the driver by the driver's booking service, for a period of 12 months starting on the day the contract fare was agreed.

6B. Parking fees and cleaning costs

- (1) This regulation applies whether a taxi is hired for a Schedule 3 fare or a contract fare.
- (2) The hirer of a taxi must pay the fee, if any, for parking during the journey at a passenger's request.

On-demand Transport Regulations Amendment Regulations 2016**Part 4** Taxi Regulations 1995 amended**r. 22**

- (3) The hirer of a taxi may be charged for the costs of cleaning the taxi if it is soiled by a passenger during the journey.
- (4) A person must not charge another person for the costs mentioned in subregulation (3) at a rate higher than \$49.00 for each hour or part of an hour for the time required to clean the taxi.

22. Regulation 7 amended

Delete regulation 7(1) and insert:

- (1) If a vehicle is being operated as a taxi each driver, plate holder, other operator and person providing the taxi dispatch service involved, if any, must ensure that a schedule in an approved form detailing the rates and amounts in Schedule 3 to be paid in the event that the taxi is hired for a Schedule 3 fare is displayed in an approved position from where it is clearly visible from the outside of the front passenger window and from the front passenger seat.

Note: The heading to amended regulation 7 is to read:

Fare schedule to be displayed in taxis

23. Regulation 8 replaced

Delete regulation 8 and insert:

8. Taxi user subsidy scheme vouchers

- (1) In this regulation —
voucher means a voucher issued under an approved State or Commonwealth Government scheme which is

On-demand Transport Regulations Amendment Regulations 2016

Taxi Regulations 1995 amended

Part 4**r. 24**

intended to make taxi travel available to people with disability.

- (2) A driver must not refuse to accept a voucher as payment or part-payment of a Schedule 3 fare if the payment or part-payment is in accordance with guidelines published by the Director General.
- (3) A driver who accepts a voucher must not enter on the voucher any information that the driver knows to be false or misleading.
- (4) A driver must not accept a voucher that contains information that the driver knows or ought to know to be false in a material particular.
- (5) A person must not tender a voucher to which they are not entitled, or that contains information that is false in a material particular.
- (6) A plate holder, an operator or a person providing a taxi dispatch service must not direct a driver to refuse to accept a voucher as payment or part-payment of a Schedule 3 fare if the payment or part-payment is in accordance with guidelines published by the Director General.

24. Regulation 8B amended

- (1) In regulation 8B(1) delete “fare calculated using the fare schedule” and insert:

Schedule 3 fare or a contract fare

On-demand Transport Regulations Amendment Regulations 2016**Part 4** Taxi Regulations 1995 amended**r. 25**

- (2) In regulation 8B(2) and (3) delete “Penalty:” and insert:

Penalty for this subregulation:

25. Regulation 9 amended

- (1) In regulation 9(2) delete “shall set the meter to zero” and insert:

must set the meter in operation

- (2) In regulation 9(3) delete “he or she shall” and insert:

the driver must

- (3) After regulation 9(3) insert:

- (4) This regulation does not apply if —

- (a) the taxi is hired for a contract fare; or
- (b) an off meter rate set out in Schedule 3 applies to the journey.

26. Regulation 9A amended

In regulation 9A:

- (a) after “any” insert:

Schedule 3 fare or contract

On-demand Transport Regulations Amendment Regulations 2016

Taxi Regulations 1995 amended

Part 4**r. 27**

(b) after “Penalty:” insert:

a fine of

27. Regulation 9B amended

In regulation 9B(1) after “of the” insert:

Schedule 3 fare or contract

28. Regulation 10 replaced

Delete regulation 10 and insert:

10. Multiple hiring

(1) In this regulation —

multiple hiring, in relation to a taxi, means the hiring of the taxi by 2 or more passengers who are not accompanying each other but who agree to share the hire of the taxi and pay separate fares for carriage in the taxi.

(2) The hirer of a taxi may refuse to consent to the carriage of passengers, other than those accompanying the hirer, during the period of the hiring.

(3) If a taxi is the subject of multiple hiring, each separate hirer may, at that hirer’s destination, be charged 75% of the sum of —

(a) the amount of the fare then recorded on the meter; and

(b) any surcharge or fee of a kind set out in Schedule 3 for the hire that is not included in the metered amount.

On-demand Transport Regulations Amendment Regulations 2016**Part 4** Taxi Regulations 1995 amended**r. 29**

- (4) A taxi that is hired for a contract fare cannot be the subject of multiple hiring (but nothing in this regulation prevents 2 or more passengers who are not accompanying each other from agreeing to share the cost of the contract fare).
- (5) If a taxi is the subject of multiple hiring —
 - (a) the hirer for the purposes of regulation 6B(2) who must pay the fee, if any, for parking during the journey at a passenger's request is the hirer who is, or who is accompanying, that passenger; and
 - (b) the hirer for the purposes of regulation 6B(3) who may be charged for the costs of cleaning the taxi if it is soiled by a passenger during the journey is the hirer who is, or who is accompanying, that passenger; and
 - (c) the amounts to be paid by a hirer for the purposes of adding a surcharge under regulation 8B are, in respect of each hirer, the amounts for the separate fare incurred by that hirer and any parking fee or cleaning costs payable by that hirer as mentioned in paragraph (a) or (b).

29. Regulation 12 amended

In regulation 12 delete "fare as estimated by the driver." and insert:

Schedule 3 fare as estimated by the driver or the contract fare.

On-demand Transport Regulations Amendment Regulations 2016

Taxi Regulations 1995 amended

Part 4

r. 30**30. Regulation 13 amended**

(1) In regulation 13(2):

(a) in paragraph (a) delete “the fare” and insert:

the Schedule 3 fare or contract fare

(b) delete paragraph (b) and insert:

(b) costs of cleaning mentioned in regulation 6B(3).

31. Regulations 17A and 17B deleted

Delete regulations 17A and 17B.

32. Regulation 21 amended

In regulation 21:

(a) delete “offence.” and insert:

offence, and unless otherwise provided in these regulations, the penalty is a fine of \$1 000.

(b) delete the Penalty.

33. Regulation 23 deleted

Delete regulation 23.

34. Schedule 1 amended

In Schedule 1 in the Table:

(a) delete item 12;

On-demand Transport Regulations Amendment Regulations 2016**Part 4** Taxi Regulations 1995 amended**r. 34**

(b) delete items 13 and 14 and insert:

13	Regulation 6(1)	Fare, surcharge or fee of a kind set out in Schedule 3 for hire of taxi is more than that in Schedule 3	200
14	Regulation 6(2)	Selecting a tariff that is not the appropriate tariff as set out in Schedule 3	200
14A	Regulation 6A(6)	Not retaining contract fare record for 12 months	100
14B	Regulation 6B(2)	Hirer failing to pay parking fee incurred at passenger's request	100
14C	Regulation 6B(4)	Charging excessive cleaning costs	100
14D	Regulation 7	Failure to ensure display of fare schedule	100

(c) in item 15 delete the offence description and insert:

Refusing to accept voucher

(d) delete items 16 and 17 and insert:

16	Regulation 8(3)	Driver entering false or misleading information on voucher	200
17	Regulation 8(6)	Directing driver to refuse to accept voucher	200

On-demand Transport Regulations Amendment Regulations 2016
Taxi Regulations 1995 amended **Part 4**

r. 35

(e) in item 18 delete the offence description and insert:

Offences relating to setting, stopping or pausing meter

(f) delete item 30.

35. Schedule 3 inserted

After Schedule 2 insert:

Schedule 3 — Fares

[r. 6]

Metered rates (maximums)

Tariff	Flagfall	Distance rate	Detention
Tariff 1			
Monday to Friday 6 am to 6 pm	\$4.20	\$1.72/km	\$49.00/hour
Tariff 2			
Monday to Friday 6 pm to 6 am			
Friday 6 pm to Monday 6 am			
All day Public Holidays	\$6.10	\$1.72/km	\$49.00/hour
Tariff 3			
When carrying 5 or more passengers	\$6.10	\$2.56/km	\$76.00/hour

On-demand Transport Regulations Amendment Regulations 2016**Part 4** Taxi Regulations 1995 amended**r. 35****Off meter rates (maximums)**

When off meter rates apply	Distance rate
When carrying fewer than 5 passengers for a journey starting in a control area and ending outside the control area	\$2.08 for each kilometre from the start of the journey to the end of the journey
When carrying 5 or more passengers for a journey starting in a control area and ending outside the control area	\$3.16 for each kilometre from the start of the journey to the end of the journey
Tours	\$73.90 for the first hour or part of the first hour \$17.95 for each quarter hour after the first hour
Weddings	\$136.20 for the first 2 hours or part of the first 2 hours \$16.90 for each quarter hour after the first 2 hours
Funerals	\$68.20 for the first hour or part of the first hour \$16.90 for each quarter hour after the first hour

Other amounts (maximums)

Call out fee (but only if a guaranteed booking fee is not payable for the same hire)	\$1.50
Guaranteed booking fee	\$9.00

On-demand Transport Regulations Amendment Regulations 2016

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Part 4**r. 35**

Airport fee	
(for a journey starting at a terminal at the Perth Airport)	\$3.00
Surcharges	
Ultra-Peak —	
Between midnight Friday to 3 am Saturday or midnight Saturday to 3 am Sunday	\$3.60
Christmas Day —	
midnight to midnight	\$5.10
New Year's Eve —	
6 pm New Year's Eve to 6 am New Year's Day	\$5.80

On-demand Transport Regulations Amendment Regulations 2016**Part 5** Transport Co-ordination Regulations 1985 amended**r. 36**

**Part 5 — *Transport Co-ordination
Regulations 1985* amended****36. Regulations amended**

This Part amends the *Transport Co-ordination Regulations 1985*.

37. Regulation 12 inserted

After regulation 11 insert:

12. Omnibus licence form

An omnibus licence must be in an approved form.

38. Schedule 1 amended

In Schedule 1 delete the item relating to Form 2.

39. Schedule 2 amended

In Schedule 2:

- (a) delete Form 2;
- (b) in Form 3 delete “LICENCE NO.” and insert:

VEHICLE DESCRIPTION

- (c) in Form 18 delete “Omnibus Licence No” and insert:

licence for omnibus [*insert vehicle description*]

On-demand Transport Regulations Amendment Regulations 2016

Transport Co-ordination Regulations 1985 amended

Part 5

r. 39

(d) in Form 19 delete “Omnibus/” and insert:

licence for omnibus [*insert vehicle description*] or

On-demand Transport Regulations Amendment Regulations 2016**Part 6** Transport (Country Taxi-car) Regulations 1982 amended**r. 40**

**Part 6 — *Transport (Country Taxi-car)*
Regulations 1982 amended**

40. Regulations amended

This Part amends the *Transport (Country Taxi-car) Regulations 1982*.

41. Regulation 26 amended

- (1) In regulation 26(2)(c) delete “*Country Taxi-cars (Fares and Charges)*” and insert:

Transport (Country Taxi-cars Fares)

- (2) In regulation 26(3)(c)(ii) delete “a charge to cover the cost of cleaning the taxi-car, as set out in the *Country Taxi-cars (Fares and Charges) Regulations 1991* Schedule 1.” and insert:

costs of cleaning mentioned in the *Transport (Country Taxi-cars Fares) Regulations 1991* regulation 3AB(3).

42. Regulation 34 amended

In regulation 34(3) delete “fares and charges prescribed by the *Country Taxi-cars (Fares and Charges) Regulations 1991*” and insert:

Transport (Country Taxi-cars Fares) Regulations 1991
regulation 3

On-demand Transport Regulations Amendment Regulations 2016
Transport (Country Taxi-car) Regulations 1982 amended **Part 6**

r. 43

43. Regulation 35 amended

In regulation 35(1)(a) delete “fares and charges prescribed by the *Country Taxi-cars (Fares and Charges) Regulations 1991*,” and insert:

components of the Schedule 1 fare, as defined in the *Transport (Country Taxi-cars Fares) Regulations 1991* regulation 2A, that can be recorded on the taximeter; and

44. Regulations 39 and 39A replaced

Delete regulations 39 and 39A and insert:

39. Hire period and operation of taximeter

- (1) A period of hiring of a taxi-car commences —
 - (a) if the taxi-car is engaged at a taxi-stand or as a result of being hailed, upon the entry into the taxi-car of the hirer, or a person accompanying the hirer; or
 - (b) if the taxi-car is engaged to commence the hiring at a specified place, as soon as the hirer, a person accompanying the hirer or a person apparently acting on behalf of the hirer acknowledges the driver after arrival at that place; or
 - (c) if the taxi-car is engaged to commence the hiring at a specified place and at a specified time, on arrival of the taxi-car at that place at, or after, that time.
- (2) A period of hiring of a taxi-car terminates when the taxi-car is free to resume plying for hire.

On-demand Transport Regulations Amendment Regulations 2016**Part 6** Transport (Country Taxi-car) Regulations 1982 amended**r. 45**

- (3) A taxi-car driver must set the taximeter in operation at the commencement of a hiring and stop the taximeter at the termination of a hiring.
- (4) If a taxi-car driver stops the taxi-car during the period of a hiring to refuel the taxi-car, consult a road directory or for some other purpose not requested by the hirer, the driver must pause the taximeter until the journey is recommenced.
- (5) This regulation does not apply if —
 - (a) the taxi-car is hired for a contract fare under the *Transport (Country Taxi-cars Fares) Regulations 1991* regulation 3AA; or
 - (b) an off meter rate set out in Schedule 1 of those regulations applies to the journey.

45. Schedule 2 amended

- (1) In Schedule 2, in the Table, item 14 delete “fares and charges prescribed by *Country Taxi-cars (Fares and Charges) Regulations 1991*” and insert:

components of Schedule 1 fares as defined in *Transport (Country Taxi-cars Fares) Regulations 1991*

- (2) In Schedule 2, in the Table, item 18:

- (a) delete “r. 39” and insert:

r. 39(3) and (4)

- (b) delete the offence description and insert:

Offences relating to setting, stopping or pausing taximeter

N. HAGLEY, Clerk of the Executive Council.