



Western Australia

Transport Co-ordination Act 1966

# **Transport (Country Taxi-car) Regulations 1982**

**Reprint 3: The regulations as at 29 January 2009**

## Guide for using this reprint

### *What the reprint includes*



### *Endnotes, Compilation table, and Table of provisions that have not come into operation*

1. Details about the original regulations and legislation that has amended its text are shown in the Compilation table in endnote 1, at the back of the reprint. The table also shows any previous reprint.
2. Transitional, savings, or other provisions identified in the Compilation table may be important. The table may refer to another endnote setting out the text of these provisions in full.
3. A table of provisions that have not come into operation, to be found in endnote 1a if it is needed, lists any provisions of the regulations being reprinted that have not come into operation and any amendments that have not come into operation. The full text is set out in another endnote that is referred to in the table.

### *Notes amongst text (italicised and within square brackets)*

1. If the reprint includes a regulation that was inserted, or has been amended, since the regulations being reprinted were made, editorial notes at the foot of the regulation give some history of how the regulation came to be as it is. If the regulation replaced an earlier regulation, no history of the earlier regulation is given (the full history of the regulations is in the Compilation table).

Notes of this kind may also be at the foot of Schedules or headings.

2. The other kind of editorial note shows something has been —
  - removed (because it was repealed or deleted from the law); or
  - omitted under the *Reprints Act 1984* s. 7(4) (because, although still technically part of the text, it no longer has any effect).

The text of anything removed or omitted can be found in an earlier reprint (if there is one) or one of the written laws identified in the Compilation table.

### *Reprint numbering and date*

1. The reprint number (in the footer of each page of the document) shows how many times the regulations have been reprinted. For example, numbering a reprint as “Reprint 3” would mean that the reprint was the 3<sup>rd</sup> reprint since the regulations were published. Reprint numbering was implemented as from 1 January 2003.
2. The information in the reprint is current on the date shown as the date as at which the regulations are reprinted. That date is not the date when the reprint was published by the State Law Publisher and it is probably not the date when the most recent amendment had effect.

Western Australia

## Transport (Country Taxi-car) Regulations 1982

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Reprinted under the  
*Reprints Act 1984* as  
at 29 January 2009

Western Australia

Transport Co-ordination Act 1966

## Transport (Country Taxi-car) Regulations 1982

### Part I — Preliminary

#### 1. Citation

These regulations may be cited as the *Transport (Country Taxi-car) Regulations 1982*<sup>1</sup>.

#### 2. Commencement

These regulations shall take effect on the coming into operation of the *Transport Amendment Act (No. 3) 1981*<sup>1</sup>.

#### 3. Application

These regulations do not apply in a control area.

#### 4. Terms used

In these regulations unless the contrary intention appears —

*approved* means approved by the Director General;

*authorised officer* means —

- (a) an officer of the Department authorised in that behalf by the Director General;
- (b) any member of the Police Force;

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**ordinary taxi-car licence** means a taxi-car licence referred to in regulation 9(1);

**regulation** means one of these regulations;

**subregulation** means a subregulation of the regulation in which the term is used;

**taxi-car licence** means an ordinary taxi-car licence or a temporary taxi-car licence;

**temporary taxi-car licence** means a temporary taxi-car licence referred to in regulation 9(1a).

*[Regulation 4 amended in Gazette 20 Dec 1985 p. 4856; 28 Nov 1986 p. 4387; 14 Jul 2006 p. 2575.]*

**5. Fees**

The fees required to be paid by the Act and these regulations are set out in Schedule 1.

*[Regulation 5 amended in Gazette 14 Jul 2006 p. 2575.]*

**[6. Repealed in Gazette 20 Dec 1985 p. 4856.]**

**7. Conditions of licensing and registration**

Any condition attached by the Minister to a taxi-car licence shall be endorsed thereon.

*[Regulation 7 amended in Gazette 20 Dec 1985 p. 4856; 24 Mar 1995 p. 1112.]*



## Part II — Licensing of taxi-cars

### 8. Application for licence

- (1) An application for the issue of a taxi-car licence shall be made to the Minister in an approved form.
- (2) The Minister, where satisfied —
  - (a) that a vehicle licence is in force under the *Road Traffic Act 1974* in respect of the taxi-car and that the taxi-car conforms to the requirements of the Act and these regulations relating to taxi-cars; and
  - (b) that the applicant is a fit and proper person to operate a taxi-car and has complied with such reasonable requirements as the Minister may impose,

may upon payment of the administration fee and the appropriate fee for issuing a licence fee set out in Schedule 1 issue a taxi-car licence for operation of the taxi-car in the district or districts specified therein.

- (3) A taxi-car licence issued in accordance with subregulation (2) shall specify the maximum number of passengers which the taxi-car may carry at any one time.

*[Regulation 8 amended in Gazette 20 Dec 1985 p. 4856; 8 Aug 1986 p. 2827; 27 Sep 1991 p. 5074; 14 Jul 2006 p. 2576.]*

### 9. Licences valid for 12 months

- (1) Subject to any conditions attached thereto and to subregulation (2), an ordinary taxi-car licence shall be valid for a period of 12 months from the date of issue or renewal.
- (1a) A temporary taxi-car licence is valid for any period of 2, 4, 6, 8 or 12 weeks as is specified by the Minister in the licence.
- (1b) Subject to any conditions attached thereto and to subregulation (2), a temporary taxi-car licence is valid for the period specified therein and shall while in force, have effect as

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an ordinary taxi-car licence in respect of the area in which it is issued.

- (2) A taxi-car licence remains valid so long, only, as a vehicle licence remains in force under the *Road Traffic Act 1974* in respect of the taxi-car.

*[Regulation 9 amended in Gazette 28 Nov 1986 p. 4387.]*

**10. Renewal of licence**

- (1) Subject to subregulation (2) and regulation 44 an ordinary taxi-car licence may be renewed not earlier than one month before it expires on payment to the Director General of the appropriate fee set out in Schedule 1.

- (1a) A temporary taxi-car licence may not be transferred or renewed.

- (2) The Minister may cancel, suspend or refuse to renew a taxi-car licence if he is satisfied that the taxi-car does not comply with regulation 8(2)(a).

*[Regulation 10 (erratum in Gazette 30 Jul 1982 p. 2957); amended in Gazette 20 Dec 1985 p. 4856; 28 Nov 1986 p. 4387; 14 Jul 2006 p. 2576.]*

**11. Change of owner and transfer of licence**

- (1) Where a person to whom a taxi-car licence has been granted ceases to be the owner of the taxi-car he shall —
- (a) forthwith notify the Director General in writing that he has ceased to be the owner of the taxi-car and of the name and address of the new owner of the taxi-car; and
  - (b) in the case of an ordinary taxi-car licence, unless the Minister has approved the transfer of the taxi-car licence to the new owner, return the taxi-car licence and the appropriate number plates to the Minister.
- (2) An ordinary taxi-car licence may be transferred by application to the Minister in an approved form.

- (3) On receipt of an application under subregulation (2) the Minister if satisfied —

- (a) that the taxi-car continues to comply with regulation 8(2)(a); and
- (b) that the applicant complies with regulation 8(2)(b),

may upon payment of the appropriate fee set out in Schedule 1 transfer the licence.

*[Regulation 11 amended in Gazette 20 Dec 1985 p. 4856; 28 Nov 1986 p. 4387; 14 Jul 2006 p. 2576.]*

**12. Vehicle to be approved**

- (1) A vehicle shall not be licensed as a taxi-car unless the vehicle in its construction, design, and seating accommodation and in relation to all internal and external fittings and equipment has been approved by the Director General.
- (2) The Director General or an authorised officer may by written notice to an owner or operator 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.

*[Regulation 12 amended in Gazette 20 Dec 1985 p. 4856.]*

**13. Label**

The Director General shall issue to the owner of every taxi-car licensed under this Part, a label bearing the numerals corresponding with those of the month of expiry of the licence which the owner shall affix and keep affixed to the lower left hand side of the windshield of that vehicle.

*[Regulation 13 amended in Gazette 20 Dec 1985 p. 4856.]*

**14. Number plates**

- (1) The Director General shall issue number plates for every vehicle licensed as a taxi-car and a person shall not operate a taxi-car

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unless the number plates so issued are affixed in a conspicuous horizontal position at the front and rear of that vehicle.

- (2) Any person having custody of a number plate issued in respect of a taxi-car shall return it to the Director General within 14 days after the taxi-car licence to which it relates ceases to be valid or is surrendered, suspended or cancelled.
- (3) Where number plates have not been returned to the Director General as required by these regulations, the person having custody thereof shall, on demand made by an authorised officer in writing, deliver those number plates to him.

*[Regulation 14 amended in Gazette 20 Dec 1985 p. 4856.]*

**15. Replacement of taxi-car**

An owner may apply to the Minister in an approved form, to replace a vehicle licensed as a taxi-car and where that approval is given the replacement vehicle is subject to all the provisions of the Act and these regulations affecting the licensing and operation of a taxi-car and to any conditions imposed on the licence.

*[Regulation 15 amended in Gazette 20 Dec 1985 p. 4856.]*

**16. Removal of vehicle from district**

The owner or operator of a taxi-car shall not remove the vehicle from the district specified in the taxi-car licence except on a hiring unless —

- (a) the taxi-car is being removed for repairs and a permit to substitute another vehicle has been obtained in accordance with regulation 15; or
- (b) the written consent of the Director General has been obtained.

*[Regulation 16 amended in Gazette 20 Dec 1985 p. 4856.]*

**17.      Substitution of taxi-car under repair**

- (1) Where a vehicle licensed as a taxi-car is under repair and cannot be operated, the Minister or an authorised officer may by permit in the form approved, authorise the owner of that vehicle to operate another vehicle in substitution for that vehicle so licensed and all the provisions of the Act and these regulations affecting the licensing and operation of a taxi-car and any conditions imposed on the licence shall apply to that vehicle.
- (2) A permit issued under subregulation (1) may be revoked by the Minister or the issuing officer, in writing, at any time.

*[Regulation 17 amended in Gazette 20 Dec 1985 p. 4856.]*

*[Part III (r. 18-23) repealed in Gazette 24 Mar 1995 p. 1112.]*

## **Part IV — Conduct of drivers**

### **24. Drivers to be clean and neat**

A taxi-car driver shall whilst driving a taxi-car be clean and neat as to clothing, person and general appearance.

*[Regulation 24 amended in Gazette 24 Mar 1995 p. 1112.]*

### **25. Conduct of driver**

A taxi-car driver shall while operating that taxi-car —

- (a) conduct himself in an orderly manner and with civility and propriety, at all times, and comply with any reasonable requirement of a hirer, or passenger or intending hirer or passenger;
- (b) afford reasonable assistance to a passenger or intending passenger —
  - (i) by opening the doors, where practicable; and
  - (ii) by loading or unloading that person's luggage into and from the taxi-car;

*[(c) deleted]*

- (d) carry, and produce at the request of an authorised officer the driver's licence document for a licence endorsed with extension T or equivalent evidence of authorisation to drive under the *Road Traffic Act 1974*; and
- (e) be constantly in attendance on the taxi-car at any time that it is standing for hire.

*[Regulation 25 amended in Gazette 24 Mar 1995 p. 1112-13; 24 Jun 2008 p. 2914.]*

### **26. Obligation on driver**

- (1) Subject to this regulation the driver of a taxi-car shall not fail to carry out any hiring accepted, or refuse a hiring where it is lawful for him to accept it.

- (2) A driver is not obliged to accept a hiring where —
- (a) the intending hirer or an intending passenger is intoxicated, unclean, abusive or violent;
  - (b) the driver has reasonable grounds to believe that —
    - (i) the intending hirer or an intending passenger, or the point of engagement or the destination, poses a threat to the driver's safety;
    - (ii) the hiring would result in a breach of a condition imposed by the Director General under section 47ZD(3) of the Act on the operation of the taxi-car; or
    - (iii) the intending hirer or an intending passenger has evaded, or attempted to evade, the payment of a fare or charge for hiring a taxi-car;
  - (c) the driver requires the intending hirer to pay a deposit under the *Country Taxi-cars (Fares and Charges) Regulations 1991* regulation 4A and the intending hirer does not pay it; or
  - (d) the number of intending passengers aged 12 or over exceeds the number of available seatbelts in the taxi-car.
- (3) If, during a hiring, a passenger begins to soil the taxi-car or become abusive or violent —
- (a) the driver may terminate the hiring;
  - (b) the driver or an authorised officer may request all passengers to alight from the taxi-car; and
  - (c) the driver may require the hirer to pay —
    - (i) the fare that would have been due if the hiring had terminated at that point in the normal course of events; and
    - (ii) in the case of soiling, 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.

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- (4) A passenger who fails to alight from a taxi-car when requested to do so under subregulation (3)(b) commits an offence.

*[Regulation 26 inserted in Gazette 8 Aug 1986 p. 2827; amended in Gazette 14 Jul 2006 p. 2576-7.]*

**26A. Passengers not to exceed licensed number**

- (1) Where the number of passengers exceeds the number specified on the taxi-car licence issued in accordance with regulation 8 —
- (a) the driver shall refuse a proposed hiring; and
  - (b) the driver, or an authorised officer may request the hirer or passenger to alight from the taxi-car.
- (2) Any person who fails to alight from a taxi-car when requested to do so under subregulation (1)(b) commits an offence.

*[Regulation 26A inserted in Gazette 8 Aug 1986 p. 2827.]*

**26B. Requirement to carry guide dogs**

A driver shall transport a guide dog that is accompanying a passenger who is visually or hearing impaired unless excused from doing so in writing by an authorised officer.

*[Regulation 26B inserted in Gazette 14 Jul 2006 p. 2577.]*

**27. Shortest route**

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

**27A. Display of driver identification**

The driver of a taxi-car shall, in the manner directed by the Director General, display an approved identification card in a prominent position in the taxi he is driving.

*[Regulation 27A inserted in Gazette 24 Mar 1995 p. 1113.]*



## **Part V — Condition and appearance of taxi-cars**

### **28. Condition of vehicle**

A driver shall not stand a taxi-car for hire, or drive it on a public road for reward unless the vehicle —

- (a) conforms to the requirements of the *Road Traffic Act 1974* and the regulations thereunder; and
- (b) is clean and fit for public use.

### **29. Signs on taxi-cars**

- (1) The owner of a taxi-car shall not cause or permit any sign to be displayed on it or fitted to it unless the sign is an approved sign.
- (2) The Director General may in accordance with subregulation (3) direct —
  - (a) that the owner of a taxi-car shall cause it to be fitted with a for hire sign in a position specified in the direction and that a person shall not operate the taxi-car unless it is so fitted with a for hire sign; or
  - (b) that the owner of a taxi-car shall cause it to be fitted with a taxi sign in a position specified in the direction and that a person shall not operate the taxi-car unless it is so fitted with a taxi sign; or
  - (c) that the owner of a taxi-car shall cause it to be fitted with a taxi for hire sign in a position specified in the direction and that person shall not operate the taxi-car unless it is so fitted with a taxi for hire sign,

and where the Director General has so directed the owner and operator shall comply with that direction.

- (3) A direction under subregulation (2) may be given —
  - (a) in respect of a particular taxi-car — by notice in writing served on the owner of the taxi-car;
  - (b) in respect of taxi-cars of a particular class — by notice published in the *Government Gazette* and in a newspaper

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circulating in the district or districts in respect of which taxi-cars of that class are licensed.

(4) In subregulation (2) —

**for hire sign** means an approved sign indicating whether or not the taxi-car is for hire;

**taxi for hire sign** means an approved sign carrying the word “TAXI” and indicating whether or not the taxi-car is for hire;

**taxi sign** means an approved sign carrying the word “TAXI”.

*[Regulation 29 amended in Gazette 20 Dec 1985 p. 4856.]*

*[Part VI (r. 30-32) repealed in Gazette 19 Apr 1991 p. 1816.]*

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## Part VII — Taximeters

### 33. Requirements in relation to taximeters

The owner of a taxi-car shall not cause or permit a taximeter to be fitted to that taxi-car unless —

- (a) he has the prior permission of the Director General to do so or has been directed by the Director General to do so pursuant to regulation 34;
- (b) it is of an approved type; and
- (c) it is so installed and illuminated that the fact that the taximeter is operating, and the amount of fare being registered, is readily visible to any passenger and to the driver, each from his sitting position, including during the hours of darkness.

*[Regulation 33 amended in Gazette 20 Dec 1985 p. 4856.]*

### 34. Director General may direct fitting of taximeter

- (1) The Director General may direct that the owner of a taxi-car shall cause it to be fitted with a taximeter and that subject to subregulation (3) a person shall not operate the taxi-car unless it is fitted with a taximeter, and where the Director General has so directed the owner and operator shall comply with that direction.
- (2) The provisions of regulation 29(3) apply to a direction given under subregulation (1).
- (3) Where a taximeter has been removed from a taxi-car for repair or conversion, a person may subject to subregulation (4) operate the taxi-car using the vehicle's odometer and the fares and charges prescribed by the *Country Taxi-cars (Fares and Charges) Regulations 1991* will still apply.
- (4) Before a taxi-car is operated, using the vehicle's odometer in accordance with subregulation (3) the operator of the taxi-car shall submit the vehicle to an authorised person to be tested for distance, over a distance of 2 kilometres and an odometer tested

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under this subregulation shall not be approved for use on any taxi-car if there is an error of 50 metres, or more, over a distance of 2 kilometres.

*[Regulation 34 amended in Gazette 31 Aug 1984 p. 2785; 20 Dec 1985 p. 4856; 27 Jun 1997 p. 3147.]*

**35. Inspection before use**

- (1) The operator of a taxi-car to which a taximeter has been fitted shall before using that vehicle as a taxi-car —
  - (a) cause the meter to be regulated to record the fares and charges prescribed by the *Country Taxi-cars (Fares and Charges) Regulations 1991*;
  - (b) submit the vehicle to an authorised person for inspection, testing and sealing.

- (2) The authorised person referred to in subregulation (1) shall test the taximeter for —

- (a) distance, over a distance of not less than 2 kilometres; and
- (b) time, over a period of not less than 10 minutes,

and a taximeter tested under this regulation shall not be approved for use on any taxi-car if there is an error —

- (c) of 50 metres, or more, over a distance of 2 kilometres; or
- (d) of 3%, or more, over the space of 10 minutes.

*[Regulation 35 amended in Gazette 31 Aug 1984 p. 2785; 20 Dec 1985 p. 4856; 27 Jun 1997 p. 3147.]*

**36. Obligations upon the owner of a taximeter**

The owner of a taxi-car to which a taximeter is fitted —

- (a) shall cause the taximeter to be maintained in good order and condition and to be re-adjusted and tested by an authorised person, as may be required, and in any event once in every 12 months after last being tested;

- (b) on becoming aware that the taximeter is not registering correctly or has become in any way unserviceable or no longer sealed, shall forthwith notify the Director General or an authorised person of that fact;
- (ba) shall not remove a taximeter from a taxi-car for repair, fare conversion or vehicle replacement for a period exceeding 10 days except with the approval of the Director General.
- (c) shall not affix or permit to be affixed to the taxi-car any wheels, tyres or gear ratio of a kind other than that which was affixed when the taximeter was last tested, unless the taximeter is then re-tested before use;
- (d) shall not make any alteration or permit any alteration to be made to the taxi-car that would in any way affect the correct operation of the taximeter; and
- (e) shall not alter or render indistinguishable or illegible the numbers or other markings on the taximeter by which it is identifiable as that previously tested and approved, or cause or suffer it to be done by any person.

*[Regulation 36 amended in Gazette 31 Aug 1984 p. 2785; 20 Dec 1985 p. 4856.]*

**37. Fare chart**

The operator of a taxi-car shall, whenever directed by the Director General, but not otherwise, exhibit near the taximeter a fare conversion chart or fare schedule issued, and approved by the Director General.

*[Regulation 37 amended in Gazette 20 Dec 1985 p. 4856.]*

**38. Taximeter not to be manipulated**

The operator of a taxi-car shall not manipulate a taximeter in a manner likely to defraud any person.

**39.      Taximeter to operate from entry of passenger**

- (1) Subject to subregulation (2) where a taxi-car is fitted with a taximeter the driver engaged on a hiring shall set the taximeter in operation upon the entry into the vehicle of the passenger.
- (2) Where a taxi-car fitted with a taximeter is engaged to commence a hiring at a specified place the driver shall 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 taximeter in operation.

**39A.    No taximeter for special hirings**

Where a taxi-car is engaged on a special hiring or for a journey covered by Off meter rates prescribed in the *Country Taxi-cars (Fares and Charges) Regulations 1991*, the taximeter shall not be set in operation.

*[Regulation 39A inserted in Gazette 31 Aug 1984 p. 2785;  
amended in Gazette 27 Jun 1997 p. 3147.]*

## **Part VIII — Powers of authorised officers and the Director General**

*[Heading amended in Gazette 20 Dec 1985 p. 4856.]*

### **40. Directions of an authorised officer to be obeyed**

Where an authorised officer has reason to believe that any vehicle is being operated as a taxi-car he may —

- (a) stop any car purporting to be a taxi-car to ascertain whether or not the Act and these regulations are being observed;
- (b) direct an operator, hirer or passenger to answer any question relating to the operation of the vehicle;
- (c) direct a hirer or passenger to alight from or forbid his entering a taxi-car; or
- (d) direct an owner or driver to produce a taxi-car licence and a driver's licence document for a licence endorsed with extension T or equivalent evidence of authorisation to drive under the *Road Traffic Act 1974*,

and any person so directed by an authorised officer shall comply with those directions.

*[Regulation 40 amended in Gazette 24 Mar 1995 p. 1113; 24 Jun 2008 p. 2914.]*

### **41. Notice of inspection**

- (1) Where an authorised officer is of the opinion that a taxi-car licensed under the Act is —
  - (a) so unclean as to be likely to mark or damage the clothing or luggage of a passenger;
  - (b) unsightly because of damage or rust or is otherwise likely to be objectionable to a passenger;
  - (c) mechanically defective or does not comply with the requirements of these regulations or regulations under the *Road Traffic Act 1974*, or does not comply with

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conditions imposed on the licence or is equipped with a taximeter or odometer that is materially inaccurate,

he may by notice in writing prohibit the continued operation of the taxi-car and direct the owner or operator to submit the taxi-car within such time as is specified in the notice to a nominated place for inspection.

- (2) An owner or operator who receives a notice under subregulation (1) shall comply with the terms of the notice and shall cause to be rectified any defect that is found during an inspection.

*[Regulation 41 inserted in Gazette 31 Aug 1984 p. 2785-6.]*

**42. Operator may be directed to attend**

The Director General may by notice in writing direct any owner or operator of a taxi-car to attend at a place and time nominated in the notice and the person who receives the notice shall not, without reasonable excuse, fail to comply with the terms of the notice.

*[Regulation 42 amended in Gazette 20 Dec 1985 p. 4856.]*

**43. Statistics may be required**

The Director General may require the operator of a taxi-car to maintain and produce on request statistics relating to the operation of the taxi-car in an approved form.

*[Regulation 43 amended in Gazette 20 Dec 1985 p. 4856.]*



## **Part IX — Disciplinary procedure**

### **44. Powers of Minister**

- (1) Subject to regulation 45 where the Minister has reason to believe —
- (a) that the taxi-car to which a taxi-car licence relates is not being operated at all, or is being operated in a manner that is not in the public interest;
  - (b) that the conditions attached to any taxi-car licence have been contravened or have not been observed; or
  - (c) that the holder of any taxi-car licence —
    - (i) has been guilty of any act or omission in contravention of these regulations and that the service that is or ought to be provided to the public is thereby prejudiced; or
    - (ii) is not a fit and proper person to operate a taxi-car,

the Minister may —

- (d) cancel, suspend or refuse to renew the taxi-car licence;
- (e) reprimand the holder of the taxi-car licence;
- (f) attach any condition to the taxi-car licence or vary any condition already attached thereto; or
- (g) reprimand the holder of the taxi-car licence and attach any condition thereto or vary any condition already attached thereto.

*[(2) repealed]*

- (3) Subject to regulation 45 where the Minister has reason to believe that a taxi-car licence has been obtained by fraud or misrepresentation the Minister may cancel, suspend or refuse to renew the licence.

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- (4) A decision of the Minister under this regulation may be expressed to be conditional upon terms therein specified, but otherwise has immediate effect.
- (5) Notice in writing of a decision of the Minister under this regulation shall be served on the licensee as soon as practicable after it is made.
- (6) The Minister may, by notice in writing served on the person affected, revoke any decision made under this regulation, either generally or to a specified extent, and may direct in the notice that the revocation have effect from a date specified in the notice.

*[Regulation 44 amended in Gazette 20 Dec 1985 p. 4856; 24 Mar 1995 p. 1113.]*

**45. Minister to give notice before exercising certain powers**

The Minister shall not cancel, suspend or refuse to renew a taxi-car licence on any one or more of the relevant grounds specified in regulation 44 unless the Minister has, by notice in writing served on the person who is the holder of the licence, called on him to show cause within such reasonable period as is specified in the notice why the Minister should not cancel, suspend or refuse to renew the licence on that ground or those grounds, as the case may require, and the person has, in the opinion of the Minister, failed to show such cause within that period or such further period as the Minister may allow.

*[Regulation 45 amended in Gazette 20 Dec 1985 p. 4856; 24 Mar 1995 p. 1113.]*

**46. Review**

A person who feels aggrieved by a decision of the Minister under regulation 44 cancelling, suspending or refusing to renew a taxi-car licence may apply to the State Administrative Tribunal for a review of the decision.

*[Regulation 46 inserted in Gazette 30 Dec 2004 p. 6961.]*

## **Part X — Offence and penalty**

### **47. Offence and penalty**

Every person who contravenes any of the provisions of these regulations is guilty of an offence and is liable —

- (a) for a first offence, to a fine not exceeding \$100; and
- (b) for a second or subsequent offence, to a fine not exceeding \$200.

### **48. Infringement notices and modified penalties**

- (1) For the purposes of section 58A of the Act, the prescribed offences against the Act and these regulations for which infringement notices may be given, and the modified penalties for those offences, are set out in Schedule 2.
- (2) For the purposes of section 58A(3), the prescribed form of infringement notice is Form 1 in Schedule 3.
- (3) For the purposes of section 58A(2), the prescribed form of notice of withdrawal of infringement notice is Form 2 in Schedule 3.

*[Regulation 48 inserted in Gazette 14 Jul 2006 p. 2577.]*

**Schedule 1 — Fees**

*[Heading amended in Gazette 14 Jul 2006 p. 2578.]*

	\$
1 Administration fee on the issue of a new taxi-car licence (reg. 8(2)).....	167.90
2 On the issue and renewal of an ordinary taxi-car licence (regs. 8(2) and 10(1)).....	95.30
3 On the transfer of an ordinary taxi-car licence (reg. 11(3)).....	167.90

*[Schedule 1 inserted in Gazette 23 Jun 1992 p. 2635; amended in  
Gazette 29 Jun 1993 p. 3187; 24 Mar 1995 p. 1113; 27 Jun 1997  
p. 3147; 23 Jun 2006 p. 2229; 14 Jul 2006 p. 2578; 22 Jun 2007  
p. 2875; 1 Jul 2008 p. 3161.]*

**Schedule 2 — Modified penalties**

[r. 48(1)]

*[Heading inserted in Gazette 14 Jul 2006 p. 2578.]*

<b>Item</b>	<b>Section of Act or Regulation</b>	<b>Description of offence</b>	<b>Modified penalty</b>
1	s. 50(1)(a)	Operating public vehicle to consign, send or convey goods or passengers without appropriate licence	\$500 for an individual \$1 000 for a corporation
2	s. 53	Owner or driver of public vehicle failing to comply with terms and conditions of licence	\$200
3	r. 14(2)	Failing to return number plate issued in respect of taxi-car within 14 days after licence comes to end	\$50
4	r. 24	Driver failing to be clean and neat	\$50
5	r. 25(a)	Driver failing to conduct himself in orderly manner, with civility and propriety or failing to comply with reasonable requirement of hirer or passenger	\$50
6	r. 25(b)	Driver failing to afford reasonable assistance to passenger	\$50
7	r. 25(d)	Driver failing to carry driver's licence or produce it upon request of authorised officer	\$50
8	r. 25(e)	Driver failing to be constantly in attendance on taxi-car when standing for hire	\$50

**Transport (Country Taxi-car) Regulations 1982****Schedule 2** Modified penalties

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<b>Item</b>	<b>Section of Act or Regulation</b>	<b>Description of offence</b>	<b>Modified penalty</b>
9	r. 26(1)	Driver refusing a hiring or failing to carry out a hiring otherwise than in accordance with regulations 26(2) and (3)	\$50
10	r. 26(4)	Passenger failing to alight from taxi-car when requested to do so	\$50
11	r. 26B	Refusing to transport a guide dog that is accompanying a passenger who is visually or hearing impaired	\$50
12	r. 27	Driver failing to drive by shortest practicable route	\$50
13	r. 27A	Driver failing to display approved identification card in manner directed by Director General	\$50
14	r. 35	Operator of taxi-car failing to cause taximeter to be regulated to record fares and charges prescribed by <i>Country Taxi-cars (Fares and Charges) Regulations 1991</i> or to submit the vehicle for inspection, testing and sealing	\$50
15	r. 36(ba)	Owner of taxi-car removing taximeter for more than 10 days without approval of Director General	\$50
16	r. 36(d)	Owner of taxi-car making or permitting alteration to taxi-car that would affect correct operation of taximeter	\$50
17	r. 38	Operator of taxi-car manipulating taximeter in manner likely to defraud	\$50

**Transport (Country Taxi-car) Regulations 1982**

Modified penalties **Schedule 2**

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<b>Item</b>	<b>Section of Act or Regulation</b>	<b>Description of offence</b>	<b>Modified penalty</b>
18	r. 39	Driver setting taximeter in operation otherwise than when permitted by r. 39	\$50
19	r. 41(2)	Owner or operator of taxi-car failing to comply with terms of notice received under r. 41(1) or rectify defect found during inspection	\$50

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*[Schedule 2 inserted in Gazette 14 Jul 2006 p. 2578-9.]*

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**Schedule 3 — Forms**

[r. 48(2) and (3)]

[Heading inserted in Gazette 14 Jul 2006 p. 2580.]

**FORM 1**

*TRANSPORT CO-ORDINATION ACT 1966* — section 58A  
*TRANSPORT (COUNTRY TAXI-CAR) REGULATIONS 1982* — regulation 48(2)

Western Australia

Department for Planning and Infrastructure

**TAXI INFRINGEMENT NOTICE**

PART "B" This space for cash register imprint  
To be retained by Cashier.  
OFFICE COPY ONLY  
Please do not detach from Part "A"

PART "A"  
OFFICIAL RECEIPT  
DEFENDANT'S COPY

No. ....

Issue Date ...../...../.....

Sex [ ]

Date of birth [ ]/[ ]/[ ]

M .....  
Surname (Block Letters)                      Other Names in full                      MDL Number

Address .....  
Number and Street                      Town or Suburb                      Postcode

Particulars of Taxi

Plate No. ....                      Annual fee due ...../...../.....

Make ..... Model .....                      Colour .....

Company .....

It is alleged that at ..... hours on ..... day of ..... 20 ..... at .....  
..... that you committed the offence indicated  
hereunder.

.....  
.....

Description of Offence

Penalty \$ [ ] [ ] [ ]

.....  
No. ....

Signature of authorised person



Take notice that —

If you do not wish to have a complaint of the alleged offence heard and determined by a court, you may pay to an officer specified on the reverse side of this notice, within 28 days, the total amount specified.

If that amount is not paid within 28 days, additional administrative charges may be incurred and action may be taken to suspend your Motor Driver's Licence until you have paid in full the modified penalty and any additional charges OR you have elected to have this matter heard and determined by a court.

Payment may be made —

- (i)        by post to —

*[Insert appropriate address here]*

- (ii)        by hand to —  
Clerk of Courts<sup>2</sup> —

Albany, Armadale, Broome, Bunbury, Busselton, Carnarvon, Collie, Derby,  
Esperance, Fremantle, Geraldton, Harvey, Kalgoorlie, Karratha, Katanning,  
Kununurra, Mandurah, Manjimup, Merredin, Moora, Midland, Narrogin,  
Northam, Pinjarra, Port Hedland, Roebourne, Rockingham and Perth —  
Magistrates Court<sup>3</sup>, Level 2, Central Law Courts, 30 St George's Terrace.

A receipt will not be mailed unless requested.

**Payments will not be accepted at any Department for Planning and Infrastructure offices.**

Inquiries should be made in writing and forwarded by post to —

*(Insert appropriate address here)*

**TAXI INFRINGEMENT NOTICE CREDIT CARD SLIP**

Do not detach — Return complete document with payment to —

*[Insert appropriate address here]*

Please debit my credit card account —

Bankcard [ ]                            Mastercard [ ]                            Visacard [ ]

Card Number [ ]

Amount [ ] [ ] [ ] [ ] [ ]

Cardholder Name: .....

Signature: ..... Expiry Date: ...../...../.....

*[Form 1 inserted in Gazette 14 Jul 2006 p. 2580-1.]*

**FORM 2**

*TRANSPORT CO-ORDINATION ACT 1966* — section 58A  
*TRANSPORT (COUNTRY TAXI-CAR) REGULATIONS 1982* — regulation 48(3)  
Western Australia

Department for Planning and Infrastructure

**NOTICE OF WITHDRAWAL OF INFRINGEMENT NOTICE**

Serial No. ....

Name

Address

Dear Sir/Madam

Notice of withdrawal of proceedings

Infringement Number

Date

Time

Code

Description

Take notice that I, being authorised to do so, hereby withdraw proceedings under the *Transport Co-ordination Act 1966* in relation to the infringement notice issued for the above offence.

Director General

Date

*[Form 2 inserted in Gazette 14 Jul 2006 p. 2581.]*

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### Notes

- <sup>1</sup> This reprint is a compilation as at 29 January 2009 of the *Transport (Country Taxi-car) Regulations 1982* and includes the amendments made by the other written laws referred to in the following table. The table also contains information about any reprint.

### Compilation table

Citation	Gazettal	Commencement
<i>Transport (Country Taxi-car) Regulations 1982</i>	23 Jul 1982 p. 2853-61 (erratum 30 Jul 1982 p. 2957)	1 Aug 1982 (see r. 2 and <i>Gazette</i> 23 Jul 1982 p. 2842)
<i>Transport (Country Taxi-car) Amendment Regulations 1984</i>	31 Aug 1984 p. 2783-6 (erratum 26 Oct 1984 p. 3459)	30 Sep 1984 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations 1985</i>	20 Dec 1985 p. 4856	1 Jan 1986 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations 1986</i>	7 Feb 1986 p. 431-2	10 Feb 1986 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations (No. 2) 1986</i>	8 Aug 1986 p. 2827	8 Aug 1986
<i>Transport (Country Taxi-car) Amendment Regulations (No. 3) 1986</i>	28 Nov 1986 p. 4386-7	28 Nov 1986
<i>Transport (Country Taxi-car) Amendment Regulations (No. 4) 1986</i>	28 Nov 1986 p. 4387-8	1 Dec 1986 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations 1987</i>	30 Jan 1987 p. 258	2 Feb 1987 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations (No. 2) 1987</i>	27 Feb 1987 p. 503	2 Mar 1987 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations (No. 3) 1987</i>	16 Apr 1987 p. 1371	16 Apr 1987
<i>Transport (Country Taxi-car) Amendment Regulations (No. 4) 1987</i>	19 Jun 1987 p. 2388	22 Jun 1987 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations (No. 5) 1987</i>	28 Aug 1987 p. 3438-9	1 Sep 1987 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations (No. 6) 1987</i>	18 Dec 1987 p. 4461	25 Dec 1987 (see r. 2)

**Transport (Country Taxi-car) Regulations 1982**

<b>Citation</b>	<b>Gazettal</b>	<b>Commencement</b>
<i>Transport (Country Taxi-car) Amendment Regulations 1988</i>	11 Mar 1988 p. 786	11 Mar 1988
<i>Transport (Country Taxi-car) Amendment Regulations (No. 2) 1988</i>	17 Jun 1988 p. 1951-2	17 Jun 1988
<i>Transport (Country Taxi-car) Amendment Regulations (No. 3) 1988</i>	15 Jul 1988 p. 2452-3	15 Jul 1988
<i>Transport (Country Taxi-car) Amendment Regulations (No. 4) 1988</i>	30 Sep 1988 p. 3981-2	30 Sep 1988
<i>Transport (Country Taxi-car) Amendment Regulations (No. 5) 1988</i>	9 Dec 1988 p. 4827	9 Dec 1988
<i>Transport (Country Taxi-car) Amendment Regulations 1989</i>	24 Feb 1989 p. 529	24 Feb 1989
<i>Transport (Country Taxi-car) Amendment Regulations (No. 2) 1989</i>	26 May 1989 p. 1553	26 May 1989
<i>Transport (Country Taxi-car) Amendment Regulations (No. 3) 1989</i>	21 Jul 1989 p. 2222-5	21 Jul 1989
<i>Transport (Country Taxi-car) Amendment Regulations 1990</i>	2 Mar 1990 p. 1351-2	2 Mar 1990
<i>Transport (Country Taxi-car) Amendment Regulations (No. 2) 1990</i>	20 Jul 1990 p. 3544-5 (erratum 3 Aug 1990 p. 3794)	20 Jul 1990
<i>Transport (Country Taxi-car) Amendment Regulations (No. 3) 1990</i>	30 Nov 1990 p. 5941	30 Nov 1990
<i>Country Taxi-cars (Fares and Charges) Regulations 1991 r. 8</i>	19 Apr 1991 p. 1815-20	19 Apr 1991 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations 1991</i>	27 Sep 1991 p. 5074	27 Sep 1991
<i>Transport (Country Taxi-car) Amendment Regulations 1992</i>	23 Jun 1992 p. 2635	1 Jul 1992 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations 1993</i>	29 Jun 1993 p. 3186-7	1 Jul 1993 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations 1995</i>	24 Mar 1995 p. 1112-13	24 Mar 1995
<i>Transport (Country Taxi-car) Amendment Regulations 1997</i>	27 Jun 1997 p. 3146-7	1 Jul 1997 (see r. 2)

**Reprint of the *Transport (Country Taxi-car) Regulations 1982* as at 8 May 1998**  
(includes amendments listed above)

Citation	Gazettal	Commencement
<b>Reprint 2: The Transport (Country Taxi-car) Regulations 1982 as at 2 Apr 2004</b> (includes amendments listed above)		
<i>Transport (Country Taxi-car) Amendment Regulations 2004</i>	30 Dec 2004 p. 6961	1 Jan 2005 (see r. 2 and <i>Gazette</i> 31 Dec 2004 p. 7130)
<i>Transport (Country Taxi-car) Amendment Regulations (No. 2) 2006</i>	23 Jun 2006 p. 2229	1 Jul 2006 (see r. 2)
<i>Transport (Country Taxi-car) Amendment Regulations 2006</i>	14 Jul 2006 p. 2575-81	14 Jul 2006
<i>Transport (Country Taxi-car) Amendment Regulations 2007</i>	22 Jun 2007 p. 2874-5	r. 1 and 2: 22 Jun 2007 (see r. 2(a)); Regulations other than r. 1 and 2: 1 Jul 2007 (see r. 2(b))
<i>Transport (Country Taxi-car) Amendment (Road Traffic) Regulations 2008</i>	24 Jun 2008 p. 2913-14	r. 1 and 2: 24 Jun 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 30 Jun 2008 (see r. 2(b) and <i>Gazette</i> 10 Jun 2008 p. 2471)
<i>Transport (Country Taxi-car) Amendment Regulations 2008</i>	1 Jul 2008 p. 3160-1	r. 1 and 2: 1 Jul 2008 (see r. 2(a)); Regulations other than r. 1 and 2: 2 Jul 2008 (see r. 2(b))
<b>Reprint 3: The Transport (Country Taxi-car) Regulations 1982 as at 30 Jan 2009</b> (includes amendments listed above)		

<sup>2</sup> Under the *Courts Legislation Amendment and Repeal Act 2004* s. 54(2) a reference in a written law to a clerk of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to a registrar of the Magistrates Court.

If immediately before commencement of the *Courts Legislation Amendment and Repeal Act 2004* Pt. 2 Div. 2, a person held office under the *Local Courts Act 1904* s. 13 as a clerk, then on commencement the person is taken under the *Courts Legislation Amendment and Repeal Act 2004* s. 6(1) to have been appointed as a registrar of the Magistrates Court.

<sup>3</sup> Under the *Courts Legislation Amendment and Repeal Act 2004* s. 58 a reference in a written law to a court of petty sessions is, unless the contrary intention appears, to be construed as if it had been amended to be a reference to the Magistrates Court. The reference was changed under the *Reprints Act 1984* s. 7(5)(a).

**Defined Terms**

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**Defined Terms**

*[This is a list of terms defined and the provisions where they are defined.  
The list is not part of the law.]*

<b>Defined Term</b>	<b>Provision(s)</b>
approved.....	4
authorised officer .....	4
for hire sign .....	29(4)
ordinary taxi-car licence.....	4
regulation .....	4
subregulation.....	4
taxi for hire sign .....	29(4)
taxi sign .....	29(4)
taxi-car licence .....	4
temporary taxi-car licence.....	4