

South Australia

Passenger Transport Variation Regulations 2009

under the *Passenger Transport Act 1994*

Contents

Part 1—Preliminary

- 1 Short title
- 2 Commencement
- 3 Variation provisions

Part 2—Variation of *Passenger Transport Regulations 2009*

- 4 Variation of regulation 3—Interpretation
 - 5 Variation of regulation 57—Requirements relating to meters
 - 6 Variation of regulation 61—Offences relating to meters
 - 7 Variation of regulation 63—Operation of meter by taxi driver
 - 8 Variation of regulation 71—Multiple-hirings
 - 9 Variation of Schedule 3—Maximum fares (metropolitan taxis)
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Part 1—Preliminary

1—Short title

These regulations may be cited as the *Passenger Transport Variation Regulations 2009*.

2—Commencement

These regulations will come into operation immediately after the *Passenger Transport Regulations 2009* come into operation.

3—Variation provisions

In these regulations, a provision under a heading referring to the variation of specified regulations varies the regulations so specified.

Part 2—Variation of *Passenger Transport Regulations 2009*

4—Variation of regulation 3—Interpretation

- (1) Regulation 3(1)—after the definition of *motor cycle* insert:

multiple-hiring in relation to a taxi—see regulation 71;

multi-seat hiring, in relation to a taxi that is approved to carry 5 or more passengers, means a single hiring (whether pre-arranged or not) of the taxi to carry 5 or more passengers;

- (2) Regulation 3(5)—delete subregulation (5) and substitute:
- (5) For the purposes of these regulations—
- (a) a hiring of a taxi commences—
- (i) subject to subparagraph (ii), in the case of a hiring by hail or a pre-arranged hiring—when the passenger is seated in the taxi and an instruction or direction is given to the driver by the hirer or passenger;
- (ii) in the case of a pre-arranged hiring—from a time arranged with the hirer provided that, before that time, the taxi has arrived at the place arranged for pick up and the driver has there made personal contact with the hirer or passenger;
- (b) a hiring of a taxi ends—
- (i) in the case of a multi-seat hiring—
- (A) if the last passenger remaining in the taxi discharges the taxi before arriving at the agreed destination—when the taxi is discharged; or
- (B) when the taxi arrives at the agreed destination for the last passenger remaining in the taxi and there is no further service agreed between the driver and the last remaining passenger;
- (ii) in any other case—
- (A) if the passenger discharges the taxi before arriving at the agreed destination—when the taxi is discharged; or
- (B) when the taxi arrives at the agreed destination and there is no further service agreed between the driver and the passenger.

5—Variation of regulation 57—Requirements relating to meters

Regulation 57(1)(c)—after "taxi" insert:

(and, if necessary, additional meter displays must be positioned in the taxi to enable this to occur)

6—Variation of regulation 61—Offences relating to meters

Regulation 61—after its current contents (now to be designated as subregulation (1)) insert:

- (2) A relevant person for a taxi must ensure that a taxi-meter fitted to the taxi does not, when activated, apply a tariff for the hiring of the taxi other than a tariff that is allowed for such hiring of such taxi under Schedule 3.

Maximum penalty: \$750.

Expiation fee: \$105.

7—Variation of regulation 63—Operation of meter by taxi driver

Regulation 63(1)(b)—delete paragraph (b) and substitute:

- (b) must only apply the tariff for the hiring that—
- (i) is allowed for such hiring under Schedule 3; and
 - (ii) is displayed by the tariff indicator at the commencement of the hiring; and

8—Variation of regulation 71—Multiple-hirings

Regulation 71—delete "another" and substitute:

a separate

9—Variation of Schedule 3—Maximum fares (metropolitan taxis)

- (1) Schedule 3, clause 1(1)(a)(i)—delete "\$3.00" and substitute:
\$3.20
- (2) Schedule 3, clause 1(1)(a)(ii)—delete "\$4.70" and substitute:
\$4.90
- (3) Schedule 3, clause 1(1)(a)—after subparagraph (ii) insert:
- | | | |
|-------|-------------|--------|
| (iii) | on tariff 3 | \$4.20 |
| (iv) | on tariff 4 | \$6.40 |
- (4) Schedule 3, clause 1(1)(b)(i)—delete "66.93" and substitute:
63.67
- (5) Schedule 3, clause 1(1)(b)(ii)—delete "61.06" and substitute:
58.09
- (6) Schedule 3, clause 1(1)(b)—after subparagraph (ii) insert:
- | | | |
|-------|--|--------|
| (iii) | on tariff 3—for every 48.98 metres or part | \$0.10 |
| (iv) | on tariff 4—for every 44.68 metres or part | \$0.10 |
- (7) Schedule 3, clause 1(1)(c)(i)—delete "10.68" and substitute:
10.16

- (8) Schedule 3, clause 1(1)(c)(ii)—delete "10.68" and substitute:
10.16
- (9) Schedule 3, clause 1(1)(c)—after subparagraph (ii) insert:
- | | | |
|-------|---|--------|
| (iii) | on tariff 3—for each period of 7.82 seconds | \$0.10 |
| (iv) | on tariff 4—for each period of 7.82 seconds | \$0.10 |
- (10) Schedule 3, clause 1(2) and (3)—delete subclauses (2) and (3) and substitute:
- (2) The following tariffs apply to the hiring of a metropolitan taxi:
- (a) in the case of a multi-seat hiring—
- (i) commenced between the hours of 7 pm on Monday to Thursday inclusive and 6 am on the following day, or between the hours of 7 pm on Friday and 6 am on the following Monday, or during a public holiday—tariff 4 applies;
- (ii) commenced at any other time—tariff 3 applies;
- (b) in any other case—
- (i) commenced between the hours of 7 pm on Monday to Thursday inclusive and 6 am on the following day, or between the hours of 7 pm on Friday and 6 am on the following Monday, or during a public holiday—tariff 2 applies;
- (ii) commenced at any other time—tariff 1 applies.
- (11) Schedule 3, clause 2(1)—delete "must not exceed \$0.97 per kilometre calculated on the forward and return journey plus waiting time at the rate of \$0.10 for each period of 10.68 seconds." and substitute:
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- (a) in the case of a multi-seat hiring—must not exceed \$1.34 per kilometre calculated on the forward and return journey plus waiting time at the rate of \$0.10 for each period of 10.16 seconds;
- (b) in any other case—must not exceed \$1.03 per kilometre calculated on the forward and return journey plus waiting time at the rate of \$0.10 for each period of 10.16 seconds.

- (12) Schedule 3, clause 2(3)—delete "10.68" and substitute:

10.16

- (13) Schedule 3, clause 4—delete clause 4 and substitute:

4—Multiple-hirings

If a metropolitan taxi is used for a multiple-hiring—

- (a) the tariff to be applied must be tariff 1 or tariff 2 (as the case may be); and

- (b) the fare for any of the hirers must not exceed 75% of the fare recorded on the taxi-meter on reaching that hirer's destination.

Note—

As required by section 10AA(2) of the *Subordinate Legislation Act 1978*, the Minister has certified that, in the Minister's opinion, it is necessary or appropriate that these regulations come into operation as set out in these regulations.

Made by the Governor's Deputy

with the advice and consent of the Executive Council
on 13 August 2009

No 217 of 2009

MTR09/074