

South Australia

# **Passenger Transport (Regular Passenger Services) Variation Regulations 2020**

under the *Passenger Transport Act 1994*

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## **Part 1—Preliminary**

### **1—Short title**

These regulations may be cited as the *Passenger Transport (Regular Passenger Services) Variation Regulations 2020*.

### **2—Commencement**

These regulations come into operation on the day on which they are made.

### **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

Regulation 3(1)—after the definition of *quarter* insert:

*rail operator* means a person who conducts a regular passenger service wholly or partly within Metropolitan Adelaide by use of trains or trams;

### 5—Substitution of regulation 94

Regulation 94—delete the regulation and substitute:

#### 94—Consumption and carriage of alcohol

- (1) A person must not, in a regular passenger service vehicle, consume alcohol or carry, hold or otherwise possess alcohol in an open container.  
Maximum penalty: \$1 250.  
Expiation fee: \$160.
- (2) A person must not, in a public passenger vehicle other than a regular passenger service vehicle—
  - (a) consume alcohol; or
  - (b) carry, hold or otherwise possess alcohol in an open container,except with the express permission of the operator.  
Maximum penalty: \$1 250.  
Expiation fee: \$160.

### 6—Variation of regulation 100—Payment of fares and charges

Regulation 100—after subregulation (7) insert:

- (8) In subregulation (7)—  
*regular passenger service operator* does not include a rail operator.

### 7—Variation of regulation 101—Validation of tickets

Regulation 101—after subregulation (4) insert:

- (5) In subregulation (4)—  
*regular passenger service operator* does not include a rail operator.

### 8—Variation of regulation 104—Special provision for declared areas

Regulation 104—after subregulation (7) insert:

- (7a) In subregulation (7)—  
*regular passenger service operator* does not include a rail operator.

## **9—Substitution of regulation 107**

Regulation 107—delete the regulation and substitute:

### **107—Alcohol at prescribed premises**

- (1) A person must not, without the permission of the Minister—
  - (a) consume alcohol at prescribed premises under the control of a rail operator; or
  - (b) carry, hold or otherwise possess alcohol in an open container at prescribed premises under the control of a rail operator,

except in an area specifically set apart for that purpose by the operator.

Maximum penalty: \$1 250.

Expiation fee: \$160.

- (2) A person must not, at prescribed premises under the control of a regular passenger service operator (other than a rail operator)—
  - (a) consume alcohol; or
  - (b) carry, hold or otherwise possess alcohol in an open container,

(other than in an area specifically set apart for that purpose by the operator) except with the express permission of the operator.

Maximum penalty: \$1 250.

Expiation fee: \$160.

## **10—Variation of regulation 122—Pedal cycles, skateboards etc**

Regulation 122(1)—delete ", without the permission of the regular passenger service operator"

## **11—Variation of regulation 126—Rubbish and other abandoned property**

Regulation 126(1)—delete subregulation (1) and substitute:

- (1) A person must not, on prescribed premises—
  - (a) deposit or set fire to garden refuse; or
  - (b) deposit rubbish (other than in receptacles provided for that purpose); or
  - (c) set fire to rubbish.

Maximum penalty: \$750.

Expiation fee: \$160.

## **12—Variation of regulation 127—Abandoned vehicles**

- (1) Regulation 127(3)—delete "employee of the regular passenger service operator" and substitute:

authorised officer

(2) Regulation 127(4)—delete "regular passenger service operator" and substitute:  
authorised officer

(3) Regulation 127(6)—delete "regular passenger service operator" and substitute:  
Minister

### **13—Variation of regulation 128—Graffiti**

Regulation 128—delete "or the regular passenger service operator"

### **14—Variation of regulation 129—Commercial activities**

Regulation 129—delete "or the regular passenger service operator"

### **15—Variation of regulation 135—Maximum age of vehicles**

Regulation 135(3)—delete subregulation (3) and substitute:

- (3) The Minister cannot grant an approval under subregulation (2)(a) in relation to—
- (a) a taxi (other than where the vehicle is specifically designed or adapted to carry persons who use wheelchairs, scooters or other large (ride-on) mobility aids); or
  - (b) a vehicle used (or to be used) for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation that is more than 8 years old.

#### **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**

with the advice and consent of the Executive Council  
on 2 April 2020

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