South Australia

Passenger Transport Regulations 2024

under the *Passenger Transport Act 1994*

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Legislative history

Part 1—Preliminary

1—Short title

These regulations may be cited as the *Passenger Transport Regulations 2024*.

3—Interpretation

(1) In these regulations—

access taxi means a vehicle that—

(a) is specifically designed or adapted to carry persons who use wheelchairs, scooters or other large (ride-on) mobility aids; and

(b) is operated under a special vehicle licence;

Act means the *Passenger Transport Act 1994*;

Adelaide centralised booking service means a centralised booking service that operates wholly or partly within Metropolitan Adelaide;

appropriate driver's licence in relation to a person applying for an accreditation under Part 4 Division 2 of the Act means—

(a) a driver's licence in force under the *Motor Vehicles Act 1959* that—

(i) authorises the holder of the licence to drive a motor vehicle of a class that, in the opinion of the Minister, is appropriate to the relevant accreditation; and

(ii) is an unconditional licence as defined in that Act; and

(iii) is not subject to any condition that, in the opinion of the Minister, imposes an inappropriate restriction for the holder of the relevant accreditation; or

(b) a licence in force under a law of another State or a Territory of the Commonwealth that—

(i) authorises the holder of the licence to drive a motor vehicle of a class that, in the opinion of the Minister, is appropriate to the relevant accreditation; and

(ii) is not subject to any condition that, in the opinion of the Minister, imposes an inappropriate restriction for the holder of the accreditation;

approved country taxi service plan means a country taxi service plan approved by the Minister under regulation 13(1)(s);

Australian Design Rules has the same meaning as in the *Road Traffic (Miscellaneous) Regulations 2014*;

authorised officer means—

(a) an authorised officer under section 53 of the Act; or

(b) a person authorised by the Minister to exercise the powers of an authorised officer under these regulations;

authorised person means—

(a) an authorised officer; or

(b) a person authorised by the Minister to exercise the powers of an authorised person under Part 4 Division 2 Subdivision 2; or

(c) an employee of a regular passenger service operator; or

(d) the driver of a regular passenger service vehicle (whether or not an employee of the operator); or

(e) a police officer;

booking service—see regulation 19(2)(a);

bus means a motor vehicle, other than a taxi—

(a) designed for the principal purpose of carrying passengers; and

(b) designed to carry at least 13 seated persons;

business day means any day except a Saturday, Sunday or public holiday;

busway means that part of a public transport system constructed or set apart for the exclusive passage of buses and authorised vehicles;

central control station, in relation to a centralised booking service, means a place approved by the Minister as the central control station for the booking service;

certificate of inspection means a certificate under section 54 of the Act;

chauffeured vehicle service—see regulation 4;

community transportation service means a community based or community orientated transportation service—

(a) that is designed—

(i) to benefit individuals or groups within a local community who are in need of some form of assistance; or

(ii) to assist individuals or groups within a local community to participate to a greater degree in the life of the community (including the wider community); or

(iii) to achieve some other form of community, charitable, educational, benevolent, religious, recreational, sporting or philanthropic purpose at the local level; and

(b) that is not established, or is not principally established, with a view to profit or commercial gain;

compliance plate means a plate that was authorised to be placed on a motor vehicle, or taken to have been placed on a motor vehicle, under the *Motor Vehicle Standards Act 1989* of the Commonwealth (repealed);

council has the same meaning as in the *Local Government Act 1999*;

country taxi means a vehicle used for the purposes of a country taxi service;

Country Taxi Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

country taxi service means a passenger transport service operated outside Metropolitan Adelaide under a Country Taxi Accreditation;

country taxi service area means the area defined in the approved country taxi service plan for a country taxi service as the area within which the service may be provided;

Department means the administrative unit of the Public Service that is, under the Minister, responsible for the administration of the Act;

disability has the same meaning as in the *Disability Discrimination Act 1992* of the Commonwealth;

flagfall means the amount of fare recorded on a taxi-meter immediately on its being activated at the commencement of a hiring;

fleet safety support service—see regulation 19(2)(b);

legal charge, in relation to the hiring of a taxi, means the total amount payable for the hiring of the taxi, being the sum of—

(a) the legal fare; and

(b) the levy (if any) required to be collected under Schedule 2 of the Act;

legal fare—

(a) in relation to the hiring of a country taxi or a journey by a country taxi—means a fare for the particular hiring or journey (including, in circumstances determined by the Minister, a lifting fee of an amount determined by the Minister charged in respect of a period determined by the Minister) not exceeding the rate or amount determined by the Minister; and

(b) in relation to the hiring of a metropolitan taxi or a journey by a metropolitan taxi—means a fare for the particular hiring or journey determined in accordance with these regulations;

lifting fee means an amount that may be charged in respect of a period during which a taxi is delayed by reason of the driver assisting the user of a wheelchair, scooter or other large (ride-on) mobility aid to enter or leave the taxi instead of an amount that would be chargeable for any waiting time;

log onto a computerised telecommunications system means carry out a process (which must include entry of the person's personal identification number) approved by the Minister for logging onto the system;

log out of a computerised telecommunications system means carry out a process approved by the Minister for logging out of the system;

metropolitan taxi means a vehicle for which a taxi licence is held or required to be held;

motor cycle means a motor vehicle (not being a trailer) that moves only on 2 wheels or, if a side car or side box is fitted, on not more than 3 wheels;

multiple-hiring in relation to a taxi—see regulation 77;

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;

off-road passenger vehicle means a passenger vehicle designed with special features for off-road operation as defined by the Australian Design Rules;

passenger station means a building, structure or place at which passengers board, or alight from, public passenger vehicles used in the provision of regular passenger services;

personal identification number means a unique code assigned to the driver of a taxi participating in a centralised booking service by the operator of the booking service in a manner approved by the Minister;

prescribed premises means land or premises used or provided by the Crown or the Minister, or by an operator, for a purpose associated with a passenger transport service, and includes a passenger station;

public directory includes a journal, brochure or other publication (whether in written or electronic form) that lists or advertises passenger transport services;

quarter means a 3 month period beginning on 1 January, 1 April, 1 July or 1 October in any year;

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

registration plate means a plate issued under section 63 of the Act;

Register of Approved Vehicles means the Register of Approved Vehicles kept under section 14(1) of the*Road Vehicle Standards Act 2018* of the Commonwealth;

regular passenger service operator means a person who conducts a regular passenger service wholly or partly within Metropolitan Adelaide;

regular passenger service vehicle means a public passenger vehicle used in the provision of a regular passenger service;

relevant person—

(a) for a taxi means—

(i) in the case of a vehicle in respect of which a taxi licence is in force—the holder of the licence; or

(ii) in the case of a vehicle used for the purposes of a country taxi service—the operator of the service;

(b) for a taxi sign means—

(i) if the sign has been issued to the holder of a taxi licence—the holder of the licence;

(ii) if the sign has been issued to the operator of a country taxi service—the operator of the service;

(iii) in any other case—the owner of the sign;

repealed regulations means the *Passenger Transport Regulations 2009*;

SATSS conditions of use means the conditions of use determined by the Minister under regulation 157;

SATSS member means a person who is a member of the South Australian Transport Subsidy Scheme;

SATSS voucher means—

(a) a voucher, docket or card approved by the Minister entitling a SATSS member to travel in taxis and certain hire cars at subsidised fares fixed by the SATSS conditions of use; or

(b) a voucher, docket or card under a similar interstate scheme recognised by the Minister for the purposes of this definition;

small passenger vehicle means a motor vehicle (other than a taxi)—

(a) designed for the principal purpose of carrying passengers; and

(b) designed to carry not more than 12 seated persons (including the driver);

Small Passenger Vehicle (Metropolitan) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

Small Passenger Vehicle (Non-Metropolitan) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

Small Passenger Vehicle (Special Purpose) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

Small Passenger Vehicle (Traditional) Accreditation means the class of accreditation under section 27 of the Act of that name established pursuant to section 32(3) of the Act;

South Australian Transport Subsidy Scheme or ***SATSS*** means the scheme approved by the Minister entitling an eligible person to travel in taxis and certain hire cars at subsidised fares fixed in the SATSS conditions of use and includes—

(a) the Journey to Work Scheme (***JTWS***); and

(b) the Tertiary Education Assistance Scheme (***TEAS***); and

(c) any other scheme recognised by the Minister for the purposes of this definition;

special vehicle licence means a special vehicle licence under regulation 35;

student identification card means a non-transferable card issued to a student and approved by the Minister, entitling the holder to travel on public passenger vehicles operated by regular passenger service operators at concessional fares fixed by the Minister;

taxi means a country taxi or a metropolitan taxi;

taxi licence means a licence under Part 6 of the Act;

taxi service—see regulation 4;

taxi sign means a sign that—

(a) is required by these regulations to be fitted to a taxi; and

(b) displays the word "TAXI" in a manner approved by the Minister; and

(c) is capable of indicating whether or not the taxi is available for hire;

ticket means a ticket or card issued or approved by the Minister, entitling the holder to travel on a passenger vehicle in accordance with information encoded or printed on the ticket or card;

ticket validator means equipment designed to encode or print information on tickets and to scan information previously encoded on tickets;

transit barring order means an order issued to a person under Part 4 Division 2A barring the person from 1 or both of the following:

(a) boarding or travelling on—

(i) specified classes of public transport; or

(ii) all public transport other than as specified by the order; or

(iii) all public transport;

(b) entering or remaining on—

(i) specified prescribed premises; or

(ii) specified classes of prescribed premises; or

(iii) all prescribed premises other than as specified by the order; or

(iv) all prescribed premises;

travel concession card means a non-transferable concession card issued or accepted by the Minister, entitling the holder to travel on passenger vehicles at concessional fares fixed by the Minister;

validate means—

(a) to insert or scan a ticket in or with a ticket validator so that it may be encoded, printed or scanned; or

(b) to present a ticket in any other manner approved by the Minister;

volunteer driver means—

(a) a person who provides their services as a driver gratuitously (disregarding any reasonable payment for out-of-pocket expenses incurred in undertaking the driving); or

(b) an employee—

(i) whose conditions of employment are unrelated to driving a vehicle but who is willing to undertake some driving to assist their employer in some respect; and

(ii) whose salary does not include an amount or component attributable to, or based on, the fact that they undertake (or may undertake) some driving;

working animal means—

(a) a dog accredited under the *Dog and Cat Management Act 1995* as an assistance dog; or

(b) any other animal trained to assist a person to alleviate the effect of a disability;

work sheet means a daily trip record for a vehicle, in a form determined or approved by the Minister, setting out various items of information, such as the driver's name, shift details, places where journeys begin and end, and distances travelled.

(2) If, in relation to a particular animal, a person has an authorisation, issued in a manner and form determined by the Minister, certifying—

(a) that the animal has been trained to assist the person to alleviate the effect of a particular disability; and

(b) that evidence has been provided that indicates that the animal is able to behave in a safe and appropriate manner on public transport,

then it will be taken that the animal falls within the ambit of paragraph (b) of the definition of ***working animal*** in subregulation (1).

(3) Unless the contrary intention appears, a reference in these regulations to the ***owner of a vehicle*** includes a reference to a person who is leasing the vehicle, or who is using the vehicle with the consent of the owner.

(4) Without limiting the meaning of the expression ***ply for hire***, a person will, for the purposes of these regulations, be taken to ply for hire with a taxi if—

(a) the person drives it in a public street, road or place while the taxi sign indicates that the taxi is available for hire; or

(b) the person carries a passenger for fee or reward; or

(c) the person drives it to or places it at a designated taxi-stand; or

(d) the person drives it to a place to pick up passengers to be carried for fee or reward.

(5) For the purposes of these regulations—

(a) a hiring of a vehicle for a chauffeured vehicle service or taxi service 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 vehicle and an instruction or direction is given to the driver by the hirer or passenger; and

(ii) in the case of a pre-arranged hiring—from a time arranged with the hirer provided that, before that time, the vehicle has arrived at the place arranged for pick up and the driver has there made personal contact with the hirer or passenger; and

(b) a hiring of a vehicle for a chauffeured vehicle service or taxi service ends—

(i) in the case of a multi-seat hiring—

(A) if the last passenger remaining in the vehicle discharges the vehicle before arriving at the agreed destination—when the vehicle is discharged; or

(B) when the vehicle arrives at the agreed destination for the last passenger remaining in the vehicle and there is no further service agreed between the driver and the last remaining passenger; and

(ii) in any other case—

(A) if the passenger discharges the vehicle before arriving at the agreed destination—when the vehicle is discharged; or

(B) when the vehicle arrives at the agreed destination and there is no further service agreed between the driver and the passenger; and

(c) the hirer of a vehicle for a chauffeured vehicle service or taxi service is the person who requests the hire of the vehicle (whether or not the person is a passenger).

(6) For the purposes of these regulations, the age of a vehicle will be measured—

(a) if the vehicle is entered on the Register of Approved Vehicles—from the date of manufacture set out on the Register; or

(b) if the vehicle is fitted with a compliance plate—from the end of the month of manufacture shown on the compliance plate; or

(c) if the vehicle is fitted with 2 or more compliance plates—from the end of the earliest month of manufacture shown on any of the compliance plates; or

(d) in any other case—from the end of the month of manufacture or, if that is not reasonably practicable to ascertain, the end of the last month of the year of manufacture.

(7) In these regulations, a term defined in Schedule 2 clause 1 of the Act has the same meaning as in that clause.

4—Definitions of chauffeured vehicle service and taxi service

For the purposes of section 4(1) of the Act and these regulations—

chauffeured vehicle service means a passenger transport service provided under a—

(a) Small Passenger Vehicle (Metropolitan) Accreditation; or

(b) Small Passenger Vehicle (Non-Metropolitan) Accreditation; or

(c) Small Passenger Vehicle (Special Purpose) Accreditation; or

(d) Small Passenger Vehicle (Traditional) Accreditation;

taxi service means a passenger transport service provided by use of a taxi.

5—Definition of Metropolitan Adelaide

(1) The following areas are included within the ambit of the definition of ***Metropolitan Adelaide*** in section 4(1) of the Act:

(a) —

(i) the areas defined in the plan deposited in the General Registry Office by the Minister for the purposes of regulation 4 of the repealed regulations and identified by the Minister by notice in the Gazette on 26 April 2019 (*Gazette 26.04.2019 p1128*); or

(ii) if another plan is deposited in the General Registry Office by the Minister for the purposes of this regulation and identified by the Minister by notice in the Gazette—the areas defined in that later plan;

(b) that portion of the area of the Adelaide Hills Council that is outside Metropolitan Adelaide as defined in the *Development Act 1993* immediately before 1 July 2019;

(c) the area of the Mount Barker District Council.

(2) In these regulations—

Metropolitan Adelaide (Area A) means the area comprised of—

(a) Metropolitan Adelaide as defined in the *Development Act 1993* immediately before 1 July 2019; and

(b) the areas specified in subregulation (1)(a);

Metropolitan Adelaide (Area B) means the areas specified in subregulation (1)(b) and (c).

6—Exclusions from definition of passenger transport service

(1) The following are excluded from the ambit of the definition of ***passenger transport service*** in section 4(1) of the Act:

(a) a service provided under a car pooling arrangement;

(b) a service consisting of a ride provided for the purposes of fun or amusement for a fare that is less than $5 per ride.

(2) For the purposes of subregulation (1)(a), a service is provided under a car pooling arrangement if—

(a) the vehicle is provided by the driver; and

(b) the driver would, in any event, be undertaking the relevant journey themselves; and

(c) the service is not the result of plying for hire by the driver or another person; and

(d) the maximum number of persons in the vehicle is 8; and

(e) a payment by a passenger is limited to making a contribution to the costs incurred in making the journey, and other costs associated with the use of the vehicle (other than a fine or penalty imposed under an Act), and does not involve profit for the driver or another person.

7—Exclusions from definition of regular passenger service

(1) For the purposes of the definition of ***regular passenger service*** in section 4(1) of the Act, a service within the ambit of a declaration of the Minister under subregulation (2) is excluded from that definition.

(2) The Minister may, on application, make a declaration under this subregulation in respect of a service if the Minister is satisfied—

(a) that—

(i) the service relates to a particular event or events, or to a particular occasion or occasions; or

(ii) the service is a premium service that provides special facilities, advantages or services for a commercial fare without public subsidy; or

(iii) the service is designed (or principally designed) for the carriage of tourists, or for the carriage of visitors to a particular region or area; or

(iv) the service is provided (and only provided) for recreational, social or amusement purposes; or

(v) the service is a community or other similar service not primarily established with a view to profit or commercial gain; or

(vi) the service is a school service arranged directly between the operator of the service and the school, or a person or persons acting on behalf of the school or the relevant students; or

(vii) the service is to be provided for no more than a specified period on a trial or experimental basis; and

(b) in the case of a service provided in the Metropolitan Area—that the service will not be in substitution for any existing regular passenger service operating on the same (or substantially the same) route as part of the Adelaide Metro network; and

(c) that the operation of the service will not unfairly or unreasonably affect other services being provided by the holders of service contracts under the Act; and

(d) that it is appropriate for the service to be provided on a basis other than under a service contract under Part 5 of the Act; and

(e) that, taking into account any other matter determined by the Minister to be relevant in a particular case, it is appropriate and reasonable to make a declaration under this regulation.

(3) Unless sooner revoked by the Minister, a declaration under subregulation (2) expires at the end of a period (not exceeding 5 years) specified by the Minister at the time of the declaration or, if no period is so specified, at the end of 5 years.

(4) A declaration under subregulation (2) ceases to have effect if the person who is the operator of the relevant service at the time of the declaration transfers or assigns the service, or otherwise ceases to control or to operate the service.

(5) If the Minister makes a declaration under subregulation (2), the operator of the relevant service must—

(a) give notice of the fare or fares (if any) to be charged for the service, and provide other information for the benefit of the public as the Minister thinks fit, in a manner and form determined by the Minister; and

(b) provide to the Minister information about patronage levels for the service, and other information as the Minister thinks fit, in a manner and form, and at intervals, determined by the Minister; and

(c) comply with other conditions (if any) determined by the Minister on account of the making of the declaration.

(6) The Minister may—

(a) revoke a declaration under this regulation (and the relevant service will then cease to be excluded from the ambit of the definition); or

(b) vary a determination or condition under subregulation (5).

(7) A condition may be varied by the addition, substitution or deletion of 1 or more conditions.

(8) The Minister must, before taking action under subregulation (6)—

(a) give the operator of the service written notice of the action under consideration; and

(b) allow the operator at least 14 days to make submissions to the Minister (in a manner and form determined by the Minister) about the proposed course of action; and

(c) after complying with paragraphs (a) and (b), and after considering any submissions and determining to proceed with the action, give the operator at least 14 days written notice of the action.

(9) The Minister must ensure—

(a) that a record of the declarations under this regulation is kept available for inspection by members of the public (without charge and during normal office hours) at the principal office of the Department; and

(b) that information about declarations made under this regulation in a particular financial year is included in the annual report prepared under section 24A of the Act.

8—Sections 27, 28 and 29 of Act not to apply in certain cases

(1) Section 27 of the Act does not apply with respect to—

(a) a transportation service operated by—

(i) an administrative unit that is, under a Minister, responsible for the administration of the *Education and Early Childhood Services (Registration and Standards) Act 2011* or the *Education and Children's Services Act 2019*; or

(ii) a registered school within the meaning of the *Education and Early Childhood Services (Registration and Standards) Act 2011* (including, in the case of a Government school, a school council constituted with respect to the school); or

(iii) an approved provider under the *Education and Care Services National Law (South Australia)*; or

(iv) a church or other form of religious organisation,

to carry school students or pre-school children; or

(b) a transportation service operated by an institution that provides tertiary education to carry students who attend that institution; or

(c) a service that involves the use of a motor vehicle that is licensed by a council to operate as a taxi (not being a taxi that requires a licence under Part 6 of the Act) in an area that does not include a part of Metropolitan Adelaide; or

(d) a service consisting of the carriage of passengers by train or tram (including a horse-drawn tram).

(2) However, paragraph (c) of subregulation (1) does not apply in relation to an area if the Minister has, by notice in the Gazette, determined that the area will not be within the ambit of that paragraph.

(3) Paragraph (a) and (b) of subregulation (1) operate subject to the condition that if a body that falls within the ambit of either paragraph engages a volunteer driver who does not hold an accreditation under section 28 of the Act by virtue of subregulation (4)(b), then the body must ensure (through the implementation of appropriate assessment procedures and on an on-going basis) that the volunteer driver is of good repute and in all other respects a fit and proper person to be the driver of a public passenger vehicle.

(4) Section 28 of the Act does not apply—

(a) in relation to a driver who is driving a public passenger vehicle for the purposes of a service consisting of the carriage of passengers by train or tram (including a horse-drawn tram); or

(b) in relation to a volunteer driver who is driving a public passenger vehicle for the purposes of—

(i) a community transportation service; or

(ii) a transportation service operated or provided by a body that falls within the ambit of paragraph (a) or (b) of subregulation (1) (in a circumstance referred to in 1 of those paragraphs).

(5) Section 29 of the Act does not apply with respect to a centralised booking service operated wholly outside Metropolitan Adelaide.

9—Application of section 29 of Act—prescribed passenger services

For the purposes of section 29(1)(a) of the Act, the following classes of passenger services are prescribed:

(a) a chauffeured vehicle service provided under a Small Passenger Vehicle (Metropolitan) Accreditation;

(b) a chauffeured vehicle service provided under a Small Passenger Vehicle (Non-Metropolitan) Accreditation.

10—Sections 39(3)(a), 40(5) and 40(6) of Act not to apply in Metropolitan Adelaide (Area B)

(1) Section 39(3)(a) of the Act does not apply in relation to service contracts that relate (either wholly or partly) to regular passenger services operating in Metropolitan Adelaide (Area B).

(2) Section 40(5) of the Act does not apply in relation to fares payable by passengers on regular passenger services operating in Metropolitan Adelaide (Area B).

(3) Section 40(6) of the Act does not apply in relation to fares or fare systems under service contracts that relate (either wholly or partly) to regular passenger services operating in Metropolitan Adelaide (Area B).

11—Section 52(1) of Act not to apply to transport services for animals

Section 52(1) of the Act does not apply to a person who provides a service for the transport of animals provided that the service is used to transport animals together with passengers only if the passengers are accompanying the animals.

Part 2—Accreditation

Division 1—General passenger services

12—Operators—eligibility

(1) A person is not eligible to be granted an accreditation under Part 4 Division 1 of the Act unless the Minister is satisfied—

(a) that the person or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate, is of good repute and in all other respects fit and proper to be responsible for the operation of a passenger transport service under the accreditation; and

(b) that the person has the capacity to meet standards determined by the Minister relating to—

(i) the ability to provide passenger transport services; and

(ii) safety of passengers and the public; and

(iii) service to passengers; and

(iv) vehicles and equipment (including their design, service, maintenance and condition), to the degree and in the manner required in respect of services of the relevant kind; and

(c) that the person has attained the age of 18 years or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate has attained the age of 18 years.

(2) The Minister may require a person or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate, who applies for an accreditation under Part 4 Division 1 of the Act to consent to the Minister obtaining a criminal history check relating to the person.

13—Conditions

(1) Pursuant to section 31(1)(b)(ii) of the Act, the following conditions are prescribed in relation to an accreditation under Part 4 Division 1 of the Act:

(a) a condition that the accredited person must, within 7 days, inform the Minister of action to bankrupt the person or to declare the person insolvent, or of proceedings by the person to take the benefit (as debtor) of a law relating to bankruptcy or insolvent debtors or, in the case of a body corporate, of action to windup the body corporate or to place the body corporate under official management or in receivership;

(b) a condition that the accredited person must, within 7 days, inform the Minister—

(i) of a change in the person's name or residential address or, in the case of a body corporate, of a change in the name of the body corporate, or in the registered office or principal office of the body corporate; or

(ii) of a change in the person's business name or trading name; or

(iii) in the case of a body corporate, of a change in a director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate;

(c) a condition that the accredited person must, within 7 days, inform the Minister of a change—

(i) affecting the accuracy of information furnished to the Minister for the purposes of gaining accreditation; or

(ii) affecting the accuracy of particulars specified in the accreditation;

(d) a condition that the accredited person must, within 2 business days, inform the Minister—

(i) of the laying of a charge for an offence against the person; or

(ii) of a finding by a court that the person has been guilty of an offence;

(e) a condition that the accredited person will provide to a customer or potential customer, on request, a copy of the code of practice that applies to the accredited person;

(f) a condition that the accredited person will ensure that a vehicle used for the purposes of the service is not driven in contravention of Part 4 Division 2 of the Act (relating to the accreditation of drivers) (although this condition does not apply if the accredited person is operating a community transportation service and the driver is a volunteer driver who does not hold an accreditation by virtue of regulation 8(4)(b));

(g) a condition that the accredited person will, if operating a taxi service (other than a country taxi service)—

(i) participate in a centralised booking service that provides a booking service complying with the standards prescribed by regulation 19(2)(a); and

(ii) ensure that every taxi is provided with a fleet safety support service that complies with the standards prescribed by regulation 19(2)(b) (whether provided by a centralised booking service in which the accredited person participates, or by a person or body approved by the Minister); and

(iii) for the purposes of subparagraphs (i) and (ii)—

(A) ensure that while the driver of a taxi used to provide the service is in the taxi, the driver is able to log onto and out of a computerised telecommunications system connecting the taxi and the central control station for the booking service used by the accredited person; and

(B) ensure that every taxi is provided with equipment, approved by the Minister, by which a global positioning system may operate connecting the taxi and the central control station; and

(C) ensure that any equipment used in the taxi for the operation of the computerised telecommunications system or the global positioning system connecting the taxi and the central control station is maintained in proper working order at all times that the taxi is plying for hire;

(h) a condition that the accredited person must, within 7 days, inform the Minister of the introduction of a vehicle to the service, or of the withdrawal of a vehicle from the service;

(i) a condition that a vehicle used for the purposes of the service has a current certificate of inspection (unless a certificate is not required because of an exemption under section 54 of the Act) or, if a certificate of inspection is required under Part 4A of the *Road Traffic Act 1961*, a current certificate of inspection under that Act;

(j) a condition that a vehicle used for the purposes of the service displays, in a manner determined by the Minister—

(A) the name of the accredited person (or of a business or trading name approved by the Minister); or

(B) the name of the centralised booking service or booking office used by the accredited person to take bookings for the service,

unless the vehicle is a taxi or is used to provide a regular passenger service;

(k) a condition that the accredited person will ensure that the following information is maintained in a manner and form determined by the Minister, and in such detail as the Minister may require:

(i) except for a regular passenger service or taxi service—details of each hiring, including the vehicle used to provide the service, the name and contact information of the person who engaged the accredited person, a general description of the service that was provided, and the amount received for the service;

(ii) for a chauffeured vehicle service—the distance travelled in connection with each hiring (including travelling to and from a hiring);

(iii) for a regular passenger service—details of each trip undertaken by a vehicle used for the purposes of the service;

(iv) for a taxi service—in respect of each taxi, a work sheet for each day that the taxi is used for the purposes of the service;

(v) the registration number, make and model of each vehicle used for the purposes of the service;

(vi) the names and address of each person employed or engaged by the accredited person to drive a vehicle for the purposes of the service, and the dates and times at which the person drives a vehicle;

(vii) if a vehicle used for the purposes of the service is involved in an accident—the date, time and place of the accident, the circumstances of the accident, particulars of injury to a person or to property, particulars of damage to the vehicle, and the name and identification number of the driver;

(viii) details of maintenance or repair work carried out on each vehicle, and of any work involving the conversion or rebuilding of a vehicle;

(l) in the case of an accreditation for a taxi service other than a country taxi service—a condition that the accredited person must, when the person provides a taxi service, be a member of a centralised booking service (unless the person is within the ambit of Schedule 4 clause 9 of the Act);

(m) in the case of an accreditation for a taxi service other than a country taxi service (unless the accredited person is within the ambit of Schedule 4 clause 9 of the Act)—a condition that the accredited person must not terminate their membership of a centralised booking service unless or until—

(i) all amounts due and payable by the accredited person to the centralised booking service have been paid; and

(ii) any signs or other equipment that the accredited person is required to return to the centralised booking service on a termination of membership have been so returned;

(n) except for an accreditation for a taxi service (including a taxi service operated outside Metropolitan Adelaide) or a regular passenger service, or as specifically authorised under these regulations or by the Minister—

(i) a condition that a vehicle must not be used to carry passengers for the purposes of the service except under a pre-arranged hiring resulting from a request by the hirer directed to a booking office approved by the Minister and specified in the accreditation or otherwise recorded in a manner determined by the Minister; and

(ii) a condition that a vehicle used to carry passengers for the purposes of the service must not have a sign fitted to its roof; and

(iii) a condition that any sign fitted to the outside of a vehicle, or fitted or displayed in or from the inside of a vehicle, used to carry passengers for the purposes of the service must conform with any requirements determined by the Minister for the purposes of this provision; and

(iv) a condition that the accredited person must not advertise or list their service in a public directory under a heading or listing that uses the word "TAXI";

(o) in the case of a Small Passenger Vehicle (Traditional) Accreditation—

(i) a condition that a vehicle used for the purposes of the service must be either—

(A) a vehicle that—

- is capable of seating at least 4 average-sized adults comfortably plus the driver; and

- in the case of a sedan or wagon—has at least 4 doors; and
- in the case of a vehicle with an internal combustion engine (including a hybrid-electric vehicle)—has an engine capacity of 4 cylinders or more; or

(B) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of this subparagraph; and

(ii) a condition that a vehicle used for the purposes of the service must not travel more than 40 000 kilometres during any prescribed period; and

(iii) a condition that a vehicle used for the purposes of the service must not have travelled more than 320 000 kilometres in total; and

(iv) a condition that a vehicle used for the purposes of the service must not be used to provide a service other than a service operated under a restricted plan of operation approved by the Minister;

(p) in the case of a vehicle used for the purposes of a Small Passenger Vehicle (Metropolitan) Accreditation, a condition that a vehicle used for the purposes of the service must be—

(i) a vehicle that—

(A) is capable of seating at least 4 average-sized adults comfortably plus the driver; and

(B) in the case of a sedan or wagon—has at least 4 doors; and

(C) in the case of a vehicle with an internal combustion engine (including a hybrid-electric vehicle)—has an engine capacity of 4 cylinders or more; or

(ii) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of this paragraph;

(q) in the case of a Small Passenger Vehicle (Special Purpose) Accreditation—

(i) a condition that a vehicle used for the purposes of the service must be a vehicle that has been specifically approved by the Minister for the purposes of that particular service; and

(ii) a condition that a vehicle used for the purposes of the service must not travel more than 40 000 kilometres during any prescribed period; and

(iii) a condition that a vehicle used for the purposes of the service must not have travelled more than 320 000 kilometres in total; and

(iv) a condition that a vehicle must not be used to provide a service other than a service operated under a restricted plan of operation approved by the Minister;

(r) in the case of a Small Passenger Vehicle (Non-Metropolitan) Accreditation—a condition that a vehicle used for the purposes of the service must be—

(i) a vehicle that has an engine capacity of 6 cylinders or more and is capable of seating at least 4 average-sized adults comfortably plus the driver; or

(ii) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of this paragraph;

(s) in the case of a Country Taxi Accreditation—

(i) a condition that a vehicle used for the purposes of the service must be—

(A) a vehicle that is capable of seating at least 4 average-sized adults comfortably plus the driver; or

(B) a vehicle determined by the Minister (either specifically or according to a class of vehicle) as being appropriate for the purposes of a country taxi service; and

(ii) a condition that the accredited person—

(A) must have in place a country taxi service plan for the country taxi service that complies with requirements determined by the Minister and is approved by the Minister before the commencement of the service; and

(B) must operate the service in accordance with the approved country taxi service plan for the service,

(and the country taxi service plan may be altered from time to time with the approval of the Minister);

(t) except for an accreditation for a taxi service or a regular passenger service—a condition that the accredited person—

(i) must have in place a plan of operation for the relevant service that complies with requirements determined by the Minister and is approved by the Minister before the commencement of the service; and

(ii) must operate the service in accordance with that plan of operation,

(and the plan may be altered from time to time with the approval of the Minister);

(u) if required by the Minister—a condition that the accredited person has successfully completed a course recognised by the Minister for the purposes of this regulation;

(v) except for an accreditation for a regular passenger service—a condition that the following policies of insurance issued by an insurance company incorporated in Australia must be in force:

(i) a policy of public liability insurance indemnifying the accredited person and any authorised driver in an amount of at least $5 000 000 in relation to death or bodily injury caused by, or arising out of, the use of a vehicle for the purposes of the service; and

(ii) a policy of insurance indemnifying the accredited person and any authorised driver in relation to damage to property caused by, or arising out of the use of, the vehicle for the purposes of the service;

(w) except for a person who is a member of a centralised booking service—a condition that the accredited person must have in place arrangements to deal with lost property;

(x) a condition that the accredited person will ensure that the public is provided with a service that is adequate and appropriate for an accreditation of the relevant kind, and that the accredited person will comply with a direction of the Minister concerning the provision of a service under the accreditation;

(y) a condition that if the accredited person is operating a community transportation service and engages a volunteer driver who does not hold an accreditation under section 28 of the Act by virtue of regulation 8(4)(b) to drive for the purposes of the service then the accredited person must ensure (through the implementation of appropriate assessment procedures and on an on-going basis) that the volunteer driver is of good repute and in all other respects a fit and proper person to be the driver of a public passenger vehicle.

(2) In subregulation (1)(o) and (q)—

prescribed period, in relation to a vehicle used for the purposes of a service, means any period of 12 months from any day on which the vehicle has been inspected under section 54 of the Act for the purposes of its use in the service.

(3) A person who is required to provide information to the Minister under this regulation must provide the information in a manner and form determined by the Minister.

(4) An accredited person must, on the request of a driver, provide the driver with a copy of a work sheet that has been filled in by the driver.

Maximum penalty: $750.

Expiation fee: $105.

(5) An authorised officer may, at any reasonable time, in order to ensure that the requirements of this regulation are being met—

(a) require a person to produce documents; and

(b) examine, copy or take extracts from a document so produced.

(6) An accredited person must comply with a requirement of an authorised officer under subregulation (5) unless to do so—

(a) might tend to incriminate the person or make the person liable to a penalty; or

(b) would breach legal professional privilege.

14—Periodical fees and returns

(1) Pursuant to section 33(1) of the Act—

(a) each period of 12 months falling on the anniversary of the day on which the accreditation was granted is a prescribed period for an accreditation under Part 4 Division 1 of the Act; and

(b) the relevant day is 14 days after the end of each prescribed period.

(2) Pursuant to section 33(1)(a) of the Act, the following information is prescribed:

(a) the person's current name and address;

(b) in the case of a body corporate—the name and address of each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate;

(c) in relation to each vehicle used for the purposes of the service during the prescribed period—the registration number, make and seating capacity;

(d) other information determined by the Minister.

(3) The Minister may require that information contained in a return be verified by statutory declaration.

Division 2—Drivers

15—Drivers—eligibility

(1) A person is not eligible to be granted an accreditation under Part 4 Division 2 of the Act unless the Minister is satisfied—

(a) that the person is of good repute and in all other respects a fit and proper person to be the driver of a public passenger vehicle under the accreditation; and

(b) that the person has sufficient responsibility, skills and aptitude to drive a vehicle or vehicles under the accreditation—

(i) in accordance with the conditions under which a passenger transport service is operated; and

(ii) in accordance with the law; and

(c) that the person—

(i) is the holder of an appropriate driver's licence; and

(ii) in the case of a person who wants to drive a taxi or operate a vehicle under a Small Passenger Vehicle (Metropolitan) Accreditation—has been the holder of such a licence for a period of at least 6 months prior to applying for accreditation; and

(d) that the person does not suffer a physical or mental incapacity that would impair their ability to work effectively as the driver of a public passenger vehicle under the accreditation; and

(e) that the person—

(i) is sufficiently competent in speaking, reading and writing English and in arithmetic; and

(ii) has sufficient knowledge of the requirements of the Act, and of these regulations; and

(iii) in the case of a person who wants to drive a taxi in Metropolitan Adelaide—has sufficient knowledge of streets and places in Metropolitan Adelaide,

to work effectively as the driver of a public passenger vehicle under the accreditation (and a person who satisfies the Minister by such documentary evidence as the Minister may require that the person has successfully completed a course approved by the Minister will be taken to meet the requirements of this paragraph); and

(f) if required by the Minister—that the person has successfully completed—

(i) a tourism course recognised by the Minister for the purposes of this regulation; or

(ii) a driver training course recognised by the Minister for the purposes of this regulation,

or both.

(2) A person who applies for an accreditation under Part 4 Division 2 of the Act to enable the person to drive a country taxi must, if required by the Minister, satisfy the Minister that they have sufficient knowledge of streets and places in the country taxi service area in which the taxi is to be used for the purposes of a country taxi service to work effectively as the driver of a country taxi under the accreditation.

(3) A person who applies for an accreditation under Part 4 Division 2 of the Act must consent to the Minister obtaining a criminal history check relating to the person.

16—Medical examination

The Minister may require a person who holds, or applies for the issue or renewal of, an accreditation under Part 4 Division 2 of the Act to submit a medical report or other evidence acceptable to the Minister to establish that the person does not suffer a physical or mental incapacity that impairs, or could impair, their ability to work effectively as the driver of a public passenger vehicle under the accreditation.

17—Conditions

(1) Pursuant to section 31(1)(b)(ii) of the Act, the following conditions are prescribed in relation to an accreditation under Part 4 Division 2 of the Act:

(a) a condition that the accredited person must, within 7 days, inform the Minister of a change in the person's name or residential address;

(b) a condition that the accredited person must, within 7 days, inform the Minister of a change—

(i) affecting the accuracy of information furnished to the Minister for the purposes of gaining accreditation; or

(ii) affecting the accuracy of particulars specified in the accreditation;

(c) a condition that the accredited person must, within 2 business days, inform the Minister—

(i) of the laying of a charge for an offence against the person; or

(ii) of a finding by a court that the person has been guilty of an offence;

(d) a condition that the accredited person must, within 2 business days, inform the Minister of the expiry, suspension or cancellation of the person's driver's licence;

(e) a condition that the person will, while driving a public passenger vehicle for the purposes of a passenger transport service, display or carry (or both) a form (or forms) of identification determined by the Minister;

(f) a condition that the accredited person will, in a manner and form determined by the Minister, fill in a work sheet for each day that the person drives a public passenger vehicle;

(g) in the case of an accredited taxi driver—a condition that the accredited person will fill in on the work sheet, in a manner and form determined by the Minister, information for each trip after each hiring of the taxi ends and before the next hiring of the taxi begins;

(h) except where the accredited person is driving a vehicle for a taxi service (including a taxi service operated outside Metropolitan Adelaide) or a regular passenger service, or as specifically authorised under these regulations or by the Minister—

(i) a condition that the accredited person will not drive a vehicle for the purposes of a passenger transport service if the vehicle does not comply with the requirements of regulation 13(1)(n)(ii) and (iii);

(ii) a condition that the accredited person will not ply for hire with a vehicle in a public street, road or place, and will not stand a vehicle being driven by the person at a designated taxi-stand;

(iii) except for—

(A) a vehicle used for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation, Small Passenger Vehicle (Special Purpose) Accreditation or Small Passenger Vehicle (Traditional) Accreditation; or

(B) a vehicle drawn by an animal,

a condition that the accredited person will not park or stand a vehicle on a public street, road or place unless a sign approved by the Minister that clearly indicates that the vehicle is not for hire is displayed on or near the vehicle in a manner determined by the Minister for the purposes of this regulation;

(iv) a condition that the accredited person will not accept a request for the carriage for hire of a person except under a pre-arranged hiring resulting from a request by the hirer directed to a booking office approved by the Minister under these regulations and the issuing of the booking to that driver following that request;

(i) a condition that the accredited person will, if driving a taxi participating in an Adelaide centralised booking service—

(i) not accept a hiring unless the person has, while in the taxi, logged onto the computerised telecommunications system connecting the taxi and the central control station for the booking service; and

(ii) while in the taxi, log out of the system prior to any other person driving the taxi; and

(iii) not misuse or interfere with any equipment in the taxi used for the operation of the computerised telecommunications system or the global positioning system connecting the taxi and the central control station;

(j) a condition that, if the accredited person has been assigned a personal identification number, the person will not disclose the personal identification number to any other person.

(2) A person who is required to provide information to the Minister under this regulation must provide the information in a manner and form determined by the Minister.

18—Duration of accreditation

For the purposes of section 32(1) of the Act, an accreditation under Part 4 Division 2 of the Act continues in force—

(a) for a period not exceeding 3 years; or

(b) for a period not exceeding the expiry date on the drivers licence of the applicant for accreditation,

whichever occurs first.

Division 3—Centralised booking services

19—Centralised booking services—eligibility

(1) A person is not eligible to be granted an accreditation under Part 4 Division 3 of the Act unless the Minister is satisfied—

(a) that the person or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate, is of good repute and in all other respects fit and proper to be responsible for the operation of a centralised booking service; and

(b) that the person will, if granted an accreditation, operate a centralised booking service that complies with the standards prescribed by subregulation (2); and

(c) that the person has attained the age of 18 years or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate has attained the age of 18 years.

(2) For the purposes of section 29(3)(a)(ii) of the Act, the following standards are prescribed:

(a) a centralised booking service must provide a booking service that—

(i) is able to ensure that telecommunications contact between the service and each passenger transport vehicle participating in the service is continuously available while the vehicle is being used to provide a passenger transport service (excluding a case where a vehicle is in an area where such contact is impracticable); and

(ii) has a computerised telecommunications system, approved by the Minister, connecting the central control station for the service and each passenger transport vehicle participating in the service that—

(A) enables a driver of the vehicle to log onto and out of the system while the driver is inside the vehicle; and

(B) records, at the central control station, the vehicle, the driver's personal identification number and the times and dates the driver has logged onto and out of the system; and

(iii) in the case of a centralised booking service for taxis—operates 24 hours a day and 7 days a week; and

(iv) is able to meet various levels of customer service (including as to waiting times) set by the Minister in consultation with the relevant service; and

(v) has a customer information system to respond to customer inquiries and complaints from customers relating to the hiring, and bookings and orders for the hiring, of passenger transport vehicles;

(b) a centralised booking service for taxis must ensure that a fleet safety support service that—

(i) includes a global positioning system, approved by the Minister, that enables the location of each taxi participating in the booking service to be recorded at the central control station for the booking service at all times that the taxi is available for hire; and

(ii) operates 24 hours a day and 7 days a week; and

(iii) is able to deal with an emergency situation that involves the driver of a taxi participating in the booking service,

is provided for every taxi participating in the centralised booking service.

(3) The Minister may require a person or, in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate, who applies for an accreditation under Part 4 Division 3 of the Act to consent to the Minister obtaining a criminal history check relating to the person.

20—Conditions

(1) Pursuant to section 31(1)(b)(ii) of the Act, the following conditions are prescribed in relation to an accreditation under Part 4 Division 3 of the Act:

(a) a condition that the accredited person must ensure compliance with the standards prescribed by regulation 19(2);

(b) a condition that the accredited person must, if operating an Adelaide centralised booking service, keep secure from unauthorised access, at the central control station for the booking service, for a period determined by the Minister—

(i) a record of all drivers of passenger transport vehicles participating in the booking service and the personal identification number of each of those drivers; and

(ii) a record of all passenger transport vehicles participating in the booking service; and

(iii) the records generated each time a driver logs onto or out of the computerised telecommunications system; and

(iv) the records generated by the global positioning system;

(c) a condition that the accredited person must ensure that the centralised booking service does not issue a booking to a driver of a passenger transport vehicle participating in the service if the driver has not, while in the vehicle, logged onto the computerised telecommunications system connecting the central control station for the booking service and the vehicle;

(d) a condition that the accredited person must, within 7 days, inform the Minister of action to bankrupt the person or to declare the person insolvent, or of proceedings by the person to take the benefit (as debtor) of a law relating to bankruptcy or insolvent debtors or, in the case of a body corporate, of action to windup the body corporate or to place the body corporate under official management or in receivership;

(e) a condition that the accredited person must, within 7 days, inform the Minister—

(i) of a change in the person's name or residential address or, in the case of a body corporate, of a change in the name of the body corporate, or in the registered office or principal office of the body corporate; or

(ii) of a change in the person's business name or trading name; or

(iii) in the case of a body corporate, of a change in a director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate;

(f) a condition that the accredited person must, within 7 days, inform the Minister of a change—

(i) affecting the accuracy of information furnished to the Minister for the purposes of gaining accreditation; or

(ii) affecting the accuracy of particulars specified in the accreditation;

(g) a condition that the accredited person must, within 2 business days, inform the Minister—

(i) of the laying of a charge for an offence against the person; or

(ii) of a finding by a court that the person has been guilty of an offence;

(h) a condition that the accredited person will provide to a customer or potential customer, on request, a copy of the code of practice that applies to the accredited person;

(i) a condition that the accredited person will have in place a business plan to ensure that relevant customer service levels are met;

(j) a condition that the accredited person will have in place arrangements to deal with lost property found in vehicles participating in the centralised booking service;

(k) a condition that the accredited person will have a management information system to monitor and record performance;

(l) a condition that the accredited person will establish and maintain a set of rules and procedures that are to apply in relation to the provision of the centralised booking service (including in relation to the owners and drivers of vehicles participating in the service), will provide a copy of those rules and procedures to the Minister and will, within 14 days, inform the Minister, in a manner and form determined by the Minister, of any alteration to those rules or procedures;

(m) a condition that the accredited person will establish and maintain a system for dealing with any dispute between the person and the owner or driver of a vehicle participating in the scheme, and that if the dispute is not resolved within a reasonable time and is referred to the Minister, that the accredited person will accept and, if necessary, implement or observe, a decision made by the Minister in order to resolve the dispute;

(n) a condition that the accredited person will make and keep a record, in relation to each passenger transport vehicle for which the centralised booking service provides a fleet safety support service, of—

(i) the registration number of the vehicle; and

(ii) such other information as the Minister may require.

(2) A person who is required to provide information to the Minister under this regulation must provide the information in a manner and form determined by the Minister.

21—Periodical fees and returns

(1) For the purposes of section 33(1) of the Act—

(a) each quarter is a prescribed period for an accreditation under Part 4 Division 3 of the Act; and

(b) the relevant day for that kind of accreditation is 21 days after the end of a quarter.

(2) For the purposes of section 33(1)(a) of the Act, the following information is prescribed in relation to the relevant quarter:

(a) the number of vehicles participating in the service at the end of the relevant quarter;

(b) the average response times for various periods of the day determined by the Minister;

(c) the telephone answering standards applied by the centralised booking service;

(d) a full explanation for an inability to meet customer service requirements under these regulations;

(e) statistical information relating to cases where vehicles were not available to take bookings, including the time of those bookings and the pick-up points;

(f) details of customer complaints, and the action taken;

(g) details of—

(i) disciplinary action against the driver or owner of a vehicle participating in the service; or

(ii) a decision to refuse a person membership of the service;

(h) other information determined by the Minister.

(3) The Minister may require information contained in a return be verified by statutory declaration.

22—Authorised officers—prescribed powers

For the purposes of section 53(5)(j) of the Act, the following powers are prescribed:

(a) the power to enter and inspect, at any reasonable time, premises where a person is operating a centralised booking service;

(b) the power to require a person to produce evidence about customer service levels and operational practices;

(c) the power to require a person to produce documents;

(d) the power to examine, copy or take extracts from a document so produced;

(e) the power to undertake an assessment of—

(i) the operations of the centralised booking service; and

(ii) the vehicles participating in the service; and

(iii) the maintenance and enforcement of standards within the service.

Division 4—General provisions relating to accreditations

23—Accreditations may be held jointly

(1) An accreditation under Part 4 Division 1 or 3 of the Act may, if the Minister thinks fit, be issued to more than 1 person on joint application.

(2) If an accreditation is jointly held, service of a notice on 1 of the accredited persons will be regarded as service on all the accredited persons.

24—Particulars in accreditation

An accreditation under Part 4 of the Act must—

(a) specify the period for which it will continue in force; and

(b) specify the conditions (if any) imposed by the Minister in relation to the accreditation under section 31(1)(b)(i) of the Act.

25—Death or incapacity of accredited person

(1) If an individual who is the holder of an accreditation under Part 4 Division 1 or 3 of the Act—

(a) dies; or

(b) has a physical or mental incapacity that prevents the individual from carrying on business under the accreditation,

a person who takes over the management of the business may, with the consent of the Minister, continue to operate a passenger transport service or centralised booking service (as the case may be) under the accreditation for a period determined by the Minister.

(2) For the purposes of subregulation (1)—

(a) a period determined by the Minister must be at least 3 months; and

(b) the Minister may, if the Minister thinks fit, extend a period; and

(c) the duration for which a person may operate a service under subregulation (1) cannot exceed 12 months.

26—Duty of accredited person to furnish information

(1) The holder of an accreditation under Part 4 of the Act must, if so required by the Minister by notice in writing, furnish to the Minister or to a person nominated by the Minister for the purpose, within a period specified in the notice, a return in a form determined by the Minister setting out such information as to the operation of a service, or as to any other matter relevant to the accreditation, as the Minister, or the nominated person, may require.

Maximum penalty: $750.

Expiation fee: $105.

(2) The Minister may require that information contained in a return under subregulation (1) be verified by statutory declaration.

27—Inquiries by Minister

(1) The holder of an accreditation under Part 4 of the Act must, if so required by the Minister by notice in writing, attend at a specified place before the Minister, or a person appointed by the Minister for the purpose, and there answer such questions as to the accreditation, and the operation of a service under the accreditation, the person's conduct, or any other matter, as the Minister or the person so appointed considers necessary for the administration or enforcement of the Act, or of these regulations.

Maximum penalty: $750.

Expiation fee: $105.

(2) A notice under subregulation (1) must describe the matters to be inquired into and must allow a reasonable interval from the date of service of the notice to the date fixed for attendance.

28—Defacing etc of accreditations

The holder of an accreditation under Part 4 of the Act must not—

(a) deface, alter, or mutilate the accreditation; or

(b) part with possession of the accreditation except as required under these regulations or the Act.

Maximum penalty: $750.

Expiation fee: $105.

29—Delivery of accreditations

The holder of an accreditation under Part 4 of the Act must within 2 business days deliver the accreditation to the Minister—

(a) if the accreditation is altered or defaced or becomes illegible in a particular; or

(b) if there is a change in the accuracy of a particular specified in the accreditation; or

(c) on receiving notice of the suspension or revocation of the accreditation; or

(d) on being required by the Minister by notice in writing to deliver the accreditation to the Minister; or

(e) on the expiry of the accreditation.

Maximum penalty: $750.

Expiation fee: $105.

30—Issue of duplicate if accreditation lost etc

If—

(a) the holder of an accreditation satisfies the Minister that the accreditation has been lost or destroyed; or

(b) an accreditation that has been altered or defaced or has become illegible in a particular is delivered to the Minister,

the Minister may, on payment of the prescribed fee, issue a duplicate of the accreditation and the former accreditation is null and void.

31—Renewals

(1) Pursuant to section 34(3) of the Act—

(a) an application for the renewal of an accreditation under Part 4 Division 1 or 3 of the Act must be made not later than 28 days before the date of expiry of the accreditation; and

(b) an application for the renewal of an accreditation under Part 4 Division 2 of the Act must be made not later than 7 days before the date of expiry of the accreditation.

(2) The day that corresponds to 6 weeks before the date of expiry of an accreditation is fixed for the purposes of section 34(5) of the Act.

(3) The Minister may require a person, or in the case of a body corporate, each director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate, who applies for a renewal of an accreditation under Part 4 Division 1 or Part 4 Division 3 of the Act to consent to the Minister obtaining a criminal history check relating to the person.

(4) A person who applies for a renewal of an accreditation under Part 4 Division 2 of the Act must consent to the Minister obtaining a criminal history check relating to the person.

32—Procedure for variation of an accreditation

(1) For the purposes of section 35(4) of the Act, the Minister must, before varying a person's accreditation from 1 class of accreditation to another—

(a) notify the person in writing of the proposed action and provide a brief summary of the reasons for the proposed action; and

(b) allow the person a reasonable opportunity to make submissions in relation to the matter.

(2) A notification of a decision by the Minister to vary a person's accreditation under section 35(4) of the Act must include a statement setting out the person's right to appeal against the decision.

Part 3—Taxis

Division 1—Taxi licences

33—Exceptions to sections 45 and 52 of Act

(1) Section 45(1)(a) of the Act does not apply in relation to the operation of a country taxi service by means of a vehicle that displays the word "TAXI" or that word in combination with the word "COUNTRY".

(2) Section 45(1)(b) of the Act does not apply in relation to a vehicle plying for hire or standing at a designated taxi-stand within the country taxi service area in which the vehicle may be used for the purposes of a country taxi service.

(3) For the purposes of section 45(1)(c) of the Act, a person who does not hold a taxi licence for a vehicle may cause or permit the vehicle to ply for hire in a public street, road or place if—

(a) the vehicle is being used for the purposes of a country taxi service; and

(b) the street, road or place is within the country taxi service area in which the vehicle may be used for the purposes of a country taxi service.

(4) For the purposes of section 45(1)(c) of the Act, a person who does not hold a taxi licence for a vehicle may cause or permit the vehicle to ply for hire in a public street, road or place if—

(a) the person holds an accreditation under Part 4 of the Act; and

(b) the vehicle is being used for the purposes of a service operated under the accreditation; and

(c) the vehicle is plying for hire—

(i) between midnight on the Monday preceding the commencement of a declared period within the meaning of the *South Australian Motor Sport Act 1984* and midnight on the Thursday following the end of that declared period; or

(ii) between 10 pm on 31 December of any year and 10 am on 1 January of the following year.

(5) For the purposes of 45(1)(d) of the Act, a person who does not hold a taxi licence for a vehicle fitted with a taxi-meter may operate a country taxi service by means of the vehicle.

(6) Section 52(1) of the Act does not apply to—

(a) the operator of—

(i) a centralised booking service for taxis; or

(ii) a booking service for taxis operating outside Metropolitan Adelaide; or

(b) the operator of a country taxi service; or

(c) an employee or agent of a person referred to in paragraph (a) or (b).

34—Suitability of vehicle

An applicant for a taxi licence must satisfy the Minister that the vehicle in respect of which the licence is sought—

(a) has an engine capacity of 4 cylinders or more; and

(b) is capable of seating at least 4 average-sized adults comfortably plus the driver; and

(c) in the case of a sedan or wagon—has at least 4 doors; and

(d) complies with these regulations and any requirement determined by the Minister; and

(e) is suitable for use as a taxi under a licence of the kind or grade applied for; and

(f) is in good order.

35—Prescribed kinds or grades of licences

(1) Pursuant to section 47(5) of the Act, the following kinds or grades of taxi licence are prescribed:

(a) general taxi licences;

(c) special vehicle licences.

(3) A special vehicle licence is a licence for a taxi that—

(a) is suitable to carry persons who use wheelchairs, scooters or other large (ride-on) mobility aids; and

(b) is determined by the Minister to be a special vehicle licence under these regulations.

36—Conditions of licences

Pursuant to section 45(5) of the Act, a taxi licence is subject to the following conditions:

(a) a condition that the holder of the licence must remain an accredited person of an appropriate kind;

(b) a condition that the holder of the licence must remain a fit and proper person to hold a taxi licence;

(c) a condition that the licence relates only to 1 vehicle.

38—Licences may be held jointly

(1) A taxi licence may, if the Minister thinks fit, be issued to more than 1 person on joint application.

(2) If a taxi licence is jointly held, service of a notice on 1 of the holders of the licence will be regarded as service on all the holders of the licence.

39—Particulars in licence

A taxi licence must specify the conditions (if any) imposed by the Minister in relation to the licence under section 45 of the Act.

40—Duty to notify Minister of changes in information

The holder of a taxi licence must, within 7 days, inform the Minister of a change—

(a) affecting the accuracy of information furnished to the Minister for the purposes of gaining the licence; or

(b) affecting the accuracy of particulars specified in the licence.

Maximum penalty: $750.

Expiation fee: $105.

41—Death or incapacity of licence holder

(1) If an individual who is the holder of a taxi licence—

(a) dies; or

(b) has a physical or mental incapacity that prevents the individual from carrying on the business of operating a taxi service,

a person who takes over the management of the business may, with the consent of the Minister, continue to operate a taxi under the licence for a period determined by the Minister.

(2) For the purposes of subregulation (1)—

(a) a period determined by the Minister must be at least 3 months; and

(b) the Minister may, if the Minister thinks fit, extend a period; and

(c) the duration for which a person may operate a taxi under subregulation (1) cannot exceed 12 months.

43—Suspension or cancellation of licences

(1) For the purposes of section 50(1)(c) of the Act, the following requirements and conditions are prescribed:

(a) a requirement that a person who drives the taxi for the purposes of a passenger transport service must be a fit and proper person to be the driver of a taxi;

(b) a requirement that the service provided to the public through the use of the taxi must be adequate and appropriate for the kind or grade of licence;

(c) a requirement that the taxi must comply with these regulations and any requirement determined by the Minister, remain suitable for use as a taxi under a licence of the kind or grade applied for, and remain in good order;

(d) a condition that the holder of the licence must remain eligible under the Act and these regulations to hold a taxi licence.

(2) If the Minister decides to suspend or cancel a taxi licence under section 50 of the Act, the Minister must—

(a) give the holder of the licence written notice of the proposed course of action (including a brief summary of the matters alleged against them); and

(b) allow the holder of the licence a reasonable opportunity to answer or make submissions in relation to the matters alleged against them.

(3) The procedures set out in subregulation (2) may be undertaken in conjunction with a process under Part 4 Division 5 of the Act.

(4) A notification of a decision of the Minister to suspend or cancel a taxi licence, other than a temporary licence, must include a statement setting out the person's right to appeal against the decision.

44—Duty of licence holder to furnish information

(1) The holder of a taxi licence must, if so required by the Minister by notice in writing, furnish to the Minister, or to a person nominated by the Minister for the purpose, within a period specified in the notice, a return in a form determined by the Minister setting out such information as to the operation of a taxi service under the licence, or as to any other matter relevant to the licence, as the Minister, or the nominated person, may require.

Maximum penalty: $750.

Expiation fee: $105.

(2) The Minister may require that information contained in a return under subregulation (1) be verified by statutory declaration.

45—Inquiries by the Minister

(1) The holder of a taxi licence must, if so required by the Minister by notice in writing, attend at a specified place before the Minister, or a person appointed by the Minister for the purpose, and there answer such questions as to the licence, and the operation of a taxi service under the licence, the conduct of the person or of any person who may have been driving the taxi, or any other matter, as the Minister or the person so appointed considers necessary for the administration or enforcement of the Act or these regulations.

Maximum penalty: $750.

Expiation fee: $105.

(2) A notice under subregulation (1) must describe the matters to be inquired into and must allow a reasonable interval from the date of service of the notice to the date fixed for attendance.

49—Substitution of vehicle

(1) The Minister may, on application by the holder of a taxi licence, consent to the substitution of another vehicle for the taxi to which the licence currently relates.

(2) An application for consent must—

(a) be made in a manner and form determined by the Minister; and

(b) be accompanied by the prescribed fee.

Division 2—Vehicles

50—Colour and markings

(1) The outside of a taxi must be white in colour.

(2) A taxi must be fitted, in a manner determined by the Minister, with side stripes that comply with requirements determined by the Minister for the purposes of this regulation.

Division 3—Taxi signs

51—Display of taxi signs by metropolitan taxis

(1) For the purposes of section 45(4)(a) of the Act, a vehicle displays the word "TAXI" if—

(a) a taxi sign of a type approved by the Minister is fitted to the taxi in a manner approved by the Minister; and

(b) the taxi sign is in proper working order.

(2) Section 45(4)(a) of the Act does not apply—

(a) in the case of a vehicle being used under a pre-arranged hiring for the conveyance of a bridal party or the conveyance of a person in a funeral procession; or

(b) in the case of a vehicle being used while fitted with a damaged or faulty taxi sign if—

(i) the driver of the vehicle is not aware that the sign is damaged or faulty, or is completing a journey that commenced before the driver had become aware that the sign was damaged or faulty; or

(ii) the vehicle is being driven for a purpose connected with the repair or replacement of the taxi sign, or the driver has been authorised by the holder of the taxi licence for the taxi to drive the taxi for such a purpose.

52—Display of taxi signs by country taxis

(1) A vehicle must not be driven for the purposes of a country taxi service in a public street, road or place unless—

(a) a taxi sign of a type approved by the Minister is fitted to the vehicle in a manner approved by the Minister; and

(b) the taxi sign is in proper working order.

(2) Subregulation (1) does not apply while a vehicle is being used under a pre-arranged hiring for the conveyance of a bridal party or the conveyance of a person in a funeral procession.

(3) If a vehicle is driven in contravention of subregulation (1), the operator of the country taxi service is guilty of an offence.

Maximum penalty: $4 000.

(4) It is a defence to a charge of an offence against subregulation (3) for the defendant to prove—

(a) that the taxi sign fitted to the taxi at the time of the alleged offence was damaged or faulty; and

(b) that the driver—

(i) was not aware that the sign was damaged or faulty, or was completing a journey that commenced before the driver became aware that the sign was damaged or faulty; or

(ii) was driving the taxi for a purpose connected with the repair or replacement of the sign, or had been authorised by the defendant to drive the taxi for such a purpose.

53—Requirement for taxi sign to indicate when taxi not available for hire

(1) A person other than an accredited taxi driver must not drive a taxi in a public street, road or place unless the taxi sign fitted to the taxi indicates in a manner approved by the Minister that the taxi is not available for hire.

Maximum penalty: $750.

Expiation fee: $105.

(2) An accredited taxi driver must not drive a taxi in a public street, road or place while the taxi is not available for hire unless the taxi sign fitted to the taxi indicates in a manner approved by the Minister that the taxi is not for hire.

Maximum penalty: $750.

Expiation fee: $105.

(3) Subregulation (2) does not apply to a taxi being used under a pre-arranged hiring for the conveyance of a bridal party or the conveyance of a person in a funeral procession.

(4) It is a defence to a charge of an offence against subregulation (1) or (2) for the defendant to prove—

(a) that the taxi sign fitted to the taxi at the time of the alleged offence was damaged or faulty; and

(b) that the defendant—

(i) was not aware that the sign was damaged or faulty, or was completing a journey that commenced before the defendant became aware that the sign was damaged or faulty; or

(ii) was driving the taxi for a purpose connected with the repair or replacement of the sign.

54—Return of taxi signs

A person to whom a taxi sign has been issued, or who has possession or custody of a taxi sign or a vehicle to which such a sign is fitted must, on request by an authorised officer for the return of the sign, immediately deliver the sign to the authorised officer or the Minister.

Maximum penalty: $750.

Expiation fee: $105.

55—Unauthorised use of signs

(1) A person must not, in a public street, road or place in Metropolitan Adelaide or a country taxi service area, drive a vehicle to which there is fitted a taxi sign, or a sign the same as or closely resembling a taxi sign, unless the sign is fitted to the vehicle with the authority of the Minister.

Maximum penalty: $750.

Expiation fee: $105.

(2) Subregulation (1) does not apply to—

(a) a vehicle for which a taxi licence is held; or

(b) a vehicle used for the purposes of a country taxi service.

56—Removal of signs

(1) If a taxi licence is suspended or cancelled or expires, the holder of the licence must ensure—

(a) that any taxi sign on the taxi at the time of suspension, cancellation or expiry is immediately removed from the vehicle; and

(b) that a taxi sign is not again fitted to the vehicle unless or until the end of the suspension, or the granting of a new licence in respect of the vehicle.

Maximum penalty: $750.

Expiation fee: $105.

(2) If a person ceases to hold a Country Taxi Accreditation, the person must ensure that any taxi sign on a vehicle that was used for the purposes of a country taxi service operated under that accreditation is immediately removed from the vehicle.

Maximum penalty: $750.

Expiation fee: $105.

57—Loss or theft of signs

(1) If a taxi sign is lost or stolen, the relevant person for the taxi sign must, within 2 business days, give written notice of the loss or theft to the Minister.

Maximum penalty: $750.

Expiation fee: $105.

(2) If a taxi sign, the loss or theft of which has been reported in accordance with subregulation (1) is recovered, the relevant person for the taxi sign must immediately notify the Minister of the recovery.

Maximum penalty: $750.

Expiation fee: $105.

58—Company signs

(1) A person must not drive a metropolitan taxi in a public street, road or place unless a sign or signs of a type approved by the Minister, identifying—

(a) the centralised booking service of which the holder of the taxi licence is a member; or

(b) if the holder of the taxi licence is a member of more than 1 centralised booking service—1 of those centralised booking services,

are fitted to the taxi in a location, and in a manner, approved by the Minister.

Maximum penalty: $750.

Expiation fee: $105.

(2) Subregulation (1) does not apply if the holder of the taxi licence is within the ambit of Schedule 4 clause 9 of the Act.

59—Advertising

(1) Advertisements on the outside of a taxi—

(a) may only be displayed on—

(i) the rear luggage compartment of the vehicle; or

(ii) with the approval of the Minister—the rear window of the vehicle; or

(iii) in the case of a station sedan or van—the tail gate of the vehicle; and

(b) must comply with any standards determined by the Minister.

(2) A person must not drive a taxi in a public street, road or place if an advertisement on the outside of the taxi—

(a) is displayed other than in accordance with subregulation (1)(a); or

(b) does not comply with subregulation (1)(b).

Maximum penalty: $750.

Expiation fee: $105.

(3) Subregulation (2) does not apply in relation to an advertisement displayed on a taxi with the approval of the Minister.

Division 4—Taxi-meters and charges for hiring taxis

60—Requirement for country taxi to have meter

A person must not use a vehicle for the purposes of a country taxi service unless the vehicle is fitted with a meter that complies with these regulations.

Maximum penalty: $4 000.

61—Requirements relating to meters

(1) For the purposes of section 45(4)(c) of the Act and regulation 60—

(a) a taxi-meter must be of a type approved by the Minister; and

(b) a taxi-meter must be fitted to the taxi in a manner determined or approved by an authorised officer; and

(c) a taxi-meter, when fitted, must be in a position where it can be easily read by any person sitting in the taxi (and, if necessary, additional meter displays must be positioned in the taxi to enable this to occur); and

(d) a taxi-meter must be so adjusted that, when the taxi is hired and the meter is activated, the meter will register the fare (including flagfall and any lifting fee or waiting time) not exceeding—

(i) in the case of a metropolitan taxi—the rates prescribed by Schedule 2; or

(ii) in the case of a country taxi—the rates determined by the Minister; and

(e) a taxi-meter must have been tested by an authorised officer or other person approved by the Minister; and

(f) a taxi-meter must have been sealed by the officer or person conducting the test and the seal must remain intact; and

(g) a taxi-meter must be in proper working order and registering correctly.

(2) In testing the accuracy of a taxi-meter—

(a) the test in respect of distance must be made with the meter fitted to the vehicle and operating over a distance of not less than 1 kilometre allowing a tolerance of plus or minus 22.5 metres only; and

(b) the test in respect of time must allow a tolerance of plus or minus 3% only.

62—Action required when meter defective

If a taxi-meter fitted to a taxi is not registering correctly or is out of order or the seal affixed to the taxi-meter is broken, the relevant person for the taxi must ensure—

(a) that an authorised officer is immediately notified; and

(b) that the taxi is not used to ply for hire until the taxi-meter has been re-adjusted, tested by an authorised officer or person approved by the Minister and found to be in proper working order and registering correctly.

Maximum penalty: $750.

Expiation fee: $105.

63—Compulsory inspection of meters

(1) An authorised officer may, by notice in writing to the relevant person for a taxi, require the taxi to be submitted for testing of its taxi-meter at a time and place specified in the notice.

(2) If an authorised officer finds that a taxi for which a taxi licence is held is not fitted with a taxi-meter as required under these regulations or is fitted with a meter that does not comply with these regulations, the authorised officer may suspend the taxi licence in respect of that taxi until the holder of the licence satisfies an authorised officer that the taxi is fitted with a taxi-meter that complies with these regulations.

(3) If an authorised officer finds that a vehicle used for the purposes of a country taxi service is not fitted with a taxi-meter as required by these regulations, or is fitted with a meter that does not comply with these regulations, the authorised officer may give the operator of the service written notice that the vehicle must not be used for the purposes of the service until it is fitted with a taxi-meter that complies with these regulations.

64—Substitution of wheels or alteration of drive train

If the wheels are substituted on a taxi that is fitted with a taxi-meter, or the drive train of such a taxi is altered, the relevant person for the taxi must ensure that the taxi is not used to ply for hire until the taxi-meter fitted to the taxi has been tested by an authorised officer or person approved by the Minister and the taxi-meter has been found to be registering correctly.

Maximum penalty: $750.

Expiation fee: $105.

65—Offences relating to meters

(1) A person must not interfere with a taxi-meter fitted to a taxi, or with a portion of the mechanism operating a taxi-meter, so as to prevent the proper working of the taxi-meter.

Maximum penalty: $750.

Expiation fee: $105.

(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 2.

Maximum penalty: $750.

Expiation fee: $105.

66—Fees for testing of taxi-meter

A taxi may not be accepted for testing of a taxi-meter fitted to the taxi except on payment of the appropriate fee as from time to time approved by the Minister.

67—Operation of meter by taxi driver

(1) The driver of a taxi to which a taxi-meter is fitted—

(a) must activate the taxi-meter at or after the commencement of a hiring; and

(b) must only apply the tariff for the hiring that—

(i) is allowed for such hiring under Schedule 2; and

(ii) is displayed by the tariff indicator at the commencement of the hiring; and

(c) must not charge an amount for the hiring that exceeds the sum of—

(i) the amount displayed by the taxi-meter at the end of the hiring; and

(ii) the levy (if any) required to be collected under Schedule 2 of the Act; and

(d) must draw the attention of the hirer to the amount displayed by the taxi-meter before receiving payment for the hiring.

Maximum penalty: $750.

Expiation fee: $105.

(2) Subregulation (1) does not apply in relation to a journey for which the fare may be determined by contract as provided in Schedule 2.

68—Charges for hiring taxis

(1) The responsible person for a taxi must ensure that no more than the legal charge is demanded or recovered for the hiring of the taxi.

Maximum penalty: $750.

Expiation fee: $105.

(2) For the purposes of subregulation (1), the responsible person for a taxi is—

(a) in the case of a taxi that is hired by means of a centralised booking service—the centralised booking service; or

(b) in the case of a taxi that is pre-hired under a contract between the hirer and the operator of the taxi service—the operator of the taxi service.

(3) The driver of a taxi must not demand or recover more than the legal charge for a hiring of the taxi that they are driving.

Maximum penalty: $750.

Expiation fee: $105.

(4) In calculating the legal fare, no charge may be made for a period during which the taxi is delayed—

(a) due to shortage of fuel; or

(b) by an accident involving the taxi or by the breakdown of, or a defect in, the taxi; or

(c) at a random breath testing station or police road block or due to compliance with a requirement of a police officer made in the enforcement of a law governing the duties of drivers; or

(d) by a circumstance that the driver could have prevented by reasonable care.

(5) The driver of a taxi must accept, in satisfaction of the legal charge for a hiring of the taxi, payment of the amount of the legal charge—

(a) by cash; or

(b) if applicable, by a SATSS voucher; or

(c) subject to subregulation (7), by electronic payment using EFTPOS at an EFTPOS terminal that complies with regulation 69 and is operated in accordance with that regulation; or

(d) by another means or technical process determined or approved by the Minister.

Maximum penalty: $750.

Expiation fee: $105.

(6) A person who hires a taxi must, unless otherwise agreed, pay the legal charge to the driver on termination of the hiring—

(a) by cash; or

(b) if applicable, by a SATSS voucher; or

(c) subject to subregulation (7), by electronic payment using EFTPOS at an EFTPOS terminal that complies with regulation 69 and is operated in accordance with that regulation; or

(d) by another means or technical process determined or approved by the Minister.

Maximum penalty: $1 250.

Expiation fee: $160.

(7) If an EFTPOS terminal used for the electronic payment of a charge for the hiring of a taxi is not in proper working order, the driver of the taxi must—

(a) advise the person who hires the taxi that the terminal is not in proper working order—

(i) as soon as the driver becomes aware that the terminal is not in proper working order; or

(ii) if the driver is aware that the terminal is not in proper working order before the commencement of the hiring—at the commencement of the hiring; and

(b) accept payment by a manual payment alternative using credit or debit facilities.

Maximum penalty: $750.

Expiation fee: $105.

69—Payment by electronic means for hiring of taxi

(1) The operator of a taxi service must ensure that any EFTPOS terminal that is installed in a taxi by or on behalf of the operator complies with subregulation (5).

Maximum penalty: $750.

Expiation fee: $105.

(2) The driver of a taxi must ensure that any EFTPOS terminal that is installed in the taxi by or on behalf of the driver complies with subregulation (5).

Maximum penalty: $750.

Expiation fee: $105.

(3) The operator of a taxi service must not provide a driver of a taxi with an EFTPOS terminal unless it has been supplied by a service provider approved by the Minister.

Maximum penalty: $750.

Expiation fee: $105.

(4) The driver of a taxi—

(a) must not use an EFTPOS terminal for the electronic payment of charges for the hiring of the taxi unless it complies with subregulation (5); and

(b) must ensure that the terminal is in proper working order at all times that the taxi is available to ply for hire, except where there is a temporary failure or malfunction of the terminal as a result of the terminal service provider or network and such failure or malfunction is not attributable to the actions of the driver.

Maximum penalty: $750.

Expiation fee: $105.

(5) An EFTPOS terminal for the electronic payment of charges for the hiring of the taxi must—

(a) be supplied by a service provider approved by the Minister; and

(b) be linked by a cable connection wire or encrypted wireless communication to the taxi; and

(c) be programmed with the name, contact details, accreditation number and ABN of the driver of the taxi.

(6) The driver of a taxi must provide a receipt to a person who pays a charge for the hiring of the taxi electronically by EFTPOS, or by any other technical process approved by the Minister for the purpose of this subregulation, which includes—

(a) unless the receipt is produced by an EFTPOS terminal—the driver's signature; and

(b) the licence number of the taxi; and

(c) the taxi driver's name and identification number; and

(d) the taxi driver's ABN; and

(e) the location the hire was accepted and terminated; and

(f) in the case of a receipt produced by an EFTPOS terminal—the name of the EFTPOS terminal's service provider; and

(g) an itemised list of the cost of the fare including the metered fare, GST, service fees and any additional rates and charges; and

(h) the total amount of the charge for the hiring of the taxi; and

(i) the time and date of the payment; and

(j) any other information required by the Minister.

Maximum penalty: $750.

Expiation fee: $105.

70—Non-cash payment surcharges for hiring taxis

For the purposes of Part 6A of the Act, the maximum amount payable for a non-cash payment surcharge for the hiring of a taxi is 5% of the total amount payable for the hiring.

71—Display of information relating to charges for hiring taxis

The relevant person for a taxi must ensure that the legal charges that may be demanded or recovered for the hiring of the taxi are displayed in the taxi in a manner approved by the Minister together with other information (whether or not relating to charges) that the Minister determines should be displayed in the public interest.

Maximum penalty: $750.

Expiation fee: $105.

Division 5—Provision of taxi services

72—Register of taxi-stands designated by Minister

The Minister must maintain at an office of the Department open to the public during normal office hours a register of all areas designated by the Minister as taxi-stands and the times at which those taxi-stands may be used.

73—Duty of taxi driver not to leave taxi unattended at taxi-stand

The driver of a taxi must not, except with the approval of an authorised officer, leave the taxi unattended at a designated taxi-stand.

Maximum penalty: $750.

Expiation fee: $105.

74—Duty to accept or continue hiring

(1) Subject to this regulation, the driver of a taxi that is available for hire must comply with a request for the carriage for hire of persons, without luggage or together with a reasonable amount of luggage, to—

(a) in the case of a metropolitan taxi—any place within Metropolitan Adelaide (other than Metropolitan Adelaide (Area B)); or

(b) in the case of a country taxi—any place within the country taxi service area in which the taxi may be used for the purposes of a country taxi service.

Maximum penalty: $750.

Expiation fee: $105.

(2) A driver must not carry any persons in excess of the number that the taxi is authorised to carry.

Maximum penalty: $750.

Expiation fee: $105.

(3) A driver is not obliged to accept a hiring or to continue to carry a person—

(a) if the person making the request for carriage, or any person carried or to be carried, is apparently intoxicated or under the influence of a drug; or

(b) if the driver has reasonable cause to believe that the legal charge (other than any lifting fee that may be charged) for hiring of the taxi will not be paid; or

(c) if the driver has reasonable cause to believe that the hiring is required for some illegal purpose; or

(d) if the driver has reasonable cause to believe that if they accepted the hiring then a person to be carried in the taxi would commit an offence against an Act or other law during the hiring or if, during the hiring, a person being carried commits an offence against an Act or other law; or

(e) if the person making the request for carriage, or a person carried or to be carried, acts in a threatening or abusive manner; or

(f) if the person making the request for carriage, or a person carried or to be carried, requires an animal (other than a working animal) to be carried in the taxi; or

(g) if a person carried or to be carried in the taxi—

(i) consumes or uses, or refuses to cease consuming or using, alcohol or another drug or substance the consumption or use of which is not permitted in the taxi; or

(ii) smokes, or refuses to cease smoking,

while in or before getting into the taxi; or

(h) if the driver has reasonable cause to believe that if they accepted the hiring then a person to be carried in the taxi would fail to wear or use a seat belt or child restraint that is available for use in the taxi or if, during the hiring and while the taxi is in motion, a person being carried fails to wear or use a seat belt or child restraint that is available for use in the taxi; or

(i) if the acceptance of the hiring would involve a breach of these regulations.

(4) A driver may, on becoming aware of a circumstance or forming a belief referred to in subregulation (3) after the commencement of a hiring—

(a) terminate the hiring; and

(b) stop the taxi (if in motion); and

(c) request the passenger to leave the taxi.

(5) A person must not refuse or fail to comply with a request made of them under subregulation (4).

Maximum penalty: $750.

Expiation fee: $105.

(6) A driver may, instead of taking action under subregulation (4) in a circumstance where the driver believes that the legal charge (other than any lifting fee that may be charged) for the hiring of the taxi will not be paid, require the passenger to pay a deposit, or the estimated charge, in advance.

(7) For the purposes of this regulation—

(a) a taxi will be taken to be available for hire if it is in a public street, road or place, in charge of a driver and the taxi sign fitted to the taxi indicates in a manner approved by the Minister that the taxi is available for hire; and

(b) the number of persons a taxi is authorised to carry is—

(i) in the case of a metropolitan taxi—the number of persons that the taxi is licensed to carry; and

(ii) in any other case—

(A) a number shown on the certificate of inspection under section 54 of the Act or Part 4A of the *Road Traffic Act 1961*; or

(B) a number determined by the Minister in relation to the relevant vehicle.

75—Duty of taxi driver to take shortest route

If a taxi is hired, the driver must choose the shortest practicable route to reach the place specified unless the hirer requests that some other route be followed.

Maximum penalty: $750.

Expiation fee: $105.

76—Right to terminate or vary hiring

(1) The hirer of a taxi may discharge it at any time.

(2) The driver of a taxi must not, without reasonable excuse, fail to comply with a request by the hirer of the taxi to the driver to carry them to a place not originally specified by the hirer if the place is—

(a) in the case of a metropolitan taxi—within Metropolitan Adelaide; or

(b) in the case of a country taxi—within the country taxi service area in which the taxi may be used for the purposes of a country taxi service.

77—Multiple-hirings

The driver of a taxi that has been hired by a person must not, except at the request or with the consent of that person or the passengers for whom that person hired the taxi, carry or agree to carry additional passengers at the same time under a separate hiring.

Maximum penalty: $750.

Expiation fee: $105.

78—Requirement to display no smoking signs in taxi

The holder of a taxi licence must display no smoking signs in the taxi in a manner approved by the Minister.

Maximum penalty: $750.

Expiation fee: $105.

Division 6—Security cameras

79—Interpretation

In this Division, unless the contrary intention appears—

accredited supplier means a person who holds an accreditation under regulation 80;

approved means complying with requirements determined by the Minister for the purposes of this Division;

authorised purpose means—

(a) a purpose connected with the reporting or investigation of an alleged offence by a police officer or a prescribed officer; or

(b) a purpose connected with the prosecution of, or the issue of an expiation notice in respect of, an alleged offence; or

(c) a purpose connected with the exercise of disciplinary powers exercised by the *Passenger Transport Standards Committee* under Part 4 Division 5 of the Act; or

(d) a purpose authorised by the Minister for the purposes of these regulations;

download means to transfer a video recording from a security camera system fitted to a taxi to another storage device, or to print an image from a recording on a security camera system fitted to a taxi;

incident means an incident involving an act or activity that may constitute an offence;

offence means an offence against a law of the State (including under the Act or these regulations);

prescribed officer means—

(a) an authorised officer; or

(b) a person who is authorised by the Minister to exercise powers under the regulation where the expression appears;

recognised procedures, in relation to the operation of a security camera system, means procedures required by these regulations, or specified by the Minister or the manufacturer or supplier of the security camera system, to ensure the correct and appropriate operation of the system;

recorded material means a video recording, printed image or other material (including material stored electronically) that depicts (or is capable of depicting with the aid of an electronic device) the driver of a taxi or a member of the public and that is obtained through the use of a security camera system fitted to a taxi, or that can be traced to material obtained through the use of a security camera system fitted to a taxi;

security camera system means a system that—

(a) records images of persons and audible sounds; and

(b) is designed to be used in or about a taxi;

storage device includes a tape, optical drive, hard drive, solid state drive and flash memory drive;

video recording includes any electronically stored material from which recorded images and sounds can be generated or reproduced.

80—Accreditation of suppliers of security camera systems

(1) The Minister may accredit persons as ***accredited suppliers*** of security camera systems for the purposes of these regulations.

(2) The Minister must not accredit a person unless satisfied that the person is, and is likely to continue to be, able—

(a) to interact with the Minister and any other relevant authority in the administration of the scheme established by this Division; and

(b) to provide appropriate and reliable services and facilities to support the operation and maintenance of security camera systems fitted to taxis by the supplier,

and the Minister may take into account other matters, as the Minister thinks fit, in deciding whether to grant an accreditation.

(3) An accreditation under this regulation is subject to the following conditions:

(a) a condition that the accredited person will—

(i) before first fitting a particular type of security camera system to taxis, furnish to the Minister a statement certifying that the system complies with requirements determined by the Minister for the purposes of this Division; and

(ii) from time to time, as required by the Minister, submit to the Minister a security camera system for independent compliance testing; and

(iii) furnish to the Minister and to the South Australian Police Department, in a form determined by the Minister, a copy of all software used in connection with any security camera system fitted (or to be fitted) to taxis by the accredited person (including any up-dated or varied software, and any software used to download video recordings or to store recorded material); and

(iv) not fit security camera systems in taxis that are not approved security camera systems; and

(v) ensure that a person employed or engaged by the accredited person to fit or service security camera systems in taxis, or to download video recordings from such systems, is appropriately qualified; and

(vi) ensure that security camera systems are fitted to taxis in accordance with procedures approved or determined by the Minister; and

(vii) ensure that any security camera system fitted to a taxi is sealed in a manner approved or determined by the Minister; and

(viii) establish and maintain, in a manner and form determined by the Minister, a register of security camera systems fitted in taxis and, on request, or at intervals determined by the Minister, furnish any information recorded on that register to the Minister, a police officer or a prescribed officer; and

(ix) ensure that a clear and comprehensive set of instructions on the operation of the system is provided on each occasion that a security camera system is fitted to a taxi; and

(x) provide any download facilities for taxis fitted with security camera systems supplied by the accredited person that the Minister may require; and

(xi) establish and maintain recording, audit and other systems determined by the Minister;

(b) such other conditions as the Minister determines (and these conditions may be varied by the Minister from time to time).

(4) The Minister may, after due inquiry and for good cause, revoke a person's accreditation under this regulation.

81—Requirement to have approved security camera system fitted and operating

(1) A taxi must not be used for the purposes of a taxi service other than a country taxi service unless the taxi is fitted with an approved security camera system.

(2) A taxi must not be used for the purposes of a country taxi service if it is fitted with a security camera system that is not an approved security camera system.

(3) If—

(a) a taxi is used in contravention of subregulation (1) or (2); or

(b) an approved security camera system fitted to a taxi—

(i) was not installed by an accredited supplier; or

(ii) is not in good working order,

the operator of the taxi service is guilty of an offence.

Maximum penalty: $2 500.

Expiation fee: $210.

(4) The operator of a taxi service must not permit a person to drive a taxi for the purposes of the service unless reasonably satisfied that the person is competent to operate a security camera system fitted to the taxi.

Maximum penalty: $750.

Expiation fee: $105.

(5) The driver of a taxi must—

(a) if required by the Minister or the operator of a taxi service—have undertaken a specified training course in the operation of security camera systems; and

(b) ensure that they are competent to operate a security camera system fitted to the taxi; and

(c) not accept a hiring unless a security camera system fitted to the taxi is operating in a manner that indicates that the system will be fully operational during the hiring; and

(d) operate a security camera system fitted to the taxi in accordance with recognised procedures; and

(e) if a security camera system fitted to the taxi appears not to be operating correctly—immediately report the matter to—

(i) the centralised booking service for the taxi (if any); and

(ii) the operator of the taxi service.

Maximum penalty: $750.

Expiation fee: $105.

82—Offence to interfere etc with security camera system

A person must not—

(a) interfere with any part of an approved security camera system fitted to a taxi; or

(b) cause or permit any such interference,

in a manner that will prevent or impede the proper working of the system.

Maximum penalty: $2 500.

Expiation fee: $210.

83—Authorisation to download images

(1) A person must not download a video recording from a security camera system fitted to a taxi unless the person—

(a) is acting under an authorisation granted by the Minister for the purposes of these regulations; or

(b) is a police officer or a prescribed officer; or

(c) is acting with the permission, or at the direction, of a police officer, a prescribed officer or the Minister; or

(d) is acting pursuant to an order or direction of a court or tribunal constituted by law.

Maximum penalty: $2 500.

Expiation fee: $210.

(2) A person who downloads a video recording from a security camera system fitted to a taxi must comply with any procedures determined by the Minister.

Maximum penalty: $2 500.

Expiation fee: $210.

(3) A person who resets a security camera system fitted to a taxi must record any information determined by the Minister, in accordance with any requirements determined by the Minister.

Maximum penalty: $750.

Expiation fee: $105.

(4) An authorisation under subregulation (1)(a) may be given subject to such conditions as may be determined by the Minister.

(5) The Minister may, for example, give the authorisation subject to a condition that makes provision for or with respect to—

(a) the qualifications of any person employed or engaged to download video recordings under the authorisation; or

(b) the production of images from any recorded material, the saving and cataloguing of material, the storage or provision of recorded or other material, and other procedures to be followed if recordings are downloaded from a security camera system; or

(c) the provision of information or material in connection with the downloading of video recordings under the authorisation, including the provision of information, material or returns to the Minister, a police officer or a prescribed officer.

(6) The Minister may, after due inquiry and for good cause, revoke an authorisation under subregulation (1)(a).

84—Steps to be followed in the event of an incident etc

If a security camera system fitted to a taxi is activated in connection with an incident in or about the taxi, the driver of the taxi at the time of the incident must comply with any requirements determined by the Minister with respect to the downloading of video recordings or the resetting of the security camera system (unless the driver has been injured, or is directed to take some other action by a police officer or a prescribed officer).

Maximum penalty: $750.

Expiation fee: $105.

85—Delivery of material to police station

(1) A person who arranges to have material downloaded from a security camera system fitted to a taxi must, as soon as it is reasonably practicable to do so after the material is downloaded, unless otherwise directed or determined by the Minister, deliver the material made available by the download to a police station.

Maximum penalty: $750.

Expiation fee: $105.

(2) A person who is required to comply with subregulation (1) must not interfere with the material.

Maximum penalty: $750.

Expiation fee: $105.

(3) Subregulation (1) does not apply to—

(a) a person who is acting under regulation 83; or

(b) a person who is authorised or directed by the Minister to keep material downloaded from a security camera system fitted to a taxi pending its use for an authorised purpose, or its disposal under regulation 87.

86—General protection of recorded material

A person must not use recorded material for a purpose other than an authorised purpose.

Maximum penalty: $2 500.

Expiation fee: $210.

87—Storage and disposal of material

(1) This regulation applies to a person who is authorised or directed by the Minister to keep material downloaded from a security camera system fitted to a taxi pending its use for an authorised purpose, or its disposal under this regulation.

(2) A person to whom this regulation applies must cause—

(a) such security safeguards as the Minister may determine; and

(b) such other security safeguards as are reasonable in the circumstances,

to be taken to ensure that any video recording made by a security camera system, and any other recorded material in the person's possession, is kept secure and protected against access or use for a purpose other than an authorised purpose, until disposed of in accordance with this regulation.

Maximum penalty: $2 500.

Expiation fee: $210.

(3) Unless otherwise directed or determined by a police officer, a prescribed officer or the Minister, a person to whom this regulation applies must ensure that any recorded material in their possession is disposed of in accordance with subregulation (4) 1 month after the original video recording was made.

Maximum penalty: $2 500.

Expiation fee: $210.

(4) The recorded material may be disposed of by deletion or other form of destruction or, if it is to be used for an authorised purpose, by giving it to—

(a) a police officer; or

(b) a prescribed officer; or

(c) the Minister,

in a manner determined by the Minister.

(5) It is the duty of the Commissioner of Police or the Minister (as the case requires) to ensure the destruction of any recorded material that was given to a police officer or a prescribed officer but which is not to be used, or is no longer required, for an authorised purpose.

88—Requirement to display sign in taxi

(1) If a taxi is fitted with a security camera system, the operator of the taxi service for which the taxi is used must ensure that a sign containing the following information is displayed in the taxi in a manner approved by the Minister:

> FOR PASSENGER AND DRIVER SAFETY THIS TAXI IS FITTED WITH A SECURITY SAFETY SYSTEM. BY HIRING THIS TAXI YOU CONSENT TO YOUR IMAGE AND SOUNDS BEING RECORDED AT ANY TIME BY THIS SECURITY SAFETY SYSTEM.

(2) A sign under subregulation (1) must also contain other information or material determined by the Minister.

(3) An operator of a taxi service who fails to comply with this regulation is guilty of an offence.

Maximum penalty: $750.

Expiation fee: $105.

89—Compulsory inspection of systems

(1) An authorised officer may, by notice in writing to the relevant person for a taxi, require the taxi to be submitted for testing of its security camera system at a time and place specified in the notice.

(2) If an authorised officer finds that a metropolitan taxi is not fitted with a security camera system as required under these regulations or is fitted with a security camera system that does not comply with requirements determined by the Minister for the purposes of this Division, the authorised officer may suspend the taxi licence in respect of that taxi until the holder of the licence satisfies an authorised officer that the taxi is fitted with an approved security camera system in accordance with the requirements of these regulations.

(3) If an authorised officer finds that a vehicle used for the purposes of a country taxi service is fitted with a security camera system that does not comply with requirements determined by the Minister for the purposes of this Division, the authorised officer may suspend the accreditation for the service until an authorised officer is satisfied that the security camera system has been removed from the vehicle.

90—Authorised activities

Nothing in this Division prevents—

(a) a police officer; or

(b) an authorised officer or other officer; or

(c) a person acting under the authority of the Minister,

from carrying out an inspection of, or performing any proper function in relation to, a security camera system fitted to a taxi.

Part 4—Conduct of drivers and general passenger issues

Division 1—Provisions applying to drivers

91—General duties of driver of public passenger vehicle

(1) The driver of a public passenger vehicle must—

(a) maintain a reasonable standard of personal cleanliness and appearance; and

(b) wear a uniform that complies with standards (as to colour, clothing type, style and other similar matters) determined or approved by the Minister, and ensure that the uniform is clean and pressed and does not have any holes, tears or stains; and

(c) ensure that the vehicle is reasonably clean; and

(d) conduct themself with civility and propriety towards every passenger; and

(e) in the case of a driver of a taxi, provide such assistance to a passenger as the passenger may reasonably require to get into or out of the taxi and to load and unload luggage.

Maximum penalty: $750.

Expiation fee: $105.

(2) The driver of a public passenger vehicle must not at any time that the vehicle is available for hire or is providing a passenger transport service—

(a) drive the vehicle, or attempt to put the vehicle in motion, while there is present in their blood any concentration of alcohol; or

(b) consume or use alcohol or a drug or substance the consumption or use of which is prohibited by law between the time of commencing work and of ceasing work on any day; or

(c) permit a person to consume or use in the vehicle a drug or substance the consumption or use of which is prohibited by law.

Maximum penalty: $750.

Expiation fee: $105.

(3) The driver of a public passenger vehicle must not smoke in the vehicle.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) The Minister must consult with a centralised booking service before making a determination under subregulation (1)(b) that will affect drivers of vehicles participating in the service provided by that centralised booking service.

92—Prohibition on overloading public passenger vehicle

(1) The driver of a public passenger vehicle must not—

(a) carry in the vehicle at any 1 time a greater number of passengers than the total number authorised to be carried, whether seated or standing; or

(b) carry at any 1 time in a bus a greater number of passengers seated than the number authorised to be carried seated in the bus; or

(c) carry at any 1 time in a bus a greater number of passengers standing than the number authorised to be carried standing.

Maximum penalty: $750.

Expiation fee: $105.

(2) The number of passengers who, for the purposes of this regulation, are authorised to be carried seated, or are authorised to be carried standing, is—

(a) a number shown on the certificate of inspection under section 54 of the Act or Part 4A of the *Road Traffic Act 1961*; or

(b) a number determined by the Minister in relation to the relevant vehicle.

93—Prohibition on carriage of passengers on certain portions of public passenger vehicle

The driver of a public passenger vehicle must not, without the approval of the Minister—

(a) carry a passenger on a portion of the vehicle not set apart or intended for the conveyance of passengers; or

(b) permit a person to occupy a portion of the driving seat or of the vehicle on the right-hand side of that seat and abreast of it; or

(c) permit a person to be on a portion of the vehicle in front of the driving seat.

Maximum penalty: $750.

Expiation fee: $105.

94—Requirement to store passengers' luggage

The driver of a public passenger vehicle must ensure that the luggage or articles of a passenger (other than hand luggage) are placed in an appropriate storage compartment, or some other place specifically set aside for such luggage or articles.

Maximum penalty: $750.

Expiation fee: $105.

Division 2—Provisions applying to passengers and others

Subdivision 1—General provisions

95—Duty to give name and address to driver

If a dispute arises between a passenger and the driver of a public passenger vehicle, the passenger must, on request by the driver or an authorised officer, give their name and address to the driver or authorised officer.

Maximum penalty: $750.

Expiation fee: $105.

96—Riding in non-carriage area of vehicle

A person must not ride in or on a portion of a public passenger vehicle not set apart or intended for the conveyance of passengers.

Maximum penalty: $750.

Expiation fee: $105.

97—Interfering with or distracting driver of vehicle

A person must not interfere with, or unreasonably distract the attention of, the driver of a public passenger vehicle.

Maximum penalty: $750.

Expiation fee: $105.

98—Placement of luggage

A passenger on a public passenger vehicle must not put luggage or any other article in a place where it could cause a risk to another passenger.

Maximum penalty: $750.

Expiation fee: $105.

99—No smoking in vehicle

A person must not smoke in a public passenger vehicle.

Maximum penalty: $1 250.

Expiation fee: $160.

100—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.

101—Consumption of food or beverages

(1) A person must not consume food or drink in a public passenger vehicle after being requested not to do so by an authorised person.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) Without limiting subregulation (1), a person must not consume food or drink in a public passenger vehicle unless it is properly managed or contained so as to prevent spillage or soiling within the vehicle.

Maximum penalty: $750.

Expiation fee: $105.

102—Use of seats etc

A person must not stand on, or place a foot on or against, a seat in a public passenger vehicle.

Maximum penalty: $750.

Expiation fee: $105.

103—Objects protruding from vehicle

A person must not allow a part of their body, or an object, to protrude from a window, door or other opening of a public passenger vehicle.

Maximum penalty: $750.

Expiation fee: $105.

104—Boarding or alighting from vehicle in motion

A person must not board or alight from, or attempt to board or alight from, a public passenger vehicle while it is in motion.

Maximum penalty: $750.

Expiation fee: $105.

105—Causing inconvenience in vehicles

(1) A passenger who soils a public passenger vehicle or renders it unclean so that it is necessary to clean or deodorise it before further use must, on demand by the driver, pay a fee of $88 in addition to any fare or other consideration that is otherwise payable in respect of the service or any penalty that may be imposed.

(2) A fee payable under subregulation (1) may be recovered as a debt in summary proceedings.

Subdivision 2—Provisions applying in relation to regular passenger services

106—Payment of fares and charges

(1) A person must not travel or attempt to travel on a regular passenger service vehicle without paying the appropriate fare or charge.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) In proceedings for an offence against subregulation (1), it is a defence to prove that the defendant did not have a reasonable opportunity to pay the appropriate fare or charge.

(3) A person who boards a regular passenger service vehicle without a ticket must immediately purchase a ticket.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) In proceedings for an offence against subregulation (3), it is a defence to prove that the defendant was unable to comply with that subregulation because of a disability.

(5) A person must not—

(a) fail to leave a regular passenger service vehicle on arriving at the point to which the person has paid the fare or charge to which a ticket applies; or

(b) use a ticket, student identification card, travel concession card or pass that the person is not entitled to use (or not entitled to use in that case), or that is no longer valid.

Maximum penalty: $1 250.

Expiation fee: $160.

(6) In proceedings for an offence against subregulation (3) or (5), it is a defence to prove that the act or omission constituting the offence was attributable to an honest and reasonable mistake on the defendant's part.

(7) This regulation does not apply to a person who is authorised by the Minister, the regular passenger service operator or an authorised person to travel without a ticket.

(8) In subregulation (7)—

regular passenger service operator does not include a rail operator.

107—Validation of tickets

(1) A person who holds a ticket must validate their ticket each time they board a regular passenger service vehicle in which a ticket validator is installed.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) In proceedings for an offence against subregulation (1), it is a defence to prove that—

(a) the defendant did not have a reasonable opportunity to validate the ticket; or

(b) the failure to validate the ticket was attributable to an honest and reasonable mistake on the defendant's part; or

(c) the defendant was unable to comply with that subregulation because of a disability.

(3) A person must not use a ticket that has been validated by another person until the period for which it was last validated has expired.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) This regulation does not apply to a person who is authorised by the Minister, the regular passenger service operator or an authorised person to travel without a ticket.

(5) In subregulation (4)—

regular passenger service operator does not include a rail operator.

108—Inspection or surrender of tickets

(1) A person—

(a) who has boarded a regular passenger service vehicle; or

(b) who is at a passenger station and apparently intends to board a regular passenger service vehicle,

must immediately allow an authorised person access to their ticket, student identification card, travel concession card or pass for inspection or validation, when requested to do so by the authorised person.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) The holder of a ticket must, as directed by a sign displayed by a regular passenger service operator or at the request of an authorised person, surrender the ticket at the end of the journey or period for which the ticket was issued.

Maximum penalty: $1 250.

Expiation fee: $160.

(3) In proceedings for an offence against subregulation (2), it is a defence to prove that the defendant did not comply with the subregulation because of a disability.

109—Possession of concession cards

A person must not travel on a regular passenger service vehicle using a concessional ticket unless—

(a) they are a student personally in possession of a valid student identification card; or

(b) they are personally in possession of a valid travel concession card.

Maximum penalty: $1 250.

Expiation fee: $160.

110—Special provision for declared areas

(1) In this regulation—

declared area means—

(a) the paid concourse or platform area of the Adelaide Railway Station; or

(b) that part of the concourse, platform or other public area of a passenger station where a regular passenger service operator has, under an arrangement with the Minister, established an area for the purposes of this regulation; or

(c) an area determined by the Minister, by notice in the Gazette, to be a declared area for the purposes of this regulation.

(2) A declared area may be established for the purposes of this regulation—

(a) as a special area where a person must not enter or remain without a ticket or pass (a ***special declared area***); or

(b) as a general declared area.

(3) A person must not enter or remain in a declared area unless—

(a) the person holds a ticket or pass; or

(b) in the case of a general declared area—

(i) the person intends to purchase a ticket from a facility located in the declared area; or

(ii) if it is not possible to purchase a ticket in the declared area—the person is intending to board a regular passenger service vehicle stopping at the declared area.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) If—

(a) a person enters a declared area (other than a special declared area) without a ticket or pass; and

(b) it is possible to purchase a ticket from a facility located in the declared area,

the person must immediately purchase a ticket.

Maximum penalty: $1 250.

Expiation fee: $160.

(5) If an authorised person has reason to believe that a person who is present in a declared area does not intend to board a regular passenger service vehicle stopping at the declared area within a reasonable time, the authorised person may request the person to leave the declared area.

(6) A person who, without reasonable excuse, fails to comply immediately with a request under subregulation (5) is guilty of an offence.

Maximum penalty: $1 250.

Expiation fee: $160.

(7) Subregulations (3) and (4) do not apply to a person who is authorised by the Minister, a regular passenger service operator or an authorised person to be in a declared area without a ticket or pass.

(8) In subregulation (7)—

regular passenger service operator does not include a rail operator.

(9) A person who is in a declared area must immediately allow an authorised person access to their ticket, student identification card, travel concession card or pass, or access to evidence of an entitlement to travel free of charge, for inspection, when requested to do so by the authorised person.

Maximum penalty: $1 250.

Expiation fee: $160.

(10) Subregulation (9) does not apply to a person in a general declared area where it is not possible to purchase a ticket.

(11) A regular passenger service operator must, by notice in the Gazette and in such other manner as the Minister may determine, give notice of the establishment of a declared area by the operator under this regulation.

111—Surrender of invalid ticket or card

(1) If an authorised person suspects on reasonable grounds—

(a) that a person has presented an invalid ticket, student identification card or travel concession card for inspection; or

(b) that a person is using a ticket, student identification card or travel concession card that has not been issued for their use; or

(c) that a person is subject to a transit barring order,

the authorised person may require that person to surrender their ticket or card immediately.

(2) The authorised person may retain possession of a ticket or card surrendered under subregulation (1), but if—

(a) proceedings are not instituted against the relevant person for an offence against the Act or these regulations within 3 months; or

(b) proceedings are instituted within that period but the relevant person is not subsequently found guilty of an offence,

the person is entitled to the return of the ticket or card or, if it has expired, to be issued a substitute ticket or card.

(3) A person who fails to comply with a requirement under subregulation (1) is guilty of an offence.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) In this regulation—

invalid ticket means a ticket—

(a) not issued or approved by the Minister; or

(b) in respect of which a person does not hold a valid student identification card or valid travel concession card; or

(c) that has not been validated; or

(d) that is a stolen ticket.

112—Nuisances and annoyances

(1) A person must not, while in a regular passenger service vehicle or at prescribed premises, commit a nuisance or act in a way that is likely to interfere with the comfort of, or disturb or annoy, another person.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) A person must not, without the permission of an authorised person, take into a regular passenger service vehicle or onto prescribed premises an article that is likely to cause obstruction or annoyance.

Maximum penalty: $1 250.

Expiation fee: $160.

(3) A person must not, without the permission of an authorised person, play a musical instrument onboard a regular passenger service vehicle or on prescribed premises.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) A person must not, without the permission of an authorised person, use a personal audio or visual device onboard a regular passenger vehicle or on prescribed premises unless the person ensures that they do not allow any sound from the device to disturb or annoy another person.

Maximum penalty: $1 250.

Expiation fee: $160.

(5) A person must not, while in a regular passenger service vehicle or at prescribed premises—

(a) conduct themself in an offensive manner; or

(b) use offensive language.

Maximum penalty: $1 250.

Expiation fee: $160.

(6) In this regulation—

personal audio or visual device means—

(a) a radio (including a radio in a mobile phone or other device); or

(b) a device designed to play digital files; or

(c) any other device or equipment capable of emitting sound.

113—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.

114—Unoccupied seats

A person must not prevent or deter another person from occupying an unoccupied seat in a regular passenger service vehicle or at prescribed premises.

Maximum penalty: $750.

Expiation fee: $105.

115—Occupying non-carriage areas in vehicle

(1) A person must not occupy a stairway, step, entrance platform or exit platform, or part of a regular passenger service vehicle designated by a regular passenger service operator as a prohibited area—

(a) while the vehicle is in motion; or

(b) contrary to stipulations contained in a notice affixed on or near the relevant part of the vehicle.

Maximum penalty: $750.

Expiation fee: $105.

(2) In proceedings for an offence against subregulation (1)(b), it is a defence to prove that the defendant did not see the relevant notice because of a disability.

116—Obstruction of passengers etc

A person must not obstruct the entrance or exit of passengers from a regular passenger service vehicle, or refuse to move, when requested to do so by an authorised person.

Maximum penalty: $750.

Expiation fee: $105.

117—Objects etc protruding from vehicle

A person must not allow a part of their body, or an object, to protrude from a window, door or other opening of a regular passenger service vehicle.

Maximum penalty: $750.

Expiation fee: $105.

118—Interference with equipment etc

A person must not, without lawful authority—

(a) interfere with the controls of, or equipment installed in, or attached to, a regular passenger service vehicle; or

(b) interfere with any ticket validator.

Maximum penalty: $2 500.

Expiation fee: $210.

119—Throwing of objects from vehicle etc

(1) A person must not throw or catapult an object while in a regular passenger service vehicle or at prescribed premises.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) A person must not throw or catapult an object from a regular passenger service vehicle, or at a regular passenger service vehicle.

Maximum penalty: $1 250.

Expiation fee: $160.

120—Unlawful boarding of vehicle

A person must not, except in an emergency or with lawful authority—

(a) board or alight from a regular passenger service vehicle through a window; or

(b) board or alight from a train through a door that is not immediately facing a platform; or

(c) board a bus through any doors marked as "EXIT ONLY" doors; or

(d) open a locked door of a regular passenger service vehicle.

Maximum penalty: $750.

Expiation fee: $105.

121—Prohibition of animals in vehicle

(1) Subject to subregulation (2), a person must not, without the permission of an authorised person, bring an animal on board a regular passenger service vehicle.

Maximum penalty: $750.

Expiation fee: $105.

(2) This regulation does not apply in relation to a working animal accompanying a person with a disability.

122—Carriage of bicycles and surfboards

(1) Subject to subregulation (2), a person must not bring a bicycle or surfboard onboard a regular passenger service vehicle.

Maximum penalty: $750.

Expiation fee: $105.

(2) A bicycle or surfboard may be brought onboard a regular passenger service vehicle if—

(a) the Minister has determined that the vehicle is of a kind in which it is suitable to carry such items; and

(b) space permits; and

(c) the appropriate fee or fare (if any) has been paid.

123—Carriage of dangerous objects etc on vehicle

(1) A person must not, without the permission of an authorised person—

(a) carry a dangerous or offensive object or substance on a regular passenger service vehicle; or

(b) cause a dangerous or offensive object or substance to be carried on a regular passenger service vehicle.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) If an authorised person has reasonable cause to suspect that a parcel or bag that is being, or is to be, transported on a regular passenger service vehicle may contain a dangerous or offensive object or substance, the authorised person may—

(a) require the person in possession of the parcel or bag to open the parcel or bag for examination of its contents; or

(b) open the parcel or bag and examine its contents.

(3) A person to whom a requirement is addressed under subregulation (2) must comply with the requirement.

Maximum penalty: $1 250.

Expiation fee: $160.

124—Reserved seat or space

A person who does not have a disability that makes it preferable or necessary to be seated must not, while in a regular passenger service vehicle or at prescribed premises, take or continue to occupy a seat or space that is reserved for persons who do have a disability that makes it preferable or necessary to be seated, if to do so would prevent a person who has a disability from occupying the seat or space.

Maximum penalty: $750.

Expiation fee: $105.

125—Abandoned goods

A person who takes possession of goods left in a regular passenger service vehicle or at the premises of a regular passenger service operator must immediately deliver the goods to the operator.

Maximum penalty: $750.

Expiation fee: $105.

126—Removal of goods

A person must not, without lawful authority, remove from a regular passenger service vehicle or prescribed premises goods entrusted to a regular passenger service operator for carriage.

Maximum penalty: $750.

Expiation fee: $105.

127—Motor vehicles etc

(1) A person must not drive, ride, park or leave standing a motor vehicle on prescribed premises except in an area that is set aside for that purpose.

Maximum penalty: $750.

Expiation fee: $105.

(2) A person who drives or rides a motor vehicle on prescribed premises must—

(a) comply with a reasonable direction of an authorised person; and

(b) obey any speed restriction, traffic control sign or parking control sign displayed on the premises.

Maximum penalty: $750.

Expiation fee: $105.

128—Pedal cycles, skateboards etc

(1) A person must not—

(a) ride a bicycle, scooter, skateboard, roller-skates, roller-blades or similar device; or

(b) ride, lead or tether an animal,

on prescribed premises.

Maximum penalty: $750.

Expiation fee: $105.

(2) Subregulation (1) does not apply to a device used to assist a person with a physical impairment.

129—Pedestrians

A pedestrian must not, without the permission of an authorised person, enter or remain on any part of prescribed premises that is not set aside for use by pedestrians.

Maximum penalty: $1 250.

Expiation fee: $160.

130—Duty of pedestrians at pedestrian crossings

(1) A pedestrian must not enter or remain on a pedestrian crossing—

(a) if a vehicle with which they may collide is approaching along the busway, railway or tramway, or is on the crossing; or

(b) if warned not to do so by an authorised person; or

(c) while a warning device at or near the crossing is activated or while the crossing is closed against traffic by gates or barriers, unless they are directed by an authorised person to proceed across the crossing.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) A pedestrian must not remain within the limits of a pedestrian crossing any longer than is reasonably necessary for the purpose of passing over the crossing.

Maximum penalty: $1 250.

Expiation fee: $160.

(3) If a pedestrian crossing is controlled by traffic lights, a pedestrian must comply with any instructions applicable to the pedestrian that are indicated by the traffic lights or any sign exhibited with the traffic lights.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) In this regulation—

pedestrian crossing means a place designated by the Minister as a place where pedestrians may pass over a busway, railway or tramway;

traffic lights means signals for controlling traffic by means of illuminated signs.

131—Duty to comply with directions and obey signs

(1) A person who is in a regular passenger service vehicle or at prescribed premises must—

(a) comply with a reasonable direction of an authorised person; and

(b) obey any sign displayed in the vehicle or in or on the premises.

Maximum penalty: $750.

Expiation fee: $105.

(2) In proceedings for an offence against subregulation (1), it is a defence to prove that the defendant was unaware of the direction or sign, or unable to comply with the direction or sign, because of a disability.

132—Rubbish and other abandoned property

(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.

(2) A person must not abandon any other property (not being a motor vehicle) on a regular passenger service vehicle or on prescribed premises.

Maximum penalty: $250.

Expiation fee: $80.

(3) Subject to subregulation (6), if property (other than rubbish or a motor vehicle) is found on a regular passenger service vehicle or at prescribed premises, the regular passenger service operator must hold the property for at least 2 months.

(4) Property held under subregulation (3) will be handed over to a person—

(a) who supplies proof of ownership that is satisfactory to an authorised person; and

(b) who pays such fees as may be determined by the Minister from time to time.

(5) Property that is not claimed within 2 months may be sold by the regular passenger service operator and the proceeds applied as follows:

(a) firstly, in payment of the costs of, and incidental to, the sale;

(b) secondly, in payment of the costs of, and incidental to, the custody of the property;

(c) thirdly, in payment of the balance to the Crown or, if the Minister so determines, to the operator.

(6) Perishable goods left or abandoned on a regular passenger service vehicle or at prescribed premises may be disposed of by the regular passenger service operator as the operator thinks fit.

133—Abandoned vehicles

(1) A person must not leave a motor vehicle unattended on prescribed premises except in an area set aside for the parking of motor vehicles.

Maximum penalty: $750.

Expiation fee: $105.

(2) A person must not abandon a motor vehicle on prescribed premises.

Maximum penalty: $1 250.

Expiation fee: $160.

(3) An authorised officer may remove a motor vehicle left or abandoned in contravention of this regulation and, for that purpose, may enter the vehicle (using such force as is reasonable in the circumstances) and drive it, or arrange for it to be towed, driven or taken, to a convenient place.

(4) As soon as practicable after removal of a motor vehicle, the authorised officer must give the owner of the vehicle notice of the removal and of the place to which the vehicle was removed.

(5) The notice may be given—

(a) by post; or

(b) if the identity or whereabouts of the owner is unknown—by publication in a newspaper circulating generally in the State.

(6) If the owner of the motor vehicle does not, within 1 month after such a notice is given, pay all expenses in connection with the removal or custody of the vehicle and of proceedings under this regulation, the Minister may sell it by public auction and apply the proceeds as follows:

(a) firstly, in payment of the costs of, and incidental to, the sale;

(b) secondly, in payment of the costs of, and incidental to, the removal and custody of the vehicle and of proceedings under this regulation;

(c) thirdly, in payment of the balance to the owner.

(7) If, after reasonable inquiry, the owner cannot be found, the balance must be paid to the Treasurer as unclaimed money.

134—Graffiti

A person must not, without the permission of the Minister, write, draw, paint or affix a word, representation, character or poster on or to a regular passenger service vehicle, part of a regular passenger service vehicle, part of prescribed premises, or anything situated at prescribed premises.

Maximum penalty: $2 500.

Expiation fee: $210.

135—Commercial activities

A person must not, without the permission of the Minister—

(a) sell or hire, or offer for sale or hire, an article or thing in a regular passenger service vehicle or on prescribed premises; or

(b) distribute handbills to, or solicit money from, another person in a regular passenger service vehicle or on prescribed premises.

Maximum penalty: $750.

Expiation fee: $105.

136—Behaviour of children in company of adults

If a child is accompanied by an adult in a regular passenger service vehicle or at prescribed premises, that adult must take reasonable steps to prevent the child from acting contrary to these regulations.

Maximum penalty: $1 250.

Expiation fee: $160.

137—Exclusion or removal of persons by authorised persons

(1) An authorised person may direct a person not to board or enter a regular passenger service vehicle or prescribed premises, or to leave a regular passenger service vehicle or prescribed premises—

(a) if the authorised person has reason to believe—

(i) that the person may, if permitted to board or remain on the vehicle or to enter or remain on the premises, commit an offence against the Act or these regulations (including by refusing or failing to pay the appropriate fare or charge); or

(ii) that the person has, while on the vehicle or premises, committed an offence against the Act or these regulations; or

(b) if the person appears to be intoxicated or under the influence of a drug and the authorised person believes that, because of this condition, the person is likely to be offensive or to cause discomfort or embarrassment to another person; or

(c) if the person acts in a threatening or abusive manner; or

(d) if the person is not properly dressed, or the condition of the person or the person's clothing or the nature or condition of anything carried by the person is such as would cause justified offence to another person or is likely to soil a part of the vehicle or premises; or

(e) in the case of a regular passenger service vehicle, if the vehicle is displaying a "FULL" sign or is fully loaded with passengers or, when the person entered the vehicle, it displayed a "FULL" sign or was fully loaded with passengers; or

(f) if the authorised person has reason to believe that the person is not entitled to be on the vehicle or premises due to the terms of a transit barring order that applies to the person

(2) An authorised person may direct a person to leave a regular passenger service vehicle if the person refuses or fails to pay the appropriate fare or charge.

(3) A person who fails to comply immediately with a direction under this regulation is guilty of an offence.

Maximum penalty: $1 250.

Expiation fee: $160.

(4) If a person fails to comply with a direction under this regulation, a member of the police force or a person who is authorised by the Minister to exercise powers under section 56(8) of the Act may exercise reasonable force to remove the person from the relevant vehicle or premises.

(5) A person removed from a vehicle or premises pursuant to this regulation is not entitled to a refund of a fare or charge.

Division 2A—Transit barring orders

137A—Interpretation

In this Division—

approved person means a person who has been expressly authorised by the Minister to issue a transit barring order under regulation 137B;

relevant offence means an offence against—

(a) Part 3 Division 1 of the *Criminal Law Consolidation Act 1935*; or

(b) Part 3 Division 7 of the *Criminal Law Consolidation Act 1935*; or

(c) Part 3 Division 7A of the *Criminal Law Consolidation Act 1935*; or

(d) section 48, 49, 56 or 58 of the *Criminal Law Consolidation Act 1935*; or

(e) section 83C of the *Criminal Law Consolidation Act 1935*; or

(f) section 6A of the *Summary Offences Act 1953*; or

(g) section 7(1)(a) or (b) of the *Summary Offences Act 1953*; or

(h) section 21C(1)(a) or (2)(b) of the *Summary Offences Act 1953*; or

(i) section 21F(1)(b) of the *Summary Offences Act 1953*,

that was committed on public transport or prescribed premises, or in an area adjacent to prescribed premises;

senior police officer means—

(a) in relation to a transit barring order to be made for a period exceeding 72 hours—a police officer of or above the rank of Inspector; or

(b) in any other case—a police officer of or above the rank of Sergeant or in charge for the time being of a police station.

137B—Transit barring orders issued by Minister, approved person or police officer

(1) Subject to this regulation, the Minister, an approved person or a police officer may issue a transit barring order to a person for a specified period not exceeding any applicable limit fixed by this regulation—

(a) if the Minister, approved person, or police officer suspects that the person has committed an offence on public transport or prescribed premises, or in an area adjacent to prescribed premises; or

(b) if the person behaves in an offensive or disorderly manner on public transport or prescribed premises, or in an area adjacent to prescribed premises; or

(c) on any other reasonable ground.

(2) A police officer may only issue a transit barring order under subregulation (1) on the authorisation of a senior police officer (which may be granted orally or in writing).

(3) A transit barring order remains in force—

(a) in the case of an order issued by the Minister or an approved person, or authorised by a senior police officer of or above the rank of Inspector—

(i) on the grounds that the person it is issued to is suspected of having committed a relevant offence—for an indefinite period or the period specified in the order, whether or not the person has previously been barred under these regulations or the repealed regulations; or

(ii) on any other ground—

(A) if the person has not previously been barred under these regulations or the repealed regulations—for the period specified in the order (which may not exceed 6 months); or

(B) if the person has on 1 previous occasion been barred under these regulations or the repealed regulations—for the period specified in the order (which may not exceed 12 months); or

(C) if the person has on at least 2 previous occasions been barred under these regulations or the repealed regulations—for an indefinite period or the period specified in the order; or

(b) in the case of an order authorised by a senior police officer of or above the rank of Sergeant or in charge for the time being of a police station (not being a police officer of or above the rank of Inspector)—for a period specified in the order (which may not exceed 72 hours).

(4) A transit barring order issued under this regulation must contain the following information:

(a) the name of the person barred under the order;

(b) the public transport or prescribed premises from which the person has been barred under the order;

(c) the grounds on which the order is issued;

(d) the period for which the order remains in force;

(e) if the order is for a period of more than 3 months—details of the person's right to apply to have the order lifted in accordance with regulation 137E.

(5) When issuing a transit barring order, the person issuing the order must keep a written record of the following:

(a) if the transit barring order is issued by a police officer—

(i) their name, rank and identification number; and

(ii) details of the conduct giving rise to the request for authorisation; and

(iii) the name, rank and identification number of the senior police officer giving the authorisation under subregulation (2);

(b) if the transit barring order is issued by an approved person—

(i) their name; and

(ii) details of their authorisation by the Minister;

(c) the information required under subregulation (4).

(6) The Minister, an approved person or a police officer may provide a regular passenger service operator with information about a person (including photographic and other information that may identify the person) for the purpose of identifying a person who has been barred from public transport or prescribed premises under this regulation.

(7) The Minister or an approved person may vary or revoke a transit barring order issued by the Minister or an approved person under this regulation by subsequent order served on the person.

(8) A police officer, on the authorisation of a senior police officer, may vary or revoke a transit barring order issued by a police officer under this regulation by subsequent order served on the person.

(9) For the purposes of subregulations (7) and (8), a condition or limitation under this regulation in relation to the making of a particular transit barring order extends to a variation or revocation of the order under that subregulation.

(10) If a person who has been issued a transit barring order under this regulation is subsequently issued an order under regulation 137C in relation to the same conduct, the order issued under this regulation will be taken to have been lifted at the time at which the subsequent order is issued (and the order issued under this regulation will not count as a previous order for the purposes of subregulation (3)).

(11) A person who contravenes a transit barring order issued under this regulation is guilty of an offence.

Maximum penalty: $7 000.

Expiation fee: $500.

(12) In proceedings for an offence against this regulation, a certificate apparently signed by the Minister, an approved person or a police officer of or above the rank of Inspector stating that a person was barred from public transport or prescribed premises under this Division for the period specified in the certificate will be accepted, in the absence of proof to the contrary, as proof of the matters stated in the certificate.

(13) In proceedings for an offence against this regulation in relation to a transit barring order issued on the authorisation of a senior police officer, a certificate apparently signed by a police officer of or above the rank of Inspector stating—

(a) that the authorisation was given; and

(b) that the authorisation authorised the making of a transit barring order under this regulation; and

(c) the grounds on which the authorisation was given,

will be accepted, in the absence of proof to the contrary, as proof of the matters stated in the certificate.

137C—Transit barring order to be imposed for certain offences

(1) A person charged with a relevant offence must be issued a transit barring order—

(a) by the Commissioner of Police; or

(b) if, after 14 days of the charge being laid, the Commissioner of Police has been unable to issue an order to the person—by the Minister.

(2) Subject to this regulation, a transit barring order issued under subregulation (1) remains in force for an indefinite period or for the period specified in the order.

(3) If a person is acquitted of the offence in relation to which the transit barring order was issued, or the charge of the offence is withdrawn, the Commissioner of Police or the Minister must lift the transit barring order and notify the person to whom the order was given in writing that the order has been lifted.

(4) Nothing in subregulation (3) prevents a transit barring order being issued under regulation 137B to a person in respect of whom a transit barring order has been lifted.

(5) A transit barring order issued under this regulation must contain the following information:

(a) the name of the person barred under the order;

(b) details of the charge giving rise to the order;

(c) the period for which the order remains in force;

(d) the public transport or prescribed premises from which the person has been barred under the order;

(e) details of the person's right to apply to have the order lifted in accordance with regulation 137E.

(6) The Commissioner of Police may vary a transit barring order issued by the Commissioner under this regulation by subsequent order served on the person.

(7) The Minister may vary a transit barring order issued by the Minister under this regulation by subsequent order served on the person.

(8) If the Commissioner of Police or the Minister is satisfied that a transit barring order should not have been issued under this regulation because—

(a) the order has been given to a particular person in error; or

(b) the order is defective; or

(c) there is other proper cause for which the order should not have been given,

the Commissioner or the Minister may withdraw the order.

(9) A withdrawal referred to in subregulation (8) is effected by giving notice of the withdrawal to the person to whom the transit barring order was issued.

(10) A notice of withdrawal given under subregulation (9) must specify the reasons for the withdrawal.

(11) If a transit barring order issued to a person under this regulation is withdrawn, the Commissioner of Police or the Minister may, if satisfied that there are proper grounds for doing so, issue a fresh transit barring order to the person.

(12) The Commissioner of Police or the Minister may provide a regular passenger service operator with information about a person (including photographic and other information that may identify the person) for the purpose of identifying a person who has been barred from public transport or prescribed premises under this regulation.

(13) A person who contravenes a transit barring order issued under this regulation is guilty of an offence.

Maximum penalty: $7 000.

(14) In proceedings for an offence against this regulation, a certificate apparently signed by the Commissioner of Police or the Minister stating that a person was barred from public transport or prescribed premises under this regulation for the period specified in the certificate will be accepted, in the absence of proof to the contrary, as proof of the matters stated in the certificate.

137D—Service of transit barring orders

(1) A transit barring order or an order varying a transit barring order issued under regulation 137B or 137C must be served on the person personally and is not binding on the person until it has been so served.

(2) For the purposes of subregulation (1), an order will be taken to have been personally served on a person if—

(a) the order is given to and accepted by the person; or

(b) each of the following apply:

(i) the order is offered to the person;

(ii) the person is unwilling to accept the order;

(iii) the person is informed of the nature of the order;

(iv) the order is put down in the presence of the person.

(3) If it is not possible to serve a transit barring order or an order varying a transit barring order in accordance with subregulation (2), the Magistrates Court may, on application without notice, make an order substituting another method of service.

(4) It is not necessary for an applicant under subregulation (3) to establish that the proposed method of service will bring the order to the notice of the person to be served.

137E—Application to have transit barring order lifted

(1) A person who has been issued a transit barring order under regulation 137B or 137C may apply to the relevant court to have the transit barring order lifted.

(2) The court may, on an application made under subregulation (1), if the court is satisfied on the basis of evidence given on oath by or on behalf of the applicant that—

(a) exceptional circumstances exist such that it is, in all the circumstances, appropriate that an order be made under this subregulation; and

(b) the person does not pose a substantial risk to members of the public if an order is made under this subregulation,

order that the transit barring order be lifted on the date specified by the court.

(3) An application under subregulation (1) may not be made unless at least 3 months have elapsed since the applicant was first served with a transit barring order in accordance with regulation 137D in relation to the relevant conduct.

(4) The Minister and the Commissioner of Police are entitled to be heard on an application under subregulation (1).

(5) The relevant court must ensure that the Minister and the Commissioner of Police are notified—

(a) when an application is made under subregulation (1); and

(b) if an order is made to lift a transit barring order under subregulation (2).

(6) In this regulation—

relevant conduct means the conduct in relation to which the order that is the subject of the application under this regulation was issued;

relevant court means—

(a) in the case of an application made by a person who is under the age of 18 years—the Youth Court; or

(b) in any other case—the Magistrates Court.

137F—Information sharing

(1) The Minister must ensure that the following information in relation to a transit barring order is forwarded to the Commissioner of Police as soon as is reasonably practicable:

(a) in relation to an order issued by the Minister or an approved person under regulation 137B—the information required to be recorded under regulation 137B(5);

(b) in relation to an order varied or revoked by the Minister or an approved person under regulation 137B(7)—details of that variation or revocation;

(c) in relation to an order issued by the Minister under regulation 137C—the information required under regulation 137C(5);

(d) in relation to an order varied by the Minister under regulation 137C(7)—details of that variation;

(e) in relation to an order lifted or withdrawn by the Minister under regulation 137C(3) or (8)—details of that lifting or withdrawal.

(2) The Commissioner of Police must ensure that the following information in relation to a transit barring order is forwarded to the Minister as soon as is reasonably practicable:

(a) in relation to an order issued by a police officer under regulation 137B—the information required to be recorded under regulation 137B(5);

(b) in relation to an order varied or revoked by the Commissioner under regulation 137B(8)—details of that variation or revocation;

(c) in relation to an order issued by the Commissioner under regulation 137C—the information required under regulation 137C(5);

(d) in relation to an order varied by the Commissioner under regulation 137C(6)—details of that variation;

(e) in relation to an order lifted or withdrawn by the Commissioner under regulation 137C(3) or (8)—details of that lifting or withdrawal.

Division 3—Miscellaneous

138—Conditions of travel

(1) The Minister may determine (or vary) conditions of travel that will apply to persons on regular passenger service vehicles or at prescribed premises in addition to the provisions of these regulations.

(2) The Minister must ensure that conditions of travel (or a variation to conditions of travel) under subregulation (1) are published in the Gazette.

(3) A regular passenger service operator may, with the approval of the Minister, determine (or vary) conditions of travel that will apply to persons on regular passenger service vehicles or at prescribed premises provided or controlled by the operator.

(4) The operator must ensure that conditions of travel (or a variation to conditions of travel) under subregulation (3) are published in the Gazette.

(5) Conditions of travel may include rules, procedures, prohibitions, restrictions or limitations that are to apply to persons on regular passenger service vehicles or at prescribed premises.

(6) A condition of travel published in the Gazette will be taken to have been properly and effectively brought to the notice of a person who buys a ticket for a regular passenger service, travels on a regular passenger service vehicle or attends at prescribed premises.

(7) The conditions of travel known as the "State Transport Authority Conditions of Travel 1993" (as varied), adopted by the State Transport Authority under the *State Transport Authority Act 1974* and in force immediately before the commencement of the *Passenger Transport Act 1994*, will, except to the extent of any inconsistency with these or any other regulations, continue to apply as conditions of travel for passengers on services provided as part of the Adelaide Metro network (until superseded by new conditions of travel).

140—Lost property

(1) A passenger who finds property on a public passenger vehicle must deliver it to the driver.

(2) The driver of a public passenger vehicle must at the conclusion of each shift carefully examine the vehicle for property that may have been left in the vehicle.

(3) The driver of a public passenger vehicle in which lost property is found must—

(a) in the case of property found in a vehicle that is participating in a centralised booking service—

(i) immediately notify the centralised booking service that the property has been found; and

(ii) as soon as is reasonably practicable (and in any event within 48 hours), deliver the property to the operator of the centralised booking service or to an approved collection agent; and

(b) in any other case—as soon as is reasonably practicable (and in any event within 48 hours), deliver the property to the operator of the service, or to an approved collection agent.

(4) A driver must ensure that property delivered under subregulation (3) is accompanied by a written notice, in a form determined by the Minister, signed by the driver, setting out—

(a) the licence or registration number of the vehicle on which the property was found; and

(b) the day on which, and the time at which, the property was found; and

(c) the driver's name and identification number; and

(d) other details determined by the Minister (if any).

(5) If the property is delivered to an operator under subregulation (3), the operator must—

(a) make a record of the delivery of the property; and

(b) immediately, in a manner and form determined by the Minister, notify the Minister of the delivery of the property; and

(c) unless the operator has in turn delivered the property to an approved collection agent—

(i) ensure that reasonable steps are taken to locate the owner of the property, and to return it to them; and

(ii) deliver the property to a person who provides reasonable proof of an entitlement to the property, or otherwise satisfies the person that they are entitled to the property; and

(iii) ensure that the property is kept in a secure place until the property is claimed, or able to be disposed of under this regulation; and

(iv) make a record when or if it is disposed of under this regulation; and

(v) until the property is disposed of, provide, in a manner and form determined by the Minister, a weekly report to the Minister.

(6) An operator to whom property is delivered under subregulation (3) must retain possession of the property for 2 days (unless the property is returned to its owner in the meantime), and may then, at the operator's discretion, deliver it to an approved collection agent.

(7) An approved collection agent must, in relation to property delivered to it under this regulation—

(a) make a record of the delivery of the property; and

(b) immediately, in a manner and form determined by the Minister, notify the Minister of the delivery of the property; and

(c) ensure that reasonable steps are taken to locate the owner of the property, and to return it to them; and

(d) deliver the property to a person who provides reasonable proof of an entitlement to the property, or otherwise satisfies the approved collection agent that they are entitled to the property; and

(e) ensure that the property is kept in a secure place until the property is claimed, or able to be disposed of under this regulation; and

(f) make a record when or if it is disposed of under this regulation; and

(g) as required by the Minister, provide reports to the Minister in relation to the property.

(8) If an operator or approved collection agent still has custody of lost property after 2 months, they may—

(a) return it to the driver of the relevant vehicle; or

(b) sell it by public auction, or otherwise sell or dispose of it in a manner approved by the Minister; or

(c) with the approval of the Minister—retain it for their own use.

(9) An operator who sells property under subregulation (8) is entitled to retain the proceeds of sale.

(10) The proceeds from the sale of property by an approved collection agent will be dealt with in a manner determined by agreement between the Minister and the approved collection agent.

(11) If a person informs the operator of a passenger transport service that the person has lost an item of property on a vehicle used for the purposes of that service, the operator must take reasonable steps to locate the property and to return it to the person.

(12) If a person informs the operator of a centralised booking service that the person has lost an item of property on a vehicle participating in the service, and the operator does not have possession of the property under subregulation (3), and has not delivered the property to an approved collection agent under subregulation (6), the operator must—

(a) inquire via the network whether the property has been found; and

(b) if the property is not located within 24 hours—make a further inquiry via the network.

(13) An administration fee, of an amount determined by the Minister, may be charged before lost property is returned to its owner under this regulation.

(14) In this regulation—

approved collection agent means a person appointed by the Minister to establish and maintain a central repository for the collection, storage and handling of lost property;

owner of property includes a person lawfully entitled to possession of the property.

(15) This regulation does not apply in relation to property lost on a regular passenger service vehicle.

Note—

Division 2 Subdivision 2 contains provisions relating to property left on regular passenger service vehicles.

Part 5—Vehicle standards and inspections

Division 1—Vehicle standards

141—Maximum age of vehicles

(1) Subject to subregulations (1a) and (2), a person must not use a vehicle (other than a vehicle drawn by an animal) for the purposes of a passenger transport service if the vehicle is—

(a) in the case of—

(i) a metropolitan taxi (other than an access taxi); or

(ii) a vehicle being used for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation (other than a motor cycle or an off-road passenger vehicle that is being used wholly or predominantly for travel outside Metropolitan Adelaide),

more than 10 years old; or

(b) in the case of a metropolitan taxi that is an access taxi—more than 14 years old; or

(c) in the case of—

(i) a country taxi; or

(ii) a vehicle being used for the purposes of a service operated under a Small Passenger Vehicle (Traditional) Accreditation; or

(iii) a vehicle being used for the purposes of a service operated under a Small Passenger Vehicle (Non-Metropolitan) Accreditation; or

(iv) a vehicle being used for the purposes of a service operated under a Small Passenger Vehicle (Special Purpose) Accreditation; or

(v) a motor cycle; or

(vi) an off-road passenger vehicle that is being used wholly or predominantly for travel outside Metropolitan Adelaide,

more than 15 years old; or

(d) in any other case—more than 25 years old.

(1a) The following standards apply to stretch limousines:

(a) no age limit applies to a stretch limousine that is a small passenger vehicle;

(b) a person must not use a stretch limousine that is a large passenger vehicle for the purposes of a passenger transport service if the limousine is more than 25 years old unless—

(i) the limousine is less than 30 years old; and

(ii) the Minister is satisfied that—

(A) the vehicle meets appropriate standards for passenger safety and comfort determined by the Minister; or

(B) there are other exceptional circumstances that justify the approval of the use of an older vehicle.

(2) Subject to subregulations (3), (4), (5) and (6), the Minister may approve the use of an older vehicle if—

(a) the Minister is satisfied that—

(i) the vehicle is in a condition that at least equals the original standard or condition of the vehicle; and

(ii) it is an integral part of the person's business that a vehicle or vehicles of the age or period of the particular vehicle be used; and

(iii) the vehicle is suitable for use when assessed against the plan of operation for the relevant service and appropriate standards for passenger safety and service; and

(iv) the vehicle satisfies any other criteria determined by the Minister for the purposes of this paragraph; or

(b) in the case of a vehicle being wholly or predominantly used for a regular passenger service—the Minister is satisfied that the vehicle meets appropriate standards for passenger safety and comfort determined by the Minister; or

(c) the Minister is satisfied that there are other exceptional circumstances that justify the approval of the use of an older vehicle.

(3) The Minister cannot grant an approval in relation to a vehicle used (or to be used) for the purposes of a service operated under a Small Passenger Vehicle (Metropolitan) Accreditation.

(4) The Minister cannot grant an approval in relation to a metropolitan taxi (other than an access taxi) unless the Minister is satisfied that there are exceptional circumstances justifying the approval.

(6) The Minister may, for the purposes of this regulation, specify an age beyond which vehicles of a specified class will not be granted approvals under this regulation.

(7) An approval relating to a metropolitan taxi (other than an access taxi) expires when the vehicle becomes 10 years old.

(8) In this regulation—

large passenger vehicle means a motor vehicle—

(a) designed for the principal purpose of carrying passengers; and

(b) designed to carry 13 or more persons (including the driver);

stretch limousine means—

(a) a motor vehicle designed to carry passengers that—

(i) has been certified by its manufacturer as a long wheelbase limousine; and

(ii) has been designed to carry not less than 6 persons and not more than 24 persons (including the driver); or

(b) a motor vehicle designed to carry passengers that—

(i) has been modified from its original construction in such a manner that increases the overall wheelbase of the vehicle—

(A) beyond the original wheelbase dimension of the vehicle; and

(B) to a length sufficient to accommodate additional passengers; and

(ii) after such modification has a seating capacity not exceeding 24 persons (including the driver).

143—Air conditioning

(1) A vehicle used for the purposes of a taxi service or a chauffeured vehicle service must be fitted with an air conditioner that is in good working order.

(2) Subregulation (1) does not apply to—

(a) a vehicle that does not have air conditioning fitted as a standard feature; or

(b) a vehicle excluded from the operation of that subregulation by determination of the Minister.

Division 2—Inspections and reporting of accidents

144—Inspections

(1) For the purposes of section 54(5) of the Act, the following periods are prescribed:

(a) for a metropolitan taxi—a period of 6 months, calculated from the last day of the month in which the taxi was last inspected under section 54 of the Act;

(b) for a country taxi—a period of 12 months, calculated from the last day of the month in which the vehicle was last inspected under section 54 of the Act;

(c) for any other kind of vehicle—a period of 12 months, calculated from the last day of the month in which the vehicle was last inspected under section 54 of the Act.

(2) For the purposes of section 54(6) of the Act, the form set out in Schedule 3 is prescribed as the form for a certificate of inspection.

(3) A person who issues a certificate of inspection in relation to a vehicle must also note on the certificate—

(a) the number of engine cylinders for the vehicle; and

(b) the wheelbase dimension of the vehicle; and

(c) in the case of a taxi—the size of the tyres that are fitted to the vehicle; and

(d) the time at which the inspection is completed.

(4) For the purposes of section 54(17)(c) of the Act, the following circumstances are prescribed:

(a) that the person has ceased to be a fit and proper person to act as an approved vehicle inspector;

(b) that the person obtained their accreditation improperly;

(c) that the person has, in the course of acting as an approved vehicle inspector, acted negligently or fraudulently;

(d) that the person has breached, or failed to comply with, a code of practice established under section 54(17) of the Act;

(e) that the person has breached, or failed to comply with, a condition to which the accreditation is subject;

(f) that the Minister determines that it is appropriate for some other reason that the person's accreditation should be revoked.

145—Prescribed scheme of maintenance for buses

(1) For the purposes of section 54(8) of the Act, the scheme of maintenance specified in section 15 of the Code is prescribed as a scheme of maintenance for buses.

(2) The operator of a bus must—

(a) record on the appropriate form specified in Parts 1 to 4 of the First Schedule of the Code, in a clear and legible manner, particulars of all maintenance and repair work carried out on the bus that falls within the ambit of section 15 of the Code; and

(b) retain the record in South Australia in a form that permits quick and convenient reference—

(i) in the case of a record in the form of Part 1 of the First Schedule of the Code—for a period of not less than 6 months; or

(ii) in the case of a record in the form of Part 2 of the First Schedule of the Code—for a period of not less than 12 months; or

(iii) in any other case—for a period of not less than 3 years.

Maximum penalty: $750.

Expiation fee: $105.

(3) The Minister may exempt a person from compliance with a provision of this regulation.

(4) An exemption may be granted on conditions determined by the Minister and a person must not contravene or fail to comply with any such condition.

(5) The Minister may, at any time—

(a) vary or revoke an exemption; or

(b) vary or revoke a condition of an exemption.

(6) In this regulation—

Code means the *Code of Practice for Buses*, as amended and in force from time to time, and as recognised by the Minister for the purposes of these regulations;

operator has the same meaning as in section 54 of the Act.

146—Duty to facilitate inspections

A person who delivers a vehicle to an approved vehicle inspector for inspection under section 54 of the Act must comply with a direction given by the inspector to facilitate the inspection.

Maximum penalty: $750.

Expiation fee: $105.

147—Issue and display of inspection labels

(1) An approved vehicle inspector who issues a certificate of inspection under section 54 of the Act must at the same time issue an inspection label in accordance with subregulation (2).

(2) The inspection label must—

(a) be in a form, and be a colour, determined by the Minister; and

(b) indicate, in a manner determined by the Minister—

(i) the month during which the relevant certificate of inspection will expire through effluxion of time; or

(ii) in the case of a label issued with a temporary certificate—the time when the certificate will expire.

(3) The operator of a vehicle to which section 54 of the Act applies must ensure that a valid inspection label for the vehicle is affixed to the inside or back surface of—

(a) the left side of the windscreen of the vehicle; or

(b) a pivoted or hinged ventilation window adjacent to the left side of the windscreen of the vehicle; or

(c) a fixed window adjacent to the left side of the windscreen of the vehicle,

in a position where the entire front of the label faces towards, and is visible from, the front or left hand side of the vehicle, whenever the vehicle is used as a public passenger vehicle.

Maximum penalty: $750.

Expiation fee: $105.

(4) A person must not provide or drive a public passenger vehicle for the purposes of a passenger transport service, other than a vehicle that does not require a certificate of inspection under section 54 of the Act, if—

(a) an inspection label is not affixed to the vehicle in the manner referred to in subregulation (3); or

(b) there is affixed to the vehicle an inspection label that has ceased to be in force, or that has been issued in respect of another vehicle; or

(c) an inspection label affixed to the vehicle has been altered, defaced, mutilated or added to; or

(d) the vehicle has affixed to it an imitation of an inspection label.

(5) For the purposes of subregulation (4)(b), an inspection label will cease to be in force if the certificate of inspection issued in respect of the vehicle is no longer in force under section 54 of the Act.

(6) The Minister or an approved vehicle inspector may, if satisfied that an inspection label issued under this section has been lost, destroyed, or rendered useless, issue a substitute label.

(7) An authorised officer or an approved vehicle inspector may remove from a vehicle an inspection label that relates to a certificate of inspection that is no longer in force under section 54 of the Act.

(8) This regulation does not apply with respect to a vehicle that is the subject of a certificate of inspection recognised by the Minister under section 54(19) of the Act.

(9) In this regulation—

operator has the same meaning as in section 54 of the Act.

148—Reporting of accidents involving taxis

(1) If a taxi is involved in an accident, the operator of the taxi service must, within 2 business days, submit to the Minister a written report, in a form determined by the Minister, containing the following information:

(a) the date, time and place of the accident;

(b) the circumstances of the accident;

(c) particulars of injury to any passenger;

(d) particulars of damage to the vehicle;

(e) the name and identification number of the driver of the vehicle.

Maximum penalty: $750.

Expiation fee: $105.

(2) If a taxi is damaged as a result of an accident so that the chassis, body, registration plates or any sign required to be displayed on the vehicle, needs repairs or replacement, the operator of the service must ensure that the vehicle is not used to provide a passenger transport service, without the authority of the Minister or an authorised officer, until—

(a) the necessary repairs and replacements have been made; and

(b) the vehicle has been found on inspection by an approved vehicle inspector under section 54 of the Act to be free from defects.

Maximum penalty: $750.

Expiation fee: $105.

Part 6—Registration plates

149—Prescribed classes of vehicles

For the purposes of the definition of ***prescribed vehicle*** in section 63(1) of the Act, the following are prescribed:

(a) taxis;

(b) small passenger vehicles;

(c) buses other than those operating regular passenger services within Metropolitan Adelaide.

150—Defacing, lending and unauthorised use of registration plates

(1) A person must not—

(a) deface, alter, mutilate or damage a registration plate; or

(b) lend a registration plate to another person.

Maximum penalty: $750.

Expiation fee: $105.

(2) If a registration plate becomes defaced or damaged so that the numbers, letters or symbols on the plate are not distinctly legible, the person to whom it was issued must deliver it to an authorised officer or the Minister.

Maximum penalty: $750.

Expiation fee: $105.

(3) A person must not, on a public street, road or place, drive a vehicle to which there is fitted a registration plate, or a plate the same as or closely resembling a registration plate, unless the plate or sign is fitted to the vehicle with the authority of the Minister.

Maximum penalty: $750.

Expiation fee: $105.

151—Seizure of registration plates unlawfully held

If a person has in their possession or custody a registration plate that the person is not entitled to hold, an authorised officer may seize and retain possession of it.

152—Surrender of registration plates

If—

(a) a vehicle ceases to be entitled to bear registration plates; or

(b) the person to whom registration plates are issued—

(i) ceases to hold an accreditation under Part 4 Division 1 of the Act; or

(ii) in the case of plates issued for a metropolitan taxi—ceases to hold a taxi licence for the taxi,

the person to whom the plates were issued must deliver the plates to the Minister or an authorised officer within 2 business days of the relevant event.

Maximum penalty: $750.

Expiation fee: $105.

153—Loss or theft of registration plates

(1) If a registration plate is lost or stolen, the person to whom it was issued must—

(a) within 2 business days, give written notice of the loss or theft to the Minister; and

(b) verify the loss or theft by statutory declaration if the Minister so requests.

Maximum penalty: $750.

Expiation fee: $105.

(2) If a registration plate the loss or theft of which has been reported in accordance with subregulation (1) is recovered by the person to whom it was issued, that person must—

(a) immediately notify the Minister of the recovery; and

(b) if another plate has been issued in substitution for the lost or stolen plate—deliver the recovered plate to the Minister.

Maximum penalty: $750.

Expiation fee: $105.

Part 7—Miscellaneous

154—Minister may waive or refund fees

The Minister may, in the Minister's discretion, waive payment of the whole or a part of a fee prescribed for the purposes of the Act or these regulations, or refund the whole or a part of such a fee.

155—Minister may determine fares, charges etc for regular passenger services

(1) The Minister may—

(a) determine the fares, charges and other arrangements for remuneration (including the mode of computing fares, charges or other rates of remuneration) to be paid by a person for a service provided by the operator of a regular passenger service; and

(b) provide for the collection or payment of such fares, charges or other remuneration; and

(c) determine the form of any ticket, pass or identification or concession card for the purposes of the Act.

(2) The Minister must ensure that notice of a determination under subregulation (1) is published in the Gazette.

156—Fares for passenger transport services (other than taxi services or regular passenger services)

(1) The operator of a passenger transport service (other than a taxi service or regular passenger service) must ensure that a person who engages a vehicle is aware of the cost of the service, or the basis for the calculation of the cost of the service, before the relevant journey begins.

(2) The cost of a passenger transport service (other than a taxi service or regular passenger service) must be—

(a) a fixed amount determined before the relevant journey begins; or

(b) a cost determined according to 1 or more of the following:

(i) a rate per kilometre;

(ii) a rate per hour;

(iii) a rate per day;

(iv) a rate per passenger;

(v) a rate approved by the Minister.

(3) An operator of a passenger transport service (other than a taxi service or regular passenger service) may also charge—

(a) a booking fee; and

(b) a fee for the alteration or cancellation of a booking.

157—SATSS Conditions of Use

(1) The Minister may determine (or vary) conditions of use for the South Australian Transport Subsidy Scheme for—

(a) the drivers and operators of taxi services or certain car hire services; and

(b) centralised booking services; and

(c) SATSS members.

(2) The Minister must ensure that the SATSS conditions of use (or a variation to conditions of use) under subregulation (1) are published in the Gazette.

(3) The SATSS conditions of use may include rules, procedures, prohibitions, restrictions or limitations that are to apply to accredited drivers, operators, centralised booking services and SATSS members, including (but not limited to)—

(a) eligibility criteria for persons using the scheme; and

(b) requirements for the carrying, presentation and verification of certain identification cards determined by the Minister for the purposes of the scheme; and

(c) requirements relating to persons permitted to travel in taxis or certain hire cars for a subsidised trip; and

(d) rules about entering information on or in respect of a SATSS voucher; and

(e) rules about the calculation and payment of fares; and

(f) requirements relating to the issuing of receipts by drivers and the information required on receipts; and

(g) requirements for reporting any real or potential conflict of interest as defined in the SATSS conditions of use.

(4) A SATSS member who fails to comply with a SATSS condition of use is guilty of an offence.

Maximum penalty: $1 250.

Expiation fee: $160.

(5) A driver of a taxi or certain hire car, an operator of a taxi service or hire car service, or a centralised booking service who fails to comply with a SATSS condition of use in respect of that driver, operator or service is guilty of an offence.

Maximum penalty: $2 500.

Expiation fee: $210.

158—SATSS Vouchers

(1) A person must not use a SATSS voucher unless they are eligible to use the voucher in accordance with the SATSS conditions of use and any other requirements determined by the Minister.

Maximum penalty: $1 250.

Expiation fee: $160.

(2) A driver of a taxi or certain hire car must not accept more than 1 SATSS voucher in satisfaction for the amount of the fare for a hiring unless in compliance with the SATSS conditions of use.

Maximum penalty: $2 500.

Expiation fee: $210.

(3) A driver of a taxi or certain hire car, an operator of a taxi service or hire car service or a centralised booking service who—

(a) makes a false statement or misrepresentation on a SATSS voucher; or

(b) forges or fraudulently alters a SATSS voucher; or

(c) fraudulently allows a SATSS voucher to be used by a person other than a SATSS member,

is guilty of an offence.

Maximum penalty: $2 500.

Expiation fee: $210.

(4) A person who—

(a) makes a false statement or misrepresentation on a SATSS voucher; or

(b) forges or fraudulently alters a SATSS voucher; or

(c) fraudulently allows a SATSS voucher to be used by a person other than a SATSS member,

is guilty of an offence.

Maximum penalty: $1 250.

Expiation fee: $160.

159—Defences

In proceedings for an offence against regulation 157(4) or regulation 158(4), it is a defence to prove that—

(a) the defendant was unable to comply with the regulation because of a disability; or

(b) the act or omission constituting the offence was attributable to an honest and reasonable mistake on the defendant's part.

159A—Point to point transport service levy—prescribed amount

For the purposes of Schedule 2 clause 2(3) of the Act, the prescribed amount is $2.

160—Records to be kept by relevant providers during assessment periods

For the purposes of Schedule 2 clause 4(2)(a) of the Act, the following records must be kept by a person who is a relevant provider during an assessment period:

(a) in the case of a relevant provider who is the operator of a booking service—

(i) the total number of point to point transport service journeys booked by the relevant provider that commenced in the Adelaide Metropolitan area; and

(ii) the registration number and licence number (if any) of each vehicle that provided point to point transport services in consequence of bookings made by the relevant provider; and

(iii) the total number of requests for bookings for point to point transport services that were received by the relevant provider; and

(iv) the total number of bookings for point to point transport services that were completed by the relevant provider; and

(v) the total number of journeys completed by vehicles that provided point to point transport services in consequence of bookings made by the relevant provider; and

(vi) in the case of the operator of a booking service for taxis—the total number of taxi-meter activations made in consequence of bookings for point to point transport services taken by the relevant provider; and

(vii) in relation to journeys completed by vehicles that provided a point to point transport service in consequence of bookings made by the relevant provider—information about the place of departure, destination and route of such journeys;

(b) in the case of a relevant provider who is not the operator of a booking service—

(i) the total number of point to point transport service journeys provided by the relevant provider that commenced in the Adelaide Metropolitan area; and

(ii) the registration number and licence number (if any) of each vehicle used by the relevant provider to provide a point to point transport service; and

(iii) the total number of journeys completed by vehicles used by the relevant provider to provide a point to point transport service; and

(iv) in relation to journeys completed by vehicles used by the relevant provider to provide a point to point transport service—information about the place of departure, destinations and routes of such journeys.

161—Preparation and lodgment of returns by relevant providers

A person who is a relevant provider during an assessment period must—

(a) prepare a return, in a form determined by the Minister, that contains such information as is necessary for an accurate assessment of the person's liability to the levy for that assessment period; and

(b) lodge the return with the Minister within 14 days after the end of that assessment period.

Maximum penalty: $5 000.

Expiation fee: $315.

162—Exemptions from point to point transport service transaction levy

(1) On application by a relevant provider, the Minister may, by notice given to the relevant provider, exempt the relevant provider from liability to the whole or part of the levy for a specified period if the Minister is satisfied that—

(a) the relevant provider has previously made an overpayment of the levy; or

(b) it is not possible for the relevant provider to produce, or it would be unfair or unreasonable to require that the relevant provider produce, such records as may be required for the correct assessment of the levy to which the relevant provider is liable.

(2) On application by a relevant provider, the Minister may, by notice given to the relevant provider, exempt the relevant provider from liability to the whole or part of the levy if satisfied that—

(a) the relevant provider has made all reasonable attempts to collect the levy from persons using point to point transport services; and

(b) further attempts by the relevant provider to collect the levy from such persons are likely to be unsuccessful.

163—Calculation of levy payable on estimated basis

For the purposes of Schedule 2 clause 2(6) of the Act, the amount of the levy payable to the Minister by a relevant provider for an assessment period may be calculated on an estimated basis as if the number of actual point to point transport service transactions engaged in by the relevant provider during the assessment period was equal to the average number of such transactions engaged in by all relevant providers during that assessment period (disregarding any other relevant provider in relation to whom clause 2(6) is being applied for the purposes of determining the levy payable for that assessment period).

164—Interest payable on default of payment of point to point transport service transaction levy

(1) Subject to subregulation (4), if a person fails to pay a levy as required under Schedule 2 clause 2 of the Act, interest is payable on the amount of levy unpaid calculated on a daily basis from the end of the last day for payment until the day it is paid.

(2) The rate at which interest is payable under subregulation (1) is the rate determined by the Minister from time to time by notice in the Gazette.

(3) The Minister must, in making a determination under subregulation (2), have regard to the cash rate published by the Reserve Bank of Australia in the calendar month immediately preceding the month in which the determination is made.

(4) If the amount of interest payable for the time being in respect of a default in payment of a levy would, apart from this regulation, be less than $20, no interest is payable in respect of that default.

165—Codes of practice

For the purposes of Part 4 of the Act, the codes of practice set out in Schedule 4 are prescribed.

166—Keeping of records

Subject to an express provision in these regulations, a person must retain a record required to be kept by the person under the Act or these regulations for—

(a) in the case of a work sheet—a period of not less than 12 months after the date of the last entry in it; or

(b) in any other case—a period of not less than 2 years after the date of the last entry in it,

and must, if required by the Minister to do so by notice in writing, produce it for inspection or deliver it to the Minister.

Maximum penalty: $750.

Expiation fee: $105.

167—Minister may require various notices etc to be fitted

The Minister may require that public passenger vehicles display or be fitted with such notices, signs, equipment or other devices or fittings as the Minister thinks fit.

168—Power of Minister to dispense with certain requirements

A requirement or condition under Part 2 Division 1, Division 2 or Division 3 or Part 3 may, in respect of a particular person, or a person of a class determined by the Minister, be dispensed with according to the discretion of the Minister.

169—Service

(1) A notice or document required or authorised by or under the Act to be given to or served on a person may—

(a) be served on the person personally; or

(b) be posted in an envelope addressed to the person—

(i) at the person's last known address; or

(ii) if the person holds an accreditation under Part 4 of the Act—at the person's address for service; or

(c) if the person holds an accreditation under Part 4 of the Act—be left for the person at the person's address for service with someone apparently over the age of 16 years; or

(d) be sent electronically to the individual in a manner designated, or agreed to, by the individual for the service of documents of that kind.

(2) The address for service of an accredited person is the address of which the Minister has been last notified in writing by the person as the person's address for service.

(3) Without limiting the effect of subregulation (1), a notice or other document required or authorised to be given or sent to, or served on, a person for the purposes by or under the Act may, if the person is a company or registered body within the meaning of the *Corporations Act 2001* of the Commonwealth, be served on the person in accordance with that Act.

170—Evidentiary provision

In proceedings for an offence against these regulations, a certificate apparently signed by the Minister and certifying as to an act or decision of the Minister, constitutes proof, in the absence of proof to the contrary, of the matters stated in the certificate.

Schedule 2—Maximum fares (metropolitan taxis)

1—Journeys undertaken by metropolitan taxis

(1) This clause applies to any journey by a metropolitan taxi other than a journey to which clause 2 applies.

(2) For a journey by metropolitan taxi to which this clause applies, the fare must not exceed the sum of the following:

(a)	flagfall—	
(i)	on tariff 1	$4.00
(ii)	on tariff 2	$5.40
(iii)	on tariff 3	$5.20
(iv)	on tariff 4	$7.00
(b)	for the distance travelled—	
(i)	on tariff 1—for every 44.21 m or part	$0.10
(ii)	on tariff 2—for every 38.45 m or part	$0.10
(iii)	on tariff 3—for every 34.21 m or part	$0.10
(iv)	on tariff 4—for every 29.56 m or part	$0.10
(c)	for waiting time after the commencement of the hiring—	
(i)	on tariff 1—for each period of 7.59 seconds	$0.10
(ii)	on tariff 2—for each period of 7.59 seconds	$0.10
(iii)	on tariff 3—for each period of 5.95 seconds	$0.10
(iv)	on tariff 4—for each period of 5.95 seconds	$0.10

(3) The following tariffs apply to the hiring of a metropolitan taxi for a journey to which this clause applies:

(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.

(4) For a journey by metropolitan taxi to which this clause applies that is—

(a) between the hours of 12.01 am and 5.59 am on a Saturday, Sunday or public holiday; or

(b) on a day during a declared period,

the fare calculated in accordance with this clause may include an additional amount of $2.40.

(5) In circumstances determined by the Minister, a lifting fee of an amount determined by the Minister may be charged in respect of a period determined by the Minister instead of an amount that would be chargeable for that period under subclause (2)(c).

(6) In this clause—

declared period means—

(a) a declared period within the meaning of the *South Australian Motor Sport Act 1984*; or

(b) any period declared by the Minister by notice in the Gazette to be a declared period for the purposes of this clause.

2—Journeys where fare determined by agreement

(1) This clause applies to the following journeys by metropolitan taxi:

(a) a journey that begins in Metropolitan Adelaide (Area A) and ends in Metropolitan Adelaide (Area B);

(b) a journey that begins in Metropolitan Adelaide (Area A) and ends outside Metropolitan Adelaide;

(c) a journey that begins in Metropolitan Adelaide (Area B) and ends outside Metropolitan Adelaide;

(d) a journey that begins and ends outside Metropolitan Adelaide.

(2) For a journey by metropolitan taxi to which this clause applies, the fare must be determined by contract between the hirer and the driver but—

(a) in the case of a multi-seat hiring—must not exceed $1.86 per kilometre calculated on the forward and return journey plus waiting time at the rate of $0.10 for each period of 7.59 seconds;

(b) in any other case—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 7.59 seconds.

(2a) In circumstances determined by the Minister, a lifting fee of an amount determined by the Minister may be charged in respect of a period determined by the Minister instead of an amount that would be chargeable for that period as waiting time under subclause (2)(a) or (b).

(3) The hirer must, if requested to do so by the driver, pay the estimated fare (not including any lifting fee charged in accordance with subclause (2a)) in advance.

(4) If at the conclusion of the forward journey the hirer requests the driver to wait and pays the fare for the forward journey plus the estimated waiting time at the rate of $0.10 for each period of 7.59 seconds up to a limit of 2 hours, the driver must comply with the request and complete the journey at the contract rate.

(5) The hirer must pay for all meals and accommodation expenses necessarily incurred by the driver in the journey but time spent during meals or rest periods must not be calculated as waiting time.

(6) Unless otherwise agreed, the flagfall specified in clause 1 applies to any such journey.

3—Journeys from Adelaide Airport T1 Airport Terminal

For the purposes of section 52D(5) of the Act, an amount determined according to the discretion of Adelaide Airport Limited may be charged in addition to the fare payable in accordance with this Schedule for a journey by metropolitan taxi that begins at the taxi rank of the "T1 Airport Terminal" on Andy Thomas Circuit at Adelaide Airport, if a service fee of that amount has been charged to the taxi for entering that taxi rank.

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.

5—Special services

The fare for—

(a) a metropolitan taxi that is used to provide a taxi service determined by the Minister to be a premium service for the purposes of this clause; or

(b) a metropolitan taxi that is used for the conveyance of a bridal party and that is specially prepared for the occasion; or

(c) a metropolitan taxi that is used for the conveyance of a person in a funeral procession,

may, if the taxi is engaged under a pre-arranged hiring and the parties agree, be a fare determined by contract.

6—Pre-arranged hirings

The fare for a journey by a taxi that is engaged under a pre-arranged hiring made through a centralised booking service may—

(a) include a booking fee, provided that the hirer has been informed of the amount of the booking fee before the hiring commences; and

(b) if the centralised booking service and the hirer agree—be an estimated fare (not exceeding the maximum fare that may be charged under the preceding provisions of this Schedule) that is calculated on the shortest and most direct route for the journey and is quoted to the hirer before the hiring commences.

Schedule 3—Certificate of inspection under section 54 of the Act

VEHICLE INSPECTION REPORT

Registration No.

Owner's Name: _____

Address: _____

_____

Taxi Meter Make: _____ Model: _____ Serial No.: _____ Tyre Size: _____

Compliance Plate No.: _____

Entered on Register of Approved Vehicles: Y / N

Chassis No.: _____

Engine No.: _____

Month of Year: _____

Seating Capacity: _____

Number of Cylinders: _____

Odometer Reading: _____

Make: _____

Model: _____

Type: (i.e. sedan, van, etc) _____

Colour: _____

Wheel Base: _____ mm

EV / Hybrid / Internal Combustion _____

Receipt No.: _____ Fee: $ _____ Inspector's No.: _____ Authorised Inspection Station: _____

Fault Code ✓ = Pass × = Fail **N = Not applicable**

1st Insp.	2nd Insp.	1st Insp.	2nd Insp.	1st Insp.	2nd Insp.	1st Insp.	2nd Insp.
☐ 1. Lights	☐	☐ 8. Mirrors	☐	☐ 15. Tail Shaft Strap	☐	☐ 22. Fire Extinguisher	☐
☐ 2. Wipers/Washers	☐	☐ 9. Steering	☐	☐ 16. Service Brake	☐	☐ 23. Noise	☐
☐ 3. Warning Device	☐	☐ 10. Suspension	☐	☐ 17. Park Brake	☐	☐ 24. Tow Coupling	☐
☐ 4. Number Plate	☐	☐ 11. Wheels/Tyres	☐	☐ 18. Emergency Brake	☐	☐ 25. LPG	☐
☐ 5. Windscreen/Windows	☐	☐ 12. Oil/Fuel/Leaks	☐	☐ 19. Transmission	☐	☐ 26. Cleanliness	☐
☐ 6. Seats/Belts	☐	☐ 13. Chassis	☐	☐ 20. Demister	☐	☐ 27. Air Conditioner	☐
☐ 7. Body	☐	☐ 14. Exhaust Emissions	☐	☐ 21. Taxi Meter	☐	☐ 28. Other / CCTV	☐

Fault Code No.	FAULT / DETAILS OF MODIFICATIONS	Fault Code No.	FAULT / DETAILS OF MODIFICATIONS

IMPORTANT READ CONDITIONS OVER PAGE

PASS
.....
Inspector No.
.....
DATE

SCHEDULE 3
CERTIFICATE OF INSPECTION
Vehicles inspected under Section 54 of the Passenger Transport Act 1994 or vehicles inspected under Part 4A of the Road Traffic Act 1961.

FAIL
.....
Inspector No.
.....
DATE

This is to certify that the vehicle, Registration No. ..... has been inspected and this certificate of inspection is issued subject to the conditions attached to this certificate.

NEXT INSPECTION BY: ...../...../20..... Label No: ……

Signature of Approved Vehicle Inspector or Authorised Officer.....DATE:.....TIME: .....

WHITE COPY – DEPARTMENT, **YELLOW COPY** – INSPECTION STATION, **PINK COPY** – OPERATOR

CONDITIONS APPLICABLE TO CERTIFICATE OF INSPECTION

VEHICLES INSPECTED UNDER SECTION 54 OF THE PASSENGER TRANSPORT ACT 1994
OR
VEHICLES INSPECTED UNDER PART 4A OF THE ROAD TRAFFIC ACT 1961.

CONDITIONS OF INSPECTION

1. The inspection to which this report refers is visual only and does not include defects or conditions that may be found by dismantling parts, components etc.

2. The report applies only to the condition of the vehicle at the time of inspection, and no liability is accepted for defects or conditions that occur following this inspection.

OPERATOR'S COPY

The following information is relevant if faults have been identified:

The items listed over page as "faults" must be rectified before re-inspection.

This certificate will only be a temporary certificate until those faults are rectified.

Important: if faults have been identified, this form is evidence that the vehicle has previously been inspected and the re-inspection fee will apply.

It is important that the form is handed to the inspector when the vehicle is re-inspected, or the first inspection fee will be charged.

Schedule 4—Codes of practice

1—Bus operators

The operator of a passenger transport service involving the use of 1 or more buses must—

(a) treat customers with politeness, courtesy, helpfulness and honesty; and

(b) observe and promote truth in advertising; and

(c) deal promptly and courteously with complaints by passengers and other members of the public, and respond promptly to complaints directed from the Minister; and

(d) employ only appropriately accredited drivers, of a general calibre capable of meeting the needs of customers; and

(e) ensure that drivers are aware of, and abide by, the code of practice for drivers; and

(f) promote customer awareness of any authorised star rating system for vehicles, and indicate the rating of their vehicles in promotion material, and on the vehicles; and

(g) keep a vehicle as clean as possible when used for carrying passengers for hire or reward; and

(h) not engage in dishonest or dishonourable conduct in relation to a service, or in relation to the accreditation, and not permit an employee or agent of the operator to do so; and

(i) at all times comply with policies determined by the Minister directed at promoting service to the public; and

(j) provide an area of off-street parking adequate to park the number of vehicles under the control of the operator; and

(k) provide an adequate area and standard of undercover maintenance facilities and equipment in order to garage, service and maintain the vehicles used for the purposes of the service, or else have ready access to an appropriate repair workshop; and

(l) monitor staff performance and assist in the provision of appropriate skill enhancement training and promote the themes of courtesy, safety and professional service among staff; and

(m) ensure trip times that do not force drivers to travel in excess of lawful speed limits and enable drivers to abide by any statutory limits on the periods for which a person may drive a vehicle; and

(n) ensure that all on and off road equipment is correctly maintained, is safe to operate and is appropriately licensed as required; and

(o) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and

(p) be particularly sensitive to the needs of people with disabilities.

2—Small passenger vehicle operators

The operator of a passenger transport service involving the use of 1 or more small passenger vehicles must—

(a) treat customers with politeness, courtesy, helpfulness and honesty; and

(b) observe and promote truth in advertising; and

(c) deal promptly and courteously with complaints by passengers and other members of the public, and respond promptly to complaints directed from the Minister; and

(d) employ only appropriately accredited drivers, of a general calibre capable of meeting the needs of customers; and

(e) ensure that drivers are aware of, and abide by, the code of practice for drivers; and

(f) strive to keep a vehicle as clean as possible when used for carrying passengers for hire or reward; and

(g) not engage in dishonest or dishonourable conduct in relation to a service or in relation to the accreditation, and not permit an employee or agent of the operator to do so; and

(h) at all times comply with policies determined by the Minister directed at promoting service to the public; and

(i) provide a standard pre-paid booking record to the public where applicable, with clear conditions for deposits and payments; and

(j) refund cancellations of bookings in full, or less deposit and costs proportionate to the time elapsed between the time of booking and the time of the booked service, subject to the customer having been advised of cancellation costs in advance; and

(k) not take bookings unless the operator is confident that the booking can be met; and

(l) monitor staff performance and assist in the provision of appropriate skill enhancement training and promote the themes of courtesy, safety and professional service among staff; and

(m) ensure that a driver who has worked for more than 5 hours in another job does not commence work as a driver without a break; and

(n) ensure that all on and off road equipment is correctly specified and maintained, is safe to operate and is appropriately licensed as required; and

(o) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and

(p) be particularly sensitive to the needs of people with disabilities; and

(q) insofar as SATSS applies to the operator of the service—

(i) comply with the SATSS conditions of use; and

(ii) take all necessary steps to ensure that SATSS vouchers are not being fraudulently or inappropriately lodged; and

(iii) ensure that all SATSS vouchers are—

(A) thoroughly checked at the time of presentation by the driver, to ensure that the driver has actually carried out the work; and

(B) tagged and recorded in such a manner that any information from that voucher can be accessed quickly and accurately; and

(C) returned to the driver if there are any obvious deletions or alterations, or if the voucher is not legible; and

(r) not engage in conduct that may bring the passenger transport industry into disrepute.

3—Taxi operators

The operator of a taxi service must—

(a) treat customers with courtesy, helpfulness and honesty; and

(b) keep a vehicle as clean as possible when used for carrying passengers for hire or reward; and

(c) ensure that the vehicle is maintained to regulated standards of passenger comfort and safety, and is mechanically and bodily sound; and

(d) deal promptly and courteously with complaints, including those directed from the Minister; and

(e) prominently display on a vehicle information identifying the centralised booking service to which it belongs and the credit facilities that are accepted; and

(f) not engage in dishonest or dishonourable conduct in relation to a service or in relation to the accreditation, and not permit a driver to do so; and

(g) at all times comply with policies determined by the Minister directed at promoting service to the public; and

(h) ensure that customers will have access to at least all credit facilities authorised by the centralised booking service; and

(i) ensure that a sufficient supply of credit vouchers is available to the driver at the beginning of each shift; and

(j) ensure that drivers are aware of the requirements of the relevant code of practice for drivers; and

(k) not leave the membership of a centralised booking service before the operator has fulfilled all of their financial obligations to that service; and

(l) not leave the membership of a centralised booking service before the operator has fulfilled all of their obligations in respect of any disciplinary action ordered by that service; and

(m) comply with any requirements, policy or procedure issued by the centralised booking service; and

(n) comply with the SATSS conditions of use; and

(o) ensure that all SATSS vouchers are—

(i) thoroughly checked at the time of presentation by the driver, to ensure that the driver has actually carried out the work; and

(ii) tagged and recorded in such a manner that any information from that voucher can be accessed quickly and accurately; and

(iii) returned to the driver if there are any obvious deletions or alterations, or if the voucher is not legible; and

(iv) only presented to the centralised booking service affiliated with the taxi recorded on the voucher; and

(p) take all necessary steps to ensure that SATSS vouchers are not being fraudulently or inappropriately lodged; and

(q) not engage in conduct that may bring the taxi industry into disrepute; and

(r) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and

(s) be particularly sensitive to the needs of people with disabilities; and

(t) ensure that drivers are aware of the procedures to be followed in the event of an incident that requires the downloading of material from a security camera system, including where to take the taxi for that downloading to occur; and

(u) ensure that the Minister and the relevant centralised booking service are informed when a security camera system is installed in the taxi, or transferred to another taxi.

4—Taxi drivers

A taxi driver must—

(a) treat all customers with courtesy, helpfulness and honesty, and pay particular attention to the needs of children, older people and people with a disability; and

(b) take the shortest and/or most practicable route, unless the passenger requests otherwise; and

(c) observe the laws that relate to safe driving; and

(d) not take drugs as a means of overcoming fatigue, ensure that they do not have any concentration of alcohol in their blood while driving, and observe the laws that relate to driving under the influence of drugs; and

(e) readily accept all credit vouchers authorised by any relevant centralised booking service; and

(f) offer to put on the air conditioning on warm or hot days; and

(g) accept all lawful requests for carriage, no matter what the distance; and

(h) display current identification at all times inside the vehicle; and

(i) keep the interior of the taxi clean and tidy; and

(j) drive in a manner that will minimise wear and tear on the vehicle; and

(k) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and

(l) be particularly sensitive to the needs of people with disabilities; and

(m) be honest, polite and patient in network communication and as far as possible, cooperate in the efficient and responsive processing of network bookings; and

(n) check the vehicle for lost property at the end of each shift; and

(o) ensure that any relevant centralised booking service is notified if a mobile telephone or other form of communications facility is installed in the taxi, used in conjunction with the taxi or otherwise used to book the taxi; and

(p) not accept a request for hire from a centralised booking service for taxis unless it is accredited under Part 4 Division 3 of the Act; and

(q) comply with the SATSS conditions of use; and

(r) ensure that all SATSS vouchers are thoroughly checked at the time of presentation by the passenger; and

(s) take all necessary steps to ensure that SATSS vouchers are not being fraudulently or inappropriately lodged; and

(t) comply with any requirements, policy or procedure issued by the centralised booking service, including any disciplinary action ordered by the centralised booking service; and

(u) not engage in dishonest or dishonourable conduct in carrying out their duties; and

(v) not engage in conduct that may bring the taxi industry into disrepute; and

(w) not, if the driver has been issued a booking by the centralised booking service, pass the booking onto another driver except through the booking service; and

(x) assist other drivers with broken down or otherwise disabled vehicles, particularly if the vehicle is carrying a passenger; and

(y) check that a security camera system fitted to the taxi is operating correctly before commencing a shift; and

(z) not be available for hire, stand at a taxi-stand or accept a hiring if a security camera system fitted to the taxi is not operating correctly; and

(za) report any security related incident immediately if it is safe to do so; and

(zb) following a security related incident, comply with any direction of the Minister, a police officer, an authorised officer or other officer, or another person acting under the authority of the Minister.

5—General passenger service drivers

A general passenger service driver must—

(a) treat customers with politeness, courtesy, helpfulness and honesty; and

(b) observe the laws that relate to safe driving; and

(c) ensure that they do not have any concentration of alcohol in their blood while driving, and observe the laws that relate to driving under the influence of drugs; and

(d) strictly observe legal requirements relating to driving hours and rest periods; and

(e) drive defensively in the interests of general public safety; and

(f) ensure that any destination sign is accurate; and

(g) be sensibly and safely dressed when dealing with customers, in a manner that will advance the image of the passenger transport industry; and

(h) have regard to existing laws about not discriminating against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy; and

(i) be particularly sensitive to the needs of people with disabilities; and

(j) insofar as SATSS applies to the general passenger service driver—

(i) comply with the SATSS conditions of use; and

(ii) ensure that all SATSS vouchers are thoroughly checked at the time of presentation by the passenger; and

(iii) take all necessary steps to ensure that SATSS vouchers are not being fraudulently or inappropriately lodged; and

(k) not engage in conduct that may bring the passenger transport industry into disrepute; and

(l) not accept a request for hire from a centralised booking service unless it is accredited under Part 4 Division 3 of the Act.

6—Centralised booking service operators

The operator of a centralised booking service must—

(a) ensure that all customers and potential customers are treated in a courteous manner, and that complaints or enquiries are handled efficiently, honestly, responsibly and impartially; and

(b) not knowingly allow vehicles with serious defects to use the service; and

(c) be familiar with and comply with all regulations set down from time to time under Commonwealth laws relating to radio and other forms of communication; and

(d) ensure that all staff are adequately trained to carry out their respective duties; and

(e) ensure that there are sufficient customer service representatives on duty at all times to enable each operator to acquire and record appropriate customer information; and

(f) ensure that procedures are fair and equitable in the allocation of bookings and are non-discriminatory; and

(g) ensure customer service representatives and dispatchers understand that it is unlawful to discriminate against a person because of the person's sex, race, disability, age, marital status, sexuality or pregnancy, and are particularly sensitive to the needs of people with disabilities; and

(h) ensure that an accredited driver operating within the service is aware of the service's policies, initiatives or other matters relating to an efficient service to its customers; and

(i) ensure that drivers and operators are aware of, and abide by, their respective codes of practice; and

(j) comply with the SATSS conditions of use; and

(k) not engage in conduct that may bring the passenger transport industry into disrepute; and

(l) seek at all times to foster service to the public and promote the passenger transport industry as a whole; and

(m) at all times observe and promote truth in advertising; and

(n) take immediate disciplinary action against employees and drivers for serious breaches of customer service requirements; and

(o) not accept the operator of a taxi service into membership of the service unless the operator has a clearance from the service that they have left, with a decision regarding clearance to be finalised within 24 hours; and

(p) put into place and observe a policy for transferring work to ensure that all taxi customers are not disadvantaged; and

(q) keep a record of all breaches of the relevant code of practice by taxi drivers or general passenger service drivers (as the case requires) in a register, and make that register available to the Minister, or to the driver, on request; and

(r) undertake public awareness and education regarding the use of vehicles participating in the service; and

(s) ensure that all SATSS vouchers are—

(i) thoroughly checked at the time of presentation by the driver, to ensure that the driver has actually carried out the work; and

(ii) tagged and recorded in such a manner that any information from that voucher can be accessed quickly and accurately; and

(iii) returned to the operator if there are any obvious deletions or alterations, or if the voucher is not legible; and

(t) take all necessary steps to ensure that SATSS vouchers are not being fraudulently or inappropriately lodged; and

(u) in the case of a centralised booking service that provides a fleet safety support service to taxis (other than taxis used to provide a country taxi service)—

(i) appoint a Security Liaison Officer in connection with the installation and operation of security camera systems in taxis; and

(ii) provide a reasonable level of advice and assistance to operators and drivers in connection with the operation and maintenance of security camera systems installed in taxis; and

(iii) advise the relevant operator if a driver fails to comply with a procedure for the operation and use of a security camera system fitted in the taxi, or for the downloading of material or the provision of material to the police or the Minister; and

(iv) on request, provide a driver with information on where material can be downloaded from a security camera system fitted to a taxi following a security related incident; and

(v) maintain a register of taxis fitted with security camera systems (including details of the registration number of the taxi, the kind of system installed, and other information determined by the Minister); and

(v) ensure that any identification provided to a driver for the driver to display or carry inside the vehicle (as required by these regulations) is a true and accurate photograph of the driver; and

(w) ensure that—

(i) the operator of a passenger transport service does not participate in the booking service unless the operator holds a current accreditation under Part 4 Division 1 of the Act; and

(ii) any person who drives a vehicle for the purposes of a passenger transport service that participates in the booking service holds a current accreditation under Part 4 Division 2 of the Act.

Schedule 5—Transitional provisions

Part 2—Transitional provisions

2—Transitional provisions

(1) A determination, declaration, approval, authorisation or instrument in writing, or a requirement, direction or notice, made, given or continued in force under or for the purposes of the repealed regulations that is in force immediately before the commencement of these regulations continues in force as a determination, declaration, approval, authorisation or instrument in writing, or requirement, direction or notice, given or made under or for the purposes of any corresponding provision of these regulations, subject to—

(a) the conditions (if any) of the determination, declaration, approval, authorisation, instrument in writing, requirement, direction or notice; and

(b) amendment or repeal under these regulations.

(2) A transit barring order made under regulation 133 of the repealed regulations that is in force immediately before the commencement of these regulations continues in force as if it were a transit barring order made under regulation 139.

(3) An exemption from a provision of the repealed regulations that is in force immediately before the commencement of these regulations continues in force as an exemption from the corresponding provision of these regulations, subject to—

(a) the conditions (if any) of the exemption; and

(b) amendment or repeal under these regulations.

Legislative history

Notes

- This version is comprised of the following:

Part 1	27.11.2025
Part 2	23.1.2025
Part 3	27.11.2025
Part 4	1.7.2025
Part 5	27.11.2025
Part 6	23.1.2025
Part 7	1.7.2025
Schedules	27.11.2025

- Variations of this version that are uncommenced are not incorporated into the text.
- Please note—References in the legislation to other legislation or instruments or to titles of bodies or offices are not automatically updated as part of the program for the revision and publication of legislation and therefore may be obsolete.
- Earlier versions of these regulations (historical versions) are listed at the end of the legislative history.
- For further information relating to the Act and subordinate legislation made under the Act see the Index of South Australian Statutes or www.legislation.sa.gov.au.

Legislation revoked by principal regulations

The *Passenger Transport Regulations 2024* revoked the following:

Passenger Transport Regulations 2009

Principal regulations and variations

New entries appear in bold.

Year	No	Reference	Commencement
2024	89	*Gazette 29.08.2024 p2997*	1.9.2024: r 2
2024	103	*Gazette 28.11.2024 p4290*	1.1.2025: r 2
2025	3	*Gazette 23.1.2025 p66*	23.1.2025: r 2
2025	18	*Gazette 8.5.2025 p861*	1.7.2025: r 2
2025	31	*Gazette 29.5.2025 p1308*	1.7.2025: r 2
2025	**132**	***Gazette 27.11.2025 p4667***	**27.11.2025: r 2**
2026	79	*Gazette 10.9.2026 p2977*	1.10.2026 except r 3—1.12.2026: r 2

Provisions varied

New entries appear in bold.

Entries that relate to provisions that have been deleted appear in italics.

Provision	How varied	Commencement
Pt 1		
r 2	*omitted under Legislation Revision and Publication Act 2002*	*1.1.2025*
r 3		
r 3(1)		
legal fare	amended by 3/2025 r 3(1), (2)	23.1.2025
lifting fee	inserted by 3/2025 r 3(3)	23.1.2025
relevant person	**amended by 132/2025 r 3(1)**	**27.11.2025**
small passenger vehicle	**amended by 132/2025 r 3(2)**	**27.11.2025**
standby taxi	***deleted by 132/2025 r 3(3)***	***27.11.2025***
standby taxi licence	***deleted by 132/2025 r 3(3)***	***27.11.2025***
stretch limousine	***deleted by 132/2025 r 3(3)***	***27.11.2025***
transit barring order	substituted by 18/2025 r 3	1.7.2025
r 3(3)	**substituted by 132/2025 r 3(4)**	**27.11.2025**
Pt 3		
r 35		
r 35(1)	**(b) deleted by 132/2025 r 4(1)**	**27.11.2025**
	(d) deleted by 132/2025 r 4(2)	**27.11.2025**
r 35(2)	***deleted by 132/2025 r 4(3)***	***27.11.2025***
r 35(4)	***deleted by 132/2025 r 4(4)***	***27.11.2025***
r 36	**substituted by 132/2025 r 5**	**27.11.2025**
r 37	***deleted by 132/2025 r 6***	***27.11.2025***
r 39	**substituted by 132/2025 r 7**	**27.11.2025**
r 42	***deleted by 132/2025 r 8***	***27.11.2025***
r 43		
r 43(2)	**amended by 132/2025 r 9**	**27.11.2025**
rr 46—48	***deleted by 132/2025 r 10***	***27.11.2025***
r 74		
r 74(3)	amended by 3/2025 r 4(1)	23.1.2025
r 74(6)	amended by 3/2025 r 4(2)	23.1.2025
Pt 4		
Pt 4 Div 2A	inserted by 18/2025 r 4	1.7.2025
r 139	*deleted by 18/2025 r 5*	*1.7.2025*
r 142	*deleted by 3/2025 r 5*	*23.1.2025*
Pt 5		
r 141		

r 141(1)	**amended by 132/2025 r 11(1)—(3)**	**27.11.2025**
r 141(1a)	**inserted by 132/2025 r 11(4)**	**27.11.2025**
r 141(2)	**amended by 132/2025 r 11(5)**	**27.11.2025**
r 141(4)	**substituted by 132/2025 r 11(6)**	**27.11.2025**
r 141(5)	***deleted by 132/2025 r 11(7)***	***27.11.2025***
r 141(8)	**substituted by 132/2025 r 11(8)**	**27.11.2025**
Pt 7		
r 159A	inserted by 31/2025 r 3	1.7.2025
Sch 1	***deleted by 132/2025 r 12***	***27.11.2025***
Sch 2		
cl 1		
heading	**amended by 132/2025 r 13(1)**	**27.11.2025**
cl 1(1)	**substituted by 132/2025 r 13(2)**	**27.11.2025**
cl 1(2)	amended by 3/2025 r 6(1)	23.1.2025
	substituted by 132/2025 r 13(2)	**27.11.2025**
cl 1(4)	amended by 3/2025 r 6(2)	23.1.2025
	amended by 132/2025 r 13(3)	**27.11.2025**
cl 1(5)	amended by 3/2025 r 6(3)	23.1.2025
cl 2		
heading	**amended by 132/2025 r 13(4)**	**27.11.2025**
cl 2(1)	**amended by 132/2025 r 13(5)**	**27.11.2025**
cl 2(2)	amended by 3/2025 r 6(4), (5)	23.1.2025
	amended by 132/2025 r 13(6)—(8)	**27.11.2025**
cl 2(2a)	inserted by 3/2025 r 6(6)	23.1.2025
cl 2(3)	amended by 3/2025 r 6(7)	23.1.2025
cl 2(4)	amended by 3/2025 r 6(8)	23.1.2025
	amended by 132/2025 r 13(9)	**27.11.2025**
cl 3	amended by 103/2024 r 3	1.1.2025
	substituted by 132/2025 r 13(10)	**27.11.2025**
Sch 5		
Pt 1	*omitted under Legislation Revision and Publication Act 2002*	*1.1.2025*

Transitional etc provisions associated with regulations or variations

Passenger Transport (Transit Barring Orders) Amendment Regulations 2025 (18 of 2025), Sch 1

1—Transitional provision

(1) A transit barring order issued to a person under regulation 139 of the principal regulations prior to the repeal of that regulation and in force immediately prior to the commencement of these regulations continues in force as a transit barring order issued under regulation 137B of the principal regulations (as amended by these regulations).

(2) However, a person subject to a transit barring order continued in force by force of subclause (1) may not apply to have that order lifted in accordance with regulation 137E of the principal regulations (as inserted by these regulations).

(3) In this clause—

principal regulations means the *Passenger Transport Regulations 2024*.

Passenger Transport (Point to Point Transport Services) Amendment Regulations 2025 (132 of 2025), Sch 1

1—Transitional provision

(1) An approval of the Minister granted under regulation 141 of the principal regulations and in force immediately before the commencement of these regulations continues in force as an approval granted under regulation 141 of the principal regulations (as amended by regulation 11).

(2) In this clause—

principal regulations means the *Passenger Transport Regulations 2024*.

Historical versions

1.1.2025

23.1.2025

1.7.2025