

I certify that this is a copy of the authorised version of this Statutory Rule as at 1 December 2022, and that it incorporates all amendments, if any, made before and in force as at that date and any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 1 December 2022.

Robyn Webb
Chief Parliamentary Counsel
Dated 4 January 2023

TASMANIA

TAXI INDUSTRY REGULATIONS 2018

STATUTORY RULES 2018, No. 56

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TAXI INDUSTRY REGULATIONS 2018

I, the Governor in and over the State of Tasmania and its Dependencies in the Commonwealth of Australia, acting with the advice of the Executive Council, make the following regulations under the *Taxi and Hire Vehicle Industries Act 2008*.

Dated 17 September 2018.

C. WARNER
Governor

By Her Excellency's Command,

JEREMY ROCKLIFF
Minister for Infrastructure

PART 1 – PRELIMINARY

1. Short title

These regulations may be cited as the *Taxi Industry Regulations 2018*.

2. Commencement

These regulations take effect on the day on which their making is notified in the *Gazette*.

3. Interpretation

(1) In these regulations –

Act means the *Taxi and Hire Vehicle Industries Act 2008*;

ADR 21 means the Vehicle Standard (Australian Design Rule 21/00 – Instrument Panel) 2006 determined under –

(a) the MVSA; or

(b) section 12 of the *Road Vehicle Standards Act 2018* of the Commonwealth, as amended from time to time;

authorised meter adjuster means a person appointed by the Commission as an authorised meter adjuster under regulation 63;

electronic seal, in relation to a taximeter, means an electronic device that renders the taximeter inoperative in the event of a person interfering with the taximeter;

fourth tariff means the tariff, called the fourth tariff, referred to in clause 5(3) of Schedule 3;

hiring period means the period between such time as a taxi that has been hired is put in motion until the time when the taxi comes to a stop at the destination;

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metered fare means the fare displayed on the taximeter at the conclusion of the hiring period;

metropolitan taxi area means any of the following taxi areas:

- (a) Hobart taxi area;
- (b) Launceston taxi area;
- (c) Devonport taxi area;
- (d) Burnie taxi area;

not-for-hire sign means a sign that –

- (a) consists of the words “not for hire”; and
- (b) is capable of being displayed in accordance with these regulations;

operate a taxi means to drive a taxi for the purpose of providing a taxi service;

relevant fares, in relation to a taxi, means the fares applicable in the taxi area within which, to which and from which the taxi may be operated as a taxi service;

remote electronic update, in respect of a taximeter, means an update, to the functions of the taximeter that correctly calculate and indicate the relevant fares for the taxi in which the taximeter is

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installed, that is undertaken without physical contact with the taximeter;

responsible person, in respect of a vehicle, means –

- (a) if the vehicle is being operated as a taxi under the authority of a taxi licence that can be identified, the responsible operator of the taxi licence; or
- (b) if the vehicle is being operated as a taxi under the authority of a taxi licence that cannot be identified, the registered operator of the vehicle; or
- (c) if the vehicle is not being operated as a taxi, the registered operator of the vehicle;

sealing certificate, in relation to the sealing of a taximeter, means a certificate in a form determined by the Commission;

security camera system means a security camera and its components approved by the Commission under section 94 of the Act for use in taxis;

specified fee means a fee specified in Schedule 5;

tariff indicator light means a light, affixed to the roof of a vehicle or to a taxi roof sign, that, when the vehicle is being operated

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as a taxi, indicates the tariff, if any, under which the vehicle is operating;

taxi dispatch service means a service –

- (a) that provides radio base, computer or telephone services for taxis or makes arrangements for the provision of those services to taxis; or
- (b) that provides controlling, co-ordinating, administrative or other services to an operator of a taxi service for the purpose of arranging for a person who requests a taxi service to be provided with one;

taxi roof sign means a sign, affixed to the roof of a vehicle, that indicates that the vehicle is used, or intended to be used, as a taxi;

taximeter means an electronic instrument installed in a taxi that –

- (a) calculates the charge for hiring the taxi; and
- (b) indicates that charge in figures;

test certificate, in relation to the testing of a taximeter, means a certificate in a form determined by the Commission;

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third tariff means the tariff, called the third tariff, referred to in clause 5(2) of Schedule 3;

wheelchair passenger means a person in a wheelchair who travels in a taxi and who –

- (a) satisfies the driver at the completion of the journey that he or she is a member of a transport concession scheme administered by the Department; or
 - (b) presents to the taxi driver a taxi travel voucher issued under an equivalent travel concession scheme of another State or a Territory.
- (2) In these regulations, a reference to a taxi area by name is a reference to the taxi area of that name as specified in Schedule 4 to the Act.

PART 2 – TAXI LICENCES

4. Form of perpetual taxi licences

A perpetual taxi licence is to include –

- (a) the name and address of the owner of the licence; and
- (b) the licence number; and
- (c) the taxi area within, to or from which the taxi service authorised by the licence may operate; and
- (d) the number of the licence number plate in force in respect of the licence.

5. Form of owner-operator taxi licences

An owner-operator taxi licence is to include –

- (a) the name and address of the holder of the licence; and
- (b) the licence number; and
- (c) the taxi area within, to or from which the taxi service authorised by the licence may operate; and
- (d) the number of the licence number plate in force in respect of the licence; and

- (e) the conditions, if any, imposed on the owner-operator taxi licence under the Act.

6. Form of wheelchair-accessible taxi licences

A wheelchair-accessible taxi licence is to include –

- (a) the name and address of the holder of the licence; and
- (b) the licence number; and
- (c) the following particulars of the vehicle to which the licence applies:
 - (i) the registration number;
 - (ii) the make;
 - (iii) the body type;
 - (iv) the year of manufacture;
 - (v) the number of seats as recorded in the Register of Motor Vehicles; and
- (d) the taxi area within, to or from which the taxi service authorised by the licence may operate; and
- (e) the number of the licence number plate in force in respect of the licence; and
- (f) the conditions, if any, imposed on the licence under the Act.

7. Form of temporary taxi licences

A temporary taxi licence is to include –

- (a) the name and address of the holder of the licence; and
- (b) the licence number of the temporary taxi licence; and
- (c) the taxi area within, to or from which the taxi service authorised by the licence may operate; and
- (d) the number of the licence number plate in force in respect of the licence; and
- (e) the conditions, if any, imposed on the temporary taxi licence under the Act.

8. Leasing of perpetual taxi licences

- (1) If the owner of a perpetual taxi licence leases the licence to another person, the owner of the licence must, no later than 14 days after the commencement of the lease –
 - (a) provide to the Commission a written notice –
 - (i) stating the name and address of the person leasing the licence; and
 - (ii) stating the date of commencement of the lease; and

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(iii) signed by each party to the lease;
and

(b) pay the specified fee.

Penalty: Fine not exceeding 10 penalty units.

- (2) The Commission is to record the information provided under subregulation (1)(a) in the register of licences.
- (3) A lease takes effect on the date recorded, in the register of licences, under subregulation (2) as the date of its commencement.
- (4) Each party to a lease under this regulation must notify the Commission in writing of the termination of the lease within 7 days after that termination.

Penalty: Fine not exceeding 10 penalty units.

- (5) It is a defence in proceedings for an offence under subregulation (4) if the defendant establishes that he or she was unaware of the termination of the lease.

9. Change of name or address

A person, who is within any of the following classes of person, must notify the Commission in writing of a change to his or her name or address within 14 days after the change occurs:

- (a) the owner of a perpetual taxi licence;

- (b) the responsible operator of a perpetual taxi licence;
- (c) the holder of an owner-operator taxi licence;
- (d) the holder of a wheelchair-accessible taxi licence;
- (e) the holder of a temporary taxi licence.

Penalty: Fine not exceeding 5 penalty units.

10. Suspension of owner-operator taxi licences

For the purposes of section 36(1) of the Act, the prescribed circumstances in which the Commission may suspend an owner-operator taxi licence are as follows:

- (a) if the holder of the licence fails to comply with a condition of the licence;
- (b) if the holder of the licence has failed to supply, within the period specified in a notice given to the holder of the licence under section 97 of the Act, the information he or she is required by the notice to supply;
- (c) if the Commission has suspended the accreditation of the holder of the licence under the *Passenger Transport Services Act 2011*;
- (d) if the holder of the licence is found guilty of an offence under section 95 of the Act.

11. Cancellation of owner-operator taxi licences

For the purposes of section 36(1) of the Act, the prescribed circumstances in which the Commission may cancel an owner-operator taxi licence are as follows:

- (a) if the holder of the licence fails to comply with a condition of the licence;
- (b) if the holder of the licence has failed to supply, within 90 days after the expiry of the period specified in a notice given to the holder of the licence under section 97 of the Act, the information he or she is required by the notice to supply;
- (c) if the holder of the licence has fees owing to the Commission, in respect of the licence, that have been due for a period greater than 12 months;
- (d) if the holder of the licence is found guilty of an offence under section 95 of the Act.

12. Suspension of wheelchair-accessible taxi licences

For the purposes of section 55(1) of the Act, the prescribed circumstances in which the Commission may suspend a wheelchair-accessible taxi licence are as follows:

- (a) if the holder of the licence fails to comply with a condition of the licence;
- (b) if the holder of the licence has failed to supply, within the period specified in a

notice given to the holder of the licence under section 97 of the Act, the information he or she is required by the notice to supply;

- (c) if the vehicle to which the licence applies ceases to be registered;
- (d) if the vehicle to which the licence applies ceases to comply with the requirements, under the Act, for a wheelchair-accessible taxi, remote area wheelchair-accessible taxi or substitute wheelchair-accessible taxi;
- (e) if the Commission has suspended the accreditation of the holder of the licence under the *Passenger Transport Services Act 2011*;
- (f) if the holder of the licence is found guilty of an offence under section 95 of the Act.

13. Cancellation of wheelchair-accessible taxi licences

For the purposes of section 55(1) of the Act, the prescribed circumstances in which the Commission may cancel a wheelchair-accessible taxi licence are as follows:

- (a) if the holder of the licence fails to comply with a condition of the licence;
- (b) if the vehicle to which the licence applies ceases to be registered and is likely to

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- remain unregistered for a prolonged period;
- (c) if the vehicle to which the licence applies ceases to meet the requirements, under the Act, for a wheelchair-accessible taxi, remote area wheelchair-accessible taxi or substitute wheelchair-accessible taxi;
 - (d) if the vehicle to which the licence applies is more than 10 years old;
 - (e) if the holder of the licence has failed to supply, within 90 days after the expiry of the period specified in a notice given to the holder of the licence under section 97 of the Act, the information he or she is required by the notice to supply;
 - (f) if the Commission is satisfied that there has been a period of 28 consecutive days where no passenger in a wheelchair has been transported by the taxi within, to or from the taxi area to which the wheelchair-accessible taxi licence relates;
 - (g) if the holder of the licence has fees owing to the Commission, in respect of the licence, that have been due for a period greater than 12 months;
 - (h) if the holder of the licence is no longer in a position of authority in respect of the vehicle to which the licence relates;

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- (i) if the holder of the licence is found guilty of an offence under section 95 of the Act.

PART 3 – TAXI VEHICLES AND EQUIPMENT

Division 1 – Vehicles

14. Vehicles suitable for use as taxi – generally

For the purposes of section 24(4) of the Act, a vehicle is suitable for use as a taxi if –

- (a) the vehicle has installed in it all of the equipment required under the Act to be installed in a taxi operating in the taxi area in which the vehicle is operating, or intending to operate, as a taxi; and
- (b) the vehicle is recorded in the Register of Motor Vehicles as a taxi; and
- (c) the premium that is paid in respect of the vehicle is the premium payable under the *Motor Accidents (Liabilities and Compensation) Act 1973* for the class of vehicles used or intended to be used as a taxi; and
- (d) the vehicle has a current inspection report; and
- (e) in the case of a taxi, other than a wheelchair-accessible taxi, a substitute wheelchair-accessible taxi or a remote area wheelchair-accessible taxi –
 - (i) the vehicle complies with the vehicle specifications set out in Schedule 1; and

- (ii) the vehicle complies with the vehicle age requirements set out in regulation 16.

15. Vehicles suitable for use as taxi – vehicle specifications

- (1) The responsible operator of a taxi licence must ensure that the vehicle that is being operated as a taxi under the authority of the licence complies with the vehicle specifications set out in Schedule 1.

Penalty: Fine not exceeding 10 penalty units.

- (2) Subregulation (1) does not apply to a wheelchair-accessible taxi, remote area wheelchair-accessible taxi or substitute wheelchair-accessible taxi.

- (3) The responsible operator of a taxi licence must ensure that a vehicle that is being operated as one of the following forms of taxi under the authority of the licence complies with the criteria set out in Schedule 1 to the Act for the relevant form of taxi:

- (a) a wheelchair-accessible taxi;
- (b) a remote area wheelchair-accessible taxi;
- (c) a substitute wheelchair-accessible taxi.

Penalty: Fine not exceeding 10 penalty units.

15A. Vehicles suitable for use as taxi – ANCAP rating

- (1) The responsible operator of a taxi licence must ensure that the vehicle that is being operated as a taxi under the authority of the licence has an Australasian New Car Assessment Program (ANCAP) rating of 5 stars.

Penalty: Fine not exceeding 20 penalty units.

- (2) Subregulation (1) does not apply in respect of –
- (a) a vehicle that, on 30 December 2020, was being, or had previously been, operated as a taxi; or
 - (b) a wheelchair-accessible taxi.

16. Vehicles suitable for use as taxi – vehicle age

- (1) This regulation does not apply to a wheelchair-accessible taxi, remote area wheelchair-accessible taxi or substitute wheelchair-accessible taxi.

- (2) The responsible operator of a taxi licence must ensure that a vehicle intended to be operated as a taxi under the authority of the licence is not operated as a taxi for the first time if the vehicle is more than 7 years old.

Penalty: Fine not exceeding 20 penalty units.

- (3) Subregulation (2) does not apply to a vehicle if –
- (a) immediately before the first use of the vehicle as a taxi, the vehicle was used as

a luxury hire car under the authority of a luxury hire car licence; and

(b) the vehicle does not exceed the applicable age restriction specified in subregulation (4).

(4) The responsible operator of a taxi licence must ensure that a vehicle is not operated as a taxi under the authority of the licence if the vehicle is more than 12 years old.

Penalty: Fine not exceeding 20 penalty units.

17. Vehicles suitable for use as wheelchair-accessible taxi – vehicle age

The responsible operator of a wheelchair-accessible taxi licence must ensure that a vehicle is not operated, under the authority of the licence, as a wheelchair-accessible taxi, remote area wheelchair-accessible taxi or substitute wheelchair-accessible taxi if the vehicle is more than 12 years old.

Penalty: Fine not exceeding 20 penalty units.

18. Fire extinguishers

(1) In this regulation –

AS 2444-2001 means the Australian Standard AS 2444-2001 entitled “Portable fire extinguishers and fire blankets – selection and location” issued and published by Standards Australia, as

amended or substituted from time to time;

AS 1851-2005 means the Australian Standard AS 1851-2005 entitled “Maintenance of fire protection systems and equipment” issued and published by Standards Australia, as amended or substituted from time to time.

- (2) The responsible operator of a wheelchair-accessible taxi licence must ensure that the taxi is fitted with a fire extinguisher selected and located in accordance with AS 2444-2001.

Penalty: Fine not exceeding 10 penalty units.

- (3) If a vehicle used or intended to be used as a taxi has been fitted with a fire extinguisher, the responsible person must ensure that the fire extinguisher is maintained in accordance with AS 1851-2005.

Penalty: Fine not exceeding 10 penalty units.

Division 2 – Taximeters

19. Requirements for taximeters

A taximeter –

- (a) is to be programmed to calculate fares in accordance with the relevant fares for the taxi in which the taximeter is installed; and

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- (b) during a hiring period, is to correctly and prominently display figures, either continuously or at regular intervals, that indicate –
 - (i) the tariff under which the taxi is being operated; and
 - (ii) the fare at the point in time when the fare is displayed; and
 - (c) is to display the fare in Australian dollars; and
 - (d) is to increase the recorded fare in increments of not more than 10 cents; and
 - (e) is to be capable of –
 - (i) being immediately set in motion by the driver of the taxi at the commencement of a hiring period; and
 - (ii) being switched to a position so that the fare is held constant and prevented from increasing; and
 - (iii) showing the fare constantly once the hiring period is completed; and
 - (f) must not be programmed with the third tariff or fourth tariff if the taxi in which the taximeter is installed is not being operated –

- (i) under the authority of a wheelchair-accessible taxi licence; or
- (ii) under the authority of a temporary taxi licence that authorises the provision of a wheelchair-accessible taxi service; or
- (iii) as authorised by the Commission in accordance with section 93 of the Act.

20. Taximeter seals

A person must not seal a taximeter unless the person is an authorised meter adjuster.

Penalty: Fine not exceeding 10 penalty units.

20A. Responsibilities in relation to taximeters

If a taximeter installed in a vehicle that is being operated under the authority of a taxi licence has undergone a remote electronic update –

- (a) the taxi dispatch service that provides services to the vehicle; or
- (b) if the vehicle does not receive services from a taxi dispatch service, the responsible operator in relation to that taxi licence –

must notify the Commission, within 14 days of the update occurring, that evidence has been received by the service or operator, respectively, that the update has occurred in respect of the vehicle.

Penalty: Fine not exceeding 10 penalty units.

21.

22. Programming of taximeters

- (1) A person must not program a taximeter to calculate fares other than the relevant fares for the taxi in which the taximeter is installed.

Penalty: Fine not exceeding 20 penalty units.

- (2) A person must not program a taximeter with the third tariff or fourth tariff unless he or she is satisfied that the vehicle in which the taximeter is installed is being operated, or is intended to be operated, either –

(a) under the authority of –

(i) a wheelchair-accessible taxi licence; or

(ii) a temporary taxi licence that authorises the provision of a wheelchair-accessible taxi service; or

- (b) as authorised by the Commission in accordance with section 93 of the Act.

Penalty: Fine not exceeding 20 penalty units.

23. Reprogramming of taximeters

If a taximeter installed in a vehicle that is used or intended for use as a taxi is reprogrammed physically, the responsible person must submit, within 14 days after the taximeter has been reprogrammed, the taximeter to an authorised meter adjuster for testing in accordance with regulation 65.

Penalty: Fine not exceeding 10 penalty units.

24. Installation of taximeters in vehicles

- (1) A taximeter is to be installed and illuminated so that the display can be seen readily by all forward-facing occupants of the vehicle.
- (2) A taximeter is to be installed so that –
 - (a) the taximeter does not degrade the energy absorption requirements of instrument panels designed to meet the requirements of ADR 21; and
 - (b) the taximeter does not interfere with the operation of other equipment installed in the vehicle; and

- (c) the controls of the taximeter are accessible to the driver when seated in the normal seating position; and
- (d) the taximeter is protected against any external source, including fluctuations in its electricity supply and electromagnetic radiation and magnetic fields, that may result in an inaccurate taximeter reading; and
- (e) the controls of the taximeter are located in a place that is unlikely to annoy a passenger in the vehicle; and
- (f) the taximeter is unlikely to cause injury to an occupant of the vehicle –
 - (i) during normal operation of the vehicle; or
 - (ii) in the event of severe acceleration or deceleration; or
 - (iii) if there is an accident involving the vehicle.

25. Requirement to test taximeters

- (1) The Commission or an authorised officer may require a person to produce, at any time and place that the Commission or authorised officer directs, a vehicle in which a taximeter is installed, for the purpose of inspecting the taximeter.

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(2) The Commission or an authorised officer may require a person to present to an authorised meter adjuster, at any time and place that the Commission or authorised officer directs, a vehicle in which a taximeter is installed, for the purpose of testing the taximeter in accordance with regulation 65.

(3) A person must produce, or present, a vehicle as required under this regulation within the time limit specified by the Commission or authorised officer.

Penalty: Fine not exceeding 10 penalty units.

(4) An authorised meter adjuster who has tested a taximeter in accordance with this regulation must provide, to the person required to present the vehicle under subregulation (2), a test certificate relating to the testing of the taximeter.

Penalty: Fine not exceeding 10 penalty units.

(5) An authorised meter adjuster who issues a person with a test certificate must provide a copy of the certificate to the Commission within 14 days after the testing of the taximeter.

Penalty: Fine not exceeding 10 penalty units.

(6)

26. Evidence of testing to be provided

If requested to do so by the Commission, the responsible operator of a taxi licence must provide to the Commission, within 14 days after

receiving the request, the most recent evidence of testing of a taximeter installed in a vehicle that is being operated under the authority of the taxi licence.

Penalty: Fine not exceeding 10 penalty units.

27.

28. Interference with taximeters

- (1) A person must not interfere, or cause or permit another person to interfere, with a taximeter installed in a vehicle.

Penalty: Fine not exceeding 10 penalty units.

- (2) The responsible operator of a taxi licence must ensure that any device or system installed in a vehicle, or any modification made to a vehicle, that is being operated as a taxi under the authority of the licence does not –

- (a) interfere with the operation of the taximeter installed in the vehicle; or
- (b) enable the normal operation of the taximeter to be overridden.

Penalty: Fine not exceeding 10 penalty units.

- (3) A person must not operate a taxi that is modified or fitted with a device or system that –

- (a) interferes with the operation of the taximeter installed in the taxi; or
- (b) enables the normal operation of the taximeter to be overridden.

Penalty: Fine not exceeding 10 penalty units.

Division 3 – Signs, lights and communication devices

29. Taxi roof signs

- (1) A vehicle used or intended for use as a taxi is to be fitted with a roof sign that –
 - (a) is affixed to the exterior roof of the vehicle; and
 - (b) has at least one enclosed light that –
 - (i) is capable of showing white light towards the front of the vehicle, in the hours between sunset and sunrise, when the taximeter is not operating; and
 - (ii) does not show any white light towards the rear of the vehicle at any time; and
 - (c) displays to the front of the vehicle the word “taxi”, or similar words to indicate that the vehicle is a taxi, so that the word or words are clearly legible at a distance of 20 metres from the front of the vehicle during daylight hours or when the taxi roof sign is illuminated.

- (2) A taxi roof sign is to be switched off if –
- (a) the vehicle is displaying a not-for-hire sign in accordance with regulation 33; or
 - (b) the taxi is engaged.
- (3) A taxi roof sign is to be switched on when the taxi is available for hire unless the taxi is standing for hire in a taxi zone during daylight hours.
- (4) The responsible operator of a taxi licence must ensure that any vehicle that is being operated as a taxi under the authority of the licence is fitted with a taxi roof sign that –
- (a) complies with this regulation; and
 - (b) is fully operational.

Penalty: Fine not exceeding 5 penalty units.

- (5) A person must not operate a taxi unless the taxi is fitted with a taxi roof sign that –
- (a) complies with this regulation; and
 - (b) is fully operational.

Penalty: Fine not exceeding 5 penalty units.

30. Interference with taxi roof signs

A person must not interfere, or cause or permit another person to interfere, with a taxi roof sign installed on a vehicle.

Penalty: Fine not exceeding 5 penalty units.

31. Tariff indicator lights

- (1) A vehicle used or intended for use as a taxi is to be fitted with –
 - (a) in the case of a wheelchair-accessible taxi, a remote area wheelchair-accessible taxi, a substitute wheelchair-accessible taxi or a vehicle providing a service equivalent to a wheelchair-accessible taxi service in accordance with section 93 of the Act, 3 tariff indicator lights; or
 - (b) in all other cases, 2 tariff indicator lights.
- (2) A tariff indicator light is to be –
 - (a) yellow or amber in colour; and
 - (b) in the case of the first 2 such lights, mounted on each side of the taxi roof sign; and
 - (c) in the case of the third such light, mounted centrally on top of the taxi roof sign; and
 - (d) fitted with –
 - (i) incandescent globes of not less than 4 watts and not more than 6 watts; or
 - (ii) LED globes that provide light at an equivalent level to

incandescent globes that comply with subparagraph (i); and

- (e) wired so that when the taximeter is operating –
 - (i) in the first tariff, the light on the left or near side of the taxi roof sign is illuminated; and
 - (ii) in the second tariff, the light on the left or near side of the taxi roof sign and the light on the right or far side of the taxi roof sign are illuminated; and
 - (iii) in the third tariff, the central light and the light on the left or near side of the taxi roof sign are illuminated; and
 - (iv) in the fourth tariff, all 3 lights are illuminated.
- (3) A tariff indicator light is not to be fitted with reflectors.
- (4) The responsible operator of a taxi licence must ensure that any vehicle being operated as a taxi under the authority of the licence is fitted with tariff indicator lights that –
 - (a) comply with this regulation; and
 - (b) are fully operational.

Penalty: Fine not exceeding 10 penalty units.

- (5) A person must not operate a taxi unless the taxi is fitted with tariff indicator lights that –
- (a) comply with this regulation; and
 - (b) are fully operational.

Penalty: Fine not exceeding 10 penalty units.

32. Interference with tariff indicator lights

A person must not interfere, or cause or permit another person to interfere, with tariff indicator lights in or on a vehicle.

Penalty: Fine not exceeding 10 penalty units.

33. Not-for-hire signs

- (1) The following vehicles are to carry a not-for-hire sign:
- (a) a taxi;
 - (b) a vehicle that has any features that may cause the vehicle to be identified as a taxi, regardless of whether that vehicle is being used as a taxi;
 - (c) a vehicle that has any of the following equipment installed or fitted to it:
 - (i) a taximeter;
 - (ii) a taxi roof sign;
 - (iii) external tariff indicator lights.

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- (2) A not-for-hire sign –
- (a) may be incorporated in a taxi roof sign;
and
 - (b) if capable of being illuminated, is to be constructed so that when the not-for-hire sign is illuminated the taxi roof sign is not illuminated.
- (3) The responsible person for a vehicle referred to in subregulation (1) must ensure that the vehicle carries a not-for-hire sign that complies with this regulation.

Penalty: Fine not exceeding 5 penalty units.

- (4) Subject to subregulations (5) and (6), a person must display a not-for-hire sign inside a vehicle, required under subregulation (1) to carry a not-for-hire sign, when the vehicle –
- (a) is being used on a public street and is not operating as a taxi; or
 - (b) is being used on a public street and does not have a taximeter, taxi roof sign or external tariff indicator lights installed in, or fitted to, the vehicle; or
 - (c) is being used on a public street and has a taximeter, taxi roof sign or external tariff indicator lights installed in, or fitted to, the vehicle but the taximeter, sign or light is not fully operational; or

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- (d) is being used on a public street and has a security camera system installed in, or fitted to, the vehicle but the system is not fully operational.

Penalty: Fine not exceeding 5 penalty units.

- (5) Subregulation (4) does not apply if the vehicle is being used to provide a restricted hire vehicle service under the Act.
- (6) Subregulation (4) does not apply if the vehicle –
 - (a) is fitted with 10, 11 or 12 seats; and
 - (b) is being used to provide a passenger transport service in accordance with the *Passenger Transport Services Act 2011*; and
 - (c) is normally used, or is intended to be used, as a taxi; and
 - (d) does not have any external features that may cause a person to identify the vehicle as a taxi.
- (7) The driver of a vehicle must ensure that when a not-for-hire sign is required to be displayed it is displayed inside the vehicle at the left-hand side of the windscreen without being attached to the windscreen, so that the sign –
 - (a) displays to the front of the vehicle; and
 - (b) is clearly legible from a distance of 20 metres at any point within an arc of 45

degrees from the surface of the sign to either side of the vehicle.

Penalty: Fine not exceeding 5 penalty units.

- (8) Subregulation (7) does not apply if the not-for-hire sign is incorporated into the taxi roof sign in accordance with subregulation (2).
- (9) The driver of a vehicle, required under subregulation (1) to carry a not-for-hire sign, must not accept a hiring if –
 - (a) a not-for-hire sign is being displayed inside the vehicle; or
 - (b) a not-for-hire sign that is incorporated into the taxi roof sign is illuminated.

Penalty: Fine not exceeding 5 penalty units.

34. Radio dispatch system

- (1) In this regulation –

radio dispatch system means a system that enables two-way contact between the driver of the vehicle and a taxi dispatch service, or other communication network, for purposes including the allocation of work to drivers.

- (2) If a radio dispatch system is installed in a vehicle used or intended for use as a taxi, the radio dispatch system is to –

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- (a) not degrade the energy absorption requirements of instrument panels designed to meet the requirements of ADR 21; and
 - (b) not interfere with the operation of other equipment required to be installed in the vehicle; and
 - (c) have controls that are –
 - (i) accessible to the driver of the vehicle while seated in the normal seating position; and
 - (ii) located in a place that is unlikely to annoy a passenger in the vehicle; and
 - (d) be unlikely to cause injury to an occupant of the vehicle –
 - (i) during normal operation of the vehicle; or
 - (ii) in the event of severe acceleration or deceleration; or
 - (iii) if there is an accident involving the vehicle.
- (3) If a radio dispatch system is installed in a vehicle used or intended for use as a taxi, the responsible operator of the taxi licence under which the vehicle is being operated, or is intended to be operated, must ensure that the system complies with this regulation.

Penalty: Fine not exceeding 5 penalty units.

Division 4 – Security cameras

35. Interpretation

In this Division –

download means to copy a video recording from a security camera system to another storage device, including a disk or tape, or to print an image from a security camera system;

security camera taxi area means any of the following taxi areas:

- (a) Hobart taxi area;
- (b) Launceston taxi area;
- (c) Devonport taxi area;
- (d) Burnie taxi area;
- (e) Ulverstone taxi area;
- (f) Perth taxi area;
- (g) West Tamar taxi area;

security camera taxi licence means a taxi licence in force in respect of a security camera taxi area;

test image means an image, recorded with a security camera system, that –

- (a) was recorded for the purpose of testing the camera; and
- (b) was recorded while the vehicle in which the camera system is installed was not providing a taxi service; and
- (c) does not show a person, other than a person involved in the installation, testing or repair of the security camera system;

video recording includes –

- (a) electronically stored material from which a recorded image or recorded sound can be generated or reproduced; and
- (b) a printed image from such material.

36. Duty and power to install security camera systems

- (1) The responsible operator of a security camera taxi licence must ensure that a security camera system is installed in the vehicle that is being operated as a taxi under the authority of the licence.

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.

- (2) The responsible operator of a security camera taxi licence must not cause or permit a person to operate a vehicle as a taxi under the authority of the licence unless a security camera system is installed in the vehicle.

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.

- (3) A person must not operate a taxi under the authority of a security camera taxi licence unless a security camera system is installed in the taxi.

Penalty: Fine not exceeding 20 penalty units and, in the case of a continuing offence, a further fine not exceeding 2 penalty units for each day during which the offence continues.

- (4) The responsible operator of a taxi licence that is not a security camera taxi licence may fit a security camera system in a vehicle that is being operated as a taxi under the authority of the licence.

37. Installation of security camera systems

- (1) A person must not install a camera system in a vehicle used or intended for use as a taxi unless the system is a security camera system.

Penalty: Fine not exceeding 20 penalty units.

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- (2) A person installing a security camera system in a vehicle used or intended for use as a taxi must install the system in accordance with Schedule 2.

Penalty: Fine not exceeding 20 penalty units.

- (3) A person who has installed a security camera system in a vehicle used or intended for use as a taxi must –

(a) make a written record of the installation of the security camera system as soon as practicable after the installation is completed; and

(b) keep that record for a period of at least 5 years after the record was made.

Penalty: Fine not exceeding 10 penalty units.

- (4) The written record required to be made under subregulation (3) is to be in a form determined by the Commission.

- (5) A person required to keep a written record under subregulation (3) must provide a copy of the record to the Commission within 30 days after the security camera system is installed.

Penalty: Fine not exceeding 10 penalty units.

- (6) A person must not make a written record under this regulation that is false or misleading in any way.

Penalty: Fine not exceeding 10 penalty units.

38. Security camera system signs

- (1) If a security camera system is installed in a vehicle used or intended for use as a taxi, the responsible person must also display, on the vehicle, security camera signs that comply with this regulation.

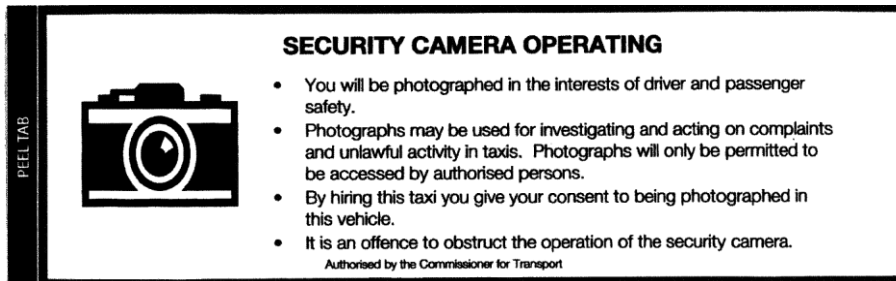
Penalty: Fine not exceeding 5 penalty units.

- (2) A security camera sign is to be –
- (a) permanently affixed above or adjacent to –
 - (i) each external door handle if the vehicle is a sedan or station wagon; or
 - (ii) each external door handle, including the external rear-door handle if the vehicle has rear access for a wheelchair, if the vehicle is a van; and
 - (b) able to be read from outside the vehicle; and
 - (c) clear and unobscured; and
 - (d) at least 50 millimetres high and at least 150 millimetres wide; and
 - (e) in the following form:

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- (3) A security camera sign may only be affixed to window glass above or adjacent to an external door handle if the glass does not move in a manner that would obstruct the security camera sign.

39. Testing of security camera systems

- (1) A security camera system installed in a vehicle is to be tested by the manufacturer, or agent of the manufacturer, in the following circumstances, to ensure that the system is fully operational:
- (a) as part of the installation process of the security camera system;
 - (b) in accordance with subregulation (6);
 - (c) as required by an authorised officer or police officer.
- (2) If an authorised officer or a police officer requires the testing of the security camera system installed in a vehicle, the responsible person must present the vehicle for testing of the security camera system at a time and place specified by the officer.

Penalty: Fine not exceeding 10 penalty units.

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- (3) When having the security camera system tested, the responsible person is to –
- (a) have the system tested by the manufacturer, or agent of the manufacturer, in accordance with the test regime specified by the manufacturer of the camera system installed; and
 - (b) cause the system to be readjusted if required for the system to be fully operational.
- (4) The responsible operator of a taxi licence must ensure that written evidence of the most recent testing of the security camera system required under subregulation (6) is –
- (a) attached at the upper left-hand side of the inside of the windscreen of the vehicle; and
 - (b) able to be read from inside the vehicle.

Penalty: Fine not exceeding 5 penalty units.

- (5) The written evidence required to be made under subregulation (4) is to be in a form determined by the Commission.
- (6) The responsible operator of a taxi licence must ensure that the security camera system installed in the vehicle that is being operated as a taxi under the authority of the licence is tested by the manufacturer, or agent of the manufacturer, in accordance with this regulation –

- (a) no later than 12 months after the day on which the security camera system was tested as part of its installation process; and
- (b) at intervals of 12 months from when the security camera system was last tested in accordance with these regulations.

Penalty: Fine not exceeding 20 penalty units.

- (7) Nothing in this regulation prevents the responsible operator of a taxi licence from voluntarily submitting a security camera for testing.

40. Record of testing of security camera systems

- (1) A person who has tested a security camera system in accordance with regulation 39 must –
 - (a) make a written record of the testing of that security camera system as soon as practicable after the testing is completed; and
 - (b) retain that record for a period of at least 5 years after the record was made.

Penalty: Fine not exceeding 10 penalty units.

- (2) The written record required to be made under subregulation (1) is to be in a form determined by the Commission.
- (3) A person required to retain a written record under subregulation (1) must provide a copy of

the record to the Commission within 30 days after the security camera system has been tested.

Penalty: Fine not exceeding 10 penalty units.

- (4) A person must not make a written record under this regulation that is false or misleading in any way.

Penalty: Fine not exceeding 10 penalty units.

41. Operation of security camera systems

- (1) The responsible operator of a taxi licence must ensure that a security camera system installed in a vehicle being operated as a taxi under the authority of the licence indicates that it is fully operational.

Penalty: Fine not exceeding 20 penalty units.

- (2) A person must not operate a taxi with a security camera system installed in it unless –
- (a) the security camera system indicates that it is fully operational; and
 - (b) the camera lens is clear and free of all obstructions.

Penalty: Fine not exceeding 20 penalty units.

- (3) A person must not interfere, or cause or permit another person to interfere, with a part of a security camera system installed in a vehicle.

Penalty: Fine not exceeding 20 penalty units.

- (4) The responsible operator of a security camera taxi licence must ensure that any device or system installed in a vehicle, or any modification made to a vehicle, that is being operated as a taxi under the authority of the security camera taxi licence does not –
- (a) interfere with the operation of the security camera system installed in the vehicle; or
 - (b) enable the normal operation of the security camera system to be overridden; or
 - (c) enable the security camera system to be disengaged.

Penalty: Fine not exceeding 20 penalty units.

42. Downloading video recordings

- (1) A person must not download a video recording from a security camera system unless –
- (a) the person is acting at the direction of a police officer; or
 - (b) the person is acting at the direction of an authorised officer or the Commission; or
 - (c) the person is acting pursuant to an order or direction of a court or tribunal constituted by law; or
 - (d) it is necessary to reset the security camera system; or

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- (e) it is required under subregulation (2) to prevent the destruction and deletion of the video recording while the security camera system is being reset; or
 - (f) it is required as part of the installation or testing procedure of the security camera system.

Penalty: Fine not exceeding 30 penalty units.

- (2) If the resetting of a security camera system will result in the destruction or deletion of any video recordings from the security camera system, the person resetting the security camera system must download all video recordings from the security camera system before the system is reset.

Penalty: Fine not exceeding 30 penalty units.

- (3) If a video recording is downloaded under subregulation (1)(d), (e) or (f) and is not required for a police investigation, an investigation by an authorised officer or legal proceedings, the person downloading the video recording must –
 - (a) keep the video recording for a period of 14 days from the day on which the video recording was downloaded; and
 - (b) at the end of that 14-day period, dispose of the video recording in accordance with regulation 47.

Penalty: Fine not exceeding 30 penalty units.

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- (4) Subregulation (3) does not apply to a video recording that is comprised entirely of test images.
- (5) For the purpose of subregulation (3), a video recording downloaded under subregulation (1)(d), (e) or (f) –
 - (a) is required for a police investigation if the recording has been requested by a police officer under regulation 44(2); and
 - (b) is required for an investigation by an authorised officer if the recording has been requested by an authorised officer under regulation 45(2).

43. Record of downloading from security camera systems

- (1) A person who has downloaded a video recording from a security camera system in accordance with regulation 42 must –
 - (a) make a written record of the downloading of the video recording as soon as practicable after the recording is downloaded; and
 - (b) retain that record for a period of at least 5 years after the record was made.

Penalty: Fine not exceeding 30 penalty units.

- (2) The written record required to be made under subregulation (1) is to be in a form determined by the Commission.

- (3) The Commission, by written notice to a person required to retain a written record under subregulation (1), may require the person to provide a copy of that record to the Commission within the period specified in the written notice.
- (4) A person given a written notice under subregulation (3) must comply with that notice.

Penalty: Fine not exceeding 10 penalty units.

44. Video recordings used for legal proceedings by police

- (1) A person who downloads a video recording under regulation 42(1)(a) or (c) must –
 - (a) forward the video recording to a police officer as soon as possible; and
 - (b) keep a copy of the video recording for a period of 14 days from the day on which the video recording was forwarded under paragraph (a); and
 - (c) at the end of that 14-day period and in accordance with regulation 47, dispose of all copies of the recording in his or her possession.

Penalty: Fine not exceeding 30 penalty units.

- (2) A police officer may, within the 14-day period referred to in regulation 42(3), request a copy of a video recording downloaded under regulation 42(1)(d), (e) or (f).

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- (3) If a police officer requests a video recording under subregulation (2) that has not been provided to an authorised officer under regulation 45, the person who has downloaded the video recording must –
- (a) comply with the request; and
 - (b) keep a copy of the video recording for a period of 14 days from the day on which the video recording is provided to the police officer; and
 - (c) at the end of that 14-day period and in accordance with regulation 47, dispose of all copies of the recording in his or her possession.
- Penalty: Fine not exceeding 30 penalty units.
- (4) Subregulation (3) does not apply if the person who has downloaded the video recording has provided the video recording to an authorised officer in accordance with regulation 45.
- (5) If the person who has downloaded the video recording has provided the video recording to an authorised officer under regulation 45 and a request has been made by a police officer under subregulation (2), the person is to provide notice in writing to the police officer of –
- (a) the name and contact details of the authorised officer to whom the recording was provided; and

- (b) the date on which the recording was provided to the authorised officer; and
- (c) any other information required by the police officer in respect of the recording.

45. Video recordings used for legal proceedings by authorised officer

- (1) A person who downloads a video recording under regulation 42(1)(b) must –
 - (a) forward the video recording to the authorised officer as soon as possible; and
 - (b) keep a copy of the video recording for a period of 14 days from the day on which the video recording was forwarded under paragraph (a); and
 - (c) at the end of that 14-day period and in accordance with regulation 47, dispose of all copies of the recording in his or her possession.

Penalty: Fine not exceeding 30 penalty units.

- (2) An authorised officer may, within the 14-day period referred to in regulation 42(3), request a copy of a video downloaded under regulation 42(1)(d), (e) or (f).
- (3) If an authorised officer requests a video recording under subregulation (2) that has not been provided to a police officer under

regulation 44, the person who has downloaded the video recording must –

- (a) comply with the request; and
- (b) keep a copy of the video recording for a period of 14 days from the day on which the video recording is provided to the authorised officer; and
- (c) at the end of that 14-day period and in accordance with regulation 47, dispose of all copies of the recording in his or her possession.

Penalty: Fine not exceeding 30 penalty units.

- (4) Subregulation (3) does not apply if the person who has downloaded the video recording has provided the video recording to a police officer in accordance with regulation 44.

46. Use and storage of video recordings

- (1) In this regulation –

unauthorised purpose means a purpose that is not connected with –

- (a) the investigation of an alleged offence by a police officer or an authorised officer; or
- (b) the prosecution of, or the issue of a notice in respect of, an alleged offence; or

(c) the testing of a security camera system in accordance with these regulations.

- (2) A person must not use a video recording made by, or downloaded from, a security camera system, or a copy of such a video recording, for an unauthorised purpose.

Penalty: Fine not exceeding 30 penalty units.

- (3) A person in possession of a video recording made by, or downloaded from, a security camera system, or a copy of such a video recording, must ensure that the recording or copy is not misplaced or used for an unauthorised purpose.

Penalty: Fine not exceeding 30 penalty units.

47. Disposal of video recordings

A video recording, or a copy of a video recording, is to be disposed of by –

- (a) deleting the original video recording or copy; or
- (b) permanently removing any trace of the recording or copy from its storage device; or
- (c) destroying the recording or copy so that it is no longer possible to access the recording or copy.

48. Evidentiary provisions

(1) In this regulation –

delivery certificate means a certificate stating the following particulars:

- (a) that a copy of the video recording downloaded on the date specified in the certificate from a security camera system, identified by make and serial number in the certificate, was kept at a place specified in the certificate during the period specified in the certificate;
- (b) that at a time and place specified in the certificate, the video recording was delivered to the police officer or the authorised officer, specified by name in the certificate, by the person providing the certificate;

downloading certificate means a certificate stating any or all of the following particulars:

- (a) that at a specified time and place a person downloaded a video recording from a security camera system installed in a vehicle that is used, or intended for use, as a taxi;

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- (b) the make and serial number of the security camera system from which the video recording was downloaded;
 - (c) the registration number of the vehicle in which the security camera system was installed;
 - (d) that, at the time when the video recording was downloaded, the downloading of the recording was lawful;
 - (e) that the equipment used to download the recording was in proper working order at the time when the recording was downloaded;
 - (f) that the downloading of the video recording was done in accordance with the Act;
 - (g) that the recording is an accurate and complete duplication of the recording made by the security camera system.
- (2) A downloading certificate is prima facie evidence –
- (a) of the particulars stated in the certificate; and
 - (b) that the security camera system used to record, and the equipment used to

download, the video recording was in proper working order.

- (3) A delivery certificate is prima facie evidence of the particulars stated in the certificate.

Division 5 – Licence number plates and labels

49. Application of regulations 50 and 51

Regulations 50 and 51 apply if the Commission has issued a licence number plate under section 89 of the Act in respect of a taxi licence.

50. Obligation to display licence number plates

- (1) In this regulation –

registration plate means a number plate issued by the Registrar under the *Vehicle and Traffic Act 1999* in respect of a vehicle’s registration under that Act.

- (2) The responsible operator of a perpetual taxi licence, owner-operator taxi licence or temporary taxi licence must ensure that the licence number plate –
- (a) is affixed, in accordance with subregulation (4), to the vehicle that is being used to provide the taxi service under the authority of the licence; and
 - (b) remains so affixed while the vehicle is being used to provide the taxi service under the authority of the licence.

Penalty: Fine not exceeding 10 penalty units.

- (3) The responsible operator of a wheelchair-accessible taxi licence must ensure that the licence number plate –
- (a) is affixed, in accordance with subregulation (4), to the wheelchair-accessible taxi specified in the licence; and
 - (b) remains so affixed while the vehicle is being used to operate a wheelchair-accessible taxi service under the authority of the licence.

Penalty: Fine not exceeding 10 penalty units.

- (4) A licence number plate required to be affixed under this regulation is to be affixed immediately above or next to the vehicle's front registration plate so that the licence number plate –
- (a) displays to the front of the vehicle; and
 - (b) is clearly legible from a distance of 20 metres at any point within an arc of 45 degrees from the surface of the licence number plate above or to either side of that vehicle.
- (5) The responsible operator of a wheelchair-accessible taxi licence must not affix, or cause or permit to be affixed, a licence number plate to a vehicle other than the wheelchair-accessible taxi specified in the licence.

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Penalty: Fine not exceeding 10 penalty units.

- (6) If the licence in respect of which a licence number plate was issued lapses in accordance with section 14(1), 30(1) or 48(1) of the Act, the responsible operator of the licence must remove, or cause to be removed, the licence number plate from the vehicle used, under the authority of the licence, to operate the taxi service.

Penalty: Fine not exceeding 10 penalty units.

- (7) If the owner-operator taxi licence or wheelchair-accessible taxi licence in respect of which a licence number plate was issued is suspended, the responsible operator of the licence must remove, or cause to be removed, the licence number plate from the vehicle used to operate the taxi service under the authority of the licence while the owner-operator taxi licence, or wheelchair-accessible taxi licence, is suspended.

Penalty: Fine not exceeding 10 penalty units.

- (8) The responsible operator of a perpetual taxi licence, owner-operator taxi licence, temporary taxi licence or wheelchair-accessible taxi licence must not operate, or cause or permit another person to operate, a vehicle as a taxi that has affixed to it a licence number plate that –
- (a) is void under regulation 51; or
 - (b) is to be given to the Commission under section 90 of the Act; or

- (c) is to be removed from the vehicle under subregulation (6) or (7).

Penalty: Fine not exceeding 20 penalty units.

51. Lost or damaged licence number plates

- (1) If a licence number plate is damaged to the extent that it is unusable, the responsible operator of the taxi licence in respect of which the licence number plate was issued must, as soon as practicable after the responsible operator discovers the damage –
- (a) notify, in writing, the Commission of the damage; and
 - (b) return the damaged licence number plate to the Commission.

Penalty: Fine not exceeding 5 penalty units.

- (2) If a licence number plate is returned to the Commission under subregulation (3), the responsible operator of the taxi licence in respect of which the licence number plate was issued is taken to have satisfied the requirements under subregulation (1) in respect of that licence number plate.
- (3) If a licence number plate issued in respect of a perpetual taxi licence is damaged to the extent that it is unusable, the owner of the perpetual taxi licence may, as soon as practicable after the owner discovers the damage –

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- (a) notify, in writing, the Commission of the damage; and
 - (b) return the damaged licence number plate to the Commission.
- (4) If a licence number plate is lost, the responsible operator of the taxi licence in respect of which the licence number plate was issued must notify the Commission of the loss, in writing, as soon as practicable after the responsible operator discovers the loss.

Penalty: Fine not exceeding 5 penalty units.

- (5) If the owner of a perpetual taxi licence notifies the Commission of the loss of a licence number plate under subregulation (6), the responsible operator of the perpetual taxi licence in respect of which the licence number plate was issued is taken to have satisfied the requirements in subregulation (4) for that licence number plate.
- (6) If a licence number plate issued in respect of a perpetual taxi licence is lost, the owner of the perpetual taxi licence in respect of which the licence number plate was issued may notify the Commission of the loss, in writing, as soon as practicable after the owner discovers the loss.
- (7) The Commission may request the responsible operator, who notified the Commission under subregulation (4), or the owner of a perpetual taxi licence, who notified the Commission under subregulation (6), to provide to the Commission, within a period specified by the Commission,

any evidence that the Commission requires to satisfy the Commission of the loss.

- (8) A person to whom a request is made under subregulation (7) must comply with that request within the period specified by the Commission.

Penalty: Fine not exceeding 5 penalty units.

- (9) A licence number plate returned to the Commission under subregulation (1) or (3), or notified as lost under subregulation (4) or (6), is void.
- (10) The Commission is to cancel a licence number plate that is void under subregulation (9).

52. Replacement licence number plates

- (1) If the responsible operator of an owner-operator taxi licence, a wheelchair-accessible taxi licence or a temporary taxi licence returns a licence number plate to the Commission under regulation 51(1), or notifies the Commission that a licence number plate is lost under regulation 51(4), the responsible operator may apply to the Commission for a replacement licence number plate.
- (2) If the responsible operator of a perpetual taxi licence returns a licence number plate to the Commission under regulation 51(1), or notifies the Commission that a licence number plate is lost under regulation 51(4), the responsible operator or the owner of the perpetual taxi

licence may apply to the Commission for a replacement licence number plate.

- (3) If the owner of a perpetual taxi licence returns a licence number plate to the Commission under regulation 51(3), or notifies the Commission that a licence number plate is lost under regulation 51(6), the owner or the responsible operator of the perpetual taxi licence may apply for a replacement licence number plate.
- (4) An application for a replacement number plate is to be –
 - (a) in writing; and
 - (b) in a form approved by the Commission.
- (5) On receipt of the application for a replacement licence number plate and payment of a fee of 18 fee units, the Commission may issue, to the person who made the application, a replacement licence number plate –
 - (a) with the same number as the licence number plate being replaced; or
 - (b) with a different number from the licence number plate being replaced.

53. Issue of labels

- (1) The Commission may issue a label to the responsible operator of a taxi licence.
- (2) On issuing a label, the Commission is to provide the responsible operator of the taxi licence to

whom the label was issued with written instructions on how the label is to be affixed to the vehicle used to provide the taxi service under the authority of the taxi licence.

- (3) A label remains the property of the Commission and is issued in addition to, or in substitution for, any other label or form of identification issued by the Commission under the Act or these regulations.
- (4) The Commission may request a person to whom a label was issued to return the label to the Commission within a period specified by the Commission.
- (5) A person to whom a request under subregulation (4) is made must comply with the request within the period specified by the Commission.

Penalty: Fine not exceeding 5 penalty units.

54. Obligation to display labels

- (1) The responsible operator of a taxi licence to whom a label is issued under regulation 53 must ensure that –
 - (a) the label is affixed as instructed under regulation 53(2) to the vehicle used to provide the taxi service under the authority of the taxi licence; and

- (b) while the vehicle is being operated as a taxi, the label remains affixed as instructed under regulation 53(2).

Penalty: Fine not exceeding 5 penalty units.

- (2) The Commission may instruct the responsible operator of a taxi licence to remove a label from the vehicle used to provide the taxi service under the licence if the Commission considers it appropriate to do so.
- (3) The responsible operator of a taxi licence must comply with an instruction given to the responsible operator by the Commission under subregulation (2).

Penalty: Fine not exceeding 5 penalty units.

55. Obligation to display temporary taxi licence labels

- (1) If a temporary taxi licence is issued under section 58 of the Act, the Commission is to issue a label –
 - (a) in the form that the Commission determines; and
 - (b) that states the expiry date of the temporary taxi licence.
- (2) The holder of the temporary taxi licence issued with a label under this regulation must ensure that the label –
 - (a) is affixed in a conspicuous position on the dashboard of the passenger side of

the taxi being operated under the authority of the licence; and

- (b) remains so affixed while the vehicle is being operated as a taxi under the authority of the licence.

Penalty: Fine not exceeding 5 penalty units.

- (3) The holder of a temporary taxi licence must remove a label affixed under subregulation (2) immediately after the expiry of the licence.

Penalty: Fine not exceeding 5 penalty units.

56. Lost or damaged labels

- (1) If a label issued under this Division is lost or damaged to the extent that it is unusable, the person to whom the label was issued must notify the Commission in writing as soon as practicable after the person discovers the loss or damage.

Penalty: Fine not exceeding 5 penalty units.

- (2) The Commission may request, in writing, the person who notified the Commission under subregulation (1) to provide the Commission with any evidence that the Commission requires, within a period specified by the Commission, to satisfy the Commission of the loss or damage.

- (3) A person to whom a request is made under subregulation (2) must comply with that request within the period specified by the Commission.

Penalty: Fine not exceeding 5 penalty units.

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Part 3 – Taxi Vehicles and Equipment

- (4) The Commission may issue a replacement label on payment of a fee of 10 fee units.

PART 4 – OPERATION OF TAXIS

57.

58. Trip subsidies

(1) The Commission may pay a trip subsidy to the holder of a wheelchair-accessible taxi licence for each journey on which the taxi being operated under the authority of the licence carries at least one wheelchair passenger.

(2) The Commission may pay a trip subsidy to the holder of a temporary taxi licence, which authorises the provision of a wheelchair-accessible taxi service, for each journey on which the taxi being operated under the authority of the licence carries at least one wheelchair passenger.

(3) The Commission may pay a trip subsidy to –

- (a) the responsible operator of a perpetual taxi licence; or
- (b) the holder of an owner-operator taxi licence –

authorised under section 93 of the Act to operate a service equivalent to a wheelchair-accessible taxi service, for each journey on which the taxi being operated under the authority of the licence carries at least one wheelchair passenger.

(4) A trip subsidy paid under this regulation is to be the amount specified in Schedule 4 for the taxi

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Part 4 – Operation of Taxis

area in relation to which the wheelchair-accessible taxi licence is in force.

- (5) Before paying a trip subsidy, the Commission may require the holder of the licence to provide the evidence of the journey that the Commission considers necessary.

59 - 62.

62A. Taxi areas and remote taxi areas

For the purposes of section 90A(1) of the Act, the areas indicated on a map titled “Taxi Areas”, which is published on a website of the Department and a copy of which is set out, by way of illustration only, in Schedule 4A are prescribed as taxi areas and given the names indicated on that map.

PART 5 – AUTHORISED METER ADJUSTERS

63. Appointment of authorised meter adjusters

- (1) A person may apply to the Commission to be appointed as an authorised meter adjuster.
- (2) An application for appointment as an authorised meter adjuster is to be –
 - (a) in a form approved by the Commission; and
 - (b) accompanied by the specified fee.
- (3) The Commission is to appoint a person as an authorised meter adjuster –
 - (a) as necessary for the exercise or performance by the Commission of its powers and functions with regard to the testing, sealing and programming of taximeters; and
 - (b) on the terms and conditions that the Commission thinks fit.
- (4)
- (5) The Commission is to refuse an application for appointment as an authorised meter adjuster if the Commission –
 - (a) is satisfied that the person is not a fit and proper person to be so appointed; or

- (b) is not satisfied that the applicant will be able to comply with the requirements set out in these regulations for authorised meter adjusters; or
- (c) is not satisfied that the applicant is competent to undertake the duties of an authorised meter adjuster.

64. Sealing pliers

- (1) The Commission may issue an authorised meter adjuster with a pair of sealing pliers on payment of the specified fee.
- (2) Sealing pliers issued under subregulation (1) remain the property of the Commission.
- (3) An authorised meter adjuster must surrender the sealing pliers if requested to do so by the Commission.

Penalty: Fine not exceeding 10 penalty units.

- (4) An authorised meter adjuster must not transfer the sealing pliers to another person.

Penalty: Fine not exceeding 10 penalty units.

- (5) If a pair of sealing pliers is lost, destroyed or damaged, the authorised meter adjuster who was issued with those pliers must inform the Commission in writing as soon as practicable after the loss, destruction or damage is discovered.

Penalty: Fine not exceeding 5 penalty units.

- (6) The Commission is to issue a replacement pair of sealing pliers, on payment of the specified fee, to an authorised meter adjuster whose pliers are lost, destroyed or damaged.

65. Testing a taximeter

An authorised meter adjuster is to test a taximeter to verify that the taximeter is –

- (a) operating with a margin of error no greater than 1.5%; and
- (b) correctly –
 - (i) measuring elapsed time and distance travelled; and
 - (ii) calculating and displaying the relevant fares.

66. Sealing a taximeter

- (1) An authorised meter adjuster must not seal a taximeter under these regulations unless he or she has tested the taximeter and verified that the taximeter complies with regulation 65.

Penalty: Fine not exceeding 10 penalty units.

- (2) An authorised meter adjuster must not seal, under these regulations, a taximeter that is programmed with the third tariff or fourth tariff, unless he or she is satisfied that the vehicle in which the taximeter is installed is being

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Part 5 – Authorised Meter Adjusters

operated, or it is intended that it be operated, either –

- (a) under the authority of –
 - (i) a wheelchair-accessible taxi licence; or
 - (ii) a temporary taxi licence that authorises the provision of a wheelchair-accessible taxi service; or
- (b) as authorised by the Commission in accordance with section 93 of the Act.

Penalty: Fine not exceeding 20 penalty units.

- (3) An authorised meter adjuster who has tested a taximeter and found that the taximeter complies with these regulations must seal the taximeter –
 - (a) with a tamperproof seal; and
 - (b) in such a manner as to prevent any physical interference with the internal workings of the taximeter without the seal being broken.

Penalty: Fine not exceeding 10 penalty units.

- (4) If a taximeter that is unable to undergo a remote electronic update would be able to be electronically interfered with without breaking a tamperproof seal once the seal was affixed, the authorised meter adjuster must –

-
- (a) ensure that the taximeter has an electronic seal affixed to the taximeter; and
 - (b) once satisfied of paragraph (a), seal the taximeter with a tamperproof seal.

Penalty: Fine not exceeding 10 penalty units.

- (5) An authorised meter adjuster who has sealed a taximeter in accordance with these regulations must provide to the responsible person a sealing certificate in respect of the sealing of the taximeter.

Penalty: Fine not exceeding 10 penalty units.

- (6) An authorised meter adjuster who issues a person with a sealing certificate must provide a copy of the certificate to the Commission within 30 days after the sealing of the taximeter.

Penalty: Fine not exceeding 10 penalty units.

- (7)

67. Records to be kept by authorised meter adjusters

- (1) An authorised meter adjuster must –
 - (a) make a written record, in accordance with subregulation (2), of each taximeter that he or she seals as soon as practicable after so sealing the taximeter; and
 - (b) keep the record for a period of at least 5 years after the record is made.

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Part 5 – Authorised Meter Adjusters

Penalty: Fine not exceeding 10 penalty units.

- (2) The Commission –
 - (a) may determine –
 - (i) the details and form of the record required to be kept under subregulation (1)(a) in relation to the sealing of a taximeter; and
 - (ii) the manner in which such a record is to be kept under that subregulation; and
 - (b) must ensure that each determination made under paragraph (a) is published in a manner that is freely accessible to an authorised meter adjuster and remains so published while it is in force.
- (3) The Commission, by notice in writing, may require an authorised meter adjuster to supply the Commission, within a specified period, with any information that is contained in a record that is required to be kept under subregulation (1).
- (4) An authorised meter adjuster must comply with a written notice under subregulation (3) within the specified period.

Penalty: Fine not exceeding 10 penalty units.

68. Resignation of appointment as authorised meter adjuster

- (1) An authorised meter adjuster may resign from his or her appointment as an authorised meter adjuster by notifying the Commission in writing.
- (2) An authorised meter adjuster who resigns must return the sealing pliers issued under regulation 64 to the Commission within 14 days after providing notification under subregulation (1).

Penalty: Fine not exceeding 10 penalty units.

- (3) The Commission is to refund the fee paid in respect of the sealing pliers on their return to the Commission.

69. Suspension or cancellation of appointment as authorised meter adjuster

- (1) The Commission may suspend or cancel the appointment of a person as an authorised meter adjuster if –
 - (a) the person fails to comply with the terms and conditions under which he or she was appointed as an authorised meter adjuster; or
 - (b) the person fails to comply with the requirements set out in these regulations for authorised meter adjusters; or
 - (c) the person deliberately, or incompetently, incorrectly programs a taximeter; or

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Part 5 – Authorised Meter Adjusters

- (d) the Commission is satisfied that the person is not a fit and proper person to be an authorised meter adjuster.
- (2) If the Commission proposes to suspend or cancel the appointment of a person as an authorised meter adjuster, the Commission is to –
- (a) give the person notice in writing of its intention to suspend or cancel his or her appointment; and
 - (b) give the person a reasonable opportunity to make representations to the Commission regarding the proposed suspension or cancellation; and
 - (c) take any such representations into account in exercising its power under this regulation.
- (3) If the appointment of a person as an authorised meter adjuster is suspended, the Commission is to notify the person in writing of –
- (a) the suspension; and
 - (b) the commencement date and period of the suspension.
- (4) If the appointment of a person as an authorised meter adjuster is cancelled, the Commission –
- (a) is to notify the person in writing –
 - (i) of the cancellation; and

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- (ii) of the date on which the cancellation takes effect; and
 - (iii) that he or she is to return the sealing pliers issued under regulation 64 to the Commission; and
- (b) at its discretion, is to refund, on the return to the Commission of the sealing pliers issued to the person, the fee paid by the person in respect of the pliers.

PART 6 – MISCELLANEOUS

69A.

69B. Documents may be kept and delivered by electronic means

- (1) For the avoidance of doubt, the Commission may determine that certain documents required to be kept, or given, under these regulations may be so kept, or given, by the electronic means specified by the Commission.
- (2) Nothing in subregulation (1) prevents a person, including the Commission, from keeping or giving a document, in respect of which there is a determination under that subregulation, by a means other than the electronic means specified by the Commission.

70. Evidentiary provision

In any proceedings under these regulations –

- (a) evidence that the tariff indicator light on the left or near side of the taxi roof sign was illuminated at a particular time or place is evidence that the taximeter was operating at the first tariff at that time or place; and
- (b) evidence that the tariff indicator light on the left or near side of the taxi roof sign and the tariff indicator light on the right or far side of the taxi roof sign were

illuminated at a particular time or place is evidence that the taximeter was operating at the second tariff at that time or place; and

- (c) evidence that the central tariff indicator light and the tariff indicator light on the left or near side of the taxi roof sign were illuminated at a particular time or place is evidence that the taximeter was operating at the third tariff at that time or place; and
- (d) evidence that all tariff indicator lights were illuminated at a time or place is evidence that the taximeter was operating at the fourth tariff at that time or place.

71. Fees

- (1) For the purposes of the Act, the fees specified in Schedule 5 are prescribed.
- (2) If a person fails to pay a fee required by the Act, the fee is a debt to the Commission and is recoverable as such in a court of competent jurisdiction.

72. Expiry of regulations

These regulations expire 5 years after they take effect, inclusive of the day on which they take effect.

73. Savings and transitional

- (1) A security camera test label that complies with regulation 39 of the *Taxi Industry Regulations 2008* is taken to be written evidence of the most recent testing of a security camera system until the security camera system is tested in accordance with regulation 39.
- (2) A video recording from a security camera system that, immediately before the commencement of these regulations, was downloaded and kept under Division 4 of Part 3 of the *Taxi Industry Regulations 2008* is taken to have been downloaded and kept under Division 4 of Part 3 of these regulations.
- (3) A person who was a taximeter sealer, appointed under the *Taxi Industry Regulations 2008*, immediately before the commencement of these regulations, is taken to be an authorised meter adjuster for the purposes of these regulations.
- (4) A person who was issued with sealing pliers in accordance with the *Taxi Industry Regulations 2008* is taken to have been issued with those sealing pliers in accordance with these regulations.

74. Legislation rescinded

The legislation specified in Schedule 6 is rescinded.

SCHEDULE 1 – VEHICLE SPECIFICATIONS

Regulation 15

1. The following vehicle specifications apply to a taxi that is not a wheelchair-accessible taxi, remote area wheelchair-accessible taxi or substitute wheelchair-accessible taxi:
 - (a) the vehicle must –
 - (i) not have more than 12 seats; and
 - (ii) be designed and constructed primarily for the purpose of carrying passengers;
 - (b) the vehicle must have an access door provided adjacent to each outboard seating position.

**SCHEDULE 2 – SECURITY CAMERA SYSTEM
INSTALLATION**

Regulation 37

PART 1 – GENERAL

1. Interpretation

(1) In this Schedule –

rear-vision camera means an internal camera that is positioned above the internal rear-vision mirror in a taxi.

(2) A word or phrase used in this Schedule but not defined in it has the same meaning as it has for the purposes of Division 4 of Part 3.

PART 2 – INSTALLATION

1. Installation of security camera system

(1) A security camera system must be installed in accordance with the manufacturer's instructions.

(2) A security camera system includes all cameras installed in the vehicle and must include at least one rear-vision camera.

(3) All cameras must be mounted in such a manner as to prevent misalignment of the field of view, except in the case of a vehicle accident or other severe impact.

- (4) The cameras and all system components must be installed in a manner that does not interfere with the driver's vision or view of mirrors, or with other normal operations of the vehicle.
- (5) Apart from an internal camera referred to in clause 3, all internal components of the security camera system must be concealed.

2. Rear-vision camera

- (1) The rear-vision camera must provide a clear view of the taxi driver and all seated passengers.
- (2) The rear-vision camera must be able to capture all occupants of the vehicle in any image taken by the camera.

3. Internal camera

An internal camera must be readily visible to all vehicle occupants.

4. External camera

- (1) The first external camera, if at least one is installed, should be positioned to provide a view of a person standing at the window of the driver's door.
- (2) An external camera, if fitted, may be concealed or not identifiable to persons outside the vehicle.

5. Additional cameras

Internal and external cameras additional to the rear-vision camera may be fitted to the vehicle, but the additional cameras –

- (a) must be at least the same standard in all aspects as the rear-vision camera; and
- (b) must be fitted in accordance with this Part.

6. Interference of security camera system

- (1) The installation of the security camera system must not affect the compliance of the vehicle with the *Vehicle and Traffic Act 1999*.
- (2) The security camera system must not inappropriately interfere with another system on board the vehicle and must itself not be affected by any other source of interference likely to be encountered in the vehicle.

7. Testing and downloading

- (1) The security camera system must be installed in a manner that enables the system to be easily tested to ensure that all features are operating and that images are being recorded as required under these regulations.
- (2) The security camera system must be installed in a manner that enables the easy download of video recordings from the camera system.

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SCHEDULE 3 –

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SCHEDULE 4 – TRIP SUBSIDIES

Regulation 58

	Taxi area	Trip subsidy
1.	Hobart	\$10
2.	Launceston	\$12
3.	Devonport	\$16
4.	Burnie	\$16
5.	Break O’Day	\$16
6.	Bruny Island	\$16
7.	Central Highlands	\$16
8.	Circular Head	\$16
9.	Dorset	\$16
10.	Flinders Island	\$16
11.	George Town	\$16
12.	Glamorgan/Spring Bay North	\$16
13.	Glamorgan/Spring Bay South	\$16
14.	Huon Valley	\$16
15.	Kentish	\$16
16.	King Island	\$16
17.	Meander Valley	\$16

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sch. 4

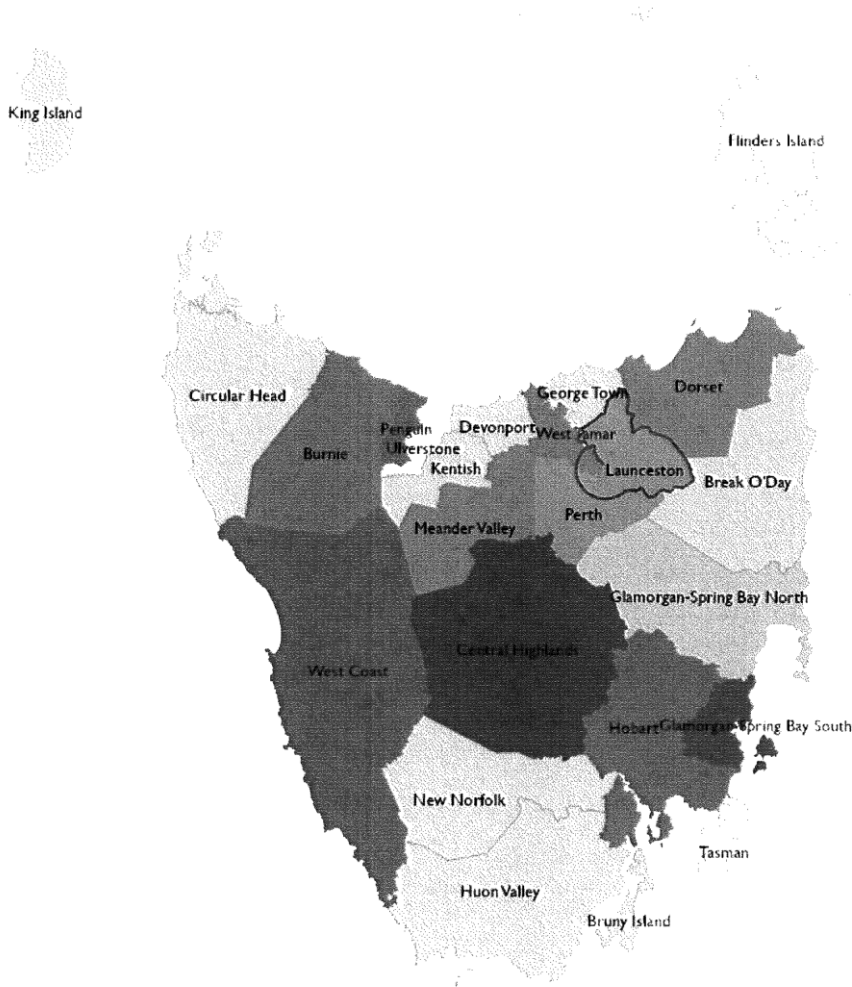
	Taxi area	Trip subsidy
18.	New Norfolk	\$16
19.	Penguin	\$16
20.	Perth	\$12
21.	Tasman Peninsula	\$16
22.	Ulverstone	\$16
23.	West Coast	\$16
24.	West Tamar	\$16

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SCHEDULE 4A – TAXI AREAS

Regulation 62A



SCHEDULE 5 – FEES

Regulation 71

PART 1 – PERPETUAL TAXI LICENCE

	Description	Fee units
4.	Issue of replacement licence number plate	18
5.	Issue of replacement perpetual taxi licence	10
6.	Notification of change of ownership of perpetual taxi licence	10
7.	Notification of commencement of lease or assignment	10

PART 2 – OWNER-OPERATOR TAXI LICENCE

	Description	Fee units
1.	Application for owner-operator taxi licence	100
5.	Issue of replacement licence number plate	18
6.	Issue of replacement owner-operator taxi licence	10
7.	Application for transfer of owner-operator taxi licence to another person	10

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PART 3 – WHEELCHAIR-ACCESSIBLE TAXI LICENCE

	Description	Fee units
1.	Application for wheelchair-accessible taxi licence	100
5.	Issue of replacement licence number plate	18
6.	Issue of replacement wheelchair-accessible taxi licence	10
7.	Application for transfer of wheelchair-accessible taxi licence to another person	10
8.	Application for transfer of wheelchair-accessible taxi licence to another vehicle	10

PART 4 – TEMPORARY TAXI LICENCE

	Description	Fee units
1.	Application for temporary taxi licence	30
2.	Issue of replacement temporary taxi licence	10

PART 5 – AUTHORISED METER ADJUSTER

	Description	Fee units
1.	Application for authorisation as authorised meter adjuster	10

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sch. 5

	Description	Fee units
2.	Issue or replacement of sealing pliers	200

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sch. 5

SCHEDULE 5 –

SCHEDULE 6 – LEGISLATION RESCINDED

Regulation 74

Taxi Industry Regulations 2008 (No. 111 of 2008)

Taxi Industry Amendment Regulations 2009 (No. 198 of 2009)

Taxi Industry Amendment Regulations 2010 (No. 85 of 2010)

Taxi Industry Amendment (Fares) Regulations 2011 (No. 107
of 2011)

Taxi Industry Amendment (Fees) Regulations 2011 (No. 146
of 2011)

Taxi Industry Amendment Regulations 2013 (No. 48 of 2013)

Taxi Industry Amendment (Fares) Regulations 2013 (No. 120
of 2013)

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Printed and numbered in accordance with the *Rules Publication Act 1953*.

Notified in the *Gazette* on 20 September 2018.

These regulations are administered in the Department of State Growth.

NOTES

The foregoing text of the *Taxi Industry Regulations 2018* comprises those instruments as indicated in the following table. Any reprint changes made under any Act, in force before the commencement of the *Legislation Publication Act 1996*, authorising the reprint of Acts and statutory rules or permitted under the *Legislation Publication Act 1996* and made before 1 December 2022 are not specifically referred to in the following table of amendments.

Citation	Serial Number	Date of commencement
¹ <i>Taxi Industry Regulations 2018</i>	S.R. 2018, No. 56	20.9.2018
<i>Taxi Industry Amendment Regulations (No. 2) 2020</i>	S.R. 2020, No. 96	30.12.2020
<i>Taxi Industry Amendment Regulations 2021</i>	S.R. 2021, No. 16	10.3.2021
<i>Vehicle and Traffic Amendment (Road Vehicle Standards) Act 2020</i>	No. 34 of 2020	1.7.2021
<i>Taxi Industry Amendment Regulations 2021</i>	S.R. 2021, No. 70	8.9.2021
<i>Taxi Industry Amendment (Remote Electronic Updates) Regulations 2022</i>	S.R. 2022, No. 64	1.9.2022
<i>Taxi Industry Amendment (Passenger Transport) Regulations 2022</i>	S.R. 2022, No. 87	1.12.2022

¹Expire 20 September 2023 - reg 72

TABLE OF AMENDMENTS

Provision affected	How affected
Regulation 3	Amended by No. 34 of 2020, Sched. 1, S.R. 2021, No. 70 and S.R. 2022, No. 64
Regulation 15A	Inserted by S.R. 2020, No. 96

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Provision affected	How affected
Regulation 16	Amended by S.R. 2020, No. 96
Regulation 17	Amended by S.R. 2020, No. 96
Regulation 20	Amended by S.R. 2021, No. 70 Substituted by S.R. 2022, No. 64
Regulation 20A	Inserted by S.R. 2022, No. 64
Regulation 21	Rescinded by S.R. 2022, No. 87
Regulation 23	Amended by S.R. 2022, No. 64
Regulation 25	Amended by S.R. 2021, No. 70
Regulation 26	Amended by S.R. 2021, No. 70
Regulation 27	Rescinded by S.R. 2022, No. 87
Regulation 57	Rescinded by S.R. 2020, No. 96
Regulation 59	Rescinded by S.R. 2022, No. 87
Regulation 60	Amended by S.R. 2020, No. 96, S.R. 2021, No. 70 Rescinded by S.R. 2022, No. 87
Regulation 61	Rescinded by S.R. 2022, No. 87
Regulation 62	Rescinded by S.R. 2022, No. 87
Regulation 62A	Inserted by S.R. 2020, No. 96
Regulation 63	Amended by S.R. 2021, No. 70
Regulation 66	Amended by S.R. 2021, No. 70 and S.R. 2022, No. 64
Regulation 67	Amended by S.R. 2021, No. 70
Regulation 69A	Inserted by S.R. 2021, No. 70 Rescinded by S.R. 2022, No. 87
Regulation 69B	Inserted by S.R. 2021, No. 70
Regulation 71	Amended by S.R. 2021, No. 70
Regulation 72	Substituted by S.R. 2021, No. 70
Schedule 3	Rescinded by S.R. 2020, No. 96
Schedule 4A	Inserted by S.R. 2021, No. 16
Part 1 of Schedule 5	Amended by S.R. 2021, No. 70
Part 2 of Schedule 5	Amended by S.R. 2021, No. 70
Part 3 of Schedule 5	Amended by S.R. 2021, No. 70
