



Omnibus and Private Taxi Licensing Policy - Broad Overview.

Applicable as of 18 November 2007

This policy is developed pursuant to the Transport Coordination Act 1966.

The Passenger Services Business Unit (PSBU)

The PSBU contributes to the government's commitment of providing accessible and safe transport system for the community. In order to achieve this, the PSBU's principal role is to regulate the taxi and omnibus industries in Western Australia.

Passenger Services includes a compliance team, a policy unit and an administration/licensing section. Passenger Services also administers a number of transport subsidies including the Taxi User Subsidy Scheme (TUSS).

The Passenger Services Compliance Team (PSCT) undertakes compliance across the State. They undertake regular activities in the metropolitan and provide support to Regional Transport Officers located in the country areas. This support includes an ongoing programme to ensure routine compliance requirements are fulfilled by local officers in the regions. More complex matters are dealt with by PSCT during patrols to the regions.

The Licensing Section issues taxi and omnibus licences across country and metropolitan areas.

The Taxi industry is highly regulated in Western Australia with a control on the number of taxi licences issued, the fares allowed to be charged in different regions and the standards of drivers in Perth. The number of taxi licences issued in the metropolitan area is based on the performance of the taxi industry while new licences in the country are issued based on the recommendations produced in 3-yearly reviews or more often as necessary in specific locations.

The omnibus industry is regulated to the extent that vehicles have to be licensed, there is no restriction on the number of licences and the legislation does not provide for control of driver standards or customer service issues beyond safety. However, the PSBU will not issue a licence where the service competes with government subsidised routes (including Transperth). There is no limit to the number of licences issued, once an applicant meets the requirements and operator agrees to adhere to the associated conditions their vehicle will be licensed.

Omnibus vehicles provide a range of passenger transport services across Western Australia. They range from luxury vehicles undertaking high end charters, coach services linking regional centres, winery tours, limousines, 4WDs conveying tourists in the outback, through to buses undertaking everything from nightclub crawls, Transperth services, the airport shuttles and private chartering.

Regulation of the Omnibus Industry

The omnibus industry is regulated under the Transport Coordination Act 1966 (TCA). Under the Act a vehicle may be licensed as an omnibus upon the written application of the owner. Omnibus is defined by legislation as "a vehicle used or intended to be used as a passenger vehicle to carry passengers for hire or reward... but does not include a vehicle operating as a taxi...". This definition distinguishes the service niche of the omnibus industry from taxis.

Non-commercial or community buses and school buses, which transport children for the school curriculum including travel to and from school, are exempt from the current omnibus licensing regime in Western Australia. A service is classified as being for 'hire and reward' when the passengers are paying a fee greater than the Australian Tax Office prescribed operating cost.

There is only one "omnibus licence" under the TCA. PSBU use service categories or types to readily distinguish between the licensed vehicles and the types of services they provide. A number of different types of licence plate are issued for vehicles with an omnibus licence. This helps to distinguish the vehicles when they are on the road.

Where an application for an omnibus licence does not meet the criteria outlined in the current policy but has merit and does not compete with the taxi industry they will be referred to the Minister for determination.

There are several valid categories of omnibus licence considered by PSBU:

| Type of service | Plate |
|---|-----------------------------|
| Regular Passenger Transport | TC plates (Red on white) |
| Safari Tour and Charter | TC Plates |
| Tour and Charter | TC Plates |
| Shuttle Service (previously Transfer Service) | TC plates |
| Tourism Transfer | TC plates |
| Novelty - Motorcycle, Tuk Tuk or Hot Rod | TC Plates |
| Small Charter Vehicle -Metropolitan area only | SCV Plates (Green on white) |



Where a schoolbus is also undertaking TC work they may display private number plates but will be issued with a TC sticker that is to be attached to the windscreen.

Some vehicles hold dual taxi and omnibus licences. In these cases they will generally display a taxi plate and an omnibus windscreen sticker. For example a vehicle may hold a peak period taxi licence and operate as a TC/SCV/PT for the remainder of the week. They are required to remove or cover their taxi signage when operating as an omnibus.

In order to drive a vehicle with fare paying passengers an F or T endorsement on their motor driver licence endorsement is required.

An omnibus licence for a vehicle can cover multiple purposes, for example the same vehicle could carry out both regular passenger transport and tour and charter services, but the operator only pays one licence fee.

Conditions and Rules covering the Omnibus Industry

The omnibus industry covers an extensive range of vehicles “to carry passengers for hire or reward”. As previously outlined several categories of omnibus services now exist. Each category or type has a number of conditions attached for a variety of reasons. Licensing conditions currently include the following broad framework:

- Where certain types of services can operate
- The type of vehicle that can be used for particular services
- The maintenance and serviceability of the vehicle
- Who can drive the vehicle
- Minimum fares to be charged (under 12 passenger seats)
- Basic safety equipment
- Driver Fatigue Management
- Competition with the Taxi industry

Each vehicle must comply with the particular conditions imposed upon it. The conditions are included on the individual licences are not publicly available.

In general, omnibuses may NOT operate from taxi ranks or be used to ply for hire or tout on roads or other public places for the purpose of attracting customers or passengers.

The omnibus industry is generally restricted to operating pre-booked, pre-agreed and pre-organised tours and charters.

They may NOT display signage or information on the vehicle, advertising material or uniforms which represents it in a manner resembling a taxi.

A charter is where a vehicle and driver are hired or leased for the exclusive use of an individual or group of travellers.

A tour is a pre-planned or packaged trip to various places of interest for business, pleasure or instruction, for a predetermined individual fare.

In general, a licensee can advertise that their service is available for hire generally in whatever manner they choose as long as they do not ply for hire or tout for business.

Companies operating a variety of vehicles in their fleet

There are numerous companies in Western Australia that own and operate a variety of different transport vehicles. For example they may include in their fleet any combination of taxis, minibuses with TC plates, limousines and luxury vehicles with SCV/PT plates, wheelchair accessible taxis, school buses and peak period taxis. This is permitted as long as each vehicle is operating within the conditions on their licence. They are allowed to advertise their business in whatever means they choose as long as they do not misrepresent themselves. Their entire business may choose to utilise one telephone number and they may direct customers to the appropriate service as necessary. Only those vehicles licenced as taxis may ply for hire or operate from taxi ranks.