



Government of **Western Australia**
Department of **Transport**

TAXI PLATE OPERATING CONDITIONS

Sample

TAXI PLATE TYPE : MULTI-PURPOSE (LEASE)
IDENTIFIED PLATES: TAXI 7004 TO TAXI 7007 INCLUSIVE
CONDITIONS AS AT : 6 December 2004

These conditions are imposed pursuant to section 20(1) of the Taxi Act 1994 on the operation of the taxi using the above identified taxi plates.

**PASSENGER SERVICES, DEPARTMENT FOR PLANNING AND
INFRASTRUCTURE**

A. APPLICATION OF THESE CONDITIONS

These conditions apply to multi-purpose taxi plates that are leased by the Director General under section 16 of the Act.

B. DEFINITIONS

(a) In these conditions, unless the contrary intention appears –

“**Act**” means the Taxi Act 1994;

“**authorised officer**” means –

- (a) an officer designated or appointed as an authorised officer under Section 31 of the Act; or
- (b) a member of the Police Service.

“**days**” means calendar days;

“**fare**” means the charge for taxi travel payable by the hirer;

“**flagfall**” means the minimum fare charged at the time that the taxi meter is turned on;

“**MPT**” means multi-purpose taxi and has the same meaning as it has in the Regulations;

“**MPT Fleet**” means all multi-purpose taxis that are operating for the time being in the prescribed control area;

“**MPT Coordinator**” means the taxi dispatch service appointed by the Director General as the co-ordinator of MPT related work;

“**MPT Operator**” means a person who operates or drives a multi-purpose taxi;

“**Passenger Services**” means the branch of the Department responsible for the administration of the Act and the Regulations;

“**prescribed control area**” means the control area prescribed by the Regulations;

“**principal driver**” means the person nominated in the taxi plate lease as the person who will be operating the taxi as the owner driver;

“**Regulations**” means the Taxi Regulations 1995;

“**shift**” means a time period of not less than 8 hours and not more than 12 hours in any continuous 24 hour time interval;

“**taxi**” means the taxi using the taxi plates to which these conditions apply;

“**taxi plates**” means the taxi plates the subject of the taxi plate lease;

“**taxi plate lease**” means the lease of the taxi plates granted by the Director General to the plate holder under the Act;

“**Taxi Dispatch System**” means the means of receiving and dispatching customer bookings by the taxi dispatch service;

"**TUSS**" means the Taxi User's Subsidy Scheme;

"**wheelchair hirer**" means a hirer travelling in a wheelchair, electric scooter or similar mobility aid.

(b) In addition to those set out in (a) above, the definitions and interpretations in the Act and Regulations apply to these conditions where relevant.

C. CONDITIONS

1.0 AREAS AND HOURS OF OPERATION

- 1.1 The taxi shall be operational for a minimum period of at least 72 hours in every 7 day week. Nothing in this condition precludes the taxi being operational for a period in excess of 72 hours in every 7 day week.
- 1.2 The taxi shall be driven by the principal driver for a minimum of 5 shifts per calendar week, i.e. Sunday to Saturday inclusive.
- 1.3 The taxi shall be operational between the hours of 8am and 6pm Monday to Friday and between the hours of 6.00pm on Friday and 3.00am on the following Saturday, and between the hours of 6.00pm on Saturday and 3.00am on the following Sunday.
- 1.4 The taxi shall be operational for every shift for which the taxi is rostered to be operational by the MPT Co-ordinator.
- 1.4A The taxi shall be hired on no fewer than 60 occasions per month for the transport of persons who use wheelchairs.
- 1.5 The taxi shall not be inoperative for more than 14 consecutive days without the prior approval in writing from the Department.
- 1.6 Subject to condition 1.7, the taxi must not operate outside the prescribed control area.
- 1.7 A hiring of the taxi which commences in the prescribed control area may continue beyond the prescribed control area at the hirer's request, and may, in the course of the hiring, continue beyond the prescribed control area and return to the prescribed control area.
- 1.8 The taxi shall at all times operate exclusively through, and be affiliated with, the MPT Co-ordinator.

2.0 METERED TAXI FARES

2.1 Hirers must not be charged fares in excess of those approved by the Department for the taxi dispatch service ("**approved fares**") with which the taxi is affiliated.

2.2 Where the taxi driver in the course of or incidental to the carrying of hirers:

- (a) provides assistance to the hirer to get from his or her current location to the taxi; or
- (b) provides assistance to the hirer to get from the taxi to his or her destination; or
- (c) assists a hirer with mobility difficulties with entering or leaving the taxi; or
- (d) loads or unloads a wheelchair or electric scooter into or from the taxi,

then the hirer may be charged for the total duration of the hire period that is defined in the Regulations.

2.3 Hirers shall not be charged for any time taken by the driver or operator to remove and store any seats that obstruct the loading of a wheelchair hirer.

2.4 The taxi shall display :

(a) Exterior signs approved by the Department which are legible and clearly visible to prospective hirers, and which display at a minimum :

- (i) any minimum fare or flagfall applicable; and
- (ii) any distance and/or time rate applicable,

and

(b) Interior signs approved by the Department which are legible and clearly visible to all hirers, and which display at a minimum the fare schedule showing all fare components and any available discounts.

2.5 A credit card or a transaction card or a Department approved TUSS voucher tendered by a hirer shall be accepted by the driver of the taxi, and all such transactions shall be carried out in the manner prescribed by the Department.

2.6 A hirer who tenders a Department approved TUSS voucher or a credit card or a transaction card in payment of a fare must not be charged a higher fare than would otherwise be chargeable if that hirer had tendered cash.

2.7 Where approved fares are changed or varied with the approval of the Department, hirers must not be charged the new approved fares prior to the implementation date set by the relevant taxi dispatch service, and unless and until:

- (a) the taxi meter has been modified to calculate the new approved fares; and
- (b) the display of fare information required by condition 2.4 has been changed to display the new approved fares.

2.8 The taxi dispatch service shall give written notice of any change or variation of the approved fares, to both the driver of the taxi and the taxi plate holder, at least 14 days prior to the implementation date referred to in condition 2.7.

3.0 CONTRACT TAXI FARES

- 3.1 Subject to condition 3.2, hirers may be charged contract taxi fares.
- 3.2 A taxi fare contract shall be made in writing and be signed by the hirer and the taxi driver, plate holder or taxi dispatch service at least 24 hours before the commencement of the journey the subject of the taxi fare contract.
- 3.3 A contract taxi fare need not be displayed on either the exterior or interior of the taxi.
- 3.4 All taxi fare contracts shall be kept and retained, for a period of not less than 12 months, by the driver, the taxi plate holder or the taxi dispatch service, whichever signed the contract.
- 3.5 Subject to condition 3.4, the driver, taxi plate holder, or taxi dispatch service signing a taxi fare contract must produce that taxi fare contract to an authorised officer upon request at any time.

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4.0 DRIVER QUALIFICATIONS

- 4.1 All drivers of the taxi shall have a current motor driver's licence issued in Western Australia and have a current "T" class endorsement on their motor driver's licence.

- 4.2 All drivers of the taxi shall:

- (a) have completed and passed, in accordance with the applicable performance criteria, a Department approved:

- (I) aptitude test; and
- (II) taxi driver training course; and
- (III) taxi driver registration test; or

- (b) in the case of a person whose taxi driver registration has expired, have completed and passed, in accordance with the applicable performance criteria, a Department approved:

- (I) refresher course;
- (II) retraining course;
- (III) professional development course;
- (IV) aptitude test; and
- (V) taxi driver registration test;

as and when required by the Department; or

- (c) in the case of a person registered by the Department as a taxi driver, have completed and passed, in accordance with the applicable performance criteria, Department approved:

- (I) refresher courses;
- (II) retraining courses;
- (III) professional development courses; and
- (IV) aptitude tests;

as and when required by the Department.

- 4.3.1 Where a taxi driver does not attend, complete and pass a course or test in accordance with condition 4.2(c) the taxi plate holder, upon receiving written notification to that effect from the Department, shall ensure that the taxi driver immediately ceases to drive the taxi and does not resume driving the taxi until the driver meets the requirements set out in condition 4.2(c).
- 4.4 Subject to condition 4.6 a taxi driver shall not drive an MPT unless and until the driver has been certified by the Department as an MPT driver.
- 4.5 A taxi driver may be certified by the Department as an MPT driver if the driver attends and successfully completes, in accordance with the applicable performance criteria:
- (a) the training requirements set out in Conditions 4.1 and 4.2;
 - (b) an introductory session with the MPT Coordinator;
 - (c) two MPT shifts with an MPT driver who is a mentor certified by the Director General; and
 - (d) an MPT driver training course approved by the Department.
- 4.6 A taxi driver, other than a certified MPT driver, may drive a taxi if the driver meets the training requirements set out in Conditions 4.1 and 4.2 and the driver:
- (a) attends and successfully completes, in accordance with the applicable performance criteria:
 - (i) an introductory session with the MPT Coordinator; and
 - (ii) two shifts with an MPT driver who is a mentor registered by the MPT Co-ordinator;
 - (b) undertakes to attend, and does attend, an MPT driver training course approved by the Department within 4 months of commencing the first shift in the MPT PROVIDED THAT in the event that within that period no MPT driver training course is scheduled, then the driver undertakes to attend, and does attend, the first available MPT driver training course, whenever that is.
- 4.7 Where a taxi driver does not attend or does not complete and pass, a driver training course referred to in Conditions 4.5 and 4.6 in accordance with the applicable performance criteria, the taxi plate holder upon receiving written notification to that effect from the Department shall ensure that the taxi driver immediately ceases to drive the MPT and does not resume driving the MPT until the driver passes the required driver training course.
- 4.8 The taxi plate holder shall not suffer or permit a person to drive the MPT contrary to Conditions 4.5 and 4.6.

5.0 DRIVER STANDARDS

- 5.1 All drivers of the taxi must comply with the rules and directions of the taxi dispatch service through which the taxi operates.
- 5.2 All drivers of the taxi shall comply with the Act and the Regulations at all times.

5.3 Where the taxi dispatch service or the Department informs the taxi plate holder that :

- (a) a particular taxi driver's compliance history is unsatisfactory; or
- (b) the compliance history of any other person operating the taxi is unsatisfactory,

the taxi plate holder upon receiving written notification from the Department or taxi dispatch service to that effect, shall ensure that the said taxi driver or other person immediately ceases to drive or operate the taxi.

5.4 A driver shall not refuse to comply with a lawful direction made by the MPT Coordinator, which shall include the following conditions:

- (a) the driver shall give priority to the conveyance of wheelchair hirers; and
- (b) the driver shall not undertake conventional taxi work in preference to the carriage of wheelchair hirers; and
- (c) the driver shall operate the Taxi Dispatch System at all times while the taxi is operational so that the MPT Coordinator is able to dispatch work to the taxi at all times; and
- (d) the driver shall, at all times, notify the MPT Coordinator in advance of any private bookings or hirings for both conventional taxi work and wheelchair hirers at least 30 minutes prior to the scheduled commencement of the hiring; and
- (e) the driver shall not refuse to convey a wheelchair hirer when reasonably directed to do so by the MPT Coordinator; and
- (f) the driver shall not operate the Taxi Dispatch System in a manner that is detrimental to the efficient operation of the MPT Coordinator or which may detrimentally affect service delivery by the MPT Coordinator.

5.5 Where the Department issues a written notice to the plate holder requiring that a driver:

- (a) attend and successfully complete, in accordance with applicable performance criteria, all or part of a MPT driver training course approved by the Department; or
- (b) be re-evaluated by the Department as to his suitability to continue as a certified MPT driver;

then the taxi plate holder shall ensure that the driver does not drive or operate the MPT until the requirements of the notice have been met.

5.6 The taxi plate holder shall not engage, or permit or suffer to be engaged, a person to drive the MPT after receiving written notification from the Department that the person is unsuitable to drive or operate a MPT.

5.7 An MPT driver shall not operate the Taxi Dispatch System in a manner which is detrimental to the effective operation of the Taxi Dispatch System or which may detrimentally affect service delivery by the taxi dispatch service.

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6.0 VEHICLE STANDARDS

- 6.1 The MPT shall, at all times, be licensed by the Department's Licensing & Regional Services Directorate, or such other authority as may be designated for the purpose of licensing and inspecting vehicles for the time being.
- 6.2 The taxi shall not operate while a prohibition notice issued by an authorised officer, pursuant to section 32(4) of the Act, in relation to the MPT remains in force.
- 6.3 The taxi shall display:
- (a) an illuminated roof sign bearing the word "Taxi" in lettering of at least 100mm high; and
 - (b) a roof lamp to indicate that the taxi meter has been engaged; and
 - (c) signs on the exterior of the passenger and offside of the taxi which clearly identify in lettering at least 150mm high the taxi dispatch service through which the taxi is operating.
- 6.4 The taxi shall display in the passenger compartment, and in the manner directed by the Department, any sign or message required by the Department.
- 6.5 All decals, signs and any other attachment identifying the taxi dispatch service with which a taxi is affiliated shall be removed from the taxi on the date that the affiliation ceases.
- 6.6 All decals, signs, meters, computers and any other attachments identifying a vehicle as a taxi must be removed prior to the taxi being re-licensed and registered as a private motor vehicle.
- 6.7 The taxi shall comply with the vehicle standards imposed by:
- (a) the Road Traffic (Vehicle Standards) Regulations 1977;
 - (b) the Road Traffic (Vehicle Standards) Rules 2002; and
 - (c) the Department.
- 6.8 The taxi plate holder shall ensure the taxi fulfils the requirements imposed by the Department relating to MPT's, as detailed in:
- (a) the document described as "Department of Transport Multi-Purpose Taxi Vehicle and Fitting Requirements" dated 1 February 2000, or the latest subsequent version thereof; and
 - (b) the document described as "Department of Transport Information for Multi-Purpose Taxi Owners" dated June 1995, or the latest subsequent version thereof.
- 6.9 Where any reasonable non-structural modification is required to be made or any equipment is required to be fitted to the taxi to enable the carriage of new or alternative wheelchairs or other mobility devices, the taxi plate holder shall ensure the modification or equipment is made or fitted to the taxi within 90 days of receiving written notice to do so from the Department.

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- 6.10 The MPT shall not be operated as a MPT after the tenth (10th) anniversary of the date of manufacture of the vehicle.
- 6.11 The MPT shall not be first registered for use as a MPT at any time after the fifth (5th) anniversary of the date of manufacture of the vehicle.
- 6.12 The wheelchair hoist fitted to the MPT shall be maintained in accordance with the manufacturer's specifications at all times and records of all such maintenance shall be kept by the plate holder.
- 6.13 The wheelchair restraints and occupant restraints shall be kept and maintained in good working order at all times.
- 6.14 The taxi shall carry two complete sets of the restraint systems referred to in condition 6.13 at all times.
- 6.15 The taxi shall have installed in it a camera surveillance unit of a type approved by the Department.
- 6.16 The camera surveillance unit referred to in condition 6.15 shall be maintained in accordance with the manufacturer's specifications, and shall be capable of recording images at all times. The field of vision and image quality of the camera surveillance unit must not be impaired, interfered with, or obstructed in any way.
- 6.17 The taxi shall at all times be able to carry a minimum of 2 passengers seated in their wheelchairs.
- 6.18 Where a taxi is operated through a taxi dispatch service that utilises a computerised dispatching system, the taxi plate holder, or an agent acting on his or her behalf, shall ensure that the taxi meter can only be operated when the computer dispatch terminal device fitted to the taxi is operational.

7.0 INSPECTION REQUIREMENTS

- 7.1 The taxi shall be inspected at least once in every 12 month period. The inspection shall be conducted by the Department's Licensing & Regional Services Directorate, or such other authority as may be designated for the purpose of licensing and inspecting vehicles, or as otherwise directed by an authorised officer.
- 7.2.1 The taxi's meter shall be inspected, tested and sealed by an authorised meter mechanic at least once in every 12 month period. Only an authorised meter mechanic shall be permitted to undertake any service, calibration, installation or repair of the taxi meter.
- 7.3 The camera surveillance unit, referred to in condition 6.13, shall be inspected and tested at least every 12 months by the manufacturer of the camera or its authorised agent.
- 7.4 The taxi plate holder shall, at the time of inspection referred to in Condition 7.1, produce to the inspecting authority satisfactory evidence showing that:
- (a) the taxi's meter has been satisfactorily inspected by an authorised meter mechanic within the previous 12 months; and
 - (b) the camera surveillance unit has been satisfactorily inspected by an approved agent within the previous 12 months; and

(c) the owner of the taxi has in force comprehensive insurance that meets the requirements set out in Condition 8.1.

7.5 An authorised officer may direct that the taxi be inspected and/or repaired by:

(a) the Department's Licensing & Regional Services Directorate; or

(a) an authorised meter mechanic; or

(c) a camera surveillance unit repairer appointed by the manufacturer; or

(d) a taxi dispatch service; or

(e) any other appropriate body or person,

and may prohibit the continued operation of the taxi until the inspection has been carried out and a satisfactory report issued.

8.0 INSURANCE REQUIREMENTS

- 8.1 The taxi shall be comprehensively insured at all times. The insurance, in addition to any statutory insurance requirements:
- (a) shall include cover of at least \$5,000,000 against liability in respect of the use of the taxi for personal injury and property damage including loading or unloading and goods falling from the taxi; and
 - (b) shall include cover of at least \$5,000,000 for liability in respect of the conduct of the driver in discharging his or her duties in providing a taxi service; and
 - (c) may be in conjunction with a separate insurance policy which provides public liability cover of at least \$5,000,000 to the same extent referred to in Conditions 8.1(a) and 8.1(b).
- 8.2 An authorised officer may, at any time, require the taxi plate holder to produce evidence of the insurance policy or policies referred to in condition 8.1.

9.0 RECORD KEEPING

- 9.1 The taxi plate holder shall keep the following records current at all times :
- (a) the times the taxi was operated in the preceding 90 days; and
 - (b) the name, address, driver's licence number and daytime telephone contact number of every person who has operated or driven the taxi in the preceding 90 days, and the times at which each such person was operating or driving the taxi; and
 - (c) the make, model, colour and date of manufacture of each vehicle that operated as a taxi using the taxi plates in the preceding 90 days; and
 - (d) any bond agreement that was entered into with a driver, or was terminated, in the preceding 90 days, including the amount of bond charged and the purposes for which the bond was applied;
 - (e) the name of the bank, the address of the branch and the number of the trust account in which any bond is or was held, as required under section 36 of the Act.
 - (f) the date, the commencement and termination times, the pick up and drop off addresses and the name and contact details of the hirer in respect of each hiring by a person using a wheelchair in the preceding 90 days.
- 9.2 The records referred to in condition 9.1 shall be made available to an authorised officer upon request between 8.00am and 5.00pm Monday to Friday, excluding public holidays.
- 9.3 The records referred to in condition 9.1(a), (b), (c) and (f) shall be provided to the taxi dispatch service by the taxi plate holder if requested.

10.0 LEASING OF A TAXI

- 10.1 The plate owner must not grant a lease or sub-lease of the taxi and the taxi plates used on the taxi at a rental in excess of:
- (a) \$94.00 per shift (GST inclusive) for a Friday night or Saturday night shift; or
 - (b) \$67.50 per shift (GST inclusive) at any other time or times.
- 10.2 The maximum rentals referred to in Condition 10.1 shall be inclusive of all fixed and non discretionary costs associated with or relative to the holding of the taxi plate or the use or operation of the taxi (which shall include but shall not be limited to, cleaning, insurance and book keeping charges).
- 10.3 The amounts for rental for a taxi must not be determined, and must not include any other fee, charge or imposition which is determined in either case by reference to the kilometrage or distance travelled by the taxi within the metropolitan area during the term or currency of the lease or sub-lease (as the case may be).

11.0 NOTICES

- 11.1 Notices may be validly and effectively served upon or given to the plate holder under these conditions if delivered, served, or posted to the plate holder at the address of the plate holder last known to the Department.

D. IMPORTANT INFORMATION

It is important that taxi plate lessees know and understand that:

- (a) failure to comply with any of these conditions is an offence under the Taxi Act 1994; and
- (b) penalties apply for breaching these conditions; and
- (c) repeated breaches of these conditions on the part of a lessee may result in the lessee being deemed unfit to lease taxi plates; and
- (d) in such a case the lessee may forfeit the taxi plates to the Director General.

BY THE ORDER OF THE DIRECTOR GENERAL OF THE DEPARTMENT

Passenger Services

Your ref:

Our ref: TP/[insert plate #]

Enquiries:

10 January 2005

[Insert Plate Holder Details]

Dear Taxi Plate Owner,

Notification of variation of Taxi Plate Conditions

Taxi Plate Number(s): [insert addressees plate number/s]

Pursuant to the powers delegated to me under section 6(2) of the Taxi Act 1994 (the Act), by the Director General, Department for Planning and Infrastructure, I Robert Leicester, General Manager, Passenger Services, Department for Planning and Infrastructure, pursuant to section 22 of the Act hereby make the following variation to the conditions imposed under section 20(1) of the Act on the operation of taxi(s) using specified plates [insert addressees plate number/s]:

Delete condition 10 and replace it with the following condition:

“10.0 LEASING OF A TAXI

- 10.1 The plate owner must not grant a lease or sub-lease of the taxi and the taxi plates used on the taxi at a rental in excess of:
- (a) \$94.00 per shift, including GST, for a Friday night or Saturday night shift; or
 - (b) \$67.50 per shift, including GST, at any other time or times.
- 10.2 The maximum rental referred to in condition 11.2 shall be inclusive of all fixed and non-discretionary costs associated with or relative to the holding of the taxi plate or the use or operation of the taxi (which include but are not limited to, cleaning, insurance and book keeping charges).
- 10.3 The amount of rental for a taxi must not be determined, and must not include any other fee, charge or imposition which is determined, in either case by reference to the kilometrage or distance travelled by the taxi within the metropolitan area during the term or currency of the lease or sub-lease (as the case may be).”

The abovementioned variation comes into effect 30 days after service of this notice.

If you are aggrieved with the decision of the Director General to vary, revoke or add conditions, you have a right of review to the State Administrative Tribunal (SAT) under section 22(2) of the Act. To exercise that right of review, you must apply to SAT within 28 days of this decision. Further information about how to exercise your right of review may be obtained from SAT.

Should you have any queries regarding this matter please contact Paul Reid, A/Senior Policy & Project Officer by telephoning (08) 9216 8104.

Yours sincerely,

Rob Leicester

General Manager, Passenger Services