

ACT Taxi Industry Innovation Reforms (Stage 2): On-demand Public Passenger Services Regulation – Service Types

March 2016

	Requirement	Taxis	Hire Cars	Ridesharing
	TRANSPORT BOOKING SERVICE			
1.	Booking service regulated as a 'Transport Booking Service' under the <i>Road Transport (Public Passenger Services) Act 2001</i>	Yes	Yes	Yes
2.	Accreditation of TBS through RTA/Access Canberra	Yes	Yes	Yes
3.	Application for TBS Accreditation Fee	\$600	\$600	\$600
4.	Accreditation – TBS fee per vehicle/driver	\$20/vehicle	\$20/vehicle	\$20/driver
5.	Mandatory 24/7 operation (booking service only, does not extend to vehicle availability)	Yes	No	Yes
6.	Must provide service to all Canberra suburbs	Yes	Yes	Yes
7.	Provision of passenger services through the WAT booking service	Yes – for WAT vehicles	No	No
8.	Provision of passenger services under the taxi subsidy scheme	Yes	No	No
9.	Passenger services to people with disabilities permitted	Yes – including through standard and WATs, with access to Taxi Subsidy Scheme. WATs must give priority.	Yes – market driven	Yes – market driven
10.	Requirement to ensure level of English language	No	No	No
11.	Ability to accept cash fares	Yes	Yes – optional but must have additional security e.g. camera	Yes – optional but must have additional security e.g. camera
12.	Regulated fares	Yes – maximum regulated fare (to be reviewed once competition established). Total fare must not exceed regulated fare (excluding tips, no upfront tipping permitted)	No – total full fare must be agreed before passenger makes booking (only tips permitted at passenger discretion after service provided). Surge pricing not permitted during declared emergency.	No - total full fare must be agreed before passenger makes booking (only tips permitted at passenger discretion after service provided). Surge pricing not permitted during declared emergency.
13.	Regulated cap on number of vehicles	Yes – cap on number of taxi plates issued (including WAT taxis). List system for issuance to be introduced.	No	No
14.	Mandatory lost and found property mechanism	Yes	Yes	Yes
15.	Mandatory consumer/passenger complaints and dispute resolution mechanisms (in	Yes	Yes	Yes

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	Australia)			
16.	Mandatory worker/driver/employee complaints and disputes mechanism (in Australia)	Yes	Yes	Yes
17.	Mandatory safety – GPS tracking	Yes – TBS must take reasonable steps to ensure GPS tracking is fitted.	Yes, for TBS bookings – TBS must take reasonable steps to ensure GPS tracking is fitted. (Not for hire car operator bookings.)	Yes – TBS must take reasonable steps to ensure GPS tracking is fitted.
18.	Mandatory safety – Panic button	Yes – TBS must take reasonable steps to ensure alarm is fitted.	No.	No.
19.	Record keeping and reporting requirements	Yes	Yes	Yes
20.	Workers’ compensation obligations	Yes under the <i>Workers Compensation Act 1951</i> : • if restricting drivers to the TBS	Yes under the <i>Workers Compensation Act 1951</i> : • if restricting drivers to the TBS	Yes under the <i>Workers Compensation Act 1951</i> : • if restricting drivers to the TBS.
21.	Taxation requirements	Yes – under Commonwealth law	Yes – under Commonwealth law	Yes – under Commonwealth law
	DRIVERS			
22.	Driver licence condition to drive class of vehicle required	Yes	Yes	Yes
23.	Licence fee (PVDAC)	\$0 Excluding police and driver history check	\$0 Excluding police and driver history check	\$100 for one year; \$400 for five years (pro-rata) Excluding police and driver history check
24.	Drivers’ licence requirement	Full licence without restriction	Full licence without restriction	Full licence without restriction
25.	Driver history check	Yes	Yes	Yes
26.	National Police check	Yes	Yes	Yes
27.	Working with vulnerable people check (note: replaces driver history and police character checks in 2018)	Yes – from 2018	Yes – from 2018	Yes – from 2018
28.	Commercial driver’s health assessment	Every 5 years (or if recommended sooner), annually if 70 years or older	Every 5 years (or if recommended sooner), annually if 70 years or older	Every 5 years (or if recommended sooner), annually if 70 years or older
29.	Annual driving test requirement (if 70 years or over)	Yes	Yes	Yes
30.	Permitted to drive with multiple TBS (subject to license condition and TBS authorisation)	Yes – except if employed by TBS (for workers’ compensation purposes)	Yes – except if employed by TBS (for workers’ compensation purposes)	Yes – except if employed by TBS (for workers’ compensation purposes)
31.	Covered by workers’ compensation	Yes, if: • employed by TBS • under exclusive arrangement with TBS	Yes, if: • employed by TBS • under exclusive arrangement with TBS	Yes, if: • employed by TBS • under exclusive arrangement with TBS

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		<ul style="list-style-type: none"> incorporated sole trader (with a workers' compensation policy) a non-operator driver 	<ul style="list-style-type: none"> incorporated sole trader (with a workers' compensation policy) a non-operator driver 	<ul style="list-style-type: none"> incorporated sole trader (with a workers' compensation policy) driving another person's vehicle in a commercial or for reward arrangement
32.	Minimum training	Yes – safety and disability awareness. Additional training required for WAT	Yes – safety and disability awareness	Yes – safety and disability awareness
33.	Australian citizen/ permanent resident requirement	Working visa (min) for drivers	Working visa (min) for drivers	Working visa (min) for drivers
34.	Permitted blood alcohol limit (when working)	0.0	0.0	0.0
35.	Identification (PVDAC) must be displayed whilst driving	Yes	Yes	Yes
36.	Taxation	Yes – under Commonwealth law	Yes – under Commonwealth law	Yes – under Commonwealth law
37.	Mandatory safety - security camera	Yes – with cash, and rank and hail	Yes – cannot accept cash without camera	Yes – cannot accept cash without camera
	OPERATORS (vehicle owners)			
38.	Accreditation through RTA/Access Canberra	Yes – up to 6 years	Yes – up to 6 years	Yes – up to 6 years (incorporated with driver licence fee if owner/driver)
39.	Accreditation cost	\$0	\$0	\$50 per vehicle (if non-driver owner of vehicle only)
40.	Workers' compensation obligations	Yes – under the <i>Workers Compensation Act 1951</i> : <ul style="list-style-type: none"> when employing drivers when engaging workers in regular and systematic capacity (existing laws) when engaging non-operator drivers if restricting drivers to the TBS 	Yes – under the <i>Workers Compensation Act 1951</i> : <ul style="list-style-type: none"> when employing drivers when engaging workers in regular and systematic capacity (existing laws) when engaging non-operator drivers if restricting drivers to the TBS 	Yes – under the <i>Workers Compensation Act 1951</i> <ul style="list-style-type: none"> when employing drivers when engaging workers in regular and systematic capacity (existing laws) when engaging non-operator drivers (under commercial arrangement or for reward) if restricting drivers to the TBS
41.	Vehicle maintenance obligations	Yes – obligation on operator	Yes – obligation on operator	Yes – obligation on owner
42.	Vehicle insurance obligations	Yes	Yes	Yes – vehicle owner No – if contracted driver
43.	Proof of insurance requirement	Yes	Yes	Yes
44.	Australian citizen/ permanent resident requirement	Appropriate visa (min)	Appropriate visa (min)	Appropriate visa (min)
45.	Financial capacity requirement	No	No	No
46.	Business plan requirement	No	No	No

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47.	Mandatory safety – GPS tracking	Yes	No	No
48.	Mandatory safety – Panic button	Yes	No	No
49.	Mandatory safety - security camera signs	Yes – only if fitted	Yes – only if fitted	Yes – only if fitted
50.	Mandatory safety - security camera recordings to be kept	Yes – only if fitted	Yes – only if fitted	Yes – only if fitted
	VEHICLE			
51.	Registration requirement	Public passenger vehicle – taxi	Public passenger vehicle – hire car	Private
52.	CTP insurance	Yes – taxi (market-based pricing)	Yes – hire car (market-based pricing)	Yes – rideshare (market-based pricing)
53.	Specialised plate/licence	Yes – TX	Yes – H	No - will be required to display label
54.	Specialised vehicle plate/licence fee	Standard – <ul style="list-style-type: none"> • \$10,000 p/a [to be reduced to \$5,000 in 2016/17) for Government-owned licence, or • Purchase through private market (perpetual plate), or • Lease through private market (perpetual plate) WATS – \$100 (dual) or \$1000 (single)	\$100 p/a	As per 39 above.
55.	Vehicle age restriction	Standard – 6 years WAT – 10 years	No	No
56.	Mandatory fixed taxi-meter	Yes	No	No
57.	Vehicle roadworthy check	Yes – annually by RTA or RTA authorised inspector	Yes – annually by RTA or RTA authorised inspector	Yes – annually by RTA or RTA authorised inspector
58.	Fire extinguisher* (covered under WHS laws)	No	No	No
59.	Mandatory livery/signage	Yes (may be subject to minimum standards)	No	No
60.	Legal clean vehicle requirement	No	No	No
61.	Child seat anchor points	Yes (with vehicle registration law)	Yes(with vehicle registration law)	Yes(with vehicle registration law)
62.	Compliance with child restraint laws	Yes – taxi specific rules apply	Yes	Yes
63.	Compliance with mobile phones vehicle laws	Yes	Yes	Yes
64.	Mandatory mobile device holder and hands free	Yes – if using smartphone app TBS	Yes – if using smartphone app TBS	Yes – if using smartphone app TBS
65.	Mandatory safety - security camera (with standards)	Yes – with cash, and rank and hail	No – only if payment to driver is accepted in vehicle using cash	Yes – only if payment to driver is accepted in vehicle using cash
66.	Mandatory safety – GPS tracking	Yes	No – see TBS requirements	No – see TBS requirements

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67.	Mandatory safety – Panic button	Yes – for driver	No – see TBS requirements	No – see TBS requirements
68.	Public Passenger vehicle insurance / Third party property insurance	Yes – Public Passenger vehicle insurance (\$5 million coverage)	Yes – Public Passenger vehicle insurance (\$5 million coverage)	Yes – \$5 million coverage
69.	Comprehensive insurance	Optional	Optional	Optional
	OPERATIONAL MATTERS			
70.	Mandatory requirement to take bookings from a TBS	No (except for WTBS)	No	Yes
71.	Ability to accept pre-booked passenger service	Yes	Yes	Yes
72.	Ability to operate in NSW (drop-off and pick up)	Cross border arrangements to apply	Cross border arrangements to apply	Cross border arrangements to apply
73.	Mandatory telephone booking service arrangement	WAT service – yes Other – optional	No – optional	No - optional
74.	Permitted to collect or disembark passengers at taxi rank	Yes	No	No
75.	Permitted to pick up or drop off passengers at loading zone	Yes – no parking	Yes – no parking	Yes – no parking
76.	Permitted to accept passengers off the street (i.e. passenger hails a vehicle)	Yes	No	No
77.	Permitted to drive in Bus Lane	Yes	Yes	No
78.	Permitted to drive in T2 Lane	Yes	Yes – if more than 2 people in vehicle	Yes – if more than 2 people in vehicle
79.	Requirement for driver to be going to same or similar destination	No (except for acceptable multi-hirings)	No	No
80.	Electronic payment surcharge cap	Yes – 5%	Yes – 5%	Yes – 5%