



Victoria Government Gazette

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Subordinate Legislation Act 1994

NOTICE OF DECISION

Commercial Passenger Vehicle Industry Regulations 2018

I, Jacinta Allan, MP, Minister for Public Transport, responsible for administering the **Commercial Passenger Vehicle Industry Act 2017**, give notice under section 12 of the **Subordinate Legislation Act 1994** (the Act) of my decision to recommend to the Governor in Council that the proposed Commercial Passenger Vehicle Industry Regulations 2018 be made.

The objectives of the proposed Regulations are to prescribe requirements for or in relation to:

- the registration of booking service providers;
- the accreditation of drivers;
- consumer protections in relation to fares and other charges for commercial passenger vehicle services;
- the accessibility of services;
- consumer complaints about service provision;
- vehicle safety standards and the safety duties of industry participants; and
- record keeping and other operational requirements.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Regulations. The RIS was advertised on 26 March 2018 seeking public comment and 16 submissions were received.

After consideration of these submissions in accordance with section 11 of the Act, I have further considered the proposed Regulations and I give notice of my intention to proceed with the making of the Regulations with amendments as follows –

- Changes to the list of incidents prescribed as notifiable incidents and extending the timeframe for notification of those incidents from 72 hours to 10 business days.
- Changes to the records that are required to be kept by booking service providers and providers of unbooked commercial passenger vehicle services and reducing the period for which records must be kept.
- Booking service providers will still be required to implement complaints handling systems but will not be required to implement systems which are consistent with the Australian standard specified in the draft Regulations.
- New offences relating to the identification of commercial passenger vehicles:
 - prohibiting the display of the word ‘taxi’ on a commercial passenger vehicle unless the vehicle is a commercial passenger vehicle being used to provide an unbooked service; and
 - regulating the placement of things identifying the vehicle as a commercial passenger vehicle.
- The maximum penalties for several offences in the Regulations have been lowered.
- Amendments to some definitions in the Regulations to clarify the intended policy.
- A transitional regulation which will exempt certain persons from the requirement to register as a booking service provider for an interim period. This exemption will expire on 1 July 2019.

SPECIAL

- Changing the proposed commencement date for the new requirements in the Regulations to stage the introduction of:
 - identifying commercial passenger vehicles (1 September 2018);
 - maintaining a register of safety risks (1 March 2019); and
 - notifying the regulator of notifiable incidents (1 March 2019).

Dated 17 May 2018

HON. JACINTA ALLAN MP
Minister for Public Transport

Subordinate Legislation Act 1994

NOTICE OF DECISION

Road Safety Road Rules (Commercial Passenger Vehicle Industry) Amendment Rules 2018

I, Luke Donnellan, MP, Minister for Roads and Road Safety, responsible for administering the **Road Safety Act 1986**, give notice under section 12 of the **Subordinate Legislation Act 1994** (the Act) of my decision to recommend to the Governor in Council that the proposed Road Safety Road Rules (Commercial Passenger Vehicle Industry) Amendment Rules 2018 (the Amendment Rules) be made.

The purpose and objective of the Amendment Rules, made under the **Road Safety Act 1986**, is to clarify the application of the road rules to commercial passenger vehicles and implement reforms in the commercial passenger vehicle industry. The Amendment Rules, in conjunction with the Commercial Passenger Vehicle Industry Regulations 2018, will support the implementation of reforms to the commercial passenger vehicle industry made by the **Commercial Passenger Vehicle Industry Act 2017**.

A Regulatory Impact Statement (RIS) was prepared in relation to the proposed Commercial Passenger Vehicle Industry Regulations and the proposed Amendment Rules. The RIS was advertised on 26 March 2018 seeking public comment and 16 submissions were received, 8 of which made comment on the proposed changes in the Amendment Rules.

After consideration of these submissions in accordance with section 11 of the Act, I have further considered the proposed Amendment Rules and I give notice of my intention to proceed with the making of the rules with amendments as follows –

- There will continue to be an exemption for persons travelling in taxis from using a child restraint when carrying children under the age of 7 years (there was consideration of removing this exemption); and
- Exemptions to driving and stopping in certain lanes for the purpose of picking up and dropping off passengers will be extended to all commercial passenger vehicles to facilitate the safe pick-up and drop-off of passengers.

Dated 16 May 2018

HON. LUKE DONNELLAN MP
Minister for Roads and Road Safety

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