



## MINISTRY OF TRANSPORT

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Mr Howard Harrison  
Chief Executive Officer  
NSW Taxi Council Ltd  
P O Box 1249  
DARLINGHURST NSW 1300

22 JUN 2006

Dear Mr Harrison

### **Service standard for compliance with ATIS directions**

I refer to our discussions concerning taxi-cabs that have failed to meet mechanical and safety standards continuing to carry passengers after inspection by ATIS examiners. As you know, the *Passenger Transport Act 1990* and regulations do not prohibit such action. However, in the interests of ensuring safety for drivers and the travelling public, the Director General has made a service standard applicable to all accredited taxi-cab operators. This standard will commence on 1 July 2006.

If during the inspection of the taxi-cab by an ATIS, the authorised examiner

- identifies the taxi-cab as not complying with such RTA vehicle standards which, in the examiner's opinion, relate to the safe use of the taxi-cab
- and the examiner has issued a 'Safety Inspection Report – Repairs Needed' notice

the examiner may give a direction that the vehicle is not to carry passengers for fare or otherwise used as a taxi-cab until the repairs listed in the notice are undertaken or the notice is withdrawn. The Standard requires that the accredited operator must not allow the taxi-cab to carry any passengers or otherwise used as a taxi-cab until the repairs are undertaken.

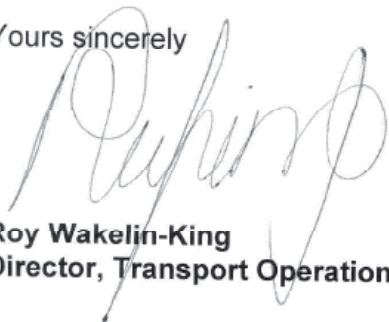
Operators must ensure that their drivers are aware of the effect of this Standard and instruct the drivers not to continue to ply for hire or carry passengers if a direction has been given when the driver is in charge of the vehicle.

Failure to comply with the Standard is a contravention of a condition of accreditation which may result in prosecution of the operator and action to suspend, vary or cancel the operator's accreditation.

A copy of the Standard is attached for your information.

While the Ministry will be taking action to inform ATIS examiners and accredited operators directly, your assistance in publicising this Standard through the Council's industry magazine would be greatly appreciated.

Yours sincerely

A handwritten signature in black ink, appearing to read 'Roy Wakelin-King', written over a light blue grid background.

**Roy Wakelin-King**  
**Director, Transport Operations Division.**

21 JUN 2006

# PASSENGER TRANSPORT ACT 1990

## SECTION 31E

### SERVICE STANDARD FOR ACCREDITED TAXI-CAB OPERATORS

I, Jim Glasson, Director General of the Ministry of Transport, pursuant to s31E(2) of the Act, hereby determine that accredited taxi-cab operators must comply with the Service Standard on use of taxi-cabs affected by safety related defects.

#### Service Standard on use of taxi-cabs affected by safety-related defects

#### 1. *Application and Interpretation*

1.1 This Service Standard applies to taxi-cabs inspected at an authorised taxi-cab inspection stations by an authorised examiner who has been appointed an authorised officer by the Ministry of Transport.

1.2 In this Service Standard reference to

'authorised examiner' includes reference to an 'authorised proprietor', both terms having the same meaning as given by the Road Transport (Vehicle Registration) Regulation 1998;

'Notice' means the *Safety Inspection Report – Repairs needed* notice issued by an authorised examiner in respect of a vehicle;

'vehicle standards' means the standards prescribed in Schedule 4 of the Road Transport (Vehicle Registration) Regulation 1998.

#### 2. *Direction not to use defective vehicle as a taxi-cab*

2.1 If during the inspection of a taxi-cab, an authorised examiner

(a) has identified that the taxi-cab does not comply with such vehicle standards which, in the opinion of the authorised examiner, relate to the safe use of the vehicle; and

(b) has issued a Notice in respect of that vehicle,

the authorised examiner may give a direction that the vehicle is not to carry passengers for fare or otherwise be used as a taxi-cab until the Notice issued in relation to that vehicle is withdrawn or the specified repairs undertaken to the satisfaction of an authorised examiner or the RTA.

- 2.2 Where a direction has been given by an authorised examiner in accordance with clause 2.1 of this Service Standard, the accredited operator must not allow the taxi-cab to carry any passengers for fare or otherwise cause such vehicle to be used as a taxi-cab until the Notice issued in relation to that vehicle is withdrawn or the specified repairs undertaken to the satisfaction of an authorised examiner or the RTA.
3. *Notification to Drivers of Effect of Service Standard*
- 3.1 Where a driver, on behalf of the accredited operator, has charge of the taxi-cab for the purpose of undertaking an inspection by an authorised examiner, the operator must ensure that the driver is aware of the effect of this Service Standard and instruct the driver not to carry passengers for fare or otherwise use the vehicle as a taxi-cab if a direction has been given by an authorised examiner in accordance with clause 2.1 of this Service Standard.
4. *Commencement of Service Standard*
- 4.1 This Service Standard will commence on 1 July 2006.

Dated: 2 June 2006.



**Jim Glasson**  
**Director General.**