

Wheelchair Accessible Taxi Licences

INFORMATION FOR APPLICANTS

December 2016

1. IMPORTANT INFORMATION	4
1.1 IMPORTANT INFORMATION	4
1.2 WHAT IS THIS DOCUMENT FOR?	4
1.3 WHO CAN I GET FURTHER INFORMATION FROM?	4
1.4 UNDERTAKING BY THE DEPARTMENT	5
2. BACKGROUND	5
2.1 WHY ARE WAT LICENCES AVAILABLE?	5
2.2 HOW MANY LICENCES ARE AVAILABLE?	5
3. APPLYING FOR A WAT LICENCE	6
3.1 HOW DO I APPLY FOR A LICENCE?	6
3.2 HOW MUCH DOES A WAT LICENCE COST?	6
3.3 ARE WAT LICENCES ISSUED IN RESPECT OF A VEHICLE?	6
3.4 DO WAT LICENCES EXPIRE AFTER 10 YEARS?	7
3.5 WHO CAN HOLD A WAT LICENCE?	7
3.6 WHAT VEHICLE STANDARDS APPLY TO WATS?	9
3.7 WHAT ARE THE AGE LIMITS FOR WATS?	12
3.8 WHAT IS THE MAXIMUM OPERATING AGE FOR A WAT?	13
3.9 HOW DO I GET MY VEHICLE INSPECTED?	13
3.10 WHICH ARE THE REMOTE TAXI AREAS?	13
4. WHEELCHAIR ACCESSIBLE TAXI LICENCES	14
4.1 WHAT IS A WAT LICENCE?	14
4.2 WHO CAN HOLD A WAT LICENCE?	15
4.3 CAN I LEASE MY WAT LICENCE TO SOMEONE ELSE?	15
4.4 WHAT HAPPENS IF I LEASE MY WAT LICENCE?	15
4.5 WHAT ARE LICENCE CONDITIONS?	16
4.6 CAN MY LICENCE BE CANCELLED OR SUSPENDED?	16
4.7 DOES A WAT LICENCE HAVE TO BE OPERATED?	16
4.8 DO I HAVE TO DRIVE THE TAXI?	17
4.9 MUST WAT DRIVERS COMPLETE THE WAT DRIVER TRAINING COMPONENT?	17
4.10 WHICH FARES APPLY TO WATS?	18
4.11 CAN A WAT BE MULTI-HIRED?	18
4.12 WHAT IS THE TRIP SUBSIDY?	19
4.13 WHAT REPORTS AM I REQUIRED TO PROVIDE TO THE COMMISSION?	19
4.14 ARE THERE ANY QUOTAS ON WAT LICENCES?	20
4.15 DOES THE WAT HAVE TO BE FITTED WITH A FIRE EXTINGUISHER?	20

4.16	WHAT IS A SUBSTITUTE WAT?	20
4.17	CAN A WAT LICENCE BE TRANSFERRED TO ANOTHER WAT?	21
4.18	CAN I SELL MY LICENCE?	21

5. GENERAL INFORMATION ON THE TAXI INDUSTRY **23**

5.1	WHAT IS OPERATOR ACCREDITATION?	23
5.2	WHAT EQUIPMENT MUST BE INSTALLED IN A WAT?	24
5.3	WHO IS RESPONSIBLE FOR THE EQUIPMENT INSTALLED IN A TAXI?	25
5.4	DO I HAVE TO INSTALL A SECURITY CAMERA IN THE TAXI?	25
5.5	DOES A WAT HAVE TO HAVE A TAXIMETER INSTALLED?	26
5.6	DO TAXIMETERS HAVE TO BE SEALED?	26
5.7	DOES A WAT HAVE TO HAVE A RADIO DISPATCH SYSTEM INSTALLED?	27
5.8	WHAT HAPPENS IF EQUIPMENT IN A TAXI IS INTERFERED WITH?	28
5.9	DO I HAVE TO JOIN A RADIO ROOM?	28
5.10	WHAT FEES APPLY TO TAXI LICENCES?	28
5.11	CAN A LICENCE BE SURRENDERED?	29
5.12	WHAT IS A LICENCE NUMBER PLATE?	29
5.13	WHAT ARE VOID LICENCE NUMBER PLATES?	30
5.14	WHAT IS A NOT-FOR-HIRE SIGN?	30

APPLICATION FOR A NEW LICENCE

1. IMPORTANT INFORMATION

1.1 Important information

New applicants for a wheelchair accessible taxi (WAT) licence must contact the Department of State Growth on (03) 616 63269 before submitting an application.

1.2 What is this document for?

This document provides information for prospective applicants for wheelchair accessible taxi licences.

You should ensure that you read and fully understand all of the information contained in this document before applying for a licence. If necessary you should seek your own independent, professional advice before making the decision to apply for a licence.

The information contained in Part 4 of this document refers to the *Taxi and Hire Vehicle Industries Act 2008* and the *Taxi Industry Regulations 2008*. Prospective applicants are strongly advised to read the relevant provisions of these pieces of legislation prior to submitting an application. This information is provided as a guide only and is not a substitute for the legislation.

Legislation is available [online](#) or for purchase from Print Applied Technologies (phone 1800 030 940 or from 123 Collins Street, Hobart).

1.3 Who can I get further information from?

If you need to ask any questions about the licence application process, or about WAT licences in general, you should contact:

Transport Operator Accreditation – Department of State Growth
Phone: (03) 616 63269.

1.4 Undertaking by the Department

The Department of State Growth does not guarantee a share of the wheelchair taxi market to any applicant. It will be the responsibility of applicants to position themselves in the market and to build their own client base.

Potential applicants must take the information contained in this document into account, together with their personal circumstances and any other information considered relevant, before deciding whether to apply for a WAT licence. The Department strongly recommends that potential applicants seek appropriate professional advice prior to applying.

The information contained in this document reflects Government policy at the date of issue and is subject to change. Future Governments may make changes to elements of the WAT scheme. The Department gives no undertaking that the details of the WAT scheme will remain unchanged for any specific period of time. This should be factored into the assessment of commercial risk made by potential applicants.

2. BACKGROUND

2.1 Why are WAT licences available?

Section 40(1) of the *Taxi and Hire Vehicle Industries Act 2008* (the Act) provides for the Transport Commission (the Commission) to issue WAT licences.

2.2 How many licences are available?

There is no limit to the number of WAT licences that are available. These licences are available on application from the Commission, provided that the applicant meets a number of criteria. These criteria are set out in section 3.5.

3. APPLYING FOR A WAT LICENCE

3.1 How do I apply for a licence?

You must contact the Department prior to submitting an application to clarify the requirements for the issue of a WAT licence and the expectations of holders of WAT licences.

Applications must be made on the form provided with this document and lodged with Service Tasmania together with the application fee.

You must hold passenger transport services operator accreditation under the *Passenger Transport Services Act 2011* before you can be issued with a WAT licence. You must also present a WAT vehicle for inspection at a Type 2 Approved Inspection Station.

Once the WAT vehicle has been inspected and is deemed to meet the requirements for a WAT, and you have been confirmed as complying with the requirements for the issues of a WAT licence (outlined in Section 3.5), the WAT licence will be issued.

3.2 How much does a WAT licence cost?

WAT licences are issued at no cost, other than the application fee. An annual [administration fee](#) applies to a WAT licence.

3.3 Are WAT licences issued in respect of a vehicle?

Yes. A WAT licence can only be operated with the vehicle that is specified in the licence.

3.4 Do WAT licences expire after 10 years?

No. All WAT licences are issued without an expiry date.

3.5 Who can hold a WAT licence?

The conditions for the issue of a new WAT licence, all of which must be met, are as follows:

- you must pay the application fee;
- you must hold accreditation to operate a passenger transport service under the *Passenger Transport Services Act 2011*;
- you must be the registered operator of a WAT (or, in a remote area, a remote area WAT) that meets the relevant age requirements (see below);
- you must have no outstanding fees due to the Commission; and
- you must satisfy the Commission that you will be the operator of the taxi service that will be provided under the authority of the licence.

The age requirements for new WAT licences are:

- For a new WAT licence in a taxi area that is NOT a remote area, the WAT must be not more than 12 months of age and have an odometer reading no greater than 1000 km at the time of initial approval.
- In a remote area, the remote area WAT may be up to seven years of age.

Accreditation

If you are not accredited to operate a passenger transport service in accordance with the *Passenger Transport Services Act 2011* you should carefully read the Passenger

Transport Services Operator Accreditation Information Sheet, which can be obtained from the Transport [website](#) or from the Contact Officer. You must also contact the Department's Transport Accreditation Section on 616 63275 to discuss the requirements for accreditation prior to submitting an application.

If you already hold passenger transport services operator accreditation, but do not currently hold a taxi licence, you may be required to implement additional accreditation modules that relate specifically to the operation of a taxi service.

Notwithstanding your technical status as the responsible operator under accreditation, the Commission may require you to provide additional evidence to demonstrate that, in practice, you will be genuinely capable of fulfilling the role of the operator of the taxi service to be provided under the authority of the licence. For example, if you reside outside the taxi area of the licence for which you are submitting an expression of interest, the Commission may require detailed information about the business and financial management procedures you intend to put in place in order to be able to assume sufficiently direct and continuous responsibility for the operations of that taxi service. It is important to note that the delegation of business management or oversight responsibilities to another party will not necessarily satisfy this requirement.

Vehicle

Before a WAT licence can be issued, you must present a WAT, registered in your name, for inspection at a Type 2 Approved Inspection Station. Section 3.6 of this document outlines the requirements for WATs and Section 5 outlines the equipment that must be installed in a taxi.

Assessment of application

If you do not already meet the criteria listed above, the Commission may provide you with a specified period to demonstrate that you meet these requirements. If you cannot demonstrate that you meet these requirements within the specified time period, the Commission may refuse your application for a WAT licence.

Once you have demonstrated that you meet the requirements, the Department of State Growth will contact you to make arrangements for issuing you with the licence and licence number-plate.

3.6 What vehicle standards apply to WATs?

There are three different classes of WATs:

1. wheelchair accessible taxis;
2. *remote area* wheelchair accessible taxis; and
3. *substitute* wheelchair accessible taxis.

All classes of WATs, in order to be approved for use as a WAT, must meet all of the following criteria:

- the vehicle must comply with the age restrictions relevant to the class of WAT it will be registered to (see below);
- the vehicle must have no more than 12 seats in any configuration (a position within which an occupied wheelchair may be secured is considered to be a seat for this purpose) ;
- the vehicle must comply with the *Disability Standards for Accessible Public Transport 2002* formulated under section 31(1) of the *Commonwealth Disability Discrimination Act 1992*;
 - o a copy of the Standards can be obtained from:
http://www.hreoc.gov.au/disability_rights/standards/standards.html
Any company that undertakes conversions of vehicles for use as accessible taxis should provide confirmation that the vehicle complies with these Standards;
- any modifications to make the vehicle wheelchair-accessible must not significantly alter the original external appearance of the vehicle;

- the vehicle must be fitted with a wheelchair restraint assembly that complies with AS/NZS 10542.1:2009 “Technical systems and aides for disabled or handicapped persons – Wheelchair tiedown and occupant-restraint systems”
- any hoist or ramp fitted to the vehicle must comply with AS 3856 Parts 1 and 2 “Hoists and Ramps for People with Disabilities – Vehicle Mounted”;
- the vehicle must be fitted with a secondary, independent emergency-release mechanism on the wheelchair entry door that is clearly labelled with the words "EMERGENCY RELEASE";
- the vehicle must have an access door adjacent to each outboard seating position;
- the vehicle must have adequate luggage space to the rear of the rearmost seat when the vehicle is not configured to carry a passenger seated in a wheelchair; and
- the vehicle must be fitted with a fire extinguisher that complies with Australian Standard AS 2444-2001 “Portable fire extinguishers and fire blankets – selection and location”.

It is advisable that before you commit to purchasing a vehicle you contact the Department to verify that the vehicle meets the above criteria. The Department does not endorse any particular make of vehicle or vehicle modification company. Vehicle purchase decisions are the responsibility of the taxi operator.

Modification of vehicles

Modifications to a registered motor vehicle that change the manufacture’s original specifications (such as the removal or addition of seats and seatbelts, changes to the

chassis, or installation of a lifting ramp) are required to be approved by a vehicle registration authority or an authorised representative of the registration authority.

It is expected that most, if not all, WAT's will have been modified to this extent from original specifications and will therefore require formal modification approval.

Formal modification approval may be from another Australian registration authority in the form of a modification plate or a Modification Compliance Certificate

In Tasmania, a modification plate is issued to certify that the vehicle has been modified in accordance with the National Code of Practice for Light Vehicle Construction and Modification (also known as Vehicle Standard Bulletin 14) and that it complies with relevant Australian Design Rules (ADR).

You must ensure that a modified vehicle is approved prior to presenting the vehicle for inspection and any subsequent licensing.

In Tasmania, modification certifications are performed by Approved Vehicle Certifiers (AVC). A list of current AVC's is available from the link below.

<http://www.transport.tas.gov.au/vehicles/specifications/modifications>

An AVC will produce a report, and submit information regarding the modification and its compliance to ADR and Vehicle Standard Bulletin 14, to AIS Compliance. A modification plate and modification certificate will be issued by the AVC to a vehicle complying with ADR and Vehicle Standard Bulletin 14.

The cost to provide this service is a commercial arrangement between the selected AVC and the client.

Initial Passenger Transport Services Vehicle (WAT) Inspection Assessment Form

At the initial Small Public Passenger Vehicle inspection, the Vehicle Examiner will complete the *Initial Passenger Transport Services Vehicle (WAT) Inspection Assessment Form* and attach this to the SPPV Inspection Report.

This form includes minimum doorway and clear floor dimension requirements, labelling and load rating standards and Australian Standard references.

An Inspection Report forwarded without an *Initial Passenger Transport Services Vehicle (WAT) Inspection Assessment Form* will not be able to be processed.

If you have any questions on the modification and vehicle approval process, please contact:

AIS Compliance Unit (03) 6166 3265

Fax (03) 6233 5030

Email: avc@stategrowth.tas.gov.au

3.7 What are the age limits for WATs?

Standard WATs

If the vehicle is to be registered as a WAT for the first time and used in a non-remote taxi area (Burnie, Devonport, George Town, Launceston, Hobart, New Norfolk, Penguin, Perth, Ulverstone or West Tamar), it must be not more than 12 months of age and have an odometer reading of less than 1 000 kilometres at the time of initial approval.

If a vehicle has previously been approved as a WAT in Tasmania and is to be used on an existing WAT licence, a vehicle that is more than 12 months of age, but less than ten (10) years, may be subsequently approved for use as a WAT on an existing licence. In other words, a vehicle that was originally a WAT can be re-registered as a private vehicle and used for non-taxi purposes for a period of time, and then later re-admitted to the WAT fleet, provided that it continues to meet the other vehicle specifications. However, note that for a new WAT licence in a non-remote area, the vehicle cannot be more than 12 months of age, and must have less than 1000 km on the odometer.

Remote area WATs

If the vehicle is to be registered as a remote area WAT for the first time and used in a remote taxi area it must be no more than seven (7) years of age. Unlike a WAT, a

remote area WAT does not have to have originally been a WAT in order to be registered as a remote area WAT.

If the vehicle has previously been approved as a WAT (or a remote area WAT or a substitute WAT) in Tasmania and is to be used on an existing WAT licence, a vehicle that is more than seven years of age, but less than ten (10) years, may be subsequently approved for use as a remote area WAT. However, note that for a new WAT licence in a remote area, the vehicle cannot be more than seven years of age.

Substitute WATs

If the vehicle is to be registered as a substitute WAT for the first time it must be no more than seven (7) years of age.

If it has previously been approved as a WAT (or a remote area WAT or a substitute WAT) in Tasmania, a vehicle that is more than seven years of age, but less than ten (10) years, may be subsequently approved for use as a substitute WAT.

3.8 What is the maximum operating age for a WAT?

The maximum operating age for any WAT is ten (10) years. There is no scope for the Commission to approve a WAT to operate past ten years.

3.9 How do I get my vehicle inspected?

WAT vehicles, including new vehicles requiring an initial approval after modification, are required to undergo regular inspections at a Type 2 Approved Inspection Station. Inspection stations can be found at the following link:

http://www.transport.tas.gov.au/vehicles/vehicle_inspections

3.10 Which are the remote taxi areas?

The following taxi areas are remote taxi areas:

- Break O'Day taxi area;
- Bruny Island taxi area;
- Central Highlands taxi area;
- Circular Head taxi area;
- Dorset taxi area;
- Flinders Island taxi area;
- Glamorgan/Spring Bay North taxi area;
- Glamorgan/Spring Bay South taxi area;
- Huon Valley taxi area;
- Kentish taxi area;
- King Island taxi area;
- Meander Valley taxi area;
- Tasman taxi area;
- West Coast taxi area.

4. WHEELCHAIR ACCESSIBLE TAXI LICENCES

*Note: This section does **not** contain all relevant information pertaining to the issue and operation of WAT licences. Applicants should refer to the relevant provisions of the Taxi and Hire Vehicle Industries Act 2008 and the Taxi Industry Regulations 2008 to ensure that they are fully informed about the regulation of these licences.*

4.1 What is a WAT licence?

A WAT licence authorises the holder of the licence to provide a taxi service. This means that the licence holder may operate the taxi to which the licence number plate issued in respect of that licence is attached within, to or from the taxi area to which the licence relates –

- (a) from a taxi zone (rank); or
- (b) by being hailed; or
- (c) by being booked or ordered.

There is no difference between the services able to be provided by the operator of a WAT licence and the operator of a perpetual taxi licence or an owner-operator taxi licence. WAT operators are permitted to provide services for all taxi users, whether wheelchair-reliant or not.

Despite this, the Department expects WAT operators to prioritise services to wheelchair-reliant customers wherever it is possible for them to do so. It is intended that this requirement will be articulated in a licence condition to be applied to all WAT licences in the near future.

4.2 Who can hold a WAT licence?

A WAT licence holder must be accredited to operate a passenger transport service under the *Passenger Transport Services Act 2011* and must be the operator of the taxi service to be provided under the authority of the licence.

This means that the holder of the licence is legally responsible for the operation of the licence and **cannot** assign that responsibility to another person.

4.3 Can I lease my WAT licence to someone else?

No. The responsible operator of a taxi service provided under the authority of a WAT licence must be the holder of the licence. There is no capacity for another person to be the responsible operator.

4.4 What happens if I lease my WAT licence?

As the holder of the licence, you are also the responsible operator of the licence and, as such, legally responsible for that licence and any offences associated with it. This responsibility cannot be assigned to another person.

If the Commission discovers that the licence is leased, it is required to cancel the licence. If this occurred, **you would not receive any compensation for the licence.** Leasing a licence may also attract a court-imposed fine of up to \$13 000 for both the licence holder and the person who is leasing the licence.

4.5 What are licence conditions?

The Commission may apply conditions to a WAT licence. This may be done when the licence is issued, or at any time after that. If the Commission proposes to impose conditions on your licence after you have been issued with it, the Commission must provide you with an opportunity to raise any concerns about the proposed conditions.

The Commission may apply conditions to an individual licence, or to a group of licences.

4.6 Can my licence be cancelled or suspended?

Yes, in certain circumstances. For instance, the Commission is to cancel a WAT licence that is being leased, and may cancel a WAT licence where the licence holder has his or her accreditation cancelled. Licences may be suspended or cancelled for breaches of licence conditions, or where the licence holder fails to provide certain information to the Commission. WAT licences may also be cancelled where the holder of the licence has failed to provide a taxi service for more than 28 days or if he or she is no longer in a position of authority in respect of the vehicle to which the licence relates.

The Commission has cancelled a number of WAT licences since the introduction of the WAT scheme in 2004.

4.7 Does a WAT licence have to be operated?

If you do not provide a taxi service under the authority of the licence for more than 28 consecutive days, this may be grounds for the Commission to cancel the licence.

The Commission will consider these situations on a case by case basis and would seek detailed advice from the licence holder before making a decision.

4.8 Do I have to drive the taxi?

No. These are not owner-driver licences. You may engage a driver under a bailment or other such agreement. However, under no circumstances are you permitted to enter into an agreement with a driver to operate, or assume responsibility for, the licence itself.

4.9 Must WAT drivers complete the WAT driver training component?

Yes. Only a person that holds an ancillary certificate endorsed 'PPV-taxi' and has successfully completed the *Transport Passengers with Disabilities* training module can be allowed to drive a WAT under the authority of a WAT licence.

To obtain this classification a potential driver must have undertaken the relevant training. As a WAT can do all types of taxi work, a WAT driver will need to hold the same qualifications as a driver of a standard taxi. The taxi driver training course incorporates a compulsory module on transporting passengers with disabilities.

Drivers with no previous public transport experience will need to complete the three day taxi driver training course conducted by Driver Safety Services (DSS) (phone 6272 6999).

Drivers who have worked in the public passenger transport area previously may not be required to undertake this course, but instead may undertake an assessment of prior learning through DSS. This option should be discussed with DSS.

Drivers who currently hold taxi driver qualifications in another Australian jurisdiction can have these qualifications recognised in Tasmania by contacting the Department on 1 300 851 225.

Drivers who completed the basic driver training course prior to 1 July 2006, which did not include the *Transport Passengers with Disabilities* module, and wish to drive a WAT must complete this module. This is a half-day module provided as part of the taxi driver

training course and can be undertaken separately. Drivers wishing to undertake the module should contact DSS.

As there are a number of makes and models of vehicles that can be used as a WAT, wheelchair restraint systems may operate slightly differently from one WAT vehicle to another. Whilst all WAT drivers are required to undertake the WAT driver training course, as responsible operator, you will need to provide your drivers with additional training relating to the use of the particular wheelchair restraint system that is installed in the WAT they will be driving.

It is a requirement of WATs set up prior to 30 March 2009 that the wheelchair-restraint assembly complies with Australian Standard AS2942 and those set up on or after 30 March 2009 comply with AS/NZ 10542.1 2009.

4.10 Which fares apply to WATs?

Fares and charges to be applied under the authority of a WAT licence are prescribed in the *Taxi Industry Regulations 2008* (the [Regulations](#)).

When conveying non wheelchair-reliant passengers, standard taxi fares and charges apply in accordance with the appropriate tariff. When conveying five or more passengers – whether wheelchair-reliant or not – Tariff 4 applies at all times.

WAT fares and charges are only to be charged in a vehicle that is operating under a WAT licence. Taxis operating under a standard (perpetual, owner-operator or temporary) taxi licence, including accessible taxis operating under a standard taxi licence, are not permitted to charge WAT fares unless the Commission has specifically approved such an arrangement.

4.11 Can a WAT be multi-hired?

The Regulations do not provide for the application of a multiple hire tariff in either a WAT or a standard taxi. Multi-hiring arrangements are not legal in Tasmania.

4.12 What is the trip subsidy?

A trip subsidy will be provided to WAT operators for each trip carrying at least one wheelchair-reliant member of the Transport Access Scheme (TAS), or a wheelchair-reliant member of an equivalent interstate scheme. Wheelchair-reliant TAS members must present the WAT driver with a WAT endorsed TAS Smartcard to access the higher level of fare subsidy, and for the WAT trip subsidy to be payable. The passenger must also be using a wheelchair at the time of travel.

The trip subsidy is \$10 for WATs operating under the authority of a WAT licence issued in respect of the Hobart Taxi Area, \$12 for WATs operating under the authority of a WAT licence issued in respect of the Launceston Taxi Area and the Perth Taxi Area, and \$16 for WATs operating under the authority of a WAT licence issued in respect of any other Taxi Area.

The trip subsidy is intended to recognise the significant capital costs incurred in procuring a suitable WAT vehicle. It is not intended as an offset for the additional recurrent costs per trip associated with transporting wheelchair-reliant customers, which are recognised through the flagfall and tariff structure. Questions on the TAS can be directed to 616 63334.

4.13 What reports am I required to provide to the Commission?

The Act provides for the Commission to request information from licence holders on the operation of the taxi service provided under the authority of that licence.

If you receive such a request, you must supply the information to the Commission within the time specified in the notice. If you fail to do so, the Commission may suspend or cancel the licence.

4.14 Are there any quotas on WAT licences?

The primary purpose of the introduction of WATs to the taxi fleet is to deliver equivalent access to taxi services for wheelchair-reliant members of the public. To facilitate this, the Act provides for regulations to be made that prescribe minimum service levels, quotas and other performance targets for taxis. At this time there are no regulations relating to performance standards, although the Department intends to develop such regulations in future.

The Act also allows for the Commission to impose licence conditions on a WAT licence. This may be a means by which the Commission could impose specific quotas on an individual licence, such as in cases where an individual WAT operator appears not to be making their vehicle available for wheelchair-reliant passenger work. A breach of any condition of a WAT licence, or a failure to meet set quotas, may lead to suspension or cancellation of a WAT licence.

4.15 Does the WAT have to be fitted with a fire extinguisher?

All WATs must be fitted with a fire extinguisher that complies with Australian Standard AS 2444-2001 “Portable fire extinguishers and fire blankets – selection and location”.

You must ensure that the fire extinguisher is maintained in accordance with Australian Standard AS 1851-2005 “Maintenance of fire protection systems and equipment”.

4.16 What is a substitute WAT?

You may [apply](#) to the Commission to transfer the licence temporarily onto a substitute WAT in circumstances where your original WAT cannot be operated. A fee applies to this application.

The Commission may approve the use of a substitute WAT if:

- the vehicle is a substitute WAT under current inspection;

- the original WAT is not being used for any other purpose and is not able to be operated as a WAT for the period of time specified in the application; and
- the Commission is satisfied that you are taking action to fully repair, or permanently replace, the original WAT.

You must affix the WAT licence number plate to the substitute WAT during the time that the substitute WAT is operating under that licence.

You may apply for an extension of time for which the substitute WAT may be used.

A vehicle used as a substitute WAT must comply with all the vehicle requirements for a WAT, but it may be up to seven (7) years of age. If it has previously been approved as a WAT (or a remote area WAT or a substitute WAT) in Tasmania, a vehicle that is more than seven years of age, but less than 10 years, may be subsequently approved for use as a substitute WAT.

4.17 Can a WAT licence be transferred to another WAT?

Yes, if the Commission approves the transfer. The new vehicle must be a WAT and must be registered in the name of the holder of the WAT licence. The Commission can refuse to transfer the licence if the licence is lapsed, suspended or subject to a notice of intention to suspend or cancel.

An application for transfer can be made on an application form available on the Department's [website](#). Applications should be forwarded to the Department rather than being submitted through Service Tasmania. A fee applies to the transfer.

4.18 Can I sell my licence?

Yes, if the Commission approves the transfer. However, because there are some circumstances in which the Commission may refuse an application for a transfer, it is

important that you apply to the Commission to transfer the licence before selling it. An application for transfer can be made on an application form available on the Department's [website](#). Applications should be lodged through Service Tasmania. An application fee applies to the transfer.

The Commission can refuse to transfer the licence if the person purchasing the licence is not an accredited passenger transport service operator, or if he or she is not the registered operator of a suitable WAT vehicle. The Commission can also refuse the transfer if it is not satisfied that the person you are selling the licence to would be the operator of the taxi service.

This may raise concerns around the timing of the sale transactions if the WAT licence is being sold together with the WAT to which it applies. The transfer cannot take effect until it is approved. However, in order for the transfer to be approved, the proposed purchaser must have a WAT registered in his or her name. It is not reasonable to expect that the potential purchaser would purchase the vehicle before he or she knows whether the licence transfer has been approved. Therefore, for the purposes of the transfer application, it is adequate for the proposed purchaser to demonstrate that he or she will be the registered operator of a WAT – for example, by demonstrating that there is a contract for the sale of the vehicle in place between the existing licence holder and the proposed purchaser, subject to the Commission approving the transfer.

If the WAT licence is being sold *without* a vehicle attached, two transfers will need to take place:

- the licence must be transferred to the new licence holder; and
- the licence must be transferred to another WAT vehicle. The proposed new licence holder must be the registered operator of that WAT.

In effect these two transfers would need to occur at the same time.

The Commission can also refuse to transfer the licence if the licence is lapsed, suspended or subject to a notice of intention to suspend or cancel.

If you sell the licence and the Commission refuses the transfer, you, as the original licence holder, will continue to be regarded as the responsible operator of that licence and will be accountable for the taxi service provided under the authority of that licence.

5. GENERAL INFORMATION ON THE TAXI INDUSTRY

5.1 What is operator accreditation?

All operators of taxis are required to be accredited under the provisions of the *Passenger Transport Services Act 2011*. This Act requires that all providers of passenger transport services or hire and drive services must be accredited to operate those services. Accreditation is designed to:

- encourage improved passenger transport industry standards in regard to safety and related matters;
- raise awareness of safety and other related issues; and
- ensure someone is accountable for meeting those standards¹.

Obtaining accreditation will demonstrate that an operator has a set of processes and record-keeping systems in place to ensure their taxi or luxury hire car business meets and maintains adequate safety standards.

Further information on accreditation can be found at the Transport [website](#).

Applicants who are currently not accredited passenger transport service operators should contact Transport Operator Accreditation on 616 63275 for information on how to become accredited.

To minimise delays associated with this process, applicants should submit an application for a National Police Certificate with Tasmania Police prior to submitting an application, so that they can forward a copy of this certificate to the Department as soon as possible.

5.2 What equipment must be installed in a WAT?

The Regulations require your WAT to be fitted with a taximeter, top-light, external tariff indicator lights and, in some taxi areas, a security camera.

In addition to this equipment, all taxis must carry a 'not-for-hire' sign that complies with the Regulations.

5.3 Who is responsible for the equipment installed in a taxi?

The responsible operator is responsible for ensuring that the taxi is fitted with the necessary equipment and that the equipment complies with the Regulations and is fully operational.

A driver must not operate a taxi that does not have all of the required equipment installed, or that has equipment installed that is not fully operational.

5.4 Do I have to install a security camera in the taxi?

Operators of WATs operating in the Hobart, Launceston, Perth, West Tamar, Devonport, Ulverstone and Burnie taxi areas are required to install a security camera system in their WATs.

Security camera systems currently approved for use in Tasmania are:

- the Arkive, as manufactured by AMSD Pty Ltd – Bitron Video Australia;
- the Cabcam Dv, as manufactured by Martin Meters;

- the RDC 3020, as manufactured by Raywood Communications Pty Ltd;
- the Sigtec Verifeye Camera – as manufactured by Sigtec Pty Ltd;
- the Cabcam DVR 300, as manufactured by Cabcam Pty Ltd; and
- the VerifEye Taxicam TSCS Mk IV, as manufactured by VerifEye Technologies.
- Cabwatch G60, as manufactured by Mobile Witness Australia Pty. LTd.
- PV3040 Snapshot Mark 4 as manufactured by Sigtec

Not all of these camera systems may be currently available in Tasmania, and operators are advised to check that there is an adequate level of technical support available in their area for the model they wish to purchase prior to buying a camera system.

5.5 Does a WAT have to have a taximeter installed?

Yes. All taxis must have a taximeter installed. A taximeter installed in a taxi must be installed so that:

- all forward-facing occupants of the taxi can see the display;
- it does not degrade the energy absorption requirements of instrument panels designed to meet the requirements of Australian Design Rule 21/00 – Instrument Panel;
- it does not interfere with the operation of other equipment in the taxi;
- the driver can access the controls of the taximeter when seated in the normal seating position;
- it is protected against any external source that may result in an inaccurate taximeter reading;

- the controls are located so as to not annoy the passengers; and
- it is unlikely to cause injury to an occupant of the vehicle.

5.6 Do taximeters have to be sealed?

Yes. All taximeters must be sealed. There are no exceptions, irrespective of the means by which the meter is reprogrammed.

All taximeters must be submitted to an authorised meter adjuster for testing and resealing within 14 days after having the fares changed or any other change made to the meter's programming. If the meter has been manually reprogrammed by the authorised meter adjuster, the testing and resealing would occur at the time of programming the meter. If the meter is reprogrammed via an 'over the air' fare change, the responsible operator must take the taxi to an authorised meter adjuster for testing and resealing within 14 days. The meter adjuster will issue a new fare label once the meter has been tested and sealed.

All meters must be sealed correctly to assure the travelling public, by means of a visible lead seal on the meter, that the meter has been tested by an authorised meter adjuster and is displaying correct fares and charges.

An unsealed taximeter gives no indication or surety to the paying public, and this will impact on the confidence in which they hold the taxi operator concerned.

It is an offence to drive a taxi that has not been sealed with a lead seal, or that has been sealed by someone the driver knows is not an authorised meter adjuster. It is also an offence for a responsible operator to operate, or allow someone else to operate, a taxi with a taximeter that is not correctly sealed.

5.7 Does a WAT have to have a radio dispatch system installed?

No. However, if a radio dispatch system is installed it must comply with the Regulations. In particular, the responsible operator must ensure that the radio:

- does not degrade the energy absorption requirements of instrument panels designed to meet the requirements of Australian Design Rule 21/00 – Instrument Panel;
- does not interfere with the operation of other equipment in the taxi;
- has controls that are –
 - o accessible to the driver of the taxi while seated in the normal seating position; and
 - o located in a place that is unlikely to annoy a passenger in the taxi; and
- is unlikely to injure an occupant of the vehicle.

5.8 What happens if equipment in a taxi is interfered with?

It is an offence for a person to interfere with equipment installed in or on a taxi. This includes taximeters, top-lights, tariff indicator lights and security camera systems.

It is an offence for any person to interfere with this equipment in any way that prevents, or is intended to prevent, the equipment from operating correctly.

5.9 Do I have to join a radio room?

Holding a taxi licence does not confer a right to join a radio room on a licence holder, and membership of a radio room or network is not compulsory for taxi operators in

Tasmania. Radio rooms may have rules prescribing eligibility for membership, and are not obliged to accept new members.

DIER does not have a view on whether new operators should join a radio room, and does not endorse any particular radio rooms. Operators wishing to pursue membership of a radio room should undertake their own research into membership availability and costs in their area.

5.10 What fees apply to taxi licences?

Before being issued with a licence you are required to pay the application fee.

An annual administration fee applies to all taxi licences. The fee varies across taxi areas, with non-metropolitan areas having lower annual fees than metropolitan areas. The fees are specified in the Regulations.

If you do not pay the annual administration fee, your licence will lapse and you will not be able to operate it until the fee is paid.

Other fees apply to the transfer of a licence, or for the issue of a replacement licence or replacement licence number plate.

All fees for taxi and other transport accreditation purposes are detailed on the [Transport website](#).

5.11 Can a licence be surrendered?

Any licence can be surrendered to the Commission at any time by the licence holder. However, no compensation is payable to the holder of the licence on surrender.

If you surrender your licence to the Commission, you must also return any licence number plate issued in respect of the licence to the Commission.

5.12 What is a licence number plate?

A licence number plate is a plate issued by the Transport Commission in respect of a taxi, luxury hire car or restricted hire vehicle licence.

You must affix the licence number plate to the WAT that your licence applies to. You must not affix it to any other vehicle, unless you have transferred the licence to that other vehicle.

It is important that you ensure that, at all times, the plate is affixed to the WAT to which the licence relates, or approved substitute vehicle, as this is the means by which the licence is identified.

5.13 What are void licence number plates?

A licence number plate is void if:

- the licence that it has been issued in respect of has lapsed (due to unpaid annual fees) for a period of longer than 28 days; or
- the Commission accepts that it has been lost or damaged.

Transport Inspectors may seize void licence number plates, and the Commission will cancel these plates. It is an offence to operate a taxi that has a void licence number plate attached to it.

If a plate has been cancelled, you need to apply to the Commission for a replacement plate. A small fee applies. A replacement plate will only be issued, in the case of outstanding fees, when the fees are paid, or in the case of loss or damage, if the Commission is satisfied that the original plate has been lost or damaged.

5.14 What is a Not For Hire sign?

All taxis must carry a not for hire sign, even if they are not being used as taxis at the time. The not-for-hire sign must be displayed to the front of the vehicle whenever the vehicle is being used on a public street and:

- it is not operating as a taxi;
- any of its taxi equipment is not installed or is not operating correctly;
- its security camera is not fully operational.

If a WAT is operating other than as a taxi (e.g. as a restricted hire vehicle under the authority of a restricted hire vehicle) it must have all features that may cause the vehicle to be identified as a taxi removed (including its taxi licence number plate), and the driver must not operate the taximeter. In this situation the vehicle is not required to display a not for hire sign.

A not for hire sign must be displayed in the left hand side of the vehicle's windscreen, and must be visible from a distance of 20 metres from the vehicle.

WHEELCHAIR-ACCESSIBLE TAXI LICENCE APPLICATION FOR A NEW LICENCE

Applicants for a new wheelchair-accessible (WAT) taxi licence who have not previously operated a WAT licence must contact the Department of State Growth on 616 63269 to discuss the requirements of WAT licence holders, prior to submitting an application.

DO NOT PURCHASE A VEHICLE UNTIL YOU HAVE HAD DISCUSSIONS WITH THE DEPARTMENT.

Please fill in *all* sections of this form. An application [fee](#) is payable and must be lodged with this application at a Service Tasmania outlet. You will be advised in writing whether your application is successful.

IMPORTANT INFORMATION

This application for a new wheelchair-accessible taxi licence will not be approved unless the Transport Commission is satisfied that the applicant:

- is accredited to operate a passenger transport service in accordance with Part 2 of the [Passenger Transport Services Act 2011](#);
- is the registered operator of the vehicle that the licence will relate to;
- has no outstanding fees due to the Commission; and
- will be the operator of the taxi service that will be provided under the authority of the licence.

The Commission may require the applicant to provide additional information to demonstrate that these conditions are met before issuing the licence.

SECTION 1 – LICENCE DETAILS

Taxi Area: _____

SECTION 2 – APPLICANT DETAILS

Name: _____

Address: _____

Phone: _____

Email: _____

ABN: _____

Accreditation number: _____

SECTION 3 – VEHICLE DETAILS

The proposed vehicle must be a currently registered and [inspected](#) passenger vehicle with a maximum seating capacity of 12 seats in any configuration including the driver, and have Class 6 MAIB registration premium.

For a [non-remote taxi area](#) the vehicle must be a wheelchair accessible taxi that:

- complies with the requirements of [Schedule 1](#) of the *Taxi and Hire Vehicle Industries Act 2008*; and
- is not more than 12 months old; and
- has an odometer reading of no more than 1000 km.

For a [remote taxi area](#) the vehicle must be either a wheelchair accessible taxi or a remote area wheelchair accessible taxi that:

- complies with the requirements of Schedule 1 of the *Taxi and Hire Vehicle Industries Act 2008*; and
- is not more than 7 years old.

Verification that the proposed taxi is under current inspection and appropriately registered will be obtained prior to approval of this application.

Vehicle make/model: _____

Month/Year: _____

Registration: _____

Name of Registered
Operator of vehicle: _____

SECTION 4 – SIGNATURE

I confirm that I will be the operator of the taxi service to be provided under the authority of this licence. I understand that I am legally responsible for all activity undertaken in respect of this licence. I understand that this licence:

- cannot be leased or assigned;
- may have conditions imposed on it by the Transport Commission;
- may be suspended or cancelled without compensation in prescribed circumstances; and
- can only be transferred to a person who meets the requirements set out in the 'Important Information' section of this form.

Signature of applicant: _____

Date: _____

APPROVAL/REFUSAL OF APPLICATION

APPROVAL OF APPLICATION:

The Transport Commission herewith issues a Wheelchair-Accessible Taxi Licence to:

Name: _____

Address: _____

Taxi Area: _____

Licence Number: _____

In respect of vehicle: _____

Conditions (if any): _____

REFUSAL OF APPLICATION:

The Transport Commission refuses this application:

Reasons for refusal of application: _____

SIGNED FOR THE TRANSPORT COMMISSION

Name: _____

Date: _____

PERSONAL INFORMATION PROTECTION STATEMENT

Personal information we collect from you for Registration and Licensing processes will be used by the Registrar of Motor Vehicles and the Transport Commission for that purpose and may be used for other purposes permitted by the [Vehicle and Traffic Act 1999](#), the [Passenger Transport Services Act 2011](#) and the [Taxi and Hire Vehicle Industries Act 2008](#) and associated laws. Your personal information may be disclosed to contractors and agents of the Registrar of Motor Vehicles and the Transport Commission, law enforcement agencies, the Motor Accident Insurance Board, vehicle manufacturers (safety recalls only), courts and other public sector bodies or organisations authorised to collect it. This information will be managed in accordance with the [Personal Information Protection Act 2004](#) and may be accessed by you on request to this Department. You may be charged a fee for this service. Failure to provide this information may result in your application not being processed or records not being properly maintained.