



Government of Western Australia
Department for Planning and Infrastructure

TAXI DISPATCH SERVICES (TDS PROVIDER)

CONDITIONS OF REGISTRATION

Taxi Act 1994, Section 29

Revised July 2004

DEFINITIONS

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

"**Act**" means the Taxi Act 1994 (WA);

"**Authorised Officer**" means an authorised officer as defined in section 31 of the Act

"**customer**" has the same meaning as "hirer" as defined in the Regulations;

"**fare**" means the charge for taxi travel payable by the customer to the driver;

"**MPT**" means "multi-purpose taxi" as defined in regulation 5 of the Regulations;

"**MPT Fleet**" means all Multi-Purpose Taxis that are operating;

"**MPT Coordinator**" means a TDS Provider appointed by the Director General to co-ordinate MPT fleet operations, either alone or with another TDS Provider or TDS Providers;

"**MPT Operator**" means a person who operates a vehicle as a MPT;

"**Regulations**" means the Taxi Regulations 1995 (WA);

"**TDS Provider**" means a provider of "**Taxi Dispatch Service**" and has the same meaning as it has in the Act;

"**Taxi Dispatch System**" means the means of receiving and dispatching customer bookings by the Taxi Dispatch Service;

"**TDS Fleet**" means all drivers and all taxis co-ordinated by the TDS Provider;

"**Taxi Unit**" means the branch of the Department responsible for the administration of the Act and the Regulations;

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

(b) The definitions and provisions in the Act and Regulations apply to these conditions unless inconsistent with them or excluded expressly or by necessary implication.

CONDITIONS

(1) Metered Taxi Fares

- (a) No TDS Provider shall make any changes to a fare schedule, whether applying to :
 - (i) all taxis in the TDS Fleet; or
 - (ii) a specific class or group of taxis within the TDS Fleet;without the prior written approval of the Director General.
- (b) The application to the Director General must specify all proposed changes and the intended implementation date.
- (c) Where the Director General's approval is granted:
 - (i) the TDS Provider shall give every driver in its TDS Fleet at least 14 days prior notice of the amended fare schedule; and
 - (ii) the TDS Provider must supply, for display on and in all taxis in its TDS Fleet, clearly visible and legible exterior and interior signs showing the amended fare schedule, including any applicable flag fall and distance rate.
- (d) All TUSS customers shall be charged the same fare rate as other members of the general public.

(2) Contract Taxi Fares

- (a) Notwithstanding the provisions of condition (1) above:
 - (i) Contract fares may be set between a TDS Provider and a customer.
 - (ii) Every TDS Provider must keep an accurate record of all contract fares charged by it and must produce the record to any authorised officer on demand.

(3) Customer Service Standards

- (a) A TDS Provider must meet or exceed the performance standards for a TDS Provider set by the Director-General from time to time.
- (b) A request for a taxi by a customer must not be refused on the basis of distance.
- (c) A request for a taxi by a customer must not be refused because the customer is a TUSS member.

- (d) A request for a taxi by a customer must not be refused on the basis of the place of embarkation or destination unless the TDS has records of violent or dangerous behaviour or non payment of fares in connection with either place and these records comply with condition (6)(e) and are independently verifiable.
- (e) A TDS may quote and estimated fare to customers when booking and may request them to confirm that they are carrying sufficient cash to pay the fare, and may require payment of the estimated fare prior to commencement of the journey.
- (f) The TDS must direct any customer requesting a wheelchair accessible taxi to an MPT Co-ordinator appointed by the Director-General if the TDS Provider has no wheelchair accessible vehicle available.
- (g) All TDS advertising must indicate the hours the TDS is available unless the TDS provides a 24 hour, seven days per week taxi service.

(4) Administration Standards

- (a) A TDS Provider must not allow an MPT to operate on its MPT Fleet, nor dispatch work to an MPT, unless that TDS Provider is an MPT Co-ordinator.

(5) Infrastructure Standards

- (a) No TDS Provider first registered after 7 August 2000 shall operate as a TDS Provider while it has a TDS Fleet of less than 20 vehicles, or such other number of vehicles as may be approved by the Director-General from time to time with respect to that TDS Provider.

(6) Record Keeping

- (a) Every TDS Provider must collect and retain all information necessary to provide a full and complete record of:
 - (i) total waiting time for each job including (without limitation):
 - (a) telephone response times of a TDS Provider to customers seeking a taxi;
 - (b) the time elapsed between a TDS Provider dispatching a job and the job being accepted by a driver; and
 - (c) the time elapsed between a driver accepting a job and the driver collecting the customer.
 - (ii) jobs outstanding and cars available; and
 - (iii) jobs not covered.

- (b) Every TDS Provider must make available on demand to an authorised officer, in a form satisfied by the Department, all information required to be kept by the TDS Provider pursuant to condition (6)(a).
- (c) Each TDS Provider must facilitate access to and interpretation of the above information held by the authorised officer.
- (d) A TDS Provider, the Department or any authorised officer may agree to maintain confidentiality of the information provided by the TDS Provider pursuant to condition 6(b) but nothing in this condition shall limit the ability of the Minister or the Department to make public comment on taxi industry performance and the attainment or otherwise of taxi industry performance standards.
- (e) For the purposes of condition (3)(d), the record of violent incidents or dangerous behaviour or non payment of fares to be kept by each TDS Provider shall include:
 - (i) the address or place at which the incident occurred ;
 - (ii) the name of the customer (if known);
 - (iii) the date and time of the incident;
 - (iv) the nature of the incident;
 - (v) the taxi plate number;
 - (vi) the Department's driver identification number, and
 - (vii) the action taken (if any) by the TDS Provider.
- (f) Every TDS Provider must provide to the Director-General in June of each year, details of:
 - (i) the area of operation of the TDS Provider;
 - (ii) the number of taxis operating through the TDS Provider; and
 - (iii) contact details of the TDS Provider for administrative purposes.
- (g) Each TDS Provider must record details of each occasion on which a driver activates the emergency button in a taxi. Such a record shall include :
 - (i) the name of the driver;
 - (ii) the Department's driver identification number;
 - (iii) the taxi plate number;
 - (iv) the time and date of the activation;
 - (v) the location of the taxi (as indicated to the TDS Provider);
 - (vi) the reasons for the activation, and
 - (vii) the action taken (if any) by the TDS Provider.

(7) Complaint Resolution

- (a) Each TDS Provider refer every complaint from a customer that involves any one or more of the following aspects to the Department within one working day for direction:
 - (i) verbal, physical or threatening abuse;
 - (ii) conversations of a sexual nature;
 - (iii) actual touching of a passenger;
 - (iv) refusing to accept TUSS vouchers, stolen TUSS vouchers or TUSS fraud.
 - (v) refusing to transport a guide dog that is accompanying a sight impaired passengers.
 - (vi) Refusing to accept or terminating a hiring;
 - (vii) Unlicensed taxi drivers;
 - (viii) Neglecting duty of care; or
 - (ix) Not catering for special needs or disability of the customer.
- (b) If the complaint referred to in condition (7)(a) is made by telephone, the TDS Provider shall record the complainant's name, address, contact telephone number and brief complaint details and shall provide a copy of this information to the Department. The TDS Provider shall advise the complainant that the Department is responsible for the investigation of serious complaints, that the matter will be referred to it and that the complainant will be contacted by the Department as part of its investigation.
- (c) Each TDS Provider must have in place, and abide by, a process for the handling of complaints that has been approved by the Director-General.
- (d) No variation shall be made by a TDS Provider to the approved complaints handling process unless first approved by the Director-General.
- (e) Each TDS Provider must make a copy of its approved complaints handling process available to each driver operating in its TDS Fleet, on request.
- (f) Every TDS Provider must make a record of all complaints lodged verbally, in writing or electronically by or on behalf of a customer. The record must:
 - (i) contain all information required by the Director-General;
 - (ii) must be kept in a manner approved by the Director-General for 12 months from the time it was lodged; and
 - (iii) must be provided to the Department monthly.
- (g) No TDS Provider shall allocate work to a driver or a taxi after being served with a notice in writing by the Department forbidding the allocation of work to that driver or taxi.

- (h) If in any 12 month period a driver is subject to 3 complaints involving a passenger, the TDS Provider with which the driver is affiliated shall notify the Department of that fact, and shall refer all complaints against that driver, from the date of the third complaint onwards to the Department.
- (i) If for a period of 12 months after the date of the TDS Provider's notification to the Department under paragraph (h), the subject driver does not incur any further complaints, the TDS provider may cease to forward any further complaints to the Department for the driver concerned unless again required to do so by paragraph (h).
- (j) Notwithstanding the provisions of Clause 7(h) the TDS Provider may, after receiving a complaint in relation to a driver:
 - (i) direct the driver to attend at the driver's own expense the next available Department approved training course, in an appropriate driver training module or modules, as nominated by the TDS Provider, and the driver must successfully complete that module or modules in accordance with the applicable performance criteria; or
 - (ii) take any other action against the driver which is in accordance with the TDS Provider's approved complaints handling process.

**CONDITIONS THAT APPLY TO THE TAXI DISPATCH SERVICE
APPOINTED AS A MPT COORDINATOR**

(11) Customer Service Standards

- (a) MPT Coordinators must provide the following dispatch service:
 - (i) Wheelchair customers must be able to book or request a taxi 24 hours per day 7 days per week;
 - (ii) A separate phone line for wheelchair booking must be available and;
 - (iii) priority must be given to all wheelchair and electric scooter customers.
- (b) MPT Coordinators shall monitor the availability of MPTs and in the event that a MPT:
 - (i) is inoperative for more than 14 consecutive days; or
 - (ii) is not operational during the hours specified in the MPT's taxi plate conditions;then a MPT Coordinator responsible for that MPT shall inform the Department in writing within 3 days of the event occurring.
- (c) MPT Coordinators shall monitor the performance of their MPT drivers and in the event that a MPT driver:
 - (i) fails to operate the Taxi Dispatch System when the MPT is operational; or
 - (ii) fails to give priority to wheelchair customers and gives preference to non-wheelchair customers; or
 - (iii) fails to promptly notify the MPT Coordinator of any private bookings accepted by the MPT driver; or
 - (iv) fails to take a wheelchair passenger when reasonably directed to by a MPT Coordinator; or
 - (v) fails to fulfil the quota requirements specified by a MPT Coordinator;then a MPT Coordinator responsible for that MPT driver, shall make a written record of the failure.
- (d) MPT Coordinators shall put in place processes and procedures to deal with events as set out in condition (11)(c).
- (e) MPT Coordinators must obtain the express approval of the Director General to the processes and procedures in condition (11)(d) prior to their introduction or implementation.
- (f) Any MPT Coordinator who applied unsuccessfully all available processes and procedures set out in condition (11)(d) to an MPT driver shall promptly notify the Department in writing of the fact.

- (g) The written record referred to in condition (11)(c) shall contain the following information:
 - (i) the date and time of the event or failure; and
 - (ii) the nature of the event or failure; and
 - (iii) details of the actions taken by a MPT Coordinator to resolve the matter; and
 - (iv) the full name of the driver involved;
 - (v) the driver ID of the driver involved; and
 - (vi) the taxi plate number.

(12) Complaint Resolution

- (a) MPT Coordinators must have in place a process approved by the Director-General, for the handling of MPT Operator complaints regarding the dispatch of work.
- (b) Any variation to the process set out in condition (12)(a) shall be subject to the prior written approval of the Director-General.
- (c) MPT Coordinators must make available a copy of the approved MPT Operator complaints handling process referred to in condition (12)(a) to each MPT Operator on the TDS provider, on request.

(13) Multi-Purpose Taxi Work Allocation

- (a) MPT Coordinators shall have in place processes and policies for the fair and equitable allocation of work to MPTs.
- (b) The processes and policies referred to in condition (13)(a) must first be approved by the Director-General in writing.
- (c) MPT Coordinators shall make a copy of approved processes and policies referred to in condition (13)(a) available to each MPT driver operating in the TDS Provider Fleet on request.
- (d) MPT Coordinators must make a record of all written or electronically lodged complaints by drivers regarding the dispatch of work. The record shall be kept in a manner approved by the Director-General for 12 months from the time it was lodged.

(14) Dispatch Service Fees

- (a) MPT Coordinators shall not charge any MPT Operator fees in excess of the maximum fees chargeable to a metered taxi that is provided with dispatch services by the TDS Provider.

(15) Permission to Coordinate the MPT fleet

- (a) A TDS Provider appointed as an MPT Coordinator shall not commence the coordination of the MPT fleet until the time and date specified in a letter of appointment by the Director-General. This letter of appointment will set out a minimum term of appointment with an option to extend to a maximum term.
- (b) Where a MPT Coordinator has been guilty of substantial non-performance, the Director-General may revoke the appointment of a MPT Coordinator within the minimum period specified in the letter of appointment subject to 20 days written notice, including written evidence of substantial non-performance of the conditions that apply to the appointment of a MPT Coordinator.
- (c) In the event that an MPT Coordinator lodges a request for a review with the Director General within 10 working days of receipt of the written notice of revocation, the Director-General may, at his discretion, extend the time period of 20 days referred to in condition (15)(b) until the review is finalised. The decision of the Director General on the review is final.
- (d) The Director General may, following the expiry of any minimum period specified in the letter of appointment, revoke the appointment of a MPT Coordinator, without cause, by 60 working days written notice to the MPT Coordinator.
- (e) In the event that an MPT Coordinator lodges a request for review with the Director General, within 10 working days of receiving notice of revocation, the Director General may, at his discretion, extend the time period of 60 working days referred to in condition (15)(d) until the review is finalised. The decision of the Director General on the review is final.
- (f) In the event of revocation of an MPT Coordinator's appointment, the Director General may appoint an interim TDS Provider to coordinate the affected MPT Fleet on an interim basis.
- (g) The interim TDS Provider shall receive a minimum period of 20 working days notice of such an appointment.
- (h) The maximum period of the interim appointment will be 12 calendar months or such longer period approved by the Director General.
- (i) The interim TDS Provider must provide a dedicated telephone line for callers requiring the MPT service and shall bear the costs of providing and advertising the new telephone line.
- (j) The Director General shall require the former MPT Coordinator's MPT Operators to affiliate with the interim TDS Provider at the commencement of the appointment.
- (k) The former MPT Coordinator shall fully cooperate with the Director-General in transferring the coordination of its MPT Fleet to the interim

TDS Provider nominated by the Director-General including, but not limited to:

- (i) transferring it's records to the interim TDS Provider as directed by the Director General; and
- (ii) directing it's MPT customers to the interim TDS Provider.

**BY ORDER OF THE DIRECTOR GENERAL OF THE DEPARTMENT FOR
PLANNING AND INFRASTRUCTURE**

Taxi Regulations 1995

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
1	Section 15(1)	Owner or driver of vehicle operating as a taxi within a control area without using taxi plates	500
2	Section 20(2)	(a) Failure to comply with, or ensure compliance with, conditions imposed under section 20(1), other than conditions relating to driver standards or conditions referred to in regulation 5(4)	250
		(b) Failure to comply with, or ensure compliance with, conditions imposed under section 20(1) and referred to in regulation 5(4)	500
3	Section 21(1)	Plate holder failing to ensure that plates used in manner directed	100
4	Section 21(2)	Using taxi plates on vehicle other than taxi	250
5	Section 25(1)	Failure to return taxi plates	150
6	Section 26	Provide or advertise an unregistered taxi dispatch service	250
7	Section 29(2)	Failure to comply with taxi dispatch service conditions	300
8	Section 32(5)	Operating taxi the operation of which prohibited	100
9	Section 32(6)	Failure to comply with notice or rectify defect	300
10	Section 36(2) and (5)	Offences relating to the issue of receipts and statements regarding driver bonds	100
11	Section 36(8)	Failure to return driver bond within 14 days of the driver ceasing to be contracted, engaged or employed	500
12	Regulation 7	Failure to ensure display of fare schedule	100
13	Regulation 8(1)	Charge more than fare shown on meter	200

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
14	Regulation 8(1a)	Selecting a tariff that is not the appropriate tariff as set out in the fare schedule	200
15	Regulation 8(2)	Failure to accept fare voucher	200
16	Regulation 8(2a)	Driver entering false or misleading information on fare voucher	200
17	Regulation 8(3)	Directing driver to contravene fare regulations	200
18	Regulation 9(2) and (3)	Offences relating to setting and stopping meter	200
19	Regulation 9A	Hirer failing to pay fare at termination of hiring or as agreed	250
20	Regulation 11	Driver failing to use most economical route	100
21	Regulation 13(1)	Driver failing to accept hiring	200
22	Regulation 13(3)	Driver terminating a hiring prior to reaching the agreed destination	200
23	Regulation 13A(1)	Driver failing to inform provider of taxi dispatch service as required	100
24	Regulation 13A(3)	Driver giving incorrect information regarding their identity to the provider of a taxi dispatch service	200
25	Regulation 13B(1)	Offences relating to camera surveillance unit requirements	200
26A	Regulation 13B(4)	Failing to display approved sign	100
26B	Regulation 13C(1)	Failing to comply with direction or rectify defect	250
26C	Regulation 13C(2)	Unauthorised removal of notice	250
26D	Regulation 13C(3)	Operating a taxi subject to prohibition	250
26E	Regulation 13D(2)	Unauthorised installing, removing or servicing of camera surveillance unit	200
26F	Regulation 13E(1)	Unauthorised downloading of information from camera surveillance unit	500
26G	Regulation 13F(1)	Obstructing or interfering with camera surveillance unit	500

Item	Section of Act or Regulation	Description of Offence	Modified Penalty \$
26H	Regulation 13G(2)	Failing to provide current certificate	200
26I	Regulation 13G(3)	Stating false or misleading information in certificate	200
26	Regulation 14	Driver failing to transport a guide dog	300
27	Regulation 15	Driver failing to display approved identification card	200
28	Regulation 16(1)	Offences relating to the conduct of drivers	200
29	Regulation 17	Offences relating to conduct of driver at taxi rank	200
30	Regulation 17B	Driver failing to wear uniform, uniform not clean etc.	200
31	Regulation 18(2)	Operating taxi with an unsealed meter	250
32	Regulation 18(4) and (5)	Offences relating to meters	250

Transport (Country Taxi-car) Regulations 1982

Item	Section of Act or Regulation	Description of offence	Modified penalty
1	s. 50(1)(a)	Operating public vehicle to consign, send or convey goods or passengers without appropriate licence	\$500 for an individual \$1 000 for a corporation
2	s. 53	Owner or driver of public vehicle failing to comply with terms and conditions of licence	\$200
3	r. 14(2)	Failing to return number plate issued in respect of taxi-car within 14 days after licence comes to end	\$50
4	r. 24	Driver failing to be clean and neat	\$50
5	r. 25(a)	Driver failing to conduct himself in orderly manner, with civility and propriety or failing to comply with reasonable requirement of hirer or passenger	\$50
6	r. 25(b)	Driver failing to afford reasonable assistance to passenger	\$50
7	r. 25(d)	Driver failing to carry driver's licence or produce it upon request of authorised officer	\$50
8	r. 25(e)	Driver failing to be constantly in attendance on taxi-car when standing for hire	\$50
9	r. 26(1)	Driver refusing a hiring or failing to carry out a hiring otherwise than in accordance with regulations 26(2) and (3)	\$50
10	r. 26(4)	Passenger failing to alight from taxi-car when requested to do so	\$50
11	r. 26B	Refusing to transport a guide dog that is accompanying a passenger who is visually or hearing impaired	\$50
12	r. 27	Driver failing to drive by shortest practicable route	\$50

Item	Section of Act or Regulation	Description of offence	Modified penalty
13	r. 27A	Driver failing to display approved identification card in manner directed by Director General	\$50
14	r. 35	Operator of taxi-car failing to cause taximeter to be regulated to record fares and charges prescribed by <i>Country Taxi-cars (Fares and Charges) Regulations 1991</i> or to submit the vehicle for inspection, testing and sealing	\$50
15	r. 36(ba)	Owner of taxi-car removing taximeter for more than 10 days without approval of Director General	\$50
16	r. 36(d)	Owner of taxi-car making or permitting alteration to taxi-car that would affect correct operation of taximeter	\$50
17	r. 38	Operator of taxi-car manipulating taximeter in manner likely to defraud	\$50
18	r. 39	Driver setting taximeter in operation otherwise than when permitted by r. 39	\$50
19	r. 41(2)	Owner or operator of taxi-car failing to comply with terms of notice received under r. 41(1) or rectify defect found during inspection	\$50

Country Taxi-cars (Fares and Charges) Regulations 1991

Item	Regulation	Description of offence	Modified penalty
1	r. 3(1)	Taking or making fare or charge for hire of taxi-car that is more than relevant fare or charge set out in Schedule 1	\$50
2	r. 3(1a)	Taking or making fare or charge for hire of taxi-car that is more than relevant special fare or charge or contract rate approved by Director General	\$50
3	r. 3(5)	Hirer of taxi-car failing to pay toll or parking fee incurred upon request	\$50
4	r. 4(1)	Evading or attempting to evade payment of fare or charge	\$50
5	r. 4(2)	Driver of taxi-car failing to report evasion or attempted evasion of payment of fare or charge to Director General	\$50
6	r. 6(1)	Owner of taxi-car failing to have schedule detailing rates and charges in vehicle or driver failing to make schedule available to hirer upon request	\$50
7	r. 6(2)	Driving a taxi-car in which schedule detailing rates and charges is not carried	\$50