

CONDITIONS OF ACCREDITATION

Passenger Transport Act 1994 ('the Act') *Passenger Transport Regulations 2009 ('the Regulations')*

Conditions for Operators of Vehicles under Special Taxi Licences

I, Corey Wingard, Minister for Infrastructure and Transport:

1. Pursuant to section 31(1)(b)(i) of the Act, hereby make Operators of Vehicles under Special Taxi Licences subject to the conditions contained in this instrument as below.
2. Pursuant to section 31(3) of the Act, hereby vary the conditions of accreditation for persons who are Operators of Vehicles under Special Taxi Licences to include the below conditions, in addition to those conditions set out in, or otherwise imposed in accordance with, the Act and Regulations.

Definitions

1. "**Access Taxi**" means a passenger transport vehicle licenced under section 45 of the Act and regulation 30(1)(c) of the Regulations to carry persons who use wheelchairs, scooters, or other large (ride-on) mobility aids.
2. "**Access Taxi Hours**" means:
 - 2.1. 7:30 am to 6:30 pm Monday to Saturday (unless a Public Holiday); and
 - 2.2. 9:00 am to 5:00 pm on Sundays and all Public Holidays (as determined under the *Holidays Act 1910 (SA)*) subject to the following exceptions:
 - 2.2.1. 5:00 am to 5:00 pm on Anzac Day;
 - 2.2.2. 10:00 am to 6:00 pm on Mother's Day; and
 - 2.2.3. 9:00 am to 6:00 pm on Christmas Day; and
 - 2.3. any other period where a Driver or Operator of an Access Taxi is directed by the CBS to log onto the Computerised Telecommunications System and provide Access Taxi Services.
3. "**Access Taxi Services**" means the provision of a taxi service to persons who use wheelchairs, scooters, or other large (ride-on) mobility aids.
4. "**CBS**" means the centralised booking service contracted by the Minister and accredited under the Act to co-ordinate and allocate or assign bookings for Access Taxis.
5. "**Computerised Telecommunications System**" means the computerised telecommunications system operated by CBS for the purposes of connecting the Access Taxi and the central control station for the CBS and which is a computerised telecommunications system for the purposes of the Regulations.
6. "**Driver**" means a person who is accredited under section 28 of the Act, who drives an Access Taxi.
7. "**Licence**" means a Special Taxi Licence issued under section 47(5) of the Act and regulation 30(3) of the Regulations.
8. "**Operator**" means a person who is accredited under section 27 of the Act, who operates an Access Taxi.

9. **“Other Taxi Services”** means taxi services which are not Access Taxi Services.
10. **“Out of Zone”** means Taxi Services which commence and conclude outside of Metropolitan Adelaide (Area A).
11. **“Taxi Services”** means Access Taxi Services and Other Taxi Services.
12. Unless otherwise specified in these Conditions, a term defined in the Act or Regulations will have the same meaning in these Conditions.

Conditions of Accreditation

13. The Operator of an Access Taxi must:
 - 13.1. ensure at all times that the Access Taxi is:
 - 13.1.1. subject to a Licence;
 - 13.1.2. capable of and equipped to allow access to, and to carry, at least one person using a wheelchair, scooter or other large (ride-on) mobility aid within its allocated passenger space;
 - 13.1.3. equipped with a Computerised Telecommunications System.
 - 13.2. ensure that, at all times while the Access Taxi is being used, the Access Taxi is signed-in to the Computerised Telecommunications System;
 - 13.3. participate in the South Australian Transport Subsidy Scheme;
 - 13.4. enter into an agreement with the CBS for the provision of Access Taxi Services;
 - 13.5. ensure that each Driver of an Access Taxi operated by the Operator is accredited and a fit and proper person to provide Access Taxi Services;
 - 13.6. ensure that the Access Taxi is available to the CBS for Access Taxi Services at all times during Access Taxi Hours (or where the Operator does not have sufficient Drivers available to satisfy this obligation, such varied period as agreed between the Operator and CBS, which must not be less than 37.5 hours per week during Access Taxi Hours);
 - 13.7. ensure that the Driver of the Access Taxi accepts and performs any booking for Access Taxi Services allocated or assigned by the CBS regardless of location, trip distance, voucher status or any other factor, unless:
 - 13.7.1. the Driver is already providing Access Taxi Services or Other Taxi Services which have been approved by CBS (including any booking pre-approved by CBS), at the time that the allocated or assigned booking is scheduled to take place; or
 - 13.7.2. at the time of the allocation or assignment the Driver is unable (as determined by the CBS in its sole discretion having regard to the current location of the Driver, the time since the Driver’s last break, the passenger booking time and traffic flows, with reference to mapping services) to travel to and commence the booking for Access Taxi Services at the time requested by the passenger.

For the avoidance of doubt, nothing in this clause 13.7 prevents a Driver from undertaking an ad-hoc request for Access Taxi Services which is to be performed immediately and is properly notified and approved in accordance with clause 13.9;

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- 13.8. ensure that, during Access Taxi Hours, the Driver of the Access Taxi only provides Access Taxi Services and does not provide Other Taxi Services, unless:
 - 13.8.1. there are no Access Taxi Services allocated or assigned by the CBS to the Driver or otherwise available for the driver to undertake at the time at which Other Taxi Services becomes available;
 - 13.8.2. undertaking the Other Taxi Services would not prevent the Driver from taking on Access Taxi Services which were known or booked prior to the Driver being requested to take on the Other Taxi Services; and
 - 13.8.3. the CBS has provided the Driver with express approval to undertake the Other Taxi Services, which approval may be granted in respect of either a particular Other Taxi Services job or a fixed period of time during Access Taxi Hours.
 - 13.9. ensure that the Driver promptly notifies and receives approval from the CBS before accepting and performing any request for Access Taxi Services made other than through the CBS, including pre-booked Access Taxi Services or an ad-hoc request for Access Taxi Services which is to be performed immediately;
 - 13.10. ensure that the Driver commences all pre-booked allocated or assigned Access Taxi Services promptly at the booked time;
 - 13.11. ensure that the Access Taxi does not operate, and that the Driver does not undertake, Taxi Services which are Out of Zone, unless the Driver has been directed or otherwise approved by the CBS to undertake Out of Zone Taxi Services.
14. The Operator must:
- 14.1. undertake, and ensure that Drivers engaged by the Operator to undertake Access Taxi Services undertake, such additional training in relation to the Access Taxi, the operation of the Access Taxi and the delivery of Access Taxi Services as may be required by the Minister from time to time;
 - 14.2. not permit a Driver to undertake Access Taxi Services using the Operator's Access Taxi unless the Driver has completed an appropriate course of training recognised by the Minister;
15. The Operator must ensure that Drivers are educated on, and comply with, the **Conditions for Drivers of Vehicles under Special Taxi Licences**.
16. The Operator must ensure that all Access Taxis that it operates comply with all applicable provisions of:
- 16.1. the *Passenger Transport Act 1994* and *Passenger Transport Regulations 2009*;
 - 16.2. the Disability Standards for Accessible Public Transport 2002 under the *Disability Discrimination Act 1992* (Cth) as amended from time to time, or such other legislative instrument to the same or similar effect that supersedes it;
 - 16.3. minimum standards for wheelchair and occupant restraint assemblies described in Australian Standard AS/NZS 10542:1:2015 as in force from time to time; and
 - 16.4. any other legislation relating to the construction or operation of an Access Taxi.

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17. The Access Taxi operated by the Operator must have:
 - 17.1. capacity to allow access to, and to carry, at least one person using a wheelchair, scooter or other large (ride-on) mobility aid within its allocated passenger space;
 - 17.2. a mechanism which allows for the rapid release of each wheelchair, scooter or other large (ride-on) mobility aid and its occupant in the case of an accident or emergency;
 - 17.3. adequate functionality for a wheelchair, scooter or other large (ride-on) mobility aid to be securely fastened and stabilised while the Access Taxi is in motion.
18. All modifications to the Access Taxi must be approved by the Minister before the Access Taxi is used to provide Access Taxi Services.
19. Where wheelchair lifts are fitted in the Access Taxi:
 - 19.1. a hand rail must be included on the lift;
 - 19.2. a device to ensure the wheelchair cannot fall off the back of the lift must be fitted; and
 - 19.3. a manual backup must be incorporated with the lift.
20. The equipment fitted in the Access Taxi which is designed for the carriage of passengers using a wheelchair, scooter or other large (ride-on) mobility aid must be well maintained to an appropriate and functional standard.
21. The hoist electrical system must be isolated from the Access Taxi's electrical system.
22. Where hoist controls can be accessed by a person other than the Driver, the hoist controls must be or be able to be isolated to avoid any person other than the Driver having control of the hoist.
23. Where an Access Taxi operated by the Operator is being:
 - 23.1. repaired or modified or is otherwise unable to perform Access Taxi Services, the Operator must ensure that the total period of time which the Access Taxi is not able to be used to perform Access Taxi Services does not exceed 28 days;
 - 23.2. replaced by a different vehicle, the Operator must ensure that the new vehicle is attached to a Licence and providing Access Taxi Services within 28 days of the date on which the previous vehicle ceased providing Access Taxi Services, unless the timeframe is extended by the Minister in its sole discretion upon written application by the holder of the Licence.
24. The Access Taxi must adhere to, display or be fitted with any notices, signs, equipment or other devices or fittings as required by the Minister.
25. Any action of the Minister under these conditions may be undertaken by the Minister or a person duly authorised by the Minister in that regard.

These Conditions:

26. take effect from 22 February 2022 and will remain in force until revoked; and
27. revoke the conditions entitled "Taxi Licences with Special Conditions (Wheelchair Accessible Taxis)", a copy of which is annexed to these Conditions at Annexure A; and
28. do not derogate from any other requirement imposed pursuant to the Act or the Regulations, including but not limited to any conditions of accreditation imposed pursuant to the Act or the Regulations which continue to apply.

Dated 15 February 2022