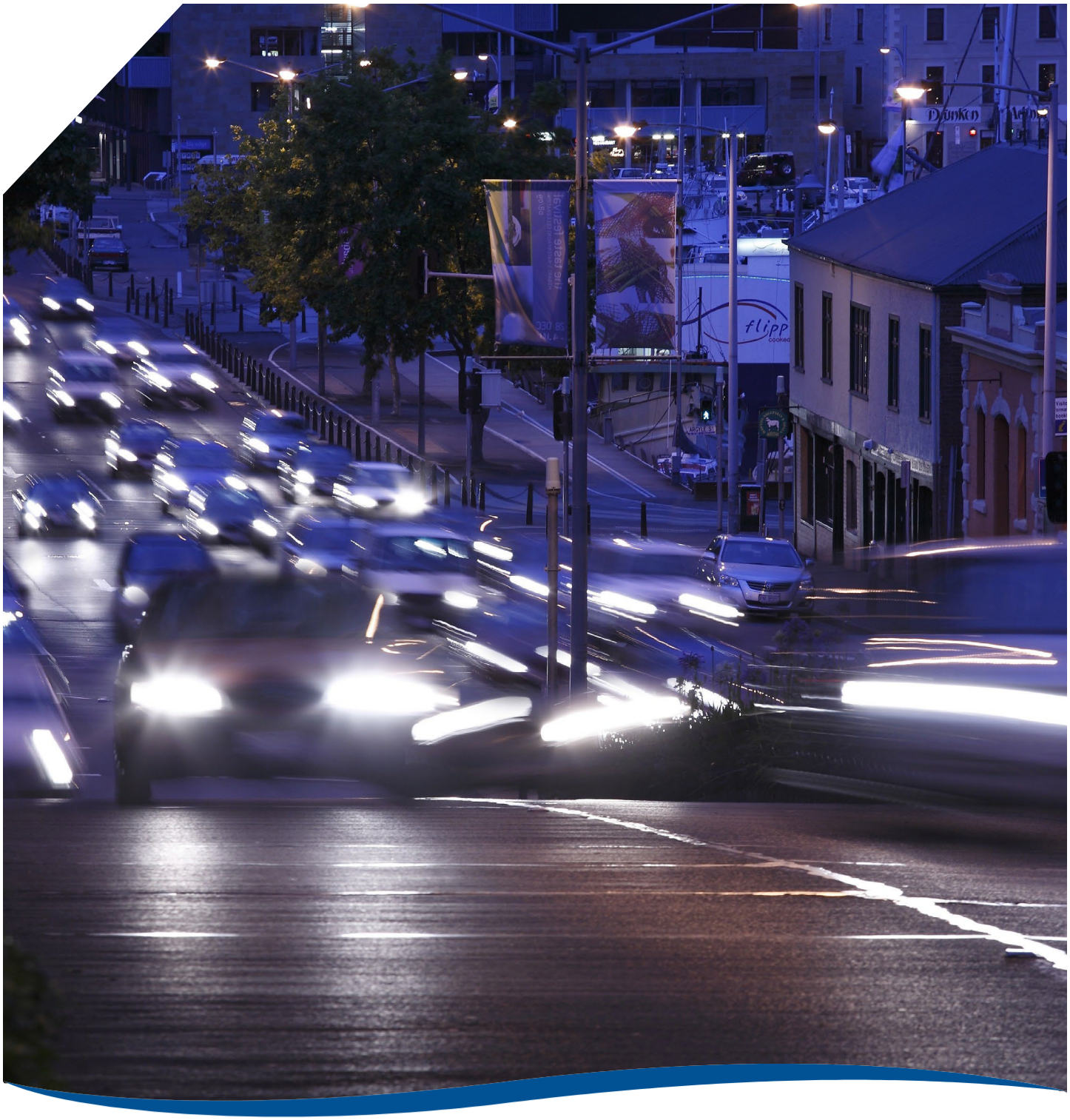
Passenger Transport
Operator Accreditation

Forms (Templates)



Department of State

Tasmanian Government

Department of State Growth
Passenger Transport Branch

GPO BOX 536
Hobart Tasmania 7001

Phone: 03 6166 3275

Email: operator.accreditation@stategrowth.tas.gov.au

This manual is available online at:

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Form 1.4

Register Of Vehicles - Bus and Small Passenger Vehicles

This form sets out the minimum information that you are required to keep for each vehicle for accreditation. You may wish to create a more detailed form that includes additional information about the vehicles, such as the date and place of purchase and the due date for replacement.

Vehicle number/ identifier	Registration number	Registration expiry	Vehicle make/model	Seating/ operational capacity	Manufacture date (mm/yy)	First inspection due (refer to Standard 2.1)	Second inspection due (if relevant – refer to Standard 2.1)

Form 1.4

Register Of Vehicles (Taxi And Luxury Hire Car)

This form sets out the minimum information that you are required to keep for each vehicle for accreditation. You may wish to create a more detailed form that includes additional information about the vehicles, such as the date and place of purchase and seating capacity.

Vehicle number/ identifier	Registration number	Registration expiry	Vehicle make/ model	Seating capacity	Manufacture date (mm/yy)	Date from which vehicle can no longer be used as a taxi/luxury hire car	First inspection due (see Standard 2.1)	Second inspection due (if relevant: see Standard 2.1)

ODU Pre-Departure Checklist (Bus and Medium to Heavy Trucks)

Pre-departure inspection checklist for vehicles operated regularly

Vehicle registration		**Week beginning**	

Item	**O.K ✓ Defective ×**						
	Mon	**Tues**	**Wed**	**Thurs**	**Fri**	**Sat**	**Sun**
Name of person conducting the check							
Interior check • *Check vehicle was secured overnight and no unexpected or suspicious items located.* • *Check seatbelts (if fitted)*							
Lights and reflectors • *Check all lights including clearance lights for working order* • *Check reflectors and lenses for breakages*							
Regulation signs and labels • *Check that registration sticker (if required), inspection label and no-smoking sign are affixed* • *Check vehicle is currently registered (if no registration sticker)*							
Mirrors, windows and windscreens • *Check mirrors are securely mounted* • *Windscreens, windows and mirror surfaces are clean and checked for damage*							
Wheels, tires and rims • *Tirepressure and tread integrity* • *Wheels, rims and retaining rims* • *Wheel security (loose or missing wheel nuts)*							
Horns and signals • *Check that horn is in working order* • *Check for audible reversing signal if applicable*							
Wipers and washers • *Check that wipers are in working order and do not obstruct driver's forward vision* • *Check that windscreen washers have sufficient fluid to ensure clear forward vision*							
Fire extinguisher • *Check that fire extinguisher/s are correctly charged*							
Emergency exit • *Check that emergency hammer is in place*							
Oils/fuel/water • *Check levels* • *Check for leaks of any fluid (oil, water, refrigerant/coolant, hydraulic fluid, brake fluid or other)*							
Structure and bodywork • *Check that all panels and readily visible structural members are secure*							
Brakes • *Check that brake failure indicators are in working order* • *Check pressure/vacuum gauges* • *Check brake application whilst moving prior to departure* • *Check air tank (if applicable)*							
Initials of person undertaking check on completion of check							

Note: If defect found, complete fault report form (Form 2.3) and submit to Responsible Person.

Form 2.2

Pre-Departure Checklist (Bus)

Pre-departure inspection checklist for vehicles operated occasionally

Vehicle registration	

Item	**O.K ✓ Defective ×**						
	Date						
Name of person conducting the check							
Interior check • *Check vehicle was secured overnight and no unexpected or suspicious items located* • *Check seatbelts (if fitted)*							
Lights and reflectors • *Check all lights including clearance lights for working order* • *Check reflectors and lenses for breakages*							
Regulation signs and labels • *Check that registration sticker (if required), inspection label and no-smoking sign are affixed* • *Check vehicle is currently registered (if no registration sticker)*							
Mirrors, windows and windscreens • *Check mirrors are securely mounted* • *Windscreens, windows and mirror surfaces are clean and checked for damage*							
Wheels, tyres and rims • *Tyre pressure and tread integrity* • *Wheels, rims and retaining rims* • *Wheel security (loose or missing wheel nuts)*							
Horns and signals • *Check that horn is in working order* • *Check for audible reversing signal if applicable*							
Wipers and washers • *Check that wipers are in working order and do not obstruct driver's forward vision* • *Check that windscreen washers have sufficient fluid to ensure clear forward vision*							
Fire extinguisher • *Check that fire extinguisher/s are correctly charged*							
Emergency exit • *Check that emergency hammer is in place*							
Oils/fuel/water • *Check levels* • *Check for leaks of any fluid (oil, water, refrigerant/coolant, hydraulic fluid, brake fluid or other)*							
Structure and bodywork • *Check that all panels and readily visible structural members are secure*							
Brakes • *Check that brake failure indicators are in working order* • *Check pressure/vacuum gauges* • *Check brake application whilst moving prior to departure* • *Check air tank (if applicable)*							
Initials of person undertaking check on completion of check							

Note: If defect found, complete fault report form (Form 2.3) and submit to Responsible Person.

Form 2.2

Pre-Departure Checklist (Taxi)

Pre-departure inspection checklist for vehicles operated regularly

Vehicle registration		**Week beginning**	

Item	**O.K ✓ Defective ×**						
	Mon	**Tues**	**Wed**	**Thurs**	**Fri**	**Sat**	**Sun**
Name of person conducting the check							
Interior check • *Check no unexpected or suspicious items located* • *Seatbelts are serviceable and accessible to all passengers*							
Lights and reflectors • *Check all lights (headlights, front park/side lights, tail lights, brake lights, reversing lights, turn signal indicator lights, number plate light) for working order*							
Regulation signs and labels • *Inspection label, licence number plate, driver identification and photograph, complaints telephone number, taxi security camera signs and certification label, and no-smoking sign are affixed and clearly visible* • *Check vehicle is currently registered*							
Mirrors, windows and windscreens • *Check mirrors are securely mounted* • *Windscreens, windows and mirror surfaces are clean and checked for damage*							
Wheels, tyres and rims • *Tyre pressure and tread integrity* • *Wheels, rims and retaining rims* • *Wheel security (loose or missing wheel nuts)*							
Horns and signals • *Horn is in working order* • *Audible reversing signal (if applicable)*							
Wipers and washers • *Wipers are in working order and do not obstruct driver's forward vision* • *Windscreen washers have sufficient fluid to ensure clear forward vision*							
Oils/fuel/water • *Check levels* • *Ensure no leaks of oil, fuel, water, refrigerant/coolant, hydraulic fluid or brake fluid*							
Structure and bodywork • *All panels and readily visible structural members are secure*							
Brakes • *Brake failure indicators are in working order* • *Check brake application whilst moving prior to departure*							
Taxi equipment • *Meter correctly sealed and working* • *Taxi roof sign affixed and operational* • *Tariff lights affixed and operational* • *Security camera indicates system is operational*							
Fire extinguisher (if fitted) • *Fire extinguisher/s correctly charged.*							
Emergency release mechanism (WATs) • *Emergency release label clearly visible from exterior of vehicle*							
Initials of person undertaking check on completion of check							

Note: If defect found, complete fault report form (Form 2.3) and submit to Responsible Person.

Form 2.2

Pre-Departure Checklist (Taxi)

Pre-departure inspection checklist for vehicles operated occasionally

Vehicle registration	

Item	**O.K ✓ Defective ×**						
	Date						
Name of person conducting the check							
Interior check • *Check no unexpected or suspicious items located* • *Seatbelts are serviceable and accessible to all passengers*							
Lights and reflectors • *Check all lights (headlights, front park/side lights, tail lights, brake lights, reversing lights, turn signal indicator lights, number plate light) for working order*							
Regulation signs and labels • *Inspection label, licence number plate, driver identification and photograph, complaints telephone number, taxi security camera signs and certification label, and no-smoking sign are affixed and clearly visible* • *Check vehicle is currently registered*							
Mirrors, windows and windscreens • *Check mirrors are securely mounted* • *Windscreens, windows and mirror surfaces are clean and checked for damage*							
Wheels, tyres and rims • *Tyre pressure and tread integrity* • *Wheels, rims and retaining rims* • *Wheel security (loose or missing wheel nuts)*							
Horns and signals • *Horn is in working order* • *Audible reversing signal (if applicable)*							
Wipers and washers • *Wipers are in working order and do not obstruct driver's forward vision* • *Windscreen washers have sufficient fluid to ensure clear forward vision*							
Oils/fuel/water • *Check levels* • *Ensure no leaks of oil, fuel, water, refrigerant/coolant, hydraulic fluid or brake fluid*							
Structure and bodywork • *All panels and readily visible structural members are secure*							
Brakes • *Brake failure indicators are in working order* • *Check brake application whilst moving prior to departure*							
Taxi equipment • *Meter correctly sealed and working* • *Taxi roof sign affixed and operational* • *Tariff lights affixed and operational* • *Security camera indicates system is operational*							
Fire extinguisher (if fitted) • *Fire extinguisher/s correctly charged*							
Emergency release mechanism (WATs) • *Emergency release label clearly visible from exterior of vehicle*							
Initials of person undertaking check on completion of check							

Note: If defect found, complete fault report form (Form 2.3) and submit to Responsible Person.

Form 2.2

Pre-Departure Checklist (Small Passenger Vehicle)

Pre-departure inspection checklist for vehicles operated regularly

Vehicle registration		**Week beginning**	

Item	**O.K ✓ Defective ×**						
	Mon	**Tues**	**Wed**	**Thurs**	**Fri**	**Sat**	**Sun**
Name of person conducting the check							
Interior check • *Check no unexpected or suspicious items located* • *Seatbelts are serviceable and accessible to all passengers*							
Lights and reflectors • *Check all lights (headlights, front park/side lights, tail lights, brake lights, reversing lights, turn signal indicator lights, number plate light) for working order*							
Regulation signs and labels • *Inspection label, licence number plate (if required), and no-smoking sign are affixed and clearly visible* • *Check vehicle is currently registered*							
Mirrors, windows and windscreens • *Check mirrors are securely mounted* • *Windscreens, windows and mirror surfaces are clean and checked for damage*							
Wheels, tyres and rims • *Tyre pressure and tread integrity* • *Wheels, rims and retaining rims* • *Wheel security (loose or missing wheel nuts)*							
Horns and signals • *Horn is in working order* • *Audible reversing signal (if applicable)*							
Wipers and washers • *Wipers are in working order and do not obstruct driver's forward vision* • *Windscreen washers have sufficient fluid to ensure clear forward vision*							
Oils/fuel/water • *Check levels* • *Ensure no leaks of oil, fuel, water, refrigerant/coolant, hydraulic fluid or brake fluid*							
Structure and bodywork • *All panels and readily visible structural members are secure*							
Brakes • *Brake failure indicators are in working order* • *Check brake application whilst moving prior to departure*							
Initials of person undertaking check on completion of check							

Note: If defect found, complete fault report form (Form 2.3) and submit to Responsible Person.

Form 2.2

Pre-Departure Checklist (Small Passenger Vehicle)

Pre-departure inspection checklist for vehicles operated occasionally

Vehicle registration	

Item	**O.K ✓ Defective ×**						
	Date						
Name of person conducting the check							
Interior check • *Check no unexpected or suspicious items located* • *Seatbelts are serviceable and accessible to all passengers*							
Lights and reflectors • *Check all lights (headlights, front park/side lights, tail lights, brake lights, reversing lights, turn signal indicator lights, number plate light) for working order*							
Regulation signs and labels • *Inspection label, licence number plate (if required), and no-smoking sign are affixed and clearly visible* • *Check vehicle is currently registered*							
Mirrors, windows and windscreens • *Check mirrors are securely mounted* • *Windscreens, windows and mirror surfaces are clean and checked for damage*							
Wheels, tyres and rims • *Tyre pressure and tread integrity* • *Wheels and rims and retaining rims* • *Wheel security (loose or missing wheel nuts)*							
Horns and signals • *Horn is in working order* • *Audible reversing signal (if applicable)*							
Wipers and washers • *Wipers are in working order and do not obstruct driver's forward vision* • *Windscreen washers have sufficient fluid to ensure clear forward vision*							
Oils/fuel/water • *Check levels* • *Ensure no leaks of oil, fuel, water, refrigerant/coolant, hydraulic fluid or brake fluid*							
Structure and bodywork • *All panels and readily visible structural members are secure*							
Brakes • *Brake failure indicators are in working order* • *Check brake application whilst moving prior to departure*							
Initials of person undertaking check on completion of check							

Note: If defect found, complete fault report form (Form 2.3) and submit to Responsible Person.

Form 2.2 A
Record Of Daily Inspections

You may use this form to keep a summary record of each vehicle's pre-departure inspections for the month.

Vehicle registration		Month/Year	

Date	Checked by	Signature	Details of faults	Faults reported
1				❑
2				❑
3				❑
4				❑
5				❑
6				❑
7				❑
8				❑
9				❑
10				❑
11				❑
12				❑
13				❑
14				❑
15				❑
16				❑
17				❑
18				❑
19				❑
20				❑
21				❑
22				❑
23				❑
24				❑
25				❑
26				❑
27				❑
28				❑
29				❑
30				❑
31				❑

Form 2.3
Fault and Clearance Report

This form may be used to track vehicle faults, repairs and fault clearance.

Vehicle Details			
Company/Operator			
Vehicle registration	**Fleet/vehicle number**	**Vehicle type**	**Odometer reading**

	Fault Report					Fault Clearance		
Item No.	**Date**	**Description of fault or symptoms**	**Action taken (tick)**	**Actioned by** (name and signature)	**Reason for action**	**Date**	**Repairs/action taken**	**Certified by** (name and signature)
			❑ Repair ❑ Defer ❑ Monitor					
			❑ Repair ❑ Defer ❑ Monitor					
			❑ Repair ❑ Defer ❑ Monitor					
			❑ Repair ❑ Defer ❑ Monitor					
			❑ Repair ❑ Defer ❑ Monitor					
			❑ Repair ❑ Defer ❑ Monitor					
			❑ Repair ❑ Defer ❑ Monitor					
			❑ Repair ❑ Defer ❑ Monitor					

Form 2.5

Emergency Management Procedures

Introduction

This sample policy relates to the management of emergency situations for vehicles involved in an accident, breakdown or other situations where the safety of the passengers or driver is compromised. The procedures should include actions that drivers must undertake if such a situation occurs to ensure the safety of the passengers. These may be different according to the type of incident that occurs.

A summary of the procedures must be clearly visible in each operating vehicle, along with any incident report forms and information collection forms you develop as part of the procedures.

Basic Procedures

1. Have a list of emergency phone numbers for drivers

These might include:

- Depot or base
- Responsible operator
- Radio room
- Police
- Ambulance
- Fire
- Other as required (e.g. school, for school bus services)

2. Outline key steps for a driver to take in the event of an emergency

These should cover a variety of situations that might occur and what the driver should do in each case. This may vary according to the severity of the incident and whether anyone has been hurt and should include:

- Check on safety of passengers first
- Contact Ambulance immediately if someone is injured
- Circumstances when Police must be called
- Advise depot/base/operator as soon as possible
- Arrangements for passengers (whether they should remain in the vehicle, or where they should wait if the vehicle is unsafe) – and what to do if passengers refuse to comply
- Do not make admissions with respect to liability in a collision
- Whether the driver should assist in clearing the road of debris (if safe)
- Obtain details from the other party/ parties involved in a collision
- If the vehicle cannot be driven, make alternative arrangements and advise passengers
- If the vehicle can be driven, check all systems before continuing on the journey
- Complete incident report at the time of the incident
- Collect as much information from the scene as possible at the time, including witnesses, details of Police Officers attending the scene and any charges made or pending, details of injured persons (passengers or otherwise), a brief sketch of the scene (or photographs)
- What the driver should do on return to the depot/base

3. Keep records

As part of your emergency procedures you should have relevant forms to ensure that the driver collects all the information that is required after a collision or other incident. These should be kept in the vehicle with the summary of the emergency procedures. They include:

- Information to be collected at the scene of the incident (regardless of the type of incident)
- Information to be obtained from third parties involved in a collision
- Incident report form

Form 3.2

Register Of Drivers (Taxi & LHC)

This is an example Driver Register that may be used by taxi and luxury hire car operators.

All drivers are to sign this register to indicate that they have read and understood the procedures and policies that describe their duties, and agree that they will carry out their duties in the manner as described in the manual.

DRIVERS: if you do not understand any policies or procedures please discuss them with the Responsible Person before you sign this form

Full name of driver			
Address of driver			
Driver's contact phone number(s)			
Date of commencement of employment			
Driver's licence number and class		**Expiry date** (day/month/year)	
Driver holds Ancillary Certificate (Y/N)		**A/C expiry date** (day/month/year)	
Checked by	(name and signature)	**Date**	
Workers Compensation insurer and policy number		**Expiry date** (day/month/year)	

Awareness of policies	Driver's signature*	Date
Pre-departure inspections		
Fault reporting system		
Emergency management		
Reportable incident management		
Passenger behaviour management		
Other		

*By signing this form you confirm that you are aware of/have read and understood your duties and obligations, and the procedures to be followed.

Form 3.2

Register Of Drivers

This is an example Driver Register that may be used by operators of passenger transport services other than taxi and luxury hire car services.

All drivers are to sign this register to indicate that they have read and understood the procedures and policies that describe their duties, and agree that they will carry out their duties in the manner as described in the manual.

DRIVERS: if you do not understand any policies or procedures please discuss them with your employer before you sign this form.

Full name of driver			
Address of driver			
Driver's contact phone number(s)			
Date of commencement of employment			
Driver's licence number and class		**Expiry date** (day/month/year)	
Driver holds Ancillary Certificate (Y/N)		**Expiry date** (day/month/year)	
Checked by	(name and signature)	**Date**	

Awareness of policies	Driver's signature*	Date
Pre-departure inspections		
Fault reporting system		
Emergency management		
Reportable incident management		
Passenger behaviour management		
Other		

*By signing this form you confrm that you are aware of/have read and understood your duties and obligations, and the procedures to be followed.

Form 3.3

Driver Monitoring

You must check the details held in your Driver Register for each driver at a minimum of every 12 months to ensure that each driver still holds a current driver licence and Ancillary Certificate.

You can verify that a driver has a current Ancillary Certificate on the Department's website at www.transport.tas.gov.au/passenger/operators Details on Ancillary Certificates can be found under the link "Current Ancillary Certificates for Public Passenger Vehicles.

Driver's name			
Driver's licence number, class and expiry date (day/month/year)		**Current?**	❑ **Yes** ❑ **No**
Driver's Ancillary Certificate expiry date (day/month/year)		**Current?**	❑ **Yes** ❑ **No**
Checked by	(name and signature)	**Date**	
Driver's licence number, class and expiry date (day/month/year)		**Current?**	❑ **Yes** ❑ **No**
Driver's Ancillary Certificate expiry date (day/month/year)		**Current?**	❑ **Yes** ❑ **No**
Checked by	(name and signature)	**Date**	
Driver's licence number, class and expiry date (day/month/year)		**Current?**	❑ **Yes** ❑ **No**
Driver's Ancillary Certificate expiry date (day/month/year)		**Current?**	❑ **Yes** ❑ **No**
Checked by	(name and signature)	**Date**	

Form 3.4

Passenger Behaviour Management Policy Procedures

Introduction

This sample policy relates to the management of passenger behaviour when a passenger travelling in or on one of your vehicles behaves in a way that may be a breach of the *Passenger Transport Services Regulations 2013* or that may compromise the safety of the driver, other passengers or the safe operation of the vehicle. Your policy must be consistent with the requirements of the regulations regarding what a driver or operator may reasonably do if a person is committing an offence on or in the vehicle.

This is an example that would comply with Accreditation Standard 3.4, but you may develop your own passenger behaviour policy that meets the needs of your business. For example, you may choose to categorise different types of passenger behaviour in different ways, and set out different procedures for managing each group of behaviours. You might decide that there are only certain offences where you would want a driver to direct a passenger to leave the vehicle, and that for other less serious offences the driver should not do this. In cases of very dangerous or potentially life-threatening behaviour, you should consider including requirements for the driver to contact Tasmania Police.

You may also wish to include procedures for drivers in dealing with passenger behaviour that may not be in breach of any regulations, but is still unacceptable in terms of the Conditions of Travel for your service, as set out in Regulation 11 of the Passenger Transport Regulations. It is not mandatory to develop Conditions of Travel for your service. Conditions of Travel can cover any area that is not addressed in the Passenger Transport Services Act or Regulations, but must not be inconsistent with the legislation.

Your service's Conditions of Travel must be displayed in a prominent location inside the vehicle used to provide the passenger transport service or, if this is not practicable, they must be available to members of the public on request (or could be published on your website).

Whatever method you choose, your passenger behaviour procedures must not contradict the Act or the Regulations. For example, a driver must not be permitted to direct a person to leave the vehicle other than in the circumstances permitted by the Regulations. Your driver may ask a person to stop engaging in behaviour prohibited by your Conditions of Travel, but they cannot direct them to leave the vehicle.

The example policy outlined below is suitable for operators of large passenger vehicles. Operators of small passenger vehicles (taxis, luxury hire cars, restricted hire vehicles) would probably not require as detailed a policy, as there are fewer passengers travelling in these vehicles, who are mostly known to each other.

It is recommended that you develop a pro forma Incident Report for drivers to enable them to record details of any incidents that occur on the road.

School bus operators: The contractual obligations between the Department and school bus operators may require different procedures to be followed for misbehaviour by a student travelling on your service. This may include requirements to notify the student's school and parents, and for action to be taken by those parties. This is not included in the example policy and does not form part of the accreditation requirements.

Example Policy – Behaviour Groups

This example policy groups the types of behaviours that might be encountered on a passenger transport service into four groups, ranging from minor nuisance behaviours, to behaviours where someone's physical safety is threatened in an extreme manner.

The procedures for a driver to manage each type of behaviour will vary according to the seriousness of the behaviour.

Note that these are examples only and refer only to behaviours that are offences under the Passenger Transport Regulations. You may choose to group behaviours differently and also to specify behaviours that are covered by your service's Conditions of Travel.

Group 1 – Nuisance and Offensive Behaviour (little or no risk of physical danger to an individual or damage to the vehicle)

Passenger Transport Services

- Behaving in an offensive or indecent manner (regulation 16(1)(f))
- Using profane, indecent, obscene, offensive or blasphemous language (regulation 16(1)(g))
- Behaviour that is prohibited by the service's conditions of travel (regulation 11)
- Littering in the vehicle (regulation 16(2)(d))
- Placing feet on the seats of the vehicle (regulation 16(2)(f))
- Spitting on the vehicle (regulation 16(2)(g))
- Playing an instrument (regulation 16(2)(h))
- Busking (regulation 16(2)(i))
- Eating or drinking a substance other than water, unless this is necessary for medical reasons (regulation 16(5)(a))
- Occupying more than one seat (regulation 16(5)(b))
- Selling or distributing anything, or attempting to do so (regulation 16(5)(c))
- Displaying a sign, or attempting to do so (regulation 16(5)(d))
- Affixing something to the vehicle or attempting to do so (regulation 16(5)(e))

Group 2 – Dangerous Behaviour (some risk of physical danger to an individual or damage to the vehicle)

Passenger Transport Services

- Doing something to endanger the safety of passengers, the driver or the vehicle (regulation 16(1)(a))
  - you would need to determine the types of behaviour that would fit into this category (e.g. distracting the driver, holding their own arms out the window, pressing stop buttons repeatedly etc)
- Threatening, harassing or attempting to intimidate another person (regulation 16(1)(b))
- Wilfully disturbing the comfort or convenience of another person (regulation 16(1)(d))
- Soiling, damaging or defacing another person's property (regulation 16(1)(e))
- Throwing things from the vehicle (regulation 16(1)(h))

Regular Passenger Services

- Possessing an open container of alcohol (regulation 16(2)(c))
- Having an animal on board the vehicle, other than an animal permitted by law (regulation 16(2)(e))
- Failing to vacate seat for a person with a disability or injury, an elderly person, a visibly pregnant woman, a person accompanying a child less than 5 years of age or other person who appears to have special needs (regulation 16(3))

Group 3 – Very Destructive or Dangerous Behaviour (high risk of physical danger to an individual or damage to the vehicle)

Passenger Transport Services

- Doing something to endanger the safety of passengers, the driver or the vehicle (regulation 16(1)(a))
  - you would need to determine the types of behaviour that would fit into this category (e.g. fighting etc)
- Wilfully obstructing or hindering another person (regulation 16(1)(c)) – e.g. preventing someone from getting off the bus
- Soiling damaging or defacing the vehicle (regulation 16(1)(e))
  - you would need to determine the types of behaviour that would fit into this category (e.g. breaking windows, slashing seats etc)

Regular Passenger Services

- Smoking (regulation 16(2)(a))
- Drinking alcohol (regulation 16(2)(b))

Group 4 – Highly Dangerous or Potentially Life-Threatening Behaviour (extreme risk of serious physical danger to an individual)

- Doing something to endanger the safety of passengers, the driver or the vehicle (regulation 16(1)(a))
  - you would need to determine the types of behaviour that would fit into this category (e.g. physically attacking the driver or another passenger, spitting at a person, lighting a fire, threatening harm with a dangerous weapon etc)
- Soiling damaging or defacing the vehicle (regulation 16(1)(e))
  - you would need to determine the types of behaviour that would fit into this category (e.g. lighting a fire, interfering with the mechanical operation of the vehicle etc)

Example Behaviour Management Procedures

The examples set out below are examples of how your drivers might be instructed to deal with behaviours that fall into each of the four behaviour groups suggested above. Again, these are examples only and you may choose different approaches for your policy, provided that these are consistent with the regulations.

Group 1 – Nuisance and Offensive Behaviour (little or no risk of physical danger to an individual or damage to the vehicle)

First incident => Driver advises passenger that behaviour is inappropriate & reminds passenger of consequences of repeated offences.

No further incident => No further action.

Repeated incident = Driver again advises passenger that behaviour is inappropriate & reminds passenger of consequences of repeated offences.

= Driver notes passenger's name (as permitted by Regulation 15), records incident and action taken.

= Driver provides operator with a copy of incident

Group 2 – Dangerous Behaviour (some risk of physical danger to an individual or damage to the vehicle)

First incident => Driver issues caution & and advises passenger of consequences of repeated offences. Driver notes passenger's name (as permitted by Regulation 15), records incident and action

No further => No further action. Driver provides operator with a copy of incident report.

Repeated incident => Driver issues further caution.

= If no further incident, at completion of the journey driver advises passenger that travel would be refused on the next journey with the company.

= Driver records incident and provides operator with a copy of incident report.

2nd repeated incident => Driver advises passenger that they will be dropped off at the nearest practical point along the bus route.

= Driver offers to call a person nominated by the passenger to collect the passenger.

= Driver notifies Tasmania Police Communications Centre* of incident details.

= Driver records incident and provides operator with a copy of incident report.

Group 3 – Very Destructive or Dangerous Behaviour (high risk of physical danger to an individual or damage to the vehicle)

First incident = Driver issues caution & and advises passenger of consequences of repeated offences. Driver notes passenger's name (as permitted by Regulation 15), records incident and action taken.

No further => No further action. Driver provides operator with a copy of incident report.

Repeated incident = Driver advises passenger that they will be dropped off at the nearest practical point along the bus route.

= Driver offers to call a person nominated by the passenger to collect the passenger.

= Driver notifies Tasmania Police Communications Centre* of incident details.

= Driver records incident and provides operator with a copy of incident

Group 4 – Highly Dangerous or Potentially Life-Threatening Behaviour (extreme risk of serious physical danger to an individual)

First incident = Driver notes passenger's name (as permitted by Regulation 15), records incident and action taken.

= Driver advises passenger that they will be dropped off at the nearest practical point along the bus route.

= If the situation is imminently dangerous** the passenger should be dropped off immediately and police informed of the whereabouts of the passenger.

= Driver notifies Tasmania Police Communications Centre* of incident details.

= Driver records incident and provides operator with a copy of incident report.

NOTE

* If at any stage the driver believes that Tasmania Police should become involved and an arrest or charges made, the driver should contact the Police Communications Centre and arrange for Police Officers to board the bus somewhere along the bus route.

Contact 000 for emergencies or 131 444 for non-emergency situations.

Police have more powers of arrest if they attend the scene of a crime and a person is found to be offending or is in circumstances that lead a Police Officer to believe that they have offended.

** You may also wish to include information for drivers relating to actions they might take to restrain or prevent a potential offender from committing a highly dangerous or life threatening behaviour. Under these circumstances, Section 39 of the Criminal Code outlines the rights of drivers and others in such matters.

It is lawful for any person to use such force as he believes on reasonable grounds to be necessary in order to prevent the commission of a crime, the commission of which would be likely to cause immediate and serious injury to any person or property, or in order to prevent any act being done which he believes on reasonable grounds would, if done, amount to any such crime.

Form 3.5

Reportable Incident Management

Introduction

Standard 3.5 is about managing incidents that may be either crimes or serious offences, or breaches of the legislation that applies to your service. These are referred to as “reportable incidents”.

The legislation may include:

- *Criminal Code Act 1924*
- *Passenger Transport Services Act 2011*
- *Vehicle and Traffic Act 1999*
- *Traffic Act 1925*
- *Passenger Transport Services Regulations 2013*
- *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010*
- *Vehicle and Traffic (Vehicle Standards) Regulations 2001*
- *Road Rules 2009*

Additional legislation relating to the operation of taxi, luxury hire car and restricted hire vehicle services:

- *Taxi and Hire Vehicle Industries Act 2008*
- *Taxi Industry Regulations 2018*
- *Luxury Hire Car Industry Regulations 2018*
- *Restricted Hire Vehicle Industry Regulations 2013*

The Department suggests that in the first instance, other than in cases of serious offences or crimes, customers might consider making a complaint to the taxi operator or dispatch service before reporting the matter to the relevant authority.This gives the operator a chance to resolve the issue with the customer without having to have the matter investigated.

However, customers are also entitled to report any breaches of legislation to the relevant authority, without having first contacted the operator.

Requirements Of Standard 3.5

You must have procedures to manage any of these types of incidents if they are reported to you or to one of your employees or drivers. Your procedures should include the following things:

- A way to acknowledge allegations of breaches of legislation by a driver or other person connected to your service
- Steps that you will take to manage such allegations
- A person (or people) responsible for taking these steps, including referring allegations to the relevant party for investigation if necessary.
    - If an allegation is about a serious offence or crime (such as assault, sexual offence, intimidation or harassment) you should advise the person who is making the complaint to contact Tasmania Police as soon as possible. It is also recommended that you contact the Department for advice on managing this allegation.
- A system to identify drivers or employees who breach legislation on more than one occasion, and steps that you will take to ensure this doesn’t continue to happen. Depending on the type of offence, this might include retraining, suspension, referring them to the Department for investigation or dismissing them.
- Keeping records of any allegations made against your drivers or employees and any action taken

You may also like to include procedures for dealing with general customer service complaints from customers, including:

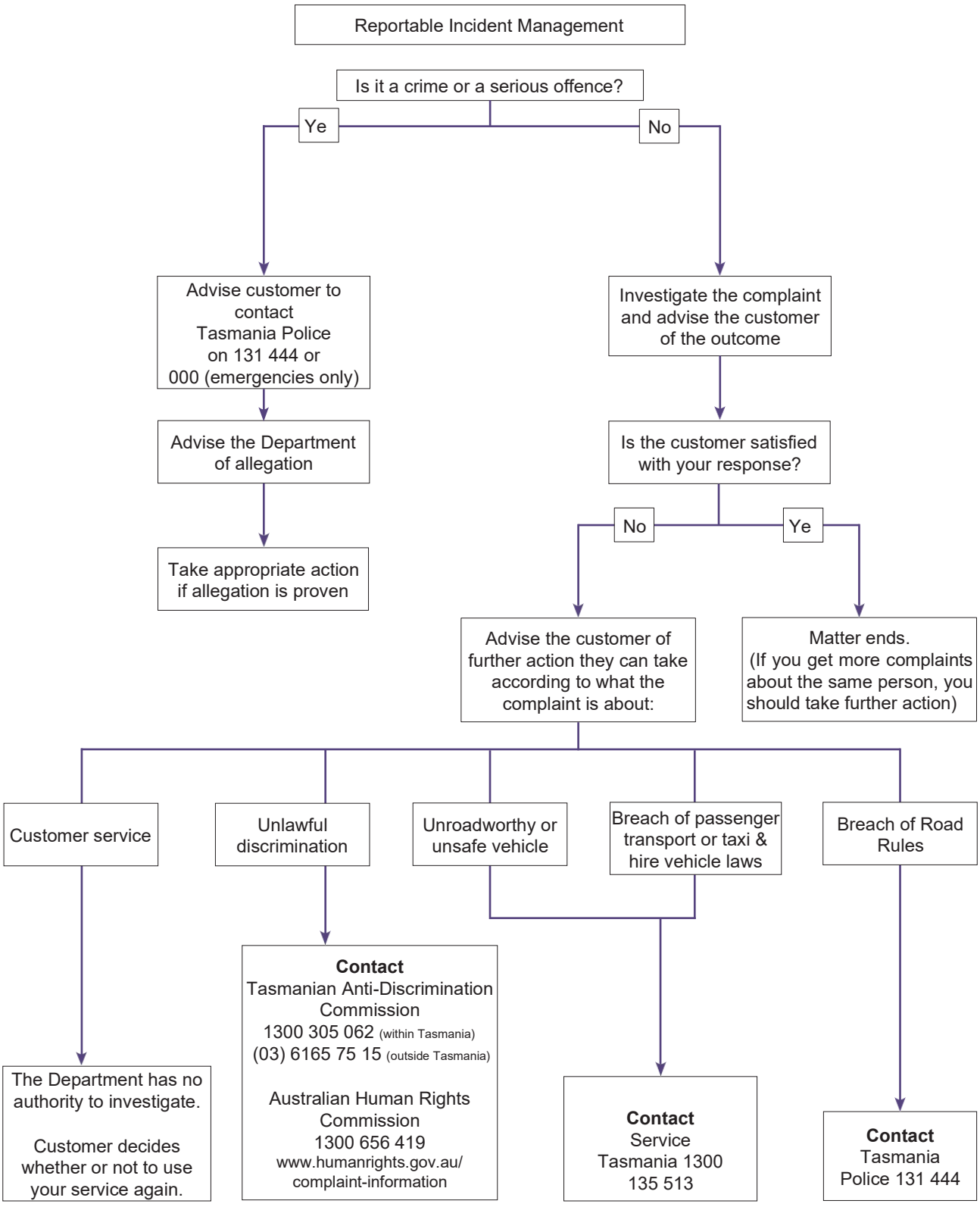
- Who is responsible for handling complaints
- What process they should follow
- Who they need to speak to
- How long it should take to handle a complaint
- What action, if any, should be taken against a driver against whom a complaint is substantiated
- How you will respond to the person who made the complaint, regardless of the outcome.

However, this is not mandatory for accreditation.

Form 3.5

Reportable incident management procedures for Passenger Transport Services

The following flow chart and table outline some of the offences that could be referred to you as responsible operator of a passenger transport service, and explain the appropriate body to whom allegations for such offences might be referred if you cannot resolve them with the customer.



Form 3.5

Reportable Incident Management Procedures For Passenger Transport Services

Examples of Complaint Types

These are provided as examples only. Not all of these examples will be relevant to all types of service, and the table does not include all offences under all of the legislation that applies to the operation of your service.

Type of complaint	Examples of complaints
Crime or serious offence	• Stealing • Assault • Sexual offence • Stalking • Dangerous or negligent driving • Abusive or threatening language, harassment or inBmidaBon
Breach of anB---discriminaBon laws	• Refusing to take a wheelchair---reliant passenger (except as permiLed by law) • Refusing to carry a Guide Dog or other assistance animal (except as permiLed by law)
Breach of driver licensing and vehicle registraBon regulaBons	• Driving with expired licence or ancillary cerBficate • OperaBng an unregistered vehicle • OperaBng a vehicle with the incorrect MAIB premium
Breach of vehicle standards	• Unroadworthy or unsafe vehicle (e.g. smooth tyres, lights not working, cracked windscreen)
Breach of road rules	• Running a red light • Speeding • Failing to give way
Breach of passenger transport laws	• OperaBng a vehicle exceeding operaBonal capacity • Refusing to pick up a passenger who is authorised to travel on the service • Secng down a passenger other than as required by the legislaBon • Secng down a passenger in an unsafe place • Removing a passenger from a vehicle other than as permiLed by the legislaBon • Allowing standing passengers to obstruct entrances and exits, or to cause danger or discomfort to other passengers • Driving a vehicle when luggage is not safely stowed

Form 3.5

Reportable Incident Management Procedures For Passenger Transport Services

Breach of taxi laws	• Overcharging or inappropriate charging • Misusing a taximeter (e.g. wrong tariff, turning meter on too early) • Taking an incorrect route • Taxi equipment not working • Refusing a hiring from a taxi rank (except as permiLed by law) • Informing a person that only wheelchair---reliant people can travel in WATs • Refusing to allow another taxi to leave a taxi rank
General customer service	• Rude driver • Dirty vehicle • Driver refuses to assist with luggage • Poor driving (not breaching road rules) • Late taxi or taxi doesn't arrive

Department of State Growth
Passenger Transport Branch

GPO BOX 536
Hobart Tasmania 7001

Phone: 03 6166 3275
Email:

This manual is available online at:
www.transport.tas.gov.au/passenger/operators

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