

NORTHERN TERRITORY OF AUSTRALIA

RIDESHARING REGULATIONS

Subordinate Legislation No. [] of 2017

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Subordinate Legislation No. [] of 2017*

Ridesharing Regulations

I, John Laurence Hardy, Administrator of the Northern Territory of Australia, acting with the advice of the Executive Council, make the following regulations under the *Commercial Passenger (Road) Transport Act*.

Dated 2017

Administrator

By His Honour's Command

Minister for Infrastructure, Planning and Logistics

DRAFT ONLY

Prepared by the Office of the Parliamentary Counsel

Date: 22 August 2017 13:44

Ref: 08C060reg11v7

* Notified in the *Northern Territory Government Gazette* on [] 2017.

Part 1 Preliminary matters

1 Citation

These Regulations may be cited as the *Ridesharing Regulations*.

2 Definitions

In these Regulations:

rideshare driver means a person who makes a rideshare vehicle driven by the person available for a rideshare journey.

rideshare journey means a journey by a passenger in a rideshare vehicle for hire or reward.

rideshare label, for a rideshare vehicle, means the label issued for the vehicle under regulation 18(3).

rideshare licence means a special passenger vehicle licence issued under the Act to a person to operate a rideshare vehicle.

rideshare platform means a communications or dispatch network approved by the Director under section 71 of the Act in connection with rideshare vehicles.

rideshare platform manager means a person who operates a rideshare platform.

rideshare vehicle, see regulation 3.

3 Rideshare vehicle

- (1) A ***rideshare vehicle*** means a motor vehicle that:
- (a) is capable of undertaking hirings arranged through a communications or dispatch network approved by the Director under section 71 of the Act in exchange for a fare derived through an algorithm or pricing structure not limited by period of time taken or distance travelled; and
 - (b) is declared under section 3 of the Act to be a special passenger vehicle or is a vehicle of a class that is declared to be special passenger vehicles.
- (2) A motor vehicle mentioned in subregulation (1) is not a rideshare vehicle when it is being used as a private vehicle and is unavailable for hire.

Part 2 Duties of rideshare platform manager

4 Rideshare platform only to allocate to licensed drivers

A rideshare platform manager must ensure that the manager's rideshare platform does not allocate a rideshare journey to anyone other than a person who holds a rideshare licence.

Maximum penalty: 60 penalty units.

5 Operation of rideshare platform

A rideshare platform manager must ensure that the manager's rideshare platform:

- (a) operates so as to communicate a passenger's request for a rideshare journey to an available rideshare driver; and
- (b) makes available to the passenger, before the rideshare journey begins:
 - (i) an estimate of the fare for the journey; and
 - (ii) sufficient information for the passenger to identify the rideshare vehicle and rideshare driver for the journey.

Maximum penalty: 60 penalty units.

Note for regulation 5

Section 71(7A) of the Act requires a rideshare platform manager to provide the Director with information requested from time to time as to the rideshare platform.

6 Manager to notify drivers of suspension, revocation or cancellation

If approval for a rideshare platform is suspended, revoked or cancelled, the rideshare platform manager must take reasonable steps to notify each rideshare driver who intends to use the rideshare platform as soon as practicable.

Maximum penalty: 60 penalty units.

Example for regulation 6

The rideshare driver receives a message from the rideshare platform when the driver attempts to log onto the platform.

7 Surge pricing

- (1) A rideshare platform manager must not apply surge pricing in an area during:

- (a) an emergency situation existing in the area; or
- (b) the activation of an approved emergency plan in the area.

Maximum penalty: 60 penalty units.

- (2) It is a defence to a prosecution for an offence against subregulation (1) if the rideshare platform manager took all reasonable steps to prevent the rideshare platform from applying surge pricing.

- (3) In this regulation:

approved emergency plan, see section 8 of the *Emergency Management Act*.

emergency situation, see section 18(1) of the *Emergency Management Act*.

surge pricing means the practice of increasing rideshare vehicle fares during times of high demand for rideshare journeys.

Part 3 Duties of rideshare drivers

8 Identity card

- (1) For section 74 of the Act, a rideshare vehicle is a prescribed class of commercial passenger vehicle.
- (2) An identity card issued under section 74 of the Act to a rideshare driver is to:
 - (a) display the name of the driver; and
 - (b) display a recent photograph of the driver; and
 - (c) specify the expiry date of the card; and
 - (d) indicate that the holder of the card is authorised to drive a rideshare vehicle.

9 Driver to supply information

When requested by the Director to do so, a rideshare driver must give the Director, within the time specified by the Director, full and correct information of any details specified in the request relating to rideshare journeys undertaken in the driver's rideshare vehicle.

Maximum penalty: 30 penalty units.

10 Driver may only accept journey from rideshare platform

- (1) A rideshare driver must not accept a journey in the driver's rideshare vehicle for hire or reward other than through a rideshare platform.

Maximum penalty: 60 penalty units.

- (2) It is a condition of a rideshare driver's rideshare licence that the driver accepts journeys in the driver's rideshare vehicle for hire or reward only through a rideshare platform.

11 Driver may only drive approved vehicle

A person must not drive a rideshare vehicle for hire or reward unless a current approval under regulation 18 is in effect for the vehicle.

Maximum penalty: 60 penalty units.

12 Display of rideshare label on vehicle

- (1) A rideshare driver must ensure that, at all times when the driver's rideshare vehicle is being used for a rideshare journey or is connected to the rideshare platform, the vehicle's current rideshare label is displayed in accordance with subregulation (2).

Maximum penalty: 30 penalty units.

- (2) The rideshare label must be displayed:
- (a) so the information on the label is readable from the outside of the vehicle; and
 - (b) on the passenger's side of the front windscreen at the bottom corner, or another location specified by the Director.

13 Driver to take shortest practicable route

When conveying a passenger for hire or reward, a rideshare driver must take the shortest practicable route to the destination requested unless the passenger specifies another route.

Maximum penalty: 25 penalty units.

14 Driver not to purchase liquor

A rideshare driver must not:

- (a) accept a request for a rideshare journey under which the driver is required to purchase intoxicating liquor for or on

behalf of another person whether or not that other person is a passenger; or

- (b) in the course of a rideshare journey purchase intoxicating liquor for or on behalf of a passenger.

Maximum penalty: 25 penalty units.

15 **No touting**

A person must not tout or solicit for passengers for a rideshare vehicle.

Maximum penalty: 25 penalty units.

16 **No advertising**

- (1) A rideshare driver for a rideshare vehicle must ensure that, at any time (whether or not the vehicle is being operated as a rideshare vehicle), the vehicle does not display any advertising indicating that the vehicle is available for hire or reward.

Maximum penalty: 40 penalty units.

- (2) To avoid doubt, subregulation (1) does not apply to the display of a label on a vehicle in accordance with regulation 12.

17 **Parking restrictions**

- (1) A rideshare driver must not stop a rideshare vehicle:

- (a) in a taxi rank or a minibus rank; or
- (b) in a place that is marked or indicated by sign as a reserved place for private hire cars.

Maximum penalty: 25 penalty units.

- (2) In this regulation:

minibus rank includes a bus stop whenever a minibus is parked or standing in the bus stop in accordance with section 38K(1) of the Act.

taxi rank, see regulation 3(1) of the *Taxi Regulations*.

Part 4 Miscellaneous matters**18 Approval of vehicle and rideshare label**

- (1) The Director may approve a vehicle as being suitable for use as a rideshare vehicle if the Director is satisfied that the vehicle is safe.
- (2) An approval is subject to any conditions imposed by the Director.
- (3) If the Director approves a vehicle, the Director must issue a rideshare label for the vehicle.

19 Register of rideshare platforms

- (1) The Director must keep a register of rideshare platforms, including the conditions to which the approval of each rideshare platform is subject.
- (2) The Director must publish the register on an appropriate website.

20 Fees

The fees set out in the Schedule are payable in relation to the matters specified in the Schedule.

Schedule Fees

Schedule	Fees
	regulation 20
	\$
Annual fee for rideshare licence	300