

# Information Bulletin

PT 307/09.16

## Driver Responsibilities

The following information is provided as a guideline about responsibilities on holders of driver authorisation (authorised drivers.) It is expected that authorised drivers should meet their responsibilities with due care and diligence. If an authorised driver fails to meet their responsibilities under legislation they risk action being taken against their driver authorisation, infringement notices (fines) being issued or court action.

### General requirements

1. An authorised driver must operate a public passenger vehicle safely and be aware of the vehicle's surroundings. Drivers must pay particular attention when reversing a vehicle to ensure all areas surrounding the vehicle are clear before proceeding to reverse. Extra caution to ensure the safety of nearby persons should be taken by drivers of larger public passenger vehicles, such as buses and maxi taxis, when reversing the vehicle.
2. Drivers of passenger vehicles must take care when passing cyclists and ensure that there is a minimum passing distance of at least 1m in a 60km/hr or less speed zone and 1.5m if the speed limit is over 60km/h. Drivers should be aware that other road rules have been changed to allow motorists to cross centre lines, straddle lane lines or drive on painted traffic islands to make it easier for them to pass cyclists, when it is safe to do so.
3. When operating a public passenger vehicle, an authorised driver must—
  - carry evidence of their driver authorisation
  - have a blood alcohol concentration of zero
  - not be under the influence of a drug (including a medication) while driving
  - not drive while fatigued
  - be medically fit.
4. Smoking by the driver or passengers is not permitted in a public passenger vehicle.
5. An authorised driver must notify the department if there is a change in their medical condition that makes the driver continuously unfit to safely drive for more than one month.
6. An authorised driver must immediately notify the department in writing if charged with a driver disqualifying offence. When the charge is dealt with, the driver must immediately inform the department of the outcome of the charge.
7. If an authorised driver's driver licence is suspended or cancelled, their driver authorisation is also automatically suspended or cancelled.
8. An authorised driver must notify the department in writing within 10 business days if they change their name or address.

## Passengers and customer service

1. With the exception of drivers of booked hire vehicles, limousines and taxis, authorised drivers must—
  - be neatly dressed
  - be courteous to passengers and the public
  - comply with the *Code of Conduct for School Students Travelling on Buses* when a school student is being carried on a bus.
2. If a person asks for help to board or leave a public passenger vehicle, or asks for help with luggage, an authorised driver must give the help to the extent that it is reasonable for the driver to do so.
3. An authorised driver must allow a person to take an assistance animal on a vehicle if the person is in control of the animal. A driver can otherwise refuse to allow an animal in a public passenger vehicle.
4. An authorised driver providing a general route service or school service must provide the service in accordance with the advertised schedule for the service. This requirement does not apply if—
  - the driver is prevented from doing so by an unforeseeable circumstance; or
  - the schedules, and services under the schedules, are not realistically achievable.
5. Authorised drivers should be aware of any responsibilities assigned to them under an operator's incident management plan.
6. If an incident happens, an authorised driver of a vehicle other than a booked hire vehicle, limousine or taxi must tell passengers—
  - the reason for the disruption or prevention of the provision of the service; and
  - the arrangements being made for the completion of the service.
7. An authorised driver may refuse travel to a person if the driver believes, on reasonable grounds, that the person—
  - is creating, or is likely to create, a disturbance or nuisance on the vehicle; or
  - is causing, or is likely to cause a danger to anyone; or
  - has evaded the fare; or
  - is or has unlawfully interfered with public transport infrastructure or a public passenger service, public passenger vehicle or service equipment.
8. If a person on a public passenger vehicle has paid a fare for travel on the vehicle but over-travels the fare paid, the driver may direct the person to leave the vehicle.
9. A driver must not refuse travel to a person or direct a person to leave or not enter a vehicle if doing so—
  - might endanger the person; or
  - is inconsistent with the *Code of Conduct for Students Travelling on Buses*.
10. If a driver refuses travel to a person or directs a person to leave or not enter a vehicle, the driver must tell the person in a general way the reason and also that it is an offence for the person not to comply.
11. The driver of a limousine providing a limousine service must carry a copy of the prescribed details of the booking for the limousine service in the limousine. If requested, the driver must be able to show an authorised person a copy of the record of the prescribed details for the booking for the limousine service

## Operation of vehicles

1. A driver of a motor vehicle providing a public passenger service must ensure the vehicle is not overloaded.
2. An authorised driver must take reasonable steps to ensure that no more than one passenger sits in any adult seat in the vehicle. However, if the vehicle is a bus, three primary school or pre-school children may sit in a bench type bus seat designed for two adults if—
  - (a) either—
    - (i) the seat is not fitted with any seat belts or approved child restraints; or
    - (ii) the seat is fitted with either a seatbelt or an approved child restraint for each of the three children; and
  - (b) the placement and construction of the seat allows the children to sit in the seat; and
  - (c) no child sits in the seat for more than a total of 90 minutes while any two other children sit in the seat.
3. An authorised driver of a motor vehicle providing a public passenger service that is fitted with an external luggage compartment must:
  - (a) if the vehicle is not fitted with an electronic warning system to alert the driver that the external luggage compartment door is open or is not securely fastened – ensure a physical inspection is made by the driver (or other staff) to ensure all external luggage compartment doors are closed and properly fastened immediately after any use and before the vehicle proceeds with the journey.
  - (b) If an electronic warning system identifies a problem with the closure of an external door – the driver (or other staff) must physically inspect the door and rectify the issue before proceeding.
4. A person must not tout or solicit for passengers or a hiring of a public passenger vehicle.

## Additional responsibilities of taxi drivers

1. A person must not drive a taxi unless they have entered into a taxi service bailment agreement with the taxi operator. (This requirement does not apply if the driver is employed by an accredited operator.)
2. A driver must not use a taxi to provide a service outside the area stated in the taxi service licence unless—
  - (a) completing a single passenger journey which commenced within the area stated in the licence, or
  - (b) providing a public passenger service under contract to a government entity.
3. Taxi drivers operating in a prescribed taxi service area must display an Authorised Queensland Taxi Driver Display Card in the taxis where it can be clearly and readily seen by passengers.
4. A driver of a taxi providing a taxi service must not refuse a hiring for a destination that is within—
  - (a) the taxi service area for which the taxi is licensed, or
  - (b) 40 kilometres of the pickup point.
5. However, a driver may refuse a hiring if they reasonably believe that the passenger:
  - (a) will be unable to pay the fare upon reaching the destination; or
  - (b) poses a reasonable risk to themselves, the driver or other passengers.
6. If a taxi driver believes he or she will not be able to obtain the fare at the destination, before starting the hiring, the driver may require the hirer to pay the estimated fare or an agreed amount as a deposit.
7. A driver of a taxi providing a taxi service must not drive the taxi unless an approved taxi security camera system is fully operational and the approved signs displayed at each relevant place in or on the taxi.

8. A driver of a taxi providing a taxi service must not charge more than the maximum fare for the journey.
9. A driver of a taxi providing a taxi service must ensure that when a taxi subsidy scheme member presents their membership card for a journey that they:
  - (a) insert the card into the approved card reader to validate the currency of the membership card and facilitate the payment under the scheme,
  - (b) sight the response from the approved card reader.
10. If the approved card reader is not working properly or at all, a driver must use a manual card reader to take an imprint of the membership card.
11. A driver of a taxi providing a taxi service must ensure that a manual card reader is carried in the vehicle before commencing any journey.
12. A driver of a taxi providing a taxi service must make a visual comparison between the person and the photograph on the taxi subsidy scheme membership card.

### **Additional responsibilities for bus drivers carrying students on a *no standing passenger road*\***

1. The following requirements if a bus—
  - (a) is descending a no standing passenger road; and
  - (b) is carrying school students on a general route service, or school service, on a journey that is, or is part of, a journey to or from a school; and
  - (c) is being used to provide a general route service or school service under a service contract, integrated mass transit service contract or prescribed school service contract.
2. If the bus is—
  - (a) a light bus built to carry more than 16 passengers, whether seated or standing, not including the driver and crew; and
  - (b) being used to provide school services;then the driver of the bus must activate the exhaust brake fitted to the bus.
3. If the bus is a heavy bus, the driver must use the power-train retarder required to be fitted to the bus.

\****no standing passenger road*** means a road notified by the chief executive, by gazette notice, as a road on which a bus providing a public passenger service (for which operator accreditation and driver authorisation are required) must not carry standing passengers.

### **Additional information**

This bulletin is an interpretation of the relevant legislation and should not be used as a reference to a point of law.

The information contained in this bulletin has been produced as a guide to assist in the understanding of the legislation and policy. Clarification of any information in this bulletin may be obtained from the Department of Transport and Main Roads by contacting your local Passenger Transport office.

Legislation may be viewed on the internet at [www.legislation.qld.gov.au](http://www.legislation.qld.gov.au). Additional information about public passenger services is available on the Department of Transport and Main Roads internet site at [www.tmr.qld.gov.au/information\\_bulletins](http://www.tmr.qld.gov.au/information_bulletins).