

Information Bulletin

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Record of Prior Booking

What is a record of prior booking?

It is a legislative requirement that operators and drivers of limousines and special purpose limousines keep records of prior bookings. A record of a prior booking can be in either paper or electronic form and must include particular details about the booking such as the name, date, time, location, and agreed fare.

'agreed fare' means a pre-determined and defined monetary amount that covers the full cost of the service to be provided and is agreed to by the customer prior to the journey commencing. No part of the fare can be determined by any method of calculation (such as a meter) or added to the total cost of the fare during the period of, or at conclusion of the journey.

Under s74AC of the *Transport Operations (Passenger Transport) Act 1994*, the fitout or use of a taximeter in a public passenger vehicle other than a taxi (such as a limousine) is prohibited.

Why was this requirement introduced?

In 2007, amendments were made to the *Transport Operations (Passenger Transport) Act 1994* in response to industry concerns about limousines touting for business without legitimate bookings.

The amendments included an option for special purpose limousine operators/drivers to keep paper or electronic records of prior bookings, while limousine operators/drivers were required to keep electronic records of prior bookings only.

In the interests of consistency and fairness to the limousine industry the legislation was amended in 2010 to allow operators/drivers of limousines with the option to keep paper or electronic records of prior bookings.

To whom does it apply ?

The mandatory requirement to keep a record of a limousine booking applies to all limousine and special purpose limousine operators and drivers.

What are the requirements for operators?

A limousine operator is required to make an electronic or paper record of a limousine booking prior to providing a limousine service which must contain the following prescribed details –

- the name and contact details of the hirer of the limousine service;
- the date and time when the passengers are to be picked up;
- the locations where the passengers are to be picked up and dropped off; and
- the agreed fare for the limousine service, if the fare is to be paid to the driver.

The operator is required to give a copy of the prescribed details of the booking to the driver of the limousine before the limousine service is provided. If the record containing the prescribed details of the booking for the limousine is made in electronic form by using an electronic booking system, the operator is required to ensure that the electronic booking system in the limousine is in working condition.

The operator is required to keep for at least five (5) years the electronic or paper record containing the prescribed details of a booking for a limousine service. If asked by an authorised person the operator is required to produce the electronic or paper copy of the booking for inspection by the authorised person.

What are the requirements for drivers?

The driver must not use a limousine to provide a limousine service unless the operator has made a prior record of the booking in electronic or paper form containing the prescribed details of the service to be provided.

The driver of a limousine is required to carry the electronic or paper record of a booking to be provided in the limousine at all times. The driver must produce the record of the booking to an authorised person for inspection upon request.

Compliance

Non-compliance with these requirements may be a breach of the *Transport Operations (Passenger Transport) Act 1994* and may result in the issue of a penalty infringement notice.

For more information about compliance please refer to the information bulletin titled *Compliance – Public Passenger Transport Operators and Drivers*.

Additional Information

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 of the Department.

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

Additional information about public passenger services is available on the Department of Transport and Main Roads internet site at www.tmr.qld.gov.au.

The legislation may be viewed and downloaded from the internet at www.legislation.qld.gov.au. Copies of the *Transport Operations (Passenger Transport) Act 1994*, *Transport Operations (Passenger Transport) Regulation 2018* and *Transport Operations (Passenger Transport) Standard 2010* can be purchased from LitSupport Pty Ltd (www.litsupport.com.au) on 07 3223 9202 or email legislation@litsupport.com.au