

Commercial Passenger Vehicles Information Bulletin – CPV33

Communications and dispatch networks

Introduction

In accordance with section 71 of the *Commercial Passenger (Road) Transport Act 1991*, a person must first have approval from the Director of Commercial Passenger (Road) Transport (the Director) prior to using, or permitting the use of a:

- a) communications network for communicating with, controlling or coordinating a commercial passenger vehicle (CPV); or
- b) dispatch network for accepting bookings for a CPV, or allocating a CPV for hire or reward.

What is a communications network

A communications network is considered to be any communications system or device, including electronic or otherwise, which is used to communicate with, control or coordinate a CPV for the purposes of hire or reward.

A communications system includes, but is not limited to two-way radios, smartphone applications, computer or tablet data transfer systems and mobile telephones.

What is a dispatch network

A dispatch network is considered to be any system that has the ability to receive and accept a request for the use of a CPV, or which can allocate a pre-booked journey to a CPV.

A dispatch system includes, but is not limited to, verbal communications, two-way radios, smartphone applications, written ledger, and computer or tablet dispatch data transfer systems.

What is not a communications or dispatch network

Examples of what is not considered to be a communications network, or a dispatch network, includes:

1. A driver of a CPV who is contacted directly by a customer, via mobile phone or other means, with a request for the booking of that vehicle and driver. Note that where the driver does not accept that booking, the driver must not forward that booking request to another driver or CPV, however may forward the request to an approved dispatch network; and
2. An entity which acts only as intermediary between a customer and an approved dispatch network. This may be facilitated through the use of various technologies, such as a smartphone application or on-line system, where the service is limited to managing requests and bookings for the hiring of CPVs for, and on behalf of, the customer, but not on behalf of the transport service provider. Any person delivering such a service must not communicate with, control or coordinate directly with a CPV or driver.

Dispatching to more than one category

It is possible for an approved communication and dispatch network to accept bookings for, and communicate with, control or coordinate, more than one type of CPV category; however these networks must demonstrate that their system is capable of separating each category's booking and dispatch system.

This means that such a network must establish separate booking methods e.g. telephone numbers specific to each category of CPV capable of being booked by a customer, and must have separated systems for communicating and controlling each category of CPV. This is explained further in the below example:

A person wants to book a taxi from a network and calls the taxi telephone number advertised by the network. The network receives the phone call, acknowledges the call as being a request for a taxi, and if the hiring is accepted, then dispatches the request to only the taxi category.

If there are no taxis available to attend the request to the satisfaction of the caller, the network may then suggest an alternate category and provide hiring and payment details of the alternate category to the caller. If the caller accepts the conditions of hiring for the alternate category, the network may then dispatch the job only to the alternate category.

A network must not suggest an alternate category of CPV where the requested category is available to attend the request e.g. where a customer requests a taxi, the network must make a reasonable attempt to provide the services of a taxi, and only where the provision of that service is not acceptable to the customer, the network may provide an alternate category of vehicle.

A network must not dispatch an alternate category of CPV from that requested, without acceptance for the alternate category from the person booking the service.

The Department monitors network service delivery records to ensure each request for a CPV category has been received and dispatched in accordance with the conditions of operating a network.

Applying for a communications and dispatch network approval

Before applying to become a network it is encouraged that you are familiar with the conditions set out in the Communications and Dispatch Network Approval – refer to Attachment A. You may lodge an application by:

- completing form [CPVF33 - Application to Operate a Communications and Dispatch Network](#); and
- providing a original national Police criminal history check supplied by SAFE NT dated within three months of the date the application is lodged. You can apply online at forms.pfes.nt.gov.au/safent/;
- providing your original insolvency report supplied by an approved Index Search Agent, dated within three months of the date the application is lodged. Further information can be found at the Australian Financial Security Authority's website under 'Bankruptcy Register Search' and under the Resources section below;
- lodging the completed application form (CPVF33) and all supporting documentation at your nearest MVR office or the Commercial Passenger Vehicles office. The application should include information relevant to established systems, policies and procedures required for compliance with applicable network conditions (refer Attachment A); and
- paying the prescribed communications and dispatch network fee. To view transport industry fees, visit nt.gov.au/driving/industry/transport-industry-fees.

Important notice for all applicants

Only complete applications will be accepted (i.e. all documentation to be provided upon payment of the prescribed fee).

In the case of a body corporate or an incorporated association, official documentation is required with the application to identify all the directors and managers, or chair / public officer, secretary and treasurer.

Please note that all identified individuals must be assessed against fit and proper guidelines, relevant to operating or managing a network, and prior to approval.

A body corporate must be authorised by its constitution, objects, purposes or rules to carry on the business associated with the Communications and Dispatch Network Approval.

As the approval process may involve assessments of proposed network systems and premises which require on-site audits by Inspectors, there are considerable variations in processing time for each application.

Information variations and approval conditions

It is the responsibility of the person/s noted on the Network Approval to notify the Director within 14 days, if any details regarding the Network Approval (including information supplied with the original application) has changed or intends to be changed. Failure to do so will render the original Approval to be null and void.

General information

You should also become familiar with the Key Performance Indicator (KPI) standards, refer to information bulletin [IBCPV45 – Key performance indicator \(KPI\) standards](#).

Data must be provided in the format as set by the Director and as defined in Data Definitions guidelines. To view this document visit nt.gov.au/driving/industry/communications-and-dispatch-networks/record-keeping.

For further information on Commercial Passenger Vehicles, visit www.nt.gov.au/driving/industry.

This Information Bulletin is a guide only and contains general information and requirements in relation to the CPV industry. This document should not be regarded as a strict interpretation of Northern Territory law.

| Contact Details | |
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| Commercial Passenger Vehicles Branch | |
| Telephone: | 08 8924 7580 |
| Email: | cpv.admin@nt.gov.au |
| Web: | www.nt.gov.au/driving |
| Postal Address: | GPO Box 2520, Darwin NT 0801 |

Attachment A – Network conditions

1. General conditions

- 1.1 The network manager must not operate the network unless in accordance with the details specified in Schedule 1 and the conditions specified in Schedule 2 of this approval.
- 1.2 Should the Director have reason to believe the network manager has failed to operate the network in accordance with Schedule 1 or Schedule 2 of this approval, the Director shall review the approval and may:
 - 1.2.1 revoke the approval, or
 - 1.2.2 revoke the approval and issue an approval upon application.
- 1.3 The Director may revoke an approval without notice subject to a review.
- 1.4 This approval is current unless revoked by the Director.
- 1.5 The network manager must display Schedule 1 of the approval in a prominent place at the premises, and produce it upon request to any person having reasonable cause to view it.
- 1.6 The Director will not approve network names that misrepresent or are likely to mislead the category of service provided.

Note: A network name must substantially represent the location and service being offered. Examples are provided below:

Example 1: “NT taxi company”, may only be used as a network name for the category of taxi.

Example 2: “Darwin Passenger Services”, may be used for any or all categories operating within a Darwin network.

- 1.7 The network manager must as soon as practical give written notice to the Registrar if he/she is charged with, or convicted of, a disqualifying offence, or has been convicted of any other offence before the court.

2. Communications and dispatch

- 2.1 The network manager must ensure that the network does not communicate with, control, or coordinate the vehicle, unless using the method of dispatch, or an alternative dispatch system.
- 2.2 The network manager must take all reasonable steps to ensure the premises, or the vehicle, does not contain any type of scanning device, whether or not it is operational.
- 2.3 The network manager must ensure the passenger receives the type of commercial passenger vehicle (CPV) category they have booked. If the requested category is not available only then and only if it is available, can the network manager offer the passenger an alternative transport category.
- 2.4 The network manager must ensure the network communicates with, controls or coordinates the vehicle only in compliance with the vehicle’s commercial vehicle licence.
- 2.5 The network manager must take all reasonable steps to ensure the network is not available to a person:
 - 2.5.1 who is not accredited under the *Commercial Passenger (Road Transport) Act* (Act) or whose accreditation is suspended;
 - 2.5.2 driving a commercial passenger vehicle who is not licensed under the *Motor Vehicles Act* to drive that class of vehicle;
 - 2.5.3 who has had their driving privileges suspended or cancelled by the Registrar or Director;
 - 2.5.4 or who does not hold an applicable current identity card issued under the Act for that type of commercial passenger vehicle.

3. Systems and procedures

- 3.1 The network manager must ensure that appropriate systems and procedures are implemented, maintained, regularly reviewed and updated as necessary to effectively manage the network's obligations under this approval and the Act and regulations.
- 3.2 The rideshare network manager must ensure there is a system in place to capture, collect, record and pay any levies imposed by Government as specified under the Act, regulations and or within Information Bulletins.
- 3.3 A levy is to be paid by the operator of a taxi, minibus and private hire car licence. In the case of a ridesharing network, it is the responsibility of the network platform to meet these requirements. In the case of a taxi, minibus and private hire network, it is also the responsibility of the network to provide monthly trip data to the Department in the approved format.
- 3.4 The network manager must ensure that all relevant network staff and persons participating in the use of the network are competent to carry out their responsibilities under any implemented network management system.
- 3.5 The network manager must take reasonable steps to not allocate a job to a driver unless the driver is covered by an appropriate level of insurance for injury.
- Note: An insurance policy may be held by either the network, operator or driver. All parties are responsible for ensuring there is an appropriate level of insurance. However all parties are responsible for ensuring drivers are adequately protected.
- 3.6 To the Director's satisfaction, the network manager must have the below listed systems in place and also must provide on request to any operator or driver of a commercial passenger vehicle, the terms and conditions under which the network is available. These include:
- 3.6.1 a system for dealing with lost passenger property;
- 3.6.2 a complaints management system;
- 3.6.3 a standards of service policy;
- 3.6.4 a policy that addresses driver fatigue which meets the minimum requirements of the NT WorkSafe Road Transport Fatigue Management Code of Practice;
- 3.6.5 a system for managing network obligations under the Northern Territory Taxi and Minibus Operational Requirements in Relation to On-board Security Systems which include, but may change from time to time, and must:
- a) advise NT Police immediately of any serious incident;
 - b) advise the Director of any breaches of these requirements by a driver in a timely manner;
 - c) provide advice to drivers regarding the location of an Authorised Person; and
 - d) develop and implement any additional procedures to facilitate compliance with these requirements;
- 3.6.6 an operator performance management system, if applicable; and
- 3.6.7 a driver performance management system.
- 3.7 The network manager is responsible for any failure to implement, maintain, review or update the records, systems and procedures required under this approval.
- 3.8 Where this approval allows the network to communicate with, control or coordinate a vehicle designed for the carriage of wheelchair passengers (Wheelchair Accessible Vehicle – WAV), the network must provide a priority service to a request for a WAV hiring which entails the carriage of a person in a wheelchair.
- Note: WAV is defined in Section 6 of this approval.
- 3.9 Where the network has dispatched a WAV hiring to a driver of a WAV, and the driver refuses the hiring or does not complete the hiring in accordance with the request, the network must record the refusal or failure to complete the booking in a register. An entry made in this register must be made as soon as the network becomes aware of the refusal or failure to complete the requested hiring.

- 3.10 Where the network records in a register, an entry made in accordance with a refusal for a WAV hiring, the network manager must ensure a copy of this entry is provided to the Director as requested.
- 3.11 The network must have policies to ensure those persons driving under the network are accurately identified.
- 3.12 The network must have systems in place to monitor each period of time the driver is available for hire under the network.

4. Records management

- 4.1 The network manager must maintain a daily record which allows identification of the following:
 - 4.1.1 For each driver participating in the use of the network, the:
 - a) driver's name;
 - b) driver's licence number as issued under the *Motor Vehicles Act*;
 - c) driver's identity card number as issued under the Act;
 - d) period of time the driver is available for hire under the network; and
 - e) vehicle or the vehicles that the driver has operated during each period of availability.
 - 4.1.2 For each vehicle being operated on the network, the:
 - a) registration number of the vehicle as issued under the *Motor Vehicles Act*;
 - b) number of the commercial vehicle licence (CVL) issued to the vehicle under the Act; and
 - c) name and address of the accredited operator of the vehicle, if applicable.
 - 4.1.3 For each request for hiring made to the network from a person, the:
 - a) name under which the booking is made of each hirer or prospective hirer;
 - b) time of each received request for carriage and the time of any other communication between the first request and hiring commencement;
 - c) requested and actual pick up location and destination;
 - d) type of hiring (whether it was for a WAV or standard vehicle);
 - e) time of hiring commencement and the time of passenger drop off;
 - f) whether the hiring was a rank/hail or booked job, if applicable; and
 - g) vehicle to which the job was dispatched, and the vehicle completing the job (if different).
- 4.2 The network manager must keep, maintain and provide monthly data to the Director in line with any Key Performance Indicator (KPI) standards, where requested. Data must be provided in the format as set by the Director and as defined in any Data Definitions guidelines provided by the Department.
- 4.3 The network manager must keep and maintain for a period of not less than three years, the records, systems and procedures required under this approval.
- 4.4 The network manager must produce on request, any record, system or procedure required under this approval to the Director or an Inspector, which include the Northern Territory Police.
- 4.5 The network manager must ensure that the network complies with any *Information Exchange Protocols* attached to this approval.
- 4.6 The network manager must notify the Director, within seven days, of any change to the contact details that are contained in any *Information Exchange Protocols* attached to this approval.
- 4.7 The network manager, upon reasonable notice, must permit an Inspector to enter the premises for the purposes of:
 - 4.7.1 inspecting the premises;
 - 4.7.2 inspecting any record, system or procedure relating to the operation of the network;
 - 4.7.3 making such examinations and inquiries as the Inspector considers necessary to ascertain whether the provisions of this approval or the Act have been complied with; and
 - 4.7.4 taking such recorded images as the Inspector considers necessary in connection with the administration of this approval.

- 4.8 The network manager must permit an Inspector, who has entered the premises, to make copies of any record, system or procedure relating to the operation of the network.
- 4.9 Where the Director requests in writing the supply of information or data on a regular basis, the network manager must ensure the information or data is supplied in accordance with that request, regardless of where the network is based and data is collected and stored. i.e. in the Northern Territory, or elsewhere in Australia, or overseas. For this condition, network information or data may include, but is not limited to:
- 4.9.1 information on systems, policies, protocols or operator/driver agreements required to be kept and maintained by the network manager under this approval;
 - 4.9.2 service delivery data relating to WAV and standard vehicle bookings and hirings, including statistical data on customer wait times;
 - 4.9.3 total number of WAV and standard vehicles operating under the network per hour;
 - 4.9.4 information or data relating to answered or unanswered telephone enquiries, if applicable, for potential bookings; and
 - 4.9.5 any detail relating to a person having a responsibility in the operation of the network, which may be necessary for the Director to determine the suitability of that person's involvement in the network.
- 4.10 The network manager must report any Notifiable Incident to the Department as soon as reasonably possible but no more than 48 hours after becoming aware of the incident occurring.

5. Standards of service

- 5.1 The network manager must establish minimum standards for which the network must deliver a commercial passenger vehicle service to the public. Such standards are to include drivers with the necessary knowledge and skill required to perform the role which includes but are not limited to:
- a) having sound knowledge of relevant Codes of Conduct;
 - b) having sound location knowledge of the areas of operation; and
 - c) having the ability to convey (drive) passengers with a sense of safety.
- 5.2 The network manager must take reasonable steps to ensure that drivers of the vehicle are in compliance with any Codes of Conduct made under the Act that are applicable to that category.
- 5.3 The network manager must take all reasonable steps to ensure that vehicles are in compliance with the relevant category of in-service maintenance standard as approved by the Director.
- 5.4 The network must provide the public with a convenient and advertised means for lodging a complaint, either via telephone or electronically. The means for receiving complaints must be available to the public during all hours that the network communicates with, controls or coordinates commercial passenger vehicles, and may be the same as the network booking address. Network booking address is defined in section 6 of this approval.

6. Definitions

- Act (the) –** the *Commercial Passenger (Road) Transport Act 1991*.
- Alternative dispatch method –** is the backup system when the main system is temporality unavailable.
- Approval –** means an approval granted by the Director in accordance with subsection 71(1) of the Act.
- Approved –** means approved in writing by the Director.
- Approved area/s of operation –** means a locality in which the network is approved to communicate with, control or coordinate commercial passenger vehicles. Examples: Darwin Region; Darwin and Katherine regions; within Northern Territory borders.
- Authorised person –** means a person authorised to do either or both of the following:
- a) inspect, maintain, repair or test onboard security camera systems;

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| Booking – | b) examine and copy recordings from onboard security camera systems; any request from a customer or potential customer for the hiring of a commercial passenger vehicle which has been received and accepted by the network. |
| Category – | a commercial passenger vehicle licence type as determined under the Act for example taxi, private hire car, limousine, special function vehicle, minibus, courtesy vehicle, motor omnibus, tourist vehicle or special passenger vehicle. Ridesharing falls under the special passenger vehicle category. |
| Communications and Dispatch | |
| Network – | means any device, equipment or action capable of communicating with, controlling or coordinating a vehicle. |
| Communications systems – | the approved method or device used for communicating with, controlling or coordinating a commercial passenger vehicle as specified in Schedule 1. May also be referred to as the Dispatch System. |
| Commercial Passenger Vehicle – | has the same meaning as defined in the Act. |
| CPV – | Commercial Passenger Vehicle. |
| Commercial Vehicle Licence – | a licence issued under the Act to an accredited operator, unless exempted, to operate a commercial passenger vehicle. May also be referred to as a CVL. |
| CVL – | Commercial Vehicle Licence. |
| Director (the) – | means the Director of Commercial Passenger (Road) Transport as defined in the Act. |
| Dispatch method – | means an app, a smartphone, mobile, radio or a computer booking system. |
| Dispatch system – | the approved method or device used for communicating with, controlling or coordinating a commercial passenger vehicle as specified in Schedule 1. This could include an app, smartphone, mobile, radio or a computer booking system. |
| Hirer – | means a person who has procured the services of a commercial passenger vehicle either through a booking or otherwise. |
| Hiring – | means the carriage of a passenger using a commercial passenger vehicle while it is operating for hire or reward. |
| Inspector – | has the same meaning as defined in the Act. |
| Network (the) – | the communications and dispatch network to which this approval applies. |
| Network booking address – | the approved entry point to the network for a potential hirer to make a booking for a hiring e.g. telephone number, web-based booking system, smartphone application. Note: Where a network is approved for more than one category and uses a single web-based booking system, the booking system must clearly identify the category being booked. |
| Network manager – | a person, who has been assessed by the Director as meeting fit and proper guidelines for the purposes of operating a network, and who holds a current approval to operate a communications and dispatch network under the meaning of the Act. The individual is responsible for the day to day operation of the network. |
| Network name – | the trading name or names under which the network manager operates the network for each category, and which has been approved by the Director. |
| Notifiable incident – | means any accident or incident associated with the provision of a passenger service that has involved a death, a near miss, an injury requiring treatment by |

ambulance services or a hospital, any vehicle fault or any collision with another vehicle, structure or person resulting in the journey being unable to commence or continue, any major traffic offence committed by the driver, or any police complaint involving an allegation of sexual assault, indecent exposure, physical assault or threatening behaviour (physical threat or intimidation) by or against the driver.

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| Onboard system – | means an approved security camera system. |
| Passenger bus – | has the same meaning as defined in the Passenger Bus Regulations. |
| Performance management system (Driver and/or Operator) – | a system which identifies and applies appropriate sanctions to a driver and or operator who fails to comply with any applicable legislation, code of conduct made under the Act, or any system made under this approval. |
| Premises (the) – | the principle place or places of business for the network and includes the locations of any dispatch system, communications system or address where network records are kept and maintained (but does not include an area used solely for residential purposes). |
| Private Hire Car – | has the same meaning as defined in the Act. |
| Rideshare vehicle – | has the same meaning as defined in the Ridesharing Regulations. |
| Rideshare platform – | is a Communications and Dispatch Network as defined under s.71 of the Act, which has been approved to communicate jobs to rideshare vehicles. |
| Standard Vehicle – | means a vehicle that is not constructed or modified for the carriage of a person seated in a wheelchair. |
| System – | means an implemented quality assurance system consisting of written policy and procedure which is aimed at ensuring compliance with a requirement under the Act or this approval. Note: A system should comply with relevant Australian Standards (if any exist), or substantially correspond to International Organisation of Standardization (ISO) 9001 as a minimum. |
| Taxi – | has the same meaning as defined in the Act. |
| Transmission – | any electronic, sound or radio signal used for communicating. This includes but is not limited to a vehicle dispatching method, a telephone service and smartphone application (app). |
| Vehicle (the) – | a commercial passenger vehicle which is communicated with, controlled or coordinated by the network. |
| WAV – | for the purposes of this approval means a vehicle designed, manufactured and approved to transport a person seated in a wheelchair. Note: A WAV includes a Wheelchair Accessible Vehicle, Multiple Purpose Taxi, MPT, Multiple Purpose Vehicle, MPV, Wheelchair Accessible Minibus, WAM, Wheelchair Accessible Taxi, or a WAT. |