

Commercial Passenger Vehicles Information Bulletin – CPV46

Remote Passenger Transport Operations

Introduction

The Northern Territory Government (NTG) is committed to ensuring Territorians have reasonable access to passenger transport services to and from key centres and has established the Remote Passenger Transport Program (the Program).

The Program provides financial assistance to persons wishing to conduct passenger transport operations in remote areas through the operation of a commercial passenger vehicle (CPV).

The Department of Infrastructure, Planning and Logistics (the Department) administers the Program and also regulates the CPV industry and will assist applicants through the application process.

Persons wishing to operate a remote passenger transport service must hold the relevant authorities and approvals prior to operating and, where approved, may access some of the grant funding to assist with meeting regulatory obligations.

This information bulletin is aimed at assisting individuals and body corporates with understanding regulatory obligations when operating a remote passenger transport service.

Further information on the Program can be accessed through the following link:

nt.gov.au/driving/industry/remote-passenger-transport-program

Regulatory requirements for operators of CPVs

The *Commercial Passenger (Road) Transport Act 1991* (the Act) and regulations made under the Act, provide the regulatory framework for the operation of CPVs in the Northern Territory (NT). Further obligations exist under the *Motor Vehicles Act 1949*, specific to the licensing of CPV drivers.

Before you can begin operating a CPV, you first need the following approvals from the Department:

- operator accreditation;
- a commercial vehicle licence (CVL) to operate a vehicle;
- a vehicle endorsed on the CVL (the vehicle); and
- a suitable driver who holds a 'h' endorsed NT driver licence.

Most passenger transport services operating under the Program will fit into the motor omnibus (MO) category of CPV. The MO category provides operators with the flexibility to operate their CPV as a charter service or as a fixed route service.

Operator accreditation

Part 3 of the Act requires a person to first hold accreditation prior to commencing a CPV operation. To apply for operator accreditation, you will need to provide the following:

For an Individual:

- A completed application form (CPVF01) and payment of the \$100 application fee at a Motor Vehicle Registry (MVR);
- a National Police Certificate (criminal history check) issued by SAFE NT for yourself and for your nominated operations manager (if any); and
- an insolvency check issued through the Australian Financial Security Authority (AFSA) for yourself and your nominated manager (if any).

For a body corporate:

- A completed application form (CPVF01) and payment of the \$100 application fee at an MVR;
- an extract issued by a competent authority which lists all company stakeholders such as directors, secretary, shareholders and public officers (where relevant) – a competent authority can include the Australian Securities & Investment Commission (ASIC) or the Office of the Registrar of Indigenous Corporations (ORIC);
- where the body corporate has a board, a copy or extract of the minutes from your last board meeting which identifies chairpersons and board members etc;
- details of individuals you intend to engage to assist with the day to day management of your CPV operation i.e. your nominated operations manager (if any);
- a National Police Certificate (criminal history check) issued by SAFE NT for all persons identified on your company extract and for your day to day manager (if any nominated), dated within three months of application; and
- an insolvency check issued through the Australian Financial Security Authority (AFSA) for each individual identified on your company extract (or meeting minutes if different) and for your nominated day to day manager (if any).

Note: Where you are a body corporate and you are having difficulty with obtaining the relevant checks for some individuals, please contact the CPV Office to discuss options.

Commercial vehicle licence (CVL)

Prior to conducting a CPV operation, the vehicle/s you intend to operate must be registered as a CPV and be endorsed on a CVL. For regional operations, the motor omnibus (MO) category of CPV provides the most flexibility and can be used as private or group charters, as well as for scheduled route services.

An MO registered vehicle can operate the following ways:

- on a scheduled advertised route service;
- on pre-booked charters outside of a declared Taxi/Minibus area;
- within a declared area where the transport is pre-booked by the hirer 48 hours in advance;
- where operating within a declared Taxi/Minibus area and the hiring is not pre-booked at least 48 hours in advance, hire the entire vehicle for a single pre-negotiated fee where the journey is:
 - 2 hours or more duration, or
 - a pre-advertised tour or charter which has been approved by the Department, or
 - chartered under a contract approved by the Department, and
 - during the course of any of the above operations, no additional passengers are taken on board the vehicle other than those already booked.

A route service is a regular passenger transport service e.g. Beswick to Katherine and return on set days and schedules, and with dedicated pick up and drop off locations. Where intending to operate a route service, information on the proposed bus timetables will need to be included with your CVL application.

Operators must also seek permission from the competent authority or land owner for the use of each proposed bus stop location. Each location must be safe and legal, and cannot include a public bus stop or ranking location for another category of CPV, e.g. taxi rank.

It is also a requirement that an operator of a route service has an MO registered 'stand-by' vehicle and replacement 'h' endorsed driver to ensure continuity of service at times when the nominal bus or driver is unavailable. Further information on what you need to do to operate an MO can be found in the Department's information bulletin [CPV06](#).

You can apply for an MO licence at the same time you submit your application for operator accreditation, or once you have gained your accreditation. The fee for an MO licence is \$550 for three years which is payable upon approval. There is also an annual fee of \$66 for each vehicle endorsed upon the licence, which is included as part of the vehicle's registration costs.

Driving a CPV

Drivers of a CPV must hold an open NT driver licence which is endorsed with a 'h'. A 'h' endorsement is issued under the *Motor Vehicles Act 1949* and authorises an individual to drive a CPV for hire or reward.

While some CPV categories require a driver to also hold an identity card, such as for taxis, a driver of an MO is only required to hold a 'h' endorsed driver licence. Operators are responsible for ensuring each driver has a sound understanding of the vehicle's approved operation, including passenger safety.

Individuals seeking to obtain a 'h' endorsement must:

- be at least 18 years and six months of age;
- hold a current NT open (not provisional) driver licence suitable for the type of vehicle they intend to driver e.g. C class licence for cars and the corresponding heavy vehicle licence for the size of the bus;
- have held an open driver licence in the last three years (includes an Australian or overseas issued driver licence) for at least a 12 month period;
- provide a National Police Certificate (criminal history check) supplied by SAFE NT dated within three months of application;
- provide a current medical assessment supplied by a medical practitioner dated within six months of application;
- be able to read and write in the English language; and
- pass a general CPV knowledge and road rules test.

Note: Consideration will be given to the relevance of the requirement to demonstrate English language competency and general CPV knowledge to the type of CPV operation proposed.

Fit and proper assessments

The public expects that all individuals working in the CPV industry are of good repute and comply with the law.

Persons employed or engaged in the CPV industry must first be assessed by the Department as being of a fit and proper character. Fit and proper assessments are conducted by the Department on all individuals using the published guiding principles. Please refer to Information Bulletin CPV03 for more information on the guiding principles used in fit and proper assessments.

There are also disqualifying offences prescribed in law. These are serious offences which can prevent a person from working in the CPV industry.

Fit and proper assessments of individuals include such things as criminal convictions and traffic history. Where an individual is not considered fit and proper, the Department is obligated to refuse any such application and ensure they do not work in the CPV industry. The Department may also apply certain conditions to a CPV driver or operator where they are approved, but have not demonstrated a sound history of compliance.

General information

For general information on the transport industry and the role of the Department, please visit: nt.gov.au/driving/industry.

Further information on operating a CPV, including relevant information bulletins and forms, can be accessed through the NTG website here: nt.gov.au/driving/industry/cpv-information-bulletins-forms

Please note that this Information Bulletin has been published as 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	
Commercial Passenger Vehicles Office	
Telephone:	08 8924 7580
Email:	cpv.admin@nt.gov.au
Web:	nt.gov.au/driving
Postal Address:	GPO Box 2520, Darwin NT 0801