

Motor Omnibus Licence

Introduction

A motor omnibus is an approved vehicle fitted, equipped and constructed in accordance with the Australian Design Rules (within the meaning of the *Motor Vehicles Act*), other standards as the Director Commercial Passenger (Road) Transport (the Director) determines, to carry more than eight passengers and used for the purpose of hire or reward.

A motor omnibus is used to carry passengers for the purpose of hire or reward with the services of a driver.

To Operate a Motor Omnibus

- To operate or register a motor omnibus, you must be an accredited operator under the *Commercial Passenger (Road) Transport Act*. Once accredited, you are then required to apply for a motor omnibus licence.
- To apply for operator accreditation to operate a motor omnibus, complete the application form CPVF01 and all other requirements as laid out in the application, then submit it at your local MVR Office with the prescribed fee.
- Before a motor omnibus licence can be issued you must have your vehicle checked and approved by an MVR Transport Inspector and pay the prescribed licence fee (see the General Information section below). Individual assessment of proposed service and vehicle suitability may apply (e.g. for urban route services).
- You must keep records relating to the operation of the motor omnibus as set out in the current Passenger Bus Regulations and Commercial Passenger (Miscellaneous) Regulations.

To Drive a Motor Omnibus

To drive a motor omnibus for the purpose of hire or reward, you must:

- hold a current Northern Territory driver's licence appropriate to the class of vehicle being driven, and
- be the holder of a licence to drive commercial passenger vehicles (CPVs) ('h' endorsement).

Note: Any person who drives a vehicle that is registered as a CPV must have zero blood drug and alcohol levels.

Operating Conditions

The operator of a commercial passenger vehicle must not allow the vehicle to be made available for hire or reward if the vehicle is unsafe. A vehicle is considered unsafe if it is likely to endanger the safety of any person, public safety or any property. Some examples of where a vehicle may be considered unsafe include; frayed seatbelts, dislodged or damaged panels, faulty airbags, bald or damaged tyres and misaligned or damaged door seals. Operators should have appropriate systems in place to ensure their vehicles are maintained in a safe condition.

Drivers also play an important part with monitoring vehicle condition and must check the vehicle prior to commencing each shift. Where the vehicle is found to be unsafe, the driver must immediately report the issue to the operator for rectification and cease operating. Substantial fines apply to both operator and driver found operating an unsafe vehicle for hire or reward. The vehicle may also be defected, necessitating a full roadworthy inspection.

A motor omnibus can only operate as one of three following options:

Option 1 – Over 25 Passengers

- Ply for hire (excludes standing for hire) outside declared taxi/minibus areas, or
- Pre-booked tour or charter outside declared taxi/minibus areas, or
- Pre-booked hire of the entire vehicle within declared taxi/minibus areas but only for a single pre-negotiated fee for a specific period or journey.

Option 2 – Up to 25 Passengers

- Ply for hire (excludes standing for hire) outside declared taxi/minibus areas, or
- Pre-booked tour or charter outside declared taxi/minibus areas, or
- Pre-booked hire of the entire vehicle within declared taxi/minibus areas but only for a single pre-negotiated fee for a specific period and or journey, being any of the following:
 - two hours or more duration, or
 - booked 48 hours or more in advance, or
 - pre-advertised tour or charter, which has been approved by the Director, or
 - chartered under a contract with the hirer, which has been approved by the Director,
 - during the course of the hire, no additional passengers may be taken on board the vehicle other than those for whom the booking was intended.

Refer to the attached Motor Omnibus Licence Compliance Guide for further information.

Option 3 – Route Service/Urban Route Service*

A route service is a dedicated, regular passenger service. An urban service area licence fee applies.

All the following information must be supplied to the Director for consideration of a route service application:

- a) Make and model of the vehicles, and number of wheelchair accessible vehicles, including a relief vehicle to be used in the event of a breakdown.
- b) Approval from the relevant competent authority/ies – to access areas associated with the route service.
- c) Fare and timetable information: each route along which the bus will be operated identified on a map; the times at which a bus will be available at each stop along each route; and the fares payable. This information must be publicly available if the route service is approved.
- d) Public complaint resolution procedures.
- e) Intended advertisements to be displayed on the vehicles.
- f) Records management system.
- g) Provision for relief vehicles / drivers in the event of disruption of services.
- h) Driver training including safety, customer service skills, communications systems and protocols, financial transactions, and transporting passengers with disabilities.
- i) Ticketing system to be used.
- j) Measures to provide driver safety.

General Information

- Any person who operates or drives a motor omnibus must comply with all relevant Acts, Regulations, conditions of licence and any Code of Conduct pertaining to motor omnibuses.
- For information on how to obtain a licence to drive CPVs see Information Bulletin CPV05.
- The application fee for a motor omnibus licence is \$550 for three years, with an annual endorsement fee of \$66 per vehicle endorsed against the licence.
- Motor omnibus fares are not regulated by Government.

Resources

Listed below are resources that may provide assistance to you.

Commercial Passenger Vehicle Information

Information Bulletins and Forms: nt.gov.au/driving/industry/cpv-information-bulletins-and-forms

Legislation: www.legislation.nt.gov.au

Motor Vehicle Registry Information www.nt.gov.au/driving

Important

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 and In-Service Maintenance Standards.

Contact Details	
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

Motor Omnibus Licence Compliance Guide

Tour or Charter in a Taxi Area in Bus Seating less than 26 Passengers

The Guide aims to assist operators to comply with their bus licences, and to continue to plan for compliance.

This Guide applies to the following condition on motor omnibus licences:

It is a condition of a motor omnibus licence that, for a motor omnibus with a seating capacity of less than 26 passengers, a tour or charter within a taxi or minibus area is the pre-booked hire of the entire vehicle by a hirer for a pre-negotiated charge for a specific period or journey, being one of the following:

1. two hours or more continuous duration; or
2. pre-booked at least 48 hours in advance; or
3. under period contract approved by the Director of Commercial Passenger (Road) Transport; or
4. a pre-advertised tour approved by the Director of Commercial Passenger (Road) Transport.

General Features of this Condition

For more information, please refer to the Special Features in the boxes below.

For journeys wholly within a taxi or minibus area

- Fee for exclusive hire of the whole bus, not on an individual seat basis.

For journeys commencing outside a taxi or minibus area, ending inside area

- Permission from land owner or land authority for pick-up and drop-off points - if points are on private land or subject to local council laws.
- If not an exclusive hire, only one drop-off point inside the area, and no pick-ups inside the area.

For journeys commencing inside a taxi or minibus area, ending outside area

- Permission from land owner or land authority for pick-up and drop-off points - if points are on private land or subject to local council laws.
- If not an exclusive hire, only one pick-up point inside the area, and no drop offs inside the area.

Examples of records that demonstrate compliance:

- Written permission from land owner or land authority for pick-up and drop-off points - if points are on private land or subject to local council laws.

Type of Hire Number 1 - Two hours or more continuous duration

Special Features

- The operator and driver are responsible for ensuring that the hirer is aware that the hire is for at least two hours.
- If the time spent travelling on road is less than two hours, the hire cannot be a one way journey without stops, or cannot be a one-way journey with any stop less than 10 minutes.
- The bus may bear a "TOUR OR CHARTER ONLY" sign on the front and rear of the bus legible to a person with normal vision at not less than 30 metres from the bus, and in black letters on white background.
- A mobile phone in the motor omnibus must not be to communicate with, coordinate or control any other commercial passenger vehicle, or for a personal conversation when a paying passenger is in the vehicle; it may be used when the vehicle is lawfully parked if any component of the device is hand-held by the driver or the use involves the driver making a record in writing or text messaging.

Examples of records that demonstrate compliance:

- Fax, email or receipt for the booking – saying the hire is two or more hours.
- Job sheet entry including job start and finish times, all stops and their durations, and the driver's mobile phone number.

Type of Hire Number 2 – Booked 48 hours or more in advance**Special Features**

- The operator is responsible for ensuring that the hirer is aware that the journey takes place at least 48 hours after the request for hire is made.
- If the fee is payment for a ticket book/s, it must be paid 48 hours or more before the journey.

Examples of records that demonstrate compliance:

- Diary entry, fax, email or receipt – at date and time the request for hire was made.
- Job sheet entry.
- If the fee is payment for a ticket book, the receipt must say: the number of tickets in the book, the unique code given to the ticket book, and the code must be on each ticket in that book.

Type of Hire Number 3 – Period contract**Special Features**

- A period contract is an agreement between the bus operator and the hirer, which is in place for a specified period of time, fee not on a pay per seat basis, signed by both the bus operator and the hirer, and approved by the Director of Commercial Passenger (Road) Transport (please allow five working days).

Alternatively:

- The bus may provide a service approved by the Director of Commercial Passenger (Road) Transport.

Examples of records that demonstrate compliance:

- If a period contract applies – written approval by the Director of Commercial Passenger (Road) Transport dated before the first journey under the contract.
- If providing other approved service – record of the service.

Type of Hire Number 4 – Pre-advertised tour**Special Features**

- Route, timetable and other journey conditions must be approved by the Director of Commercial Passenger (Road) Transport (please allow five working days).
- Advertisement must not state a route or timetable that is not approved, or journey conditions that are inconsistent with approved conditions.
- Pre-advertisement is information: in the media; on fixed display; or that may be picked up and taken away from a stationary place of display without unsolicited comment, but only if the owners of, or the authority for, the display location have granted permission for the display.
- Handing out of flyers or similar may amount to touting or soliciting.

Examples of records that demonstrate compliance:

- Written approval by the Director of Commercial Passenger (Road) Transport dated before the first advertisement.
- Copy of advertisement.