

Authorised Version

Transport (Compliance and Miscellaneous) (Conduct on Public Transport) Regulations 2015

S.R. No. 72/2015

TABLE OF PROVISIONS

<i>Regulation</i>	<i>Page</i>
Part 1—Preliminary	1
1 Objectives	1
2 Authorising provisions	2
3 Commencement	2
4 Revocations	2
5 Definitions	2
6 Liability for offences	9
Part 2—Conduct affecting safety	10
Division 1—General conduct offences	10
7 Conveying or bringing things likely to injure or endanger	10
8 Protruding part of body or object	10
9 Throwing or dropping things	11
10 Creating obstructions	11
11 Carriage of bicycles	11
12 Riding bicycles etc. on public transport vehicles	12
13 Driving, riding or parking a vehicle on public transport premises	12
14 Unauthorised entering and leaving vehicles and premises	14
15 Travelling in, or mounting of, places not intended for travel	15
Division 2—Interfering with equipment or property offences	16
16 Interference with gates and doors	16
17 Operating bus or equipment	17
18 Applying brake or emergency device on bus	18
19 Prescribed equipment	18
20 Damage to property	18
21 Fires on public transport vehicles and public transport premises	18
Division 3—Crossing railway and tramway tracks offences	20
22 Crossing railway tracks or designated tramway tracks by pedestrians	20
23 Driving or riding across railway or designated tramway tracks	21

<i>Regulation</i>	<i>Page</i>
24 Stopping or standing on crossings between boom gates	21
25 Entering a pit between platforms or entering onto railway or tramway tracks	22
Part 3—Conduct affecting amenity	23
26 Indecent, obscene, etc. language and behaviour	23
27 Committing a nuisance or conveying things likely to annoy etc.	23
28 Musical instruments on public transport vehicles or premises	23
29 Sound equipment on public transport vehicles or premises	24
30 Selling and busking etc. on public transport vehicles or premises	24
31 Drinking liquor or possessing an open container of liquor on public transport vehicles or premises	25
32 Smoking on public transport vehicles or premises	26
33 Littering on public transport vehicles or premises	28
34 Spitting	28
35 Feet on seats or other furniture	29
36 Placing luggage as directed	29
37 Graffiti	29
38 Scratching or burning	29
39 Animals on public transport vehicles or premises	30
40 Animals on seats	31
41 Animals not to stray	31
Part 4—Seating on public transport vehicles	32
42 Definition—Part 4	32
43 Person must vacate designated special needs seat for person with special needs	32
44 Person must vacate seat for person with special needs	32
45 Person must vacate area designated for persons in a wheelchair	33
46 Occupying unreserved seats	33
47 Unauthorised travel and seating	33
Part 5—Parking at designated park and ride facilities	35
Division 1—Preliminary	35
48 Purpose of Part	35
49 Meaning of driver	35
Division 2—Parking in public transport parking area	35
50 Application of Division	35
51 Person who leaves motor vehicle parked must use public transport	36
52 Exception—person who does not leave park and ride facility	37
53 Exception—emergencies and other Road Rules matters	38

<i>Regulation</i>	<i>Page</i>
54 Exception—using public transport without valid ticket but taking all reasonable steps	39
Division 3—Removing a motor vehicle parked at a public transport parking area	40
55 Application of Division	40
56 Person removing motor vehicle must have valid ticket	41
57 Request to produce valid ticket	42
58 Exception—person who does not leave park and ride facility	43
59 Exception—use of public transport by certain other persons	43
60 Exception—emergencies and other Road Rules matters	44
61 Exception—using public transport without valid ticket but taking all reasonable steps	45
Division 4—Miscellaneous	46
62 Authorisation to park, leave parked and remove a motor vehicle	46
63 Directions in relation to parking at designated park and ride facility	47
64 Expiry of Part	48
Part 6—Miscellaneous	49
65 Prosecution for more than one offence	49
66 Request to leave vehicle or premises	50
Schedule 1—Designated park and ride facilities	52
Schedule 2—Prescribed equipment	53
<hr style="border-top: 3px double #000;"/>	
Endnotes	55

Authorised Version

STATUTORY RULES 2015

S.R. No. 72/2015

Transport (Compliance and Miscellaneous) Act 1983

Transport (Compliance and Miscellaneous) (Conduct on Public Transport) Regulations 2015

The Governor in Council makes the following Regulations:

Dated: 23 June 2015

Responsible Minister:

JACINTA ALLAN
Minister for Public Transport

YVETTE CARISBROOKE
Clerk of the Executive Council

Part 1—Preliminary

1 Objectives

The objectives of these Regulations are—

- (a) to regulate the conduct of persons on, and in relation to, trains, trams, buses and public transport premises having regard to safety, fairness and community standards; and
- (b) to facilitate comfortable and convenient travel for passengers on public transport; and
- (c) to require persons crossing railway tracks or tramway tracks or otherwise interacting with tracks to do so in a safe manner; and
- (d) to require persons travelling in or on trains, trams and buses or being on public transport premises—

- (i) to behave safely and in a way that does not cause harm, or is not likely to cause harm, to themselves or others; and
- (ii) to behave in a way that does not unnecessarily disturb others; and
- (iii) to use public transport equipment in a way that does not cause harm, or is not likely to cause harm, to themselves or others; and
- (iv) to not damage property; and
- (e) to regulate the parking of motor vehicles at designated park and ride facilities.

2 Authorising provisions

These Regulations are made under sections 56, 249B and 256 of the **Transport (Compliance and Miscellaneous) Act 1983**.

3 Commencement

These Regulations commence on 27 June 2015.

4 Revocations

- (1) The Transport (Conduct) Regulations 2005¹ are **revoked**.
- (2) The Transport (Passenger Vehicles) Regulations 2005² are **revoked**.

5 Definitions

- (1) In these Regulations—

appropriate written authorisation means written authorisation from—

- (a) in relation to a public transport vehicle, the passenger transport company, rail freight operator or bus company that operates the public transport vehicle; or

- (b) in relation to public transport premises, the owner or occupier of the public transport premises;

authorised officer has the same meaning as in section 208 of the Act;

authorised person (conduct) means—

- (a) an authorised officer; or
- (b) a police officer; or
- (c) a protective services officer; or
- (d) a person employed by a passenger transport company or a bus company who has duties in relation to the issue, inspection or collection of tickets for travel in, or the operation of, a passenger vehicle; or
- (e) any other person appointed in writing by a passenger transport company or bus company or rail freight operator, Rail Track, or the Secretary or the Public Transport Development Authority for the purposes of these Regulations; or
- (f) if a bus company is a natural person, that person;

bicycle has the same meaning as in the Road Rules;

bus premises has the same meaning as in the **Transport (Safety Schemes Compliance and Enforcement) Act 2014**;

designated area has the same meaning as in the Transport (Ticketing) Regulations 2006;

designated park and ride facility means a park and ride facility within the meaning of the **Road Safety Act 1986** that is located at or

adjacent to a railway station specified in
Schedule 1;

designated special needs seat means a seat
designated for use by a person with special
needs;

designated tramway tracks means—

- (a) the tramway tracks that run from the
Whiteman Street tram stop to the
St Kilda Station tram stop; or
- (b) the tramway tracks that run from the
Whiteman Street tram stop to the Port
Melbourne tram stop;

exempt vehicle means—

- (a) a taxi-cab within the meaning of
section 86(1) of the Act; or
- (b) a hire car within the meaning of
section 86(1) of the Act; or
- (c) an emergency vehicle within the
meaning of the Road Rules; or
- (d) an enforcement vehicle within the
meaning of the Road Rules; or
- (e) an escort vehicle within the meaning of
the Road Safety (Vehicles) Regulations
2009; or
- (f) a public bus within the meaning of the
Road Rules;

level crossing means—

- (a) an area where a road and a railway
meet at substantially the same level,
whether or not there is a level crossing
sign on the road at all or any of the
entrances to the area; or

- (b) an area where a road and tramway tracks meet at substantially the same level and that has a level crossing sign on the road at each entrance to the area.

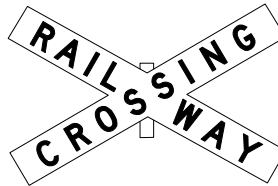


Diagram 1: Level crossing sign

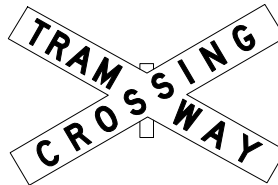


Diagram 2: Level crossing sign

metropolitan train means a train—

- (a) powered by electricity that operates on the metropolitan rail network; or
- (b) operated for the purpose of a rail service running between the Frankston railway station and the Stony Point railway station;

motor vehicle has the same meaning as in the **Road Safety Act 1986**;

park has the same meaning as in Part 12 of the Road Rules;

passenger vehicle has the same meaning as in the Transport (Ticketing) Regulations 2006;

pedestrian includes—

- (a) a person in a motorised wheelchair that cannot travel at a speed of more than 10 kilometres per hour (on level ground); and
- (b) a person in a non-motorised wheelchair; and
- (c) a person pushing a motorised or non-motorised wheelchair;

person with special needs means—

- (a) a person who, because of age, disability, illness or pregnancy has a special need to travel in a seat; or
- (b) the carer of a person referred to in paragraph (a), if that person has a need for the carer's continuing or immediate assistance;

protective services officer has the same meaning as in the **Victoria Police Act 2013**;

public transport parking area means the area of a designated park and ride facility other than any area of the facility to which any of the following parking control signs applies at any time—

- (a) a bus zone sign within the meaning of the Road Rules;
- (b) a permit zone sign within the meaning of the Road Rules;
- (c) a taxi zone sign within the meaning of the Road Rules;

public transport premises means—

- (a) railway premises; or
- (b) bus premises;

public transport vehicle means a train, a tram or a bus operated by a passenger transport company, a rail freight operator or a bus company;

railway premises means any land, building, premises or structure owned, occupied or leased by—

- (a) a passenger transport company in connection with its capacity as a provider of a passenger service; or
- (b) a rail freight operator in connection with its capacity as a provider of a rail freight service; or
- (c) Rail Track; or
- (d) Public Transport Development Authority;

railway track means a railway track used by a passenger transport company or rail freight operator to operate a railway for the carriage of passengers or freight;

Road Rules means the Road Safety Road Rules 2009;

stop has the same meaning as in Part 12 of the Road Rules;

the Act means the **Transport (Compliance and Miscellaneous) Act 1983**;

ticket has the same meaning as in the Transport (Ticketing) Regulations 2006;

tow truck has the same meaning as in the **Accident Towing Services Act 2007**;

train includes a single carriage (whether powered or not) which does not form part of a set or series of carriages;

tram stop platform means a tram stop that has a raised platform other than where the platform forms part of a road;

tramway track has the same meaning as in section 221U of the Act;

valid ticket means a ticket that was valid, in accordance with the Transport (Ticketing) Regulations 2006, for the whole of a person's travel in a passenger vehicle;

vehicle means a conveyance that is designed to be propelled or drawn by any means, whether or not it is capable of being so propelled or drawn, and includes—

- (a) a motor vehicle;
- (b) a trailer;
- (c) a bicycle;
- (d) an air-cushion vehicle;
- (e) an animal that is being ridden or that is drawing a vehicle;
- (f) a combination of vehicles consisting of a motor vehicle connected to one or more vehicles—

but does not include—

- (g) a wheelchair other than a motorised wheelchair capable of a speed of 10 kilometres per hour or more; or
- (h) a wheeled recreational device; or
- (i) a wheeled toy;

wheelchair has the same meaning as in the Road Rules;

wheeled recreational device has the same meaning as in the Road Rules;

wheeled toy has the same meaning as in the Road Rules.

- (2) For the purposes of these Regulations, the fact that a tramway is not laid entirely in public streets or roads does not prevent a vehicle running on that tramway from being characterised as a tram.
- (3) Diagrams used in these Regulations are for illustrative purposes only and are not intended to be a comprehensive depiction of the situation they illustrate or to extend the meaning of the regulation to which they relate.

6 Liability for offences

An authorised person (conduct) or an employee, contractor or agent of a passenger transport company, a rail freight operator, a bus company or Rail Track is not liable for an offence under these Regulations for anything reasonably done in the course of their duties.

Part 2—Conduct affecting safety

Division 1—General conduct offences

7 Conveying or bringing things likely to injure or endanger

- (1) A person in or on a public transport vehicle or public transport premises must not convey or bring, or attempt to convey or bring, any thing that is likely to injure or endanger another person or damage property.

Penalty: 10 penalty units.

Example

An example of a thing which may be a thing that is likely to injure or endanger any person or likely to damage property is an explosive device or petrol contained in a fuel tank.

- (2) A person must not convey or bring, or attempt to convey or bring, any thing into or onto a public transport vehicle or public transport premises if an employee of a passenger transport company, a rail freight operator, Rail Track or a bus company has, in the course of the employee's duties, informed the person that the thing is likely to injure or endanger any person or likely to damage the public transport vehicle or any property if it is conveyed or brought into or onto the public transport vehicle or public transport premises.

Penalty: 15 penalty units.

8 Protruding part of body or object

A person in a public transport vehicle that is in motion must not protrude or cause to protrude, from a door, window or hatch of the vehicle any, or any part, of the following—

- (a) the person's body;
- (b) another person's body;
- (c) an object.

Penalty: 10 penalty units.

9 Throwing or dropping things

A person must not, without reasonable excuse—

- (a) throw any thing from or at a public transport vehicle or public transport premises; or
- (b) drop any thing from a public transport vehicle or public transport premises.

Penalty: 10 penalty units.

10 Creating obstructions

- (1) A person in or on a public transport vehicle or public transport premises must not create an obstruction without reasonable excuse.

Penalty: 10 penalty units.

- (2) A person in or on a public transport vehicle or public transport premises must not do anything which is likely to cause an obstruction without reasonable excuse.

Penalty: 10 penalty units.

11 Carriage of bicycles

- (1) A person must not bring a bicycle into a metropolitan train through the first door of the first carriage of that train.

Penalty: 10 penalty units.

- (2) A person must not be in possession of a bicycle near the first door inside the first carriage of a metropolitan train.

Penalty: 10 penalty units.

(3) A person must not bring a bicycle, other than a folding bicycle—

(a) into or onto a tram; or

(b) onto a tram stop platform.

Penalty: 10 penalty units.

(4) Subject to subregulation (5), a person must not bring a bicycle, other than a folding bicycle, into or onto a bus that is a public transport vehicle.

Penalty: 10 penalty units.

(5) Subregulation (4) does not apply to a bus equipped to carry bicycles that is being used to replace a V/Line passenger service.

(6) In this regulation, a *folding bicycle* means a bicycle that can be folded.

12 Riding bicycles etc. on public transport vehicles

A person must not ride a bicycle, wheeled recreational device or wheeled toy in or on a public transport vehicle.

Penalty: 10 penalty units.

13 Driving, riding or parking a vehicle on public transport premises

(1) A person must not drive, ride or park a vehicle on any part of public transport premises that is not designated for the use of vehicles of that type.

Penalty: 10 penalty units.

(2) A person who drives, rides or parks a vehicle on public transport premises must obey all parking control signs that apply to the premises.

Penalty: 10 penalty units.

- (3) A person who drives or rides a vehicle or wheeled recreational device on public transport premises must obey all traffic control devices that apply to the premises.

Penalty: 10 penalty units.

- (4) A person must not drive or ride a vehicle or a wheeled recreational device on public transport premises in a manner likely to cause injury to or to endanger any person or to damage property.

Penalty: 10 penalty units.

- (5) A person must not park a vehicle on public transport premises in a manner likely to cause an obstruction.

Penalty: 10 penalty units.

- (6) A person must comply with any direction (whether given orally, in writing or otherwise) about driving, riding, stopping, removing or parking of vehicles or wheeled recreational devices given to the person by an authorised person (conduct) while the person is driving or riding a vehicle or riding a wheeled recreational device on public transport premises.

Penalty: 10 penalty units.

Example

An example of a direction given other than orally or in writing is a direction given by means of a hand signal.

- (7) In this regulation—

parking control sign has the same meaning as in the Road Rules;

traffic control device has the same meaning as in the Road Rules.

14 Unauthorised entering and leaving vehicles and premises

- (1) A person must not, without reasonable excuse, enter or leave, or attempt to enter or leave a public transport vehicle while the vehicle is in motion.

Penalty: 10 penalty units.

- (2) A person must not, without reasonable excuse or the permission of an authorised person (conduct), enter or leave or attempt to enter or leave a train or tram that stops next to a platform other than by a doorway next to the platform unless such a doorway is unavailable.

Penalty: 10 penalty units.

- (3) A person must not, without reasonable excuse or the permission of an authorised person (conduct), enter or leave or attempt to enter or leave a public transport vehicle, public transport premises or a designated area other than through an entrance or exit provided for passengers or the public.

Penalty: 10 penalty units.

- (4) A person must not, without reasonable excuse or the permission of an authorised person (conduct), enter or leave or attempt to enter or leave a public transport vehicle, public transport premises or a designated area through an emergency exit other than in an emergency.

Penalty: 10 penalty units.

- (5) A person must not, without reasonable excuse or the permission of an authorised person (conduct), jump or climb over any barrier on public transport premises.

Penalty: 10 penalty units.

- (6) A person must not, without reasonable excuse or the permission of an authorised person (conduct), enter or attempt to enter a public transport vehicle if the vehicle has stopped only for passengers to leave.

Penalty: 10 penalty units.

- (7) A person must not, without reasonable excuse or the permission of an authorised person (conduct), leave or attempt to leave a public transport vehicle if the vehicle has stopped only for passengers to enter.

Penalty: 10 penalty units.

15 Travelling in, or mounting of, places not intended for travel

- (1) This regulation applies to a bus that is a public transport vehicle.
- (2) A person must not, without reasonable excuse, travel or attempt to travel on a part of a bus not intended for the purpose of travel.

Penalty: 20 penalty units.

Note

It is an offence against section 221ZE(1) of the Act to travel on a part of a train or tram not intended for travel.

- (3) A person must not, without reasonable excuse, mount or attempt to mount any part of a bus not intended for the purpose of travel by passengers.

Penalty: 15 penalty units.

Note

It is an offence against section 221ZD(1) of the Act to mount any part of a train or tram not intended for travel.

- (4) A person must not, without reasonable excuse, step, stand, sit, kneel or lie on or hold onto an exterior part of a public transport vehicle while the vehicle is in motion.

Penalty: 10 penalty units.

- (5) A rider of a bicycle or a person in or on a wheeled recreational device or wheeled toy must not attach or attempt to attach himself or herself or another person or the bicycle, wheeled recreational device or wheeled toy to the exterior of a bus for any purpose.

Penalty: 20 penalty units.

Note

It is an offence against section 221ZE(2) of the Act for a person to attach themselves or a bicycle, wheeled recreational device or wheeled toy to a train or tram.

- (6) Subregulation (5) does not apply to a person who secures a bicycle to a bicycle rack or other similar fixture attached to the exterior of a bus with the permission of the bus driver.

Division 2—Interfering with equipment or property offences

16 Interference with gates and doors

A person in or on any public transport vehicle or on public transport premises must not, without reasonable excuse—

- (a) unlock a lock or open a locked door; or
- (b) lock any unlocked door; or
- (c) open or interfere with any locked gate or door; or
- (d) close or interfere with any unlocked or opened gate or door; or

- (e) prevent or attempt to prevent an automatic door from opening or closing; or
- (f) if the release mechanism of an automatic door is operated by an authorised person (conduct), open or attempt to open the automatic door before the release mechanism is operated by the authorised person (conduct); or
- (g) make use of the door in a manner likely to cause damage to the release or closing mechanism connected to the door; or
- (h) open or hold open any door on any public transport vehicle while the vehicle is in motion if the door provides access to the outside of the vehicle.

Penalty: 20 penalty units.

17 Operating bus or equipment

A person must not, without reasonable excuse—

- (a) move or attempt to move; or
- (b) interfere or attempt to interfere with; or
- (c) tamper or attempt to tamper with; or
- (d) operate or attempt to operate—

a bus that is a public transport vehicle or any equipment on or in that bus.

Penalty: 20 penalty units.

Note

It is an offence against section 221ZH(1) of the Act for a person to move, interfere with, tamper or operate, or attempt to do any of these things to a train or tram or equipment on the train or tram.

18 Applying brake or emergency device on bus

A person must not, without reasonable excuse, apply any brake or make use of any emergency device fitted to a bus that is a public transport vehicle.

Penalty: 20 penalty units.

Note

It is an offence against section 221ZF of the Act for a person to apply any brake or make use of any emergency device fitted to a train or tram.

19 Prescribed equipment

The equipment set out in Schedule 2 is prescribed equipment for the purposes of section 222B(1) of the Act.

20 Damage to property

A person must not destroy, damage or deface any property belonging to, occupied by, leased by or otherwise under the control of a passenger transport company, a rail freight operator, Rail Track or a bus company.

Penalty: 20 penalty units.

21 Fires on public transport vehicles and public transport premises

- (1) A person must not light a fire in or on a public transport vehicle.

Penalty: 20 penalty units.

- (2) A person must not light a fire in or on public transport premises without appropriate written authorisation.

Penalty: 20 penalty units.

- (3) A person must not leave a fire that has been lit by that person in or on public transport premises until the fire is completely extinguished.

Penalty: 20 penalty units.

- (4) A person must not bring any burning substance into or onto a public transport vehicle, or by any act or omission, cause a burning substance to be brought into or onto a public transport vehicle.

Penalty: 20 penalty units.

- (5) A person must not bring any burning substance into or onto public transport premises, or by any act or omission, cause a burning substance to be brought into or on to public transport premises, in circumstances likely to cause injury to or to endanger any person or to damage any property.

Penalty: 20 penalty units.

- (6) A person must not throw or drop any burning substance onto or from any public transport vehicle or public transport premises.

Penalty: 20 penalty units.

- (7) A person must not by any act or omission cause a burning substance to be thrown or dropped onto or from any public transport vehicle or public transport premises.

Penalty: 20 penalty units.

- (8) A person must not throw any burning substance at a public transport vehicle or public transport premises.

Penalty: 20 penalty units.

- (9) In this regulation, ***burning substance*** includes a cigarette or cigar or any part of a cigarette or cigar.

Division 3—Crossing railway and tramway tracks offences

22 Crossing railway tracks or designated tramway tracks by pedestrians

- (1) A pedestrian must not cross or attempt to cross railway tracks or designated tramway tracks other than at a place provided for crossing by pedestrians unless directed to do so by an authorised person (conduct).

Penalty: 10 penalty units.

- (2) A pedestrian must not cross or attempt to cross railway tracks or designated tramway tracks at a place provided for crossing by pedestrians if—
- (a) gates at the crossing or at an adjacent vehicle crossing are closed or locked; or
 - (b) warning signals or devices are operating at the crossing or at an adjacent vehicle crossing; or
 - (c) a train or tram can be seen or heard approaching and there is a danger of a collision with the train or tram if the pedestrian enters the crossing; or
 - (d) a train or tram is on or entering the crossing; or
 - (e) the crossing or the path beyond the crossing is blocked; or
 - (f) the pedestrian is directed not to do so by an authorised person (conduct).

Penalty: 10 penalty units.

23 Driving or riding across railway or designated tramway tracks

- (1) A person must not drive or ride or attempt to drive or ride a vehicle or wheeled recreational device across railway tracks or designated tramway tracks at a place other than a level crossing.

Penalty: 20 penalty units.

- (2) A person must not drive or ride or attempt to drive or ride a vehicle or wheeled recreational device across railway tracks or designated tramway tracks at a level crossing if—

- (a) warning signals or devices are operating at the crossing; or
- (b) gates at the crossing are closed or locked; or
- (c) a train or tram can be seen or heard approaching and there is a danger of a collision with the train or tram if the driver or rider enters the crossing; or
- (d) the crossing or the road beyond the crossing is blocked; or
- (e) a train or tram is on or entering the crossing; or
- (f) the person is directed not to do so by an authorised person (conduct).

Penalty: 20 penalty units.

24 Stopping or standing on crossings between boom gates

- (1) A person who drives or rides a vehicle or wheeled recreational device across railway tracks or designated tramway tracks must not stop the vehicle or wheeled recreational device on a level crossing between boom gates.

Penalty: 20 penalty units.

- (2) A pedestrian must not stop on a level crossing between boom gates or enter an area between boom gates if—
- (a) the boom gates are closed; or
 - (b) the pedestrian is directed not to do so by an authorised person (conduct).

Penalty: 20 penalty units.

25 Entering a pit between platforms or entering onto railway or tramway tracks

- (1) A person must not, without reasonable excuse, enter a place between 2 platforms in which there is a railway track other than at a place provided for crossing by pedestrians.

Penalty: 20 penalty units.

- (2) A person must not, without reasonable excuse, enter a place between 2 platforms in which there is a tramway track other than at a place provided for crossing by pedestrians.

Penalty: 20 penalty units.

- (3) A person must not, without reasonable excuse, descend from a platform onto a railway track or designated tramway track other than at a place provided for crossing by pedestrians.

Penalty: 20 penalty units.

- (4) A person must not, without reasonable excuse, enter onto a railway track or designated tramway track other than at a place provided for crossing by pedestrians.

Penalty: 20 penalty units.

Part 3—Conduct affecting amenity

26 Indecent, obscene, etc. language and behaviour

A person in or on a public transport vehicle or public transport premises must not—

- (a) use indecent, obscene, offensive or threatening language; or
- (b) behave in an indecent, obscene, offensive, threatening, disorderly or riotous manner.

Penalty: 10 penalty units.

27 Committing a nuisance or conveying things likely to annoy etc.

- (1) A person in or on a public transport vehicle or public transport premises must not convey, bring or attempt to convey or bring any thing that is likely to annoy or disturb another person.

Penalty: 5 penalty units.

- (2) A person in or on a public transport vehicle or public transport premises must not commit a nuisance or act in a way that is likely to interfere with the comfort of another person.

Penalty: 10 penalty units.

28 Musical instruments on public transport vehicles or premises

A person must not play a musical instrument in or on a public transport vehicle or public transport premises without appropriate written authorisation.

Penalty: 5 penalty units.

29 Sound equipment on public transport vehicles or premises

- (1) A person must not operate any sound equipment in or on a public transport vehicle or public transport premises unless—
- (a) the sound from the equipment is contained by the use of headphones; or
 - (b) is otherwise inaudible to other persons in or on the vehicle or premises; or
 - (c) the person has appropriate written authorisation.

Penalty: 5 penalty units.

- (2) In this regulation, *sound equipment* means a radio, cassette player, compact disc player, smart phone, tablet, television, MP3 player, a video camera or camera capable of producing video, DVD player or any other device capable of producing sound, but does not include a mobile telephone being used to make or receive telephone calls without the use of a speaker.

30 Selling and busking etc. on public transport vehicles or premises

- (1) A person in or on a public transport vehicle or public transport premises must not, without appropriate written authorisation—
- (a) sell, offer to sell or expose for sale any thing; or
 - (b) hire or offer for hire any thing; or
 - (c) tout or ply for custom, hire or employment—
- unless that conduct is solicited.

Penalty: 5 penalty units.

- (2) A person in or on a public transport vehicle or public transport premises must not, without appropriate written authorisation—
- (a) distribute handbills; or
 - (b) solicit money or goods from any person; or
 - (c) busk.

Penalty: 5 penalty units.

31 Drinking liquor or possessing an open container of liquor on public transport vehicles or premises

- (1) A person in or on a public transport vehicle or on public transport premises must not drink from a container that contains, or purports to contain, liquor unless the liquor has been purchased from, and is consumed at, a place that has been authorised by the relevant passenger transport company, a rail freight operator, a bus company or Rail Track as a place where liquor may be consumed.

Penalty: 5 penalty units.

- (2) A person in or on a public transport vehicle or on public transport premises must not possess an open container that contains, or purports to contain, liquor unless the liquor has been purchased from, and is consumed at, a place that has been authorised by the relevant passenger transport company, a rail freight operator, a bus company or Rail Track as a place where liquor may be consumed.

Penalty: 5 penalty units.

- (3) In this regulation, *liquor* has the same meaning as it has in the **Liquor Control Reform Act 1998**.

32 Smoking on public transport vehicles or premises

- (1) A person must not smoke tobacco or any other substance in or on any of the following—
- (a) a public transport vehicle;
 - (b) a tram stop shelter or bus stop shelter;
 - (c) a train platform;
 - (d) a designated area other than a train platform;
 - (e) a tram stop platform;
 - (f) any other public transport premises or part of public transport premises where a notice is displayed that smoking on that property or part is prohibited.

Penalty: 5 penalty units.

- (2) A passenger transport company or a bus company must ensure, so far as is reasonably practicable, that acceptable no smoking signs are displayed in a public transport vehicle in places where a person on that vehicle is reasonably likely to see one or more of the signs.

Penalty: 5 penalty units.

- (3) An occupier or owner of public transport premises must ensure, so far as is reasonably practicable, that acceptable no smoking signs are displayed at tram stop shelters, bus stop shelters, train platforms, designated areas other than train platforms and tram stop platforms or other public transport premises where smoking is prohibited in a manner in which a person is reasonably likely to see one or more of the signs—

Part 3—Conduct affecting amenity

- (a) when entering the tram stop shelter, bus stop shelter, train platform, designated area other than a train platform or tram stop platform; or
- (b) when in or on the tram stop shelter, bus stop shelter or designated area other than a train platform; or
- (c) when on the train platform or tram stop platform; or
- (d) when in, on or entering the public transport premises.

Penalty: 5 penalty units.

(4) In this regulation—

acceptable no smoking sign has the same meaning as in the **Tobacco Act 1987**;

bus stop shelter means a place where passengers wait to catch a bus that—

- (a) is covered by a shelter or other structure; and
- (b) is public transport property;

occupier means—

- (a) in relation to a tram stop shelter or bus stop shelter, the infrastructure manager within the meaning of the **Road Management Act 2004** of the stop; or
- (b) in relation to a train platform, designated area other than a train platform, or tram stop platform, the relevant passenger transport company that occupies the area or platform;

tram stop shelter means a place where passengers wait to catch a tram that—

- (a) is covered by a shelter or other structure; and
- (b) is public transport property.

33 Littering on public transport vehicles or premises

- (1) A person must not leave or deposit litter in or on a public transport vehicle or public transport premises except in a receptacle provided for that purpose.

Penalty: 5 penalty units.

- (2) A person must not leave or deposit any thing in or on a public transport vehicle or public transport premises that may endanger any person or property except in a receptacle provided for that purpose.

Penalty: 10 penalty units.

Example

An example of a thing that may endanger a person or property is a broken glass bottle.

- (3) In this regulation, ***litter*** has the same meaning as it has in section 4(1) of the **Environment Protection Act 1970**.

34 Spitting

- (1) A person must not spit in, on or at a public transport vehicle or on public transport premises.

Penalty: 10 penalty units.

- (2) A person who is in or on a public transport vehicle or on public transport premises must not spit at or on another person.

Penalty: 15 penalty units.

35 Feet on seats or other furniture

- (1) A person must not, without reasonable excuse, place his or her feet on any part of a public transport vehicle other than—
- (a) the floor; or
 - (b) a part of the vehicle specifically designed for the placing of feet.

Penalty: 5 penalty units.

- (2) A person must not, without reasonable excuse, place his or her feet on any part of the furniture of a passenger transport company or bus company other than furniture or a part of furniture specifically designed for the placing of feet.

Penalty: 5 penalty units.

36 Placing luggage as directed

A passenger on a public transport vehicle must place luggage carried by that passenger as directed by an authorised person (conduct).

Penalty: 5 penalty units.

37 Graffiti

A person must not, without appropriate written authorisation, write, draw any word, representation, character, or affix any poster on any public transport vehicle or public transport premises.

Penalty: 20 penalty units.

38 Scratching or burning

A person must not scratch or burn a public transport vehicle or public transport premises.

Penalty: 10 penalty units.

39 Animals on public transport vehicles or premises

- (1) A person must not take any animal onto or into a public transport vehicle or public transport premises.

Penalty: 5 penalty units.

- (2) Subregulation (1) does not apply if the animal is—

- (a) a guide dog, a hearing dog or a guide dog or hearing dog in training for a person with a sight or hearing impairment; or
- (b) an assistance animal; or
- (c) a small animal that is placed in a suitable container; or
- (d) in the case of a metropolitan train or public transport premises, a dog that is restrained by the person by a lead or harness and prevented from biting by a muzzle.

- (3) A person who takes an animal onto or into a public transport vehicle or onto public transport premises must remove any matter emanating from the animal or its container from the vehicle or premises before leaving the premises or vehicle.

Penalty: 5 penalty units.

- (4) An authorised person (conduct) may ask a person in charge of an animal being carried in a public transport vehicle or on public transport premises to remove the animal from the vehicle or premises if, in the opinion of the authorised person (conduct), the animal is causing a disturbance or acting in a manner that poses a risk to the safety of any person.

- (5) A person must remove an animal immediately after being asked to do so under subregulation (4).

Penalty: 5 penalty units.

(6) In this regulation—

assistance animal has the same meaning as it has in the Disability Discrimination Act 1992 of the Commonwealth;

suitable container means a container that is designed specifically for the carriage of animals and is suitable for the animal being carried in the particular circumstances.

40 Animals on seats

A person who takes an animal onto a public transport vehicle must not allow the animal or its container to occupy a seat or be placed in a way that prevents another person from using a seat.

Penalty: 5 penalty units.

41 Animals not to stray

A person must not allow an animal to stray or wander onto or into a public transport vehicle or onto public transport premises.

Penalty: 5 penalty units.

Part 4—Seating on public transport vehicles

42 Definition—Part 4

In this Part, *reserved*, in relation to a seat, means reserved on a V/Line passenger service.

43 Person must vacate designated special needs seat for person with special needs

If a person who is not a person with special needs is sitting in a designated special needs seat on a public transport vehicle or on public transport premises and is requested to vacate the seat by or on behalf of a special needs person or by an authorised person (conduct) to enable a person with special needs to occupy the seat, that person must vacate the designated special needs seat.

Penalty: 5 penalty units.

44 Person must vacate seat for person with special needs

- (1) If a person who is not a person with special needs is sitting in a seat other than a designated special needs seat on a public transport vehicle or on public transport premises and is requested to vacate the seat by or on behalf of a person with special needs or by an authorised person (conduct) to enable the person with special needs to occupy the seat, that person must vacate the seat.

Penalty: 5 penalty units.

- (2) This regulation—
 - (a) does not apply to a person who occupies a seat that is reserved;
 - (b) does not apply to a person with special needs who occupies any seat on a public transport vehicle or on public transport premises;

Part 4—Seating on public transport vehicles

- (c) applies if all designated special needs seats to which a person with special needs has reasonable access in the bus, tram, carriage of a train or premises are already occupied by persons with special needs.

45 Person must vacate area designated for persons in a wheelchair

If a person who is not a person in a wheelchair is occupying an area in a public transport vehicle or on public transport premises designated for use by a person in a wheelchair, and is requested to vacate the area by or on behalf of a person in a wheelchair or by an authorised person (conduct) to enable the area to be occupied by the person in the wheelchair, that person must vacate the area.

Penalty: 5 penalty units.

46 Occupying unreserved seats

If a person is using a seat that is not reserved on a public transport vehicle in addition to the seat on which that person is sitting and is requested by another person to make the seat available for the other person to sit in, the person must make the seat available.

Example

An example of a person using a seat in addition to the seat on which the person is sitting is that person placing a bag on an unoccupied seat.

Penalty: 5 penalty units.

47 Unauthorised travel and seating

- (1) A person must not, without obtaining permission from an authorised person (conduct), occupy a compartment, sleeping berth, seat or other place in a public transport vehicle contrary to—
- (a) a condition determined by the Secretary under section 220D(1) of the Act; or

Part 4—Seating on public transport vehicles

(b) a condition of travel specified in writing by the passenger transport company or the bus company.

Penalty: 5 penalty units.

- (2) An authorised person (conduct) may request a person to comply with a condition referred to in subregulation (1)(a) or (b).
- (3) An authorised person (conduct) may, on reasonable grounds, request a person in a public transport vehicle to occupy a particular seat in that vehicle.
- (4) A person must comply with a request made by an authorised person (conduct) under subregulation (2) or (3).

Penalty: 5 penalty units.

Part 5—Parking at designated park and ride facilities

Division 1—Preliminary

48 Purpose of Part

The purpose of this Part is to regulate the parking of motor vehicles at designated park and ride facilities so that parking bays at those facilities are available for users of public transport at times when those facilities are most used.

49 Meaning of driver

In this Part, *driver* means a person who is driving, riding, or otherwise in control of a motor vehicle.

Division 2—Parking in public transport parking area

50 Application of Division

This Division does not apply to—

- (a) a person leaving an exempt vehicle parked in the course of the person's duty as the driver of an exempt vehicle; or
- (b) a person leaving a motor vehicle parked in the course of the person's duty as the sheriff, the deputy sheriff or a sheriff's officer (within the meaning of the **Sheriff Act 2009**); or
- (c) a person leaving a motor vehicle parked in a public transport parking area if the person—
 - (i) has been authorised to do so under regulation 62 in respect of the designated park and ride facility at which the area is located; and

Part 5—Parking at designated park and ride facilities

- (ii) complies with the conditions, if any, to which the authorisation is subject; or
- (d) a person leaving a motor vehicle parked in compliance with a direction given under regulation 63(1); or
- (e) a person leaving a tow truck parked while the person is engaged in loading, towing or connecting to a vehicle referred to in rule 312(3) of the Road Rules if—
 - (i) the tow truck displayed a flashing light while it was left parked; and
 - (ii) the person acted safely while the tow truck was left parked; and
 - (iii) the person left the tow truck parked for no longer than was necessary to engage in loading, towing or connecting to the other vehicle.

Note

Regulation 6 provides that an authorised person (conduct) and an employee, contractor or agent of a passenger transport company, a rail freight operator or Rail Track are not liable for an offence under these Regulations for anything done in the course of duty by that person.

51 Person who leaves motor vehicle parked must use public transport

- (1) A person must not leave a motor vehicle parked in a public transport parking area at any time between 6 a.m. and 7 p.m. on a business day unless—
 - (a) any of the following persons validly uses public transport at any time between 12 a.m. on that day and 2 a.m. on the next day while the motor vehicle remains parked—
 - (i) the person who parks the motor vehicle;

Part 5—Parking at designated park and ride facilities

- (ii) a person who is a passenger in the motor vehicle when it is parked;
- (iii) a person who removes the motor vehicle from the designated park and ride facility at which the public transport parking area is located;
- (iv) a person who is a passenger in the motor vehicle when it is removed from the designated park and ride facility at which the public transport parking area is located; or

(b) regulation 52, 53 or 54 applies.

Penalty: 3 penalty units.

- (2) If a person leaves a motor vehicle parked in contravention of subregulation (1) for longer than one day—
- (a) only one criminal proceeding in respect of an offence against subregulation (1) may be commenced in respect of those circumstances; and
 - (b) only one infringement notice in respect of an offence against subregulation (1) may be issued in respect of those circumstances.

Note

An infringement notice served in respect of the offence in subregulation (1) is a parking infringement and the operator onus provisions in Part 6AA of the **Road Safety Act 1986** apply.

52 Exception—person who does not leave park and ride facility

A person does not contravene regulation 51(1) if—

- (a) the motor vehicle is parked for no longer than one hour; and

- (b) while the motor vehicle is parked, the person does not leave the designated park and ride facility containing the public transport parking area at which the motor vehicle is parked.

Examples

- 1 A person may park in a public transport parking area at 8 a.m. on a business day and, without leaving the designated park and ride facility, drop off a passenger at the railway station at which the area is located.
- 2 A person may park in a public transport parking area at 5.30 p.m. on a business day and, without leaving the designated park and ride facility, collect a passenger from the railway station at which the area is located.

53 Exception—emergencies and other Road Rules matters

A person does not contravene regulation 51(1) if—

- (a) the person leaves the motor vehicle parked in the public transport parking area because the vehicle is disabled, and the person leaves the vehicle parked for no longer than is necessary for the vehicle to be moved safely to a place where the person is permitted to park the vehicle under the Road Rules; or
- (b) the person leaves the motor vehicle parked in the public transport parking area to deal with a medical or other emergency, or to assist a disabled vehicle, and the person leaves the vehicle parked for no longer than is necessary in the circumstances; or
- (c) the person leaves the motor vehicle parked in the public transport parking area because the condition of the person, a passenger or the vehicle makes it necessary for the person to leave the vehicle parked in the interests of safety, and the person leaves the vehicle

parked for no longer than is necessary in the circumstances; or

- (d) the person leaves the motor vehicle parked in the public transport parking area to comply with a provision of the Road Rules, and the person leaves the vehicle parked for no longer than is necessary to comply with the provision.

54 Exception—using public transport without valid ticket but taking all reasonable steps

- (1) Regulations 12 and 14 of the Transport (Ticketing) Regulations 2006 apply to the prosecution of a person for an offence against regulation 51(1) as if—
 - (a) a reference to a charge under regulation 6(1) or 7(2) of the Transport (Ticketing) Regulations 2006 were a reference to a charge for an offence against regulation 51(1) of these Regulations; and
 - (b) a reference to the person charged were a reference to any of the following persons who, at any relevant time, travelled in a passenger vehicle without being in possession of a valid ticket for that travel—
 - (i) the person who parked the motor vehicle;
 - (ii) a person who was a passenger in the motor vehicle when it was parked;
 - (iii) the person who removed the motor vehicle from the designated park and ride facility at which the public transport parking area is located;
 - (iv) a person who was a passenger in the motor vehicle when it was removed from the designated park and ride

facility at which the public transport parking area is located.

(2) In this regulation—

relevant time means a time—

- (a) between 12 a.m. on the day on which the offence is alleged to have been committed and 2 a.m. on the next day; and
- (b) during which the motor vehicle remained parked in the public transport parking area.

Division 3—Removing a motor vehicle parked at a public transport parking area

55 Application of Division

This Division does not apply in relation to—

- (a) the removal of an exempt vehicle by a person in the course of the person's duty as the driver of an exempt vehicle; or
- (b) the removal of a motor vehicle by a person in the course of the person's duty as the sheriff, the deputy sheriff or a sheriff's officer (within the meaning of the **Sheriff Act 2009**); or
- (c) the removal of a motor vehicle from a designated park and ride facility by a person who—
 - (i) has been authorised to do so under regulation 62 in respect of the facility; and
 - (ii) complies with the conditions, if any, to which the permission is subject; or

Part 5—Parking at designated park and ride facilities

- (d) the removal of a motor vehicle in compliance with a direction given under regulation 63(1); or
- (e) the removal of a motor vehicle that was parked in compliance with a direction given under regulation 63(1); or
- (f) the removal of a tow truck that is loaded with or towing, or connected to, a vehicle referred to in rule 312(3) of the Road Rules.

Note

Regulation 6 provides that an authorised person (conduct) and an employee, contractor or agent of a passenger transport company, a rail freight operator or Rail Track are not liable for an offence under these Regulations for anything done in the course of duty by that person.

56 Person removing motor vehicle must have valid ticket

- (1) A person who removes from a designated park and ride facility a motor vehicle that was parked in a public transport parking area at the facility at any time between 6 a.m. and 7 p.m. on a business day (*the relevant day*) must, unless regulation 58, 59, 60 or 61 applies, have in the person's possession, or be accompanied by a passenger who has in that person's possession, a valid ticket for travel at a relevant time.

Penalty: 3 penalty units.

- (2) In this regulation—

relevant time means a time—

- (a) between 12 a.m. on the relevant day and 2 a.m. on the next day; and
- (b) during which the motor vehicle remains parked in the public transport parking area.

- (3) The offence in subregulation (1) is an operator onus offence for the purposes of Part 6AA of the **Road Safety Act 1986**.

57 Request to produce valid ticket

- (1) This regulation applies if—
- (a) a motor vehicle was parked in a public transport parking area at any time between 6 a.m. and 7 p.m. on a business day (*the relevant day*); and
 - (b) a person (*the driver*)—
 - (i) is removing the motor vehicle from the designated park and ride facility at which the public transport parking area is located; or
 - (ii) is driving or riding the motor vehicle in the designated park and ride facility towards an exit of the facility for the purpose of exiting the facility; or
 - (iii) has just driven or ridden the motor vehicle from the designated park and ride facility.
- (2) An authorised officer may, at or in the immediate vicinity of the designated park and ride facility, request the driver to produce for inspection, from the possession of the driver or from a passenger in the motor vehicle, a valid ticket for travel at any time—
- (a) between 12 a.m. on the relevant day and 2 a.m. on the next day; and
 - (b) during which the motor vehicle remained parked in the public transport parking area.

Part 5—Parking at designated park and ride facilities

- (3) A person must comply with a request made under subregulation (2) unless regulation 58, 59, 60 or 61 applies.

Penalty: 3 penalty units.

- (4) The offence in subregulation (3) is an operator onus offence for the purposes of Part 6AA of the **Road Safety Act 1986**.

58 Exception—person who does not leave park and ride facility

A person does not contravene regulation 56(1) or 57(3) if—

- (a) the motor vehicle is parked for no longer than one hour; and
- (b) while the motor vehicle is parked, the person does not leave the designated park and ride facility containing the public transport parking area at which the vehicle is parked.

Examples

- 1 A person may park in a public transport parking area at 8 a.m. on a business day and, without leaving the designated park and ride facility, drop off a passenger at the railway station at which the area is located, and then remove the motor vehicle without producing a ticket referred to in regulation 57(2).
- 2 A person may park in a public transport parking area at 5.30 p.m. on a business day and, without leaving the designated park and ride facility, collect a passenger from the railway station at which the area is located, and then remove the motor vehicle without producing a ticket referred to in regulation 57(2).

59 Exception—use of public transport by certain other persons

- (1) A person does not contravene regulation 56(1) or 57(3) if any of the following persons validly used public transport at a relevant time—

Part 5—Parking at designated park and ride facilities

- (a) the person who parked the motor vehicle in the public transport parking area;
 - (b) a person who was a passenger in the motor vehicle when it was parked in the public transport parking area.
- (2) In this regulation—
- relevant time* means a time—
- (a) between 12 a.m. on the business day in relation to which the offence is alleged to have been committed and 2 a.m. on the next day; and
 - (b) during which the motor vehicle remains parked in the public transport parking area.

60 Exception—emergencies and other Road Rules matters

A person does not contravene regulation 56(1) or 57(3) if—

- (a) the motor vehicle is parked in the public transport parking area because the vehicle is disabled, and the vehicle is left parked for no longer than is necessary for the vehicle to be moved safely to a place where it is permitted to park the vehicle under the Road Rules; or
- (b) the motor vehicle is parked in the public transport parking area to deal with a medical or other emergency, or to assist a disabled vehicle, and the vehicle is left parked for no longer than is necessary in the circumstances; or
- (c) the motor vehicle is parked in the public transport parking area because the condition of the driver, a passenger or the vehicle makes it necessary to park the vehicle in the interests of safety, and the vehicle is left

parked for no longer than is necessary in the circumstances; or

- (d) the motor vehicle is parked in the public transport parking area to comply with a provision of the Road Rules, and the vehicle is left parked for no longer than is necessary to comply with the provision.

61 Exception—using public transport without valid ticket but taking all reasonable steps

- (1) Regulations 12 and 14 of the Transport (Ticketing) Regulations 2006 apply to the prosecution of a person for an offence against regulation 56(1) or 57(3) as if—
 - (a) a reference to a charge under regulation 6(1) or 7(2) of the Transport (Ticketing) Regulations 2006 were a reference to a charge for an offence against regulation 56(1) or 57(3) of these Regulations; and
 - (b) a reference to the person charged were a reference to any of the following persons who, at any relevant time, travelled in a passenger vehicle without being in possession of a valid ticket for that travel—
 - (i) the person who parked the motor vehicle;
 - (ii) a person who was a passenger in the motor vehicle when it was parked;
 - (iii) the person who removed the motor vehicle from the designated park and ride facility at which the public transport parking area is located;
 - (iv) a person who was a passenger in the motor vehicle when it was removed from the designated park and ride

facility at which the public transport parking area is located.

- (2) In this regulation, *relevant time* has the same meaning as it has in regulation 59.

Division 4—Miscellaneous

62 Authorisation to park, leave parked and remove a motor vehicle

- (1) A relevant body may authorise a person to do the following things without complying with regulations 51(1), 56(1) and 57(3)—
- (a) park a motor vehicle in a public transport parking area at the designated park and ride facility that is specified in the authorisation; and
 - (b) leave the motor vehicle parked in the area referred to in paragraph (a); and
 - (c) remove the motor vehicle from the facility referred to in paragraph (a).
- (2) An authorisation issued by a relevant body that is a passenger transport company may be issued only in relation to a designated park and ride facility that belongs to or is under the control of the passenger transport company.
- (3) An authorisation—
- (a) must be in writing; and
 - (b) may be subject to any conditions specified in the authorisation, including a condition stating that the authorisation is given in relation to a specified period of time.
- (4) In this regulation—
- relevant body* means—
- (a) a passenger transport company; or

- (b) the Public Transport Development Authority; or
- (c) Rail Track.

63 Directions in relation to parking at designated park and ride facility

- (1) An authorised officer may give a direction to the owner or driver of a motor vehicle in relation to the parking of the motor vehicle at, or the removal of the motor vehicle from, a designated park and ride facility.
- (2) Subject to subregulation (5), a direction under subregulation (1) may be given orally or in writing.
- (3) Without limiting subregulation (1), a direction under that subregulation may—
 - (a) direct that the motor vehicle not be parked at the designated park and ride facility; or
 - (b) direct that the motor vehicle be removed from the designated park and ride facility; or
 - (c) direct that a motor vehicle that has just left the designated park and ride facility must stop.
- (4) A direction under subregulation (1) may be given—
 - (a) regardless of whether the owner or driver is in the motor vehicle; and
 - (b) regardless of where the authorised officer is at the time the direction is given; and
 - (c) regardless of whether the motor vehicle is at or has just left the designated park and ride facility.

Part 5—Parking at designated park and ride facilities

- (5) A direction under subregulation (1) that directs that a motor vehicle not be parked at the designated park and ride facility—
- (a) must be given in writing; and
 - (b) may prohibit the parking of the motor vehicle on days or at times that are specified in the direction.
- (6) A person to whom a direction is given under subregulation (1) must comply with the direction.

Penalty: 5 penalty units.

64 Expiry of Part

This Part expires on 30 June 2017.

Part 6—Miscellaneous

65 Prosecution for more than one offence

- (1) A person is not liable to be prosecuted or served with an infringement notice for more than one of the following offences in relation to a single instance of a motor vehicle being left in and subsequently removed from a public transport parking area—
 - (a) an offence against regulation 51(1) in relation to a motor vehicle being left parked at a public transport parking area for a period of time;
 - (b) an offence against regulation 56(1) in relation to the motor vehicle being removed at the end of that period from the designated park and ride facility at which the area is located;
 - (c) an offence against regulation 57(3) in relation to a request made under regulation 57(2) to the person who is removing the motor vehicle as described in paragraph (b).
- (2) A person is not liable to be prosecuted or served with an infringement notice for more than one of the following offences in relation to the same facts or circumstances—
 - (a) an offence against regulation 13(6) in relation to a direction about the driving, riding, stopping, removing or parking of a motor vehicle or wheeled recreational device while the person is on public transport premises;

- (b) an offence against regulation 63(6) in relation to a direction about the parking of a motor vehicle at, or the removal of a motor vehicle from, a designated park and ride facility.

66 Request to leave vehicle or premises

- (1) An authorised person (conduct) or a tram driver may ask a person to leave a public transport vehicle if—
 - (a) the public transport vehicle is fully loaded with passengers when the person enters the vehicle; or
 - (b) the person remains in a doorway, vestibule, corridor or gangway after being asked by an authorised person (conduct) or tram driver not to do so; or
 - (c) the person is behaving in a violent, noisy or offensive manner; or
 - (d) the person's clothing or luggage is reasonably believed by an authorised person (conduct) or tram driver to be likely to soil or damage any property of the passenger transport company, rail freight operator, Rail Track, or the bus company or the property of any other person; or
 - (e) the person enters, boards or attempts to enter or board or remain on board the public transport vehicle after being asked by an authorised person (conduct) or tram driver not to do so.
- (2) An authorised person (conduct) may ask a person to leave public transport premises if—
 - (a) the person is behaving in a violent, noisy or offensive manner; or

- (b) the person is reasonably believed by the authorised person (conduct) to be so affected by alcohol or other substances that the person is likely to behave in an offensive manner.
- (3) An authorised person (conduct) may ask a person to leave a public transport vehicle or public transport premises if the authorised person (conduct) reasonably believes that—
- (a) if the public transport vehicle is a passenger vehicle, the person has failed to comply with regulation 7(2) of the Transport (Ticketing) Regulations 2006 in respect of travel in that passenger vehicle; or
 - (b) the person has failed to comply with regulation 6(2), 8(2) or 10(3) of the Transport (Ticketing) Regulations 2006 in respect of an entry to a designated area that is part of the public transport premises; or
 - (c) if the public transport vehicle is a passenger vehicle, the person has failed to comply with regulation 6(1) or 9(3) of the Transport (Ticketing) Regulations 2006 in respect of travel in that passenger vehicle; or
 - (d) the person has committed an offence against the Act or these Regulations.
- (4) A person who is asked to leave a public transport vehicle or public transport premises under subregulation (1), (2) or (3) must comply with the request immediately.

Penalty: 10 penalty units.

Schedule 1—Designated park and ride facilities

Regulation 5(1)

1. Box Hill Railway Station.
2. Burwood Railway Station.
3. Camberwell Railway Station.
4. Heidelberg Railway Station.
5. Highett Railway Station.
6. Murrumbeena Railway Station.

Schedule 2—Prescribed equipment

Schedule 2—Prescribed equipment

Regulation 19

Table

<i>Item</i>	<i>Equipment</i>
1.	A TTA: ACS Expert 900 Melbourne: CVM/AVM-s, also known as a myki machine (stationary).
2.	A Parkeon (Wayfarer) TCON product Melbourne: Bus Driver Console BDC, also known as a Bus Driver Console.
3.	A Parkeon (Wayfarer) TCON product Melbourne: Depot Card Management Console, also known as a Depot Card Management Console.
4.	A Parkeon (Wayfarer) ICON Product Melbourne: Primary Tram Driver Console TDC, also known as a Tram Driver Console.
5.	A Parkeon (Wayfarer) ICON Product Melbourne: Secondary Tram Driver Console TDC.
6.	An ACS Product family EVD121 Melbourne: Standalone Enquiry Machine (SEM), also known as a myki check.
7.	A Motorola MobileCompia (M3) MC6500S.
8.	A Melbourne: Ticket Office Machine (Terminal) Fixed (TOM/TOT-F).
9.	A Melbourne: Ticket Office Machine (Terminal) Mobile (TOM/TOT-M).
10.	A Melbourne: Ticket Office Machine (Terminal) Smart Card Management Terminal (TOM SMT).
11.	An ACS Product family EVD240 Melbourne: Fare Payment Device Mobile, including the housing for that equipment.
12.	An ACS Product family EVD141 Melbourne: Fare Payment Device Stationary, including the housing for that equipment.
13.	An ACS Product family EVD360 Melbourne: Fare Payment Device Mobile, including the housing for that equipment.
14.	A PSION WORKABOUT PRO S Model 7527S-G2.
15.	An ACS Electronic Validation Device EVD340, including the housing for that equipment.
16.	An operator access card within the meaning of the Transport (Ticketing) Regulations 2006.

Transport (Compliance and Miscellaneous) (Conduct on Public Transport)
Regulations 2015
S.R. No. 72/2015

Schedule 2—Prescribed equipment

<i>Item</i>	<i>Equipment</i>
17.	A vehicle control unit within the meaning of the Transport (Ticketing) Regulations 2006.
18.	An ACS product family AGC100 Arcos Gate Controller, also known as a Gate Attendant Control, including the housing for that equipment.
19.	An electronic gate kit, also known as an EGK.
20.	An M3 Mobile M3 Orange.
21.	A Vix Product Family iVal CR6000 Fare Payment Device, including the housing for that equipment.
22.	The central computer system within the meaning of the Transport (Ticketing) Regulations 2006.
23.	A ticket barrier within the meaning of the Transport (Ticketing) Regulations 2006.
24.	A Smartcard security access module within the meaning of the Transport (Ticketing) Regulations 2006.
25.	A Vix product family DC6000 Primary Tram Driver Console, also known as a TDC.
26.	A Vix product family DC6000 Secondary Tram Driver Console, also known as a TDC.
27.	A Vix product family DC6000 Bus Driver Console, also known as a BDC.
28.	A Vix product Family iVal CP6500 Fare Payment Device, including the housing for that equipment.
29.	A Vix product family PCP6100 Standalone Enquiry Machine, also known as an SEM or a myki check.
30.	A Vix Gate Attendant Control, also known as a Gate Attendant Control, including the housing for that equipment.

Endnotes

¹ Reg. 4(1): S.R. No. 69/2005. Reprint No. 1 as at 14 July 2008. Reprinted to S.R. No. 73/2008. Subsequently amended by S.R. Nos 123/2008, 105/2011, 131/2011, 22/2012, 1/2014, 6/2014, 33/2014 and 149/2014.

² Reg. 4(2): S.R. No. 66/2005. Reprint No. 2 as at 17 May 2012. Reprinted to S.R. No. 22/2012. Subsequently amended by S.R. No. 64/2014.

Penalty Units

These Regulations provide for penalties by reference to penalty units within the meaning of section 110 of the **Sentencing Act 1991**. The amount of the penalty is to be calculated, in accordance with section 7 of the **Monetary Units Act 2004**, by multiplying the number of penalty units applicable by the value of a penalty unit.

The value of a penalty unit for the financial year commencing 1 July 2014 is \$147.61.

The amount of the calculated penalty may be rounded to the nearest dollar.

The value of a penalty unit for future financial years is to be fixed by the Treasurer under section 5 of the **Monetary Units Act 2004**. The value of a penalty unit for a financial year must be published in the Government Gazette and a Victorian newspaper before 1 June in the preceding financial year.