

LEGISLATIVE COUNCIL

TRANSPORT LEGISLATION AMENDMENT (FOUNDATION TAXI AND HIRE
CAR REFORMS) BILL 2013

(Amendments to be proposed in Committee by Ms HARTLAND)

1. Clause 6, page 5, after line 20 insert—
 - "(1ACA) The licensing authority may at any time determine to suspend both the granting of, and the acceptance of applications for, hire car licences in which the Metropolitan Hire Car Zone is specified if satisfied that the aggregate number of hire car licences in existence in which that Zone is specified and taxi-cab licences in existence in which the Melbourne Metropolitan Zone or the Urban and Large Regional Zone is specified is such that it is not in the interests of existing and future users of hire car services in the Metropolitan Hire Car Zone for any additional such hire car licences to be granted for a period.
 - (1ACB) In considering whether to exercise the power to suspend conferred by subsection (1ACA), the licensing authority must have regard to whether the financial viability of providers of hire car services in the Metropolitan Hire Car Zone is diminished, but only to the extent to which that diminution impacts negatively on the interests of existing and future users of hire car services in that Zone and the impact is significant.
 - (1ACC) The power to suspend conferred by subsection (1ACA) is exercised by the licensing authority publishing notice of the suspension in the Government Gazette and on its website.
 - (1ACD) A suspension takes effect from the day on which notice of it is published in the Government Gazette and continues in effect until—
 - (a) the first anniversary of that day; or
 - (b) the day on which the licensing authority publishes notice of the cessation of the suspension in the Government Gazette—whichever occurs first."
2. Clause 9, lines 33 to 35, omit "number of taxi-cab licences in existence in which the relevant Zone" and insert "aggregate number of taxi-cab licences in existence in which the relevant Zone is specified and hire car licences in existence in which the Metropolitan Hire Car Zone".
3. Clause 9, page 11, line 1, omit "that Zone" and insert "the relevant Zone".
4. Clause 9, page 11, lines 29 to 33, omit all words and expressions on these lines.
5. Clause 32, page 50, after line 6 insert—
 - "() Without limiting subsection (1), it is an implied condition of every driver agreement that the operator of the taxi-cab has a comprehensive policy of

insurance covering liability in respect of damage to the taxi-cab or any other property caused by, or arising out of the use of, the taxi-cab—

- (a) issued by a corporation authorised under the Insurance Act 1973 of the Commonwealth to carry on insurance business; and
- (b) providing cover that in the opinion of the TSC is sufficient for the taxi-cab."

6. Clause 42, page 64, after line 8 insert—

"(dfa) to monitor the aggregate number of hire car licences in existence in which the Metropolitan Hire Car Zone is specified and taxi-cab licences in existence in which the Melbourne Metropolitan Zone or the Urban and Large Regional Zone is specified and consider whether to exercise in relation to the Metropolitan Hire Car Zone the power of suspension conferred by section 142(1ACA) of the **Transport (Compliance and Miscellaneous) Act 1983**;"

7. Clause 42, page 64, lines 9 to 13, omit "up until the third anniversary of the commencement of section 9 of the **Transport Legislation Amendment (Foundation Taxi and Hire Car Reforms) Act 2013**,"

8. Clause 42, page 64, lines 13 to 16, omit "number of taxi-cab licences in existence in which the Melbourne Metropolitan Zone or the Urban and Large Regional Zone" and insert "aggregate number of taxi-cab licences in existence in which the Melbourne Metropolitan Zone or the Urban and Large Regional Zone is specified and hire car licences in existence in which the Metropolitan Hire Car Zone".

9. Clause 42, page 64, line 17, omit "that Zone" and insert "the Melbourne Metropolitan Zone or the Urban and Large Regional Zone".