

April 2019

Consultation open on CPVV's draft monitoring, compliance and enforcement policy 2019-2022

Commercial Passenger Vehicles Victoria (CPVV) is pleased to announce that a draft monitoring, compliance and enforcement (MC&E) policy has been developed to provide clarity on how CPVV will monitor, promote compliance with, and enforce industry laws.

CPVV will undertake a range of consultation activities over the coming weeks to support the release of the policy. CPVV strongly encourages you to provide feedback on the draft MC&E policy as a part of the consultation process. The closing date for submissions is **Tuesday 14 May 2019**.

The final MC&E policy will be published on or before 1 July 2019, once feedback from the industry and community has been considered and in accordance with the Commercial Passenger Vehicle Industry Act 2017. A copy of the draft MC&E policy and information on making a submission can be found on the [Engage Victoria website](#).

Prohibition notice

Commercial Passenger Vehicles Victoria (CPVV) exercised its power to issue a prohibition notice for the first-time in February 2019. CPVV can issue prohibition notices where it reasonably believes that an activity is occurring, or may occur, in relation to commercial passenger vehicle services that involves or will involve an immediate risk to safety.

In this instance, CPVV became aware that a driver whose accreditation had been suspended after he was charged by police with category one offences, was being investigated by police for an alleged further offence that occurred

when he was driving while suspended. A prohibition notice was issued directing the driver to immediately cease driving any commercial passenger vehicles and to return his certificate of accreditation and any identification material issued by CPVV.

A failure to comply with the prohibition notice is an offence subject to a [penalty of up to \\$150,000](#). While our new regulatory approach is based on collaboration and education, our actions reflect the level of the safety risk to industry participants and the community. You can read more about [our safety approach](#) on our website.

Notifiable incident reporting

Commercial Passenger Vehicles Victoria (CPVV) would like to remind Booking Service Providers (BSPs) of their obligations. Since 1 March 2019, all industry participants with safety duties are required to notify CPVV of any incident related to a commercial passenger vehicle service they provide. Industry participants with safety duties include (but are not limited to) BSPs, drivers, vehicle owners and equipment suppliers.

BSPs can notify CPVV on behalf of their drivers and vehicle owners. If you do not wish to do this, please advise your drivers and/or vehicle owners that they will need to separately report the incident to CPVV.

CPVV has received a broad range of reported incidents from BSPs, owners and drivers over the month of March 2019. We understand that because this is a new requirement, some relevant incidents have not yet been reported. Therefore, if you have any outstanding incidents (even if it is outside the 10-day time limit) please submit these to CPVV using the online form.

More information about reporting [notifiable incidents](#) and how to access our online form is available on our website.

Commercial passenger vehicle signage

All commercial passenger vehicles are required to display a form of identification when they're in service, so they can be easily identified. This requirement took **effect from September 2018**.

Victoria Police is understood to have commenced enforcing this requirement and CPVV will also be increasing its compliance activities

around this condition. Failure to display a form of identification may result in a penalty or on the spot fine of \$1934.

More information can be found on [our website](#): including requirements about the format and positioning of signage. You can also download a CPV “in service” template for your drivers to use (if required).

Child restraints in booked and unbooked vehicles

Unbooked CPVs (taxis)

Under the *Road Safety Road Rules 2017*, taxis have an exemption which means that if a child restraint is not available, an infant under 12 months may be carried in the back seat of the taxi by the parent or accompanying adult.

Further, children aged one to six years of age must also travel in the back seat but must wear their own properly fastened seat belt if no suitable child restraint or booster seat is available. Taxi drivers are not required to carry child restraints such as capsules, child seats or booster seats.

Booked CPVs (ride share, hire cars)

For booked CPVs, the child restraint requirements are the same as for private cars.

This means that children up to seven years of age must be secured in a restraint appropriate to the age and size of the child. Children aged over seven years must use either a booster seat or an adult seat belt.

Read more about [driving with child passengers](#) on our website.

Record keeping

The *Commercial Passenger Vehicle Industry Regulations 2018* (the regulations) require booking service providers and providers of unbooked services (taxis) to keep records. These records must be kept for three years, unless Commercial Passenger Vehicles Victoria provides a written notice stating they need to be kept for a longer period.

Booking service providers are required to keep records about:

- each booked commercial passenger vehicle trip they provide a booking service for
- any complaints they receive.

Providers of unbooked commercial passenger vehicle services are also required to keep records about each unbooked trip they complete. In some cases, vehicle owners are considered the provider of an unbooked commercial passenger vehicle. Where a driver is not an employee of a vehicle owner, the driver is considered the provider of an unbooked commercial passenger vehicle.

The records about both booked and unbooked trips need to capture details about the vehicle and driver, the time, location and duration of the journey, the amount charged to the passenger and any subsidies that relate to the trip.

Records related to complaints need to capture the detail of the complainant and complaint, the date it was made, the actions taken in response and the outcome.

Specific requirements can be found in Schedules 1 and 2 on pages 36-38 of [the Regulations](#).

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Our email address if you wish to update your preferences:
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