

Statutory Document No. 2002/0044



*Road Transport Act 2001*

## **PUBLIC PASSENGER VEHICLES (FARES AND FARE-METERS) REGULATIONS 2002<sup>1</sup>**

*Approved by Tynwald:* 19 February 2002  
*Coming into Operation:* 1 April 2002

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In exercise of the powers conferred on the Department of Transport by sections 35(2) and (3) and 62(1) of the Road Transport Act 2001<sup>1</sup>, and of all other enabling powers, and after consultation with the Road Transport Licensing Committee and such representative bodies as the Department thinks fit, the following Regulations are hereby made: —

### **1 Citation, commencement and interpretation**

- (1) These Regulations may be cited as the Public Passenger Vehicles (Fares and Fare-Meters) Regulations 2002 and, subject to section 62(6) of the Act, shall come into operation on the 1<sup>st</sup> April 2002.
- (2) In these Regulations —
  - “**the Act**” means the Road Transport Act 2001;
  - “**Applications, Decisions and Notices**” is a circular within the meaning of regulation 2 of the Road Transport Licensing Committee Regulations 2001<sup>2</sup>;
  - “**the Committee**” means the Road Transport Licensing Committee;
  - “**the Department**” means the Department of Transport; and
  - “**fare**”, “**ply for hire**”, “**plying for hire**”, “**regular service**” and “**service licence**” shall all have the same meaning as in the Act.
- (3) Any reference in these Regulations to a section by number is to the section so numbered of the Act.

### **2 Application**

These Regulations apply to a public passenger vehicle while it is being used —

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<sup>1</sup> 2001 c.27

<sup>2</sup> SD 43/02

- (a) under a service licence for regular service issued under section 25 of the Act; or
- (b) under a service licence to ply for hire under section 29 of the Act.

### 3 Regular service licences under section 25

- (1) In granting any licence for a regular service the Committee may attach conditions to the licence specifying the maximum fares to be charged and such maximum fares may be those proposed by the operator, or such other maximum fares as the Committee may decide.
- (2) The fare table for the service being operated shall be carried on a vehicle operating a regular service under section 25 and it shall be available to be consulted on request by any passenger or any other person having reasonable grounds.

### 4 Ply for hire service licences under section 29

- (1) The Committee may from time to time determine the maximum fares to be charged by vehicles standing or plying for hire under section 29.
- (2) Such maximum fares may be determined in relation to —
  - (a) distance travelled;
  - (b) elapsed time; or
  - (c) a combination of distance travelled and elapsed time;and may be varied according to —
  - (i) area of operation,
  - (ii) time of day,
  - (iii) day of the week,
  - (iv) day of the year, and
  - (v) number of passengers carried.
- (3) Provisions may also be made for fees for the carriage of luggage and for other additional charges.
- (4) The Committee may —
  - (a) publish any such proposed fare scale by way of notice in “Applications, Decisions and Notices”, and
  - (b) invite consultation or representations by interested parties within a time to be specified by the Committee in such notice; and
  - (c) place in two newspapers circulating in the Island a notice to the same effect.
- (5) When the Committee has determined fares under the foregoing paragraphs, the maximum fares to be charged shall be published in

“Applications, Decisions and Notices” with a notice of a specified day for the fares to come into effect.

- (6) Any vehicle operating under a section 29 licence to ply for hire shall carry inside the vehicle in a position visible to passengers a copy of the prescribed maximum fares.
- (7) The Committee may from time to time determine maximum charges for passengers to be carried on vehicles licensed under section 29 at separate fares, and the foregoing paragraphs shall apply such fares.
- (8) Nothing in these Regulations shall be taken to preclude a holder of a licence granted under section 29 from charging a fare lower than the maxima determined by the Committee either on the licence holder’s invitation or by agreement between the licence holder or his agent and the hirer.

## **5 Fare Meters**

- (1) A public passenger vehicle shall not be used when under hire under a section 29 licence unless a fare meter complying with British Standards Institute specification BS EN 50148:1996 for Electronic Taximeters is used to calculate the fare.
- (2) Such meters shall be calibrated to display the maximum fare to be charged as determined by the Committee under regulation 4 above and shall be sealed in a manner approved by the Committee.
- (3) Where a vehicle is hired while standing or plying for hire in a road or other public place, in respect of which standing or plying for hire section 29 applies, the driver shall operate the fare meter to indicate to the hirer the maximum fare chargeable.

## **6 Offences and penalties**

- (1) It shall be an offence, punishable on summary conviction by a fine not exceeding £1000, for the operator of a public passenger vehicle to charge a fare for a journey on a service licensed under section 25 or section 29 if the fare charged exceeds the maximum fare determined by the Committee in accordance with these Regulations to be chargeable for that journey.
- (2) It shall be an offence punishable on summary conviction by a fine not exceeding £1000 for an operator to use a vehicle for standing or plying for hire, in respect of which service section 29 applies, if, —
  - (a) the vehicle is not fitted with a meter complying with regulation 5(1) and (2), or
  - (b) if the meter is not being used as required by regulation 5(3).
- (3) It shall be an offence, punishable on summary conviction by a fine not exceeding £500, if, —

- (a) the operator of a public passenger vehicle which is being used on a regular service to which section 25 applies fails to make fare tables available for consultation by a passenger, or
- (b) the operator of a public passenger vehicle which is being used to stand or ply for hire on a service to which section 29 applies fails to carry or display fare tables.

**MADE 23 JANUARY 2002**

## ENDNOTES

### Table of Endnote References

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<sup>1</sup> The format of this legislation has been changed as provided for under section 75 of, and paragraph 2 of Schedule 1 to, the Legislation Act 2015. The changes have been approved by the Attorney General after consultation with the Clerk of Tynwald as required by section 76 of the Legislation Act 2015.