



ACCREDITED

PUBLIC TRANSPORT SAFETY VICTORIA

Public Transport Safety Victoria

Bus Operator Accreditation Manual

**Guidelines, Conditions, Prescribed Conditions and
Accreditation Standards**

For Bus Operations within Victoria.

This Document Must Be Retained By Accredited Bus Operator

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Introduction

APPLICATION FOR ACCREDITATION OR RENEWAL OF ACCREDITATION

The Public Transport Competition Act 1995 makes provisions for an initial period of five years and requires renewal after the prescribed period of 5 years from the first date of accreditation has elapsed.

The initial and renewal provisions permit the Safety Director of the Department of Infrastructure to evaluate accredited persons suitability to hold Bus Operator Accreditation ensuring that an accredited person has the capacity to meet and continue to meet prescribed conditions and industry based standards in relation to:

- the ability to provide road transport passenger service
- the safety of passengers and the public
- service to passengers
- the safety of vehicles and equipment
- provision of an efficient and effective network of road transport passenger services within the State
- The observance of appropriate legislative conditions by operators of road transport passenger services.

❖ Guidelines Section

This section explains the process for renewal of Bus Operator Accreditation.

❖ Definitions Section

This section defines a number of terms used in the administration of the Bus Operator Accreditation.

Conditions, Prescribed Conditions and Standards Accreditation

The conditions governing Bus Operator Accreditation are contained in the “*Public Transport Competition Act 1995, section 10*”. “Conditions of accreditation”. A copy of section 10 is contained in schedule 1

The prescribed conditions of Bus Operator Accreditation are set out in regulation 9 of *The Public Transport Competition Act 1999*. A copy of regulation 9 is contained at schedule 1. Operators are required to familiarise themselves with the terms of regulation 9.

The Accreditation Standards for meeting the conditions and prescribed conditions for accreditation are set out contained in schedule 2. Operators are required to meet these standards.

The Accreditation Categories applicable to Bus Operator Accreditation are as shown in Schedule 3. It is important that you consult this schedule and identify your proposed or existing bus service prior to filling in the **Services Delivered** section of the renewal application

Note:

It is important that this manual is retained by the accredited person as it constitutes part of the operating conditions as do any Appendices attached.

Guidelines

Initial Accreditation Process

New Applicants Must:

- Keep the “Bus Operator Accreditation Manual” for future reference

New applicants are required to submit the application form including the following items:

- Application fee
- a copy of a current police report (not more than 6 months old)
- emergency plan
- management systems
- documentary evidence of completion of an appropriate Certificate of Transport Management for Bus and Coach Operations for AO, AC and SO operators; or in the case of accredited persons who hold accreditation in another State or Territory, that state’s equivalent Certificate of Transport Management
- evidence that all proposed public passenger vehicles operated have undergone an inspection by an independent licensed bus tester within the previous 12 months

Renewal of Accreditation Process

It is important to note that at the end of the 5th year of all accredited persons initial accreditation date their accreditation expires and a renewal process must be undertaken. All accredited operators will be invited to renew their accreditation.

Public Transport Safety Victoria:

- 60 days prior to an accreditation being due to expire a letter of notification of the accredited persons expiry date will be sent by general post, a guide to the renewal process will accompany this letter
- The existing accreditation number will remain the same; however an accredited person’s category of accreditation could change due to the revaluation process.
- Any person who has not renewed their accreditation prior to their expiry date must not continue to operate a road transport passenger service, private bus service, courtesy service or a hire and drive bus service.

Renewal Applicants Must:

- Keep the “Bus Operator Accreditation Manual” for future reference
- Complete the Application Form
- Submit other items and information required to accompany the renewal application including;
- documentary evidence of completion of an appropriate Certificate of Transport Management for Bus and Coach Operations for AO, AC and SO operators; or in the case of accredited persons who hold accreditation in another State or Territory, that state’s equivalent Certificate of Transport Management
- a statement that all public passenger vehicles operated have undergone an inspection by an independent licensed bus tester within the previous 12 months
- Submit the application **30 days** prior to your current accreditation’s expiry date, renewal application fee if applicable and other documentation where applicable to Public Transport Safety Victoria. Late renewal applications may attract a late fee payment and could place your renewal of accreditation beyond your expiry date.

Public Transport Safety Victoria:

- will evaluate the new or renewal application and accompanying documentation, and this review may include a site audit, to ensure that documented systems are compliant
- will notify the applicant that their application has been approved, with a request for the annual fee to be paid if applicable

Definitions

Definitions for the purposes of administering the Bus Operator Accreditation legislation:

NAME	DEFINITION
Accreditation Standards	Minimum standards agreed to by the Department of Infrastructure and Industry to assist accredited persons to meet the prescribed conditions
Annual Bus Inspection	an inspection undertaken by an independent person who holds a testers licence issued by VicRoads to examine and test buses;
Applicant	an individual or a body corporate
Approved Course	a transport management course designed and coordinated by the Institute of Transport Studies, Department of Civil Engineering – Monash University Victoria; A Certificate of Transport Management in Bus and Coach Operations is issued by Monash at the completion of the course;
Australian Company Number (ACN)	The number allocated by the Australian Securities and Investments Commission (ASIC) when a body becomes registered as a company under corporations law.
Body corporate	<p>The term ‘body corporate’ is considered to cover any artificial legal entity having a separate legal personality. These entities have perpetual succession. They have the power to act, hold property, enter into legal contracts, sue and be sued in their own name, just as a natural person can.</p> <p>The types of entities falling into these categories are broad and include:</p> <ul style="list-style-type: none">• trading and non-trading• profit and non-profit-making organisations• government-controlled entities, and• other entities with less or no government control or involvement. <p>Included in the definition of body corporate are entities created by:</p> <ul style="list-style-type: none">• common law (such as a corporation sole and corporation aggregate)• statute (such as the Australian Securities Investments Commission), and• registration pursuant to statute (such as a company, building society, credit union, trade union, and incorporated association). <p>If an entity is not established under an Act of Parliament, or under a statutory procedure of registration, such as the Corporations Law or an Incorporation Act, it is generally not a body corporate.</p> <p>Each State and Territory has legislation that allows various kinds of non-profit bodies to become bodies corporate. Bodies incorporated under these Acts are normally community, cultural, educational or charitable type organisations.</p>
Bus	a vehicle with ‘more than’ 12 seating positions (including the driver)
Business address	The physical street address where the main business activity takes place. It may be different from the postal address. This address cannot be a post office box number.
Charter Service	a road transport passenger service operated for the carriage of a ‘group’ of persons by being previously booked or ordered by that group and in respect of which the members of that group are not each charge a separate fare
Company	<p>A non-individual client type. Company is defined to include:</p> <ul style="list-style-type: none">• a body corporate, and• any other unincorporated association or body of persons <p>but does not include a partnership or a non-entity joint venture.</p>

NAME	DEFINITION
Conditions	The conditions for Bus Operator Accreditation as contained in the “ <i>Public Transport Competition Act 1995, section 10. “Conditions of accreditation”</i> ”
Courtesy Service	a service consisting the carriage of passengers by a bus for any consideration or in the course of any trade or business bus does not include operating for hire or reward
Director	A person appointed by the shareholders of a company or corporation to control or direct its affairs.
Disqualifying Offence	<p>any offence involving fraud, dishonesty, drug trafficking or violence which is punishable by imprisonment for 3 months or more (includes a reference to a court finding the offence proven against the person, even though the court may not impose an imprisonment term against the person for the offence); or</p> <p>an offence under Subdivision (8A), (8B), (8C), (8D), (8E), (8EA), (9), (9A) or (13) (all relate to sexual offences) of Division 1 of Part I of the Crimes Act 1958 or under any corresponding previous enactment or an attempt to commit any such offence or any assault with intent to commit any such offence; or</p> <p>an offence against section 5,(operate unaccredited) 13,(fail to notify of disqualifying offence) 18(1)(false or misleading information) or (25)(operate a regular passenger service without holding a contract with DOI) or any other offence against the Public Transport Competition Act 1995 that is prescribed for the purposes of this definition; or</p> <p>an offence against the regulations or any other law in force in Victoria this is prescribed for the purposes of this definition; or</p> <p>an offence which, if committed in Victoria, would have been a disqualifying offence;</p>
Hire and Drive Service	a service consisting of the provision of a bus for hire by a person for a certain period for valuable consideration on the condition that it will be driven during that period by the hirer or another person on behalf of the hirer
Hire or Reward	is determined when the transport of passengers is the principal reason for the total payment;
In the Course of Trade or Business	is determined when the transport of passengers is made in the course of a trade or business which is not for payment or if any payment is made for passenger transport, is only part of a total payment for a number of benefits, and the transport is not the principal reason for the total payment
Legal name	The name of the entity that appears on all official documents or legal papers. It may be different from the trading name.
Nominated Manager	in the case of a body corporate, any director, manager or other person who is in a position to control or influence substantially the affairs of the body corporate and is nominated for the purpose is considered to be a suitable person to operate a road transport passenger service
Office-bearer of club/association	<p>a Any person who holds office in a club or association is an office-bearer. For example:</p> <ul style="list-style-type: none"> ● president ● Safety Director, or ● treasurer.
Operate	<p>the carriage of passengers</p> <ul style="list-style-type: none"> ● by a bus on a road for hire or reward or ● for a private bus service or ● for a courtesy service

NAME	DEFINITION
Postal address for service of notices	<p>The postal address provided is used to contact the client by mail. Important legal notices and activity statements will be sent to this address.</p> <p>The postal address contains either a:</p> <ul style="list-style-type: none"> • PO box, or • street address or business address. <p>It may also be:</p> <ul style="list-style-type: none"> • an accountant's address, or • a tax agent's address (if previously arranged with the agent). <p>The address nominated must be the most appropriate address for receiving this type of mail.</p>
Prescribed Conditions	are regulations made under the Public Transport Competition Act 1995 and are outlined in the Public Transport Competition Regulations 1999
Private Bus Service	a service consisting of the carriage of passengers by a bus for or in connection with the activities of a religious, philanthropic, educational, sporting or social body but does not include operating for hire or reward (<i>a service that conveys students to and from a school or tertiary institution on a regular basis is considered a Scheduled Service</i>)
Public officer	A company's public officer is answerable for all actions on behalf of the company. Every company is required to appoint a public officer, for tax purposes only, within three months of commencing a business.
Road Transport Passenger Service	a service consisting of the carriage of passengers for 'hire or reward' by a bus
Scheduled Service	a road transport passenger service operating along a fixed or variable route on a regular basis and includes a ' regular passenger service ' operated under contract to the Department of Infrastructure, but does not include a tourist service, private bus service or courtesy service
Secretary	the Secretary of the Department of Infrastructure
Tour Service	a road transport passenger service operated for the carriage of 'tourist' to a common destination within a tourist attraction and includes a journey where the predominant purpose of which is for sightseeing along a route
Trading name	<p>The name under which an entity trades, for example, ABC Pty Ltd trading as 'Blocks on Blocks'. An entity may have more than one trading name.</p> <p>Main trading name</p> <p>The main trading name is the main name the entity trades under or the name by which suppliers or customers know the entity. It may be different from the legal name.</p>
Witness	For the purpose of Accreditation is identified as follows on the next page :

Persons able to witness a Statutory Declaration

- (a) a justice of the peace or a bail justice;
- (b) a public notary;
- (c) a barrister and solicitor of the Supreme Court;
- (d) a clerk to a barrister and solicitor of the Supreme Court;
- (e) the prothonotary or a deputy prothonotary of the Supreme Court, the registrar or a deputy registrar of the County Court, the principal registrar of the Magistrates' Court or a registrar or deputy registrar of the Magistrates' Court;
- (f) the registrar of probates or an assistant registrar of probates;
- (g) the associate to a judge of the Supreme Court or of the County Court;
- (h) the secretary of a master of the Supreme Court or of the County Court;
- (i) a person registered as a patent attorney under Part XV of the Patents Act 1952 of the Commonwealth;
- (j) a member of the police force;
- (k) the sheriff or a deputy sheriff;
- (l) a member or former member of either House of the Parliament of Victoria;
- (m) a member or former member of either House of the Parliament of the Commonwealth;
- (n) a councillor of a municipality;
- (o) a senior officer of a Council as defined in the **Local Government Act 1989**;
- (p) a registered medical practitioner within the meaning of the **Medical Practice Act 1994**;
- (q) a registered dentist within the meaning of the **Dental Practice Act 1999**;
- (r) a veterinary practitioner;
- (s) a pharmacist;
- (t) a principal in the teaching service;
- (u) the manager of an authorised deposit-taking institution;
- (v) a member of the Institute of Chartered Accountants in Australia or the Australian Society of Accountants or the National Institute of Accountants;
- (w) the secretary of a building society;
- (x) a minister of religion authorised to celebrate marriages;
- (y) a person employed under Part 3 of the **Public Sector Management and Employment Act 1998** with a classification that is prescribed as a classification to which this section applies or who holds office in a statutory authority with such a classification;
- (z) a fellow of the Institute of Legal Executives (Victoria).

SCHEDULE 1:

Conditions and Prescribed Conditions of Bus Operator Accreditation.

Public Transport Competition Act 1995

10. Conditions of accreditation

(1) An accreditation is subject to—

- (a) the condition that no person who is not the holder of a driver's authority granted under section 32 of this Act or of a driver's certificate granted under section 156(2) of the **Transport Act 1983** will be employed or engaged as a driver of a vehicle operated for the purposes of the road transport passenger service;
 - (b) any other prescribed condition;
 - (c) any other condition imposed by the Safety Director.
- (1A) An accreditation relating to a courtesy service or a hire and drive service is not subject to the condition imposed by sub-section (1) (a).
- (1B) Without limiting sub-section (1) (b), the regulations may make it a condition of an accreditation that the accredited person pay, at the prescribed times and in the prescribed manner, a prescribed annual accreditation fee.
- (1C) Without limiting sub-section (1) (b), the regulations may make it a condition of a temporary accreditation that the accredited person pay, at the prescribed time and in the prescribed manner, a prescribed temporary accreditation fee.
- (2) Particulars of an accreditation (including the kind of road transport passenger service to which it relates) and of the conditions to which it is subject are to be given in writing by the Safety Director to the accredited person.
- (3) The regulations may make provision for or with respect to establishing procedures to enable an accredited person to comply with the condition imposed by sub-section (1)(a) including requiring the Safety Director or any other specified person or class of person to furnish a specified class of person with information of a specified kind.
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Public Transport Competition Regulations 1998

9. Prescribed conditions of accreditation

For the purposes of section 10 (1) (b) of the Act, the prescribed conditions of accreditation are -

- (a) an accredited person-
 - (i) must not deface or alter a document issued by the Safety Director evidencing the giving of accreditation;
 - (ii) must not part with possession of the document referred to in sub-paragraph (i) except as required under these Regulations or the Act;
 - (iii) must within 14 days deliver the document referred to in sub-paragraph (i) to the Safety Director-
 - (A) if the document is defaced or altered;
 - (B) if there is a change in the accuracy of a particular specified in the document;
 - (C) on receiving notice of the suspension or cancellation of the accreditation;
 - (D) on being required by the Safety Director by notice in writing to deliver the document to the Safety Director;
 - (E) when the person ceases to be accredited;
 - (iv) if the Safety Director is satisfied that the original document referred to in sub-paragraph (i) has been lost, destroyed or damaged and that a duplicate document should be issued, must pay the fee determined by the Safety Director under section 34 of the Act for the issue of a duplicate document;
- (b) an accredited person must retain all books and records required to demonstrate compliance with the conditions of accreditation for a period of 2 years unless the Safety Director notifies the accredited person that some or all records may be retained for a specified lesser period;
- (c) an accredited person must keep the books and records at an address approved by the Safety Director;
- (d) an accredited person must ensure that the books and records are kept in the English language;
- (e) an accredited person must make the books and records available for inspection upon demand to the Safety Director or a person authorised by the Safety Director;

(f) an accredited person must within a reasonable time, if asked by the Safety Director or a person authorised by the Safety Director, give the Safety Director or the person authorised by the Safety Director an accurate copy of any of the books or records;

(g) an accredited person must permit and assist persons authorised by the Safety Director, to audit and inspect the books and records of the accredited person, if the Safety Director determines that an audit should be performed for the purpose of determining whether all or some of the conditions of accreditation are being complied with;

(h) an accredited person must pay the reasonable costs incurred by the Safety Director in the performance of an audit referred to in paragraph (g), if the Safety Director decided that the audit should be conducted -

- (i) following an accident involving a public passenger vehicle operated by the accredited person; or
- (ii) after receiving complaints or information about the services of that accredited person -

and the Safety Director is satisfied that the audit shows that the person was negligent or otherwise at fault in the course of operating the road transport passenger service or that all or some of the conditions of accreditation had not been complied with;

(i) an accredited person must, when requested to do so by the Safety Director, provide a report in the form and manner requested by the Safety Director, about any aspect of the operation of a road transport passenger service relevant to the conditions of accreditation imposed by or under the Act;

(j) a person accredited to operate a road transport passenger service for the purpose of the carriage of tourists to a common destination on a regular basis must ensure that adequate information on the services provided is readily available to intending passengers;

(k) a person accredited to operate a regular passenger service must only sell tickets to a passenger on a public passenger vehicle that are

of a type authorised by the Safety Director or which are issued in accordance with a service contract;

(l) a person accredited to operate a regular passenger service must ensure that any ticket sold or issued-

(i) shows sufficient information to enable the validity of the ticket to be determined; and

(ii) is numbered; and

(iii) has a notice printed on it stating that it must be produced on demand or another fare has to be paid and that it is not transferable; and

(iv) has any details required by this condition clearly printed on it;

(m) an accredited person must establish and maintain a management information system in the manner and form approved by the Safety Director consisting of -

(i) a driver monitoring program that must include a record of complaints against drivers, action taken by the accredited person regarding counselling, discipline and response to complainants and known infringements against the Act, the **Road Safety Act 1986**, the **Transport Act 1983** and any regulations made under those Acts;

(ii) a fleet register that must include a list of all vehicles operated, the carrying capacity of each vehicle and the registration details of each vehicle;

(iii) an accident register recording all accidents in which vehicles operated by the accredited person are involved;

(iv) an emergency management plan that must include plans and procedures for drivers of vehicles involved in an accident or subject to dangerous conditions and actions that drivers must undertake in the event of an accident or an emergency;

(v) a mobility enhancement strategy that must include plans to make vehicles operated by the person accessible for disabled customers in accordance with any applicable national standards established under the Disability Discrimination Act 1992 of the Commonwealth;

- (vi) a public complaints register that must include a record of all complaints received by the accredited person that are not included in subparagraph (i) and action taken by the accredited person in response to complainants;
- (n) an accredited person must have measures in place to ensure that drivers of public passenger vehicles operated by the person *are made aware that they are required to comply* with section 59(1)(c) of the **Road Safety Act 1986** and Part 6 of the Road Safety (Procedures) Regulations 1988 and must be able to demonstrate to the satisfaction of the Safety Director that they have appropriate procedures in place to monitor and record such compliance;
- (o) an accredited person must ensure that all public passenger vehicles operated by the person are in a safe operating condition at all times, having regard to the **Road Safety Act 1986**, the **Transport Act 1983**, and any regulations made under those Acts, and the specifications and service standards recommended by the vehicle manufacturer in respect of the vehicle;
 - (p) an accredited person must establish and maintain a quality assured maintenance **system** for all public passenger vehicles operated by the person to carry out the service in the form and manner approved by the Safety Director;
 - (q) an accredited person must ensure that any public passenger vehicle operated by the person to carry out the service has undertaken and passed an inspection by an independent, licensed bus tester approved by the Roads Corporation or another independent bus tester approved by the Safety Director, within the previous 12 months;
 - (r) an accredited person must display an accreditation number in the manner and form approved by the Safety Director;
 - (s) an accredited person must not deliberately misrepresent to an intending hirer the quality and comfort afforded by any public passenger vehicle available for hire;
 - (t) a person accredited to operate a road transport passenger service, in which passengers pre-book the service, must ensure that all services

booked are provided, or give reasonable notice to all intending passengers of any trip not operated;

- (u) an accredited person must ensure that a “no smoking sign” is displayed in public passenger vehicles operated by the person.
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SCHEDULE 2:

Standards for Bus Operator Accreditation

1. Records and Documentation

Accreditation Documents (Regulation 9.a)

To satisfy this requirement, an accredited person will be required to produce an accreditation certificate for inspection to confirm its accuracy and condition.

1.1.2 **Change Of Directors Or Nominated Person**

An accredited person who is a body corporate must notify Public Transport Safety Victoria of any change in Directors or Public Officers of the body corporate. The notification must be in writing and submitted no more than 14 days after such change together with a declaration regarding any criminal record of the new Director or Officer.

Where the accredited person has a nominee who has undertaken a Transport Management Course on behalf of that person, the accredited person must notify Public Transport Safety Victoria if the nominee leaves or changes. The notification must be in writing and submitted no more than 14 days after such change together with proof that any new nominee has enrolled in, or completed the appropriate Transport Management Course.

1.2 **Books and Records.** (Regulation 9.b.c.d)

To satisfy the condition, an accredited person will be required to produce books or records required demonstrating compliance. The books or records will be checked to ensure they are current, in English and retained at the approved address for the appropriate period of time.

2. **Management Information System.** (Regulation 9.m)

2.1. **Driver Information.** (Regulation 9.m (I))

2.1.1. **Complaints / Response System**

To satisfy the condition, an accredited person will be required to have a regularly updated file for each driver containing the following details:

Complaints against Driver

(Not applicable to Hire Drive Operators)

- Drivers name.
- The nature of the complaint and who made it.
- Date of complaint;
- Who received and logged the complaint.

Driver Counselling and Discipline

(Not applicable to Hire Drive Operators)

- What action was taken;
- When the action was taken.
- Who carried out the action?

Response to Complainants

- Nature of response,
- Date of response,
- To whom the response was made,
- Who made the response?

Response to Known Driver Infringements

Not applicable to Courtesy, Private Bus Services and Hire Drive Operators

- Drivers name; and details of infringement;
- What action was taken;
- Who carried out the action;
- When the action was taken.

2.1.2. **Log Book and Driving Hours** (Regulation 9.n)

Not applicable to Private Bus Services and Hire Drive Operators

Hire and Drive may wish to advise vehicle hirers of this requirement

To satisfy the condition, an accredited person will be required to establish and maintain details of how, when and by whom monitoring and recording of compliance is carried out and maintain a regularly updated file for each driver comprising the following details:

- Copies of logbook entries for any trip for which they are required.
- Records of :
 - how and when drivers were made aware of their requirements to produce their logbook to an authorised law enforcement officer.
 - how and when and by whom drivers were made aware of their driving hours, work periods, rest periods and the log book administrative requirements.
 - hours driven by each driver in any 24 hours period when the log book is not required

2.1.3. **Driver Certification** (Public Transport Competition Act 1995: Section 10 (1)(a))

Not applicable to Courtesy & Hire Drive Operators (see note)

To satisfy the condition, an accredited person will be required to have a regularly updated register for each driver recording the following details:

- Driver's name, certificate number, licence number, type and expiry dates;
- Details of authorisation to drive vehicles in hazardous areas and expiry date if required;

Note: Courtesy and Hire & Drive Operators should have systems in place to ensure that the Driver has the appropriate drivers licence category

2.2 Management Information

2.2.1 Fleet Register (Regulation 9.m (ii.))

- The Accredited Person will be required to maintain a listing of vehicles operated.
- Records should state the vehicle :
 - Registration number;
 - Registration expiry date;
 - Chassis make;
 - Year of manufacture;
 - Carrying capacity as calculated by licensed bus tester

2.2.2 Accident Register (Regulation 9.m (iii.))

To satisfy the condition, an accredited person will be required to record the following details for all accidents involving a bus that results in injury and/or property damage greater than \$5,000.

- Nature of accident;
- Identification of bus involved;
- Time date and location of accident;
- Drivers name;

2.2.3 Reporting of Notifiable Occurrences (Regulation 9.i)

Note: The General Manager Requires:

- Phone reports of notifiable occurrences as soon as practicable and
- Written follow up reports of these occurrences.

A **notifiable occurrence** means any occurrence which:

- Results in the death of a person
- Results in any person sustaining a **serious injury**.
- Is a collision that results in significant damage to any property or equipment. (>\$15,000)
- A driver in charge of a bus operated by the Accredited Person tests positive for exceeding prescribed quantities of drugs or alcohol whether in connection with an accident or not, if known.
- May result in adverse publicity for the bus industry in general.

A **serious injury** means any injury caused as a result of a notifiable occurrence, which requires immediate treatment at a hospital or other medical establishment.

REPORTING

Every Accredited Bus Operator whose operation is affected by a notifiable occurrence is required to record and report the occurrence as follows:

A Verbal Report (followed by written confirmation within 72 hours)

A verbal report of the notifiable occurrences listed above must be made by phone to the duty officer on **1800 30 11 51** as soon as practicable after the occurrence.

The Duty Officer will require the details as possible as shown in **Form 5**, which can be, found in the forms section of the sample system.

Note: If all the information is not readily available, the missing details can be provided in the written confirmation (see below).

Written Report

Written confirmation of the verbal report containing all of the available detail must be provided to Public Transport Safety Victoria **within 72 hours** of the notifiable occurrence.

The form must be a copy of or similar to that included in form 5 in the forms section of the sample system and contain all of the information shown in the sample.

This should be faxed to 03 9655 8929, Emailed to transport.safety@doi.gov.au or couriered to Public Transport Safety Victoria Level 48 - 80 Collins Street Melbourne.

NOTE: It is not intended that this report be used to identify or apportion fault to any party.

2.2.4. Emergency Management Plan (Regulation Number: 9-(m) (iv))

This is not intended to be a major disaster plan but should describe what actions the driver will take to ensure the safety of the passengers and vehicle in the case of an accident or incident.

Appropriate risk assessment should be undertaken and appropriate safety guidelines should be clearly visible in the operating vehicle.

In formulating the plan, potential emergencies should be identified with due regard being given to the operating area of the vehicles.

Key issues to consider include:

- Responsibilities and Authorities must be clearly defined.
- Instructions must be written in a clear and concise manner.
- They must include a contacts list

- Distribution of the plan to all appropriate employees
- Codes and procedures for communication must be clearly stated

2.2.5. Mobility Enhancement Strategy (Regulation Number: 9 (m) (v))

The intent of this standard is to assist operators to comply with the Disability Discrimination Act 1992.

To satisfy the condition, an accredited person will be required to produce for inspection written evidence that they are committed to the introduction of accessible vehicles into their fleet within the time frames required by the national standards.

The Accredited Person should familiarise themselves with the requirements as defined under the Disability Discrimination Act 1992.

2.2.6. Public Complaints (Regulation Number: 9-(m) (vi))

To satisfy the condition, an accredited person will be required to have a register for public complaints against the operator comprising the following details:

- The nature of the complaint and who made it;
- Date the complaint was made;
- Who received and logged the complaint.
- What action was taken and when;
- Who carried out the action;
- The nature of any response;
- By whom and to whom the response was made.

3. Vehicle Safety Requirements (Regulation Number: 9 (o))

NB. A notice of ‘Unroadworthiness’ or a ‘Critical Defect Notice’ issued by any of the regulatory authorities may indicate a breach of this requirement and would warrant investigation.

4. Maintenance Management System (Regulation Number: 9 (p))

(Currently Under Review)

To satisfy the condition, a maintenance management system must cover the following categories:

- 1) Daily Inspections;
- 2) Defect Reporting;
- 3) Safety Inspections; and
- 4) Programmed Maintenance.

An accredited person will be required to implement written procedures for the above categories. The written procedures will be required to identify responsibilities and authorities and accurately reflect their operation by showing:

- Who does the procedure;
- Where it is to be done;
- What is to be done;
- When it is to be done;
- How it is to be done.

4.1. Daily Safety Check Inspection

Each vehicle must be checked each operating day according to the approved checklist. The person undertaking the Daily Safety Check shall record the results of the inspection. As a minimum, the Daily Safety checklist must provide for inspection of the following:

(a) Wheels and Tyres

- Tyres for pressure (visual check) and tread integrity
- Wheel security

(b) Lights and Reflectors

- All lights, including clearance lights
- All reflectors and lenses

(c) Windscreen, Mirrors and Wipers

- Windows and mirrors for security, damage and grime
- Wipers and windscreen washers ensuring clear forward vision

(d) Structure and Bodywork

- All panels and readily visible structural members secure
- Leaks of any fluid (oil, fuel, air water, refrigerant/coolant, hydraulic fluid, brake fluid or other)

(e) Brakes

- Brake failure indicators
- Pressure/vacuum gauges
- Brake application whilst moving prior to leaving for journey

(f) Fire Extinguisher and Emergency Exit

- Fire extinguisher/s correctly charged
- Emergency exit hammers in place

(g) Vehicle marking

- Regulation signs and labels

4.2. Defect Reporting

An accredited person must have a system that ensures that when defects are found by either the driver or any other person who has responsibility for checking the vehicle, that the defect is recorded and reported to the person who is responsible for actioning the repair.

- Where a fault has been assessed as not requiring immediate repair, the system should:
- identify that the repair has been deferred,
- record the reason for the deferral,

- identify how the defect is to be monitored until repaired,
- identify the person making the decision.
- There must be a method of recording the completion of a defect repair.
- The system must allow for any on-road fault that may compromise safety to be recorded and reported as soon as practicable and must ensure that appropriate action is taken.
- **In the case of a vehicle being found unsafe to operate, the system must include a method of preventing that vehicle from being operated until the defect is repaired and the safety of the vehicle assured.**
- Records and documentation must be maintained for each vehicle recording all defect reports, repairs, replacements and modification to the vehicle, and including identification of the date and person or organisation undertaking the work.

4.3 Vehicle Safety Inspection

To satisfy the standard, an accredited person must have a Vehicle Safety Inspection procedure that meets manufacturers' recommendations. As a minimum, the system must also meet the Bus Industries Maintenance Code of Practice Document 1994, which limits the **maximum interval allowed between 'Safety Inspections' to 3 months or 10,000 kms**, however, vehicles operating in extreme conditions may require that inspections be undertaken at shorter intervals or that the interval be varied to suit specific circumstances.

Safety Inspection checklists must cover all roadworthiness and safety related items and it must be possible to identify the specific items being inspected. The Vehicle Safety Inspection procedure must provide for the documenting of the inspection findings and identity of the person undertaking the inspection, as well as the recording of defects and the action taken to rectify the defect.

Note: The following documents should be used as a reference when determining the requirements for safety inspections:

- **VicRoads Vehicle Standards Information Sheet 26 Roadworthiness Requirements. (VSI 26)**
- **VicRoads Vehicle Standards Information Sheet 30 Licensed Passenger Vehicle Standards Buses. (VSI 30)**

There must be an approved schedule of Vehicle Safety Inspections for each bus and inspections must

be carried out according to the intervals nominated in the schedule.

Vehicle Safety Inspections may be incorporated with normal scheduled service arrangements, but may only be carried out by a qualified mechanic or a person having suitable knowledge and experience as recognised by VicRoads or Public Transport Safety Victoria.

Suitable knowledge and experience for the purposes of Vehicle Safety Inspections means:

- A motor mechanic who has completed a motor mechanics apprenticeship and gained a Certificate of Proficiency or Certificate of Completion or a person who has been trained overseas and obtained the equivalent qualification in NZ or the City and Guilds 1,2 & 3 from England or;
- A person who having been trained overseas, has obtained a Commonwealth Tradesman's Right or;
- A person who has had seven adult years' trade experience as a motor mechanic and has obtained a Tradesman's Right or;
- A person who is a Full or Associate Member of the Institute of Automotive and Mechanical Engineers (IAME) or;
- A person who is qualified with the Victorian Automobile Chamber of Commerce (VACC) as a Motor Mechanic, Senior Motor Mechanic or "A" Grade Motor Mechanic or;
- A person who holds a certificate issued in Recognition of Prior Learning by Bus and Coach Training Ltd or other training provider accredited by the appropriate TAFE body.

This latter qualification can be arranged for an applicant by:

**Bus Association Victoria
450 Graham Street
Port Melbourne
Vic 3207 Phone (03) 9645 3300**

Records and documentation must be maintained for each vehicle recording

- all safety inspections,
- repairs,
- replacements and modification to the vehicle, and
- include identification of the date and person or organisation undertaking the work.

The preferred situation is for the safety inspection to be carried out using a pit or a hoist. However, in some cases such facilities will not be available. Where the operator can demonstrate that hardship would be caused by having to meet this standard, the minimum requirement will be for under cover facilities on hard standing with jacks, stands and adequate lighting.

4.4 Programmed Maintenance

Vehicle maintenance must be carried out according to the manufacturer's requirements for scheduled vehicle maintenance.

Only persons having suitable qualifications or experience to competently complete any work instructions, or to do so under suitable supervision should undertake maintenance and repairs.

Records and documentation must be maintained for each vehicle recording all services, safety inspections, independent bus inspections, repairs, replacements and modifications to the vehicle, and including identification of the date, person or organisation undertaking the work.

5. Independent Bus Inspection (Regulation No. 9 (q))

An accredited operator is required to administer documentation associated with the inspection required under section 9(q) of the Public Transport Competition Regulations 1999 in the following manner.

The accredited person must ensure that appropriate systems are in place that:

Ensure that a 12-month schedule of Independent Bus Inspections is carried out and recorded

When a bus is inspected by a person approved by the Safety Director one of three documents will be provided to the operator. These are

5.1 Bus Inspection Certificate.

A Bus Inspection Certificate is issued if the vehicle inspected is free of defect. The accredited person must file this certificate in the vehicle file applicable for that bus and no further action is required.

5.2 Bus Defect Notice

A Bus Defect Notice is issued if defects exist in or on the bus presented for inspection. The notice sets out

the nature of the defect and sets down a date and time by which the defect is required to be repaired.

If the items listed on the defect notice are repaired and signed off as being repaired by the appropriate person **within** the time frame set down on the document then the defect notice converts to a Bus Inspection Certificate and the accredited person must file the certificate in the file applicable to that bus.

If the defects are not rectified within the timeframe set down on the defect notice then although the defects must still be repaired the notice cannot be converted to a Bus Inspection Certificate and a further inspection is required.

5.3 Critical Defect Notice

A Critical Defect Notice will be issued to the operator of a bus if safety related defects are found to exist. A copy of this notice will be faxed by the examiner to Public Transport Safety Victoria for further investigation.

The Accredited person who operates the bus, which is the subject of a critical defect notice, **must not use, or allow use of,** the vehicle to carry passengers until the defects have been rectified.

The bus **may** be operated **after** all the defects noted on the critical defect notice **have been** repaired and until a valid Bus Inspection Certificate has been obtained **but only** if 12 months have not elapsed since the previous issue of a valid Bus Inspection Certificate to the vehicle.

A critical defect notice **cannot** be converted to a Bus Inspection Certificate and further inspection is required when all defects have been rectified.

The use of a bus to carry passengers, without rectifying the defects listed on a Critical Defect Notice or without repairing the defects listed on a Bus Defect Notice within the time prescribed on the notice, will contravene Section 18(5) of the Transport (Passenger Vehicles) Regulations 1994 which carries a penalty of **20 penalty units**.

6. Customer Service Requirements

6.1 Adequate Information (Regulation Number: 9 (j))

Not applicable to Courtesy, Private Bus Services and Hire Drive Operators

6.2 Information on Tickets (Regulation Number: 9 (k))

Not applicable to Courtesy, Private Bus Services and Hire Drive Operators

6.3 Display of Accreditation Number, Numberplates, Signs & Symbols. (Regulation Number: 9 (r))

An Accredited Person must attach to any bus operated by that person any numberplate, sign, symbol, notice or label required by the Safety Director

The number plate, sign, symbol, notice or label must only be attached in or on the vehicle as specified by the Safety Director and must be of a type or design approved by the Corporation or the Safety Director.

The numberplate, sign, symbol, notice or label must be clearly visible at all times.

6.3.1 Accreditation Number

As a minimum, the accreditation number must be displayed on the nearside of every bus the person operates adjacent to the front loading door at a height where it will be easily visible to passengers and no less than 50mm in height, of proportional breadth and in a colour that provides a distinctive contrast to the background colour.

6.3.2 Accredited Operator Numberplates.

For the purpose of this condition and in relation to numberplates the Safety Director requires and specifies that

6.3.3 All buses operated by an Accredited Person must bear a numberplate issued by the registration authority identifying the bus as being operated by an Accredited Person and being in the form of a xxxx digit number followed by a suffix of one of the following sets of letters: **AO, AC, SO, NC**

6.3.4 If a person ceases to be accredited then any numberplate of the type described in paragraph 2.1 issued to him or her must be surrendered to the registration authority.

6.3.5 When the bus ceases to be operated or owned by an Accredited Person the numberplate described in paragraph 2.1 must be removed and retained by the Accredited Person or surrendered to the registration authority.

6.3.6 If an Accredited Person's accreditation category changes to the extent where the suffix on any number plate issued to him/her is misrepresentative of that persons new category of operation then that person must make application to the registration authority for number plates bearing the appropriate suffix.

6.4 Bus with Personalised / Custom Plates or Registered Under another Jurisdiction.

6.4.1 Paragraph 2.1 does not apply to buses currently registered with personalised/custom numberplates for which the Accredited Person has obtained written exemption from the Safety and Technical Services Branch or to buses registered under another jurisdiction.

6.4.2 Personalised numberplates/custom as described in paragraph 3.1 **may not** be transferred to another bus nor may a bus be registered or re-registered with personalised/custom numberplates.

6.4.3 If an exemption for the requirement to fit special number plates has been issued or the vehicle is registered under another jurisdiction the following conditions apply:

6.4.4 In addition to the requirements of paragraph 1.1 the accreditation number is also to be displayed on the outside rear of the bus as close as practicable to the lower edge of the rear window (or where no window is fitted as close as practicable to the vertical centre of the vehicle) and in approximate horizontal centre of the vehicle.

6.4.5 The Accredited Person must ensure that the required detail is in letters and numbers no less than 50mm in height, of proportional breadth and in a colour that provides a distinctive contrast to the background colour.

6.5 Use of the "Accredited Victoria" Trademark & Logo

The Accredited Bus Operator may display the trademark and logo on all vehicles operated by the person and on any advertising material or documentation used by the accredited person in relation to bus operations.

The Accredited person may use the trademark and logo as described in clause one from the commencement of accreditation until termination of such accreditation unless such authorisation is withdrawn sooner by the Department of Infrastructure.

In using the trademark and logo the Accredited Bus Operator must ensure that no changes are made to the trademark and logo in shape, colour, form or content and that it is not used in any way that would be likely to adversely affect the reputation of the Department of Infrastructure, the registration of the trademark or the Department's rights in the trademark during the term of the authorised use without explanation.

The Department of Infrastructure reserves the right to withdraw the authorisation to use the trademark and logo at any time at the discretion of the Department.

6.6 Misrepresent Vehicle. (Regulation Number: 9 (s))

an accredited person must not deliberately misrepresent to an intending hirer the quality and comfort afforded by any public passenger vehicle available for hire;

6.7 . Reasonable Notice for Alterations Pre – Booked Services (Regulation Number: 9 (t))

Not applicable to Courtesy, Private Bus Services and Hire Drive Operators

a person accredited to operate a road transport passenger service, in which passengers pre-book the service, must ensure that all services booked are provided, or give reasonable notice to all intending passengers of any trip not operated

6.8 No Smoking Signs (Regulation Number: 9 (u))

an accredited person must ensure that a "no smoking sign" is displayed in public passenger vehicles operated by the person

7 Internal Review Process (In accordance with the Act, section 6 (b) (ii))

- The Accredited Person is responsible for the conduct of an Internal Review of the records, procedures and systems implemented to meet the requirements of accreditation.
- This review should be scheduled, as a minimum; this should be conducted on an Annual basis.
- Appropriate records must show process is being followed. The review should also examine the relevance of procedures to the operation and be used to identify opportunities for improvement. This task should serve as a performance review of the entire operation.
- The review may cover all sections together or may be done section by section in accordance with the Internal Review Schedule. [As a minimum, on an Annual basis.]

A written report is to be prepared and it should identify any / all non-conformance with procedures.

- The Accredited Person is to correct all non-conformances and maintain a record of action taken.
- Copies of internal review reports and corrective actions taken are to be retained for a minimum of 2 years and for reference for external auditing purposes.

8 External Audit (Regulation Number: 9 (g))

an accredited person must permit and assist persons authorised by the Secretary, to audit and inspect the books and records of the accredited person, if the Secretary determines that an audit should be performed for the purpose of determining whether all or some of the conditions of accreditation are being complied with;

SCHEDULE 3

Accreditation Category	Operational Criteria
<p>Scheduled Passenger Service</p>	<ul style="list-style-type: none"> • A road transport passenger service operated for hire or reward; and • is offered to the general public providing a public transport service • operates on a set route on a regular basis to a timetable or within a specified area on a regular basis along a route which varies in accordance with passenger demands • includes a ‘regular passenger service’ operated under a service contract to the Department of Infrastructure • Includes a school service for the conveying of school children to and from school (other than school excursions etc) on days that schools are open for instruction. <p><i>Examples of this service type are :</i></p> <ul style="list-style-type: none"> • <i>Route bus service</i> • <i>V/Line road service</i> • <i>Night Rider Service</i> • <i>Doi Contracted School bus service</i> • <i>Dept Education Contracted School bus service</i> • <i>Privately Contracted School bus service</i> • <i>Some community bus services</i>
<p>Tour/Charter (Non – Scheduled Passenger Service)</p>	<ul style="list-style-type: none"> • A road transport passenger service operated for hire or reward; and • is available to ‘tourists’ and ‘groups’ • operates a tourist service to a common destination within a tourist attraction and includes a journey where the predominant purpose of which is for sightseeing along a scenic route to an itinerary and in respect the tourist is charged a separate fare • chartered by a group of people by being previously booked or ordered by the group to convey a party to a destination and returned which is specified by the hirer or offered by the operator and in respect the group are not charged a separate fare. <p><i>Examples of this service type are :</i></p> <ul style="list-style-type: none"> • <i>Carriage of tourists from Melbourne to the Penguin Parade</i> • <i>Carriage of a number of individuals tourists at separate fares for sightseeing tours of Melbourne, Great Ocean Road etc</i> • <i>Carriage of a group to and around Rutherglen to visit one or more wineries and return</i>

Accreditation Category	Operational Criteria
<p>Private Bus Service</p>	<ul style="list-style-type: none"> • A service consisting of the carriage of passengers by a bus for or in connection with the activities of a religious, philanthropic, educational, sporting or social body; and • must not be operated for hire or reward • is available to the general community, clients and students etc. • the passenger must have a direct relationship with the organisation <p><i>Examples of this service type are :</i></p> <ul style="list-style-type: none"> • <i>Bus operated by a school to transport their students to sporting venues, excursions etc,(but does not include conveying students to and from school)</i> • <i>Bus operated by a scout group to transport their members to camps</i> • <i>Bus operated by a church to convey parishioners to and from church to worship.</i>
<p>Courtesy Bus Service</p>	<ul style="list-style-type: none"> • A service consisting of the carriage of passengers by a bus for any consideration or in the course of any trade or business; and • the service is merely an adjunct to another principal business or trade • must not be operated for a separate payment • is available to customers, clients or employees. • the business or trade must have control and management of the service, vehicle and driver • the passenger must have a direct relationship with the business or trade • the carriage of passengers is only ‘one’ of a number of benefits that may be offered and is not the principal reason why the business or trade is providing a transporting service. <p><i>Examples of this service type are :</i></p> <ul style="list-style-type: none"> • <i>Carriage of a group of workers to their place of business</i> • <i>Pick up and delivery service for patrons of a hotel or club</i> • <i>Transport of customers to and from the operators’ place of business in the anticipation that the passenger may purchase an item or service.</i>
<p>Hire/Drive Service</p>	<ul style="list-style-type: none"> • A service consisting of the provision of a bus for hire by a person for a certain period for valuable consideration on the condition that it will be driven during that period by the hirer or another person on behalf of the hirer; and • the driver must not be provided by the hire drive business • it is available to the general public <p><i>Examples of this service type are:</i></p> <ul style="list-style-type: none"> • <i>Hire & Drive Bus Business</i>

INFORMATION SHEET ACCREDITATION NUMBER PLATES

Examples of number plates for buses operated by Accredited Persons and the types of services operated are shown below.



AO - Accredited Operator

Operates the following services
Scheduled (regular & school) Passenger Services & Non-Scheduled (tour & charter) Passenger Services



AC - Accredited Charter

Operates the following services

- Tour & Charter (non-scheduled) Passenger Service



SO - School Operator

Operates the following services

- Scheduled (school & regular) Passenger Service *operates not more than 5 buses*, may operate non-scheduled services during school hours from schools within town centres



NC - Non-Commercial

Operates the following services

- Courtesy,
- Private and
- Hire & Drive Bus Services

The “Accredited Bus” numberplates and registration transactions are available from the following VicRoads Registration Offices

Metro Region.

Broadmeadows, Burwood East, Frankston, Greensborough, Oakleigh South, Sunshine and Werribee; (Road Safety Inspections, Port Melbourne – dealer certification office).

Regional Offices.

Mildura, Swan Hill, Echuca, Wodonga, Wangaratta, Benalla, Shepparton, Bendigo, Horsham, Maryborough, Seymour, Kyneton, Ararat, Ballarat, Hamilton, Portland, Warrnambool, Colac, Geelong, Bairnsdale, Warragul, Sale, Morwell and Leongatha.