

Island of



Guernsey

## Ordinance of the States

VII  
1993

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Made	...	...	...	...	...	...	...	22nd February, 1993.
Came into operation	...	...	...	...	...	...	...	22nd February, 1993.
Laid before the States	...	...	...	...	...	...	...	31st March, 1993.

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### **The Public Transport (Amendment) Ordinance, 1993**

**THE STATES LEGISLATION COMMITTEE**, in exercise of the powers conferred upon the States by sections 3 and 5 of the Public Transport (Guernsey) Law, 1984(a), and upon the Committee by Article 66(3) of the Reform (Guernsey) Law, 1948(b), hereby orders:-

#### **Various exemptions for States vehicles.**

1.(1) The provisions of:

- (a) sections 4 and 5 of the Public Transport Ordinance, 1986(c); ("the Ordinance of 1986"); and

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(a) Ordres en Conseil Vol. XXVIII, p.423.

(b) Ordres en Conseil Vol. XIII, p.288.

(c) Recueil d'Ordonnances Tome XXIII, p.351.

- (b) section 1 of the Road Traffic (Permits to Drive Public Service Vehicles) Ordinance, 1986(d);

shall not apply in relation to approved motor vehicles operated by, or on behalf of, the States of Guernsey as a road service, or the approved drivers of such vehicles.

(2) In this section "road service" has the same meaning as in section 7 of the Public Transport (Guernsey) Law, 1984.

(3) In this section "approved" means approved by the Committee.

**Special provisions in relation to taxi-buses.**

2. In the Ordinance of 1986 -

- (a) in section 5, delete the full stop at the end of paragraph (e), substitute a semi colon and insert the following additional paragraph -

"(f) a taxi-bus service unless he holds a taxi-bus service licence in accordance with the provisions of section 20 of this Ordinance for the operation of the said service;"

- (b) in section 48 after "taxi licence" insert "or a taxi-bus licence;"

(c) in section 57(1) insert the following after the definition of "taxi service licence" -

"taxi-bus service" means a road service for the carriage of passengers for hire or reward in a motor vehicle designed or adapted to carry eight or less passengers on a route between termini at separate fares stage by stage, and stopping to pick up or set down passengers along the line of route;

"taxi-bus service licence" means a road service licence granted in pursuance of section 20 of this Ordinance to operate a taxi-bus service;"

(d) in Part II of the Schedule after "Taxi service licence" insert "Taxi-bus service licence".

**Special provisions in relation to public hail and ride services.**

3. For section 33(1) of the Ordinance of 1986 substitute -

"(1) A person, being in charge of a motor vehicle in respect of which there is in force a public service omnibus licence or a taxi-bus service licence, shall not, without the permission of the Authority in writing, stop such vehicle for the purpose of putting

down or taking up passengers except at such stopping places as shall from time to time be designated by the Authority in that behalf by means of signs erected, placed or marked on or near the public highway by or on behalf of the Authority."

**Special provisions in relation to public ring and ride services**

4. In the Ordinance of 1986 -

(a) in section 5, insert the following additional paragraph -

"(h) a public ring and ride service unless he holds a public ring and ride service licence in accordance with the provisions of section 20 of the Ordinance for the operation of the said service.";

(b) in section 25 -

(i) in paragraph (b) delete the words "or a" and substitute a comma, and after "public excursion service" insert "a taxi-bus service or a ring and ride service.";

(ii) in paragraph (c), after "public omnibus service" insert "or a taxi-bus service".

(c) in section 57(1) insert the following after the definition of "public omnibus service licence" -

"public ring and ride service" means a road service for the carriage of passengers for hire or reward in a motor vehicle at separate fares, and stopping to pick up and set down passengers by prior arrangement;"

(d) in Part II of the Schedule after "Public omnibus service licence" insert "Public ring and ride service licence".

**Special provisions in relation to taxi-sharing.**

5.(1) Notwithstanding any of the provisions of Part III of the Ordinance of 1986, the holder of a taxi service licence may operate a taxi-sharing scheme.

(2) A "taxi-sharing scheme" means the provision of a taxi for use for the carriage of passengers at separate fares, subject to the conditions prescribed in the Schedule.

**Offences.**

6.(1) A person who fails to comply with any of the conditions prescribed by or under this Ordinance shall be guilty of an offence and liable on conviction to a fine not exceeding level 4 on the uniform scale.

(2) In any legal proceedings brought under this section, the proof that a person was complying with any

of the conditions prescribed by or under this Ordinance shall lie upon him.

(3) Where an offence under this section which has been committed by a body corporate is proved to have been committed with the consent or connivance of, or to be attributable to any negligence on the part of any director, manager, secretary or officer of the body corporate, or any person who was purporting to act in any such capacity, he, as well as the body corporate, shall be liable to be proceeded against and punished accordingly.

**Interpretation.**

7. Expressions used in this Ordinance shall have the same meaning as in the Public Transport Ordinance, 1986.

**Citation.**

8. This Ordinance may be cited as the Public Transport (Amendment) Ordinance, 1993.

SCHEDULE

## SECTION 5.

Conditions prescribed for taxi-sharing schemes.Availability

1.(1) A taxi shall be available for hire under this schedule when it is standing at an authorised place and displaying a notice containing the words specified in Paragraph 1(2).

(2) There shall be displayed on any taxi available for hire under this schedule (in addition to any other sign, mark or notice which is required to be displayed on the taxi) a notice containing the words "Shared Taxi".

Fares

2.(1) The taximeter shall be set in motion only when the taxi leaves the authorized place and shall display the fare for an exclusive service payable under section 48 of the Ordinance of 1986.

(2) The maximum amount payable by a passenger sharing a service shall be -

- (a) either the amount calculated in accordance with the conversion table mentioned in paragraph 3(a) as at the time when the passenger is set down and according to the number of passengers who arranged the shared service; or

(b) a fare for a journey agreed with the passenger in advance.

(3) No fare shall be charged for any child under the age of 2 years and no such child shall be counted when calculating the number of people sharing the vehicle.

(4) For the purpose of computing fares, each child over the age of 2 years but under the age of 10 years shall be charged at half fare and when calculating the number of people sharing the vehicle -

(a) If an even number of children are being carried, one half of that number shall be counted; and

(b) If an odd number of children are being carried, one half of the even number immediately following that odd number shall be counted.

**Fare Tables**

3. The person being in charge of a taxi which is available for hire or being used under this Schedule (the "driver") shall display in that vehicle by virtue of section 48 of the Ordinance of 1986 -

(a) a copy of a conversion table for use in calculating shared fares determined by the Authority; and

(b) a copy of a Fare Table in the form prescribed in any annex to that table.

**Obligatory hirings**

4. The driver available for hire under this schedule who -

- (a) is not waiting with a person seeking a shared service for another person to offer to share the taxi, and
- (b) would be required to accept the hiring by virtue of section 37 of the Ordinance of 1986,

shall not, without reasonable excuse, refuse a hiring to two or more persons seeking a shared service to the same destination; but he may, with the agreement of those persons, wait for a reasonable period for further passengers to share the hiring.

**Arrangements for a shared service**

5.(1) If a person seeks to hire for a shared service a taxi available for hire under this schedule and the driver is unable to find at least one other person to share the hiring within a reasonable time, then no fare or other charge shall be payable and the driver shall be free to seek an alternative hiring provided that the driver and the first mentioned person may continue to wait for another person to offer to share the taxi for so long as they both agree to do so.

(2) The driver of a taxi available for hire under this schedule may refuse to accept as a passenger for a shared service any person on the grounds that his intended destination could not be reached without an

excessive or unreasonable addition to the length or duration of the journey of any passenger previously accepted for the journey, but shall not refuse to carry a person already accepted by him as a passenger because his destination is not on such grounds compatible with that of a person who subsequently seeks a shared service.

(3) Before the commencement of any journey from the authorised place by a taxi for the purpose of a shared service, any person may (notwithstanding any earlier agreement) decide not to be carried as a passenger and no fare or other charge shall be payable by that person.

**Cessation of availability**

6. If -

- (a) a person at any time seeks to hire for an exclusive service a taxi available for hire under this schedule;
- (b) the driver is not waiting with a person seeking a shared service for another person to offer to share the taxi; and
- (c) the driver either -
  - (i) would be required to accept the hiring; or
  - (ii) accepts the hiring although not required to do so,

then that taxi shall thereupon cease to be available for hire under this schedule until the expiry of that hiring.

**Luggage**

7. The driver shall not refuse to carry in his taxi the luggage of a passenger if the luggage can be accommodated safely within the luggage compartment of the taxi with the luggage of other passengers already accepted by him.

**Route to be followed**

8. The route taken by the taxi and the order in which passengers are set down shall be determined by the driver, but he shall not unreasonably prolong the journey of any passenger.

**Interpretation**

9. In this Schedule -

"authorised place" means any place designated by the Committee from which taxis may be hired under the conditions prescribed in this Schedule;

"exclusive service" means a service other than at separate fares;

"shared service" means a service at separate fares;

"taxi" means a motor vehicle in respect of which there is in force a taxi licence.

A. G. LE CHEMINANT,  
Her Majesty's Deputy Greffier.