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Passenger Transport Services

PASSENGER TRANSPORT SERVICES ACT 2011

EXEMPTION

Section 64

The Transport Commission, in pursuance of Section 64(1) of the *Passenger Transport Services Act 2011* (the Act), hereby grants to each registered operator of a *ride-sourcing vehicle* who falls within the class of persons specified below, on and from 7 November 2016 until 1 January 2018, an exemption from the operation of Section 10 of the Act.

A. Interpretation

For the purposes of this exemption:

ride-sourcing vehicle means a motor vehicle that is used, by a person in whose name the vehicle is registered, to carry on journeys passengers who -

- (a) arrange, only by means of ride-sourcing software, to be so carried; and
- (b) provide to the person financial consideration for such journeys only by means of a system for electronic transfer of funds that is provided as part of that software.

ride-sourcing software means a computer software system that enables all of the following: -

- (a) requests, for passengers to be carried on journeys in motor vehicles, to be received; and
- (b) such requests to be communicated to, and accepted by, drivers of motor vehicles; and
- (c) such passengers to provide to such drivers financial consideration, for carriage on such journeys, only by way of the electronic transfer of funds by a system that is provided; and
- (d) identification of, and recording of the details of, such drivers and vehicles and the origin, destination and duration of such journeys; and
- (e) satisfaction rating services to be provided -
only by means of the software.

For the purposes of this exemption, ride-sourcing software enables satisfaction rating services to be provided only by means of the software if the software enables all of following:-

- (a) a person who has been, pursuant to a request communicated by the software to a driver, carried on a journey in a motor vehicle driven by the driver, to record by means of the software the person's degree of satisfaction in relation to the driver and the journey; and
- (b) automatic aggregation of such records in relation to such drivers and such journeys; and
- (c) a rating, of a driver, derived from such records to be able to be made available to a person whose request to be carried on a journey in a motor vehicle is accepted by the driver.

B. Class of persons to whom this exemption applies

For the purpose of this exemption, the class of persons to whom this exemption applies are those registered operators of a ride-sourcing vehicle who:

- (a) have informed the Registrar of Motor Vehicles ("the Registrar") appointed or employed under Section 5 of the *Vehicle and Traffic Act 1999*, in writing and in a form as determined by the Registrar, and accompanied by any information, evidence or declaration requested by the Registrar, that the person intends to operate a ride-sourcing vehicle; and
- (b) hold a current and valid ancillary certificate authorising the holder to drive a public passenger vehicle issued by the Registrar under Part 3 of the *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010*; and
- (c) comply with the vehicle inspection requirements of regulation 102 of the *Vehicle and Traffic (Driver Licensing and Vehicle Registration) Regulations 2010*; and

C. Conditions of exemption

This exemption is granted on condition that a person who has the benefit of the exemption complies with any reasonable request made by the Transport Commission or the Registrar to provide information or evidence relating to the operation of the ride-sourcing vehicle.

THE OFFICIAL SEAL OF THE TRANSPORT COMMISSION

Is duly affixed in the presence of: -

Signature: Shenhan

Full Name: Shenhan Simmons

Position Title: Administration officer

On this 21st day of October 2016

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