



Child restraint rules in taxi, hire and rideshare vehicles

FACT SHEET

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pointtopoint.nsw.gov.au



Background

To ensure the safety of our youngest passengers, when passengers travel with babies, infants or children (up to age 7) in a taxi, hire or rideshare vehicle, there are child restraint requirements which must be followed.

It is important that drivers, service providers and passengers travelling with children understand how these requirements differ between taxi, hire and rideshare vehicles.

The rules set out below should be read with the Road Rules 2014 (Road Rules).

When reading this fact sheet, please be aware that the terms below have a specific meaning:

- 'suitable child restraint' means appropriate for a child's weight and height
- 'approved child restraint' means it complies with the relevant laws and safety standards (AS/NZS 1754).

In a taxi

- Children under the age of 1 year are not allowed to travel in a taxi unless they are secured in a suitable approved child restraint.
- Children over 1 year are allowed to travel wearing a properly fastened and adjusted seatbelt – but parents/carers or taxi service providers may wish to provide and use a suitable approved child restraint.

Hire and rideshare

- The rules for hire and rideshare vehicles are the same rules that apply to the travel of babies, infants and children in a private vehicle.



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Travelling in a taxi

What are the rules when a child is travelling in the rear seat of a taxi?

Child's age	Rule
Up to 6 months	Must be secured in a suitable, and properly fastened and adjusted approved rear facing child car seat.
6 months to 1 year	Must be secured in a suitable, and properly fastened and adjusted: <ul style="list-style-type: none">• approved rear facing child car seat, or• approved forward facing child car seat (with an inbuilt harness). For this age group, it is strongly recommended that a rear facing child car seat be used when travelling in a taxi.
1 year to 7 years	Must be secured in: <ul style="list-style-type: none">• a properly fastened and approved booster seat, or• a suitable, and properly fastened and adjusted approved child restraint (with an inbuilt harness), or• a properly fastened and adjusted seatbelt, in their own seat. For this age group, it is strongly recommended that either an approved booster seat or a suitable approved child restraint be used when travelling in a taxi.
Under 7 years (with a medical condition or disability)	Must use a properly fastened and adjusted child restraint (see above). May use an alternative child restraint that has been designed for the child. If so, must carry a certificate from a doctor saying they cannot use an ordinary approved restraint.
Over 7 years	Must use a properly fastened and adjusted seatbelt.

Travelling in a hire or rideshare vehicle

What are the rules when a child is travelling in the rear seat of a hire or rideshare (for example, Uber or DiDi) vehicle?

Child's age (and height)	Rule
Up to 6 months	Must be secured in a suitable, and properly fastened and adjusted approved rear facing child car seat.
Between 6 months and 4 years	Must be secured in a suitable, and properly fastened and adjusted: <ul style="list-style-type: none">• approved rear facing child car seat, or• approved forward facing child car seat (with an inbuilt harness). For this age group, it is strongly recommended that children use an approved rear facing child car seat until they no longer fit into it (at approximately 30 months of age).

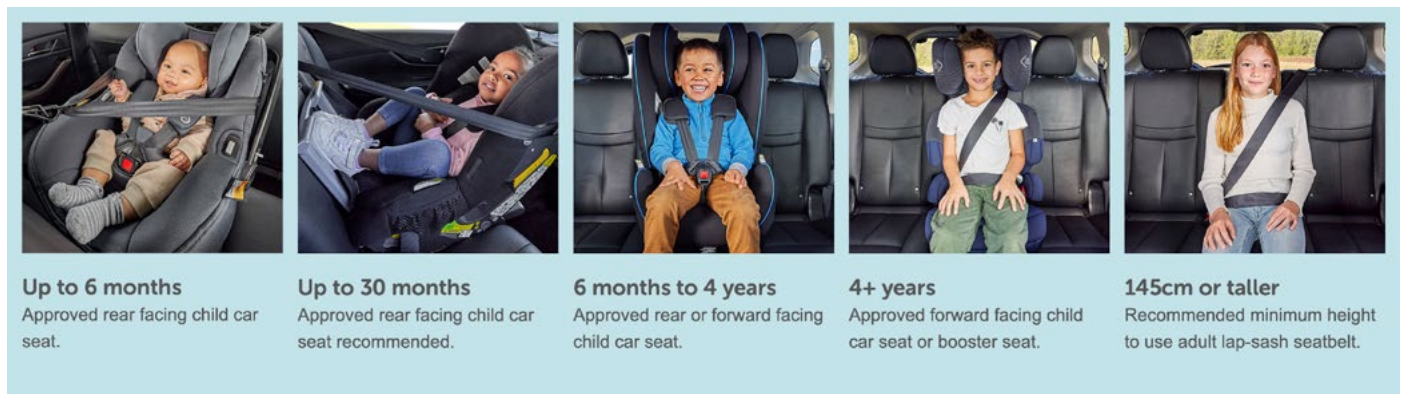
Child's age (and height)	Rule
Between 4 years and 7 years	Must be secured in a suitable, and properly fastened and adjusted: <ul style="list-style-type: none"> • approved forward facing child car seat (with an inbuilt harness), or • approved booster seat.
Over 7 years but less than 145cm tall	Must use a properly fastened and adjusted restraint. This could be a seatbelt that has been properly fastened and adjusted, however it is recommended that they be secured in a suitable, and properly fastened and adjusted: <ul style="list-style-type: none"> • approved booster seat, or • approved forward facing child car seat (with an inbuilt harness), or • anchored child safety harness.
Over 7 years and at least 145cm tall	Must use a properly fastened and adjusted seatbelt.

Are children allowed to travel in the front seat of a taxi, hire or rideshare vehicle?

Child's age	Rule
Up to 4 years	Not allowed to sit in the front seat of a taxi, hire or rideshare vehicle.
Between 4 and 7 years	<p>Must not sit in the front seat of a vehicle that has two or more rows of seats unless all seats in the back row(s) are unavailable.</p> <p>A seat is unavailable if:</p> <ul style="list-style-type: none"> • it is filled by other children aged under 7 years. • the use of child restraints in the back row(s) intrudes on the seat so that it is impossible for a child restraint to be placed safely and securely in that position. <p>If there are no available seats in the back row(s), the child sitting in the front seat must be secured as follows:</p> <ul style="list-style-type: none"> • Taxi: at minimum, by a properly fastened and adjusted seatbelt, however it is strongly recommended that a properly fastened and approved booster seat is used. • Hire or rideshare: at minimum, by an approved booster seat, however it is strongly recommended that a suitable, and properly fastened and adjusted approved forward facing child car seat (with an inbuilt harness) is used. <p>Note: as front seats do not have child car seat anchorage points supplied, child car seats and booster seats with top tether straps cannot be used in these seating positions, unless an anchorage point has been retrofitted.</p>

Frequently asked questions

What do the different types of child car seat look like?



Who supplies the child restraint when travelling in a taxi, hire or rideshare vehicle?

In NSW, only wheelchair accessible taxis and wheelchair accessible vehicles are required to carry a suitable approved child restraint. Standard taxi, hire and rideshare vehicles do not need to carry a child restraint.

- If a passenger requires a child restraint, a booking which includes the provision of a child restraint should be made ahead of time.
- If a passenger has arrived at an airport and wants to catch a rank or hail taxi but requires a child restraint to do so, reach out to the taxi rank marshal and get their help.
- The driver of a wheelchair accessible taxi cannot refuse your fare if you ask to use the child restraint.
- Parents can use their own suitable approved child restraints in taxi, hire and rideshare vehicles.
- All point to point transport vehicles manufactured after 1993 are required to have child restraint anchorage points.



What happens if there is no suitable approved child restraint available?

Taxis: For the safety of the baby/infant, the taxi driver must not start a trip if one of the intending passengers is less than 1 year old and neither the driver nor the adult passenger is carrying a suitable approved child restraint.

Hire and rideshare vehicles: The driver of a hire or rideshare vehicle may legally direct a person to leave, or not to enter the vehicle if one of the intending passengers is less than 7 years old and neither the driver of the vehicle nor the adult passenger is carrying a suitable approved child restraint.

Are there penalties for non-compliance?

Under the Road Rules, fines and demerit points apply for taxi, hire and rideshare vehicle drivers who drive with a passenger under the age of 16 who is not restrained according to the Road Rules.

What are the responsibilities of taxi and booking service providers?

Taxi and booking service providers are responsible for the health and safety of their drivers and passengers.

They must ensure that their drivers are aware of, and consistently apply, the child restraint requirements as outlined in the Road Rules and the Point to Point Transport (Taxi and Hire Vehicle) Regulation 2017.

Service providers must also ensure vehicles are fitted with child restraint anchorage points and that all wheelchair accessible vehicles carry an approved child restraint.

Whose responsibility is it to properly attach the child restraint to the vehicle?

The driver of a vehicle can be fined if a passenger under the age of 16 is not restrained according to the Road Rules.

The taxi, hire or rideshare vehicle driver must, therefore, make sure that the child restraint is properly attached to the vehicle's anchorage points.

Parents/carers should check that this has been done before the journey starts.



I have a 13 month old child and wish to travel by taxi, but a child restraint is not available. Is my child allowed to travel in the taxi without a child restraint?

Yes.

The law allows a child older than 1 year to travel in the rear seat of a taxi when restrained by one of the vehicle's own seat belts.

It is, however, strongly recommended that children between 1 year and 7 years use either an approved booster seat or a suitable approved child restraint when travelling in the rear seat of a taxi.

Taxis are not allowed to refuse the hiring in this situation. Note: the rule for hire and rideshare vehicles in this situation is different.

I have a 13 month old child and wish to travel by hire vehicle (for example, an airport transfer) or rideshare vehicle but a child restraint is not available. Is my child allowed to travel in the hire or rideshare vehicle without a child restraint?

No.

The rules for hire and rideshare vehicles are the same as for private vehicles. All children under the age of 7 must be secured in a suitable, and properly fastened and adjusted approved child restraint.

Further education

Please scan the QR code to access the links below. Related resources are available from the [Learning Centre](#) and the following links:

- [Point to Point Transport \(Taxi and Hire Vehicle\) Regulation 2017](#)
- [Road Rules 2014](#)
- [Child car seats | Transport for NSW](#)
- [Centre for Road Safety | Transport for NSW](#)
- [Child Car Seats FAQs](#)
- [Safe driving: Child car seats | NSW Government](#)
- [Child restraints for use in motor vehicles | Product Safety Australia](#)



If you have any questions or need further information, please visit the Point to Point Transport Commissioner's website pointtopoint.nsw.gov.au or call the Industry Contact Centre on 131 727.