



Fare-related disqualifying offences: Quick guide



The NSW Government has introduced new disqualifying offences for taxi drivers who are repeatedly caught committing breaches to the fare-related laws. This Quick Guide will explain the new laws and answer frequently asked questions.

What is the law change regarding fare-related offences?

From 6 December 2024, any driver who is found guilty in Court for a fare-related offence committed on or after 6 December 2024, on two separate occasions, will be disqualified from the point to point transport industry. This means that the driver can no longer drive a taxi, rideshare or any point to point transport vehicle.

The specific fare-related offences are:

- Driver contravening the Point to Point Transport (Fares) Order 2018 (section 76(5) of the Point to Point Transport (Taxis and Hire Vehicles) Act 2016)
- Driver fail to accept hiring (clause 77(1) of the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017)
- Driver failing to properly operate a fare calculation device (clause 81(1) of the Regulation)
- Driver failing to operate a fare calculation device when the fare is subject to the Taxi Transport Subsidy Scheme (clause 81(2) of the Regulation).

Examples of how of a driver can break these fare-related offences (when a taxi driver is providing rank and hail services):

- not using the meter
- overcharging
- refusing a passenger if only going a short distance
- demanding or trying to negotiate a fare (other than the one displayed on the meter)
- adding an extra surcharge
- using the maxi-taxi tariff when transporting less than 5 passengers.

What is the new process for drivers who are caught breaking a fare-related law?

The first time a driver is caught for a taxi fare-related offence they will usually be issued a penalty notice (fine) by an Authorised Officer from the Point to Point Transport Commission. After this, they face prosecution, and a Court imposed penalty. If they are found guilty by the Court on two separate occasions, they will be automatically disqualified from driving a taxi, rideshare or any point to point transport vehicle.

Are there any exceptions to this process?

In cases where the offence is particularly serious or significant, the Commissioner will consider prosecution as a first step even if the driver has not previously been issued a penalty notice for a taxi fare-related offence.

I have already been issued a penalty (fine) for a fare-related offence, what does this mean for me?

If a driver has previously been issued one or more penalty notices (before 6 December 2024) and they are caught committing another fare-related offence, they are risking prosecution and a Court imposed fine. If they are found guilty on two occasions, they will be disqualified from driving any point to point transport vehicle. The Commissioner has written to drivers who have previously been issued a penalty notice for a fare-related offence to make sure they are aware of the consequences if they are caught again.

If the Court finds a driver guilty of a fare-related offence, will they also be fined, and how much?

The maximum penalties that the Court can impose for a fare-related offence are a fine of up to \$3,300 for refusing a hiring or failing to use the meter, and a fine of up to \$11,000 for demanding a fare in excess of the fares order.

I am a driver and am appearing in Court due to being issued a fare-related fine for an offence that took place before 6 December 2024. If I am found guilty, will this count towards the two findings of guilt?

No. The new disqualifying offences are to be applied to findings of guilt made by the Court for fare-related offences committed on or after 6 December 2024.

I am a driver, if I appeal a fine issued by the Commissioner and I am found guilty by the Court, will this 'count' towards being disqualified?

Yes. Any driver who is found guilty in Court for a fare-related offence committed on or after 6 December 2024, on two separate occasions, will be disqualified from the point to point transport industry.

One of my drivers has already been convicted of a fare-related offence in Court. Will this one conviction 'count' towards the two convictions required for disqualification?

No. Where a driver has been convicted, or found guilty, of a fare-related offence that took place prior to 6 December 2024, that finding of guilt, or conviction, will not 'count' as one of the findings of guilt towards disqualification. The new disqualifying offences are to be applied to findings of guilt made by the Court for fare-related offences committed on or after 6 December 2024.

Can I appeal if I am found guilty by the Court on two separate occasions? Is there an appeal process?

A driver is automatically disqualified for 10 years following a second guilty finding. Magistrates have no discretion in this regard, and there is no right of appeal to the Commissioner or to the NSW Civil and Administrative Tribunal (NCAT).

Who needs to be aware of this change in the law?

All taxi drivers, and all taxi and booking service providers need to be aware of this change in the law. All service providers must, during onboarding and regularly thereafter, ensure that drivers have not been convicted of any disqualifying offence.

Further education

Related resources are available from the [Learning centre](#) and the following link:

- [Point to Point Transport \(Fares\) Order 2023](#)

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.