

WAV Safety: Safety obligations for service providers



Wheelchair Accessible Taxis and Hire Vehicles (WAVs) play an important role in the point to point transport industry by providing safe passenger services for people travelling in wheelchairs.

Everyone involved in the provision of wheelchair accessible services has specific safety obligations which ensure the vehicle being used is safe and compliant. As a person involved in the provision of wheelchair accessible services, it is important that you understand your safety duties and obligations.



This fact sheet will help taxi and booking service providers who provide wheelchair accessible services to understand their safety obligations under the law.

What do the people involved in providing WAV services need to know and do?

The table below summarises the safety obligations of the different people involved in providing wheelchair accessible passenger services. The safety obligations of drivers are detailed in the [WAV Safety: Safety Obligations for Drivers fact sheet](#).

Even though in most cases these safety obligations are shared, each person must individually make sure they fulfil their obligations to the required standard.

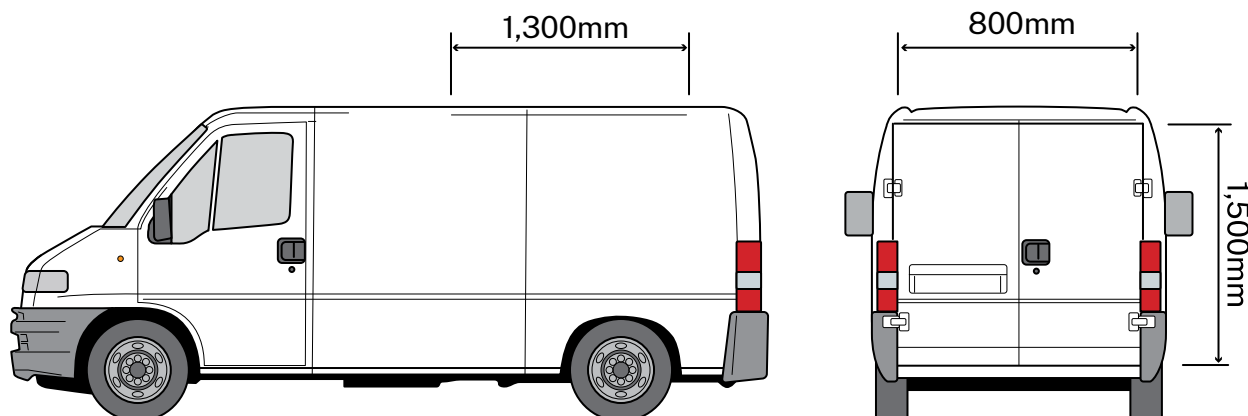
In the table, the symbol:

	indicates that the person is responsible for complying with the specified safety standard
	indicates that the person is not responsible for complying with the specified safety standard

Safety standards and obligations	Taxi service provider	Booking service provider	Affiliated providers	Affiliated provider's facilitator	Taxi licence holder	Vehicle owner
Ensuring the WAV has a space of at least 1,300mm in length, a width of 800mm and a height of 1,500mm for each wheelchair (refer to diagram below)	●	●	●	●	●	●
Ensuring the vehicle has no intrusions into the passenger space, other than adjustable passenger restraint devices	●	●	●	●	●	●
Ensuring the vehicle complies with specified safety standards AS/NZS 3856.1:1998 , AS/NZS 3856.2:1998 , AS/NZS 3696.19:2009 , AS/NZS 10542.1:2015	●	●	●	●	●	●
Ensuring the vehicle complies with the applicable standards of the Disability Standards for Accessible Public Transport	●	●	●	●	●	●
Ensuring the vehicle has enough tie-down restraints to properly restrain all the wheelchairs that it can legally carry	●	●	●	●	●	●
Ensuring the vehicle carries an approved child restraint	●	●	●	●	●	●
Providing the passenger with the estimated time of arrival at the pick-up point and doing so with reasonable notice	○	●	○	○	○	○
Drivers of WAVs must demonstrate competence in the safe loading, restraining and unloading of a wheelchair passenger per Element 3 and 4 of TLIC2040 - Provide wheelchair accessible taxi services to passengers with disabilities	●	●	○	●	○	○
Keeping a record of the model and make of each WAV and how many wheelchairs it can legally transport in a journey	●	●	○	●	○	○
Keeping a record of journeys that involved the transport of a passenger with a wheelchair	○	●	○	○	○	○
If providing services using Wheelchair Accessible Taxis (WATs) you must enter into an arrangement for the provision of booking services with an approved WAT booking service provider.	● (Sydney Metro only)	○	○	● (Sydney Metro only)	○	○

Minimum passenger space dimensions for a WAV (per wheelchair)

Ensure the WAV has a space for each wheelchair able to be carried of at least 1,300mm in length, a width of 800mm and a height of 1,500mm. There must be no intrusions into that space, other than adjustable restraint devices.



Do I need a specific WAT Licence if I want to operate a WAT service?

No.

You do not need a specific WAT licence to provide WAT services, however a taxi licence is required.

As the WAT licence is free of charge, and enables ease of access to the Taxi Transport Subsidy Scheme (TTSS), it is highly recommended. WAT licences are taxi licences with a condition requiring the vehicle to be used to provide a WAT service.

Regardless of the licence type, if the vehicle is wheelchair accessible, the Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017 (The Regulation) places various obligations on taxi and booking service providers, facilitators of taxi services, affiliated taxi service providers, taxi licence holders, vehicle owners and drivers in relation to WAT services.

These obligations include:

- giving preference to customers in wheelchairs
- vehicles must comply with [dimension requirements](#)
- ensuring drivers are trained and competent. The WAT driver self-assessment guide will provide guidance on this.

Please read safety standards for WATs for more information on these obligations.

WATs are monitored for compliance with the vehicle safety standards and driver requirements.

Applications and renewals for wheelchair accessible taxi licences can be made on the [Industry Portal](#).

How can a WAT licence be renewed?

Applications and renewals for WAT licences can be made on the Industry Portal. Licences are issued for 12 months and must be renewed prior to their expiry date if you wish to continue operating.

There are no fees applied to WAT licences.

Do drivers need to give preference to bookings for passengers in wheelchairs?

Yes.

WAV drivers must give priority to hirings for people who use wheelchairs, but the vehicle may be used to carry other passengers when not engaged with wheelchair bookings. It is important to remember the vital services that accessible transport provides for people in a wheelchair who might not otherwise be able to travel from place to place.

As part of the Point to Point Transport Commissioner's [Wheelchair Accessible Taxi Preferential Hiring Compliance Procedure](#), ongoing compliance monitoring takes place to ensure WAT drivers are giving preference to customers in wheelchairs.

Do drivers of WAVs need to have extra skills (competencies)?

Yes.

Drivers of WAVs must be assessed as competent in safe loading, restraint and unloading of a person in a wheelchair - and continue to remain competent whilst they drive a WAV.

For guidance on the assessment of these competencies, refer to the [Wheelchair Accessible Vehicles Driver & Driver Assessor Competency Self-Assessment Guide](#).

It is not enough to provide one-off training to drivers, either internally or externally. To fully comply with the law and to ensure the safety of passengers, taxi service providers, facilitators and booking service providers must ensure the ongoing competency of WAV drivers.

For more information, refer to the [Point to Point Transport \(Taxis and Hire Vehicles\) Regulation 2017 clause 26](#).

Who delivers training to drivers of WAVs?

Training can be delivered in-house, on the job, via third party providers or by a combination of these methods. However, as taxi service providers, facilitators and booking service providers, you must continue to provide opportunities and resources for WAV drivers to maintain their skills.

The Point to Point Transport Commissioner's Auditors will check these training plans, programs and competency assessment procedures during safety audits.

The plans and the records of any competency-building, knowledge refreshing or competency assessments for drivers forms part of the service provider's Safety Management System.

What penalties apply for not complying with WAV safety standards?

All of those involved in providing wheelchair accessible passenger services can be fined if they fail to comply with the safety standards set out in point to point transport law. Penalties of up to \$27,500 for bodies corporate and \$5,500 for individuals may apply. Penalties are much higher for second or subsequent offences.

Further education

Related resources are available from the [Learning Centre](#) and the following links:

- [The Act and Regulation](#)
- [WAV Safety: Quick Reference Guide](#)
- [WAV Safety: Driver Safety Checklist fact sheet](#)
- [WAV Safety: Safety Obligations for Drivers fact sheet](#)
- [WAT Licence Compliance Policy](#)
- [WAT Preferential Hiring Compliance Procedure](#)
- [WAV Driver and Driver Assessor Competency Self-Assessment Guide](#)
- [Taxi Subsidy Scheme webpage | TfNSW](#)
- [Transport Disability Incentives and Subsidies webpage | TfNSW](#)
- [Wheelchair accessible taxis | TfNSW](#)

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.

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