

# CHARTER BUSES & VEHICLES OF WESTERN AUSTRALIA

## CODE OF CONDUCT

Perth Metropolitan Road Network and Entertainment Precincts

MAY 2021



Government of  
**Western Australia**  
Department of Transport



Department of  
**Local Government, Sport  
and Cultural Industries**

GOVERNMENT OF  
WESTERN AUSTRALIA

## **Introduction**

The Charter Bus industry in Western Australia provides a wide variety of entertainment options for people throughout the metropolitan and regional locations. It offers financial and employment opportunities for businesses which accept Charter Buses while showcasing Western Australia to local people and those from abroad.

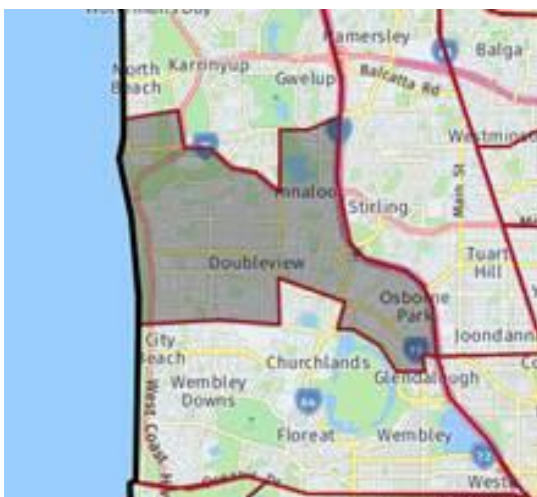
This Code of Conduct has been established to provide guidance for operators while providing safe passenger movements in conjunction with local and state legislations. A comprehensive list of acceptable legislation is provided which charter bus operators will be expected to adhere to when offering their services, with a specific understanding of the traffic laws, incident reporting, safety, entertainment precincts and passenger safety.

The charter bus industry, in particular party buses have provided great economic benefit, profile, and a safe mode of travel in a fun environment to many precincts including but not limited to the Swan Valley, Scarborough, Hillarie's, Fremantle, Northbridge, and the Perth CBD.

Charter buses provide an economical and safe form of transport to enable more patrons to enjoy what our state has to offer.

## **Application**

This code covers charter buses operating on the Perth metropolitan road network between various entertainment precincts.



## Roles and Responsibilities under the Code

### **Owners and Operators Responsibilities**

An understanding of the Code of Conduct is to be part of any employment induction by charter vehicle operators who will be responsible for ensuring staff have an understanding of their obligations while operating such vehicles. Owner operators will advise potential customers of the Code's existence when booking a charter vehicle and to link a copy of the Code of Conduct to their web site.

### **Vehicle Compliance**

Operators are to comply with Department of Transport (Road Passenger Services) Act 2018 regarding primary duty of care, safety, accreditation, and roadworthiness certificates ensuring their vehicles are fitted with the appropriate facilities and emergency equipment.

### **Passenger Compliance**

- Passengers have a responsibility to abide by sections of the Code which is to be provided by the charter bus companies at time of booking. Passengers are to be made aware that breaches of the Code during any trip will result in the termination of the trip and passengers will be required to disembark at a safe location nominated and agreed by the driver.
- Passengers are to abide by the operating companies "condition of entry" and "terms and conditions" regarding each booking (refer to Schedule 1.)
- Passengers are liable for their own behaviour, including drugs, alcohol, and anti-social behaviour.
- In the event of an underage or juvenile charter, a responsible adult or parent must accompany the charter for its entirety.
- Drop offs for underage charters must be at a local residence or a destination agree to by both the operator and the responsible adult or parent.
- No underage drop offs are allowed at the main precincts.

## Industry Code of Conduct

### **Customer Service**

As a minimum, charter vehicle operators and booking agents will provide the following information to their customers when a charter bus is hired for **any event** which the charter vehicle operator is offering:

- A person in charge of the charter group to be established at time of booking
- Access to the Code on their website or to clients at the time of booking
- A clear cancellation policy, either on their website or in writing to the customer at the time of booking
- Clear information detailing what is and is not included in the price at the time of booking, and a clear indication of any possible price variance or additions which may be incurred.
- Clarity that the driver of the charter vehicle is NOT responsible for the behaviour of passengers on board and any breaches of the Code of Conduct by passengers will result in the cessation of the charter, with passengers being returned to their original 'pick up' point or other safe destination chosen by the driver. (Please refer to the conditions of entry and the terms and conditions) Driver to reiterate the "conditions of entry" before the passenger's board the bus.
- Reference to the Department of Local Government, Sport and Cultural Industries 'Racing, Gaming and Liquor' in relation to the management of liquor, and how it will or will not be applied to their charter

## **Customer Briefings**

At the commencement of any trip, the driver of the charter vehicle is to provide an appropriate briefing to ensure passengers are aware of emergency procedures, behaviour standards, environmental and social values of the areas to be visited. This briefing will be completed at the point of 'pick up' and is to include the following advice to passengers:

The charter vehicle driver has overall control and responsibility during the entire trip, including:

- Passenger safety and providing instruction during an emergency
- Expectations of passengers, including what is not acceptable such as nudity and the use of offensive language in close proximity to private residencies, entertainment venues or precincts
- Prevention & control of liquor while on board which includes statutory requirements of the Liquor Control Act. (Refer to the "conditions of entry" and the "terms and conditions" Schedule 1)
- Drivers to ensure their own acts or omissions do not adversely affect the health and safety of passengers
- Social values, behaviour, and expectations of passengers onboard
- Drivers' obligation to report notifiable occurrences as required by Department of Transport
- The volume of noise emanating from the vehicle

## **Specific Guidelines**

### **Notifiable Occurrences**

- An incident as provided by the *Road Traffic Act 1974* section 56
- An accident or incident involving an injury that is treated by an ambulance officer or; an injured person being treated at a hospital
- A collision involving a vehicle being used to provide a passenger service where damage is caused
- A mechanical fault in the vehicle used to provide a passenger service rendering the vehicle unsuitable
- An incident involving the driver, or a passenger of a vehicle used to provide a passenger service which results in;
  - Sexual assault
  - Indecent exposure
  - Assault or, physical threats or other intimidation
  - Anti-social behaviour by passengers either onboard or when disembarking
- An incident involving the conduct of a driver while operating a passenger transport service where the driver is charge with a serious offence
- An incident involving;
  - Misplacement of a visual, audio-visual, or audio recording taken by a camera surveillance unit
  - The use in contravention of regulation 111 of a visual, audio-visual, or audio recording taken by a surveillance unit
- The driver of a passenger transport vehicle must report any notifiable occurrence to the CEO in relation to the transport of passengers by the driver when using the vehicle;
  - As soon as practicable after the provider or driver becomes aware of the notifiable occurrence
  - In the manner and form approved by the CEO, Department of Transport.

### **Liquor Related Incidents**

Unless a charter vehicle is subject to a liquor licence issued by the Department of Racing, Gaming and Liquor, it is an offence to consume, sell, supply, or offer liquor to passengers by the charter operator or driver of a charter vehicle.

Storage of unopened alcohol is permitted if safely stored in a secure area.

Passengers should be advised of this at the time of booking and re-iterated when embarking to ensure alcohol is not consumed on their charter vehicle.

However, there are exemptions as defined by Section 8F: *Exemption from Act for consumption in On-demand Charter Vehicle* which must be strictly adhered to when operating a charter vehicle. Charter Vehicle operators and drivers are to make themselves aware of these restrictions to prevent breaches of the Liquor Control Act.

### **Public Destinations and Entertainment Precincts**

Entertainment precincts are defined by the suburb's borders with neighbouring suburbs namely, Hillary's, Scarborough, Cottesloe, Fremantle, Northbridge, Perth CBD or any other location or precinct know to have a high concentration of licensed premises. The local precinct and local authority to provide a minimum of one drop of point to avoid multiple drops at any one time. The driver is to delay the drop off if there is an earlier bus at the designated drop off point.

Demand may require multiple drop off points in certain precincts.

Security is to be provided by the local precinct or local authority at all drop off points.

Parking maps will be made available following meetings with all precincts.

Because the Swan Valley precinct is large and diverse no venues listed within this precinct are to be utilised as a last 'drop off' location by charter vehicle operators unless pre-arranged with the venue and passengers disembarking are not showing signs of anti-social behaviour or noticeably intoxicated.

The Duty of Care by the bus driver and operator ceases after the passengers have safely exited the bus as is the case with all On Demand Transport.

### **Noise Abatement**

Charter vehicle operators will ensure charter vehicles do not contravene the Road Traffic Code 2000 and the Environment Protection (Noise) Regulations 1997.

If a charter vehicle is utilised during a trip where loud noise, music or other potential source is detected, the driver of the charter vehicle will ensure no disruption or disturbance emanates from the vehicle while travelling on a road through any residential area. If a charter vehicle is utilising an in-house entertainment device during a trip, the driver will ensure windows and doors are closed preventing excessive noise to escape.

### **Security**

With the high demand for charter vehicles in Western Australia there has been a noticeable increase of anti-social behaviour by passengers during a charter event or upon disembarkment at a 'drop off' point or entertainment precinct.

Security personal are to be provided by the local precinct or local authority and must be registered and licensed through a Security/Crowd Controller agent and, such requirement is to be noted at time of booking via the charter operator or booking agent.

## **Legislation**

This Code of Conduct does not replace the requirement for owners, operators, or drivers of charter vehicles to abide by all applicable legislations in Western Australia.

Legislation provides the standards and minimum requirements for a business to operate. Legislation focuses primarily on safety and addresses associated risks with the operation and covers issues such as the standards of the charter vehicle, the qualifications and experience of a driver, minimum safety requirements and equipment to be carried and the approvals required to operate.

The list provided below is not exhaustive but outlines the main legislation and associated regulations applicable to all charter vehicles operating in Western Australia.

- Road Traffic Act 1974
- Road Traffic Code 2000
- Liquor Control Act 1988
- Liquor Control Regulations 1989
- Transport (Road Passenger Services) Act 2018
- Transport (Road Passenger Services) Regulations 2020
- Environment Protection (Noise) Regulations 1997
- Security and Related Activities (Control) Act 1996 – (If required)
- Security and Related Activities (Control) Regulations 1997 – (If required)
- Any local Town or Shire By-Laws

Feedback on the Code of Conduct can be provided to:

WA Department of Transport - [contactcentre@transport.wa.gov.au](mailto:contactcentre@transport.wa.gov.au)

WA Police Force Liquor Enforcement Unit - [Liquor.Enforcement.Unit@police.wa.gov.au](mailto:Liquor.Enforcement.Unit@police.wa.gov.au)

WA Department of Racing, Gaming and Liquor - [rgl@dlgsc.wa.gov.au](mailto:rgl@dlgsc.wa.gov.au)

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