



## **BRISBANE CITY COUNCIL**

# **CHAPTER 10 - TRANSPORT**



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## **Summary of Provisions**

**Part 1 - Fares**

**Part 2 – Passengers Etc.**

**Part 3 – Electric Wires for Trolley Buses**

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## Part 1 - Fares

1. (1) Subject to subsection (2), every passenger on a bus must pay a fare for their journey or deliver or produce for examination, as the case may be, to the conductor a ticket which is available for their journey.

Maximum penalty – 20 penalty units.

- (2) Council may make by resolution, from time to time, exemptions for passengers on a bus having to pay a fare or deliver or produce for examination a ticket.
- (3) The amount of the fare and the price of a ticket shall be in accordance with any resolution of the Council for the time being in force determining fares, the prices of tickets, and sections.

- 2.(1) Subject to the agreement of that person thereto, the Council may appoint a person to be its agent for the purpose of selling proper tickets of the type specified in the appointment.

- (2) Any appointment of a person to be an agent as referred to in paragraph (1) and that person's agreement thereto shall be in the form of a deed executed by the Council and that person which shall –

- (a) provide either -
- (i) that that person is to be such agent without remuneration; or
  - (ii) that that person is to be such agent for remuneration and in that case the terms of the remuneration;
- (b) specify those types of proper tickets which that person may sell as such agent; and
- (c) otherwise specify the terms and conditions upon which that person as such agent may sell the relevant types of proper tickets and account to the Council for the sale thereof.

3. In this Part –

**"bus"** has the meaning assigned to that term by Part 2;

**"conductor"** means a person appointed as an authorised person by Council under the *Local Government Act 1993* for the purposes of this local law.

**"ticket"** means any valid ticket or pass, whether in printed, electronic or magnetic form, issued or accepted by Council for use by a person to travel on any Council's bus or public passenger transport service for the person's journey.

## Part 2 - Passengers Etc.

1. In this Part, unless the context otherwise requires or indicates, the following terms shall have the meanings respectively assigned to them, namely:-

**"Authorised person"** -Any person appointed as an authorised person pursuant to ordinance 1A.

**"Conductor"** means a person appointed as an authorised person by Council under the *Local Government Act 1993* for the purposes of this local law.

**"Bus"** -Any vehicle used and provided by the Council for the conveyance of passengers. The term includes a trolley bus and a tramcar.

**"Department"** -The unit of administration which pursuant to a resolution of the Council made under section 39A of the City of Brisbane Act 1924-1987 is for the time being charged with the administration of the provisions of this Part.

**"Ticket"** means any valid ticket or pass, whether in printed, electronic or magnetic form, issued or accepted by Council for use by a person to travel on any Council's bus or public passenger transport service for the person's journey.

**"Tramway"** -The tramway with its appurtenances, including repair shops, car sheds, rails, rolling-stock including trolley buses and buses, cables, wires, posts, engines, tools, appliances, and other materials and stocks of wheels, springs, timber, tickets, and stationery.

**"Prescribed infringement"** -An offence under ordinance 26 constituted by a failure to comply with, or contravention of, paragraph (a) of ordinance 20.

- 1A.(1) The Manager may appoint any person employed in the Department to be an authorised person for the purposes of ordinances 26A and 26B.
- (2) An appointment under paragraph (1) shall be revocable at will by the Manager.
- (3) The powers, functions or duties which may be, or are required to be, exercised, discharged or performed by a person by virtue of that person's appointment under paragraph (1) as an authorised person may, or shall continue to, be exercised, discharged or performed by that person notwithstanding the fact that the person making the appointment has ceased to be the Manager, but the appointment may be revoked by any person who is for the time being the Manager.
- (4) **{{REPEALED}}**
2. This Part shall extend and apply to -
  - (a) all buses,
  - (b) all tracks, poles, wires, fixtures, or other appurtenances, and
  - (c) all premisesowned or used by the Council in connection with its public transport undertaking.
3. No passenger or other person in or upon any bus shall solicit alms or donations, or play or perform upon any musical instrument or distribute any handbills or advertisements, or offer for sale any article, without first obtaining the permission in writing of the Council.
4. **{REPEALED}**
5. No person, unless authorised by the Council in writing so to do, shall paste, post, paint, print, nail, stick, or attach any handbill, poster, placard, notice, sign, or advertisement within or upon any bus or any property or premises of the Council used or provided in connection with its public transport undertaking.

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6. No person, except a passenger or intending passenger, shall enter or mount upon any bus. No person shall stand or ride upon the step or running-board of any bus or shall so stand or sit in or upon any bus as to allow any part of his body to project beyond the sides thereof, or get into or upon or quit any bus whilst it is in motion, or attempt so to do. A person other than an employee of the Council in the Department who is on duty shall not enter or leave a bus elsewhere than by the left side thereof.

The left side of a bus is the left side thereof in relation to the direction in which the bus is travelling or is about to travel.

7. When any bus contains the full number of passengers which it is computed to carry, no additional person shall enter or remain in or upon any such bus when warned by the conductor or driver not to do so; and any person having so entered or so remaining who shall refuse to leave at the request of the conductor may be removed by the conductor or a member of the Police Force, and shall also be guilty of an offence.
8. No person unless permitted by the conductor shall travel by or attempt to travel by any bus reserved for any special purpose. A person shall not, after becoming aware that a bus is not intended for the carriage of passengers, travel by or attempt to travel by such bus. Any person committing a breach of the foregoing provisions may be removed by the conductor or a member of the Police Force, and shall also be guilty of an offence.
9. Any person in a bus or in any waiting room or shed, or in or on any other premises owned or used by the Council in connection with its public transport undertaking, who shall be in a state of intoxication, or who shall commit any nuisance, or who shall use insulting or abusive language, or who shall wilfully interfere with the comfort of any passenger may be summarily removed by the conductor or any other servant or officer of the Council or a member of the Police Force, and shall also be guilty of an offence.
10. No person shall obstruct or impede any officer or servant of the Council employed in the Department in the execution of his duty. No person shall strike or otherwise apply force of any kind to an officer or servant of the Council employed in the Department while on duty.
- 11.(1) No person shall enter in or upon any bus with any dog or other animal, or with any loaded firearm, or with anything likely to project beyond the bus, or which may, in the opinion of the conductor, be liable to damage any bus or the property of any person or cause any injury to any person.
- (2) Paragraph (1) shall be read subject to the Guide Dogs Act 1972-1984.
- (3) Where the entry in or upon, or presence on, a bus of a dog is pursuant to the Guide Dogs Act 1972-1984, the Council shall not be liable for any damage suffered by any person by reason of the entry in or upon, or presence on, the bus of the dog, or by reason of anything done by the dog.

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12. No person shall take upon any bus any article, not being personal luggage, or any personal luggage which shall exceed 12.7 kilogrammes in weight. The conductor may refuse to allow any such article or any personal luggage exceeding 12.7 kilogrammes in weight to be taken upon any bus, and may remove it from the bus if found thereon.
  13. Luggage shall, unless otherwise permitted by the conductor, be placed on a platform, and not in the interior of any bus.
  14. **{REPEALED}**
  15. No person shall stand upon or put his feet upon any seat, handrail, or panel of any bus, nor sit upon any handrail. No person shall expectorate on the floor or platform or any other part of a bus, or otherwise defile the same.
  16. No person shall injure, misuse, mutilate, or maltreat in any way any bus or any property or premises owned or used by the Council in connection with its transport undertaking.

A person other than an employee of the Council in the Department who is on duty shall not interfere or attempt to interfere with any part of a bus, including any brake mechanism, safety bar, or safety gate thereon: Provided that it shall not be an offence for a passenger to raise or lower, open or shut any window or screen in a portion of a bus available for the accommodation of passengers, or any door provided for the ingress or egress of passengers to or from such a portion.

17. **{REPEALED}**
18. **{REPEALED}**
19. **{REPEALED}**
20.
  - (a) **{REPEALED}**
  - (b) **{REPEALED}**
  - (c) **{REPEALED}**
  - (d) **{REPEALED}**
  - (e) **{REPEALED}**
  - (f) A passenger shall, during the journey, retain in his possession the ticket, and shall, on demand, exhibit such ticket to the conductor or an inspector or other authorised officer of the Council at any time during the journey.
  - (g) A person travelling in a bus without payment of fare by means of a current pass issued by the Council shall, on demand, exhibit such pass to the conductor or an

inspector or other authorised officer of the Council at any time during the journey.

- (h) When a passenger on a bus is or states that he is unable to pay the exact fare for the journey, or to deliver or produce for examination a proper ticket which is available for the journey, he shall, upon request by the conductor, tell the conductor his correct name and place of abode.

If the conductor issues to such passenger a "notice of unpaid fare" entitling him to proceed on the bus without immediate payment of the fare, such passenger shall pay to the Council within three days after the issue of the said notice, at a place indicated in the notice, the amount of the fare for the journey. Any person who posts the amount of such fare in an unstamped or insufficiently stamped envelope shall be deemed not to have paid the amount of such fare.

Maximum penalty for any paragraph of section 20 – 20 penalty units.

- (i) {REPEALED}
- (i) {REPEALED}
- (ii) {REPEALED}

21. {REPEALED}

22. (a) Except in the case of an excursion or tourist ticket or ticket of a similar nature, a ticket or token shall be available only on the bus on which such ticket or token is punched or issued respectively. No person shall use or attempt to use the same ticket or token (except an excursion or tourist ticket or ticket of a similar nature) on more than one journey, or use or attempt to use a ticket or token for the purpose of travelling beyond the section or sections over which such ticket or token entitles him to travel, or use or attempt to use an imitation or counterfeit ticket or any ticket other than a proper ticket.

- (b) A ticket or token that is defaced, illegible, mutilated, or maltreated in any way shall not be accepted, and the holder of such a ticket or token shall be regarded as not having paid his fare.

23. Any conductor, motor bus driver, or motorman defrauding or attempting to defraud the Council in any way whatsoever shall be guilty of an offence.

24. {REPEALED}

25. Rules which have been made by the Manager and supplied to the employees, officers, and servants of the Council employed in the Department, together with any alterations and additions which the Manager may from time to time make, shall apply to and be observed by the said employees, officers, and servants. Every employee, officer, and servant shall be entitled to receive one copy of the said Rules and of every such alteration and addition, if

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such rules or alterations or additions have not already been supplied to him.

26. Subject to the maximum penalty for section 20, any person who fails to comply with or contravenes any provision of this Part shall be guilty of an offence and shall be liable to a penalty not exceeding \$5000.

26A. {REPEALED}

26B. {REPEALED}

27. A passenger on a moving bus may, if the stop signal has not been given when he wishes to alight, give such signal by ringing the bell at the front of the bus once only. A passenger shall not give the stop signal unless he wishes to alight or unless he is requested so to do by a passenger who wishes to alight.

**Paragraphs 2-4 {REPEALED}**

28. Except in emergent circumstances, a person other than an employee of the Council on duty on a bus shall not operate or attempt to operate or interfere with or attempt to interfere with the emergency brake handle in the bus.

29. If there is no conductor on a bus the driver shall be deemed to be the conductor for the purposes of this Part.

**Part 3 – Electric Wires for Trolley Buses**

1. {REPEALED}