

**BERMUDA STATUTORY INSTRUMENT**

**BR 54/1987**

**MOTOR TAXI (TAXI DESPATCHING SERVICE) REGULATIONS  
1987**

*[made under section 37A of the Motor Car Act 1951 [title 21 item 4 ] and  
brought into operation on 1 November 1987]*

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**Citation**

1 These Regulations may be cited as the Motor Taxi (Taxi Despatching Service) Regulations 1987 and shall come into operation on the 1st day of November 1987.

*[Regulation 1 amended by BR 51/2008 effective 22 August 2008]*

**Interpretation**

2 In these Regulations—

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"the Act" means the Motor Car Act 1951 [*title 21 item 4*];

"approved equipment" shall have the same meaning as approved equipment under the Motor Car (Taxi Despatching Service) (Approved Equipment) Order 2008;

"two-way radio set" means a radio set capable of transmitting and receiving messages over the air waves.

*[Regulation 2 amended by BR 51/2008 effective 22 August 2008]*

### **Application for permit**

3 Every application for a permit to operate a taxi despatching service shall be made in the form approved by the Public Service Vehicles Licensing Board.

*[Regulation 3 amended by BR 51/2008 effective 22 August 2008]*

### **Conditions for grant of permit**

4 The Board may grant a permit to operate a taxi despatching service where it is satisfied that—

- (a) subject to section 37A(6) of the Motor Car Act 1951, the applicant has a minimum of 50 motor taxis registered with it;
- (b) the applicant is equipped with approved equipment; and
- (c) every motor taxi registered with the applicant is equipped with approved equipment.

*[Regulation 4 revoked and substituted by BR 51/2008 effective 22 August 2008]*

### **Conditions for operating a taxi despatching service**

5 (1) Every person operating a taxi despatching service shall—

- (a) keep the service open for business every day, twenty-four hours a day;
- (b) keep time-sheets in which are recorded the times of reporting for duty and signing off of every motor taxi registered with it;
- (c) keep records of the licence number of every motor taxi despatched for a fare, and the time of such despatch and time when the driver reports the completion of the job to which he has been despatched;
- (d) retain time sheets and other records for a period of not less than 6 months after the date of the last entry thereon;

- (e) on demand, furnish to the Minister information contained in such time sheets or other records or both, as the Minister may require;
  - (f) immediately report to the Board—
    - (i) the name and motor taxi licence number of any driver who has refused to obey any order to take a fare;
    - (ii) the owner of any motor taxi which is withdrawn from the service; and
    - (iii) any driver of a motor taxi who is alleged to have acted in a discourteous manner to or in the hearing of a passenger or prospective passenger.
- (2) For the purpose of this regulation “records” means records that are required to be maintained under regulation 17 of the Motor Taxi Regulations 1952 by a person operating a taxi despatching service and a person operating a taxi.

*[Regulation 5 amended by BR 51/2008 effective 22 August 2008]*

**Despatching service may specify certain hours to be worked**

6 Every person operating a taxi despatching service shall, upon giving not less than 24 hours' notice, have the right to detail any motor taxi registered with that service to work certain hours to be specified by him.

*[Regulation 6 amended by BR 51/2008 effective 22 August 2008]*

**Despatching service to submit agreement to Board**

7 Every operator of a taxi despatching service shall submit for approval of the Board any agreement governing the motor taxis registered with the service, and shall do so at the time when an application for a permit is made.

*[Regulation 7 amended by BR 51/2008 effective 22 August 2008]*

**Charges for approved equipment to be approved by Board**

8 Charges made by the operator of a taxi despatching service against the owners of motor taxis for the use of two-way radios shall first be submitted to the Board for approval.

*[Regulation 8 amended by BR 51/2008 effective 22 August 2008]*

**Duties of drivers**

9 It shall be the duty of the driver of every motor taxi registered with a taxi despatching service—

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- (a) to answer every call made to him by that service when he is on duty;
- (b) to go to any place to which he has been reasonably despatched.

*[Regulation 9 amended by BR 51/2008 effective 22 August 2008]*

### **Hours during which taxis must be available**

10 (1) Subject to paragraphs (2) and (3), every motor taxi registered with a taxi despatching service shall be made available for the conveyance of passengers for hire or reward not less than 16 hours a day unless there is a reason acceptable to the Minister for not making the motor taxi so available.

(2) The Minister may by notification in the Gazette vary the requirement of paragraph (1) to take account of seasonal variations in the demand for the services of motor taxis or in such other circumstances as the Minister thinks fit.

(3) The Minister may, on application in writing by the owner of a motor taxi, grant to the owner permission to make his motor taxi available for periods other than those specified in paragraph (1) where the Minister is satisfied that in the circumstances of the case the new hours so permitted would not result in the under utilisation of the motor taxi concerned.

*[Regulation 10 amended by BR 51/2008 effective 22 August 2008]*

### **Disciplinary action against driver and owner**

11 (1) If the driver of a motor taxi fails to comply with regulation 9, the Board may take action against him under section 90(1) of the Act.

(2) If the owner of a motor taxi fails to comply with regulation 10, the Board may take disciplinary action against him and on being satisfied of the facts of the case, may cause his name and motor taxi to be removed from the register of the taxi despatching service to which he and it had been registered.

*[Regulation 11 amended by BR 51/2008 effective 22 August 2008]*

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*[Amended by:*

BR 51/2008]