

Small passenger services

Rights and responsibilities of drivers and passengers

Passengers and small passenger service (SPS) drivers both have rights.

This factsheet outlines what passengers can expect of their driver, when drivers can refuse to carry passengers and how complaints can be made.

What can a passenger expect?

You can expect your driver to:

- drive a vehicle that is in a safe and roadworthy condition and has a current certificate of fitness (CoF)
- display an ID card, with their photo, inside the vehicle in a place where it's clearly visible (if it's a dial-a-driver service, the driver will be wearing their ID card). If the photo doesn't match the driver, or can't be easily seen, you should use another vehicle
- agree the scale or basis of the fare before the trip starts (including additional charges and GST if charged). For example, agree to a total price or use an agreed distance or time rate.
- charge no more than the exact amount of a prior agreed fare or the cost determined by a meter (less any prepayment you've made)
- give you a receipt or cause a receipt for the fare to be issued if you request one (an electronic receipt is acceptable). The receipt should contain the driver's unique identification details and the vehicle's registration number
- if requested, supply a GST receipt (if registered for GST)
- use a fare meter correctly (if a meter is used)
- not be driving while tired by following the legal requirements to take breaks when necessary
- take you to your destination using the shortest or most convenient route to you.

In some cases, such as a pre-booked tour or facilitated cost-sharing, the driver may be exempt from some of the above requirements.

In-vehicle security cameras or registered passengers

To ensure the personal safety of both passengers and driver, small passenger service vehicles operating in urban areas must either have an in-vehicle security camera OR the driver must only provide services to registered passengers. For a list of the relevant urban areas and other requirements, see Factsheet 78 *Passenger services: licences and requirements*.

Where an in-vehicle camera is being used, the vehicle must have a notice clearly visible on the outside of the front passenger door and another inside in a prominent position letting you know that a camera is operating.

Signs no longer required

Signs such as the company name, fare schedules, fleet numbers

and braille stickers aren't required in small passenger service vehicles anymore. Roof lights are also no longer a requirement.

Special requirements

Different service providers may or may not cater for the needs of those with disabilities, parents with small children and other circumstances. Contact the service provider prior to travel to check if they can cater for your situation.

When can a driver refuse to carry a passenger?

SPS drivers can refuse passengers if, on reasonable grounds, they consider their personal safety would be threatened or endangered.

SPS drivers can also refuse passengers if they work for a service that only provides service to registered passengers, for example through an app.

What should I do if I have a complaint?

You should contact the NZ Police on 111 straight away for any serious improper behaviour such as:

- violence
- assault
- sexual offences
- driving under the influence of alcohol or drugs.

For less serious improper behaviour, see the table below.

Complaint	Contact
The driver refused a hire	Contact the SPS provider in the first instance. SPS companies are required by law to keep a record of complaints, which is available for inspection by the NZ Transport Agency.
The driver didn't issue a receipt	
The fare wasn't charged as agreed	
The route taken wasn't advantageous to the hirer	If you're not satisfied with the outcome of your complaint, contact the NZ Transport Agency.
The behaviour of the driver	
The fare charges are too high	Consumer Protection at www.consumerprotection.govt.nz
The driver didn't have a P endorsement	Contact the NZ Transport Agency. Go to www.nzta.govt.nz/complaint to complete the online complaint form.
The driver didn't have an ID card	
The vehicle didn't have a certificate of fitness	

Where can I find out more?

See the Land Transport Act 1998 and the Land Transport Rule: Operator Licensing 2017.

Copies of the legislation are available from some libraries, from bookshops that sell legislation and at www.legislation.govt.nz.

The information in this factsheet is a general guide only. It is not the source of the law and should not be used in place of authoritative legal documents. Some factsheets are updated frequently and print versions can quickly become out of date. If the currency of the information you are reading is important, check the factsheet index on our website (www.nzta.govt.nz/factsheets) or call us on 0800 822 422.

Contact details

- Call our contact centre: 0800 822 422.
- Visit our website: www.nzta.govt.nz.
- Email us: info@nzta.govt.nz.
- Write to us: NZ Transport Agency, Private Bag 11777, Palmerston North 4442.