

THIRD SUPPLEMENT TO THE GIBRALTAR GAZETTE

No. 5157 GIBRALTAR Thursday 27th June 2024

B. 21/24

BILL

FOR

AN ACT to amend the Transport Act 1998 to make provision for the inclusion of a second vehicle to road service licences in respect of taxis for the purposes of carrying out a night city service.

ENACTED by the Legislature of Gibraltar.

Title.

1. This Act may be cited as the Transport (Amendment No.3) Act 2024.

Commencement.

2. This Act comes into operation on the day of publication.

Amendment of the Transport Act 1998.

3.(1) The Transport Act 1998 (in this Act referred to as the “principal Act”) is amended in accordance with this section.

(2) After section 17(4) of the principal Act insert-

“(4A) Notwithstanding the provisions of subsection (4) and subject to the provisions of subsections (4B) to (4D), the holder of a road service licence in respect of a taxi may apply to the Commission for an amendment to his or her road service licence for the addition of a second vehicle and an additional named driver to the road service licence solely for the purpose of providing a city night service.

(4B) The application referred to in subsection (4A), shall include-

- (a) details of the existing licence;
- (b) the registration details and particulars of the type, size and design of the second vehicle;
- (c) details of the proposed named driver;

- (d) evidence that the second vehicle meets all applicable safety and roadworthiness requirements required by this Act; and
 - (e) a declaration by the holder of the road service licence that the second vehicle will be used solely for the city night service.
- (4C) The Commission shall consider the application and may approve the addition of the second vehicle and named driver to the road service licence if it is satisfied that-
- (a) the applicant holds a valid road service licence in respect of a taxi;
 - (b) the second vehicle meets all standards as required by this Act;
 - (c) the use of the second vehicle will enhance the availability of taxi services during night hours;
 - (d) the applicant has no outstanding violations or penalties under this Act; and
 - (e) the provisions of section 17(8)(a) have been met.
- (4D) The holder of a road service licence with an added second vehicle for city night service shall-
- (a) ensure that the second vehicle is operated solely during the prescribed city night service hours;
 - (b) maintain records of the operation of both vehicles, including service hours, routes and any incidents; and
 - (c) submit reports to the Commission as may be required.
- (4E) The Commission may revoke the inclusion of the second vehicle on a road service licence in respect of a taxi if-
- (a) the vehicle is found to be operating outside the prescribed city night service hours;
 - (b) the vehicle fails to meet the required safety and roadworthiness standards imposed by this Act; and
 - (c) the holder of the licence is found to be in violation of any provision of this Act.
- (4F) For the purposes of subsections (4A) to (4E), “city night service” means that the taxi may only ply for hire from taxi ranks to carry a passenger to another point within Gibraltar between any hours which may be prescribed.

- (4G) The Minister may make regulations to provide further details on the operation and implementation of subsections (4A) to (4F).

EXPLANATORY MEMORANDUM

This Bill amends the Transport Act 1998 to introduce provisions allowing holders of road service licences in respect of taxis to apply for the addition of a second vehicle to their road service licence specifically for the night city service.

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