



## Operating a courtesy bus service

Under the *Bus Safety Act 2009* (Vic) operators of commercial bus services are required to be accredited. A courtesy bus service, which includes at least one bus with 13 or more seats (including the driver), is a commercial bus service.

### What is a courtesy bus service?

A courtesy bus service is a service that carries passengers for any consideration or in the course of any trade or business. Under the *Bus Safety Act* an operator of a courtesy bus service must be accredited if the bus service includes at least one bus with 13 or more seats (including the driver).

To determine if you operate a courtesy bus service, you must meet both of the following requirements:

1. Your bus service must consist of at least one bus with 13 or more seats (including the driver)

AND

2. The service you provide consists of providing a service for the transport of passengers by road:
  - (a) for any "consideration" (see information below) OR
  - (b) in the course of any trade or business.

### What does 'consideration' mean?

'Consideration' means that the passenger provides the bus operator with something of some value to the operator. This does not necessarily involve the payment or promise of money. For example, in the case of a hotel that runs a shuttle bus for its guests, the fact that the passengers have paid to stay at the hotel could constitute consideration.

If, however, the consideration did involve the payment of money, there is no need for the payment to be sufficient to cover the costs of the journey.

### Examples of a courtesy bus service include:

- > courtesy transport of a social nature provided by licensed clubs and organisations (for example, a free shuttle bus that drops club members home after attending the licensed club)
- > a free shuttle bus run by an accommodation provider for its guests (for example, from a resort, backpacker hostel, hotel, motel etc, into town, or to the airport)
- > a free shuttle bus run by the operators of tourist attractions for their customers (for example, to or from a theme park, to and from a diving expedition, etc)
- > a car servicing centre which offers a free shuttle service for patrons
- > a car park which offers a free shuttle service for patrons (for example, from the long term car park at the airport to the airport terminal)
- > a bus service included as part of a package (for example, a bus service that transports passengers holding tickets to a sporting event to the grounds of the event).

## **A courtesy bus service can be a non-commercial courtesy bus service.**

The Safety Director of Transport Safety Victoria may declare a courtesy bus service to be a non-commercial courtesy bus service.

To determine if you operate as a non-commercial courtesy bus operator, you must meet both of the following requirements:

1. Your bus service must consist of at least one bus with 10 or more seats (including the driver)

AND

2. You must not derive any profit from the operation of the bus service.

If you think that you meet both of these requirements, please contact Transport Safety Victoria for more information. The Bus Safety Act requires Transport Safety Victoria to provide operators and industry sectors with an opportunity to make submissions before finally declaring which category is applicable.

Bus operators whose bus service is declared to be a non-commercial courtesy bus service do not require accreditation. Instead they require registration. For more information about bus operator registration please contact Transport Safety Victoria.

### **Example of a non-commercial courtesy bus service:**

Buses that are used solely to transport employees of a company will generally fall into the definition of a non-commercial courtesy bus service. Such buses might include those used to transport:

- > staff members to and from work
- > farm workers to and from a farm, e.g. fruit pickers
- > job applicants/current employees to training centres off-site, or
- > cast members of a production to the production venue (where the production company owns the bus).

## **Where to get more information**

**Hotline:** 03 9655 8922

**Website:** [www.transportsafety.vic.gov.au](http://www.transportsafety.vic.gov.au)

**Email:** [info@transportsafety.vic.gov.au](mailto:info@transportsafety.vic.gov.au)



This publication is intended as general information only and is not a substitute for the relevant legislation, legal or professional advice. Copyright in this publication resides with the Director, Transport Safety and the State of Victoria. No part of this publication may be reproduced by any process except in accordance with the provisions of the Copyright Act 1968 (Cth). The information in this publication is accurate as at 14 June 2011.