

COMMERCIAL PASSENGER VEHICLES VICTORIA
Automatic indexation of fees and penalties

COMMERCIAL PASSENGER VEHICLE PENALTIES

In accordance with the *Monetary Units Act 2004*, the value for **2018-19** is:

Fee unit	\$14.45
Penalty unit	\$161.19

The amount of fees are determined by multiplying the number of fee units contained in the legislation by the current value of the fee unit (section 7(1)) and rounded to the nearest 10 cents (section 7(3))

The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislations and description of penalties		Infringement Penalty From 1 July 2018		Maximum Court Penalty From 1 July 2018	
		(\$)	Units	(\$)	Units
Commercial Passenger Vehicles Industry Act 2017					
14	Failing to register as a levy-payer				
	For an individual	n/a	n/a	\$16,119.00	100.00
	For a body corporate	n/a	n/a	\$80,595.00	500.00
23	Owner of a motor vehicle failing to, so far as is reasonably practicable, ensure services are provided safely				
	For an individual	n/a	n/a	\$290,142.00	1800.00
	For a body corporate	n/a	n/a	\$1,450,710.00	9000.00
24(1)	BSP failing to, so far as is reasonably practicable, ensure CPV services provided by an associated driver are provided safely				
	For an individual	n/a	n/a	\$290,142.00	1800.00
	For a body corporate	n/a	n/a	\$1,450,710.00	9000.00
25(1)	Failing to, so far as is reasonably practicable, ensure CPV services are provided safely				
	For an individual	n/a	n/a	\$290,142.00	1800.00
	For a body corporate	n/a	n/a	\$1,450,710.00	9000.00
26(1)(a)	Failing to ensure that a thing installed, maintained, repaired or modified, is done so safely, where the person knows, or ought reasonably to know, that the thing is used or is to be used, in the provision of CPV services				
	For an individual	n/a	n/a	\$290,142.00	1800.00
	For a body corporate	n/a	n/a	\$1,450,710.00	9000.00
26(1)(b)	Failure to carry out necessary testing or examination of a thing installed as referred to in section 26(1)(a) where the person knows, or ought reasonably to know, that the thing is used or is to be used, in the provision of CPV services				
	For an individual	n/a	n/a	\$290,142.00	1800.00
	For a body corporate	n/a	n/a	\$1,450,710.00	9000.00
26(1)(c)	Failure to take action as is necessary to ensure the availability of adequate information relating to the things referred to in section 26(1)(a)				
	For an individual	n/a	n/a	\$290,142.00	1800.00
	For a body corporate	n/a	n/a	\$1,450,710.00	9000.00
27(1)(a) and (b)	Failing to take reasonable care for the driver's or passenger's health and safety				
		n/a	n/a	\$290,142.00	1800.00
37(1)	Driving a motor vehicle to provide CPV services that is not registered	\$1,934.00	12.00	\$9,671.00	60.00
38(1)	An employee driving a motor vehicle to provide CPV services that is not registered				
	For an individual	\$1,934.00	12.00	\$9,671.00	60.00
	For a body corporate	\$1,934.00	12.00	\$48,357.00	300.00
39(1)	Providing a booking service to an unregistered motor vehicle used to provide a CPV service				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
47	Failing to comply with conditions on a vehicle registration				
	For an individual	\$1,934.00	12.00	\$19,343.00	120.00
	For a body corporate	\$1,934.00	12.00	\$96,714.00	600.00
49(4)	Failing to comply with conditions attached to a consent to surrender a CPV registration				
		n/a	n/a	\$3,224.00	20.00
50	Making a false representation that the motor vehicle is registered				
	For an individual	n/a	n/a	\$4,836.00	30.00
	For a body corporate	n/a	n/a	\$24,179.00	150.00
51	Failing to display an indication that the CPV is being used to provide a CPV service	\$1,934.00	12.00	\$9,671.00	60.00
53	Providing a booking service without being registered to do so				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00

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Penalty unit	\$161.19

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The amount of penalties are determined by multiplying the number of penalty units contained in the legislation by the current value of the penalty unit (section 7(2)) and rounded to the nearest dollar (section 7(4))

Relevant legislations and description of penalties		Infringement Penalty From 1 July 2018		Maximum Court Penalty From 1 July 2018	
		(\$)	Units	(\$)	Units
54	Advertising/holding out as able or willing to provide a booking service without being registered to do so				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00
55(1)	Accepting a request from an unregistered BSP - for a person who is a booking service provider				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00
55(1)	Accepting a request from an unregistered BSP - for a person who is an accredited driver	n/a	n/a	\$9,671.00	60.00
55(1)	Accepting a request from an unregistered BSP - for any other case	n/a	n/a	\$8,060.00	50.00
56	Making a false representation that you are a registered BSP or a BSP not required to be registered				
	For an individual	n/a	n/a	\$4,836.00	30.00
	For a body corporate	n/a	n/a	\$24,179.00	150.00
64	Making a false representation that you are a registered BSP or a BSP not required to be registered				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
65(1)	Failing to notify the Regulator of a change to its registration as per regulations, within 10 days	n/a	n/a	\$806.00	5.00
66(4)	Failing to comply with conditions attached to a consent to surrender a BSP registration	n/a	n/a	\$3,224.00	20.00
67(1)	Providing a booking service that results in a CPV service being provided by an unaccredited driver				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
70	Providing a CPV service without a driver accreditation	\$1,934.00	12.00	\$9,671.00	60.00
82	Failing to comply with conditions on a driver accreditation	\$1,209.00	7.50	\$4,836.00	30.00
83(3)	Purporting to transfer or assign or deal with a driver accreditation	n/a	n/a	\$9,671.00	60.00
84(6)	Failing to comply with conditions attached to a consent to surrender a driver accreditation	n/a	n/a	\$3,224.00	20.00
87(1)	Failing to sign a paper driver accreditation certificate on receipt	\$201.00	1.25	\$806.00	5.00
88(1)	Failing to notify the Regulator of a changed residential address and return certificate within 5 business days	\$201.00	1.25	\$806.00	5.00
89(1)	Failing to notify, within 5 business days, the owner, BSP or person in whose name a CPV is registered of the suspension or cancellation of a driver accreditation	\$201.00	1.25	\$806.00	5.00
90(1)	Failing to notify the Regulator of any charges or findings of guilt of a disqualifying offence within 20 business days of the charge or finding	\$201.00	1.25	\$806.00	5.00
90(2)	Failing to notify the Regulator within 20 business days of becoming subject to sex offender reporting obligations or order	\$201.00	1.25	\$806.00	5.00
91(1)	Failing to return to the Regulator a driver accreditation certificate that has become illegible, defaced or altered, within 5 business days	\$201.00	1.25	\$806.00	5.00
92(1)	Failing to return to the Regulator a driver accreditation certificate within 20 business days of being notified of the suspension or cancellation of the driver accreditation	\$201.00	1.25	\$806.00	5.00
93(1)	Failing to carry a driver accreditation certificate while driving a CPV to provide a CPV service	\$201.00	1.25	\$806.00	5.00
94(1)	Refusing or failing to produce a driver accreditation certificate when asked by an Authorised Officer or police officer	\$201.00	1.25	\$806.00	5.00
98	Failing to comply with a condition of a driver agreement				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
110G	Asking for or charging a fare for a CPV service that exceeds the ESC's fare determination	\$1,934.00	12	\$9,671.00	60.00
113(3)(b)	Directly initiating the collection of a non-cash payment surcharge that exceeds the prescribed amount				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00
114(1)(a)	Entering into a contract, arrangement or understanding that results in an excessive non-cash payment surcharge				
	For an individual	n/a	n/a	\$9,671.00	60.00

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Relevant legislations and description of penalties		Infringement Penalty From 1 July 2018		Maximum Court Penalty From 1 July 2018	
		(\$)	Units	(\$)	Units
	For a body corporate	n/a	n/a	\$48,357.00	300.00
114(1)(b)	Agreeing to give effect to a contract, arrangement or understanding that results in an excessive non-cash payment surcharge being paid				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
129	Failing to return their Authorised Officer identity card as soon as practicable after ceasing to be an Authorised Officer	n/a	n/a	\$1,612.00	10.00
130	Holding self out to be an Authorised Officer when not an Authorised Officer	n/a	n/a	\$9,671.00	60.00
160(3)	Failing to comply with a direction to produce information or documents without reasonable excuse				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
162(2)	Failing to comply with a direction of an Authorised Officer given with respect to the vehicle, without reasonable excuse	n/a	n/a	\$1,612.00	10.00
162(5)	Failing to notify the person in whose name a vehicle is registered, of a direction to present a vehicle for inspection if the driver cannot reasonably comply with the direction	n/a	n/a	\$806.00	5.00
162(6)	Failing to comply with a direction to produce a vehicle for inspection that was issued to the driver under s 162(5)	n/a	n/a	\$3,224.00	20.00
163(2)	Failing to comply with a direction to present a vehicle for inspection, without reasonable excuse	n/a	n/a	\$3,224.00	20.00
164(5)	Driving a vehicle, or permitting the vehicle to be driven, after the time and date the vehicle needed to be fixed, unless the vehicle has been fixed	n/a	n/a	\$3,224.00	20.00
164(6)	Failing to comply with a direction in a defect notice, to present a vehicle for further inspection, without reasonable excuse	n/a	n/a	\$3,224.00	20.00
165(4)	Failure to comply with a direction to provide evidence of a vehicle inspection, without reasonable excuse	n/a	n/a	\$1,612.00	10.00
174	Failing to comply with an Improvement Notice within the specified period, without reasonable excuse				
	For an individual	n/a	n/a	\$50,000.00	
	For a body corporate	n/a	n/a	\$500,000.00	
183	Failing to comply with a Prohibition Notice, without reasonable excuse				
	For an individual	n/a	n/a	\$150,000.00	
	For a body corporate	n/a	n/a	\$1,500,000.00	
201	Contravening an enforceable undertaking				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
202(4)	Contravening an order imposed by the Magistrates' Court following contravention of an enforceable undertaking				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
208	Engaging in conduct that results in the contravention of a requirement of a supervisory intervention order				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
210	Engaging in conduct that results in the contravention of an exclusion order				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
224	Failing to notify the Regulator of the suspension or cancellation of a driver licence and return the certificate of accreditation	\$201.00	1.25	\$806.00	5.00
264(2)(a)	Failing or refusing to provide documents or information requested by the Regulator				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
264(2)(b)	Knowingly providing false or misleading information in response to a request for information by the Regulator under section 264				
	For an individual	n/a	n/a	\$19,343.00	120.00

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Relevant legislations and description of penalties		Infringement Penalty From 1 July 2018		Maximum Court Penalty From 1 July 2018	
		(\$)	Units	(\$)	Units
	For a body corporate	n/a	n/a	\$96,714.00	600.00
264(2)(c)	Obstructing or hindering the Regulator in making a request for information or documents				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
268(1)	Assaulting, inciting or encouraging any person to assault an Authorised Officer or assistant or officer or agent of the Regulator				
	For an individual	n/a	n/a	Up to 6 months imprisonment	
	For a body corporate	n/a	n/a	\$48,357.00	300.00
268(2)(a)	Resisting, obstructing, hindering or refusing to comply with a lawful request by the regulator				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
268(2)(b)	Inciting or encouraging any other person to resist, obstruct, hinder or refuse to comply with a lawful request				
	For an individual	n/a	n/a	\$9,671.00	60.00
	For a body corporate	n/a	n/a	\$48,357.00	300.00
269(1)	Providing false or misleading information				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
269(2)	Providing false or misleading information being reckless as to whether the information is false or misleading				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
270(1)(a)	Downloading or printing an image or data obtained from a security camera outside of the regulations or an agreement				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00
270(1)(b)	Downloading or printing an image or data obtained from a security camera outside of the Regulator's written authorisation or the regulations				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00
270(2)	Possessing, publishing, transmitting or disclosing an image or other data obtained from a security camera without authorisation				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00
270(4)	Making an audio recording of any passenger in a CPV				
	For an individual	n/a	n/a	\$38,686.00	240.00
	For a body corporate	n/a	n/a	\$193,428.00	1200.00
272	Failure to notify the Regulator of a prescribed incident	n/a	n/a	\$8,060.00	50.00
Commercial Passenger Vehicle Industry Regulations 2018					
5(1)	Failing to establish and maintain a register of safety risks associated with the provision of CPV services by an associated driver, which contains the specified matters	n/a	n/a	\$3,224.00	20.00
8(2)	Using a CPV to provide a CPV service without a sign, symbol, notice or label displayed under reg 8(1) that is incapable of being removed by a person in the driver's seat	n/a	n/a	\$1,612.00	10.00
8(3)	Permitting another person to use the CPV to provide a CPV service without a sign, symbol, notice or label displayed under reg 8(1) that is incapable of being removed by a person seated in the driver's seat	n/a	n/a	\$1,612.00	10.00
8(4)	Driver using a CPV to provide a CPV service without a sign, symbol, notice or label displayed under reg8(1) that is incapable of being removed by a person in the driver's seat	n/a	n/a	\$1,612.00	10.00

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Relevant legislations and description of penalties		Infringement Penalty From 1 July 2018		Maximum Court Penalty From 1 July 2018	
		(\$)	Units	(\$)	Units
9(1)	Displaying taxi livery on a vehicle used to provide an unbooked CPV service where the vehicle is non compliant	\$403.00	2.50	\$1,612.00	10.00
9(2)	Permitting another person to use a vehicle that has taxi livery displayed on it, knowing that while the vehicle is used to provide an unbooked CPV service, the vehicle is non compliant	\$403.00	2.50	\$1,612.00	10.00
9(3)	Driver using a non-compliant vehicle to provide an unbooked CPV service, which has taxi livery displayed on it	\$403.00	2.50	\$1,612.00	10.00
10(1)	Failing to ensure that identification vehicle is visible at all times to a passenger in a CPV providing a CPV service	\$201.00	1.25	\$806.00	5.00
12(1)	Using a CPV to provide an unbooked CPV service in which a fare calculation device does not comply with specifications or is installed in a manner not complying with specifications	\$403.00	2.50	\$1,612.00	10.00
12(2)	Permitting the use of a CPV to provide an unbooked CPV service in which a fare calculation device does not comply with specifications or is installed in a manner not complying with specifications	\$403.00	2.50	\$1,612.00	10.00
13(1)	Using a CPV to provide CPV services to passengers in wheelchairs in non-compliance with specifications regarding wheelchair accessible CPVs	\$806.00	5.00	\$3,224.00	20.00
13(2)	Permitting the use of a CPV to provide CPV services to passengers in wheelchairs in non-compliance with specifications regarding wheelchair accessible CPVs	\$806.00	5.00	\$3,224.00	20.00
14(1)	Using a CPV to provide an applicable unbooked CPV service in which a security camera does not comply with specifications or is installed in a manner not complying with specifications	\$806.00	5.00	\$3,224.00	20.00
14(2)	Permitting the use of a CPV to provide an applicable unbooked CPV service in which a security camera does not comply with specifications or is installed in a manner not complying with specifications	\$806.00	5.00	\$3,224.00	20.00
14(3)	Driver using a CPV to provide an applicable unbooked CPV service in which a security camera does not comply with specifications or is installed in a manner not complying with specifications	\$806.00	5	\$3,224.00	20.00
16	Failing to provide fare information on request to a hirer or advise the hirer where fare information may be obtained	n/a	n/a	\$1,612.00	10.00
17(1)	Using a CPV to provide an unbooked CPV service without fare information being displayed as required	\$403.00	2.5	\$1,612.00	10.00
17(2)	Permitting the use of a CPV to provide an unbooked CPV service without fare information being displayed as required	\$403.00	2.5	\$1,612.00	10.00
17(3)	Driver using a CPV to provide an unbooked CPV service without fare information being displayed as required	\$201.00	1.25	\$806.00	5.00
18(1)	Using a CPV to provide an unbooked CPV service without a functioning fare calculation device that meets the standard	\$403.00	2.5	\$1,612.00	10.00
18(2)	Permitting the use of a CPV to provide an unbooked CPV service without a functioning fare calculation device that meets the standard	\$403.00	2.5	\$1,612.00	10.00
18(3)	Driver using a CPV to provide an unbooked CPV service without a functioning fare calculation device that meets the standard	\$403.00	2.5	\$1,612.00	10.00
19(2)	Failing to tell a hirer immediately if the fare calculation device changes to a different tariff (unbooked CPV services)	\$403.00	2.5	\$1,612.00	10.00
19(3)	Failing to ensure that the fare calculation device is stopped immediately at the termination of a hiring (unbooked CPV service)	\$403.00	2.50	\$1,612.00	10.00
20(3)	Failing to comply with a notice requiring a relevant person to take a fare calculation device to an authorised person for examination or testing	n/a	n/a	\$1,612.00	10.00
21(1)	Failing to provide a hirer with an estimate of the fare or a fixed fare for a booked CPV service (if an estimate has been requested)	n/a	n/a	\$1,612.00	10.00
21(2)	Failing to provide a hirer with an estimate of the fare or a fixed fare for a booked CPV service (where service not arranged or facilitated by a registered BSP)	\$403.00	2.50	\$1,612.00	10.00
22(1)	Failing to provide a receipt on request, which contains the required information	\$403.00	2.5	\$1,612.00	10.00
22(2)	Failing to provide a receipt on request, which contains the required information (where fare paid to the BSP that provided the booking service)	\$403.00	2.50	\$1,612.00	10.00
23(a)	Failing to establish, implement and maintain a complaints handling system				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
23(b)	Failing to ensure that every relevant complaint is investigated promptly				
	For an individual	n/a	n/a	\$19,343.00	120.00

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Relevant legislations and description of penalties		Infringement Penalty From 1 July 2018		Maximum Court Penalty From 1 July 2018	
		(\$)	Units	(\$)	Units
	For a body corporate	n/a	n/a	\$96,714.00	600.00
23(c)	Failing to ensure that any action required to adequately address the complaint is taken promptly				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
23(d)	Failing to publicly disclose how a person may make a complaint and the time within which the BSP will respond to the complaint				
	For an individual	n/a	n/a	\$19,343.00	120.00
	For a body corporate	n/a	n/a	\$96,714.00	600.00
24	Failing to ensure that every complaint relating to the provision of the unbooked CPV service is investigated, and action required to adequately address the complaint, is taken promptly	n/a	n/a	\$3,224.00	20.00
25(1)(a)	Smoking, holding or having control over a heated or ignited tobacco product, in a CPV being used to provide a CPV service	\$242.00	1.50	\$806.00	5.00
25(1)(b)	Using an e-cigarette to generate or release an aerosol or vapour, in a CPV being used to provide a CPV service	\$242.00	1.5	\$806.00	5.00
25(1)(c)	Smoking any other substance (not listed in 25(1)(a) or (b)) in a CPV being used to provide a CPV service	\$242.00	1.50	\$806.00	5.00
26(1)	Failing to accept an assistance animal accompanied by a passenger of the CPV where the CPV is being used to provide a CPV service	\$403.00	2.50	\$1,612.00	10.00
27	Failing to give reasonable help to passengers to get them into and out of a vehicle being used to provide a CPV service	\$201.00	1.25	\$806.00	5.00
28(2)	Failing to take the route nominated by a hirer of a CPV that is providing a CPV service not on an agreed fixed fare, unless the driver has a reasonable excuse	\$403.00	2.50	\$1,612.00	10.00
28(3)	Failing to take the most direct and practicable route where no route is nominated by a hirer of a CPV that is not providing a service on a fixed fare, unless the driver has a reasonable excuse	n/a	n/a	\$1,612.00	10.00
32	Failing to keep a record of the information specified in Schedule 2 for the period specified under reg 33(1) and in the manner specified under reg 33(2)	n/a	n/a	\$1,612.00	10.00
34(3)	Failing to comply with a notice by the Regulator requiring the BSP to provide records that the BSP is required to keep			\$3,224.00	20.00
35(4)	Failing to comply with a notice by the Regulator requiring the unbooked CPV service provider to provide records that the service provider is required to keep	n/a	n/a	\$3,224.00	20.00
36(3)	Failing to keep records relating to a relevant transaction for at least 3 years after the last entry was made in the record	n/a	n/a	\$1,612.00	10.00