| **Offence** | **Reference** | **Max. Penalty Units** | **Infringeable Offence? / Penalty** | **Can be enforced by…..** | |
| --- | --- | --- | --- | --- | --- |
| **Police[[1]](#footnote-1)** | **CPVV** |
| ***COMMERCIAL PASSENGER VEHICLE INDUSTRY (CPVI) ACT 2017 & CPVI REGULATIONS 2018*** | | | | | |
| Driver failing to: take reasonable care for health and safety of driver or those affected by driver’s acts or omissions; or to cooperate with BSP re legal compliance | CPVI(A) S.27(1) | 1800 | 🗶 | ✓ | ✓ |
| Driving vehicle to provide CPV services that is not registered (unless employee) | CPVI(A) S.37(1) | 60 | ✓ 12 | ✓ | ✓ |
| Failing to display an indication that the CPV is being used to provide a CPV service | CPVI(A) S.51(1) | 60 | ✓ 12 | ✓ | ✓ |
| Accepting request for CPV services from unregistered booking service provider | CPVI(A) S.55(1) | 60 | 🗶 | ✓ | ✓ |
| Providing a CPV service without a driver accreditation | CPVI(A) S.70 | 60 | ✓ 12 | ✓ | ✓ |
| Failing to comply with conditions on a driver accreditation | CPVI(A) S.82 | 30 | ✓ 7.5 | ✓ | ✓ |
| Driver failing to comply with a condition on consent to surrender a driver accreditation | CPVI(A) S.84(6) | 20 | 🗶 | ✓ | ✓ |
| Failing to sign a paper driver accreditation certificate on receipt | CPVI(A) S.87(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to notify CPVV of change of address and return driver accreditation certificate | CPVI(A) S.88(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to notify, owner, BSP or Part 3 permission holder of suspension or cancellation of a driver accreditation | CPVI(A) S.89(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to notify CPVV of any charges or findings of guilt of a disqualifying offence | CPVI(A) S.90(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to notify the Regulator of becoming subject to reporting obligations or order | CPVI(A) S.90(2) | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to return to CPVV a driver accreditation certificate that has become illegible, defaced or altered, | CPVI(A) S.91(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to return to CPVV a driver accreditation certificate within 20 business days of being notified of the suspension or cancellation of the driver accreditation | CPVI(A) S.92(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to carry driver accreditation certificate while providing a CPV service | CPVI(A) S.93(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Refusing or failing to produce a driver accreditation certificate when asked by an Authorised Officer or police officer | CPVI(A) S.94(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Driver breaching implied condition of Driver Agreement to which they are a party | CPVI(A) S.98 | 120 | 🗶 | ✓ | ✓ |
| Driver providing applicable unbooked CPV service charging fare exceeding maximum | CPVI(A) S.110G | 60 | ✓ 12 | ✓ | ✓ |
| Driver causing a non-cash payment surcharge exceeding the prescribed amount to be paid in respect of the hiring of a CPV | CPVI(A) S.114(1) | 60 | 🗶 | ✓ | ✓ |
| Driver failing to comply with direction of CPVV or authorised officer to produce information, documents and related items without reasonable excuse | CPVI(A) S.160(3) | 60 | 🗶 | ✓ | ✓ |
| Driver failing to comply with direction by authorised officer without reasonable excuse | CPVI(A) S.162(2) | 10 | 🗶 | ✓ | ✓ |
| Driver failing to inform Part 3 permission holder of direction to produce vehicle for inspection | CPVI(A) S.162(5) | 5 | 🗶 | ✓ | ✓ |
| Driver failing to comply with an Improvement Notice without reasonable excuse | CPVI(A) S.174(1) | $50,000 | 🗶 | ✓ | ✓ |
| Driver failing to comply with a Prohibition Notice without reasonable excuse | CPVI(A) S.183(1) | $150,000 | 🗶 | ✓ | ✓ |
| Failing to notify CPVV of suspension or cancellation of driver licence and return the certificate of accreditation | CPVI(A) S.224 | 5 | ✓ 1.25 | ✓ | ✓ |
| Advertising an offer to provide a CPV service using a vehicle not registered as a CPV or a non-accredited driver | CPVI(A) S.267A(1) | 60 | ✓ 12 | ✓ | ✓ |
| Directly approaching another person and offering a CPV service or displaying on their person an offer for a CPV service (“Touting”) | CPVI(A) S.267B(1) | 60 | ✓ 12 | ✓ | ✓ |
| Driver assaulting an authorised officer | CPVI(A) S.268(1) | Level 9 imprison-ment | 🗶 | ✓ | ✓ |
| Driver obstructing an authorised officer | CPVI(A) S.268(2) | 60 | 🗶 | ✓ | ✓ |
| Unauthorised downloading, transmission etc of security camera image by driver (2 offences) | CPVI(A) S.270(1)/(2) | 240 | 🗶 | ✓ | ✓ |
| Driver making an audio recording of a passenger in a CPV | CPVI(A) S.270(4) | 240 | 🗶 | ✓ | ✓ |
| Driver failing to notify CPVV of a prescribed incident in accordance with reg 7 | CPVI(A) S.272 | 50 | 🗶 | ✓ | ✓ |
| Driver providing a CPV service while indication capable of being removed by driver | CPVI R.8(4) | 10 | ✓ 2.5 | ✓ | ✓ |
| Providing unbooked CPV service, using vehicle displaying taxi livery | CPVI R.9(3) | 10 | ✓ 2.5 | ✓ | ✓ |
| Driver failing to ensure that identification is visible to passenger at all times | CPVI R 10(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| Using a CPV to provide applicable unbooked CPV service in which non-compliant security camera is installed | CPVI R 14(3) | 20 | ✓ 5 | ✓ | ✓ |
| Failing to display fare information when providing unbooked CPV service | CPVI R.17(3) | 5 | ✓ 1.25 | ✓ | ✓ |
| Fare calculation device not functioning when providing unbooked CPV service | CPVI R.18(3) | 10 | ✓ 2.5 | ✓ | ✓ |
| Failing to tell a hirer that fare calculation device has changed to a different tariff | CPVI R 19(2) | 10 | ✓ 2.5 | ✓ | ✓ |
| Failing to ensure that the fare calculation device is stopped immediately at the termination of an unbooked CPV service | CPVI R 19(3) | 10 | ✓ 2.5 | ✓ | ✓ |
| Failing to provide an estimate of the fare or a fixed fare for a booked CPV service (where service not arranged or facilitated by a registered BSP) | CPVI R.21(2) | 10 | ✓ 2.5 | ✓ | ✓ |
| Failing to provide a receipt on request, which contains the required information | CPVI R.22(1) | 10 | ✓ 2.5 | ✓ | ✓ |
| Driver smoking, holding ignited tobacco product, when providing CPV service | CPVI R 25(1) | 5 | ✓ 1.5 | ✓ | ✓ |
| Failing to accept an assistance animal accompanied by a passenger of the CPV | CPVI R 26(1) | 10 | ✓ 2.5 | ✓ | ✓ |
| Failing to give reasonable help to passengers to get them into and out of a CPV | CPVI R 27 | 5 | ✓ 1.25 | ✓ | ✓ |
| Failing to take route nominated by hirer unless the driver has a reasonable excuse | CPVI R 28(2) | 10 | ✓ 2.5 | ✓ | ✓ |
| Failing to take most direct/practicable route unless the driver has a reasonable excuse | CPVI R28(3) | 10 | ✓ 2.5 | ✓ | ✓ |
| ***ROAD SAFETY ACT 1986[[2]](#footnote-2)*** | | | | | |
| Drive vehicle while prescribed concentration or more of alcohol is in blood/breath *– for a driver providing a CPV service, prescribed alcohol concentration is zero* | RSA 49(1)(b) | 20\* | ✓ Cancel & Disqualify based on scale | ✓ | 🗶 |
| Drive vehicle with unlawful blood alcohol level of less than 0.05g/100ml while holding a full driver licence *– example driver meeting these criteria and providing a CPV service* | 20\* | ✓ 2.5 +  C&D 3mths | ✓ | 🗶 |
| Driver drives motor vehicle with blood alcohol level of 0.05 or more but less than 0.07 g/100ml and is subject to zero blood alcohol requirement *– example driver meeting these criteria and providing a CPV service* | 20\* | ✓ 3 +  C&D 6 mths | ✓ | 🗶 |
| Drive vehicle while prescribed concentration or more of alcohol & drugs in blood/breath *– for a driver providing a CPV service, prescribed alcohol concentration is zero* | RSA 49(1)(bc) | 30\* | 🗶 C&D based on scale | ✓ | 🗶 |
| Within 3 hours after driving while prescribed concentration or more of alcohol is in blood/breath and concentration not due solely to consuming alcohol (2 offences)  *– for a driver providing a CPV service, prescribed alcohol concentration is zero* | RSA 49(1)(f) and (g) | 20\* | 🗶 C&D on same scale as s49(1)(b) | ✓ | 🗶 |
| Within 3 hours after driving while prescribed quantity of alcohol and prescribed illicit drug is in blood and presence not due solely to consuming illicit drug and alcohol  *– for a driver providing a CPV service, prescribed alcohol concentration is zero* | RSA 49(1)(j) | 30\* | 🗶 C&D on same scale as s49(1)(bc) | ✓ | 🗶 |
| ***ROAD SAFETY ROAD RULES 2017[[3]](#footnote-3)*** | | | | | |
| **SEAT BELTS** | | | | | |
| Driver carrying passenger over 16 not restrained *– does not apply if driving a taxi providing a CPV service but would apply if driving any other type of CPV* | RR 265(4) | 10 | ✓ 2 | ✓ | ✓ |
| Driver carrying passenger over 16 occupying same seating position as another passenger *– does not apply if driving a taxi providing a CPV service but would apply if driving any other type of CPV* | RR 265(4) | 10 | 🗶 | ✓ | ✓ |
| Driver carrying passenger under 16 not appropriately secured – *if motor vehicle is a taxi providing a CPV service and no approved child restraint/booster seat available, the driver can comply by:*   * *A child under 1 year old being seated on its parent’s lap; and* * *Any child between 1 and 7 years old wearing a suitable approved seatbelt.*   *There is no special dispensation for CPVs which are not taxis* | RR266(1) | 10 | ✓ 2.25 | ✓ | ✓ |
| **DESIGNATED LANES** | | | | | |
| Driver driving in a bicycle lane except where permitted – *driver of a CPV providing a CPV service may drive up to 50 metres in bicycle lane while dropping off or picking up passengers* | RR 153(1) | 5 | ✓ 1.5 | ✓ | ✓ |
| Driver driving in a transit lane except where permitted – *does not apply if driving a taxi providing a CPV service but would apply if driving any other type of CPV* | RR156 | 3 | ✓ 1 | ✓ | ✓ |
| Driver failing to comply with a traffic sign applying to a particular kind of vehicle in a particular marked lane, unless permitted to do so *– does not apply if driving a CPV providing a CPV service and permitted to be in that lane* | RR 159(1) | 5 | ✓ 1.25 | ✓ | ✓ |
| **VISUAL DISPLAY UNITS** | | | | | |
| Driver driving motor vehicle with TV or VDU operating (if image on screen is visible to the driver from the normal driving position or is likely to distract another driver) – *does not apply to a dispatch system which is an integrated part of the vehicle or is secured on a fixed mounting* | RR 299(1) | 10 | ✓ 3 | ✓ | ✓ |
| **PARKING** | | | | | |
| Driver stopping contrary to no parking sign – *does not apply if dropping off or picking up passengers or goods, within required time and not leaving vehicle unattended* | RR 168(1) | 3 | ✓ 0.2 | ✓ | ✓ |
| Driver stopping on a clearway – *does not apply if driving a CPV providing a CPV service and dropping off or picking up passengers* | RR 176(1) | 3 | ✓ 1 | ✓ | ✓ |
| Driver stopping in a loading zone – *does not apply if driving a CPV providing a CPV service and dropping off or picking up passengers* | RR 179(1) | 2 | ✓ 1 | ✓ | ✓ |
| Driver stopping in taxi zone – *does not apply if driving a taxi providing a CPV service but would apply if driving any other type of CPV* | RR 182(1) | 2 | ✓ 0.6 | ✓ | ✓ |
| Driver stopping in a bus lane, transit lane or truck lane – *does not apply if driving a CPV providing a CPV service and dropping off or picking up passengers* | RR 187(1) | 2 | ✓ 0.6 | ✓ | ✓ |
| Driver stopping within 1 metre of fire hydrant – *does not apply if driving a taxi providing a CPV service and stopped in a taxi zone and do not leave taxi unattended but would apply if driving any other type of CPV* | RR 194(1) | 3 | ✓ 0.6 | ✓ | ✓ |
| Driver stopping on or across a driveway *– does not apply if dropping off or picking up passengers and does not leave vehicle unattended and drives on within 2 minutes of stopping* | RR 198(2) | 3 | ✓ 0.6 | ✓ | ✓ |
| Driver stopping contrary to bicycle parking sign *– does not apply if dropping off or picking up passengers* | RR 201 | 2 | ✓ 0.2 | ✓ | ✓ |
| Driver stopping contrary to motor bike parking sign *– does not apply if dropping off or picking up passengers* | RR 202 | 2 | ✓ 0.2 | ✓ | ✓ |

1. Empowered under CPVI Act: s. 280(1) (to commence proceedings for any offence) and s. 205(1) (to serve an Infringement Notice in respect of an infringeable offence). [↑](#footnote-ref-1)
2. Note that offences relating to probationary drivers; motorcycles and alcohol interlock conditions are excluded from this table. [↑](#footnote-ref-2)
3. Note in these Rules, ***taxi*** is defined as ***“a commercial passenger vehicle that is compliant (as defined in regulation 9(4) of the Commercial Passenger Vehicle Industry Regulations 2018) and that is being used to provide a commercial passenger vehicle service in accordance with the Commercial Passenger Vehicle Industry Act 2017 and the regulations made under that Act”.*** [↑](#footnote-ref-3)