SAFE TRANSPORT VICTORIA

BSP Guide

Working as a Booking Service Provider (BSP)

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Booking Service Provider (BSP)

A booking service provider (BSP) receives commercial passenger vehicle (CPV) trip requests. They then arrange for accredited CPV drivers to carry out these requests.

BSPs keep Victoria moving.

They work hard to connect passengers with drivers. They help get people home safe.

As a BSP, you are a safety duty holder, which means you must meet all industry safety standards for services you provide. You also have other responsibilities under the laws that regulate our industry.

This guide is designed to provide you with important matters you need to know about operating as a BSP.

This information is correct at time of publication, however, industry requirements may change. Visit our website to make sure you are always up-to-date with the latest information or other applicable industry requirements.

BSP Basics

This is general advice for BSPs. It aims to summarise the laws that regulate our industry and your BSP safety duties. These laws apply to all CPV services that start in Victoria.

References

This guide includes summaries of key information from:

The Victorian Commercial Passenger Vehicle Industry Code of Practice (the Code)

Commercial Passenger Vehicle Industry Act 2017 (the Act), and

Commercial Passenger Vehicle Industry Regulations 2018 (the Regulations).

This guide is intended to provide information and advice of a general nature only. No person should rely on it without considering their own specific circumstances. Please refer to the Code, Act and Regulations for full laws, legal language and definitions. You may also choose to seek your own legal advice.

Terms you need to know

Booking service provider (BSP)

A booking service provider (BSP) is a person or business who:

- receives requests for commercial passenger vehicle (CPV) trips and arranges for CPV drivers to provide services, or
- owns, operates or controls a system that helps CPV drivers to accept trips.

A BSP can receive, arrange or facilitate requests on the phone, via an app, a website, social media, or any other way. The system you use may be electronic and automate parts of this process.

If your business participates in any of these activities, it is a BSP. It does not matter if:

- you are also a CPV driver and provide some of the requested services yourself
- the CPV drivers who provide the booked trips are not your employees
- the hiring fee for the trip gets paid to the driver by someone other than you
- your business also receives requests for passengers and trips outside of Victoria, or
- your business receives requests for trips in Victoria but is not located here.

BSPs are safety duty holders who are required to be registered with us unless an exemption applies. They also have other responsibilities under Victorian law.

More on this on page 8.

Read Part 1, Section 7 of the Act for the full definition of a booking service provider.

Safety Duty Holder

Every person or business working in the CPV industry is a safety duty holder. This means they hold a particular set of duties applicable to their role.

Safety duty holders must eliminate risks 'so far as is reasonably practicable'. This has a specific meaning under industry laws. If you can't completely remove a risk, you must reduce it, 'so far as is reasonably practicable'.

More on this on page 11.

Commercial Passenger Vehicle (CPV)

Commercial passenger vehicles are any motor vehicles used to provide CPV trips that commence in Victoria, where a fare is charged to the passenger. This can include taxis, rideshare vehicles, hire cars, wedding cars and limousines. Any vehicle you use to provide trips (for a fare) that start in Victoria must be registered as a CPV.

As a BSP, you need to make sure any CPV you arrange bookings for is registered with us and listed on the ST Vic Public Register.

Vehicle owners are also safety duty holders and have specific responsibilities.

See more on page 8.

Read more about how to register a CPV on our website.

Accredited driver

An accredited driver is a driver who is authorised by ST Vic to provide CPV services in Victoria.

As a BSP, you need to make sure your CPV drivers are:

- accredited in Victoria and listed on the ST Vic Public Register (see page 10)
- aware of their safety duties and the conditions of their CPV driver accreditation
- provided with information, instruction and training so they can provide CPV services safely.

Read more about how to apply for driver accreditation on our website.

Booked and unbooked services

Booked CPV services include any trip that passengers request from a BSP, often via a phone or app.

Unbooked CPV services are trips that are not pre-booked or arranged by a BSP, rather they are hailed at a rank or on the street. Not all BSPs provide unbooked trips, for example many rideshare apps, hire cars and wedding cars cannot provide these.

Relevant and responsible people

When registering as a BSP with ST Vic, you must nominate one or more relevant and responsible people.

The relevant people for your business will be different, depending on your structure. Company owners, business partners, directors or managers can all be relevant people.

One of these relevant people must be nominated as the registered responsible person.

If you are a sole trader, you may serve as both the relevant and responsible person for your BSP.

Role of the relevant person

Anyone who is a relevant person at your registered BSP must:

- be a fit and proper person (e.g. no history of dishonesty offences)
- complete a relevant person application, including giving consent for a national police check
- make sure your BSP meets its safety duties and complies with the Act and Regulations
- respond to our email requests for information and follow any directions we send
- keep up to date on changes to industry safety duties and laws
- share information and directions from us with safety duty holders who work with your BSP
- keep your BSP business information up to date with us.

You can use the change of BSP information form to tell us about any important changes.

Role of the responsible person

In addition to the above, the responsible person is also the main contact person. We will contact them first if we need to get in touch.

They are also responsible for ensuring any requests, or decisions made by ST Vic are actioned within their organisation.

As a BSP, do I need to also register as a vehicle owner?

If a person registers their vehicle as a CPV, they become a 'permission holder' who has responsibilities under industry laws. Only registered commercial passenger vehicles can legally provide CPV services in Victoria. Any person who wants to use their vehicle to provide unbooked (taxi) CPV services or booked (taxi, hire car, wedding car and rideshare) CPV services must register their vehicle with ST Vic.

A vehicle owner can be an unbranded sole trader with only one or two vehicles, who accepts bookings for only those vehicles. A vehicle owner can also either:

- register as a BSP if they have three or more vehicles; or
- Choose to be part of a BSP that has already registered. In these instances – the vehicle owner does not need to register as a BSP.

Additionally, a vehicle owner may have registered their vehicle with CPV because they provide incidental trips, but not as a core part of their business (for example, patient transfer from a private care facility). These vehicle owners do not have to register as a BSP.

Vehicle owners have their own unique set of duties. Find out more by visiting our website.

I am a vehicle owner, how do I know if I need to register as a BSP?

In most instances, you will need to register as a BSP if you:

- own more than two vehicles and accept or facilitate bookings for these vehicles
- own, operate or control an automated electronic system (e.g.: an app) which arranges or facilitates trips on behalf of passengers and drivers.

Alternatively, you can register or affiliate with a larger BSP.

If you're still not sure, contact us on 1800 638 802 or at driver@safetransport.vic.gov.au.


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Operating as a BSP

Here are the important things you need to know

1. Register as a BSP

All BSPs must register unless:

- you do not have more than two commercial passenger vehicles registered in your name, or
- you only take bookings for one or two vehicles registered to you
- taking bookings for CPV services is not a core part of your business.

Even if you're not required to register, it is useful to do so as it grants you access to the ST Vic User Portal and offers you further guidance and support to comply with your safety duties.

Please note that even if you do not need to register your BSP, you are still a safety duty holder.

2. Using the public register

The Public Register is an online list which enables searches on industry service providers including CPVs, CPV drivers, BSPs and driving instructor vehicles currently registered as CPVs.

The Public Register will help you ensure your BSP allocates CPV trips to accredited drivers and registered vehicles with no safety issues.

Any driver or vehicle you arrange for a trip must be on the ST Vic Public Register. If they're not, they do not have legal permission to provide CPV services and this is an offence for BSPs under industry laws. This could also put your business at risk.

Driver accreditation and CPV registrations can get suspended or cancelled. For example, someone's Victorian driver licence might expire or their car might become unsafe. We also may take disciplinary action if an accredited driver is subject to criminal charges or proceedings. If this happens, they will no longer appear on the Public Register.

Make sure any driver or vehicle you use is on the Public Register at the time of the booking. Your electronic booking system may do this automatically or you may choose to do this manually.

If a vehicle is not in the system, email registration@safetransport.vic.gov.au. If a driver is not in the system, email driver@safetransport.vic.gov.au.

The ST Vic Public Register is available on our website, which also includes information about how you can complete automated searches of the Public Register.

3. Record keeping and reporting

As a registered BSP you have record-keeping and reporting responsibilities.

Keep the right records about all booked trips you arrange and send us timely reports when we ask for them to avoid penalties. Please refer to the Act and Regulations for full details.

More details can be found on pages 16 to 18.

4. Safety duties and responsibilities

You must make sure all CPV services you provide are safe, 'so far as is reasonably practicable'. Find out more on pages 12 to 14.

5. Fare rules and consumer protection

Every BSP has consumer protection duties. These are outlined on page 18.

6. Providing wheelchair accessible services

Your BSP may choose to book trips for passengers who use a wheelchair or mobility scooter.

Only drivers with a W-endorsement can provide wheelchair accessible services. These drivers and vehicles must prioritise trips for passengers with wheelchairs, before others. It is the responsibility of the BSP to ensure only drivers with a W-endorsement operate wheelchair accessible vehicles.

Learn more about accessible transport on page 20 or our website:

- wheelchair accessible vehicle conditions
- wheelchair and scooter lifting fees
- wheelchair accessible vehicle (WAV) subsidy
- W-endorsement for drivers
- Multi Purpose Taxi Program (MPTP)
- correct charging of MPTP fares.

Safety duties and responsibilities

Compliance and Enforcement

ST Vic is a responsive regulator and has access to a range of tools to ensure our industry remains safe. From low-level intervention to high-level enforcement, we use the appropriate tool depending on the situation.

Ensuring your BSP is compliant

There are many ways we can work with you to help you understand what is required of your BSP, such as:

- informal conversations and formal interviews
- requests for information for audit, inspection, and investigative purposes
- targeted and random on-road compliance activities of vehicles
- audits and reports to duty-holder on findings, particularly regarding safety duties
- and complaints handling

What does 'so far as reasonably practicable mean'?

This is a term that has a specific meaning within industry laws. The concept must be applied to the circumstances that exist at the time, which involves balancing a number of factors.

In determining what may be 'reasonably practicable' for safety measures in your business, the following factors must be considered:

- the likelihood of the risks eventuating
- the degree of harm that would result if the risks eventuate
- what you know, or ought to know, about the risks and ways to control those risks (state of knowledge - including industry guidance and practice)
- the availability and suitability of ways to control the risks
- the cost of controlling the risks.

Part one of the ST Vic Industry Code of Practice has detailed advice on how to manage risk at your BSP.

Industry Codes of Practice

We have written detailed guidance on how to meet your safety duties. This advice is in the ST Vic Industry Codes of Practice (code of practice) and industry guidance documents.

You may choose to use the codes of practice or industry guidance, or you might use another framework. What's important is operating your business in a way that meets all required safety standards.

Access the full code of practice on our website.

What is a safe service?

In order to offer safe CPV services as a BSP, there are several safety elements that must be considered:

- Vehicle safety, including protection from road and traffic incidents
- Passenger safety, which can be caused by violence, sexual assault and aggressive behaviour by drivers. Passengers with additional needs due to a disability or mobility issue are likely to need specific measures to ensure safety
- Driver safety, including operating a safe vehicle, providing information, instruction, training and supervision to enable safe work exposure to occupational harms such as violence, aggression, and stress-related illnesses
- Harm to the public caused by the delivery of CPV services.

Each BSP must work to eliminate or reduce these risks 'so far as is reasonably practicable'. This can include driver training, appropriate inspection and maintenance checks or administrative procedures to address the risks associated with operating a BSP.

Having good risk management practices that identify and assess risks, and consider appropriate controls, are important in demonstrating that everything 'reasonably practicable' has been done to meet safety duties.

What you need to do:

All BSPs have the following safety duties:

1. Identify and manage safety hazards and risks for all booked trips you provide. This includes managing passenger, driver and vehicle safety.
2. Create and maintain a risk register. Read more about this on page 15.
3. Provide information, instruction, training or supervision to the drivers you allocate CPV trips to, to help them provide safe services. This should include having systems or processes to:
    - manage driver fatigue
    - test for drug and alcohol use
    - maintain safe CPVs
    - manage emergencies
    - manage driver behaviour, competency and medical fitness.

Report notifiable incidents

BSPs must report any 'notifiable incidents' within 10 business days of becoming aware that it occurred. A 'notifiable incident' is any time that:

- someone (a driver, passenger or third- party) is seriously injured or dies, or
- a police officer or health professional gets called to the scene.

When a notifiable incident happens, you must report it to us on our website.

Enforcement action

We will respond to non-compliance in a number of different ways, including exercising enforcement powers by:

- issuing penalty infringement notices (eg. fines) for prescribed offences
- issuing improvement notices (e.g. for a failure to establish and maintain a register of safety risks or a failure to provide adequate training to drivers that results in unsafe work)
- initiating court action (eg. prosecutions for serious or repeated safety breaches).

Fine amounts increase annually in accordance with the indexation of Penalty Units under the Monetary Units Act 2004. For a full list of current fines, see automatic indexation of fees and penalties.

If your BSP receives a notice you may apply for internal review of the notice, see ST Vic website for further information.

Fines are not negotiable.

Record keeping and reporting

Data and information you need to keep

Please keep these important business documents up to date and in the format we request.

- Your risk register and any documents relating to your safety practices
- A record of complaints and the complaint management system
- Correct contact and business details for your BSP
- Details about every trip you book, including driver and CPV details, fares charged and if a ST Vic subsidy program was used.

More information on each one of these is provided on the next page.

We will request your data each month.

As part of your conditions as a registered BSP, you are required to maintain records relating to booked trips. Examples of the kind of information required to be provided are:

- Date and time of the booking
- Details of where the trip started and ended
- Accreditation number and name of the driver
- Vehicle registration number.

Depending on the amount of booked trips that your BSP performs, from time to time, ST Vic will request this data from you. More information on the supply of trip data can be found here.

The records you need to manage:

1. A risk register

All BSPs must acquire and maintain a database of the hazards or risks relating to the provision of CPV services by associated drivers and the measures taken to eliminate or reduce the hazards or risks. It should be a living document. Review and revise it regularly and also when incidents happen. You should have systems and processes to manage safety at your BSP. You must think about all risks and hazards that could happen any time during a trip. Example risks include driver fatigue, unsafe vehicles, or dangerous weather.

Also, if you're a registered BSP, you must manage a risk register. Your risk register is a place where you describe safety risks, and measures to resolve or lessen them.

You can access a risk register template on our website. Or, read our code of practice for advice on how to manage risk.

2. Record and respond to complaints

Registered BSPs must give customers a way to provide feedback on trips. This means you need to:

- have a complaints management system and keep a record of all complaints
- tell customers how to make a complaint and when they can expect a response - you may do this on your website or another way
- make sure you investigate every complaint promptly
- take adequate steps to resolve every complaint promptly.

This is the information you must keep about each complaint:

- date complaint received
- details of the complaint and the nature of the problem
- relationship the person making the complaint has to your business (for example customer, driver or member of the public)
- name and address or other contact details of the person making the complaint
- all actions taken by your BSP (or someone on your behalf) in response
- date and time of the actions taken in response
- the outcome of the complaint.

Complaints can help you to better understand safety risks and customer needs.

3. Records of booked trips

Here's a list of the data you need to keep for each booked CPV service you provide:

- trip IDs (currently optional)
- date and time of booking request
- accreditation number for the driver who provided the service
- registration plate number of the vehicle that provided the service
- date and time that the trip started
- address and/or GPS coordinates for where the trip started (longitude and latitude)
- date and time the trip ended
- address and/or GPS coordinates for where the trip ended (longitude and latitude)
- full amount charged for the trip
- distance travelled (currently optional).

You must also record:

- If the driver processed part of the payment under a ST Vic scheme. An example of this is the Multi Purpose Taxi Program (MPTP) subsidy.
- If the vehicle used was a wheelchair accessible one.

You must provide reports on this data to us in the format outlined in the ST Vic trip data specification.

Email us at bsp_data@safetransport.vic.gov.au if you have questions on how to collect and report on this data.

**help on how to keep records is below.*

4. Changes to your business

It's important to keep your contact and business details current in our system. You must tell us when any of the following changes:

- BSP name or business/trading name
- BSP registered business name, Australian Company Number (ACN) or Australian Business Number (ABN)
- Changes to the responsible or relevant person
- your BSP's ultimate holding company, if you are a company, or trustee
- if the business is in the process of selling or is sold any other contact details (phone, email/s and postal address).

You have 10 business days to let us know once you're aware of these changes. Do this with the BSP change of information form on our website.

Did you register as an NSP before 2 November 2017?

If you registered as a Network Service Provider (NSP) before 2 November 2017, you are now a registered BSP instead. When this changed, we emailed all NSP contacts to say they were now a BSP (and not an NSP).

If you did not get this news, use the change of BSP information form to update your contact details. If you are no longer a BSP, learn more about how to surrender your registration on our website.

* Resources to help with booked trip reporting

We understand this amount of administrative work may be challenging for some businesses. So, we've added templates and instructions to our website to get you started. You must store this data for three years from the date of each trip.

Find these resources on our website:

Instructions for how to create a report

ST Vic trip data specification

ST Vic service data samples

Trip data record template

GoFex file submission guide

Convert to CSV file instructions.

Fare rules and consumer protection

A BSP can set their own price for booked services but please consider the following:

- GST applies to every trip
- You must make your fare information available to any customer who asks for it
- If a customer asks for an estimate while booking a trip, you must either give an approximate price or a fixed fare.

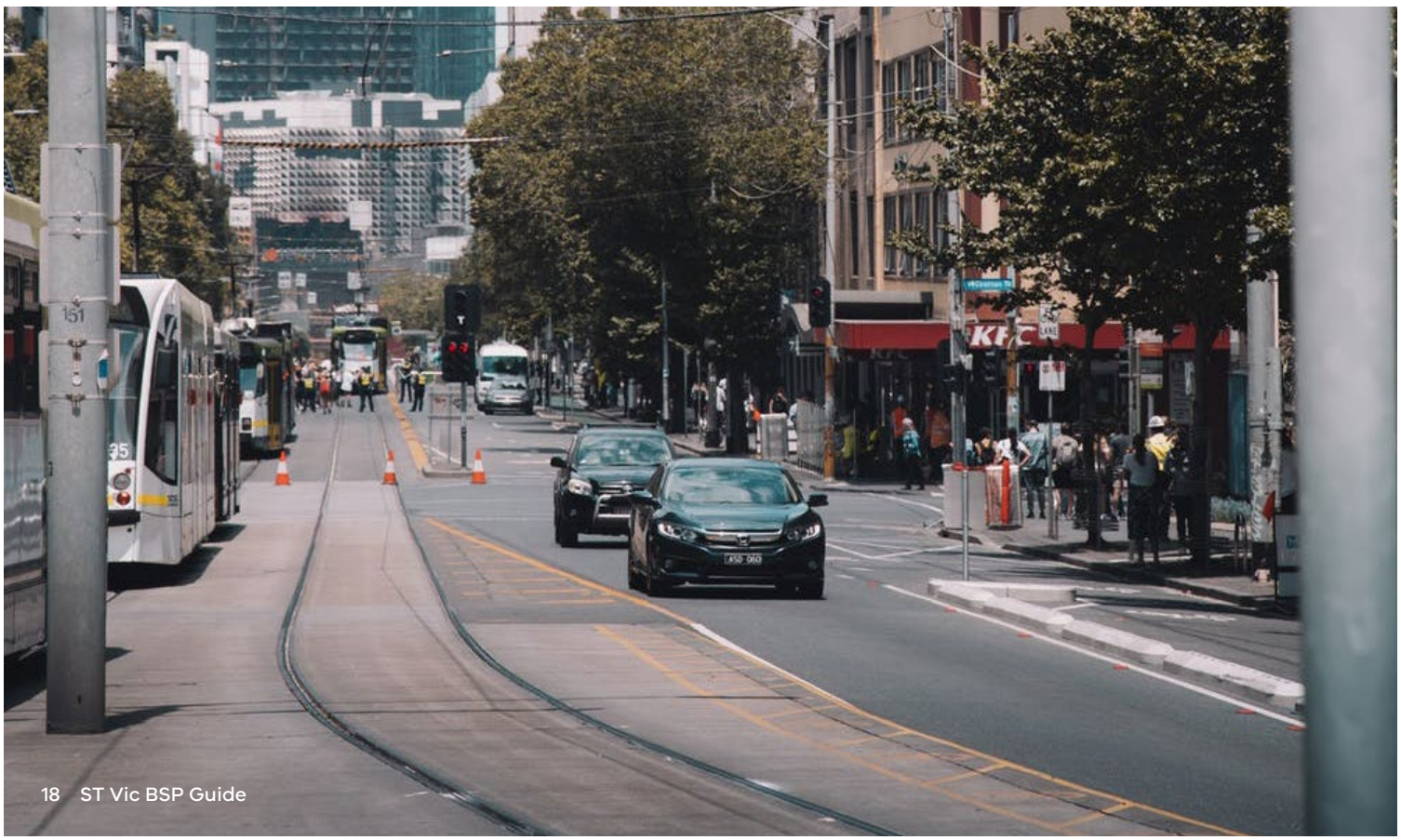
If your BSP includes vehicles which provide unbooked services, fare rules apply.
See our website for more details.

Rules for receipts

Your passenger might ask for a receipt at the end of their trip. You must give them one if they ask.

Receipts should include:

- your BSP name
- registration number of the CPV
- driver's accreditation number
- a list of the items that make up the final price (including the fare, tolls and any extra charges)
- the total amount paid
- date of the payment, and
- CPV driver's signature (if the CPV driver provides a written receipt).



Fees and charges

There are fees and charges associated with operating a BSP.

The first fee is to register your BSP. When submitting this, you will also need to submit and pay for a criminal record check for each additional person in relation to the application.

Booking Service Provider registration	Current fee
Application for Booking Service Provider registration	$46.80
Criminal records check for each additional relevant person in relation to the application	+ $46.80

Making a payment:

You can make a payment on the ST Vic User Portal.

The $1.05 per trip levy

There is a $1.05 per trip levy which applies to every CPV trip commencing in Victoria.

If the trip is booked, the BSP is liable for this levy.

If a trip starts at a rank or a passenger hails the vehicle, the driver must pay the levy, unless they are employed by the vehicle owner. In this case, the owner is liable.

You can choose to pass the cost of the levy on to your customers.

This levy is set under the *Commercial Passenger Vehicle Industry Act 2017* (the Act) and is calculated in line with the consumer price index (CPI).

The levy was introduced on 1 July 2018 and is collected by the State Revenue Office Victoria, not ST Vic. Register with the State Revenue Office by clicking this website.

Making a payment:

You must pay the levy every three months through the State Revenue office. Check the State Revenue Office website for the latest information.

A note on driver fees

As of April 2022, the Victorian Government has recommenced the collection of annual fees for drivers, vehicle owners and driving instructors. This follows a lengthy pause to support the industry during the COVID-19 pandemic.
Find out more on our website.

Providing accessible services

There are equal opportunity and anti-discrimination laws that apply to fare refusal. It is against the law to discriminate against someone due to their disability, nationality or cultural background.

People with a disability or mobility impairment have a right to accessible transport on equal terms with people that do not have disability. This right is included in law and policy in Australia and Victoria.

There are more than 1 million people living with a disability in Victoria. Many of these people rely on CPVs as their sole mode of transport – as they offer point-to-point transport which provides a level of mobility not offered by other services such as trains, trams and buses.

BSPs have an important role to play in providing transport for persons with disabilities. Safety of services for the vulnerable members of our community is of utmost importance. Please refer to the Industry Code of Practice for more.

Supporting you in providing accessible services

There are a few ways ST Vic supports BSPs to provide accessible services.

1. ST Vic pays a lifting fee or a partial lifting fee when a driver loads and unloads an MPTP passenger (see below) travelling in a wheelchair or scooter into a vehicle. More information can be found here.
2. The Wheelchair Accessible Vehicle (WAV) Subsidy Scheme, which subsidises the purchase costs of a WAV to make it similar in cost to a conventional vehicle that provides unbooked (taxi) services.
3. The Performance Based Booking System (PBBS), which seeks to reduce wait times for passengers requiring a WAV. It monitors wait times and rewards BSPs when jobs are undertaken within specified timeframes.

The MPTP

The Multi Purpose Taxi Program (MPTP) offers subsidised CPV travel to people with disability and accessibility needs. MPTP members receive a subsidy of 50 per cent of the total fare, up to $60 per trip.

The MPTP provides a vital service to thousands of Victorians with nearly 5 million subsidised trips taken by more than 98,000 active members in 2019-20.

All unbooked (taxi) service providers must offer MPTP services, however ST Vic is working with the industry to extend this to a host of other providers. Some rideshare providers are already offering MPTP services, helping to provide greater choice for MPTP members.

We pay CPV drivers a lifting fee when taking passengers who use a wheelchair or mobility scooter. Learn more on our website:

- Multi Purpose Taxi Program (MPTP)
- Correct charging of MPTP fares.

Becoming a Data Collection Provider

Any BSP that wants to offer MPTP services must use the services of an authorised Data Collection Provider (DCP) to process payments and subsidies.

The role of a DCP is to provide a technology solution (user interface) to the BSP that can then be used by the driver and the MPTP member to process MPTP transactions.

Through our DCP Expansion Project, we've simplified the application process for any party interested in becoming an authorised DCP and facilitating MPTP payment and subsidy processing.

Find out how to become a Data Collection Provider.

BSP Checklist

This checklist summarises the important actions that must be undertaken in order to provide safe BSP services.

Operational	Check
Register your BSP	
Nominate responsible and relevant persons	
Check drivers and vehicles have been successfully added to the public register	
Record keeping and reporting	
Establish and maintain a risk register and procedures setting out how you will meet your safety duties	
Establish and maintain a complaints management system	
Record correct contact and business details for your BSP and ensure these are updated regularly	
Establish and maintain a record which details every trip you arrange a booking for, including driver and CPV details, fares charged and if a ST Vic subsidy program was used	
Safety duties and responsibilities	
Access and familiarise yourself with the Industry's Code of Practice, Act and Regulations industry guidance	
Identify and manage safety hazards and risks for all trips you provide	
Establish and maintain processes to manage driver fatigue	
Report notifiable incidents to ST Vic when they occur	
Establish and maintain a process for regular testing for drugs and alcohol	
Regularly assess and track driver behaviour, skills and medical fitness	
Maintain vehicles to adhere to safety requirements	
Establish and maintain processes for emergencies	
Provide regular information, instruction, training or supervision to drivers about your systems and processes to help them provide safe services	
Fare rules and consumer protection	
Establish a system which can provide an approximate or fixed estimate to a customer if requested	
Establish a way to provide fare information to customers if requested	
Establish a process for providing receipts to customers	
Fees and charges	
Pay the BSP registration fee	
Pay the criminal records check for all relevant persons	
Register with the State Revenue Office to pay the Commercial Passenger Vehicle Services Levy (due every 3 months)	
Providing wheelchair accessible services (optional)	
Ensure drivers have a W-endorsement	
Ensure drivers are appropriately trained to provide safe WAV services	

These are not the only requirements of a BSP. Please refer to our website for more: https://cpv.vic.gov.au/booking-service-providers

Contact ST Vic

Email us if you have questions or need help with any of the topics in this guide.

safety@safetransport.vic.gov.au

Ask about any safety issues, including questions about COVID-19.

registration@safetransport.vic.gov.au

Tell us about changes at your business or update your contact details. You can also ask us about wheelchair accessible vehicles.

driver@safetransport.vic.gov.au

Ask about driver accreditation or the W-endorsement for drivers.

mptp@safetransport.vic.gov.au

Contact the Multi Purpose Taxi Program team.

contact@safetransport.vic.gov.au

Send general comments or feedback.

Find more ways to contact us on our website.

Follow us on Facebook or Twitter, or subscribe to our industry eNews.

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