

No. S 29

**ROAD TRAFFIC ACT
(CHAPTER 68)**

ROAD TRAFFIC (TAXIMETERS) REGULATIONS, 1992

In exercise of the power conferred by section 93 of the Road Traffic Act, the Minister with the approval of His Majesty The Sultan and Yang Di-Pertuan of Brunei Darussalam hereby makes the following Regulations :-

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| 1. These Regulations may be cited as the Road Traffic (Taximeters) Regulations, 1992 and shall come into force on such date as the Minister may by Notification in the <i>Gazette</i> appoint. | Citation and commencement. |
| 2. In these Regulations unless the context otherwise requires – | Definition. |
| "Act" means the Road Traffic Act. | |
| "Taximeters" means taximeters which are approved by the Director. | |
| "Director" means the person appointed as Director of Land Transport under section 3 of the Act. | |
| 3. Every taxi shall be fitted with a taximeter which shall be of a type and in a manner approved by the Director in accordance with the First Schedule. | Taxi to be fitted with a taximeter of a type approved by Director. |
| 4. No holder of a taxi licence nor a taxi driver shall ply for hire or cause or permit to be plied for hire a taxi for the purpose of gain unless the taximeter – | Taximeter to be sealed and in good order. |
| (a) has been sealed by the Director or an authorised officer and every seal which is affixed to the taximeter under these Regulations is intact and every part thereof is in good order and condition ; | |
| (b) is so adjusted that it will register the prescribed fare or hiring charge correctly ; and | |
| (c) is affixed to the vehicle in a manner approved by the Director. | |
| 5. A holder of a taxi licence, whose taxi is fitted with a taximeter, shall – | Responsibility of licensee for taximeter. |

- (a) keep the taximeter in good order and condition and have the same examined and tested by the Director or an authorised officer at least once in every six months ;
- (b) whenever, owing to a repair of or an alteration being made to the vehicle or its equipment or for any other reason, the taximeter does not register the fare approved by the Director or hiring charge correctly or whenever the taximeter is defective –
 - (i) immediately notify the Director in writing of the fact ; and
 - (ii) not ply the taxi or cause or permit the taxi to be plied for hire or for the purpose of gain until the taximeter has been suitably re-adjusted and the taxi and its taximeter have been submitted to the Director or an authorised officer for a test and re-sealing, respectively ;
- (c) whenever any taximeter, other than the taximeter that has been tested and sealed by the Director or an authorised officer, is affixed to the taxi or whenever the seal or seals affixed to the taximeter is broken –
 - (i) immediately notify the Director in writing of the fact ; and
 - (ii) not ply the taxi or cause or permit the taxi to be plied for hire or for the purpose of gain until the vehicle and its taximeter have been submitted to the Director or any authorised officer for a test and the taximeter has been sealed or re-sealed, as the case may be, by the Director or authorised officer.

Production of taxi and taximeter for inspection.

6. (1) The Director may, at any time, require the holder of a taxi licence to produce his taxi at such time and place as the Director may specify and inspect and test the taxi and any taximeter affixed thereon.

(2) Where the taximeter has not been affixed to the taxi in accordance with any of the provisions of these Regulations, the Director may suspend the licence until the taximeter is affixed to the taxi in accordance with the provisions of these Regulations and is duly sealed by the Director or an authorised officer.

No taximeter to be tampered with, etc., without permission of Director.

7. (1) No taximeter shall be tampered with, adjusted, altered, modified, repaired or removed without the prior written permission of the Director.

(2) No person shall tamper with, adjust, alter or modify a taximeter affixed to a taxi or cause or permit a taximeter or any part thereof to be tampered with, adjusted, altered or modified so as to prevent or interfere with the proper working or use of the same in accordance with these Regulations.

8. (1) A table of the prescribed fares shall be displayed inside every taxi in such manner and position as the Director or an authorised officer may direct.

Prescribed fare to be displayed.

(2) The fare payable shall be the appropriate fare as set out in the Second Schedule.

9. A taxi driver, shall –

Responsibility of taxi driver for taximeter.

- (a) not set the mechanism of the taximeter in motion before the taxi is hired and shall stop the taximeter as soon as the hiring of the taxi is terminated ;
- (b) subject to sub-paragraph (c), during any hiring of the taxi or conveyance of any passenger, keep the taximeter in motion and shall not stop the taximeter or cause or permit the taximeter to be stopped until the hiring is terminated or the last passenger has alighted ;
- (c) when the taxi conveying any passenger for the purpose of gain stops on a road or any other place owing to a shortage of fuel or to any defect in the vehicle or its tyres, immediately to show "STOPPED", and shall not set the mechanism of the taximeter in motion again until the taxi is able to resume the journey ;
- (d) not, under any circumstances, cover or obscure the face of the taximeter when the taxi is hired, conveying any passenger for the purpose of gain or being plied for hire ;
- (e) in the case of a radio taxi, only set the mechanism of his taximeter in motion after picking up his fare.

FIRST SCHEDULE

(Regulations 3)

1. (1) No taximeter shall be used in a taxi unless a Certificate of Approval has been issued by the Director in respect thereof.

Taximeters to be approved.

(2) Any person who wishes to obtain the Certificate of Approval in respect of a taximeter of any type or design shall make an application thereof to the Director and shall send a sample of the complete taximeter

together with a detailed description thereof and drawings of its mechanism.

(3) A working sample of the flexible cable by which the taximeter shall be operated shall also be forwarded with the taximeter.

(4) The applicant or his authorised representative shall give a demonstration of the manner in which the taximeter works to the Director or an authorised officer.

Taximeter to be tested.

2. (1) The Director may subject a taximeter of any type or design to an exhaustive test to ascertain whether or not it is constructed and shall operate in accordance with this Schedule.

(2) In testing any type or design of taximeters, the Director may require to be satisfied as to whether such type or design of taximeters is suitable for their intended use.

(3) After any type or design of taximeters has been tested by the Director or an authorised officer, the applicant for a Certificate of Approval, referred to in paragraph 1, shall provide a taxi fitted with a taximeter of that type or design for testing by the Director or any authorised officer for at least one complete day.

(4) Where the Director is satisfied that the type and design of taximeters is constructed and shall operate in accordance with this Schedule, and is suitable for their intended use, he may issue a Certificate of Approval in respect of such type and design of taximeters.

(5) After test and approval, one taximeter of each type or design shall be retained by the Director as a pattern instrument.

(6) Any taximeter not approved by the Director shall be returned to the owner of the taximeter together with his reasons for non-approval.

Constructional requirements and method of operation.

3. (1) A taximeter shall be constructed as -

(a) to indicate in suitable slots upon the dial of the taximeter the amount of fare calculated by the distance travelled plus waiting time and any extra charges ; and

(b) to have a flag fitted to the taximeter. The position of the flag shall show whether or not the taximeter is in motion, i.e. "FOR HIRE", "HIRED" or "STOPPED". Where there is no flag there shall be fitted such other sign as may be approved to show whether or not the taximeter is in motion.

approved to show whether or not the taximeter is in motion.

(2) The nature of the information given in each slot, i.e. positions of flag, fare and any extra charges shall be indicated by suitable words or figures immediately above or below the slot. The words or figures denoting the amount of fare in dollars and cents shall be placed immediately above, below or alongside the appropriate disc or drum position.

(3) The words and figures –

- (a) shown in the slots shall be of a size which the Director considers to be reasonable and shall be so placed as to be easily read by any hirer or passenger ; and
- (b) required to be shown on a taximeter and gear boxes shall be of such size, form and colour as will render them easily legible.

(4) The flag of a taximeter, if fitted, shall be made of such metal or other suitable material as may be approved by the Director, and shall bear the words "FOR HIRE" in white letters of plain block type at least 45 millimetres in height and proportionate width on a blue coloured background so that they may be easily read from a distance.

(5) Notwithstanding the provisions of sub-paragraph (4) the Director may allow a separate "FOR HIRE" sign that is not attached to the taximeter to be used.

(6) The mechanism of a taximeter shall be so designed that –

- (a) the words "FOR HIRE" are indicated in the appropriate slot when the flag arm or the indicator on any other turning device is vertical ;
- (b) the word "HIRED" is indicated when the flag arm or indicator on any other turning device is depressed or turned 90° or 180° and the time and distance gears are engaged ;
- (c) the word "STOPPED" is shown when the flag arm or the indicator on any other turning device is in a horizontal position at 270° ;
- (d) the flag arm or the indicator on any other turning device shall not normally remain in any position other than those mentioned in clauses (a), (b) and (c) ;

- (e) the fare calculated by time ceased to be recorded when the flag arm or the indicator on any other turning device is in the "STOPPED" position ;
 - (f) the fare recorded is not obscured when the flag arm or the indicator on any other turning device is in the "HIRED" or "STOPPED" position ;
 - (g) it is not possible –
 - (i) to move the flag arm or any other turning device from the "HIRED" to the "FOR HIRE" position without passing through the "STOPPED" position ; or
 - (ii) to return the flag arm or any other turning device from the "STOPPED" to "HIRED" position ;
 - (h) when the flag arm or any other turning device is raised or turned to the "FOR HIRE" position, the fare indicators return to zero or a disc or shutter obscures the previous recorded fare, and the various parts of the taximeter return to their initial positions ;
 - (i) before the flag arm or any other turning device can again be depressed or turned the full vertical position must be reached and a stop made. A slight movement of the flag arm or any other turning device in the opposite direction to the normal shall be necessary before the flag arm or any other turning device can be depressed or turned for the engagement of the time and distance recording mechanisms ;
 - (j) the mechanisms for recording time and distance cannot be engaged or disengaged except by normal sequence of operation of the flag arm or any other turning device referred to in clauses (a), (b), (c), (g) and (i) ;
 - (k) the operation of the disc or shutter for obscuring the fare synchronises with the engagement and disengagement of the time and distance mechanisms of the taximeter ;
 - (l) the fare recorded by the taximeter for distance travelled and for waiting time are according to the prescribed rates ;
 - (m) the amount of fare shown in the "EXTRAS" slot advances by units of twenty cents.
- (7) Every taximeter shall be constructed –

- (a) as to be capable of being sealed by means of inset or wired-on lead seals after the taximeter has been tested and approved ;
- (b) that when the gear which operates the distance recording apparatus is not contained in the main part of the taximeter, the case or cover enclosing it shall be such that it may be sealed either by inset or wired-on lead seals ; and
- (c) that every cable connection thereof may be sealed by means of inset or wired-on lead seals, to prevent its unauthorised removal.

(8) The mechanism driving the distance recording gear of every taximeter shall be fitted to the non-driving wheels or the speedometer drive at the rear of the gear box of the vehicle.

(9) A plate of suitable size and pattern shall be attached to the taximeter or its gear box in such a manner that it cannot be removed without either removing the seals affixed by the Director or an authorised officer or opening the taximeter or the gear box. The plate shall bear raised or sunken words or figures denoting the circumference of the wheel of the vehicle by which the taximeter shall be driven indirectly and by which its actions and accuracy may be tested.

(10) The measurements shown on the plate shall be in accordance with the minimum circumference of the wheel of the vehicle by which the taximeter shall be driven indirectly.

(11) Where raised or sunken words or figures are cast or indented on the taximeter or gear box casing, the taximeter or gear box casing may have no plate attached thereto.

(12) For the purposes of this Schedule, circumference of the wheel of the vehicle by which the taximeter is driven indirectly is the distance which the vehicle moves forward for one complete revolution of the wheel. The distance may be measured by making a mark on the tyre of the wheel where it touches the ground and pushing the vehicle in a straight line until this mark is again in contact with the ground, the vehicle being in its normal condition with all tyres inflated to correct pressure, and carrying two passengers.

4. (1) A taximeter of any type or design approved under paragraph 1 shall before being used in a taxi be sent to the Director for a test to ascertain whether the taximeter registers time and distance accurately, and also for an examination as regards its external appearance, action and conformity with the approved type and design of taximeters.

Further test
of taximeters
of approved
type.

(2) Where after the test and examination, the taximeter is found to be suitable, it shall be sealed by the Director or an authorised officer in such manner that its interior parts cannot be shifted, altered, modified or removed without breaking the seals.

(3) A taximeter shall not be considered suitable under sub-paragraph (2) unless the fares recorded by the instrument are in accordance with the rates prescribed.

Application for affixing taximeter to be made.

5. (1) A holder of a taxi licence who wishes to have a taximeter affixed in a taxi owned by him shall make an application in writing on a printed form to be provided by the Director for that purpose.

(2) A taximeter may not be fitted or used in any vehicle except in a taxi licensed as a public service vehicle under these Regulations.

(3) No taximeter which has not been approved and sealed by, or under the authority of, the Director may be fitted or used in a taxi.

(4) A taximeter shall be fitted in a taxi in such position and manner as may be approved by the Director, having regard to the design of the vehicle.

(5) No unauthorised person shall shift, alter, modify or remove or in any way tamper with any seal or mark placed on a taximeter.

Limits of effective circumference of wheel.

6. (1) No taximeter shall be used in a taxi where the circumference of the wheel by which the taximeter is driven indirectly is more or less than five per cent of the circumference marked on the plate of the taximeter or the gear box casing under sub-paragraph (9) of paragraph 3.

(2) No taximeter which is in any way defective shall be used in a taxi.

(3) Where the holder of a taxi licence is directed not to use a taximeter by the Director or an authorised officer, the licensee shall remove the taximeter from his taxi and shall not use the taxi as a public service vehicle.

Taximeter to be illuminated at night.

7. Every taximeter fitted in a taxi shall be so constructed that the flag or separate "FOR HIRE" sign and the letters and figures on the dial thereof may be illuminated adequately at night. The flag or separate "FOR HIRE" sign and the letters and the figures shall be illuminated at night whilst the taxi is being plied for hire or the purpose of gain.

Alteration of taximeter.

8. No taximeter used in a taxi shall be altered or modified without the written consent of the Director.

9. Should any of the seals of a taximeter used in a taxi or its connections become broken or defective, the vehicle must be sent to the Director for re-sealing, and, if necessary, for re-testing. If a seal or seals of the taximeter casing or gear box is broken the taximeter shall be submitted to the Director for a re-test. Seal broken.
10. Every taximeter used in a taxi shall be tested at least once in every six months. Periodical test.
11. A holder of a taxi licence who ceased to use a taximeter in a taxi must inform the Director of the type, design and serial number of the taximeter concerned. Non-user of taximeter to be declared.
12. (1) After a taximeter has been sealed by the Director or an officer authorised by him in that behalf, no repairs shall be made thereto except with the permission of the Director. Such repairs shall be made by a manufacturer or a repairer authorised in writing by and registered with the Director. Repairs.
- (2) Whenever any seal on a taximeter used in a taxi is broken the holder of a taxi licence issued in respect of the taxi shall inform the Director immediately of the fact, and the serial number, type and design of the taximeter and the registration number of the vehicle.
13. Any person who contravenes or fails to comply with any provision of these regulations shall be guilty of an offence : Penalty, a fine of \$5,000 and imprisonment for 12 months. Offences.

SECOND SCHEDULE

TAXI FARE

(Regulation 8(2))

THE FARES STATED ARE IN BRUNEI DOLLARS

(I) BY METRE

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|----|---|---------|
| 1. | The first 1 km or less | \$3.00 |
| 2. | Every 200 metres thereafter or less | \$0.20c |
| 3. | Every 200 metres thereafter or less after 20 km | \$0.10c |
| 4. | Every 1 minute of waiting | \$0.20c |

BRUNEI DARUSSALAM GOVERNMENT GAZETTE ·

(II)	ADDITIONAL PASSENGERS	No charge
(III)	SURCHARGE	
	1. Every trip to or from The Brunei International Airport	\$5.00
(IV)	LUGGAGE CHARGE	
	1. Hand Luggage	Free
	2. All luggages placed in the boot	\$1.00 per luggage
(V)	CHARGE FOR CALLING A TAXI THROUGH TELEPHONE CALL OR BOOKING	
	1. Every trip made through a telephone call or booking	\$3.00
(VI)	NIGHT SURCHARGE	
	1. Between 9.00 pm to 6.00 am	50% of the Metered Fare
(VII)	LONG DISTANCE SURCHARGE	
	1. After 100 km	\$25.00

Made this 1st day of May, 1992.

DATO SERI LAILA JASA AWANG HAJI ZAKARIA
BIN DATU MAHAWANGSA HAJI SULAIMAN
Minister of Communications,
Brunei Darussalam.