



## CHAPTER 11

Ticketing procedures and  
infringement notice process

# Ticketing procedures and infringement notice process

## Passenger obligations

A passenger must request a ticket for every fare paid. A passenger who pays a fare, but does not receive a ticket in return is travelling without a valid ticket. Passengers who observe or experience bus drivers, conductors or other staff accepting money without issuing tickets are requested to report this to Metlink on **131 638** for further investigation.

## Bus driver obligations

Bus drivers are required to sign on and sign off from the ticketing system, if present, as they enter and leave the depot. Bus drivers on Metcard routes are also required to update their location on the ticketing system as they travel along the route to ensure validation occurs correctly. If it is not possible for a bus driver to issue a ticket due to equipment failure, then all passengers will travel free of charge. **Bus drivers are not permitted to accept money without issuing a valid ticket in return.** If a passenger pays for their ticket and does not take it, the driver must call them back and give it to them. If the passenger declines to accept the ticket the driver must immediately rip it in half and leave it in their change tray until the passenger leaves the bus, when it can then be discarded.

## Tram driver obligations

Tram drivers are responsible for signing onto the tram driver keypad when they enter the tram. This should occur prior to leaving the depot to ensure the ticketing equipment is operational. While bus drivers are required to update their location manually, this process is generally automated on trams. However, errors can occur and it is the responsibility of tram drivers to confirm the location shown on their driver keypad is correct to ensure that tickets are sold and validated correctly. Drivers must not sign off prior to arriving at their final destination or depot.

If the ticketing system is not programmed with the correct location, it may result in passengers being unable to purchase or validate certain tickets.

## Authorised Officers

Public transport operators employ staff to perform the role of 'Authorised Officers' under the *Transport Act* and Transport Regulations. These officers are authorised by the Victorian Government's Department of Transport after they have been trained in the relevant law and procedures, and have passed a stringent security check and interview.

Where a person is detected by an Authorised Officer travelling on public transport without a valid ticket, and it is believed the person had a reasonable opportunity to purchase and/or validate a ticket, the Authorised Officer may inform the person in clear terms what offence he/she believes has been committed. This also applies where a person is detected/observed committing another offence under the *Transport Act* or Regulations. The officer may inform the person that he/she intends to report the matter to the Department of Transport and that they may receive an infringement notice in the mail. The person will then be requested by the Authorised Officer to state their name and address.

Authorised Officers and police are empowered by section 218B of the *Transport Act* to obtain the name and address of a person reasonably believed to have committed an offence against the *Transport Act* or Regulations. This can be done orally, or in writing or by producing documents confirming such details given.

Anybody who fails or refuses to give their name and address, or gives false details to an officer commits another offence.

The officer can also request the person to provide evidence of name and address.

## Report of non-compliance

To report an offence an officer will compile a 'Report of Non-Compliance', which contains a summary of the non-compliance alleged, the name and address of the person being reported, the location of the occurrence, the time, date, etc. This document, along with any evidence such as a confiscated ticket, is forwarded to the Department of Transport for processing. The documentation is checked for completeness and, if deemed appropriate, an infringement notice is generated and posted to the alleged offender.

## Infringement notice procedures

Upon receiving an infringement notice a person has 42 days (from the notice date) to deal with the matter. If the penalty amount is paid within 42 days, the matter is finalised and no further action is taken. If the penalty amount is not paid within 42 days, Penalty Reminder Notices are generated and sent to the same address to remind the alleged offender of the overdue payment. The Penalty Reminder Notice adds additional administration costs to the penalty. The matter can still be finalised by payment of the penalty (plus administrative costs) within 42 days from the date of the Penalty Reminder Notice. If a person wishes to pay the penalty but because of genuine financial hardship, cannot afford to pay it in one payment, they are encouraged to contact the Department of Transport (DOT) who may grant an extension of time to pay. The DOT system does not allow for part payments—the whole amount must be paid to finalise the matter. The telephone number for infringement payment enquiries is **1300 135 066**.

Where no contact has been made with the DOT within either of the two 42 day periods mentioned above, and the infringement notice remains unpaid, the matter is transferred to the Infringements Court (a division of the Magistrates' Court), for enforcement. Once the matter has transferred to the Infringements Court, any enquiries about the matter must be directed to the Infringements Court, not the Department of Transport. The Infringements Court telephone enquiry number is **9611 7600** or toll free **1800 150 410**. Unpaid infringement notice matters for children are handled by the Children's Court **8601 6700**.

## Objections to infringement notices

If a person wishes to have an infringement notice reviewed, this may be done in writing by letter to **GPO, Box 2797, Melbourne VIC 3000** or fax **9665 9400**; or by email to **tia@transport.vic.gov.au**. Upon receipt of a request for review, the infringement process is put on hold, which means the 42 day period is suspended until a decision is made whether to uphold or reject the appeal. If not satisfied with the decision, a person may elect to have the matter taken before a Magistrate. A person may also elect to have the matter dealt with in Court without the appeal process taking place, by notifying the DOT on receipt of the infringement notice.