

DSAPT BAV Response

General BAV Overview

Introduction

Bus Association Victoria (BAV) recognises the importance of the Disability Standards for Accessible Public Transport 2002 (DSAPT) in the creation of an inclusive and accessible public transport network across Australia. The BAV members have been actively working to implement DSAPT directly into their operations and through contractual terms with the Department of Transport to ensure consistency and alignment not only across the bus fleet in Victoria, but also across the public transport network to ensure continuity in access for all users.

The DSAPT modernisation program has been underway for a number of years. The BAV has been directly involved in the 2012 Review as well as this current modernisation process to reform the transport standards to align with updated standards, support the adoption of technology as a tool to facilitate more effective and accessible transport journeys for people with disability, and provide opportunities for the public transport sector, governments and service providers, to identify and implement outcome focussed solutions to continue to support accessible transport.

In reviewing this Consultation Regulation Impact Statement, BAV will provide feedback and the preferred mechanism to address the reform items to ensure achieving the accessibility outcomes sought by DSAPT, but to also support continuity of public transport service provision. In this response, the BAV is providing feedback reform items that are bus specific as well as reforms that will have an impact on bus operations, either directly or indirectly.

BAV will not be providing input or feedback on bus accessibility issues that relate to external assets and infrastructure that are the remit of either the Department of Transport, local government, or other statutory bodies. A number of the reforms will be the remit of the Department of Transport in Victoria to implement solutions. This includes IT systems, ticketing solutions, customer information, journey planning. However decisions associated with these reforms may have a direct impact on bus operators in terms of operations, staffing, service delivery, and contract performance obligations.

BAV provided a response to Stage 1 of this modernisation process through the Bus Industry Confederation (BIC). For Stage 2 of the process, whilst the BAV was engaged as a key stakeholder as a member of BIC, for this Consultation RIS, BAV is providing a stand-alone submission to properly reflect the operational and contractual considerations of its members in delivering services across a broad variety of public transport offerings within Victoria. Please note that BAV and BIC provided detailed input to a number of the reforms during the initial consultation phase for Stage 2 and that those responses are still applicable in addition to this document.

BAV Response Overview

BAV and its members have been providing services in Victoria for more than 70 years and understand the importance to the community of having an integrated approach to delivering an inclusive public transport network. As has been the position of the bus industry nationally, and within Victoria, the provision of bus services needs to be developed and delivered in partnership between the network owners and decision makers on significant service provision requirements and infrastructure (i.e. state and local governments) and the contracted service providers. The responsibility and cost in modernising DSAPT in terms of time and resources is shared by all parties.

The bus industry recognises the need to modernise standards to ensure ongoing accessibility and safety for all passengers. This response focuses feedback on selecting the appropriate reform

outcome to match the issue so as to support accessibility and service continuity across the public transport network.

Dedicated School Bus

Reform item 4 - Dedicated School bus. The proposed regulatory options for this reform proposition are not supported by BAV. School bus services are set up and managed in partnership between schools, the State Government, and bus operators. These are tailored for each individual school, metropolitan, regional and rural, to suit the needs of students travelling to and from school, taking into account various geographical, personal, and scholastic matters. These services are developed and delivered by operators to the specifications set out by the responsible government departments in the most efficient manner to maximise the investment for schools and government.

BAV and BIC in its engagement with Department of Infrastructure, Transport, Regional Development and Communications (the Department), and in its subsequent submission to the initial consultation phase for Stage 2 of the DSAPT reform process, articulated the need to maintain the status quo for the current system based on:

- Services are developed in partnership with schools and state government to ensure the delivery of the right services to students and the community
- High floor school buses are the preferred mode of transport in regional and rural settings due to substandard road conditions which impact safety, ride quality, and vehicle maintenance costs.

BAV would like to reiterate its support for maintaining the status quo with regard to the provision of dedicated school buses, and the associated exemptions to specific standards within DSAPT. Implementing the regulatory approach would result in significant increases in the cost of providing services to regional and rural communities which may result in rationalisation and an associated reduction of services. This will exclude students through reduced service capacity, or result in longer, more circuitous services.

Response Details

This BAV response is to the proposed DSAPT reforms that directly impact on the provision of public transport bus services and are either directly managed by bus operators, or are managed by bus operators in partnership with the State Government in Victoria. The response covers the provision of public transport services in Victoria across route buses, school buses, and intra state coach services. BAV's response, including the preferred option for each of the addressed reform items and any additional commentary is provided in the table below:

Reform Item No.	Reform Item Description	Preferred Reform Option	Commentary
1	Reporting	Status quo	<p>Bus operators have significant existing reporting requirements through state based contract arrangements, including reporting on compliance with DSAPT. Introducing new reporting requirements will increase administrative burden on operators and result in duplication.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to DSAPT reporting requirements, then the BAV and its members would prefer, as an alternative to the status quo, the non-regulatory option: The Department issuing guidance on self-reporting against compliance plans.</p> <p>Any reporting obligation guidance issued by the Department needs to be clear, nationally consistent, and relevant to the locus of control of the operator. There needs to be clear alignment with existing contractually obligated state based reporting requirements and consideration needs to be given to the administrative burden associated with any new reporting obligation.</p> <p>The Department also needs to consider who the responsible authority for any new reporting requirements is. For example, within a Victorian context, whilst the bus operator is responsible for the vehicle and the majority of its' operations, the Victorian Government and local councils have responsibility for the provision of on-route bus infrastructure, whilst the Victorian Government is responsible for ticketing outcomes and in-vehicle media and other communication systems through its contractual arrangements.</p>
2	Equivalent Access	Non regulatory option: web based repository of equivalent access successfully applied by operators and providers.	<p>BAV and its members support the adoption of the establishment of a web based repository of equivalent access information that demonstrates how the concept can be developed and implemented. Any material made available needs to clearly articulate the responsibility of all parties for the development and implementation of equivalent access. Within the Victorian context, and using school bus access as an example, in addition to the student and their family, there are at least 5 parties that</p>

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			<p>are directly and indirectly involved in delivering outcomes to improve travel options for students with a disability, that is, the Department of Transport, Department of Education, the School, Bus Operators, and Local Government.</p> <p>The development of equivalent access solutions for existing services also needs to consider service delivery obligations under existing contracts, the impact service alterations may have on existing customers, and impacts on network connectivity with other modes of public transport.</p>
4	Dedicated School Bus	Status Quo	<p>Bus operators in Victoria have been operating under an existing school bus regime where there is extensive engagement and consultation with schools, families, the Department of Education and the Department of Transport to determine the best solution to support access for all students to school.</p> <p>School bus services are planned annually with student manifests reviewed at least on a per-term basis to account changes. The Department of Education and the Department of Transport are responsible for developing and implementing contracts which extend for up to 10 years. These contracts require a vehicle to meet certain specifications at the time of procurement and have an operating life of up to 25 years.</p> <p>As noted above, services are developed in partnership with schools and the State Government to ensure the delivery of the right services to students and the community. In regional and rural areas, high floor school buses are the preferred mode of transport due to substandard road conditions which impact safety, ride quality, and vehicle maintenance costs.</p>
8	Passenger location during journey	Status quo	<p>The current system provides bus operators the flexibility required to meet the travel needs of disabled passengers. Information is provided in multiple formats, including via direct assistance, to support passengers successfully alight on bus services. The</p>

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			<p>proximity of passengers adjacent to drivers enables direct communication as required to support passengers boarding and disembarking from the bus.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to passenger location information requirements then BAV and its members would prefer, as an alternative to the status quo, the non-regulatory option: Guidance would be provided by the Department on the provision of location information during a transport journey.</p> <p>That said, it is critical that when the Department is developing guidance that it recognise that the Department of Transport currently manage these requirements with bus operators through their contracts. In identifying guidance material for this, it is the responsibility of the Department to engage with the Department of Transport to determine what can be developed and implemented.</p>
21	Information and communication (ICT) procurement	Status quo	<p>The current system provides bus operators the flexibility required to meet the travel needs of disabled passengers. In vehicle ICT systems, where implemented, are developed in coordination with the Department of Transport, who set the standards and the scope of systems used to communicate with passengers.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to ICT procurement requirements, then BAV and its members would prefer, as an alternative to the status quo, the non-regulatory Option 1 – Guidance would be provided by the Department on performance based requirements to ensure ICT procurement is accessible and meets the needs of people with disability.</p> <p>That said, it is critical that when the Department is developing guidance that it recognise that the Department of Transport currently manage these requirements with bus operators through their contracts. In identifying performance based standards to determine what can be developed and implemented for this reform, the Department should recognise that the Department of Transport is responsible</p>

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			<p>for ICT procurement within the Victorian public transport context either through their direct procurement practices, for example ticketing systems, or through their specification of systems for in vehicle use (i.e. customer display screens).</p>
23	Accessible fare system elements	Status quo	<p>As with ICT procurement, the current system provides bus operators the flexibility required to meet the travel needs of disabled passengers. In Victoria the Department of Transport oversees the myki ticketing system, which is operational in Melbourne and a number of large regional towns. For non myki enabled route bus services and for V/Line coaches, which operate mostly in regional and rural Victoria, operators are required to provide their own ticketing solution. Based on contractual obligations, these are typically paper based ticket systems.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to accessible fare system elements reform, then BAV and its members would prefer, as an alternative to the status quo, the non-regulatory option to provide guidance to encourage the uptake of accessible fare system elements in line with best practice.</p> <p>That said, it is critical that when the Department is developing guidance that it recognise that the Department of Transport currently manage these requirements with bus operators through their contracts. The Department of Transport in Victoria is responsible for the specification and procurement of fare system elements across all modes of public transport. For myki enabled bus services, bus operators have fare system elements installed by a third party (contracted to the Department of Transport) that have been procured by the Department of Transport. The location and final placement of these elements are directed by the Department of Transport in consultation with its contractor and bus operators.</p> <p>The Department of Transport is currently commencing the procurement phase for a new whole of network “next generation” ticketing system. It is advised that the Department engage with the Department of Transport at this early development</p>

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			<p>stage to ensure consideration is given on how the selected fare element solution will integrate within a bus environment and the impacts this will have on passenger accessibility.</p>
29	Location of fare system elements	Status quo	<p>The current system provides bus operators the flexibility required to meet the travel needs of disabled passengers. In Victoria the Department of Transport oversees the myki ticketing system, which is operational in Melbourne and a number of large regional towns. Under this arrangement the location of fare system elements on the bus are dictated by the Department of Transport and managed through contractual arrangements. For non myki enabled route bus services and for V/Line coaches, which operate mostly in regional and rural Victoria, operators are required to provide their own ticketing solution. Based on contractual obligations, these are typically paper based ticket systems.</p> <p>Where they exist, off bus fare system elements are the responsibility of the Department of Transport.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to the location of fare system Elements reform, then BAV and its members would prefer, as an alternative to the status quo, the non-regulatory option for the Department to update the Transport Standards Guidelines and / or The Whole Journey Guide to encourage the uptake of best practice for locations of fare system elements.</p> <p>That said, it is critical that when the Department is developing guidance it recognise that the Department of Transport currently manage these requirements with bus operators through their contracts. The Department of Transport in Victoria is responsible for the specification and procurement of fare system elements across all modes of public transport. For myki enabled bus services, bus operators have fare system elements installed by a third party (contracted to the Department of Transport) that have been procured by the Department of Transport. The location</p>

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			<p>and final placement of these elements are directed by the Department of Transport in consultation with its contractor and bus operators.</p> <p>The Department of Transport is currently commencing the procurement phase for a new whole of network “next generation” ticketing system. It is advised that the Department engage with the Department of Transport at this early development stage to ensure consideration is given on how the selected fare element solution will integrate within a bus environment and the impacts this will have on passenger accessibility.</p>
53	Mobility aid movement in allocated spaces: passive restraints	Status quo	<p>The current system provides bus operators the flexibility required to meet the travel needs of disabled passengers. In Victoria, public transport buses operate under contract to the Department of Transport. Part of this contract requires operators to provide buses to a specification developed by the Department of Transport at the time of the issuing of the contract for a period of up to 25 years.</p> <p>The majority of bus designs have not explicitly incorporated the need to include structural capacity to retrofit passive restraint systems at the time of contract. Feedback from manufacturers is that vehicle design configurations would need to be assessed to ensure capacity to retrofit any passive restraint system. There are significant costs associated with retrofitting passive restraints to the bus fleet in Victoria and the installation of these systems are not part of the contract vehicle specification. Therefore the adoption and installation of any design(s) of passive restraint systems will need to be negotiated within existing contractual obligations with the Department of Transport.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to the mobility aid movement in allocated spaces: passive restraints reform, then BAV and its members would prefer, as an alternative to the status quo, the non-regulatory option to update the Transport Standards Guidelines and / or The Whole Journey Guide to include more refined advice for containment of</p>

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			<p>mobility aids in allocated spaces and provide a definition for passive restraint systems. Guidance may also recognise the different lateral forces that are experienced in different conveyances and provide specific advice for buses.</p> <p>In identifying passive restraint solutions that could apply across the entire public transport bus fleet, there needs to be significant investigation of options to identify those that best suit particular bus designs, which may differ not only across the bus network, but within an operator’s fleet.</p> <p>The Department also needs to consider the mobility device parameters and how these interact within a bus environment. Mobility device design differs significantly, in terms of dimensions, weight, location of tie down points, seated position of user, and centre of gravity. Standards and guidance detailing how these devices would interact with the public transport network would be needed to support customer purchasing of suitable devices that would access the public transport network.</p> <p>Given the limited internal space of buses, the design and installation of passive restraint systems within allocated areas should not impact on other sections of a bus and access for other passengers.</p>
54	Mobility aid movement in allocated spaces: active restraints	Status quo	<p>The current system provides bus operators the flexibility required to meet the travel needs of disabled passengers. In Victoria, public transport buses operate under contract to the Department of Transport. Part of this contract requires operators to provide buses to a specification developed by the Department of Transport at the time of the issuing of the contract for a period of up to 25 years.</p> <p>The majority of bus designs have not explicitly incorporated the need to include structural capacity to retrofit active restraint systems at the time of contract. Feedback from manufacturers is that vehicle design configurations would need to be assessed to ensure capacity to retrofit any active restraint system. There are</p>

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			<p>significant costs associated with retrofitting active restraints to the bus fleet in Victoria and the installation of these systems are not part of the contract vehicle specification. Therefore the adoption and installation of any design(s) of active restraint systems will need to be negotiated within existing contractual obligations with the Department of Transport.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to the mobility aid movement in allocated spaces: active restraints reform, then BAV and its members would prefer, as an alternative to the status quo, the non-regulatory option to update the Whole Journey Guide and / or the Transport Standards Guidelines would be updated to include advice on active restraints on public transport conveyances.</p> <p>In identifying active restraint solutions that could apply across the entire public transport bus fleet, there needs to be significant investigation of options to identify those that best suit particular bus designs, which may differ not only across the bus network, but within an operator's fleet.</p> <p>There is also a need for the Department to consider the impact of any requirements for drivers to apply active restraint systems (i.e. tie down or seatbelt). First, consideration needs to be given to the physical capacity of a driver to apply a restraint system. The average age of bus drivers in Victoria is over 50. Second, there are security related matters that need to be assessed if a driver is required to leave their seat and leave the vehicle unattended while applying a restraint system. Bus operators have internal as well as Department of Transport security obligations with regard to the role of the driver during service delivery.</p> <p>There also needs to be consideration of the mobility device parameters and how these interact within a bus environment. Mobility device design differs significantly, in terms of dimensions, weight, location of tie down points, seated position of user, and centre of gravity. Standards and guidance detailing how these devices would</p>

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			<p>interact with the public transport network would be needed to support customer purchasing of suitable devices that would access the public transport network.</p> <p>Given the limited internal space of buses, the design and installation of active restraint systems within allocated areas should not be a potential safety hazard or impact on access for other passengers.</p>
59	Stairs on buses	Status quo	<p>The current system provides bus operators the flexibility required to meet the travel needs of disabled passengers. Bus and coach interiors are space constrained and the geometry required of stairs in other contexts is not always feasibly achieved in a bus or coach. The interior layout of a bus is designed to maximise accessibility for all passengers and meet passenger seating and capacity requirements whilst complying with appropriate design standards, including DSAPT.</p> <p>Where the Department determines that a change is necessary and seeks to mandate a change to the stairs on buses reform, then BAV and its members would prefer, as an alternative to the status quo, the non-regulatory option to update the Whole Journey Guide and / or the Transport Standards Guidelines would be updated to include advice on the accessibility of stairs on buses.</p>
61	Implementation approach	Option 3 – Regulatory amendments will apply to all new assets	<p>BAV and its members prefer Option 3: No compliance schedule: Trigger mechanism for compliance with the Transport Standards Regulatory amendments would apply to all new assets.</p>