

To Infrastructure, Planning and Natural Resources Committee

From Mr Rino and Lisa parrella

[REDACTED]

I respectfully request the necessary legislative changes for Robbie Katter private members bill , which would introduce demerit points to operators and anyone else who seeks to operate a taxi illegally – in Queensland.

The taxi industry is heavily regulated by the Government for the purpose of the public safety and compliance .,as you may be aware illegal unmarked clone taxis have always been with us in small numbers through time , they eventually get caught and give up . but recently these so called ridesharing operators are operating in large numbers,(2000) in Brisbane and gold coast .these companys proclaim they aren't providing a taxi style service ,but rather sharing a ride between friends , which clearly isn't the case . its clear they are a point to point service ,ferrying members of the public around for money. below is a copy of what describes and what constitutes a taxi.

1. Define what a 'taxi' is and hence what constitutes a taxi service?

Schedule 3 of the *Transport Operations (Passenger Transport) Act 1994* ("TOPTA) provides the following definitions (underlining for emphasis):

'taxi service'

means a public passenger service, other than an excluded public passenger service, provided by a motor vehicle under which the vehicle-

(a) is able, when not hired, to be hailed for hire by members of the public; or

(b) provides a demand responsive service under which members of the public are able to hire the vehicle through electronic communication;

(c) plies or stands for hire on a road.

'demand responsive service'

(a) *held out as being able to respond to requests for service immediately or within a period of time appropriate to a taxi or within a similar period; or*

(b) *held out as being a service providing taxis or a service similar to a service providing taxis; or*

(c) *conducted in a way that may be reasonably be expected to give prospective customers or the public the impression that the service is, or operates in a way similar to, a service providing taxis.*

'public passenger service'

means a service for the carriage of passengers if:

(a) *the service is provided for fare or other consideration; or*

(b) *the service is provided in the course of a trade or business (but not if it is provided by an employer solely for employees); or*

(c) *the service is a courtesy or community transport service;*

and includes a driver service and a service for the administration of taxi services but does not include a service excluded from this Act by a regulation.

Section 70 of TOPTA states:

Requirement for taxi service licence or peak demand taxi permit

(1) *A person must not provide a taxi service using a vehicle unless-*

(a) *the person has a taxi service licence to provide the service with the vehicle; or*

(b) *the person has a peak demand taxi permit to provide the service with the vehicle.*

Maximum Penalty – 160 penalty units

(2) *Subsection (1) does not apply to a person providing a taxi service prescribed under the regulation as a taxi service to which this section does not apply.*

Section 69 of TOPTA states:

What are taxi service licences

A taxi service licence is a licence issued by the chief executive under which the holder is required to provide a taxi service in an area in a way that meets or exceeds specified performance levels.

Section 80D of TOPTA states:

What are peak demand permits

A peak demand permit is a permit issued by the chief executive to allow a vehicle, other than a licensed taxi (a **peak demand taxi**) to be used to provide a taxi service in a relevant area during a peak patronage period.

A taxi service is a public passenger service for which a licence is required in order for the service to be lawfully operated.

1. As you can see the law is clear but weak ,the only deterrent is *Maximum Penalty – 160 penalty units* which are fines for the infringements ,which would be enough for any individual to not re-offend . But what is happening is that the fines are been paid by a multinational cashed up third party , only to encourage them to re-offend and to continue driving and having complete disregard for any laws. I believe the introduction of demerit points which targets the individual is a good start, but I feel the bill hasn't gone far enough, vehicle impoundment for a month would strengthen the transport passenger act even further. Examples of other industries such as illegal fishing were boats, trailers, and vehicle are confiscated.

In completing this submission we hope this is successful, and send a strong messenger and put a halt to these activities.

Thank you for listening

From rino and Lisa parrella