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To: Chairman and Members [IPNRC@parliament.qld.gov.au](mailto:IPNRC@parliament.qld.gov.au)

Subject: Inquiry into Transport Legislation (Taxi Services) Amendment 2015

I wish to lodge this personal submission with due respect because of what I have always understood to be the rule of law when governments enact legislation to ensure lawful and safe conduct in the society generally.

The enquiry into any proposed amendment to the three existing bills:

1. State Penalties Enforcement Act 1999
2. Transport Operations (Passenger Transport) Act 1994
3. Transport Operations (Road Use Management) Act 1995

must surely consider an omission in the present wording of that part of Section 70 of the 1994 act which limits an offence to the imposition of penalty units only but not demerit traffic licence points. It will be noted that rouge drivers usually do not even hold the required Driver Authority Document which allows them to convey people for financial reward. A ride share service is merely a semantic for Taxi Service. The activities are identical.

The situation is even worse in instances where a person has attended an authorised training course and obtained a D.A. to drive a Taxi but is driving their private vehicle as a Uber Service. The Act determines that a 'taxi service licence' attaches to a 'designated taxi vehicle' but not a private vehicle or driver.

I am greatly disturbed to realise that a foreign entity such as Uber has taken it upon itself to deliberately and blatantly ignore regulations that do not suit its purposes. Maximum embarrassment is intended to our state government as well as in other states in Australia by ignoring cease and desist orders.

Various journalists have described Uber as elitist, a golden child, slightly libertine, modern, skirting legality, a precious unicorn, sexy and extremely popular with a certain demographic. Their 'riders' as they refer to their clients are said to be intuitive, young and reckless. State governments have been depicted as 'slack-jawed, banjo playing yokels' by the LDP Senator for New South Wales following Uber's apparent acceptance in the Australian Capital Territory if legislated by 30 October. The Senator is said to have claimed that the ACT has shown global leadership. It is hard to believe that a territory with such a tiny footprint can be compared to states like Queensland and the other states.

The Uber business model is, in fact, very badly flawed because of its uninvited entry and erratic reasoning in convincing a gullible public that safe and efficient services can be provided by skirting around rules of decent conduct and the avoidance of certain inescapable costs. It requires a particular arrogance and mind-set to seriously challenge a Tax Office ruling and decide to take action in a court of law against the Tax Office over the compulsory goods and services tax. The same mission impossible

applies when trying to convince insurance companies to settle likely claims in which the insured party does not have the appropriate conditions of use set out in a particular insurance policy document.

Uber is using its highly sophisticated and well financed publicity and legal resources to sell the story of 'new-age' technology while refusing to reveal how they intend to provide the full range of services required to transport everyone. Picking the eyes out of the available market will not do. In the current regulated system aged or frail persons along with service veterans and all disabled people must be accommodated. Currently, expensive special vehicles are required and one in five taxis are of such type. Uber has shown no interest in this requirement. Uber has given no thought to regional areas of Queensland, which is geographically vast and difficult to service.

The lovers of Uber make much of taxi credit card charges and other levies and a very erroneous view has been cleverly created in the minds of the public as to who profits in this. There is a constant reference to 'elephants in the room' in the print and social media and on TV.

In the minds of critics and certain writers taxi companies, taxi councils and even government have been depicted as having great wealth and inappropriate influence. Uber, on the other hand is said to be merely trying to get us into the 21<sup>st</sup> century even changing the English language with buzz words like 'shared economy' but neglecting to mention the \$69 billion US dollars advanced to Uber by Google to 'go forth' and conquer the world by way of the 'disruptive economy' and 'on demand economy'.

If not illegal it is at the very least immoral for driver fines to be paid by Uber thus allowing unauthorised drivers to suffer no loss or penalty. Although the breaches referred to in this submission are offences under the 'TOPTA' regulations, they are not offences under the criminal code – a technical point of difference.

In my unqualified opinion vying for business in an unauthorised vehicle by an unauthorised driver is a matter of some significant risk to public and should be deemed as a very serious offence with demerit points imposed on a driver's traffic history as proposed.

I must conclude this submission by stating that there is a highly organised network operating in order to maintain the existing Taxi passenger system in this state. It employs a significant number of award wage earners in administration, accounting, clerical, call centre, depot management, auto electrical, panel shops and technical communications.

An outside operator using a 'work when you like' style of 'hands off' service will not create any new jobs locally but will highlight the inefficiency of an 'on demand' type private car service.

Hopefully, the committee may be in a position to consider matters very soon after the 22 October, 2015 deadline and have something to report to the upcoming taxi review before the end of the year and before the scheduled report to the Parliament on 16 March, 2016. The current civil disobedience in this matter has gone on for far too long and is harming too many people.