

Infrastructure, Planning and Natural Resources Committee

From: Burleigh Electorate Office
Sent: Wednesday, 21 October 2015 8:58 AM
To: Infrastructure, Planning and Natural Resources Committee
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Begin forwarded message:

From: Les Gist
Date: 21 October 2015 at 8:18:57 AM AEST
To: "Burleigh@parliament.qld.gov.au" <Burleigh@parliament.qld.gov.au>
Subject: Copy

To: Infrastructure, Planning and Natural Resources Committee
Subject: Transport Legislation (Taxi Services) Amendment Bill
Date: 21st October 2015

I write in support of the Katter Australia Party (KAPs) Transport Legislation (Taxi Services) Amendment Bill and thousands of legal taxi license owners and drivers in Queensland. I like thousands of others have operated taxis within Queensland's legal and regulatory framework for forty one years. We provide employment for 4 administrative staff, 1 bookkeeper, 3 mechanics, 2 panel beaters and 180 drivers in my taxi business. My business supports the local community and pays taxes (including GST) that stay in Australia. Have faithfully fulfilled our obligations to the Queensland government under their regulatory requirements and have served the travelling public with conventional and wheelchair accessible vehicles. Our compliance is in stark contrast to the illegal start up Uber. Queensland Transport compliance now puts legal taxis at a significant disadvantage in the marketplace.

I find it reprehensible that Uber - a slick, foreign corporation willfully and contemptuously ignores the laws of this state. There is a clear principle at stake in regards to this issue. No company, corporation or individual should be permitted to break the law, encourage others to break the law and then audaciously demand that the government change the law to suit their business model. This transgression would not be tolerated in any other industry and should not be tolerated in the taxi industry.

- Uber is offering a taxi service via a smartphone app. This is not 'ride sharing' but a commercial transport activity.
- Uber has no regulated fee structure and is able to undercut taxi fares when it suits them
- This same lack of fare regulation allows Uber to engage in exploitative 'surge charging'
- Uber drivers boast of ways to incite 'surge charging' – illegal price collusion in other words
- Uber cars do not hold commercial vehicle insurance placing their drivers, passengers and other road users at great risk
- Uber drivers can record a blood alcohol limit of up to .05 while transporting members of the public

- No Uber car is fitted with surveillance cameras despite legislated requirements for installation of these on all passenger-carrying cars
- Uber cars are not subject to stringent safety or mechanical standards or objective checks on the roadworthiness of their vehicles
- Uber uses drivers that Queensland Transport refuse to approve driver DA
- Uber does not provide wheelchair accessible transportation or cater for passengers without access to a smartphone or without credit on a smartphone
- What Uber does offer is a smartphone app, complimentary rides, free bottled water, Mentos mints and kittens to cuddle. All clever public relation 'feel good' things. All things that will pale into insignificance when a passenger is permanently disabled or killed in a car accident and neither passenger nor driver are appropriately insured.

Beyond the above issues, there are pertinent economic factors that must be considered.

- Uber has no stake in Queensland. It is an American monolith aggressively bullying its way into the marketplace. This is in stark contrast to thousands of taxi owners and drivers who abide by the law while contributing to the economy of this state and the communities they live in.
- Uber has an elaborate tax structure that ensures it avoids any tax obligations in Australia. While millions of dollars are flowing out of this country, governments will look to everyday Australians like me and increase my tax burden.
- Uber openly encourages its drivers to ignore GST obligations allowing millions of dollars in GST revenue to be avoided.
- The destruction of the taxi industry will have a huge impact on Queensland's economy. It is not alarmist to predict huge job losses for taxi drivers, administrative officers, mechanics, panel beaters and so on. It is likely that these self-sufficient individuals will rely on welfare in the short to medium term. The flow on effect from this such as loan defaults will have a detrimental impact on regional towns and cities that are already suffering a sharp economic downturn.
- Falling license values mean that there will no longer be self-funded retirees but a whole generation of taxi owners reliant on the aged pension I am one of these people.

I guarantee that many taxi owners are not the greedy, protectionist dinosaurs that Uber and the media portray. In 1974 I bought my first taxi license paying 23% interest and working 16 to 18 hours 7 days a week at great risk and worked tirelessly to keep abreast of loans and fulfill the obligation to the government and taxi booking office. I now see my hard earned investment being squandered by government apathy. I have not broken the law. Perversely however, I and other taxi owners are the ones being punished. Unlike Uber, I cannot threaten and intimidate journalists, pay largesse to political parties, engage in lengthy and expensive legal battles, I like thousands of other taxi owners and drivers simply want the current legislation enforced. We rightly want competition that operates legally. Want competition that is regulated like their business is required to be. Want competition that is equitable. Want competition that aligns with the numerous improvements made to passenger transport over many decades. Want competition that supports the elderly and the disabled.

Last week I watched with growing alarm, the proceedings of the public hearing into the Transport Legislation (Taxi Services) Amendment Bill. Government officers openly stated that they were at a loss as to how to deal with Uber and had been thwarted in their attempts to prosecute brazen illegal activity. This is unacceptable. To my mind, officers of the Department of Transport and Main Roads (DTMR) have the same public obligations to treat Uber drivers the same as taxis we are compelled to have a OA number on the rear of our vehicle Queensland Transport and inspect vehicle to see if they comply however Uber does not have a OA number so the compliance officers do nothing. It is hypocritical to enforce some laws in our state and turn a blind eye to others. And it is poor public policy to admit defeat when things become hard.

Are we really so weak and clueless to think that a corporation with dubious behavior would act on a 'cease and desist notice'? Are we really surprised they would misuse their technological prowess and block SIM cards or phones and continue to break the law? Why is the DTMR obviously granting driver authority licenses and allowing this to continue? Why is the DTMR not assertively pursuing these lawbreakers who openly boast of their exploits on social media, television and on the front page of newspapers? Why is the DTMR not cancelling their registrations or impounding their cars? It is clear that the Queensland government is dealing with a sophisticated and obnoxious organisation and it is time for them to deal with this issue decisively. It is naïve to think that Uber will miraculously become a model corporate citizen if the taxi industry is deregulated and laws changed to allow them to operate. A quick Google search will clearly show that this odious firm will continue to ignore the law until it suits them and their profit-driven agenda. And when the law is enforced like with the current ATO ruling, they will simply dig into their substantial financial reserves and engage in a protracted legal battle and belligerent media campaign. This should not be the way we do business in this state. It is difficult to see how a corporation with these values will benefit passenger transport when their whole focus is winning at any cost.

Make no mistake the taxi industry is the first victim of a greedy American conglomerate. But they will not be the last. Benjamin Walsh from the Queensland Taxi Council rightly observed that a lack of action had legitimized the illegal activities of Uber. There is now a groundswell within the public who believe that taxi owners and drivers are the sole beneficiaries of government regulation and fail to grasp the real danger and issues that illegal and unregulated taxi services pose to the travelling public. And it is this public support that Uber traditionally relies upon to slyly rally politicians to accept their business model. By ignoring the illegality of Uber a precarious precedent has been set in Queensland. What incentive is there to follow licensing for the building, hospitality, liquor, pharmaceutical and other regulated industries? How many other foreign multinationals will we allow to walk in, ignore our laws and syphon their considerable profits offshore while contributing nothing to our communities and the infrastructure they happily profit from?

As a taxi owner and an informed voter, I expect my elected representatives to fulfill their obligations and uphold the laws of this state. I likewise expect the public servants tasked with implementing laws to be creative and persistent and competent in fulfilling their duties.

I urge the elected representatives of Queensland to support law abiding business owners and members of the travelling public of this state and vote in favor of the Transport Legislation (Taxi Services) Amendment Bill.

Thanking You

Les Gist

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