

[REDACTED]
[REDACTED]
21st October 2015

Research Director
Infrastructure, Planning and Natural Resources Committee
Parliament House
George Street
BRISBANE QLD 4000

Dear Sir/Madam

Transport Legislation (Taxi Services) Amendment Bill 2015

Reason for this Submission: This submission supports the above Bill which has been tabled as an amendment to existing legislation. The purpose of the Bill is to provide for the recording of demerit points against individuals' driving licences for operating taxi services without a taxi service licence (TSL) or peak demand taxi permit.

Background to the Bill: This Bill exists as a result of illegal taxi services operating in Queensland in complete disregard of Queensland law, namely the Transport Operations (Passenger Transport) Act 1994 (TOPTA), and TMR's inability or unwillingness to enforce the existing legislation. The main offender is an illegal taxi service, a so-called 'rideshare' app operating under the trading name of uber which last year was issued with a 'cease and desist' order by TMR. The illegal operation blatantly ignored this order and continues to encourage its drivers to break the law by providing a taxi customer booking service. The term 'rideshare' is a misnomer, purposely intended to mislead; the app is in fact a business model designed to operate outside the law and to make a profit at the expense of law-abiding businesses operating passenger carrying services within the law. Taxi businesses operating within the law do so under TOPTA, an Act which is designed to benefit the consumer. There is nothing within TOPTA that is designed to benefit the operator over the consumer. Illegal taxis fail in every respect by not offering any of the consumer safeguards mandated in the Act.

My Background as a Taxi Proprietor: I have held a taxi Driver Authority (DA) since 1978 and have been a TSL owner/operator since 1984. My taxi vehicles have always been affiliated with the Yellow Cabs booking company and have thus always operated within the law of the day. I operated and personally drove my taxi vehicles for well over 20 years. I took the lead and provided substantial input to generating and maintaining the operational goodwill generated by the professional service which my drivers and I provided. Over those decades I have been proud to have directly provided the platform for the fulltime occupation of the primary breadwinner in six Queensland families continuously. I am an active member of the Yellow Owners' Association. I am a believer in value-adding to the industry by putting back more than I get out of it and leaving it a better place than when I first arrived. Over the years I have continued my backing of the Yellow Cabs management in the support it provides to its affiliated members like myself in such things as taxi rank supervision at peak times, fleet inspections, compliance with driver uniform and driver behavioural standards, and numerous other matters.

Legal Taxis are Accredited and Licensed: Legal taxis are required to comply with TOPTA which exists for the safety and protection of passengers. Over the years, the taxi industry has worked in concert with the Transport Department to mandate a reliable and safe passenger service. For passenger safety, legal taxis today are fitted with hard-wired security cameras and GPS which cannot be switched off by the driver; we cannot step back from this requirement. For passenger safety, taxi booking companies have the ability to track any of their cars in real time or in the past; nor can we step back from this. For passenger safety, legal taxis are clearly marked for immediate identification including clearly visible large fleet numbers; illegal taxis operate in the shadows without corporate markings and without any of the safeguards offered by legal taxis. For passenger protection, legal taxis are required to have specific CTP as mandated by MAIC. Taxi vehicle insurance is also very different to insuring a private car and the illegal taxis clearly have inadequate private car insurance. Legal taxi booking companies comply with TMR requirements in the carriage and support of passengers with disabilities at any time of the day or night which is a far cry from the 'cherry-picking' underhanded activities of illegal taxis. For passenger safety, legal taxis are restricted to six years from date of manufacture (Maxis are eight years), however it is rare that a taxi will be continued in service for that length of time, the

average age currently being 2.3 years; the illegal taxis can be anything up to 10 years old. In accordance with tax law, legal taxis are GST-compliant from the first dollar a driver earns.

For the benefit of passengers, taxi booking companies are always seeking better ways to provide a better service and embracing new technology. In fact, the Queensland taxi industry is held in high esteem across the globe for the world's-best-practice way in which it goes about its business; we do not shout that from the rooftops, but it's time we did. For passenger protection, the maximum fares of legal taxis are mandated by regulation, therefore overcharging by so-called surge pricing simply cannot happen as it does with the illegal taxis. If the illegals are allowed to prosper, fare levels will increase beyond the mandated maximums (they already do with their illegal surge-pricing). The community therefore cannot afford to have illegal taxis operating in the passenger transport space. This Bill will provide significant disincentive to drivers of illegal taxis to cease their illegal activities and is widely regarded as the best way to enforce to existing law.

Summary: Illegal taxis provide none of the service or back-up mentioned above. It is requested that the IPNRC consider the point that illegal taxis, by whatever name, are private vehicles operating outside the law masquerading as taxis and by their deceptive, illegal and unfair mode of operation they are placing the travelling public in danger; they are putting more cars onto our already congested roads; they are competing for scarce kerbside space; and at the same time they are stealing from law-abiding taxi drivers and depriving them of a reasonable living. The viable number of taxi licences permitted by TMR from time to time is arrived at by TMR using a proven formula; to expect a region's population to support so many additional private cars 'moonlighting' as taxis makes a mockery of Queensland law. I expect my Government to support its own laws by enforcing them and it is high time that TMR became serious about enforcing TOPTA.

Conclusion: Until the review into point-to-point passenger transport services in Queensland is complete and its findings implemented, the illegal taxis must be stopped and the identified best way to stop these illegal activities is to pass the Bill which is the subject of this discussion.

Yours sincerely,

D. James (signed)
Taxi Proprietor

