

From: [John Higginson](#)
To: [Infrastructure, Planning and Natural Resources Committee](#)
Subject: Transport Legislation (Taxi Services) Amendment Bill 2015
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Submission Taxi Industry

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I would first like to state that I am a Queenslander born in Toowoomba. I am married with four children, all adults. I have worked all my life in Queensland and have operated independent businesses. I am not a lawyer but will put my submission in lay terms and without obtaining a law degree, this is how I see the situation. My expertise in business was general insurance and investigation.

I have also been employed as a taxi driver since 2003 ([REDACTED])

UBER

Uber hold themselves out to be a ride sharing organisation which is totally incorrect. They are actively competing against the Taxi industry, the limousine industry, and all other forms of public transport. Their operation affects all aspects of the transport industry and they openly flaunt all transport regulations. Any person who believes otherwise is not prepared to accept the facts regarding Uber's method of operation either through ignorance or self-interest.

They claim to be cheaper than Taxis and of course they are. However they are not subject to the stringent regulations to which the competition is required to adhere.

eg. Third party insurance

Vehicle regulations

Driver training and accreditation

Vehicle fit out

They are a business owned by a large foreign company with limited consideration of the local public, a profit driven organisation intent on taking any profit out of the country.

This foreign company has elected to enter Australia and set up a business in opposition to existing business and has not interested themselves in complying with any current rules or regulations.

This leaves the state, the country, open to assaults from other companies, who decide Australia is right for them.

IS UBER LEGAL?

Of course it isn't!

1. If I, or any other Queenslander for that matter, decided to set up a ride sharing/ taxi company, I would be subjected to the stringent regulations currently in existence for hire vehicles as would my drivers. No matter what I did, such a proposal would be rejected as current legislation stands and if I did I would be shut down immediately and fined heavily if I persisted.
2. If I set up a still next to a large taxi company and distributed alcohol, I would be closed down and fined heavily. If I persisted I would be jailed.
3. If my wife opened a brothel next door, it would be closed down and if she persisted she would be fined heavily and possibly jailed.

This also applies to SP bookmakers, drink drivers and drug dealers, casinos etc.

What do Uber and these scenarios have in common? They are all illegal!

What do these three scenarios and Uber not have in common?

They are all illegal, but, Uber are being allowed to exist and take away the income from legitimate owners and drivers who comply with all government regulations in an already competitive and highly regulated industry. Uber blatantly advise their drivers that they will pay any fines. This is encouraging citizens to break the law.

Any other person being part of an agreement to break the law would be prosecuted and dealt with through the courts.

They make arrangements to pick up from the airport, once again avoiding the airport tax. This could be regarded as a conspiracy to defraud.

In other words Uber and their drivers are showing no respect for the law and therefore no respect for the law

abiding citizens of our state. And you can add to this no GST and no income taxes, both of which are federal taxes.

They say they provide jobs. No. They take away work from legitimate operations which pay for licences, with drivers who pay GST, income tax and obey the law.

OBTAINING PROOF

Obtaining proof of Uber's system would be a simple operation. All that is needed is a mobile phone, the App, a recorder, a credit card and a competent investigator who could put together a brief. Their operation leaves them wide open to such an investigation. This could be obtained in conjunction with a solicitor/ barrister. It would not be difficult.

SUMMARY

This is a blight on both the State and Federal governments, the Transport authorities and the Police. It is okay to introduce legislation in respect of demerit points and this is a great idea, provided the traffic authorities enforce the legislation. Once again it is up to the government to issue instructions to enforce the legislation.

When I sold my business I gave consideration to buying a taxi licence/ plate. I did my due diligence and extensive research and I was happy that any investment was safe under the current legislation. I then decided to see if I could drive a taxi. I could, I did, and have been driving ever since.

I didn't buy a licence and if I had I would now be very concerned about my investment.

There has been no change in the legislation but the government and their regulators are allowing a rogue organisation to erode the income of the legitimate traders.

If I owned a taxi licence and if the government continued to allow the rogue organisation to continue, or alternatively changed the legislation, then I would have no alternative but to take legal action against the government, possibly in a class action.

While there is no doubt that the current licences have been bought or traded with values based on current legislation any dramatic change, such as Uber, would undoubtedly cause a drop in values. This would have to be established, but any single owner could experience a devaluation in excess of \$200,000.00 or more per licence.

Multiply that by the number of taxi licences in Queensland, we have a major cost for the government, should the action be successful. And who pays that, we/ me, the people of Queensland.

I am not aware of legislation in other states, but this could be Australia wide. This represents major losses in superannuation and investments by the stake holders in the taxi industry.

I would believe that any class action would be successful.

All because some foreign company which pays limited tax in Australia, which has no real interest or major investment in Australia, sets up an illegal operation in defiance of current legislation.

If we let Uber do what they want what happens next? All types of illegal operations!

What a joke!

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