

22 October 2015

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

Dear Sir/Madam

TRANSPORT LEGISLATION (TAXI SERVICES) AMENDMENT BILL 2015

Capricorn Coast Taxi Service Pty Ltd, trading as Yeppoon Yellow Cabs is a small regional taxi company providing taxi services to the Capricorn Coast taxi area. The company has 10 licences and is owned by these same licence holders. With the exception of 1 taxi operation all other taxi owners operate their taxis. Capricorn Coast Taxi Service Pty Ltd has a Taxi Service Contract with the Department of Transport enabling the provision of taxi dispatch services in this area. The company has a contract with Yellow Cabs to provide dispatch, communications, telephony equipment and dispatch and telephony services.

The company, our shareholders, operators and drivers are very concerned about the advent of Uber into Queensland and Uber's deliberate strategy to break Queensland laws to establish its product in the Queensland market. We are further concerned that the Queensland government is appearing to ignore Uber's breaches of Queensland law and in so doing are providing "under the table" support for Uber and its illegal product.

Taxis in Yeppoon operate on very low margins and have been able to achieve a successful business model by developing a 24/7 service and by adopting the latest and best technology. This includes the provision of a taxi booking app, at least they equal of what is being provided by Uber. Capricorn Coast Taxi Service Pty Ltd challenges any inquiry to find a jurisdiction, such as Queensland anywhere in the world, where even in companies with as few 10 cabs having such sophisticated technology deployed. Capricorn Coast Taxi Service Pty Ltd finds it astounding that anyone can buy Uber's lies about having superior technology when all they provide is a booking app and take no responsibility for the service they provide.

Quite frankly Uber's mantra about not being a taxi company but being a technology company is just plain rubbish and an attempt to absolve themselves from the laws that govern all business in Australia and Queensland. Laws such as the Disability Discrimination Act which requires that Capricorn Coast Taxi Service Pty Ltd need to provide the same level of service to wheelchair clients as we do to all other clients are simply ignored by Uber. To satisfy this legal and community responsibility Capricorn Coast Taxi Service Pty Ltd have 40% of our taxis wheelchair accessible. Each vehicle costs \$80,000.00 and meets all Australian Design Rules for public transport vehicles delivering wheelchair accessible services. To ensure service delivery the company spends an

-2-

inordinate amount of time coordinating vehicles. Taxi operators and drivers need to cross subsidise wheelchair accessible services with profitable conventional and maxi services to ensure service quality and delivery. The Planning and Natural Resources Committee needs to understand that wheelchair accessible service require drivers to undertake a substantial amount of unpaid work, often having to go into a customer's residence to help them to the taxi, often completing minor tasks for them while they remain in the taxi (i.e. shopping, mail collection or posting) and then helping them after they have exited the taxi to their final destination. Drivers are also not able to charge waiting time or for the time taken for unloading the wheelchair.

One wonders if Uber is legitimised in Queensland how they will meet their lawful responsibilities, providing vehicles that meet Australian Design Rules, ensuring that wheelchair accessible service are delivered to the same standard as regular taxi services and meeting customer expectations regarding the additional support that customers require.

Capricorn Coast Taxi Service Pty Ltd also has grave concerns for the industry's ability to continue to delivery such a high level of service to mobility impaired clients if Uber is provided an exemption from the requirements of the Disability Discrimination Act. With current wheelchair accessible services only being maintained through cross subsidisation of regular and maxi services, and if Uber essentially "cherry picks" the most profitable services our taxi operator will not be able to continue to deliver wheelchair accessible services. This eventuality is a grave concern to the disability groups in Yeppoon and will ultimately cost the government substantially money and political capital when taxis can no longer provide such services.

Uber often utilising ex-taxis which we believe are being purchased by Uber through third parties. In the company's experience vehicles used as taxis have a life of no more than 4 years. Uber permits 10 year old vehicles. How is it that Uber can claim that provides higher standards than do taxis when they are using ex-taxis and how do our politicians buy the Uber lies, is it just because Uber flood social media and politicians emails with reportedly "authentic" commentary from Queenslanders?

Capricorn Coast Taxi Service Pty Ltd, our taxi operators and taxi drivers supports the Transport Legislation (Taxi Services) Amendment Bill, 2015. The company is aware and dismayed that the enforcement against Uber's noncompliance with Queensland transport legislation has ceased and that Deputy Premier Trad is not intending to continue to enforce laws that are applicable to Queenslanders and Queensland business. Make no mistake, the Queensland taxi industry still has an ongoing enforcement programs leveraged against it by both departmental enforcement officers and the Queensland Police.

It is a well circulated rumour that Uber is offering ministerial advisers and staff free Uber travel. As a consequence of this the company has been inundated by concerns raised by our drivers and operators about this allegation.

Capricorn Coast Taxi Service Pty Ltd is also aware the Queensland Police Force has refused to become involved in the effort to enforce laws pertaining to Uber , only laws against the Queensland taxi industry. The company believes that Queensland Police has an obligation to enforce all Queensland laws.

-3-

Capricorn Coast Taxi Service Pty Ltd believes that Uber does not hold a taxi service contract and that its driver recruitment program constitutes Uber staff encouraging prospective drivers to break the law. Capricorn Coast Taxi Service Pty Ltd believes that the government has the power to act against Uber in this way and should do so by shutting down their recruitment activities and forcing Uber to meet all the requirements that taxi companies are required to meet.

Capricorn Coast Taxi Service Pty Ltd also believes Uber's public statements and advice during their recruitment programs involve deceptive and misleading statements. The company calls on the state government to raise this matter with the ACCC. If a Queensland taxi company acted in such a way the ACCC has a well documented history of acting very decisively against any minor or major breach of competition law. When it comes to Uber however the ACCC has not acted against any issue raised by the industry. Once again it appears as if the federal and state governments only believe that Australian and Queensland laws apply to Australians and big wealth American companies should are exempt.

Capricorn Coast Taxi Service Pty Ltd does not believe that it is appropriate for the Queensland government to be consulting Uber. The company has legal advice which irrefutably indicates that Uber is offering illegal services. It is therefore unconscionable that any government would consider listening to a company that deliberately and knowing breaks laws to gain an advantage over their competitors.

Over the past few years Capricorn Coast Taxi Service Pty Ltd has experienced Queensland Transport issuing 4 additional taxi licences. This has resulted in substantial amounts of money being paid to the government by Queensland citizens. In essence Uber is seeking to steal the wealth of Queenslanders, moving assets from the balance sheets of Queensland taxi licence holders to their own balance sheet. If this was done in a fair and legally competitive environment, no one could complain, but how un-Australian is it for a huge American predator like Uber to able to meet no standard, pay no tax or GST and be allowed to enter markets and break laws that don't suit them and meet no community standard or achieve no societal outcomes.

Finally, when Cyclone Marcia passed over Yeppoon earlier this year Capricorn Coast Taxi Service Pty Ltd provided free services in an effort to assist emergency services in evacuating vulnerable residents to cyclone shelters. In addition to this, free services were provided in transporting evacuees back to their homes after the cyclone had passed, as well as free travel for all emergency workers before the cyclone and during the clean up period. Given that all mobile telephone communications were not working for days after the cyclone, how would have Uber fulfilled this vital community role? Of course they will deliver you a free cat or ice cream, sort of says it all!

Yours sincerely

Ron Ware
Managing Director