

**From:** [Peter Coulson](#)  
**To:** [Infrastructure, Planning and Natural Resources Committee](#)  
**Subject:** Submission - Transport Legislation (Taxi Services) Amendment Bill 2015  
**Date:** Thursday, 22 October 2015 1:30:11 PM

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Dear Committee

I write to provide a submission in relation to the above-mentioned bill.

There are two points the committee should consider in relation to his bill:

1. The use of demerit points absent a wider public harm is draconian and against fundamental legislative principles; and
2. The forgotten stakeholders in this debate—the riding public.

I will keep this submission brief as the committee will no doubt receive voluminous submissions from the taxi industry.

The committee should consider the purpose of demerit points. Traditionally the use of the demerit point system has been to punish offences against public safety, arguably not a category to which ridesharing belongs.

It should be noted that an UberX driver and their passenger both consent to the ridesharing arrangement. No other person's safety is otherwise jeopardised by their conduct assuming the driver complies with all other road rules. There is no public harm that accrues from the ridesharing arrangement.

Accordingly for the legislature to add demerit points to a ridesharing offence is inconsistent with existing legislative provisions.

Moreover by using the coercive powers of the demerit point system, the rights and liberties of the rider and the UberX driver are infringed. Although such an infringement is within the power of the legislature, it should not be imposed lightly. I would argue in this instance, without a wider public harm being demonstrated from the UberX arrangement, such an imposition of coercive power is unnecessary and draconian.

Secondly and in response to the submissions received from the Taxi industry, I wish to bring to the attention of the Committee the unmentioned stakeholders in this debate -- the riding public.

The public who rely on taxis have for many years been disregarded by the taxi industry. A report from TMR confirms that with the exception of the last two years, the regulated price for travel in a taxi has been increased every year [1] above CPI. [2] In any other industry with regulating pricing, contestability is at the forefront of service delivery. Yet, the Taxi industry has been provided with a protected status by Government with direct access to all government decisions (through the Taxi Industry Advisory Committee) with little if any transparency of the process. UberX provides the first real example of true competition in this space and the public interest in cheaper fares deserves to be at least considered in the debate.

[1] Dot point 5 <http://tmr.qld.gov.au/~media/busind/Taxiandlimousine/Taxi%20strategic%20plan/taxispcmeetingminutes120314.pdf>

[2] [http://www.tmr.qld.gov.au/~media/busind/Taxiandlimousine/Taxi%20strategic%20plan/Pdf\\_taxi\\_industry\\_review\\_policy\\_considerations.pdf](http://www.tmr.qld.gov.au/~media/busind/Taxiandlimousine/Taxi%20strategic%20plan/Pdf_taxi_industry_review_policy_considerations.pdf)

I wish the committee well with their deliberations and appreciate the opportunity to make a submission.

Yours sincerely

P. J. Coulson