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3<sup>rd</sup> April 2017

Transport & other Legislation (Personalised Transport Reform) Amendment Bill 2017.

As A Taxi Licence Owner for the last 25+ years & now retired & very dependent on the Taxis rapidly diminishing income it is incomprehensible that decisions have been made that simply fly in the face of common sense, fairness & equity.

Obviously, as has been exposed in London #ubergate, our Federal heavies have pushed Qld into giving Uber a completely free ride .Influential people & their masters have money riding on a failing Uber. But this is not your problem.

Competition is more than welcome & good but, the playing field has to be level & fair to every participant. And, as our Federal Court has determined, Uber is by all definitions just another taxi service hence same rules should equally apply.

**Strengthening Safety Standards.**

Standards set for taxis are high & are proven effective. There are no standards that currently apply to ride share as can be witnessed from the array of vehicle types seen on our streets. 9000 ubers everything from 2 star rated Protons to Hilux utes. Compare this rubbish with modern Hybrid taxis. Sheer numbers of rideshare are clogging our roads and polluting our cities. 9000 Ubers bumper to bumper is 90km long! Sheer stupidity.

Such vehicles also clearly present an unsafe working environment. Poor or no security systems & insufficient or taxpayer funded insurance to cover trauma.

Hi Integrity Tamper Proof Security Cameras are an essential tool for safety. Criminals hate security cameras because it catches them & exposes victim blaming. Cameras deter criminality protecting the occupants & driver. Cameras provide proof of crime whereas most rape victims (over 90%) will not pursue charges if lack of proof & they are being victim blamed. Every taxi, bus, ferry & train is fitted with security cameras as are most large shops, malls etc. It's a no brainer every Ride share vehicle must be made to install a Hi Integrity Tamper Proof Security Camera.

In London it is reported that a rape in rideshare happens every 11 weeks. This is only the rapes that are reported. Cameras are an accepted tool in our public transport and are the gold standard in preventing & providing evidence of a crime.

Everyone has a Smartphone however they are not a safety item. Many get stolen, swapped, can be out of range or simply turned off. Taxis unlike rideshare have the ability to respond rapidly to any emergency with sophisticated communication networks, 3 embedded GPS, Duress Alarms and Security Cameras. Police, Ambulances, & other taxis can promptly assist . Uber lack any capability to respond to an emergency.

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Fatigue management practices are in place with taxi booking companies. With rideshare it seems anything goes. Incomes of drivers in Taxis have been decimated but more so in rideshare due to uncapped numbers & low unsustainable prices. Rideshare drivers are enticed to stay working extremely long shifts in order to make set targets. Many rideshare drivers doing lengthy shifts may have logged off from operating heavy machinery during their day job or perhaps may have driven a bus all day. There is a need for driver & vehicle log(books) signed off by employer(s)/operator(s)? Also a need to ensure that person behind the wheel is exactly who they say they are.

It is widely reported, as a quote by Uber management in response to accidents with their vehicles, that Ubers motto is 'Safety Third'.

### **Encourage Customer Choice.**

Well isn't this what competition is about? Choice should deliver the best in service & price. The only problem is an unfair regulatory framework that allows rideshare taxis a completely free ride. All the rules that apply to one playing in the same league should apply equally to the others. The uncapped numbers of rideshare has caused a race to the bottom. Good drivers are leaving the industry because it is no longer possible to make a living wage. Tighter tougher regulations involving safety requirements, vehicle age, vehicle types (hybrids & electric), licences & same CTP class will strongly deter other than the most committed. Why should standards be lowered for anyone?

Qld was known for having the best Taxi service in Australia & possibly in the world. Should it not be incumbent upon any competitor to have to lift their game & compete by abiding by the same rules regulations & costs?

Making provision for 'innovation' is a lost argument as both taxis & Qld govt definition of rideshare offer a driver with a car taking paying passengers to their destination. In fact as far as innovation is concerned the Taxi product far surpasses rideshare.

Taxi service licences are a property right & must be preserved as such. We have seen a diminished return on our licence and understand that the market value has more than halved. Prior to the lawless entry of Uber & the rolling over by State govt to ubers demands (with pressure from the Federal Govt) our licence was valued at \$530,000. So mention of preserving existing Taxi Service Licences hopefully will mean a rapid restoration of their former value or further large annual compensation payments or indeed a buyback.

One group of very important customers that have been completely ignored by rideshare are the disabled. This is intolerable and not approved by ADCQ. 20% of taxi fleets are wheelchair accessible vehicles costing ca \$80,000 to set up. Their viability is threatened as standard taxis were able to cross subsidise in order to provide these essential services. Rideshares free kick has rapidly eroded taxi businesses which are essential. Note that during Cyclone Debbie Taxis in Townsville, Ayr, Bowen, Airlie, Mackay & Proserpine were providing free transport for personnel affected. Taxis are a 4<sup>th</sup> Emergency Service having the networks & communication links to work in with all other emergency services. Uber have no way of responding other than to gouge (surge price) customers in trouble (ref. Paris, London & Sydney Lindt Café terrorist attacks).

### **Reduce Red Tape**

Any reduction in red tape is always welcome. We need to be careful with such as it could be a situation of throwing the baby out with the bathwater. Much of the legislation in place is there because it works & benefits the community .

Most beneficial are Security Cameras, Duress Alarms, 3 embedded GPS & strong easily identifiable cars. Approved Signage, not just removable stickers that anyone can access on ebay or replicate on a home computer & printer. And such signage must be clearly visible ie lit up on the darkest of rainy nights.

A form of unnecessary red tape, being retired & no longer drive, was the annual need to pay a licence renewal fee & a fee for Operator accreditation certificate. Owning a perpetual licence that was leased to a booking company had us feel each year that these were a totally irrelevant impost.

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A level playing field in respect of CTP is needed. Whilst many rideshare vehicles only work part time there are many ca 40 % who work full time. One Brisbane entity who refers to himself as 'Super Uber Driver' operates a fleet of vehicles that he runs around the clock with different drivers. Also Uber do arrange for drivers who do not own a car to access subprime loans for vehicle purchase <https://www.splend.com.au/>. So there are serious full time committed drivers who are not covered by adequate CTP. This leaves the Qld public exposed to Trauma costs with Qld motorists having increased Registration costs to subsidise. Compared to the CTP & Rego paid by Taxis the rideshare taxis now receive a 90% discount. Collection of these costs can easily be linked to time a driver spends on app ie a tiny fee per hour of eg \$3 to \$5 per hour. Understand this can very easily be done and Uber who can't decide if they are a taxi or a technology company would easily be able to implement.

Policing of, and strict measures, need to be in place to prevent rideshare drivers swapping, sharing vehicles & drivers eg brothers, cousins friends etc. Dark rainy night an unsuspecting passenger can easily mistake any car for rideshare.

### **Ensure Industry Accountability.**

Any business operating in Qld must be fully accessible and accountable to all our laws, Australian Taxation, State fees and charges.

All businesses operating in the Personalised Transport must allow for the provision of good wages & working conditions. Currently the Taxi Industry struggles to comply as it has seen massive erosion in work volume. In Qld what were 3200 cabs pre Uber are now over 15,000 plying for the same work. Taxis were able to provide trained skilled drivers with the ability to earn well above award incomes pre uber, but now this is difficult. Uber on the other hand have never provided a living wage using spin lies ,deception, confusing drivers on costs & the use of sham contracting. The Qld govt in approving of Uber is sanctioning wage theft along with approving of unsafe working conditions & practices..

All businesses operating in personalised transport industry must have the ability to rapidly respond to any emergency involving one of their drivers, vehicles or passengers. A smartphone offers nothing in the form of safety when stolen, out of range or switched off or if user is incapacitated. Everyone these days has a smartphone ie it's a given. Smartphones can no longer be proffered as an excuse for being a safety item.

Clearly the govt oversight & enforcement of Taxi regulations that apply to personalised transport need to be under the one umbrella.

Implementing the above will no doubt bring some backlash from Uber who only ever want it their way. This is a reaction encountered in every jurisdiction. Uber has lost out & been banned or pushed back in more jurisdictions worldwide than those who currently have legalised it. Even in the US they no longer get an easy run. Jurisdictions that have caused Uber to up and leave because laws didn't suit them have not suffered. What is essential is that the best measures necessary for Queensland, not for uber, must be implemented. Qld has the opportunity to lead the way in Australia in bringing rideshare into line not to protect taxis but to completely level the competitive field to ensure viability, fairness, & better service to the community.

The treatment given thus far to Uber by the authorities does not focus on enhancing consumer wellbeing over the longer term. In fact it flies in the face of the Harper Competition Review by not protecting competition but in legislating clearly in favour of Uber /Rideshare to the detriment of Taxis.

If you really persist in keeping rideshare separate from taxis then it would be appropriate to apply the correct definition as was recently done in Denmark ie 'Ridesharing is when a driver decides destination, and passengers going to the same place share in the direct costs for the ride (fuel etc.). Taxi is when a passenger decides destination and the driver makes profit. Uber is clearly a taxi company, not a ridesharing company, and therefore must follow taxi laws.'

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It is morally unacceptable that the Qld Govt has knowingly sanctioned the transference of wealth from a once viable \$1.5b local industry, offering services to all consumers incl. the disabled, to a foreign, tax evading, venture capital backed predator for absolutely nothing. This predator Uber is haemorrhaging \$billions annually & is by most financial pundits predicted to fail. One can only assume that #ubergate has been at play as was the case in London & that the corrupt local players will soon be outed.

Thank you for the opportunity to submit this.

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7th April 2017

Transport & other Legislation (Personalised Transport Reform) Amendment Bill  
2017.

We have already made a submission but believe the following needs to be investigated by Queensland Attorneys to get the correct perspective. Certainly they are areas that need investigating & clarifying as the losers could well be Qld citizens. Please include as part of our submission dated

In reference to Fatigue Management Uber exploits its drivers to the maximum.

<http://www.theage.com.au/technology/innovation/how-uber-uses-psychological-tricks-to-push-its-drivers-buttons-20170403-gvcx9g>

Under Uber terms & conditions its customers (drivers & riders) forfeit right to sue.

<http://fortune.com/2017/03/24/uber-customers-forfeit-right-sue/>

Ubers terms read :-

"UBER DOES NOT GUARANTEE THE QUALITY, SUITABILITY, SAFETY OR ABILITY OF THIRD PARTY PROVIDERS. YOU AGREE THAT THE ENTIRE RISK ARISING OUT OF YOUR USE OF THE SERVICES, AND ANY SERVICE OR GOOD REQUESTED IN CONNECTION THEREWITH, REMAINS SOLELY WITH YOU.

YOU ACKNOWLEDGE THAT THIRD PARTY TRANSPORTATION PROVIDERS PROVIDING TRANSPORTATION SERVICES REQUESTED THROUGH SOME REQUEST BRANDS MAY OFFER RIDESHARING OR PEER-TO-PEER TRANSPORTATION SERVICES AND MAY NOT BE PROFESSIONALLY LICENSED OR PERMITTED. IN NO EVENT SHALL UBER'S TOTAL LIABILITY TO YOU IN CONNECTION WITH THE SERVICES FOR ALL DAMAGES, LOSSES AND CAUSES OF ACTION EXCEED FIVE HUNDRED EUROS (€500)."

As a bare minimum any acceptance of the above surely would require that :-

Every vehicle needs Hi Integrity Tamper proof Security Camera

Every car must be fitted with GPS trackers & duress alarms.

Every driver must carry Public Liability Insurance.

Thanking you

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**9<sup>th</sup> April 2017**

**Transport & other Legislation (Personalised Transport Reform) Amendment Bill 2017.**

We have already made submissions on 3<sup>rd</sup> & 7<sup>th</sup> April but the following very important facts re Uber plans( just announced ) make the need for an alignment of regulations that are simple, easily enforceable and do completely level the playing field.

Uber has just announced a service in Australia that it calls Uber teens which is after the teenage market of 13 to 17 year olds.

In overseas markets Uber has announced Ubercash whereby it will take cash & credit card payments direct from passengers. No doubt they will launch this service in Australia.

These moves now more than ever require the needs for stringent safety measures that include Hi Integrity Tamper Proof Security Cameras, Alert Alarms & embedded GPS tracking & high visibility day & night non removable ID on the vehicle plus driver training to a higher standard.

They refer to parental tracking on a smartphone but this is easily circumvented by a criminal driver making use of a stolen phone or one switched off & thrown out the window. Uber is unable to respond to any emergency.

The inclusion of cash payments also places the need to ensure the driver is in a safer work environment. However it also lends itself to a driver switching off his phone and taking the passenger for cash rides that are not recorded.

The Bill as it presently stands is obviously wide open to misinterpretation and needs to be simplified.

Most Jurisdictions overseas are rapidly waking to the fact that a car with a driver taking passenger(s) for a fare is a Taxi hence regulations that apply to taxis must apply. Uber have upped & left such jurisdictions as they are unable to abide by the simplest & most basic of safety needs.

Thanking you

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