



SUBMISSION TO THE PUBLIC WORKS AND UTILITIES COMMITTEE

Black & White Cabs is responding to the Parliamentary Committee investigating the *Transport and Other Legislation (Personalised Transport Reform) Amendment Bill 2017* and *Transport and Other Legislation (Personalised Transport Reform) Amendment Regulation 2017* tabled in Queensland Parliament on 21 March 2017.

The Black & White Cabs Group has a long term and significant investment in the Queensland Taxi Industry where we provide booking and related services, operate cabs, own taxi licences and employ a significant number of Queenslanders.

Our organisation has an innovative culture and we always look forward because that is where our future is. We are comfortable competing on the basis of the level playing field. We implore the Committee to pursue a level playing field outcome for Personalised Public Transport as it has not been achieved with the draft legislation in its current form.

Our concerns with the draft *Transport and Other Legislation (Personalised Transport Reform) Amendment Bill 2017* and *Transport and Other Legislation (Personalised Transport Reform) Amendment Regulation 2017* are:

1. Identifying ride-booking services via an identification sign alone requires a great deal of trust that the participants in providing these services have the will to comply. It could be argued that the persons to cause the greatest degree of concern will also be the most likely to simply ignore this requirement. We believe that it must be a mandatory requirement that all public transport providers have a dedicated number plate assigned to the vehicle.

Currently this requirement exists through “T” plates for taxis and “L” plates for limousines. Similarly an “R” or “RB” plate should be mandatory for ride-booking services. These plates would identify that the vehicle complies with all requirements attached to the licence including:

- The vehicle has the correct CTP
- The vehicle is operating with a valid Booked Hire Service Licence
- The vehicle can be easily identified by authorities for compliance reasons such as current COI, working ranks, working hails, touting etc

Further to this, the identification sign should be retained and displayed when the vehicle is working at any given time.





2. The proposed fees charged for Booked Hire licences are insufficient. Taxi licences were purchased for considerable capital cost and there is also a similar annual renewal fee proposed. Other Government issued licences like motor dealers, real estate agents, tattoo shops, etc., have annual renewal fees around \$1,200. It fails to show consistency by allowing ride-booking services to operate for a fee of only \$237 pa.
3. Paying tax and GST is an obligation for all Australians. The ATO has ruled that all taxi and ride-booking drivers must pay GST. It should follow that prior to being issued with a Booking Hire / Taxi Driver Authorisation (BHTX DA), all drivers should provide proof that they hold a current & valid ABN and are registered for GST.
4. The Bailment Agreement was entered into Qld Legislation about 7 years ago following recommendations from the Workplace Rights Ombudsman to ensure there are safe guards for taxi drivers. By establishing minimum standards, drivers were given some guarantees in regards to their occupation. Bailment Agreements clearly document the relationship and agreement between taxi drivers and operators which creates certainty between the parties. It is imperative that Bailment Agreements be retained along with the minimum work conditions and standards for **all** personalised transport drivers enshrined in legislation.
5. Whilst Government plans to establish a "chain of responsibility" there are major concerns regarding where responsibility sits in a number of situations. With drivers being able to affiliate with multiple service providers, there are issues that have not been considered. For example, if a taxi driver is affiliated with an existing taxi booking company and also receives work from another booking entity, which entity is responsible for dealing with fatigue management, visa requirements, complaints, lost property, camera downloads or enquiries for a rank or hail job?
6. Service Contracts have proven to be a reliable way of ensuring accountability across the taxi industry for a number of years. It is our firm belief that some form of Service Contract should be retained to provide a framework for accountability across all platforms of the personalised transport spectrum. This should also present the lowest cost to Government.
7. We believe that mandatory public liability (Gap) insurance should be enforced on all sectors of the personalised transport system. This would ensure that the State Government does not become the default insurer and also minimises potential risk to the community.
8. Currently fare touting is an illegal activity; however the definition is not clearly explained in legislation. Experience has shown that many incidents of touting can be clouded by referring to the activities as marketing or such. Government needs to ensure that the exact intent is clearly defined to avoid confusion for both patrons and service providers.

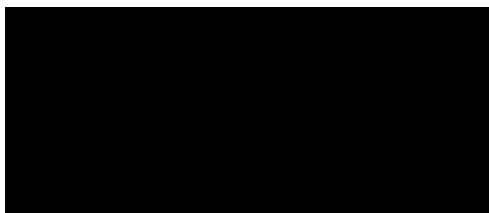
This could be further assisted by having a very clear definition of what defines a "hail" job. Again this is an area that is undefined and open to interpretation. A further method of dealing with this issue should include expressly prohibiting the establishment and operation of Booked Hire Service pick up/and drop off zones. These zones in reality do little more than represent pseudo taxi ranks.



9. The proposed changes create uncertainty and an imbalance when it comes to Security Camera systems. The reality of personalised transport is that circumstances can change quickly and for the safety of both drivers and passengers, we believe that all personalised transport vehicles must have a security camera system and the standards should be consistent across all Booked Hire Services (ride-booking and taxis).
10. With the creation of a new CTP Category (26) for ride-booking services, we believe that the premiums should cost no less than the current Category 4 pricing that applies to limousines. We also believe that MAIC must monitor pricing using the same formulas that have applied to taxis for the past 20 years to ensure that the conditions of calculation are consistent across all modes of the passenger transport industry.

We believe the 10 concerns outlined above should be considered by the Parliamentary Committee to create a level playing field. The Committee should then recommend amendments to the current draft Transport Bill & Regulation to achieve that.

Yours faithfully



John Lobwein
Chief Operating Officer