

From: [REDACTED]  
To: [Public Works and Utilities Committee](#)  
Subject: PERSONAL SUBMISSION (PERSONALISED TRANSPORT REFORM) AMENDMENT BILL 2017  
Date: Thursday, 6 April 2017 4:43:47 PM

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Committee Secretary  
Public Works and Utilities Committee  
Parliament House  
George Street  
Brisbane Qld 4000

Research Director  
Transportation and Utilities Committee  
Parliament House  
George Street  
BRISBANE QLD 4000  
07 April 2017

Dear Sir/Madam

**RE: SUBMISSION TO THE *TRANSPORT AND OTHER LEGISLATION (PERSONALISED TRANSPORT REFORM) AMENDMENT BILL 2017***

Thank you for the opportunity to provide this submission 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. This submission examines and comments on elements of the Bill and Regulations that seek to amend the *Transport Operations (Passenger Transport) Act 1994* to implement reforms proposed in *Queensland Personalised Transport Horizon Stage 2*.

**My Personal Circumstance: How the Government decision on Uber and the Taxi Industry has decimated my family financially and will ruin our quality and standard of life.**

It is with regret that I feel compelled to plead representation and help at this time but I see no other avenue of assistance currently available.

My situation though, is not an isolated case but affects approximately 3,400 Small Business - Taxi Plate Owners in Queensland or (21,500) Australia wide.

These plates are not owned generally by the Taxi Companies, (as is the lie, put up by Governments, Uber bloggers and the "PRESS"), but by hard working individuals (Small Businesses) who have put their hard labour and life-savings into what at the time was a "Protected Service Industry" of strict government regulation, which ensured passenger safety and reliability of a 24/7-365-day service, with a guarantee of protection to the Industry from illegal and fraudulent operators by successive State Governments.

My personal circumstance is that, after serving in the Australian Defence force for twenty-three (23) years I elected to retire. My then service superannuation payout would not support us, so I invested my Service Superannuation into a taxi-plate. As I and many others had been informed by successive Queensland Governments since the 1990's through to 2015, the industry was totally safe and government regulated so couldn't be "Hijacked". On this premise, successive Queensland Governments have "Tendered and Sold Licences"

worth hundreds of millions of dollars and as recently as 2015 several to the value of over \$600,000.00 each. Then with our money in their treasury pocket and with the stroke of the pen, they have made these Licences that they sold to the public, worthless, (less than half their market value Pre-2015).

It was our intention at 65 years of age, to be able to retire without Federal Government Welfare. With my Defence Pension plus a percentage Income from the Taxi-licence that we had worked, 60-hours per week and put all our capital into over the last 25 years. This plan should have given us a modest income of maybe \$60,000 per year with no reliance on the Old-Age Pension or Federal Government.

This year we have both Roslyn and I, reached 65 years of age looking to retire but:

Previous Labor Governments Changed the Defence Service Pensions formulae in the 1990s' Reducing our Defence Service pension by half (Promised to be addressed by Tony Abbott but conveniently forgotten by the current Turnbull Federal Government).

The Taxi Service Licence that has been our Blood Sweat and Tears for years is suddenly rendered worthless by this State Labor Government. (Ask the Banks how much they'll lend against a Taxi Licence Today \$0.00.) We have already had to decrease Lease returns by up to 30% and more to come I suggest. Our plans not to be a burden on the Australian Taxpayer has just been killed by the Queensland Government, as we lose our business and possibly our house and go onto the Old-Age Pension. That makes several thousand people in Queensland alone about to become a burden on the Australian taxpayer for about Half a Billion Dollars (\$500,000,000.00) a year cost to the Federal Government. Has this been addressed by anyone?

The ludicrous offer of \$20,000.00 as compensation for a \$500,000.00 Taxi-plate or just as bad, \$100 million compensation for a \$1.65 Billion Dollar Transport Industry, that this Queensland Government has just reduced to be virtually worthless, is unbelievable. It costs more than \$20,000 PER YEAR with costs just for, REGO and THIRD PARTY INSURANCE (\$7500.00), Comprehensive Insurance, (\$7,000.00), Public Liability Insurance, Service Licence Fees and Accreditations and Levies plus mandatory GPS and Cameras alone. This is before any other running costs or vehicle outlays. An absolute joke.

This action is no less than the THEFT, in many cases, of the Superannuation of thousands of hardworking Queenslanders, that trusted and supported successive State Governments of both colours for many decades, abiding by all the rules and Regulations applied so strictly by Queensland Transport.

Taking into account Taxi-Plate Owners, Lessee's, Drivers and Support staff, more than 20,000 Queensland families are being shattered by this decision. So, I wish to ask the following questions:

How can the Queensland Government justify no or little compensation when they have for years sold to the public, by tender, Taxi-Plates using the previous 3 industry sales as their guide to a value of up to \$600,000.00 as recently as the last 2years? (Many Hundreds of Millions to the Government since 1990's, in fact, Hundreds of Millions more than the Compensation offered).

Why were the RACQ who have a discriminatory interest and are not a stakeholder, able to submit to the transport review whilst, Charging Taxis Third Party @ \$7,000.00, but Charging Uber the Standard Car Third Party @ \$650.00? Also why are the RACQ and other Insurers Charging Taxi-Plate Holders \$6,000.00 to \$8,000.00 for Comprehensive Insurance, but Uber etc. Standard Insurance of say \$800.00 if at all?

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Why is it that the ignorant or uninformed people in Government believe they are doing the taxi industry a favour; by allowing UBER to, not provide for the disabled, Refuse Fares and /or Guide or Assistance Dogs and just do bookings, "the cream of the work" and give the Rank and Hail commonly termed "Hash and Trash" to the taxis?

Where is the justification that Taxis must remit GST on every single dollar earned, which is returned as income to the State Government, but Uber etc. use a complex system of GST avoidance and adds NIL to the Queensland economy?

Why by paying through a complex Credit card system, all profits can go offshore and with issue of receipts, not tax invoices, the Ride Share Operators avoid paying tax on earnings as Income?

Why is the State Government supporting ride-sharing that contributes nothing to Queensland economically and is dictated to by a non-taxpaying American Multi-national, but at the same time, decimating an industry that has supported almost every whim of successive Queensland Governments, the Disabled Community, Queensland Education, the Elderly and many Government institutions and departments both State and Federal? "Is This Their "Level Playing Field"!

Are the State Government willing and capable to answer for the number of suicides and bankruptcies that this morally and ethically corrupt decision is about to unleash on this State and our industry?

I would ask the Premier and her Supporters; What would be their reaction if on "**THEIR**" retirement someone came in and "**STOLE**" their Superannuation, leaving them with nothing but a piece of worthless paper and no future, relying on Federal Government handouts?

My Personal Preference to Solve the Taxi / Ride-Share Problem:

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I believe that the Queensland Government Should Finance a Total "Buy Back" of all Taxi-licences at a minimum of 85% of 2014 – 2015 Licence Values.

The Government could then "Lease Back" as many Licences as they saw fit to the current operators. The Infrastructure is already in place with the regard to Taxi Companies being able to Dispatch work plus address and implement Government policy and Collection of appropriate Funds.

**SAY:** 4000 Taxi-Licences (Leased at say \$ 20,000pa. plus, Ride-Share Licences) Would give an annual income in excess of \$100,000,000.00 (100 Million per year). This may rescue the 20,000 odd families that the government is currently destroying, plus support the Government with income into the future.

As an interim measure, we agree with the list of Requirements requested by the Taxi-Council

of Queensland to at least ease the current losses and inequality in the industry in the immediate term.

### **List of Requirements**

1. Establish an independent Personalised Transport Commission with legislative amendment, policing/enforcement, regulatory and policy development capacity.
2. Bailment Agreements must be retained, with the minimum work conditions and standards for all personalised transport drivers enshrined in legislation.
3. Security Camera requirements must establish a minimum standard, be consistent and uniform across all personalised transport providers to ensure the safety of all drivers and passengers (regardless of the service chosen) and to meet Queensland Police requirements.
4. Commercial-grade, anti-tamper GPS units must be fixed to all personalised transport vehicles and be remotely accessible to authorised parties.
5. All personalised transport vehicles to have emergency systems in place to support driver safety.
6. The Bill and Regulation must be fully consistent with all other relevant legislation including, but not limited to, disability discrimination and work, health and safety.
7. All personalised transport vehicles be required to have dedicated number plates (akin to "T" plates), rather than easily removable stickers. Plates to be provided only when evidence of appropriate CTP, public liability and certificate of inspection are provided.
8. Immediately define, and establish appropriate and equitable premiums for, the class/classes of Compulsory Third Party insurance for all personalised transport providers to address continued uncertainty.
9. All personalised transport providers must hold public liability insurance to prevent the State Government becoming the default insurer and to minimise potential risks to the community.
10. In the absence of vehicle age restrictions, establish clear vehicle quality and usage rate standards and hold operators accountable.
11. Increase licence fees for Booked Hire Service Drivers and Authorised Entities to help fund expected increases in regulatory and enforcement costs for Government and to better reflect the level of "trust" being placed on licence holders.
12. All drivers must have an ABN and be registered for GST before receiving a Drivers Authorisation.
13. The Government must establish a process for managing the risks of multiple affiliations by drivers in terms of both "chain of responsibility" and fatigue management. This includes drivers operating across both personalised transport and other transport (i.e. truck, bus) sectors.
14. Fully integrate taxis into the GoCard public transport network in the short-term.
15. Clearly define what constitutes a "hail" and "touting".
16. Expressly prohibit the establishment and operation of Booked Hire Service pick up/and drop off zones, on public and private land, which represent pseudo taxi ranks.
17. Establish and maintain a register of drivers that have been disaffiliated or removed from platforms to prevent drivers from simply shifting to a new platform.
18. Establish clear and enforceable requirements for Government access to all data related to the delivery of personalised transport services in Queensland.
19. Expressly identify Police Check requirements in the Bill for all personalised transport

drivers as part of Driver Authorization approval.

**20. Maintain the capacity of the Minister to enter into Service Contracts at their discretion to ensure the Government has the capacity to respond quickly, and at the lowest cost, to changing or unique circumstances without the need for regulatory or legislative changes.**

John and Roslyn Byrne.

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