



YELLOW CABS (QUEENSLAND) PTY. LTD.

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Yellow Owners' Association

7th April 2017

Committee Secretary
 Public Works and Utilities Committee
 Parliament House
 George Street
 BRISBANE QLD 4000

Dear Sir/Madam,

Transport and Other Legislation (Personalised Transport Reform) Amendment Bill 2017

Reason for this Submission: Yellow Owners' Association (YOA) does NOT support the above draft Bill. The draft Bill fails to create a 'level playing field' in the personalised transport space. The draft Bill is the result of very poor advice accepted by the government and resultant poor decision-making. We do not need or want it.

Background to the Bill: This draft Bill exists as a result of private cars operating as booked-hire vehicles not wanting to abide by pre-existing personalised transport rules and in blatant disregard of Transport Operations (Passenger Transport) Act 1994 (TOPTA). The government has exhibited an inability to enforce the existing legislation. The legislation contained in TOPTA passes the public benefit test and is already sufficient to provide the public with the safest and best taxi service in the world, yet this government cannot see it.

Yellow Owners' Association: YOA maintains, promotes and fosters the interests of Yellow Cab owners in order to better serve the public. The Association also provides a fleet inspection service to the taxi booking company and is responsible for enforcing reasonable rules of driver presentation and behaviour and condition of taxi vehicles in the Yellow Cab fleet.

YOA Response to the Draft Bill: In brief, this Bill is not required. If an operator wants to provide a taxi service, all they need to do is acquire a taxi licence and operate their car under TOPTA. Action taken by the government to date has resulted in members of the public setting up rideshare defacto taxis and taking a considerable amount of revenue from our members. Our members are going through very hard times and many are almost bankrupt. Several of our depot operators continue to trade and operate, they are making no money, but they are supporting their drivers financially. Instead of being self-funded, many of our retired and semi-retired owners have turned to Centalink and are now a drain on the country's finances as pension recipients.

If the government goes against good advice and proceeds with the Bill, this Association then supports the submission provided by Taxi Council of Queensland (TCQ).

The Draft Bill Requires the following to make it fair and effective: A number of things are required to be incorporated in the final Bill:

- establishment of a personalised transport commission;
- bailment agreements for taxis between driver and vehicle operator;
- mandatory hard-wired security cameras in all personalised transport vehicles;
- high quality hard-wired GPS units in all vehicles and linked to passenger pick-up and drop-off points;
- all booked jobs to be traceable by competent authority such as Qld Police;
- suitable emergency distress systems in all vehicles;
- all personalised transportation vehicles to display easily recognised DTMR-issued registration plates;
- CTP for all personalised transportation vehicles to be fair and equitably priced, the anticipated cost difference between class 4 and class 26 does not fulfil this need;
- drivers must have an ABN, be registered for GST and not have their earnings paid into an overseas bank account;
- zero blood alcohol level to be maintained across all personalised transportation drivers;
- all personalised transportation vehicles to be subjected to the exact same inspection regime by DTMR;
- in order to avoid the danger of physical hails by unauthorised vehicles, vehicles that are solely booked-hire must not 'rank' or physically 'line-up for the next job' anywhere anytime;
- the only permissible 'ranks' are taxi-only zones;
- all personalised transportation drivers must hold Operator Accreditation (OA);
- fatigue management needs to be mandated and managed across and between all platforms;
- drivers forcibly removed from one platform must not then be permitted to drive for another platform;

- police check requirements to be strengthened and same across all platforms;
- disabled and indigenous people not to be disadvantaged on any platform;
- all vehicles on all platforms to carry public liability insurance issued by an Australian-based insurer.

Conclusion: As stated earlier in this submission, this Association does not support this Bill because TOPTA already provides all the public safety benefits required in this space. If the government proceeds with this Bill, this Association asks the government to include the above amendments into the Bill in order to make it effective across all personalised transportation platforms. As it stands, the draft Bill does not pass the public benefits test.

Yours faithfully

Gary WALTER
Secretary
Yellow Owners' Association