

  
10 APRIL 2017

Research Director

Transportation and Utilities Committee

Parliament House

George Street

BRISBANE QLD 4000

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. For the purpose of this exercise, I propose the following approach:

1. Tell you my journey as a taxi owner/operator in Qld, and
2. Submit my 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 JOURNEY AS A TAXI OWNER/OPERATOR***

My wife and I bought our Brisbane-based Taxi plate in 1996. We used our only property and home at Carseldine as a mortgage for the loan. Our life as small business owners in Brisbane has begun as we joined the 15,000 small business owners that employ some 14,500 drivers that make up the Queensland Taxi Industry.

Institutional costs are high with Comprehensive, Compulsory Third Party (CTP) insurances and Taxi Booking fees combined total up to \$20,000 annually. The \$7,000 security camera adds to the bill.

Driving 12-hours shifts, 7 days a week are part of running and building up a business to be successful. But there are positives as well – being part of an industry providing essential services to the travelling members of the Qld public particularly to those with disabilities. Of equal importance is building up of our own superannuation and not to rely on the public purse on our retirement.

Well, as you know the section on super came crushing down when our State Government allowed ride-sharing operators into the State. After raking in millions of dollars from public auctions of taxi licenses, the State Government through a stroke of the pen banished the taxi industry to unfair competition when it gave ride-sharing operators favourable treatment in entering the personalised transport system in Qld.

### **The Consequences of the Government decisions on My Taxi Business**

1. My weekly income went down by up to 40 per cent.
2. Running costs on the other hand never go down anywhere.
3. My taxi income now is not meeting the monthly loan repayments.
4. I'm going back to drive 5+ days a week and I'm 67 years young.
5. Our taxi plate is worth nothing – there are no buyers anywhere.
6. So that part of our super goes up in smoke.
7. The bank could call-in my loan anytime
8. I'm working in an environment where there is no level playing field – cost-wise, statutory requirements wise, etc. If I forget to lodge my monthly BAS statement, the Government literally throws the law at me. And yet UBER does not register and does not pay GST and said so publicly that that is the responsibility of the drivers alone. So this is a huge vacuum in the law that favours the big multinationals against local businesses.
9. If the safety of the Qld travelling public is paramount, security cameras must be mandatory in all transport providers and not just the taxi providers. That is another \$10,000 p.a. economic advantage the Government provides to ride sharing over taxis. But the issue here is **SAFETY** for the passengers and the

drivers. And speaking of safety, the mandatory inspection of vehicles should remain at 6-monthly intervals not the 12 months now allowed.

10. CTP – why has the Government not put in place insurance to protect passengers suffering injuries from using ride sharing? This is a mandatory cost of about \$8,000 p.a. on my taxi plate and another huge advantage for ride sharing.
11. All fare trips I made are recorded by the Booking Company and passed onto Qld Transport for policing/enforcement and other regulatory functions. How is Qld Transport planning to collect these stats from these offshore-based companies? Australia can't even enforce our GST laws against them.
12. Ride sharing vehicles must be easily identifiable like taxis with dedicated T-Plates and limousines with L-Plates. The use of easily removable stickers lacks professionalism and do not contribute to public safety.

The above are some of the issues that needed cleaning up immediately and must be included in the Proposed Amendments to the Bill if we are to help establish a level playing field for my small business. The current situation provides a huge comparative economic advantage to ride sharing over the taxi industry.

A more comprehensive list prepared by the Taxi Council of Queensland (TCQ) is attached and has my full support. Globalisation of the personalised transport system in Qld is not the answer. Where the Government is impotent to enforce its own laws (the GST laws for instance) – are we ceding our sovereignty to the big multinationals? We Australian should carefully read the true message behind President Trump's campaign slogan "America First". We the Qld Taxi industry is not asking for protection from competition – rather we are asking for fairness and a level playing field.

In conclusion, the proposed Amendments must add teeth to the Bill in the broad areas as follows:

1. Ensure the safety of the travelling public through safe vehicles equipped with appropriate accessories – appropriate insurance covers, security cameras, dedicated number plates IDs and fixed in-car GPS systems.

2. All personalised transport services must provide services 24/7 to the travelling public including those with disability.

Thank you again for this opportunity to present my case.

Yours sincerely

Uale Rea  
Taxi Owner/Driver  
Brisbane

## **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.