



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

20 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.

The impact of rideshare has had a significant impact on my plans for self funded retirement. Our Licence was valued in excess of \$500,000, however it is now effectively valueless. Likewise the lease value has fallen as drivers' wages have fallen, and it is difficult to attract drivers, notwithstanding the present high unemployment levels. Unless the playing field is levelled, values will continue to fall, I will exhaust my superannuation and along with thousands of other taxi proprietors, we will have to rely on the public purse.

Not only has Government policy in allowing an illegal business to flourish, and stripping the value of our assets, the Government has also stripped my pride in being able to financially support myself and my partner.

We purchased our Licence in 2004 for 2-fold purpose; -

1. Given the regulated industry and APRA acceptance for superannuation fund investment, the Licences were touted as a good Investment.
2. An employment "fallback" in the event of retrenchment. In my case I was "pushed out" of my job in 2011, and drove the cab for 5 years before retiring 2 months after my 65th birthday.

I am also distressed that our Federal and State Governments have been fraudulent in allowing Uber to operate in Australia.

1. They have supported a multi national company who blatantly ignored our regulations, licencing requirements, accreditations, OH&S etc. Every other business which seeks to commence operations in Australia must abide by these requirements. Why was Uber exempt?
2. When Uber commenced operations in Australia, one of their spokespersons stated on National Television "Uber knows we are outside the law that's why we are working with governments to change the legislation and regardless whether we are breaking the law or not we will operate our business anyway". Why was this behavior tolerated and condoned?
3. At date, of the numerous legal cases Uber is fighting overseas, two cases clearly demonstrate their unconscionable conduct. One is "Greyballing". Greyball collects in-app data to identify and target certain individuals, like law enforcement officers. If those people try hailing an Uber, the app will either display that no cars are available or show a mock-up of the app with fake Uber cars. The other is their newly developed

software, which manipulates navigation data used to determine the “upfront” fare price, showing the customer a higher price than the driver. Uber then charges the rider more for the fare whilst the driver gets paid from the cheaper fare. Uber keep their 30% of the lesser fee, together with the difference between the higher and lesser amount. Do our Governments consider this predatory behaviour acceptable?

4. Operate in a tax-free environment thereby impacting on the collection of taxes, which could otherwise have been utilised in the provision of goods and services. Why do tax paying Australians have to subsidise a multi national company which does not pay tax? Uber has cost the Australian taxpayer 100's of millions of dollars, and our Government has turned a blind eye. Why?
5. We know Uber drivers manipulate “surge pricing”. Drivers are blatantly swapping stories, and how to's on facebook.
6. Pre Uber, most countries of the world had a regulated taxi industry, because a deregulated industry was found wanting. At date 10 countries in Europe, and another 11 countries (primarily Asia) have either banned Uber, or severely restricted their operations.

There are roughly 2,800 taxi Licences in Queensland. Assuming a valuation of \$500,000 each, the value of those assets was \$1.4 billion. The value of these assets are now negligible having been given to a tax avoiding American multi-national. If you, as a Committee reviewing the Personalised Transport Reform Amendment Bill 2017 do not support the 20 recommended changes as put forward by Taxi Council Queensland, then I despair for the future.

This “technology” will not stop with the taxi industry, and will cost tens of thousands of jobs in dozens of industries, so the question you need to address, is whether the march of technology, under the guise of making our lives easier, freer, more connected, is actually beginning to wipe out secure livelihoods for the masses, and concentrating wealth in a new tech elite.

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 personalized 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.

From: [REDACTED]
To: [Public Works and Utilities Committee](#)
Subject: Transport and Other Legislation (Personalised Transport Reform) Amendment Bill 2017 Submissions
Date: Tuesday, 11 April 2017 11:13:51 AM

Sir/Madam,

I am aware the closing date for submissions was yesterday, however I found these 2 posts on facebook today by Uber Drivers which are relevant to the review, and highlight the profiteering by both Uber, and it's drivers.

Given this unconscionable conduct, and a mountain of other lawsuits/allegations, I am at a loss as to why Uber has been allowed to operate without intervention by Government regulators.

1 - Uber Drivers Melbourne Forum

Maximizing Uber earnings in Melbourne Australia

Discussion in 'Uber Drivers Melbourne' started by Uberx zoom, Feb 22, 2017.

Uberx zoom

Uberx zoom

Active Member

Here are some tips that work well for me during normal week days. I hope you'd find them helpful.

1. When in or around the CBD in morning (or afternoon) peak hours, stay offline and wait for surge. Driving base rates in peak traffic in or around the CBD is not wise and you are quite likely to be losing money on each and every trip. Especially when traffic at a standstill. Time is money and Uber pays very bad for your your time. Don't waste it.
2. Never take a requests over 8 minutes away without calling the passenger to ask for the destination.
3. Pull up a to the pick up point and wait up to 5 and half minutes, if the passenger doesn't show up after that time cancel the trip as "rider no-show". Collect the \$8 cancellation fee and drive away. Time is money and you are likely to have made a considerable effort and wasted time and petrol to arrive at the pickup point.
3. When on a trip, pause all new requests. That shows less cars online in that area and may cause a surge.
4. Avoid picking up from railway stations, riders are in most cases minors and/or very short trip lazy people. Your time is valuable, dont waste it on minimum rate unprofitable trips unless when trains break down. Uber pay's you \$4.80 for a minimum fare trip in Victoria. A total waste of your time.
5. Avoid picking up form a supermarkets, most supermarkets now offer delivery services. Short minimum fare unprofitable trips in most cases.
6. Avoid accepting a pick up job behind you in peak traffic. Turning around in peak traffic will cost you time and the passenger is very likely to cancel on you while you are still on your way to pick them.
7. When dropping off passengers in the CBD only accept pings no more then 4 minutes away. Your time is precious and going around blocks in the CBD is no way to earn good money. I even recommend to log off altogether and drive outside of the CBD as quickly as possible. Don't forget to login again once you are out of the CBD.

8. According to state laws children under 7 years old must travel in child seats. Fines are dear not to mention your liability in case of an accident. Its definitely a risk not worth taking. If you arrived to the pick up and there are no car seats ask the parents to cancel the trip, or wait 5.5 minutes and cancel it yourself with a "rider no show". Collect the \$8.00 cancellation fee, after all it is not your fault and you are likely to have made a considerable effort to arrive to the pick up point to begin with.

9. If the passenger looks drunk it is best to ask them to cancel the trip or wait at the pickup location for 5.5 minutes and then cancel yourself, reason "NO SHOW". Drunk passengers are likely to be troubles. Picking drunks you have a good chance at having to spend a considerable amount of your time cleaning after them, not to mention the danger of being intimidated while driving. Don't spoil your shift. Avoid.

10. Learn and memorize the surge maps. Make sure you are in or close to a likely to surge area during the right times. Uber leave drivers no choice but to seek for surges. Driving for Uber at base rates in Victoria is simply unprofitable once you consider all of your car expenses, fast depreciation, tax liabilities, insurance, major car repairs and most of all risk.

Good luck! Feel free to reply to this thread with tips of your own. Click here to register with this forum.

2 - From UBERLYFTDRIVERS.WORDPRESS.COM

Add one more lawsuit to Uber's busy docket of [fraud](#), [technology theft](#), and [predatory pricing](#) disputes playing out in the courts of California. The latest litigation against the ridesharing company claims that Uber has engaged in a sophisticated fare manipulation scheme wherein the same ride is calculated differently for the rider and the driver, creating an overcharge for the rider while underpaying the driver.

The class action suit, filed last week in Los Angeles, claims that riders are shown an inflated "upfront" price for a longer route when ordering the ride, while drivers are assigned a shorter route and are paid less for driving the route.

"The manipulation of prices between the amount charged to users and the amount reported to drivers is clever and sophisticated," says [a copy of the filing](#) obtained by Ars Technica. "The software utilized in determining the upfront price is specifically designed to provide a route distance and time estimate based on traffic conditions and other variables but not to determine the shortest/quickest reasonable route based on those conditions."

"Meanwhile," the suit claims, "the software utilized in the driver's application, which navigates the driver's to the User's destination, utilizes traffic conditions and other variables to provide the driver with a more efficient, shorter, or quicker route to the User's destination, resulting in a lower fare payout to the driver."

As you can imagine, Uber is alleged to be pocketing the difference between the rider's overcharge and the driver's underpayment.

This overcharging charge is not entirely new, and Uber drivers say they've often noticed discrepancies between the fares shown to them and those shown to their riders. A certain "YouTube celebrity" Uber driver who goes by the handle Uber Man posted [a video on the upfront pricing lawsuit](#), and dozens of drivers chimed into the comments claiming the same had happened to them.

"Had a 22 Mile ride today on a 1.7 surge," says one of many similar driver comments. "Passenger got in and asked me why it was gonna be \$80, I said I dunno, by my calculations should be about \$60 with the surge. I was right. She got charged \$80, and I made \$44.10 after Uber took their "25 percent". I'm getting this more and more recently."

Granted, these are unverified YouTube comments. But the class action suit represents thousands of Uber drivers who all agree that this exact price-fixing scheme is in place. And given Uber's recent track record of [sexual harassment](#), [terrible treatment of drivers](#), and lying about [self-driving car shenanigans](#), the company has about as much credibility as an unverified YouTube commenter.

Thank You

Colin Dockery & Tracey Kuit

