



Committee Secretary,  
The Public Works and Utilities Committee  
Parliament House  
George St  
Brisbane  
Qld 4000

Thank you for allowing me the opportunity to comment and present a submission to the Committee. The Legislation and amendment Bill is complex

**Transport and Other Legislation Amendment Bill 2017 Chapter7 Part 4 Licences and authorization for personalized transport services Division 1 : Taxi service licences (TSL's)**

A Taxi Service Licence was the exclusive right to provide a passenger service as requested by a person, regardless of how it was requested, phone, hail or electronically. It was exclusive as it was bound by many obligations and actions were accountable. The Licence numbers issued by the Govt. were monitored closely by Dept. of Transport and Main Roads (DTMR) and additional licences sold by the Govt as the population grew and current number could not meet the increased demand. This ensured the following and till now has worked well:

- a. that fares were capped to prevent passengers from being exploited (no price gouging at any time allowed) (Maximum tariffs set)
- b. ensured sufficient income was derived so that the vehicles were maintained mechanically (routine inspections at Dept of transport depots compulsory at fixed 6mthly intervals).
- c. that the income allowed for the purchase of and maintenance of safety equipment for protection of driver and passenger in the vehicle.



d. that the income would provide a living wage.

Was a Public Benefit test applied? It would have failed.

If a person wants to start driving on the ridebooking platform a licence should be bought and operated according to TOPTA. This would encourage only those people who are seriously interested in driving and deter those thousands of opportunistic people who only drive for a short time, but destroy the incomes of genuine drivers and operators. The amendment should be reviewed and rewritten to reflect social justice.

### **Transport and Other Legislation Amendment Bill 2017 Chapter 7 Personalised transport services Part 1 (68)**

This Chapter generally does not define either the purpose or the policy objectives intended by the bill. It gives open slather across the board for ridebooking services to do pretty much anything. Mention is made of people being accountable and suitable, to safety, and provision of service to all classes of people,

#### **Taxi Service Bailment agreements:**

This amendment to TOPTA bill does away with the bailment agreements.

These agreements served to provide certainty to both Bailor and Bailee in terms of financial expectations. Both parties agreed and signed the agreement documents. These must be retained.

#### **Safety Issues: Safety of drivers are paramount**

All drivers taxi and ride booking need to have a hand, knee or foot operated duress alarm and a camera unit (as prescribed by Govt) installed in all vehicles. This consideration should be part of workplace, health and safety in all personalized transport.

Hard wired trackable GPS units in all vehicles in the event of eg Car jacking,

Drivers mobile ph being discarded

Fatigue management... after working at a day job all day then driving for ridebooking during the evening 16hr days, (we have all seen the damage caused by fatigue on the roads, and even tired Govt. Ministers falling asleep during parliamentary sessions) no policing there. Not that ridebooking is policed. No transport official (except taxi drivers) knows who they are.

A dedicated licence plate would be of benefit to the public as they would know they were getting into a ridebooking car. (We all know ridebooking/uber and other non affiliated drivers hail when ever they can)

#### **Amendment Clause 14 new 36AA**

**No compensation for changes to market entry restrictions.**

By allowing ridesharing "Transport and Other Legislation (Hire Services) Amendment Regulations 2016 Subordinate Legislation 2016 No 161", Minister Sterling Hinchcliffe allowed uber (the only ridesharing company in Qld at the time and operating in defiance of Government legislation), exemption to the definition "needing to be provided by a Taxi".

That gave away the exclusivity of approx 65% of booked hire work under rigid conditions required to be met by the Taxi Service Licence. This is now shared by approx 12,000 vehicles (3,100 taxis, 500 limousines, and 9,000 uber cars (uber has stated the number of vehicles they have on the road)).

The Qld Govt has, by its actions, caused hardship to all involved in a previously self sustaining industry resulting in:

- a loss of drivers, (because uber heavily subsidize incentive payments initially to new drivers).

- a loss of passengers (heavily subsidized fares for passengers).

- loss of income to Operators (not enough drivers or passengers).

- reduced licence payments to licence owners.

A heavily subsidized operation eg uber, does not represent competition, but is designed to eliminate competition. (Predatory pricing practices)

The Govt sold an asset, an exclusive licence, (premium prices are paid for exclusivity) for a sum as specified in TOPTA and now they have removed the exclusivity thus significantly devaluing the asset. Had the Licence been non exclusive, people may not have invested at premium prices, in an asset that was so heavily regulated by Government. This was enshrined in Section 70 of TOPTA – high penalties for anyone providing taxi services without a Taxi Service Licence. Many Licences have been providing an independent retirement income via their Superannuation. That now is severely jeopardised.

The social impact of "deregulation" must seriously be considered by the committee. Compensation should be given to those who wish to exit the industry. If the Govt had carefully considered what they were doing, & made all things equal, there would be no need for compensation.

The entire taxi industry has suffered hardship. The Govt has allowed ridesharing/booking to flourish while still regulating Taxis. The "perhaps" unintended consequences of the Governments Amendment Bill is the destruction of Qld business and creation of a class of working poor. The government of the day must not lose its moral compass, and blithely say no compensation. There is such a thing as Social Justice and nowhere has the government displayed this throughout the amendment Bill.

The reason for the upheaval and hardship... an app... Innovation.... Qld taxis have had booking apps for approx 4 yrs... long before uber arrived here. Apparently the Minister at the time was ignorant of this. The Qld Taxi industry is recognised as a world leader and best practice. Taxi companies from around the world seek advice in management and delivery of service from the Qld Taxi industry. This legislation derives much from the worlds worst practice.