




Speech By
Robbie Katter

MEMBER FOR MOUNT ISA

Record of Proceedings, 16 September 2015

TRANSPORT LEGISLATION (TAXI SERVICES) AMENDMENT BILL

Introduction

 **Mr KATTER** (Mount Isa—KAP) (4.08 pm): I present a bill for an act to amend the State Penalties Enforcement Act 1999, the Transport Operations (Passenger Transport) Act 1994 and the Transport Operations (Road Use Management) Act 1995 to provide for the recording of demerit points against the traffic history of a person who provides a taxi service without a taxi service licence or peak demand taxi permit. I table the bill and explanatory notes. I nominate the Infrastructure, Planning and Natural Resources Committee to consider the bill.

Tabled paper: Transport Legislation (Taxi Services) Amendment Bill 2015 [[1089](#)].

Tabled paper: Transport Legislation (Taxi Services) Amendment Bill 2015, explanatory notes [[1090](#)].

I also table a petition from 4,586 Queensland citizens who hope to draw to the House's attention the issue of the continued operation of illegal taxi services in Queensland and how this undermines not only taxis but all state regulations.

Tabled paper: Non-conforming petition regarding illegal taxi services in Queensland [[1091](#)].

These signatures are in addition to those tabled to the House this morning. The petition requests the House to move swiftly to effect the necessary legislative changes to the Transport Operations (Passenger Transport) Act 1994 which is exactly what our bill aims to do. We are listening to the people of Queensland and I hope that other parties of the House will as well. The Transport Legislation (Taxi Services) Amendment Bill 2015 increases penalties targeting illegal taxi operators and thereby deters noncompliance with the Transport Operations (Passenger Transport) Act 1994.

Illegal taxi services are circumnavigating the Queensland taxi industry at a rapid rate and to the detriment of our society. This situation threatens the standards and safety of our taxi services across the state. This situation also erodes the integrity and viability of the taxi licensing scheme administered by the Queensland government. It is evident that existing penalties are not sufficient to deter the increase in illegal taxi services in Queensland. This is an issue that the KAP, myself and the member for Dalrymple feel very passionately about. We are the first in Australia to put forward legislation to tackle illegal taxi services. This taxi service has come from nowhere. It is a multinational corporation that has circumnavigated the existing regulations to mimic the activities of our established taxi service.

Illegal taxi services have now expanded to eight Australian cities, and by the end of the year one in 10 Sydney residents will have used a ride-sharing service. There are now 2,000 illegal taxidrivens across Queensland. Up to 12 July 2015, the state had issued 1,500 infringement notices to drivers of illegal taxi services, with a total value of more than \$1.7 million. To let this continue means the government is undermining its own revenue base and its own legislation. We understand there will be a review of the taxi industry at the end of this year that aims to address some of these issues. These illegal services are operated by large multinationals whose profits go overseas, while the taxi industry provides some \$90 million in GST revenue to the Commonwealth.

Taxi licences, for those who have purchased them, are becoming significantly devalued and worthless. I want to address the comments that have been made in the media by one of these service providers. They said that the people who invested in these licences originally went in with their eyes open. If we applied that same rationale to a number of other industries, I think there would be outrage—similar to the outrage we are getting from taxidrivers now. The taxi industry has been formed on regulations that have been carefully considered within this parliament over the years, and those regulations sit there for a purpose and those laws sit there for a purpose. If someone from the outside comes in and tries to circumnavigate those laws and outcompetes the existing people who have invested heavily in that industry, I think that is an unfair advantage and it goes against the purpose of us making all those regulations in the first place in this House.

As our party has a strong presence in regional areas, this is taking a brave step. We have always been in favour of a regulated market. I draw the attention of the House to comparisons in other industries that could face the same threat. For many years, the major supermarkets have been staring down the pharmacies in a bid to deregulate pharmacies so they could sell pharmaceuticals in their shops, but common sense has prevailed and people have realised that the service provided by those pharmacies and the investment they have made mean the system is working well—that is, the pharmacies provide good services the way they operate now. In the same way, we have heavy regulations in the hotel industry that provide a safe environment where we can engage socially and drink alcohol. We do not want people serving alcohol from underneath their house and thereby circumnavigating the laws. So too we do not want people using private vehicles to do the service that is undertaken by a regulated taxi industry.

The taxi industry has always met, and often exceeded, the standards set by the state government. We need to ensure these standards continue to be met through the regulated market. Many of the laws that exist now that govern the taxi industry were based on the internal policies that grew out of the taxi industry—that is, the government followed the industry that was self-regulating. Whilst it is not a perfect industry and there is always room for improvement, it is worth noting that many of the regulations that are in place now have actually been recommended by the industry itself.

I think that is in sharp contrast to the operations of this new operator into the market that has amassed some \$1.7 million in fines under our existing laws. That operator is now presenting a separate set of laws as a proposal to the government and saying, 'We want these laws. We acknowledge we're not abiding by the existing laws, but we want you to change your laws so we can practise within the framework of the law.' That is the recommendation that is being put by one of the operators at the moment, and I feel that is the tail wagging the dog. I think when people come to set up a business in the state they should initially observe the laws that are in place, and then if they want to change them down the track they should wait for the change in laws and then operate under those standards. They cannot tell the government how they are going to operate and then start operating straightaway and circumvent the existing laws. That is not right.

Taxis are legally required to provide a community service obligation. They provide transport for over one million wheelchair bound passengers per year in Queensland. Somehow we are going to have to find a way to cart them when they are not cross-subsidised through the taxi industry. They do not get charged any extra at the moment for carting these people in wheelchairs. The other operator that is out there at the moment is UberAssist and they do have a function that will assist people in wheelchairs. That is operating in New South Wales but it is not mandated, and that is an important point to make. At the moment, 20 per cent of the industry needs to be able to accommodate wheelchair access. That is a good thing that has been done by the government. It is there for a purpose, but it is being advocated that it be bypassed. The claim that it is accommodated by this alternative service is simply false and misleading. There will be a significant depletion of transport for those with a disability if we move towards deregulation.

The taxi industry also has GPS tracking, fitted cameras and a rolling 24-hour criminal history check on all drivers. These are safeguards that are put in place for the safety of the customer. We do not feel that the penalties being advocated in this proposed bill are overly harsh or unjust. They are in line with the government's latest road safety initiative on mobile phones. We have heard the calls of the small business owners of the taxi industry. There are some 60,000 small businesses that are built around the taxi industry in Queensland, and we believe they deserve action. The actions of illegal taxi services are uncompetitive. If they want their services to continue, they must meet the standards and regulations set by the state government. They must respect our laws.

In the development of this bill, the KAP has considered the multiple submissions made by Uber. We understand their proposal for a transportation network company framework. We acknowledge those and we have observed those, but until such a framework has been legislated multinational companies should not ride roughshod over Queensland laws. The Queensland Taxi Strategic Plan 2010-2015 will

come up for review at the end of the year, and we are sure there will be changes to the taxi industry. Legal process is not something we are against. I should state again that if the services that are out there at the moment are legal—as they claim—then they have nothing to worry about with this bill. We are not against competition in the industry and we look forward to working with all legal transportation operators offering any form of competition.

For this reason, the bill targets those drivers delivering illegal taxi services and subjects such individuals to demerit points and fines. This is necessary to maintain the standard and safety of taxi services across the state. The bill is consistent with the objects of the Transport Operations (Passenger Transport) Act 1994. This is to achieve the best possible public passenger transport at reasonable cost to the community and the government, while facilitating market entry restrictions in the public interest.

Specifically, the bill amends the Transport Operations (Passenger Transport) Act 1994 by introducing demerit points against persons guilty of providing a taxi service without a taxi service licence or a peak demand taxi permit. That is another factor that should be taken into consideration here. If you have a taxi licence in Queensland, you are obligated to take calls 24/7. So if it is four o'clock in the morning and a Uber driver does not want to wake up or they want to apply surcharges if they do, you will not be protected from that. If the taxi industry collapses—and make no mistake: they are under serious threat of a serious collapse—you will be subject to surge pricing. You might be stuck out at the airport at four o'clock in the morning or in the suburbs at three o'clock in the morning because no-one can be bothered getting out of bed. Under the current regulations they are made to get out of bed; they are made to provide that service. If this industry is allowed to fall over, which is a very strong risk and a very likely outcome if we do not intervene, that is the outcome we could be facing. We should be ready to explain to all Queenslanders if this bill is not supported.

The bill also makes consequential amendments to other legislation, as already mentioned. It provides a strong and strategic response to the sustainability of the taxi industry in Queensland.

First Reading

Mr KATTER (Mount Isa—KAP) (4.19 pm): I move—

That the bill be now read a first time.

Question put—That the bill be now read a first time.

Motion agreed to.

Bill read a first time.

Referral to the Infrastructure, Planning and Natural Resources Committee

Mr DEPUTY SPEAKER (Mr Elmes): Order! In accordance with standing order 131, the bill is now referred to the Infrastructure, Planning and Natural Resources Committee.