




Speech By
Andrew Powell

MEMBER FOR GLASS HOUSE

Record of Proceedings, 14 September 2016

**TRANSPORT AND OTHER LEGISLATION (HIRE SERVICES) AMENDMENT
REGULATION: DISALLOWANCE OF STATUTORY INSTRUMENT**

 **Mr POWELL** (Glass House—LNP) (7.34 pm): I move—

That the following provisions and parts of provisions of the Transport and Other Legislation (Hire Services) Amendment Regulation 2016, subordinate legislation No. 161 of 2016, tabled in the House on 13 September 2016, as described below be disallowed—

- (a) Section 8(1), the words—
'67(1)' and '70(2)' only;
- (b) Section 20—in its entirety;
- (c) Section 22, the words—
'67 to' only;
- (d) Section 23—in its entirety.

What a bungled process we have seen from this transport minister and this Palaszczuk Labor government when it comes to taxi and ride-booking services in the state of Queensland. First it was asleep at the wheel—as usual—doing nothing for nine months as the Queensland taxi strategy came to an end. Then it spent a further 12 months on a review into ridesharing, leaving the industry and passengers in limbo. The transport minister announced his policy but no detail on the regulatory changes, with little consideration given to the flow-on effects. When it finally got to it, it was policy on the run—a hallmark of this government. Quite literally, the government made its regulation public on the Friday before the changes were to come into effect.

As Queenslanders would expect us to do, the LNP considered the detail and consulted with stakeholders and I can assure members that it did not take us 18 months to notice some of the gaping holes in this minister's policy. It was clear that all of the safety concerns had not been thought through clearly. Let me be clear: the LNP has always supported innovation and competition in the personalised transport industry, but we also want a fair playing field for the drivers and for the operators but also with the priority—always a priority—around passenger safety. We were alarmed by some of the issues raised with us by stakeholders as we consulted on the government's regulatory changes. That is why this evening we are seeking to disallow three provisions of this regulation: the removal of the maximum age limit on hire vehicles; the removal of the requirement to remove identifying features from vehicles that are no longer being used as taxis; and the removal of the extra charges provisions.

Turning to the removal of the maximum age limit for taxis and ride-share vehicles, the government has removed any age limit for a taxi or a ride-share vehicle. Previously, a taxi had to be newer than six years old or eight years for a wheelchair accessible taxi. Now taxis or ride-share vehicles can be any age and passengers will not be able to choose whether they order a service and all of a sudden a 15-year-old car turns up. I can just picture it: a Mitsubishi Sigma or, even worse, something like my first car, a Holden Camira, rocking up to pick up some unknowing customer who has ordered a vehicle.

There are better ways, Minister, for determining the roadworthiness of a taxi or ride-share car such as the kilometres travelled or the safety standards of that vehicle. What we are saying is that a 'no look pass' approach to the age and safeness of a vehicle is not in the passenger's best interests. This is a ham-fisted approach and this minister needs to go back to the drawing board, because it may not be the taxi owners or Uber or GoCatch who abuse this regulatory removal. It will be the backyard operator seeking to make a quick buck, and that is what we in the LNP fear most for passengers across Queensland.

Before the government changes, taxis that have been decommissioned and taken out of service have to be stripped of their features before being sold. This meant removing taxi lights, meters, stickers and logos. Under the government's changes, this will not be a requirement anymore and it is again clear that this government sees this as a bit of superfluous regulation, but that is because there has been no thought given to the ramifications. It is a worrying thought that right now people could buy a vehicle that looks like a taxi, even if they are just using it as a private vehicle. I shudder to think about the possibility of someone untoward buying a car that looks like a taxi. Most passengers would think it was a taxi and could potentially hop into it after a night on the town. I do not want to consider where this worrying analogy ends, and that is why this regulation was brought in in the first place. Passengers need peace of mind that when they are hopping in a cab they know that it is a real cab, that it is the real deal.

The minister has also put no thought towards the effect that his changes will have on driver safety. Currently, a taxidriver has the ability to levy an extra charge on a fare for soiling a vehicle—that is, throwing up in the back of a vehicle. That is an offence and linked to a penalty unit. This provision was introduced to prevent arguments and altercations between drivers and possibly intoxicated passengers. It provided a clear cost for this offence. The removal of this provision puts driver safety at risk when they are required to add additional fees to a passenger's fare, potentially leading to ambiguity and confrontation. The fact that this provision was linked to a penalty unit also allowed police officers to become involved if the situation were to get out of hand.

They are the aspects that we are debating this evening in this disallowance motion, but it is fair to say that the LNP has some serious concerns about other changes that the minister has made. However, in the interests of not wanting to cause legislative uncertainty and to maintain at least some semblance of a level playing field, we have not sought to have those provisions disallowed. We expect the minister to hear our concerns, and those of the broader industry and stakeholders, and rectify them in the second tranche of his legislative changes.

We believe that further consideration needs to be given to how often taxi and ride-share vehicles have to go in for a safety inspection and be awarded a safety certificate. I am not convinced—and neither are many stakeholders—that 12 months is frequent enough. I think that Queenslanders would expect more frequent, more thorough safety inspections. Again, the minister has this wrong. We are not saying that the status quo is fine, but the minister needs to come up with a better outcome—and perhaps this time he would like to consult with the industry first.

We also believe that the government needs to set minimum competency standards for the industry, especially where vulnerable Queenslanders are concerned. It is important for there to be standards and training in place for all drivers. Similarly, we have concerns about the wording within the licensing regulations—how quickly a driver can obtain a permit to operate as a taxi or ride-sharing licence holder depending how long they have held a driver's licence. Again, in the interests of not creating further ambiguity, we have not chosen to disallow that provision this evening.

Before I conclude, I must also touch on the minister's lazy approach to his industry assistance package. I am conscious that there is now a bill before the House about it. Suffice it to say, a one-size-fits-all approach has really missed the mark. The LNP will continue to consult and listen to affected stakeholders—passengers, drivers and licence holders—as we will on registration and CTP, the other big concern of many stakeholders, principally taxi licence owners. I ask the minister to note our concerns about those areas. I would appreciate having ongoing consultation with the minister on those matters as well as with the broader industry.

I implore members to back the LNP in disallowing these provisions. This minister has bungled the process, bungled the policy and bungled the regulation. He has not thought through all of the safety implications and, once again, it is up to the LNP to check this Palaszczuk Labor government's homework.