




Speech By
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MEMBER FOR MAROOCHYDORE

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**HEAVY VEHICLE NATIONAL LAW AND OTHER LEGISLATION AMENDMENT
BILL**

 **Ms SIMPSON** (Maroochydore—LNP) (4.30 pm): I rise to speak to the Heavy Vehicle National Law and Other Legislation Amendment Bill. The elements of this bill that I particularly wish to address concern the taxi and limousine industry. The mishandling of the reform of the taxi and limousine industry by the Palaszczuk government is an absolute shemozzle. Many hardworking Queenslanders, of whom most are small business owners, will experience hardship or are experiencing hardship and great financial loss because of the lousy way this has been handled. The industry needed reform, but this was not the way to do it. In dribs and drabs and after the horse has bolted, we have a ridesharing competitor breaking the rules and grabbing market share while taxis and limousine owners and drivers had to obey the rules or be fined. This government twiddled its thumbs while market share grew for this multibillion dollar international ridesharing company, which uses ordinary folks to do its front-line work while the company picks up their fines.

There are two parts to this bill. As I noted, the heavy vehicle national law reforms are part of that and others will address that more fully. Certain aspects with regard to taxi and limousine service licence holders particularly provide a framework that will allow compensation, but the detail as to how these things are going to be rolled out and a range of other critical matters still have not been addressed. It has been death by a thousand cuts while people wait to see the detail. We have a situation where CTP, the compulsory third-party insurance that taxis and limousines have to pay, is many times greater for them than for someone who is driving an ordinary car.

You have a situation where the regulations as they currently stand require taxis to have safety cameras and a range of quite prescriptive controls with respect to safety—because safety is a valid issue—but there are a range of other issues as well including cleanliness, dress standards and backup systems to ensure there is a trackable way of knowing whether service delivery is occurring. The back of house as such is something that is quite heavily regulated. People can be critical of where they see opportunities for improvement in the taxi industry, but the reality is that this is a highly regulated industry. People entered into it in good faith and paid significant amounts of money—initially to the government, and then trading those licences on the open market or on the market—for licences created by the government. If you like, it was a franchise arrangement that occurred with heavy regulation around how those people could continue to operate.

The competitor that has come in has operated in a way that is not so much about technology being a disruptor as it is about a multibillion dollar company with a calculated business model which has built market share by doing what taxis cannot legally do: breaking the rules they were bound by. Uber drivers can have their fines paid by a multibillion dollar company which is estimated to be worth between US\$30 billion-US\$62.5 billion. Even if you were to take the lower amount as an indication of their market worth, that is a major multinational company. Taxi owners and drivers do not have the same deep pockets. The risk to their ability to maintain their business within the rules is substantially affected. This is a bastardisation of a system and it is not the answer. I have been extremely

disappointed at the shoddy way this Labor government has handled this long-running review and its so-called solutions, and still there are no answers with regard to issues such as safety cameras, insurance and many of those other regulations which still bind the taxi industry.

I believe that safety is a major issue. When I have the good fortune to travel overseas, I deliberately look for those that have regulated taxi operators because I know that the government in those particular countries is saying that they are a safe operator. There are some places where they are quite specific about the fact that you need to get a regulated taxi service in order to know that it is safe. Now, I know the world may have changed even since the last time I was fortunate enough to travel overseas and there are other competitors in many other parts of the market, but the reality is that taxis and safety are two major reasons this industry was regulated in the first place.

The LNP is not opposed to change and competition and neither is the taxi industry, but what is needed is a fair and level playing field for the taxi and limousine industry and an assurance that passenger safety will be prioritised. Currently the competition from Uber is far from fair because they are not playing by the same rules. People are driving without safety checks, and that is not the answer. I have listened to the concerns of many taxi and limousine licence holders who are my constituents. Some are self-funded retirees who invested in these licences; others are out there driving themselves and trying to make a living after spending hundreds of thousands of dollars for licences that, in good faith, they thought were part of a government regulated system. In effect, the government has allowed it to become a deregulated system for some but not for all, and that is where it has been unfair.

This government has penalised those who trusted that a taxi licence, which was essentially franchised by the government, had a value that they could take to the bank and mortgage their houses to buy. People have mortgaged their houses, but under what is being proposed they will not get that money back. That is so terribly unfair and causing so much distress. The minister has dismissed their concerns. It appears that he does not care about their property rights or the impact of these changes on taxi and limousine licence holders. Many of them are still asking me, 'What is going to happen?' Are they still going to be required to pay for whatever new licence a limousine company may have to have? What is that licence going to look like? Are they still going to have to pay for that? They have not been able to get the answers they asked for, and we are still waiting to see the detail of that because it is still not clear.

After consultation with the taxi industry, the LNP opposition opposed the government's first tranche of their policy and disallowed a number of provisions. We do not see the legislation which is before us as a total solution. It provides a framework to allow compensation, but it still leaves many of those other issues unanswered. The taxi and limousine industry is in the dark about the rest of the government's proposals, and the minister refused to give any dates or detail to provide certainty to the industry. I have serious concerns about the many inadequacies in the industry assistance package. In particular, the cap on compensation for only two licences should be removed, as should the restrictions on who will be compensated. You can have many small businesses which operate under family companies or family trusts. The shadow minister has a number of amendments which we will flag.

The parliamentary committee which reviewed this bill expressed concern that this minister is seeking to create a head of power for compensation without outlining the eligibility criteria for those receiving the payments. Both the government and opposition members of the committee criticised the minister's handling of the whole process. Regardless of this, it is important that we do not stretch out the wait any longer to provide at least some assistance to struggling taxi and limousine owners. Many need financial assistance now and certainty about their future so they can plan. But, as we flagged, there is a lot more heavy lifting that needs to be done rather than these delaying tactics and death by a thousand cuts through delay, indecision and lack of capacity for the government to respond. This bill has to be passed, otherwise the struggling owners of these licences will have to wait for access to hardship payments. They are far from adequate to deal with the real loss that has occurred by allowing a competitor who has not operated with the same safety checks, the same CTP weighting and the same costs associated with the rolling stock.

As my colleagues have also outlined, there are continuing concerns with regard to wheelchair accessible vehicles and any proposition the government has in order to allow that very important aspect of the personal vehicle sector to be maintained. We will continue the fight for changes to ensure that public safety is protected and that there is a level playing field. We still do not have that in what has been proposed. There will still be great uncertainty and great distress. More needs to be done. Passengers, who have a right to a level of service and to see industry reform that meets their needs, deserve that as well. They deserve a system that is fair to those who in good faith enter into businesses in the belief that the government will uphold the very regulations they had put in place. Regulations need to be fair and equitable.