




Speech By  
**Hon. Stirling Hinchliffe**

**MEMBER FOR SANDGATE**

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### **TRANSPORT LEGISLATION (TAXI SERVICES) AMENDMENT BILL**

 **Hon. SJ HINCHLIFFE** (Sandgate—ALP) (Minister for Transport and the Commonwealth Games) (7.51 pm): I rise this evening to support the intent but not the substance of the Transport Legislation (Taxi Services) Amendment Bill 2015, as proposed by the member for Mount Isa. The bill, as it currently stands, aims to deter unlicensed taxi services through the allocation of demerit points to the drivers of those services including imposing double demerit points for repeat offenders.

I note that the Infrastructure, Planning and Natural Resources Committee has examined the bill and tabled its report on 16 March 2016. As noted by the committee, there are two key issues facing the Queensland government in relation to personalised transport services. The first is the overarching task of identifying and introducing an effective and efficient regulatory framework for personalised transport services. The more immediate and complementary task is to enforce the current regulatory framework to ensure that all providers of personalised transport services comply with it.

Last year the Queensland government established an independent task force to examine and consult across the state as to the future of personalised transport services in Queensland. The need for the review in part was driven by the emergence of new technology based innovations that are challenging the current regulatory model and a visible change in the needs and expectations of consumers using taxi, limousine and rideshare services.

Mr Jim Varghese AM was appointed as chair of that independent task force which will undertake the review by investigating the current taxi, limousine and rideshare market; identifying what an efficient and effective market should look like; ensuring the regulatory framework supports the needs and expectations of the community and industry; and outlining the recommendations for government consideration.

The review will be guided by the principles of accessibility, accountability, customer focus, innovation and safety. To ensure that the principles accurately reflect the viewpoints of key stakeholders, a draft version was released late last year. The feedback was reviewed and some suggestions have been incorporated into the final version of the guiding principles. These principles will be checked back against by the task force throughout the review to ensure that the direction of the review aligns with what is most important to Queenslanders.

The Queensland government is delivering on its election commitment to work with all participants in the taxi industry to ensure that laws are upheld, competition is fair and the needs of customers are put first. The review will ensure Queenslanders are provided with safe and efficient personalised transport services and with a sustainable industry to deliver the services.

A discussion paper about innovation in the industry was released in March this year. Online discussion forums about topics raised in the paper were held in March, and two panel discussions were held in Brisbane and Cairns in early April. The task force is now in the process of preparing an options analysis paper which will be publicly released before midyear. Statewide consultation will occur in the weeks following the release.

Using feedback gathered during public consultation, the task force will report to government in August. The report will serve to guide us towards a modern and effective personalised transport framework. The Queensland government will carefully consider and respond to the task force report and recommendations. The government acknowledges that new technology must be used in a way that complies with all applicable laws and, most importantly, maintains customer safety.

The bill being debated tonight aims to address the immediate task of enforcement. While I am supportive of the intent of this bill, I do not support the use of demerit points in this manner as it is inconsistent with the primary intention of that scheme—namely, to deter drivers from committing offences with high road safety risks. Demerit points are a powerful mechanism for ensuring safety on our roads and the effectiveness of that deterrent should be preserved.

In its report, the Infrastructure, Planning and Natural Resources Committee recommended that I undertake an urgent review of mechanisms for enforcing compliance within the current regulatory framework, that I take immediate action to ensure that compliance with the regulatory system is enforced and that I provide a report to the House during this debate. I am pleased to be able to report that these recommendations have been progressed and are now complete.

Since July 2014 over 18,000 hours of compliance effort have been applied to the enforcement of unauthorised passenger transport services. However, as noted by the committee, there are a number of issues affecting the ability of my department to enforce compliance of the current legislation. As such, a number of amendments to the existing legislative framework have been identified. In summary, these amendments would align with the intent of the private member's bill and will fulfil the three main objectives relating to illegal taxi services.

The first is to enable and facilitate prosecutions by simplifying complexities within the existing legislation and reducing the elements of proof and introducing evidentiary aids. The amendments will also support compliance activities by enhancing the powers of transport inspectors. Lastly, these amendments would aim to deter noncompliance by increasing monetary penalties.

Passenger transport legislation contains specific requirements that set maximum age limits for taxis and other public passenger vehicles. I can announce that today I have directed the department to implement an amnesty relating to maximum taxi age limits. The maximum age limit for taxis is six years for a conventional taxi and eight years for a wheelchair accessible taxi. Departmental data indicates a number of taxis are approaching their age limit this year. If the age limits under the legislation are enforced, taxi operators will be required to replace those vehicles at significant cost and at a time of uncertainty for this industry pending the outcome of the current personalised transport review.

The amnesty will be for a six-month period effective immediately in order to cover the period of the Varghese review and any future changes that may flow from the review. The amnesty will not compromise the safety of taxi services as affected taxis will still be required to obtain a six-monthly certificate of inspection, ensuring the highest safety standards are maintained.

I foreshadow that it is the government's intention to support the second reading motion and enter into the consideration in detail stage of this debate. I can foreshadow for the benefit of the House that should the clauses concerning demerit points be rejected by the House then the government will move the amendments that I have just outlined. Those proposed amendments will immediately resolve any complexities and enable the effective enforcement of illegal taxi services, thereby addressing the pressing issues and recommendations of the Infrastructure, Planning and Natural Resources Committee.

What we have seen in relation to this matter over a number of months is the challenge of dealing with an industry in transition. I think the Queensland government has been prudent and sensible in undertaking a considered, engaged and very consultative review process to look at the way the issues for personalised transport shift and move in the state, but in the meantime innovation does not excuse illegality. That is why I encourage all members to vote down changes to the demerit points system in the consideration in detail stage of this debate. I ask members to support the government's amendments to deal with this important issue.