




Speech By  
**Hon. Mark Bailey**

**MEMBER FOR YEERONGPILLY**

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**TRANSPORT AND OTHER LEGISLATION (PERSONALISED TRANSPORT REFORM) AMENDMENT BILL**

 **Hon. MC BAILEY** (Yeerongpilly—ALP) (Minister for Main Roads, Road Safety and Ports and Minister for Energy, Biofuels and Water Supply) (8.12 pm), in reply: I welcome the contributions of all members who have spoken on this bill today and I thank them. Earlier I spoke about the main objectives of the reforms. Ultimately they are about customers having more personalised transport choices and ensuring that those choices are safe. Technologies and consumer behaviours are changing rapidly and it is the responsibility of this House to come up with legislative solutions to respond to those changes. In particular, we need to be careful to ensure that there are appropriate protections in place for members of the public who use these services. In developing this bill another overarching objective we have strived for has been to provide consistency across the personalised transport industry.

However, we also need to acknowledge that the services provided by taxis and ride-booking services do differ and, as a result, it makes sense to treat those services differently in some ways. Because of the different nature of the services, the bill rightly provides that taxis will retain exclusive access to rank-and-hail services. We are serious about protecting taxis' exclusive access to this market, which is achieved through the bill in a number of different ways. Again, on this issue, we are leading the nation. We will see 14 enforcement officers working on the ground and two investigative officers who will look into particular complaints. There will be a strong level of enforcement of rank-and-hail services.

Any person who provides a taxi service in a vehicle other than a licensed taxi will commit an offence. That includes services such as rank-and-hail where a motor vehicle and driver are hired on the spot for a journey to start immediately or shortly after. Substantial penalties will apply to deter the provision of unauthorised services, including escalating financial penalties of up to \$365,000, as I outlined earlier in my second reading speech, and driver licence sanctions.

The bill allows only taxis to provide services requested through a fixed booking device. That closes a potential loophole that may have otherwise allowed ride-booking vehicles to set up an electronic pick-up zone that would effectively operate like a rank. Furthermore, to ensure that ride-booking operators only provide services that have been booked in advance, providers of services other than taxis must keep and produce booking records for inspection. As we have discussed today, there are a raft of other changes contained in the bill, most notably a new booked hire service licence and a new booked entity authorisation which will capture existing and new entrants into the personalised transport industry and will ensure all providers of services are held accountable.

When looking at this bill, let us be absolutely clear and up-front: this has been a very difficult issue for everyone involved in the industry. It has been a very sudden digital disruption in a way that many industries have not experienced. I have met with many taxidriviers in my constituency. There is no doubt whatsoever that it has been a very challenging time. It is absolutely correct that dealing with that level of change at such short notice will mean some people will suffer. It would be churlish of any of us to deny that that is the case. I think most members would have met with affected people from

within the industry. However, we have to deal with the issues and ensure that we get as a fair an outcome as possible. We have listened to the concerns of the limousine industry and responded with a range of measures. Fees for the personalised transport industry have been issued at what I think is a reasonable level. It is higher than for taxis, but it is not prohibitive. It helps to pay for a range of regulatory measures and I think it is a reasonable and well-set fee.

When it comes to cameras, it is a simple fact that while, in some ways, taxis and personalised transport operators provide a comparable service they are not the same because of the key issue of anonymity. If I get into a personalised transport vehicle, I will have an account and there are things that identify me. Before I get into the vehicle I can see who the driver is and vice versa. There are various ways that the provider can influence that. However, if I get into a taxi I could be anyone from anywhere in the world. No-one knows who I am. There are very different business models and there will be slightly different approaches taken, but the risk based approach is very much at the heart of this. People are making their own decisions about that and it is not a simple question, although some people would like to think it is. Of course, there are no guarantees that any form of transport is absolutely risk free, but obviously people believe there is safety in both personalised and taxi services. There is scope for differentiation in the marketplace for people who think it is a big issue. Of course, safety is a key part of this legislation.

While it might seem a small item to some people, we have been very clear about the need for greater visibility, which is also part of public safety. To be quite frank, the current provisions for personalised transport vehicles require very minimal marking on the cars. We have had various examples where people have got into what they thought was a personalised transport service, but they had innocently stopped another car at that particular time. Obviously, we have to minimise that. The marking on the car has to be clear, so that people do not get into situations that potentially could be unsafe. I am thinking of circumstances occurring late at night, but there could be all sorts of scenarios.

The clearer it is, the more obvious it is, the better. It makes sense. I know there has been a bit of criticism about this. I think it is reasonable. It is in the public interest. The regulatory requirement around ensuring there is a local office for accountability reasons and for local employment is an important part of this bill. It progresses things from where they have been in the past.

We have been very clear to bring in strong penalties. We want strong enforcement. We are dealing with the public. We have not mucked around in terms of making sure the penalties are strong and that we will have bodies on the ground to enforce the provisions. I think that will be welcome, particularly in the taxi industry, as it is concerned that the current provisions are not strong enough. We have certainly tried to respond to those concerns. Those 16 compliance officers will make a real difference. From very early on I think the industry will see a difference. It is very good to see that occur.

In terms of public safety there is a zero blood alcohol limit across-the-board. There is absolutely no tolerance when it comes to that. That is an important feature of the legislation. When it comes to this industry obviously fatigue is a very important issue. As the Minister for Road Safety, I point out that this is often one of the quietest of the fatal five when it comes to road safety. The others are obviously important too in terms of their impact on people in crashes. Fatigue is a real killer. We need to ensure that those provisions in this bill are strong. The way they cascade through the chain of responsibility is very strong and appropriate and in the interests of public safety.

We will be reviewing the fees for their appropriateness after 12 months. We are not saying that this is the law and this is how it is going to be. This is a very new area and it needs continued monitoring and scrutiny to ensure we finetune things as we go. We will continue to work with industry in that regard. There will be a 18-month review on a few other safety fronts.

The ombudsman provision has been adjusted over time. Once we looked at the original model with some real level of detail we found that it really was duplicating capacity and roles that already exist. We have taken a step back, had a look at that and come back with a model which I think is much better. This is a real contrast to the opposition's position. There are going to be complaints and referrals in this industry. There are still some very polarised views and friction. I think we need that ombudsman role in that regard. At the same time, the ombudsman needs to be genuinely independent so that they can look at the players in the industry, including the department. That is very important. The role needs to be separate so that we have that level of genuine scrutiny and are not beholden to the department. I think that is appropriate.

We have protected the travel subsidy scheme and access to disability market for the taxi industry to help them hopefully preserve and restore some value for a little while yet. We will come to that again next year. I think that is an important measure.

I believe we have brought in a reform that will be well received in the taxi industry—that is, to make it an offence to avoid compliance. That is an issue that plenty of members of the taxi industry referred to and one that the member for Mount Isa referred to. People felt that digital blocking to prevent compliance was not fair. I have sympathy for that view and the bill deals with that. That becomes an offence.

I now turn my attention to the opposition's position on the bill. The opposition has been very critical of us in any shape or form. After all that criticism, all that time, all that posturing, all those attacks, what have they got? They are voting for the bill. Are they moving—

**Mr Bennett** interjected.

**Mr DEPUTY SPEAKER** (Mr Elmes): Order! Member for Burnett, you will refer to the minister by his correct title.

**Mr Bennett:** Minister Bailey.

**Mr DEPUTY SPEAKER:** Thank you.

**Mr BAILEY:** The opposition has made it very clear that they will be voting for the bill. The member for Burnett seems to be upset with that point of view. Maybe he was on the losing side within the LNP on this one. If they want to wreak havoc on an industry that is their choice. I think the opposition's position is the correct one. I think it should be a bipartisan point of view. If those opposite think I am going to stand here and not point that out to the House when they have criticised us uphill and down dale for the last 18 months, then they are living in la-la land.

The opposition is proposing a policy position related to an independent commissioner and yet in their own policy it says that that commissioner will be within the department. That is a simple contradiction that makes no sense whatsoever. One cannot be genuinely independent if they are within the department. How does one conduct independent scrutiny, including of the department, if they are beholden to the department. It does not make any sense whatsoever. I say to the LNP, 'Good luck selling that one out there.' Any person with any knowledge of how society works is going to see right through that one.

There is also the issue of red tape. The opposition says that their views are very strong when it comes to red tape. When it comes to it, they love creating it in this instance. Good luck to them with their pro red-tape policy out on the hustings.

The opposition raised a point about limousines not being clearly identified as a separate class of service within the bill. It would seem they have completely missed the mark when understanding the provisions within the bill. In the new framework limousines are classified as a booked hire service, but the legislation clearly affords particular entitlements to limousines.

As I explained when I introduced the bill, limousines are the only personalised transport services that can display a distinct L-plate, serve alcohol through exemptions under the Liquor Act, access priority lanes as defined in the Queensland road rules and advertise themselves as limousine services. Luxury services can also operate under a booked hire service licence; however, these services will not be able to call themselves limousine services or be afforded the same privileges that limousines can access.

The member for Glass House said that amending a bill is difficult. I guess he would know that. The last time the opposition tried to amend a bill they made buses illegal. We had to come back and clean that up the next day. The simple point here is that when those opposite lack the confidence to engage in the policy process they lack the capacity to govern.

I will come to the contributions from the two members of the Katter party in a moment. The Katter party have two members in this House—two members out of 89. I will come to their amendments a little later. I have respect for the fact that they have given this a go. They have thought about this and will move amendments. They made a genuine contribution. Here we have an opposition with 41 members and they will not move any amendments despite all of their criticisms over a long period of time. It is a lazy effort. It would be remiss of me not to mention that tonight.

I acknowledge the contribution made by the Katter's Australian Party. While the Katter's Australian Party disagree on many of the policy areas with the government, they have nonetheless taken the time to develop amendments to support their position, and I respect that.

These are significant reforms and we need to make sure that we achieve what we have set out to achieve. We have always made it clear that there will be a third stage in the overall reform process that will focus on monitoring, evaluating and adjustment to ensure the outcomes achieve their intent and are fit for purpose. Following passage of this bill, we will actively monitor how the industry is responding and adjusting to the reforms, and we will be particularly vigilant on issues of safety.

In closing, this bill provides a significant but necessary reform of the personalised transport industry due to recent disruptions in this industry. I take this opportunity to thank all of those members who have contributed at the committee level, including the chair. I would like to thank the previous ministers—the Deputy Premier, the member for South Brisbane, and also the member for Sandgate, the Leader of the House—for their contributions. I would also like to acknowledge and thank all of our Transport and Main Roads staff who have worked very hard on a very difficult issue for a lot of people including themselves.

I would also like to thank all of those industry participants who in challenging circumstances have still contributed and made that commitment to letting us know and working with us. It is a difficult process. I think it is important that that is acknowledged. We give that commitment to the industry. We will continue to work with them to finetune and make these reforms work. We will be reviewing things over the next 12 to 18 months. We give that commitment as a responsible government that we will continue to work with them. I commend the bill to the House.