




Speech By
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MEMBER FOR SOUTHPORT

Record of Proceedings, 24 May 2017

TRANSPORT AND OTHER LEGISLATION (PERSONALISED TRANSPORT REFORM) AMENDMENT BILL

 **Mr MOLHOEK** (Southport—LNP) (5.05 pm): It is my pleasure to rise to speak to the Transport and Other Legislation (Personalised Transport Reform) Amendment Bill 2017. What a journey it has been! Last year, we spent many months reviewing the first raft of changes, proposed reforms and the compensation package proposed by the government in respect of the taxi industry. Also last year we had the privilege of visiting many major centres across the state. We spent hours, if not days, hearing testimony and presentations from taxi owners, taxidriviers and many of the families impacted by the changes in the industry. We also conducted more hearings in Brisbane.

We heard substantive submissions and presentations from the taxi industry and from other significant players in the industry, but we had the pleasure of Uber's presence on only one occasion. Uber's representative arrived, answered the questions, made a brief submission, and then left. Such is the heart of those who have a passion for disruptive technology. Throughout the last inquiry, we asked questions on notice of some of the rideshare organisations. They were a little evasive, or were unable to provide the responses that we had hoped for.

Having said that, we heard some interesting submissions from the industry. I visited the Uber training centre in my electorate of Southport. I was told that there are 11½ thousand pick-ups each month just in my electorate around Griffith University, the university hospital and the Southport CBD. I was also told that 900 people within my electorate have signed up to be rideshare drivers. This is not an issue that we can take lightly.

My concern throughout this whole process—and I believe the concern of all of us on the committee, but more particularly my opposition colleagues on the committee—has been about the slow rate of response in seeking to level the playing field and giving the taxi industry a quicker start to respond and compete while at the same time bringing a level of enforcement to the changes to make sure that the rideshare industry is doing the right thing.

I am pleased that one of the recommendations of this report on the legislation is the new class of CTP insurance. I have spoken with many parents and many businesspeople who were shocked to learn that, under the old provisions, the CTP insurance of a rideshare driver does not necessarily provide a guaranteed cover for passengers, because the cover is provided for private use, not for business use. I believe that it is important to address those concerns. I am pleased that the legislation will address those concerns and provide a new class of CTP insurance.

I think it will be very interesting to see what happens with that CTP pool over the next year or two as we start to see claims—or maybe no claims—coming through as a result of the activity of rideshare drivers. The challenge, of course, is when we start to speak in terms of a level playing field. It is not a level playing field. A taxidriver will pay something like \$8,500 a year for their insurance whereas even with the new proposals a rideshare operator's premium, albeit that theoretically they will be operating a lot fewer hours each week, will be more in the order of \$500 per annum. It will be very interesting to see where that pool goes.

Through the inquiry process I did ask a lot of questions of the insurers and the department around how those premiums are actually calculated for the taxi industry. We heard that the fees are set by three major insurers. They all charge exactly the same. It is hardly a competitive insurance pricing scheme where owners are given a choice to shop around for a better premium with a different insurer but it does not matter which insurer they go with the premium is exactly the same.

My hope is that if this is the direction we are going, and I completely understand that disruptive technology is challenging to deal with, then the disruption should be fair on all sides. Sadly, because of the way that this transition has been handled by those in government, the disruption has been quick for those in the rideshare industry and quick and damaging for the taxi industry because it has taken so long to bring about the reforms needed to support an industry that has for so long supported many Queenslanders.

One of the challenges still not addressed particularly well is just what is going to happen in terms of the provision of services for the elderly, the disabled and those specialist services that we see the taxi industry providing. There is no rideshare for those with a disability who need special vehicles. There are no clear safety provisions or services provided by the rideshare industry for parents who are wanting to book a regular service to have their kids picked up from school. Even under Uber's own terms, one of the requirements is, in fact, that you have to be over the age of 18 to use an Uber unless you are there with your parent. I have been very surprised to speak with parents of some of my sons' friends and other parents in my community who had no idea that that was actually one of the provisions.

The technology that Uber use is impressive. On my visit to the Uber centre I was particularly interested to see that they are able to track the time, the duration and the exact journey that every vehicle takes through their spatial tracking system—through Google mapping, so to speak. All trips are, in fact, recorded and logged and they can be reviewed retrospectively.

I note that the minister has said that they broadly support in principle all or most of the recommendations of the committee. One of the concerns that I have relates to the minister's comments in reference to recommendation 15. It is the government's response that they support the recommendations of the committee, but on reading the minister's comments in response it is clear that the department and the minister's office has not really understood the spirit of what we were actually asking the department and the minister to consider by way of amendment. One of the recommendations is not only should the legislative requirement be such that camera footage is available and driver logs are available in case there is a need for a police investigation or there is some incident, but we also asked that the legislation be revised so that in a sense there was provision in the legislation for our compliance officers and our police officers to actually use disruptive technology to monitor disruptive technology users.

In the hearings we raised some issues with the ridesharing organisations and we asked specific questions around how robust their systems were and how capable they are of monitoring the trips of passengers. We heard some great commentary on that. While we were in the inquiry I opened up the Uber app on my phone and I was able to watch some of the Uber vehicles moving around the city. Just as the question was being answered I observed one of the Uber cars doing an illegal U-turn in George Street. I raise this example simply to make the point that if we are serious about compliance then our compliance officers should be given the resources and the legislative powers they need to use this same disruptive technology to monitor and enforce the behaviour of rideshare operators and, for that matter, taxidriviers and other personal vehicle operators. It would, in fact, be possible.

One of the changes foreshadowed in the legislation is that there will be penalties for rideshare operators who actually pick up or seek to pick up passengers from hail and ride ranks. Given that every single rideshare trip is tracked, logged and monitored, it would be a very simple matter to provide a log of any pick-ups that occurred by a particular vehicle at a rank-and-hail facility within the city, or anywhere else in the state for that matter, and it would support the enforcement actions of the department. I would simply ask that the minister and the department revisit the recommendations of the committee, particularly in reference to recommendation 15, because it would appear that they have missed the third bullet point in that list of recommendations, which was a direct request of the committee and one that was unanimously supported.

As the member for Kallangur rightly said, we certainly are very grateful for the work of the secretariat. It has been a long and arduous review. It would be remiss of me not to acknowledge their hard work and thank each of them. I also acknowledge the work of the committee. The member for Kallangur is right: there are many things that we were able to reach agreement on, but there were some matters that we struggled to reach agreement on. As the shadow minister said earlier, we have been very concerned about the rate of change and how slow the government has been to adopt the necessary changes to level the playing field and deal with some of the challenging issues around a rideshare industry that has fundamentally been out of control.

I want to turn for a moment to the issue of safety cameras. Again it is a challenging issue. It is potentially expensive to insist that every single vehicle have cameras. As the member for Kallangur pointed out, quite rightly, about five per cent of taxis in Queensland do not have cameras in them. It is fundamentally because they are considered to be in areas where there is not the risk that is involved in other areas. My concern is that there are some areas, like the nightclub precinct in Fortitude Valley and down the Gold Coast on some occasions, where I believe there is a case for all vehicles to be fitted with cameras. I think there is a risk in simply relying on a computer logged trip inventory as the basis for evidence in the event of an assault or serious sexual assault or attack.

During the committee process, we asked the department if there are any statistics on incidents involving taxis and rideshare vehicles. While the data is limited, for me of concern is that, for the year 2016, there was a significant number of driver assaults. In fact, according to the report, there were 105 driver assaults, 24 passenger assaults and a range of other significant concerns and complaints raised. There were 345 police investigations during the 2016 period listed.

One area that is not as much of a concern is fare evasion, because of the way that the rideshare app works. Even the taxi industry is adopting that technology to make it easier for people to pay via their app. This matter needs further review. While I am pleased that at least the minister has said that it will be reviewed in 18 months, I am a little concerned because it seems that the government reviews everything in 18 months. I note from this morning's committee meeting that, while I have been asking to see the new housing strategy from the minister that was supposed to have been released some time ago, we are still waiting for it.

The rideshare industry itself has raised concerns around personal security. I received an email from one gentleman who directed me to the website whosdrivingyou.org/rideshare-incidents#sexualassaults. Some of those statistics are concerning. This is an area that we need to watch very closely over the next 12 months. My sincere hope is that there are no incidents. I would love nothing better than to be standing in the House in a year or a year and a half from now, looking at a report from the government or the department that highlights that there has not been an increase in incidents and no loss of life or serious assaults. That is my sincere hope. However, I remain concerned about this issue. While I do not want to see another layer of cost imposed on the industry, it concerns me, particularly when so many young people and elderly people are reliant on taxis and, under the current changes, are using rideshare services more and more.

During the hearings, we heard from a number of organisations, including a couple of rideshare organisations. We had the privilege of receiving a representation from Shebah, the female ridesharing organisation from Sydney. They brought some interesting information to the table. They expressed concerns about the safety of passengers, which is why they have chosen to set up a service that is only for women and children. I suspect that perhaps that is not such a bad thing. We heard from many individuals. We received some 300 submissions in a very short period, some from peak organisations and some from taxi companies, and many private owners and drivers made individual submissions.

One submission that I relied very heavily on for my line of questioning, as it also flagged some significant concerns, was from Professional Taxis Gold Coast, which happens to operate a significant number of taxis within the city and is based within my electorate of Southport. I am pleased that the minister has taken on board its concerns around sections 71 and 72 of the legislation, where there is a need for further clarity around the issue of who actually can pick up passengers at a rank and what constitutes a hire on the spot. From the minister's statement earlier, I note that one of the amendments has taken that concern on board.

As we heard from the shadow minister earlier, the company also raised concerns about the decision to remove bailment agreements from the legislation. Government members have said that that is really more of an IR issue, but I would rather see the bailment agreements left in place during the 18-month review period, so that there is still a tool or instrument that provides drivers in the taxi industry with some guarantees around their conditions of employment. Following the review, those bailment agreements or some other work conditions may be then moved into more relevant legislation. This has sat within transport legislation for a significantly long time and I see no need to remove it, particularly given that the taxi industry has asked that it remain until there is an opportunity for a more fulsome review by a commissioner or a departmental appointee who can monitor what happens over the next 18 months. As the shadow minister has said, we will be supporting the legislation.

(Time expired)