

## Question on Notice

No. 878

Asked on Thursday, 17 September 2015

**MR SORENSEN** asked the Deputy Premier, Minister for Transport, Minister for Infrastructure, Local Government and Planning and Minister for Trade (HON J TRAD) —

### QUESTION:

With reference to an enquiry from a constituent of Hervey Bay—

What is the blood alcohol content under current legislation for an (a) an Uber driver and (b) a taxi driver?

### ANSWER:

I thank the Member for Hervey Bay for the question.

Section 79(2B) of the *Transport Operations (Road Use Management) Act 1995* prescribes that it is an offence to drive particular motor vehicles while a person is over the no alcohol limit.

Section 79(2C) lists the types of motor vehicles to which the previous section applies but in particular in paragraph (e) it states that the no alcohol limit applies to the driver of “a vehicle that has, or is required to have, a taxi service licence or limousine service licence under the *Transport Operations (Passenger Transport) Act 1994*”.

This legislation applies to a taxi driver who must have a zero blood alcohol level while driving a taxi.

The Department of Transport and Main Roads considers that the services being provided by Uber are taxi services.

I am advised that it is reasonable to interpret section 79(2B) and (2C) of the *Transport Operations (Road Use Management) Act 1995* as applying to Uber drivers, meaning the no alcohol limit is applicable. However, each case will turn on the evidence presented, including the court accepting whether a driver was operating under Uber in the first place.

I announced on 7 October 2015 that there would be a review of taxi, limousine and rideshare services in Queensland. The Government has appointed Mr Jim Varghese AM to head up an independent Taskforce.

The review will consider the existing regulatory framework and include an examination of community and industry needs and expectations, public safety and disability access and affordability and competition.

The review is expected to be completed in August 2016, when the Taskforce presents a report and recommendations to government for consideration.