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LEGISLATIVE ASSEMBLY
COMMITTEE ON TRANSPORT AND INFRASTRUCTURE

NSW Hire Car Association

Additional questions

1. You spoke at the hearing of hire car drivers doing work for other ride share operators such as Uber (transcript, page 20)
 - Who is responsible for workplace safety while the hire car vehicle is being used as a ride share vehicle?
 - Are you aware of any insurance or other issues that may arise in this situation?

The NSW HCA cannot comment in on either of these issues as it relates to ridesharing operators although we understand from prolific literature on this issue that there are safety, security and insurance concerns.

What we can say is that our members and other hire car operators in the industry were previously and currently remain bound by the safety and security measures of the operator and driver accreditation process for the NSW hire car industry. An accredited hire car operator doing rideshare work would still present a more guaranteed level of safety compared with an unvetted/loosely vetted private driver doing the same ridesharing work – simply due to the fact that the hire car driver has been through the driver accreditation and related security check as part of getting their driver accreditation authority. Hire car drivers doing ride sharing work will be insured as their vehicle is insured for commercial trade purposes. Important to note that when a HC operator is doing a ride share booking the responsibility for ensuring safety and insurance should fall on the rideshare company.

2. Your submission notes that there is a considerable lack of consistency across the point to point sector in relation to driver remuneration. What is the Hire Car Association's view on minimum payment agreements between drivers and operators?

The NSW HCA cannot currently provide an adequately informed view on minimum payment agreements between drivers and operators. We do not as yet have sufficient aggregate data or information regarding driver payment levels across the industry.

As a general overview, the hire car industry in NSW had for some time reached an equilibrium with prices driven by a combination of what consumers were prepared to pay and the minimum standards set by sole operator drivers. This historically had a follow-on affect across the industry and created a relatively level playing field. This is no longer the case given the disruption over the past 2 years and the downward pressure on pricing by heavily funded global players. The fallout is that operators in NSW appear to be engaging in pricing wars in order to attract customers and boost revenue. This has resulted in a substantial decrease in disposable income for drivers which further propagates the problem and we are now in a vicious cycle. Our members would be open to discussing a minimum standard for drivers provided all relevant factors of the changing framework and the new Regulatory obligations are taken into consideration.

3. The new Point to Point Transport Act makes booking companies accountable for ensuring their services are safe. How do hire car providers currently ensure their vehicles are safe?

Currently hire car operators and booking companies are still operating under the previous legislative framework and both drivers and vehicles are covered under the driver and HC plate accreditations and the related safety requirements respectively. Namely, there is currently (as previous) yearly inspection of vehicles via the *pink slip* process and cars must be certified as roadworthy in order to renew registration of the HC plate.

Moving forward, we are now awaiting the Regulations relating to the new Transport Bill, which will outline specific obligations for booking companies and hire car operators.

4. The Point to Point Transport Act provides that providers of a booking service must ensure the health and safety of their drivers. How do you currently do this?

As indicated above, currently this is still being covered by the previous driver accreditation and related medical testing that is part of that process. We are awaiting the new Regulations in order to understand what will be changing and what the new obligations will be for booking service providers in relation to driver health and safety?

5. Do you have standards in place to manage driver fatigue?

There are currently no universal measures in place to monitor and manage fatigue.

Sole operators - obviously generally manage this on their own terms.

Larger operators - who operate multiple vehicles have a higher level of control and will manually manage this through the allocation of work daily to ensure that no one driver is stretched beyond the standard 12 hours of work.

Booking companies - who offload work have no way of monitoring or managing driver fatigue and they cannot know what each sole operators workload is.

Any measure to introduce standards in this area must carefully consider the working dynamics of the industry and not impose obligations on booking companies who cannot possibly

manage this criteria for independent drivers/operators who accept work from such booking companies as they have no visibility or control over what over work that driver may be doing.

6. Do you have policies to assist those people living with a disability, elderly people or those people from a different cultural background ease of access to hire car services?
a. How do you monitor this?

The hire car sector as a whole does not have specific universal measures in place to assist with special needs clients.

HOWEVER, the premium and wholly customisable nature of hire car services have historically inspired operators to tailor services very closely to their customer needs - to the point that some operators have become quite integral to the daily lives of elderly customers or those with disabilities over long periods of time. In addition, some operators with automated systems have introduced foreign character recognition in online booking processes to allow drivers to display foreign customer names in native characters which helps to facilitate a smooth and efficient customer pickup and experience at airports and the overseas passenger terminal (Circular Quay).

Please let me know if you have any questions.

Regards
Ritta Khoury

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