



Transport &
Infrastructure

The Hon John Ajaka MLC
Committee Chair
Select Committee Inquiry into the NSW Taxi Industry
Parliament House
Macquarie Street
SYDNEY NSW 2000

Dear Mr Ajaka

Responses to further Questions on Notice

I refer to questions that I took on notice during hearings of the Select Committee of Inquiry into the NSW Taxi Industry held on 31 March 2010. NSW Transport and Infrastructure's response is attached and I apologise for the delay in responding.

Yours sincerely

Les Wielinga
Director General

13.05.10

Select Committee Inquiry into the NSW Taxi Industry

Further questions taken on notice: 31 March 2010

The Hon. TREVOR KHAN:

1. Information regarding the initial issue of 100 annual taxi licences in early 2010:

- (a) How many were individual plate issues?**
- (b) Who were the licences issued to?**
- (c) Has there been a concentration in licence ownership over time?**

A: As at 5 May 2010, 82 of the initial release of 100 licences have been issued and 60 of these have been issued to individuals. Of the 18 licences yet to be issued, all will be issued to individuals (assuming that they complete post-tender requirements, which include obtaining a vehicle, by 30 June 2010 which is the date by which these licences must be issued).

This means that 78 of the 100 licences in this initial release have – or are expected to be – issued to individuals. The 22 remaining successful bids have been made by corporations, which can include networks and any other entity trading under a company structure (such as a taxi operator).

As the process of issuing these licences is not yet complete, NSW Transport and Infrastructure (NSWTI) is not currently able to publish the details of licence holders. As soon as possible following completion of the process – or by the end of the first week of July at the latest – NSWTI will publish the names of each new licence holder and, separately, the bid price paid on its website.

NSWTI could provide the Select Committee with the names of the applicants who have been issued with a licence to date, but this would need to be on the basis that the information remained confidential until the licence release process is finalised and those details have been made public.

NSWTI is not able to comment on whether ownership of licences has become more concentrated over time, as historic data on numbers of licence owners was not previously available. However, in February this year, there were 6,559 taxi licences held by 4,546 licence holders, compared with 6,496 taxi licences held by 4,520 licensees at the end of December 2008. This data does not show any significant change in the concentration of ownership.

2. Are you able, without identifying names, to identify the size of individual parcels that are held in the market? That is 350 are held by one operator or by one owner?

A: In NSWTI's 26 February 2010 response to Questions on Notice, data was provided on the numbers of licence owners according to the numbers of licences

owned across NSW as well as the numbers of taxi operators according to the numbers of taxis operated (see Question 9).

As at February 2010, the *ownership* data shows that:

- 3,803 licence owners (or 83% of all owners) own just one taxi licence,
- 485 licence owners (11% of owners) own two licences each (representing 970 taxis),
- Three licences owners hold 10 licences each,
- Two owners hold 20 licences each, and
- In the largest single holding, one owner owns 318 licences.

In Sydney, the latest data shows that 5,324 taxi licences are owned by 3,719 licence owners (up from 5,300 taxis held by 3,666 holders as at 31 March 2010). Of these, Sydney taxi networks own 649 licences or 12% the fleet, with the remaining licences owned by individuals and/or operators.

NSWTI is currently obtaining legal advice on the possibility of publishing a register of licence ownership (which will address issues such as the requirements of privacy legislation where the applicant was not advised that their details may be published). However, it can be noted that the majority of the larger licence holdings are owned by taxi networks.

Details of new annual licence holders will be published on NSWTI's website following the completion of each licence release process.

NSWTI's 26 February 2010 response to the Questions on Notice dated shows that the largest number of licences *operated* by a single accredited operator is 48, indicating that many licences are leased by the owners to other accredited taxi operators (see Question 10).

3. *What proportion of licences was issued in the initial tender to individuals: mums and dads?*

A: Please refer to the response to Question 1 above.

Ms LEE RHIANNON:

4. *What is the direct role between the RTA and the inspection of taxis? Is this just a one-off [an on-road inspection of a taxi by RTA] or are RTA people on the road keeping a lookout for taxis they may be concerned about?*

A: Like all vehicles on NSW roads, taxis are subject to the Road Transport legislation, administered by the Roads and Traffic Authority (RTA), which requires that they be regularly inspected at an Authorised Inspection Station (AIS) for road worthiness.

Section 46K of the Passenger Transport Act empowers authorised officers (including NSW Police and RTA officers) to undertake on-road inspections of taxis and, from time to time, NSWTI undertakes joint operations with NSW Police and/or the RTA targeting vehicle condition and licence checks. In the past year, NSWTI undertook 10 joint on-road operations with NSW Police, three of which also involved the RTA.

In all other respects, however, NSWTI is responsible for administering the vehicle standards that apply to taxis.

Clause 119 of the *Passenger Transport Regulation 2007* requires taxis to undergo regular inspections at Authorised Taxi Inspection Stations (ATIS) every:

- 4 months in Sydney, Newcastle and Wollongong,
- 6 months in country areas (except the Western Division), and
- 12 months in the Western Division.

5. How are Authorised Taxi Inspection Stations set up?

A: A garage which is already an RTA approved AIS (and maintains that status) becomes an ATIS when a licensed mechanic who works at that location and meets NSWTI's criteria is appointed as an ATIS examiner.

Only licensed mechanics who have been approved by the RTA for the purpose of conducting inspections and tests of registrable light vehicles, in accordance with regulations underpinning the *Road Transport (Vehicle Registration) Act 1997* are eligible to apply to become an ATIS examiner. The applicant must be:

- an RTA open light vehicle AIS examiner; and
- an active RTA authorised LPG examiner;

and undertakes specialised training before they are appointed. An applicant seeking to be appointed as an ATIS examiner must also agree to undergo relevant background checks and to abide by NSWTI's Code of Conduct for ATIS examiners.

Appointments are for a maximum of five years and the performance of each ATIS examiner is monitored on an ongoing basis. If an ATIS examiner reapplies for appointment, all qualifications are rechecked and new background checks are undertaken.

Information about the ATIS scheme – including the Manual of Inspection Standards for Taxi-Cabs – is available from NSWTI's website at www.transport.nsw.gov.au/taxi/atis.

6. How many ATIS are there?

A: NSWTI publishes the contact list for all ATIS in metropolitan and country areas on its website at www.transport.nsw.gov.au/taxi/atis. There are currently 23 ATIS in the Sydney, Newcastle and Wollongong metropolitan areas and an expression of interest currently underway is establishing a further five ATIS in additional metropolitan locations. Assessments for these locations are almost complete and it is anticipated that these additional sites will in operation by the middle of the year.

Under current policy, in metropolitan and outer metropolitan areas there is one approved ATIS for every 200 taxis and, when that threshold is exceeded, then NSTI undertakes an expression on interest process to establish additional ATIS in those areas.

There are currently 80 ATIS across country NSW. The need for ATIS examiners in country areas is determined on a case by case basis, according to the geographical need.

7. *How regularly does the RTA interact with those inspection stations to ensure high standards?*

A: The RTA regulates all AIS stations and examiners in NSW, of which some are also authorised by NSWTI to be ATIS stations and examiners. The RTA has two methods of auditing AIS stations and examiners:

- site visits, which are carried out annually for approximately 10% of all AIS in every defined RTA region, and
- targetted audits, with approximately 150 - 200 undertaken per year.

During these site visits and targeted audits, the RTA does not check for compliance against taxi-related ATIS requirements but will advise NSWTI of the outcome of an audit where the AIS is also an ATIS.

8. *Once an ATIS is set up, how often is it inspected by the RTA?*

A: Please refer to the response to Question 7 above.

9. *What form of follow-up inspection of ATIS takes place with regard to checking the qualifications of mechanics who work there and the inspectors undertaking the checks on taxis?*

A: Audits of ATIS examiners and garages operating as ATIS are regularly conducted by a NSWTI Authorised Officer. ATIS and ATIS examiners in Sydney, Newcastle, Wollongong and the Central Coast are audited twice a year with additional random audits undertaken if, for example, results of on-road inspections indicate the need. Country ATIS may be audited at any time on a random basis. All visits are unscheduled.

The audits focus on the performance of the ATIS examiner in relation to the taxicab specific checks contained in the Inspection Manual and Code of Conduct, including the completion of documentation and record keeping.

As noted in the response to Question 5, at the end of each five year term, each ATIS examiner must reapply for appointment. At that time, qualifications are rechecked and new background searches undertaken.

SCHOOL STUDENT TRANSPORT SCHEME APPEALS PANEL

Process for consideration of appeal applications received by MCD.

Do a search on BusFair to determine the status of their application to MOT.

If there is no record in BusFair then it is deemed an application to the Ministry.

If it has been rejected by the Regional Office then it is assessed under the following criteria, dependent on the information provided by the parent/caregiver to determine if they are eligible to be considered by the Panel:

- if they do not have a current subsidised school transport pass for the relevant part of the journey;
- any medical conditions;
- safety of the walking route /pedestrian infrastructure;
- concerns for personal safety;
- evidence of financial hardship;
- if they appose the distance measurements (must be in combination with another criteria);
- if there are joint custody arrangements; and
- other extenuating family circumstances.

Modes of Travel, student medical conditions, distance only appeals, applications and joint custody situations are then registered into Objective. An assessment sheet is completed, a letter is prepared to the parent /caregiver, saved in Objective, hard copy documents are then photocopied and filed in MCD and the original paperwork sent to the relevant MOT office for processing.

If there are eligible to be considered by the Panel they are registered in Objective with the assessment sheet being completed. A letter is written to the parents, saved in Objective, documents photocopied, copies retained by MCD in relevant folders (Parramatta, Wollongong and Newcastle) with the original being sent off to the regional office for completion.

MOT offices return to MCD a summary of the matter, walking route, maps and any other supporting documentation for each matter to be considered by the Panel.

The meetings are then organised with the Panel members, and are usually held every 2 months.

Prior to the meeting 6 copies for each student are photocopied and placed in folders for each person attending the meeting.

The meeting is then held with the Panel making decisions based on the information provided by MOT.

An excel sheet is sent to the MOT offices following the meeting with the preliminary outcome for each matter, for the purpose of outstanding correspondence matters.

The minutes are then prepared for the meeting.

Minutes are reviewed by each of the Panel members.

Hard copy Objective files are requested, one for Primary students and the other High School Students.

Outcome letters are prepared for each of the parents / caregivers.

BusFair is then updated to reflect the outcome of the appeal.

The final letters and the relevant paperwork is then filed.

Any phone calls received are dealt with appropriately, with the assistance of the information in BusFair with the relevant forms sent directly to the parent/caregiver if required.

**All letters utilised are standard template letters, with some modifications required for unique circumstances.

**Determination of the criteria being appealed, should be retained by a senior officer.

**The minutes and checking of the outcomes letters would need to be overseen by a senior officer.

**The calls can be difficult, so should be taken by a senior officer.