

INQUIRY INTO NSW TAXI INDUSTRY

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Partially Confidential

**NSW
TAXI DRIVERS
ASSOCIATION
Incorporated**

SUBMISSION

**to the INQUIRY of the
SELECT COMMITTEE on
the NSW TAXI INDUSTRY
of the
NSW PARLIAMENT
LEGISLATIVE COUNCIL**

22 JANUARY 2010

NSW Taxi Drivers Association Incorporated
Submission to the
NSW Upper House Parliamentary Taxi Enquiry Committee
Executive Summary

1) Introduction

Contents Overview Brief response to enquiry terms of reference

2) The past mistakes and industry government relationships.

We believe that this committee is the best vehicle to begin investigations into past profligacy and errors. There has been a long history of mistakes and questionable decisions in the NSW Taxi Industry. We recommend that you institute a **royal commission** into the taxi industry. We believe that is probably the only way that all those participants in the original arrangements can be called to account.

An obvious and now famous matter that a Royal Commission is well placed to investigate is the saga of the **Nexus Plates**

3) The problems that have to be sorted out by the taxi industry itself.

The taxi industry can resolve many issues by way of a Taxi Advisory Committee. The NSW TDA seeks to participate in the ongoing reform process within the taxi industry via the vehicle of the **Taxi Advisory Committee (TAC)**, which would include ALL stakeholders. Also we seek **regulatory improvements** to be endorsed by this taxi enquiry committee.

Taxi Advisory Committee

The best thing and the biggest thing that the taxi enquiry can do is to recommend that the government **implement and reactivate** the Taxi Advisory Committee with all stakeholders present including the NSW TDA as we have been promised.

The NSW TDA believes that the TAC is the best vehicle to resolve the ongoing issues in the industry such as:

Safety issues

Driver remuneration

IPART models and calculations

Network services

4) The things that the government can do by regulation.

Many improvements in the conditions of taxi drivers are simply a matter of regulation reform. We trust that by pursuing these reforms the shortage of willing taxi drivers may be overcome such that more drivers will respond to passengers' needs.

Regulatory Improvements

The NSW TDA looks to this Taxi enquiry committee to recommend some fairly simple regulatory changes that are well within the Government's ambit and power, to improve conditions for taxi drivers, and ultimately the delivery of service to the customers.

These would cover the following;

Release of New plates

The tender process does not honour the Minister's undertakings in his speech. We seek instead a ballot system that will cap any further plate price rises and limit releases of new plates to address ONLY proven unmet demand for taxi rides.

No Stopping penalties

WATS

Demerit points

Rank Security

TransitWays

Prepayment of fares

BRIEF COMMENTS ON TERMS OF REFERENCE A to L

The NSW TDA provides the following brief summary comments under each of the Inquiry Terms of Reference in addition to the NSW TDA Submissions forwarded for consideration by the Inquiry.

Inquiry Terms of Reference

(a) The adequacy of government reporting standards and regulation of the industry and the impact of this on the provision of quality taxi services for commuters, including for people using wheelchairs,

The current regulations are substantially unfair and ineffective. They are strongly concerned with and oriented against drivers and operators while not effectively holding Networks and their performance to account.

The Regulations are reviewed by government every 5 years, but taxi drivers are not advised of this. On the last occasion, in 2007, the NSW TDA formally requested an extension of time to allow comments on the consultation draft, but was refused. The consultation draft was available for insufficient time for meetings with stakeholders to be held.

We seek provision for new regulations to be considered first by a Taxi Advisory Committee comprising informed stakeholders. It is anticipated that the Regulations due for review in 2012 and any other T&I proposals would be automatically referred to the drivers' representative body, the NSW TDA Inc, for review and comment prior to implementation.

(b) the provision of government subsidies to the industry and the allocation and subsequent trading of free "Nexus" plates, including the impact on public revenue,

Nexus plates are a longstanding scandal of the taxi industry plaguing its accountability, integrity and public reputation and that of the associated parties. It is scandalous that the original intent of supporting WATS services to the most vulnerable of the community, was subverted. Regrettably, perhaps only a Royal Commission may be able to uncover the facts and the truth concerning Nexus plates.

It is reprehensible that the Minister may have recently declared an "amnesty" regarding the ownership of these plates. Such an "amnesty" should be repealed and the revenues redirected to their original purpose of WATS services.

(c) the effect of limits on the supply of unrestricted taxi licences in New South Wales, particularly as it impacts on customer service,

Effective taxi and customer services are not simply a function of the number of taxis. This is clearly evidenced in the contrast between, say, Friday and Saturday nights and December taxi shortages (when buses and trains should be running till 4am), compared with numerous taxis twiddling their thumbs on ranks at most other times of day and night. Important parts of the customer service equation are the effective, efficient use of the existing taxi fleet and efficient (reformed) Network booking services. These are addressed further below.

(d) anti-competitive activities in the industry and the Government's compliance with National Competition Council rulings,

The NSW TDA does not support full taxi industry deregulation in the name of (misnamed) economic competition. (The competition on the road between taxi drivers for scarce fares is vicious and indeed dangerous to drivers and the public!) Full deregulation has failed dismally in many parts of the world, including in the Northern Territory, New Zealand and Ireland in recent years, and is not known to have succeeded anywhere.

Despite the onerous nature of the NSW Taxi Regulations (refer item a. above), there is substantial and demonstrable merit in some regulations to maintain necessary and publicly demanded taxi service standards. The contrast between the world class London Black Cabs and the notoriously dangerous unregulated London mini-cabs and pirate cabs is a clear and powerful example.

On the other hand the "deregulation" or phasing out of NSW taxi plates and their exorbitant artificially inflated \$400,000 values and excessive \$550 /week leasing costs, do nothing for the industry except meaninglessly raising industry costs and customer fares. Taxi plates, as a tradable commodity, could be phased out to the benefit of the taxi industry and passengers and without loss to anyone including their investors who can invest elsewhere.

(e) the performance of the wheelchair-accessible taxi fleet, with special regard to Federal disability discrimination laws and their

compliance with the 2002 Disability Standards for Accessible Public Transport,

(f) the effectiveness of the Wheelchair Accessible Transport Taxi Driver Incentive scheme in providing better taxi services for people in wheelchairs,

We lament that the wheelchair accessible taxi service is not what everyone would like it to be (for drivers and passengers alike). Whilst the powers that be have been coerced into providing generous handouts to some who claimed to be able to fix the problems, the taxi drivers in the street remain worse off by being in a wheel chair accessible cab than they would be in a regular cab. Until the actual cost of providing wheel chair accessible transport is borne by the community at large, through accurately targeted subsidies, the wheel chair bound will always be rendered a second rate service. The current regime prevails upon the generosity of individual WAT drivers to render services at less than market rates. The onus of subsidising WAT transport should not be carried by taxi drivers alone.

(g) the Government's response to the recommendations of a range of reviews into the taxi and hire car industry over the last decade,

The responses of Governments to past recommendations and/or reports from various quarters have been sadly lacking, often been non-existent, despite the considerable resources expended on them. Such responses as have occurred, for example arising from the Madden report and potentially significantly affecting drivers, have not been discussed with drivers or their representative bodies, as distinct from other taxi industry bodies.

(h) the level of transparency and accountability in the regulation of the industry, including the reasons for the failure to make public reports flowing from six out of ten inquiries or reviews over the last decade,

The issues of item (h) of the Terms of Reference are of concern to the NSW TDA. Its comments in response to items (a) and (g) above both refer.

(i) the appropriateness and accountability mechanisms associated with the appointment of key Government ministers and bureaucrats to positions in the industry and its impact on Government policy,

These are necessarily matters of serious concern to the accountability and integrity of the taxi industry. For these reasons, and to avoid manifest conflicts of interest, senior public officers in other jurisdictions in Australia and overseas are subject to time limitations of up to two years before being permitted to take up positions in professionally related industries. Such restrictions could benefit the NSW taxi industry. Recent matters in this area ought to be referred to a Royal Commission.

(j) regulatory structures in other Australian jurisdictions and the optimal framework required to achieve the best possible taxi service for members of the public in New South Wales,

The (regulatory) structure of the NSW taxi industry is, in principle, reasonable. At the same time the NSW TDA would submit most strongly that the unofficial control of the taxi industry, by private influences, to their benefit, is severely distorting and corrupting. In addition there are strong arguments for major reforms of aspects of the taxi industry for the benefit of drivers, operators, networks and the travelling public. Several desirable regulatory changes are advanced below.

(k) working conditions and entitlements for taxi drivers, and

The working conditions and entitlements for taxi drivers are scandalous. They have been the subject of many reports including that of Justice Beattie as long ago as 1984, since when little has improved and indeed worsened in some areas.

The NSW TDA is chiefly concerned with this topic. It makes several proposals to the Inquiry in this area recommending important improvements to the working conditions and entitlements for taxi drivers. Until such time as the government of the day makes taxi driving adequately rewarding the industry will continue to be dogged by high turnover of participants and low levels of experience.

(l) any other related matters.

Several related topics are treated below.

Introduction

On behalf of the bailee taxi drivers, lessee taxi driver operators and plate owning taxi driver members of the NSW Taxi Drivers Association we congratulate the Upper House committee members for their dedication and commitment in launching and conducting the enquiry into the taxi industry. We applaud your endeavours in bringing sense to this much maligned industry and we stress our enthusiasm for improvements to the industry. Customer service is the mainstay of success in the taxi industry and we assure you that our many members are all eager to please as we remain mindful of trying to provide the best customer experiences possible.

So it is with great optimism that we look to this committee to recommend and implement not only the structural changes that have been recommended in the many previous enquiries but also those enhancements that become apparent during the current enquiry. We delight in the choice of the terms of reference and particularly item 1k which says in part "working conditions and entitlements for taxi drivers".

A Royal Commission To Unveil The Nexus Plate Secrets

We believe that this parliamentary enquiry is the best vehicle to begin the probing of past events. We were not present when the deals were made. All we can do is generally confirm that there has been something fishy in the taxi industry for some time. So we wish you good luck, if you cannot uncover who got what and where the revenue has gone since we recommend that you demand a **Royal Commission** into the taxi industry. We believe that is probably the only way that all the facts about nexus plates will ever be revealed.

Previous Reports' Recommendations

Before the committee proceeds to making new recommendations we would draw the committee's attention to the many recommendations that have been made by previous Taxi Industry enquiries and subsequently allowed to languish. Perhaps the members of this current enquiry will have the stoicism to ensure that their recommendations are not just made and pigeon holed but are actually followed through to fruition. As part of our submission we would draw your attention to some of the past reports and their many recommendations. Some of those past reports have already been provided, separately, to the committee from this NSW TDA submission.

One very recent enquiry was the Madden Report (*TAXI INDUSTRY SAFETY AND SECURITY TASKFORCE FINAL REPORT 2007*) which contained the following recommendations (among others) which we would all endorse but are yet to see implemented:

11. The Government to require both console and floor emergency switches to be fitted in all NSW taxis. Retrospective fitting should also apply. The Taxi Advisory Committee to fund this initiative. (page 6)

Whilst there is a host of initiatives that the government could implement to make taxi driving more appealing the one recommendation, above, is a simple example of what anyone could have done

but nobody bothered to. Likewise, the next recommendation in the same report also seems to have also been largely ignored:

12. Drivers' door-locking technology to be fitted to all taxis with driver security screens fitted. (Madden page 6)

If that recommendation, above, is adopted then taxi driving will be made just that little bit safer and more attractive. It would enable drivers to lock their door separately from all the passenger doors. Recommendation 12, above, is intended to protect drivers from being pulled from their seats by rogues, yet seems to have been consigned to the dustbins of history alongside many past reports and well intended recommendations touching many cogent issues. (Further information about the drivers' doorlock issue can be found at page 41 of the Madden report)

Prohibition on Taxis Stopping where Required ("No Stopping" Regulations)

A major complaint that the taxi drivers have, is that they are not allowed to stop in the city, and at major suburban centres. Swarms of council rangers are waiting in ambush with cameras to snap and book taxis. An acute unpleasant injustice, is that being mobile, a taxi driver has but few vital comfort stops. Not to draw too fine, not to say delicate, a point, taxi drivers are being booked for having a pee. Several drivers have come to us with just this complaint. To repeat, there is virtually no stopping in the CBD for cabs. Council rangers are pouncing on any cabs doing their job of dropping and picking up passengers. Taxis are obliged on one hand, by one law, to drop and pick up passengers in the CBD. But in doing their job they are breaking another law. *They are booked and fined for doing their job.* This is outrageous! This is beyond mere injustice, this is bureaucratic absurdity! Something has to be done about this urgently.

We have been planning a major protest about this outrage for some time. However, now that we have direct communication with parliamentarians, we hope to short circuit the process. What this parliamentary taxi committee can do is get the ball rolling to remedy this outrageous wrong. This will save us the trouble of having to resort to major protest campaigns to get this outrage repaired. If we cannot get something done you may rest assured there will be protests. We would rather just fix the problem. This situation is categorically unacceptable.

We have tried for some time to negotiate with many agencies (local councils, precinct administrators e.g. SHFA, DHA, SOPA and ministries), but we have made little progress. Busses do their job in the city without being booked. Garbage trucks regularly break the petty regulations every night without being booked. This is accepted by city rangers, why not for taxis? When will it be recognized that regulated liveried taxis are part of the public transport network and therefore not the same as ordinary cars. Taxis are a vital part of the state transport services to the public. They are in the city for a legitimate and vital functional purpose! Taxi drivers are not just some casual rogue drivers that are to be punished or curtailed for public safety, and, taxis are not, repeat not, a source of income for the council coffers. The councils in their reports openly admit that they regard parking fines 'as a

stream of revenue' but not from taxis! They can look to private cars for their revenue, not from a legitimate part of the transport infrastructure.

The Madden report advised:

18. The Minister for Transport asks the Minister for Gaming and Racing to reinforce the existing link between the licensing approvals for hotels and the consideration of transport issues, particularly involving taxis. Including transport issues in the licensing approval process for registered clubs should also be considered as part of the next review of Liquor Amendment (Social Impact Assessments and Licence Fees) Regulation 2004. Page 8

Yet despite this recommendation, above, "The Ivy" night club in George St Near Hunter St, Sydney has been opened with NO legal taxi pickup or drop zones at its front entrance. Taxi drivers, serving the needs of patrons of that night club, have become unwitting cannon fodder for council parking officers who use the planning oversights of the council that employs them to prey on us! We risk and incur \$185 parking fines because nobody bothered to ensure that taxis could legally service the nightspot. Although new entertainment venues all MUST meet strict requirements for services such as water, sewerage and electricity there is apparently no legal requirements for a passenger setdown and pickup facility. Some venues, such as the Sydney Hilton, the All Seasons and Marriott hotels DO have porte cocheres but where-ever they are missing the taxi drivers get fined for complying with the wishes of the travelling public. There are, for example, NO legal taxi pickup or set down locations on any of the four street frontages facing the Queen Victoria Building. The government seems oblivious of the transport needs of the public as is emphatically demonstrated at the new railway stations built along the Epping to Chatswood rail line. There was not one new taxi rank built to enable passengers arriving at a station by train to continue their journey FROM the new stations in a taxi!

Taxi drivers seek to serve the needs e.g. of Sydney Opera House patrons. This world famous landmark has a taxi rank under its grand stairs that has remained off limits to taxis since the terrorisms hysteria hit. Meanwhile taxi drivers ranking in Macquarie St, as near as they are now allowed to be to get to the opera house, are regularly harassed by council rangers where the No Stopping Zones make life hell for taxi drivers. Joern Utzen would probably turn in his grave if he knew that taxis weren't allowed to serve the patrons of his dream. Surely the Upper House Committee has within its ambit the power to INSIST that public venues which people may wish to visit and depart from are all obliged to have a taxi transport plan. Good planning would see all the relevant authorities and venue operators co-operate to ensure that taxi pickups and setdowns ARE made legal!! It is no wonder that trained and accredited taxi drivers leave the industry in droves when they are fined so frequently just for doing what the public wants.

If the Upper House Committee is genuinely concerned about item 1K in their terms of reference then making taxi driving more appealing and **reducing taxi drivers' exposure to parking fines** and violence should be a top priority!

There is a national road safety body that the NSW Upper House Committee must be able to exert influence on. That body, like many which proceed without regard to the taxi industry, has deemed that all No Standing zones (places where the pickup and setdown of passengers IS legal) should be eliminated. Those No Standing zones once specifically permitted the (legal) pick-up and set-down of passengers. Regretfully those zones have almost all been rezoned as No Stopping zones which render taxi drivers liable to harsh fines for acceding to the wishes of their passengers. If however those same zones were deemed "No Parking" (a zone where passengers' AND their luggage may be dropped and collected) the problems would not arise. If the Upper House Enquiry is serious about honouring its commitment to examine "the working conditions and entitlements for taxi drivers" (Terms of reference item 1 K) then surely it could strike a blow for those of us still silly enough to try and stay in the industry by helping us to pick-up and set-down passengers without being penalised by inadequate planning and unjust liabilities!! **An Upper House Committee recommendation that No Standing zones be re-introduced at the National level would be a great first step.**

Up Front Fare Payments

We look forward with enthusiasm to the enquiry's endorsement of recommendation 20 in the Madden (2007) report reproduced below:

20. The Ministry of Transport to review current laws as they relate to enabling taxi drivers to require passengers to demonstrate an ability to pay the fare, or to require part-payment of the fare, prior to the hiring. The review to specifically address current prohibition of a taxi driver demanding a fare be paid upfront, in line with the Victoria's Transport (Taxi-Cabs) Regulations 2005 Section 41. Recommendation 20 page 8

Many stressful and some violent situations could be averted if the Upper House enquiry were simply to insist that past recommendations such as Madden 20, above, were implemented. People wonder why so many able bodied, potential, taxi drivers choose not to enter or never to return to taxi driving. The grief and anger that a taxi driver, blighted by a runner (a fare evader), feels could best be likened to the anguish that the reader might feel upon learning that the work that YOU had just done was not going to be paid for. It's a simple arrangement, asking passengers to **pay a reasonable deposit at the commencement of a trip**, yet one that those with the power to legitimise it have just not bothered to. We hope that the Upper House Enquiry will have the courage of its convictions and that it proceeds to ensure that taxi drivers win the confidence of knowing that they will get paid for the work that people want them to do.

Taxi Drivers Participation in Decision Making

Below is Madden recommendation 21 made in 2007:

21. Engage a standing Government and Industry advisory body which includes taxi driver representation to formally address taxi driver safety initiatives. This body would oversee current initiatives, monitor technological advancements and provide regular advice to the Minister for Transport regarding taxi industry safety issues. Page 8

That Madden recommendation, 21, above, that **taxi drivers be included in decision making** is one that has been made in almost every enquiry into the taxi industry to date. What remains and what we look to the UHCE to pursue it that this time it might actually happen!! Although the NSW Taxi Drivers Association has been confirmed as a ready and willing participant of bodies such as the Taxi Access Working Party (disbanded by the RTA in 2007) and the Taxi Advisory Council (last meeting in 2005? and a good candidate for resurrection) there are currently NO regularised arrangements for taxi drivers' participation in decision making, at any level!! This is despite the recommendation made in 2004 by Allan Cook in his report "Taxi Industry Enquiry" which said in part:

The inquiry has suggested that driver representation be included in the membership of the peak consultative body, the Taxi Advisory Committee and recognition of driver associations for other consultation processes. Page 8 2004.

NSW taxi drivers' voices have been largely ignored in decisions affecting them throughout their checkered history. Only if this current enquiry insists that our voices are heard can there be any real hope for the industry becoming any more attractive to taxi drivers. The typical pattern of passage through the taxi industry, for taxi drivers, is that once they realize just how chaotic it really is and how hopeless their prospects are they exit the industry. This makes Sydney's taxi industry's reputation compare very poorly with e.g. London taxi drivers who are held in high regard worldwide.

In 2004 Allan Cook observed:

"Drivers are increasingly disenfranchised and leaving the industry at an alarming rate, thus compromising the ability to deliver services" (Cook, Executive Summary page 5)

"At present, there are serious and systemic problems currently being encountered in the recruitment and retention of taxi drivers. This is an area of significant concern throughout the whole industry that must be addressed urgently". (Cook, page 7)

"The inquiry has suggested that driver representation be included in the membership of the peak consultative body, the Taxi Advisory Committee and recognition of driver associations for other consultation processes."(Cook, page 8)

The NSW TDA looks to the Upper House committee to note these many past assessments and to strive to **make the taxi industry more attractive to drivers and insist on their inclusion in decision making bodies.**

Unreliability of Taxi Bookings

The Taxi Industry is Upside Down

We are eager to retrieve and rebuild the much maligned reputation of the taxi industry. There is a fundamental paradigm shift that the UHCE could insist upon and it concerns the lines of communication between passengers and drivers. Regrettably passengers don't understand that when they "book" a taxi they are not dealing with a taxi ride supplier. Instead the agents they place their standard bookings with are more akin to a classified advertising service than they are to a recruitment agency. Even worse, those agencies that have won government endorsement to accept taxi bookings draw no direct revenue from the bookings that they receive. It matters naught to the Sydney Morning Herald whether or not an advertiser succeeds in selling e.g. their boat. And it matters naught to a taxi network whether a booking request is ever filled. Yet governments look to taxi networks as if they are suppliers of taxi rides when in fact they are basically just advertising services for intending travelers. The fundamental flaw in the taxi service structure is the agency accepting the bookings LOSES money with every new booking request. Networks are NOT able to charge for filling a booking request but every booking request they receive costs them money to process.

The reasons behind the chaotic state of the taxi industry are explained further by examining how taxi networks ARE able to increase their income. By government decree every taxi must be affiliated with a network. The river of gold flowing to networks increases proportionately with the size of their fleet of (taxi operator) subscribers. Thus the more taxi plates that are issued the higher will be the revenue of the taxi networks, regardless of what volume of trade each taxi ever gets to handle.

So the fundamental flaw in the taxi industry is that the **networks BENEFIT two ways from cultivating chaos instead of providing service**. The more that networks can DIScourage travelers from ringing for a cab the lower will be the networks' operating costs. Moreover, the MORE customer complaints that a network can generate (about not getting a cab) the stronger is their argument to government to increase the total taxi fleet size. Meanwhile taxi drivers, desperate to receive taxi bookings, are treated with contempt by taxi (network) companies and taxi passengers' needs are deliberately ignored by taxi networks.

Governments have long been conned by taxi networks into believing that the networks have both the customers' and taxi drivers' interest at heart. In fact they have neither.

Many groups of taxi drivers/operators have pleaded with government to be relieved of the government enshrined obligation to affiliate with a network. Only if that prospect is again raised will there be any real pressure brought to bear upon networks to attract taxi operators and cater to the needs of drivers and operators.

Many individual taxi passengers have learnt to completely bypass the established booking agencies and place their bookings directly with taxi drivers. Passengers and drivers both seek clear lines of communication for the placement of bookings and feedback about supply and availability of taxi services. The taxi networks on the other hand which ordinary people see as a conduit for such communication are in fact a choke on communication between passengers and drivers.

The paradigm shift that is called for then is for the **taxi networks (booking services) to directly draw their income from the passengers whose needs they succeed in filling**. This in turn should be matched by **networks paying drivers for each booking that the drivers accept** instead of charging drivers for the dubious privilege of being able to access unreliable bookings grudgingly accepted by

an agency that currently stands to make more money by NOT filling a booking request than by filling one.

The chaotic state of the current taxi booking system works against the interests of both passengers and taxi drivers. Passengers can never be sure that the booking request that they place will ever be filled. Taxi drivers can never be sure that they will receive any recompense for proceeding to a booking location. Passengers have been "trained" by the unreliability of past experiences to adopt contingency plans. Passengers' plans may include ringing more than one taxi company, walking out to the nearest street corner to hail a cab or even to drive themselves after waiting a short while.

Taxi drivers quickly learn that bookings that they do accept may in fact turn out to be fruitless wild goose chases. The whole booking system is wracked by contempt and mistrust. The "callout" fee for a plumber, washing machine repairer or electrician is rarely less than \$100 yet for taxi drivers it is currently a miserable \$2.10. When taxi drivers evaluate the piddling potential reward of \$2.10 against the high probability of there being no passenger at the nominated location they can't be blamed for not bothering to even try. Estimates vary but about 25% of bookings responded to by taxi drivers result in the drivers getting paid NOTHING at all for their efforts. Time and time again taxi drivers run vacant to a pickup point and find that they have wasted their time and money.

There is currently no compulsion upon taxi bookers to honour their apparent commitment to pay a driver anything. This could be remedied by inviting, not compelling, intending passengers to lodge a deposit when placing their "order" as an indication of their good faith. If only the drivers could be made more confident about always getting something for their efforts they would be far more likely to accept taxi radio bookings. We believe that anxious parents hoping that their teenage children can get safely home from a railway station late at night would be happy to pay a deposit with order rather than have their kin risk the fate of [redacted] (killed near Blacktown rail) or [redacted] (killed near Sutherland rail). Meanwhile drivers receiving "bookings" from main road sites such as stations won't run out there vacant because of the high likelihood of the fare being hijacked by a cruising cab before a booked cab can reach the pickup point. Some callers ring and find a cab almost immediately (quite possibly not even from the network that they just rang) while others wait for ages and reach the intuitive (but false) conclusion that Sydney needs more taxis. If there were fewer taxis then drivers would be less fearful that the caller would find another cab before the assigned cab can get there.

The set radio booking fee structure of "one size fits all" is a terribly blunt instrument not representative of the actual work done by taxi drivers in most cases. In some cases the shortfall in the booking fee is made up for by the appeal of the ensuing, paid, journey. Thus a remote pickup point for a long fare constitutes a viable business proposition but a remote pickup point for a short fare is inadequately priced to warrant acceptance. The solution sought here is for the UHCE to legitimize enabling passengers to make offers of bonus payments, in excess of the prescribed rates, in those case where the passengers' requirements are unlikely to be met or have not been met under the standard rates. There are currently NO facilities for networks to collect or pass on such offers of over the meter payments. Despite this anomaly the networks DO know and understand the non-viability of such job offers and can originate their own bonus payments. Such network-originated bonus payments succeed in enticing drivers to respond to otherwise unviable job offers but the funding for them comes from the radio fees all contributed by drivers/operators and not

from passengers directly. Thus such bonuses as are currently paid to drivers are funded by the drivers themselves and not by the passengers but the bonuses only materialize at the networks' behest and not at the passengers'.

Direct driver and passenger communication provides the facility to relay customers' special requests and these arrangements thrive on being able to meet the unique or specific requirements of customers not routinely accommodated by the established booking services. **The NSW TDA calls upon the Upper House committee to legitimize networks' receiving of incentive offers from intending passengers and relaying those to available drivers.** If the proposed journey is worth more to the intending passenger than standard taxi rates then the government should not stand in the way of a passengers' willingness to pay.

Network Offloads

The term "network offload" is used to describe the passing along of a passenger's request for a cab to a "competing" taxi network which may be better able to service a particular customer's request for a taxi than the network that the customer has just chosen to ring. Intending passengers have no better way than trial and error in discerning who best to ring when they want a cab. The many brand names existing in the taxi industry serve to, and may have been created to, confuse the uninitiated. There are networks that predominate in broad geographic regions (e.g. St George and Manly Warringah) but there are no hard and fast rules. The random nature of taxi journeys is such that any cab may pop up in any suburb occasionally. Neither passengers nor taxi drivers want a prospective booking to languish. Therefore we would advocate pressure being brought to bear upon networks who find that their fleets are presently unable to service a particular request to pass those bookings over to others who might render a better service at that moment. This practice does occur, sometimes, on an ad hoc basis, but it is very haphazard. It would help passengers and drivers if bookings were pooled after a prescribed minimum period of time and most importantly if there was clear communication between bookers, booking takers, and taxi drivers. We have seen situations where more than one taxi has arrived simultaneously at the same pickup point. It is essential that if and when such offloaded bookings are covered (filled) then the feedback is provided immediately to ensure the booking request is withdrawn without further duplication. We look to the Upper House committee to **require networks to promptly pool their offloads and to link their computer systems to avoid duplication.** There is already a "single desk" scheme known as the "0200" service which pools bookings for WATS, alone, (irrespective of taxis' network livery) and that has the potential for the most efficient use of fleet vehicles.

Security for Taxi Drivers

In 2007 Dave Madden wrote in his report:

"Experience has shown that where the identity of the passenger is known prior to their entry into the taxi, there is a much less chance of violence occurring". Madden 2007 Page 11. **2.2.5**

Yet the identifying information which would help every taxi driver safely locate and directly communicate with their intending passengers is only available to the taxi drivers if they recruit

the so called "private" bookings directly over their own phone or through other means. Networks have resisted the argument that taxi drivers should be given passengers' phone numbers with the argument that taxi drivers can't be trusted with passengers' telephone numbers. This is hogwash! If taxi drivers can't be trusted with a passenger's telephone number then that the same driver shouldn't be trusted with the passenger's physical presence either. Procedures are well established for dealing with any drivers whose actions ever serve to sully the industry's reputation. Passengers routinely write their phone number on Express Post packages, routinely give them to pizza delivery guys and expect a call on approach from a taxi. Taxi drivers all have to pass criminal record checks now. Most other services, pizza delivery guys, washing machine repairers, TV repairmen all get customers' phone numbers yet are not subjected to such (criminal record check) scrutiny. Networks ARE able to save a few moments of telephonists' wages by not bothering to collect something as vital as a customers' phone number and ARE able to minimise their overheads just a little more by not relaying such phone numbers along to drivers. It would help enormously with the meeting of customers' needs if the Upper House Enquiry could **REQUIRE taxi booking services to solicit and where successful, relay, the phone numbers of those passengers who DO want to be contacted by their approaching taxi driver.** In our letter to T & I of 26/10/09 we requested exemptions from penalties, similar to those already granted to Police, for using mobile phones in our vehicles.

Wheel Chair Accessible Taxis

Wheelchair Accessible Taxi Issues

Terms of reference items e and f

The best way for the Taxi industry to comply with the disability standards is to do everything possible to improve the quality of the WATS taxi services.

The best way to improve any taxi service in this case WATS is to make it worth while for the drivers to want to do the job.

In this regard, the NSW TDA recommends several measures;

1, a loading fee of \$5, and an unloading fee of five dollars, that means \$10 per trip.

2, as a direct incentive, any WATS job be at least rate 2, that is 20%

loading, at all times, 24/7.

3, Allow taxis to use the bus only roads (Transitways and Bus Only roads).

4, Increase the M50 wheelchair subsidy from a limit of \$60 to \$120. Also to drop the ban on M50 payments being used to pay road tolls.

5, Rescind the prohibition on night drivers starting work in WATS before after 5pm. This imposition has the effect of making a WATS vehicle uneconomic and untenable as a business enterprise. It must be understood, if you want people to perform a service, you must make it worth their while. An expanded explanation is following.

Paid Running and Nexus Plates

Paid running is the term used to describe a payment made to any taxi driver to recompense the journey to the pickup point. When wheel chair accessible taxi-cabs (WATS) were first appearing on Sydney streets the drivers often received paid running. It may have initially been funded by the nexus plates scheme. Somehow despite all the paired nexus plates still being on the road, the funding that once existed to encourage WAT drivers seems to have all but evaporated. Leastwise the funding is not paid to drivers as it used to be. For an initial period WAT drivers, of any network, received paid running on a per kilometer basis for WAT work. This was throttled back first to limit it to only being paid to taxis associated directly with the Taxis Combined Services Network ((TCS) under the control of Mr Reg Kermodé). Over time those drivers who "migrated" (e.g. from the Premier taxi network) to the remaining source of the paid running funds (TCS) by changing networks also learnt that the paid running even for Taxis Combined affiliates was drying up. For reasons not adequately communicated to taxi drivers the paid running continued to shrink from a kilometer rate for any WAT drivers irrespective of their network affiliation down to a flat pittance, irrespective of the actual distance involved and restricted to only those drivers in Taxi Combined Services Vehicles. Yet throughout the shrinkage of those payments the nexus plates continued to earn money for somebody.

WAT Lift Fees

There is currently a "lift fee" that provides \$7.70 (net of GST) to drivers of WAT vehicles responding to a network booking. That fee is paid for, NOT by funds flowing from the nexus plates, but from a general levy imposed upon all taxi operators. There is a gross injustice associated with forcing taxi drivers/operators to subsidise the transport requirements of the disabled. We all want the disabled to have widespread and comparable transport facilities but there is no justification for transferring the cost of what should be a government subsidy onto the shoulders of the taxi industry. Every other transport subsidy (bus, rail ferries etc) is funded by general taxation revenue. It is general tax revenue that should fund lift fees for the disabled, not taxi drivers and operators. The NSW TDA calls

upon the UHCE to ensure that the disabled have comparable transport access and that such access is State funded.

Taxi Transport Subsidy Scheme (TTSS)

This scheme is more than ten years old and has not kept pace with inflation. It was structured to give disabled travelers a 50% subsidy on the cost of their taxi travel. Able bodied users of public transport receive the benefit of subsidised public transport regardless of the distances that they travel. It is therefore a grave injustice to see the government's TTSS cap limit at \$30 per journey having seen only one cap increase since the scheme's inception when it commenced at \$25. Many disabled taxi passengers simply can not access other forms of public transport. Disabled travelers coming in e.g. to see a Macquarie St specialist doctor must pay the actual cost of their journey (minus the subsidy cap) in a taxi whereas if they were hale and hearty their public transport journeys would be heavily subsidised and not restricted. We call upon the UHCE to recommend that the TTSS scheme be reviewed so that residents in outlying suburbs such as Penrith and Campbelltown can make their trips in to the city at a similar cost to able bodied public transport users. In the first instance we would advocate the cap being raised from the current \$30 to a 50% subsidy on journeys ranging up to \$120 on the taxi meter (i.e. a new cap of \$60).

Delayed Starts to Night Shifts in WATS

The Government seeks to improve the availability of taxis yet the regulations it presides over serve to thwart many such moves by willing taxi drivers. We cite particularly regulation 108 (f) which some well meaning bureaucrat no doubt thought would be helpful but in fact imposes huge penalties upon willing drivers. That regulation has served to make night shifts in wheelchair accessible (WAT) taxis unviable. Willing night drivers are deprived of two gross hour's revenue by not being allowed to start in a WAT before 5pm. In practice this means that even if they got the WAT shift for nothing, when all else is considered, they are still better off driving a regular cab and paying the applicable bailment fee. The nexus fiasco has not seen any funds made available to bailee drivers to compensate them for their delayed starts in WATS. As a result of that inane regulation most WATS are driven one out, i.e. with only one shift per day so naturally those cabs are off the road in the wee hours. (Maxis are an exception as they vie for the more lucrative group rates at Tariff 3 & 4). Further, the inability to bail the cab for two shifts per day makes the whole WAT enterprise unviable and so the WAT operators literally drive themselves to death trying to cover their huge overheads without a night driver. Their efforts at meeting the Government's requirements that their cabs be on the road 70 hours per week is literally killing them. Allan Cook explored the notion of forcing networks to restrict their charges to only apply during the times that the cabs were actually on the road. That strategy, of suspending the huge overheads of cabs during the quiet times would also be a smart move to explore in order to increase the numbers of cabs that could be drawn upon to meet the infrequent peak demands. THE NSW TDA calls upon the UHCE to rescind regulation 108(f), the prohibition on WAT night drivers starting their shifts before 5pm, and instead allow night drivers to start their shifts as other taxi drivers i.e. by mutual arrangement between the day and night drivers.

Plate Release Issues

Our highest aspiration is that **NO NEW PLATES to be issued**. Every new plate that is issued is one too many! The NSW TDA remains categorically opposed to the release of any additional taxi licence plates. Those of us already in the industry recognise the huge imbalance between a handful of passengers waiting a few extra minutes during the few busy hours on just 2 busy nights of a week versus 5000 taxi drivers waiting hours for any fare at all during most of the week. The taxi industry is saturated, there is not enough work for the drivers. We do not need any more plates

•Most importantly the release of additional taxi plates will make the industry even less viable for those struggling to remain in it. Any further dilution of earnings per taxi driver will increase the exodus of drivers out of the industry. Everyone wants experienced long term industry participants, drivers and operators, who recognise the long term benefits of and strive to achieve, a satisfied customer base. The industry already preys upon naive and gullible hopeful new chum taxi drivers who quickly learn that rewards in the taxi industry are less than they can achieve elsewhere. Nobody wants the industry to become the domain of only the workers that John West rejects. The taxi industry and taxi patrons deserve a better standing than that of an occupation of last resort.

The grounds advanced to date for the issuance of additional taxi plates are hollow and fatally flawed. We have been told that Sydney's population is increasing and that justifies the release of new taxi plates. There are simply no verifiable measures, no historical statistics of unmet demand for taxis. Until there are measures of unmet demands and other strategies for meeting any identified, measured, unmet demand have been explored and exhausted there is simply no case to issue more taxi plates. Statistics that ARE available point to a very different story on unmet demand for taxis.

The new argument that the government has put forward is that the taxi plate expansion has not equalled population growth. This argument is actually specious. We need to look at 3 factors; First there has been already a virtually open expansion in that Wheelchair Accessible Taxis, WATS, plates were offered for a nominal lease fee. We are not against WATS but a WATS vehicle only does, on average, 1 or 2 wheelchair jobs per day. The rest of the day that taxi completes with the general fleet for work and everyone needs to make a living. So while this is a legitimate expansion, it is an expansion and it affects the average income of the drivers.

Complaints registered with the Ministry of Transport about taxis have fallen. Most complaints stem from drivers' inexperience and the best way to stem those kinds of complaints is to encourage the existing work force to remain and develop their skills. Meanwhile statistics are available that indicate the extensive collapse of the tourism industry. The Japanese economy, once a bountiful source of tourists and taxi passengers is facing collapse. Even the Japanese Airline, JAL, has gone to the wall. Most other world economies have contracted and we are seeing nowhere near the tourist numbers that we used to.

Taxi patronage per taxi continues to fall alarmingly. We are seeing "leakage" of passenger numbers on many fronts. Car ownership per head is at an all time high and those who once relied entirely on taxis are more able than ever to drive themselves. Many small licenced venues have suffered a

significant downturn. Some have put on their own shuttle buses in a bid to preserve and draw their patrons but most have suffered a drop in patronage and this has further diminished the demand for taxis. The government's laxity in (non-) enforcement of "Tourist" registered vehicles (TV plates) encroaching on the market for taxi services has further diminished our market share. Likewise the Hire Car industry has bloomed at the expense of the taxi industry as more and more taxi patrons migrate to alternate, often cheaper, forms of transport. Almost all of the work they do comes out of the taxi industry's clientele.

Additional taxi plates have already been released on many pretexts. Some were issued in response to increased breath testing, some for the Olympics, some for night work, some as compensation for hire car deregulations the WAT fleet has no limits. The actual growth in public passenger vehicle numbers (all types combined) is more than likely to have exceeded the population growth rates that the Minister has relied on in justifying his grounds for releasing more plates.

The high plate lease fees serve to cream off more and more of taxi drivers' earnings to the point where many taxis lie idle with no one willing to pay the exorbitant bailment fees. If drivers can't earn a reasonable income for a week in a taxi now then it is foolish in the extreme to propose issuing more taxi licences that will only dilute drivers' earnings per shift even further.

Experienced taxi drivers are all of the view that the number of hirings per shift have fallen steadily over the years. Unless the government can prove otherwise we maintain that there is no case at all for an increase in the number of taxi licences issued.

The NSW TDA remains of the view that NO NEW PLATES are required. We believe that a good policy is for the government to stop the private trading in taxi plates and **buy back any plates on sale** for the current market price and for the government to lease those plates back out to industry. The money from the leases will eventually recoup the government's outlays. That way lease plates can be issued and it does not require any additional plates.

Plate Issue Methods

Over the years there have been many different strategies applied to increasing the total taxi fleet size. Some 50 years ago Members of Parliament were able to lobby for the issue of new taxi plates when they were approached by their constituents. Claims could be made that the growth in their electorate warranted new taxis to be licenced and to be restricted to serving a small cluster of new suburbs. The essential issue here is that those suburban restricted (T-7000 series plates) were issued in response to identified unmet demand. Another strategy has been the issue of restricted night plates (T-9000 series) Those plates were issued in response to identified night time demand for taxis. Unfortunately the T-9000 series plates have been a dismal failure as their high static overheads can not be satisfactorily recouped in the single shift per day that they are allowed to operate. At least night time restricted plates were issued in response to perceived unmet demand.

Auctions

Taxi plate auctions have been held with dubious success. Typically the plate prices are driven up to new heights by ill informed, naive and unwary new industry entrants whose expectations are beyond those of experienced industry stalwarts. Auctions then set new higher benchmarks that trigger plate lease fees rises upon all other operators. Those lease fee increases can be passed on to lessees but can't be passed on to passengers in the short term. Plate auctions fail the travelling public's best interests by raising the cost of taxi travel.

Tenders

Public tenders for taxi plates have been tried interstate but are new for Sydney. There is a real and unavoidable risk that the existing stake holders will strive to manipulate the process to sustain existing plate prices at unrealistically high levels. By placing cascading, stacked bids, those whose first priority is the shoring up of current plate prices can ensure that they acquire all the new plates at whatever the "new" market price turns out to be.

Seniority Register

There once was a taxi seniority register that strove to issue new taxi plates to the longest serving industry players. That scheme was abandoned around the 1980s. Its merits were that responsibilities for additional taxi services were assigned to those who best understood what the travelling public wanted and had already made a commitment to serve those needs.

Ballot

The best process, of a bad lot, that the NSW TDA can advance for the release of any new plates (if ever), would be by ballot and not by tender or by auction. We feel that a ballot among those drivers committing to meet a contract of mutual obligation, addressing measured unmet demand for new taxi services would be the best focussed structure. Such measured, unmet, demand may be specified in terms of time of day and may also be geographically tied. Only where existing taxi services have been found wanting would a case for any such release be safe from threats of industrial action by existing taxi drivers. A ballot system for new taxi licences issued to eligible, demonstrably capable, drivers at a price BELOW the ruling market rates is the only scheme that would balance the many conflicting objectives of not inflating plate prices further, not destroying the current value of single plates held by existing operators and meeting identified measured, unmet, customer demands.

To create fair and level playing fields for all drivers and operators, the mainstay of the industry, and to realise the spirit and intent of the Plate Leasing Bill, the NSW TDA urges that all future plates be balloted to drivers and lessees

Accordingly the NSW TDA submits the following for the consideration and recommendation as a proposed amendments to the Plate Leasing Bill :

1. No new plates, the taxi industry is already saturated.

- 2. The hundred new plates that the government intends to release, be leased exclusively 100% to new drivers/operators at a set lease price just under the current market price, \$28,000.**
- 3. No Auctions or sealed tenders. No networks may apply for plates.**
- 4. Seniority of service, as a taxi driver, gives priority.**
- 5. One plate per applicant.**
- 6. If there are too many equally qualified applicants, then the new lessees are drawn by ballot.**
- 7. All applicants must be experienced qualified accredited taxi drivers.**
- 8. All applicants must be fully informed of the economic pitfalls in operating a cab.**
- 9. All successful applicants must have a minimum working capital of \$50,000 available.**

Already there is major public scepticism and concern regarding the way the new Plate Leases will be processed.

The NSW TDA advocates that the Government call a moratorium on the release of the 100 new plates until sufficient time for negotiations and discussions with the stakeholders in the taxi industry can take place, and that time is made to modify the method of release.

Demerit points

Demerit points are a bane for taxi drivers. A full time taxi driver is said to drive five times as much as an average driver. In some cases it is more like seven times as much. In this modern era with so many big brother electronic devices, it is becoming more difficult to be perfectly pedantic for most taxi drivers. Many have suffered periods of banishment from the right to make a living. That and the threat of banishment are very discouraging to taxi drivers and the industry. Are we talking about being soft on bad drivers? No! Experienced taxi drivers have from ten to twenty times fewer accidents per kilometer than the average driver. We are talking substantially about pedantic minor infringements. Actually, the nett result in the taxi industry, is to lower the overall standard of driving.

We advocate two measures:

That taxi drivers be given **24 points over three years**. That would take into account the very large numbers of kilometers that a full time taxi driver travels. This means that each taxi driver would only need to be about three times as pedantic as the average driver, instead of six or seven times more pedantic.

A more acute problem for the taxi industry, is the double demerits scheme. This has the effect of an acute drying up of drivers willing to work in double demerit periods. This has a knock on effect of reduced service to the public. The double demerits scheme is an attempt to curb the errors of many Sunday driver types driving long distances over unfamiliar roads. In these circumstances it is hardly surprising that there would be many accidents at these times. On the other hand, for professional taxi drivers, it is just another day's work. Professional taxi drivers are much safer than average drivers and encouraging more taxi drivers to work on public holidays does not make the roads more dangerous. So we propose that, at least, the government could easily **exempt working taxi drivers from double demerits**.

Taxi Drivers' Supervision and Working Conditions

1) Driver Remuneration

The industrial commission theoretically granted the taxi drivers \$19 per hour. Ten years ago. They have never achieved it.

To solve the driver remuneration conundrum is not straight forward. Over the years there have been layers of misguided measures that have resulted in a tangled interconnected series of problems. A necessary goal for the taxi industry to have a better performance is to find a way to increase the rate of returns to the driver. To do this requires the cooperation of the NSW Industrial Commission, the Government and IPART. They all need to participate in a combined industry plan to reconsider the IPART pricing model, to restructure the pay in, and change some regulations.

The structural deficiency is the failure of the process to deliver any monetary improvement or rewards to drivers. Whatever fare increases that IPART delivers, the TIA applies for and gets the full increase to maximum pay-ins at the NSW Industrial Tribunal. Then, by the power of private contracts and market monopoly in providing compulsory 'radio fees' to the operators, the Networks increase their charges and absorb all the increase. So the networks and other unregulated suppliers such as insurers all get richer every fare increase and the operators and the drivers get screwed to the wall.

2) On Road Monitors

We endorse choosing certain drivers that are trustworthy to be on-road enforcement officers that monitor taxi related breaches etc. They can take the details such as vehicle, time, location and driver ID if available regarding untidy taxis, uniform breaches, smoking in the vehicle by drivers or passengers, to then have them report those breaches to T & I directly.

These details could then be looked into further, as deemed appropriate for doing so, by NSW T & I officers.

Further to this, details on those drivers seen touting at the airport could be relayed to T & I by these selected drivers.

It is easier for other taxi drivers to observe touting at the airport. When officers from T & I appear the offending drivers cease their activities often without being breached and then disappear.

They do not do so when the other taxi drivers are present.

3) Taxi Rank Security

These need to be safer than what they are at present. The staff at supervised ranks need to be more friendly and less aggressive. They need to be fully qualified and authorised security guards trained, accredited and equipped to administer first aid procedures as well. As is required for the security industry, they need to clearly display their security licence and to be checked in doing that as they perform their duties.

4) Tariff 2 on Public Holidays

There needs to be an ability to charge Tariff 2 rates for the 24 hours on any Public Holiday. Drivers, both dayshift and nightshift, need to be compensated more satisfactorily than occurs when only charging Tariff 1 rates. The **night rate**, currently only applicable from 10pm-6a.m., needs to be **extended to all Sundays and Public Holidays**.

5) Letting Passengers off at Bus Zones

There are fines that apply to drivers who wish to drop off at Bus Zones. Demanding passengers, often completely focussed on their own needs and their time constraints say, "Stop here!" or "I don't want there...I want here!"

Drivers can't go around the block to drop again or to choose a more correct or legal place to stop. There needs to be an **exemption for drivers backed by legislation for the dropping and picking up at Bus Zones**. This could be for, say, 1 minute during which no fines would apply. Taxis are a part of public transport and should be granted the same rights of access to public infrastructure as buses.

6) Access to Transitways and Bus Only Precincts

The State government's role out of Transitways seems to have ignored the needs of those constituents who are too frail or feeble to catch buses. Transitways are bus-only corridors linking the western Sydney suburbs of Liverpool, Parramatta, Blacktown and Rouse Hill. Whilst the hale and hearty get the benefit of uncongested commuter routes, the blind, elderly etc. who need to be picked up at their front doors are relegated to slow (and expensive) lanes of crawling traffic all banned from using those public infrastructure features. It makes no sense that wealthy commuters entering the city from, say Mosman, can ride in their taxis over the harbour bridge using the bus lane

yet crippled pensioners, reliant upon taxis in Blacktown, are excluded from the time and cost savings that a taxi ride in a local Transitway could provide.

The NSW TDA has successfully negotiated access for taxis to the citybound "bus-only" lane on the M2 motorway. However, we are still exasperated by being excluded from the outbound lane along the same route.

We have not yet succeeded in our negotiations for access to the Holker Busway in the Olympic precinct. Access to that bus only bridge would greatly help the harmonious and speedy egress of fans from major events e.g. at ANZ Stadium. Randwick race crowds could be disbursed more cheaply and speedily if we had access to the Bus-Only route alongside Anzac Parade.

The NSW TDA calls for full access for taxis to be permitted to pick-up, set-down and travel along all routes that buses can.

7) Cash-Back Toll Road Refunds

Those commuters who are able to drive themselves to and from work along the M4 and M5 motorways are all eligible to claim a refund of their tolls under the State government's cash-back scheme. Not so the beleaguered taxi drivers or their passengers. The NSW TDA has long called for toll free access on all routes for taxis and their passengers. In the interim we seek at least the **inclusion of taxis under the motorway cash-back scheme** so that taxi travel becomes more attractive and affordable for those unable to, or not wishing to, drive themselves. During times of peak demand, especially, a system that enables taxis to more quickly respond to passengers' demands benefits everyone.

8) Lessee Conditions

A lot has been said and written about the grievances of taxi drivers but only a fraction about taxi operators. The issue of taxi drivers becoming operators is a complex one.

Many taxi drivers, after successfully completing a taxi accreditation course fail or totally give up the idea of becoming an operator.

The following are some of the reasons:

- One needs money, hard work and determination and be successful, to start any business, so is the taxi business.
- The rules and regulations of operating a taxi business is firm and stringent. There is no room for the "dodgy" and the "bodgy" as they do not last long. The sooner they come the sooner they leave and swear never to return.
- Besides this the start up costs and ongoing maintenance are very high. It is only at the end of the financial year an operator finds out how much profit he has made, as opposed to a driver who after paying for gas takes the rest and that is his profit determined daily.

- The last but the most important fact is the “workers compensation insurance” and the “notorious” Taxi Industry (Contract Drivers) Contract Determination 1984 [TI (CD) 1984] which immediately frightens the hell out of any new and intending operators. We suggest a rework of the taxi driver award determination contract of 1984. As 98% of all drivers and operators work on mutually agreed pay-ins, which usually are concessional pay-ins established in lieu of the unworkable taxi driver contract determination entitlements. This is a major hurdle for taxi drivers to promote themselves to become operators.

The NSW TDA opposes the release of any new taxi plates. The days of seniority have long gone and it is hard to turn the clock back but instead drivers should grab any WATs plates the government has. If a taxi driver wants to make money he can do it in WAT taxis as well. They just have to make the effort to look for a driver.