

**INQUIRY INTO OPERATION OF THE POINT TO POINT
TRANSPORT (TAXIS AND HIRE VEHICLES) ACT 2016**

Name: Name suppressed

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Partially
Confidential

Thank you for the opportunity to contribute our thoughts and experiences in this matter. Today, Blue Mountains Taxi Service is now a sole trader, single taxi operation engaging two drivers, 18 hours a day, seven days a week. Our area of operation is between the townships of Linden and Bullaburra.

Prior to the State Governments abolition of the PASSENGER TRANSPORT BILL 2014 (in late December 2013) to remove the illegality of Uber operations, there were four taxi's operating as Blue Mountains Taxi Service within our area of operation and had done so for two decades.

As soon after Minister Andrew Constance made his December 2013 announcement, three of the four Blue Mountains Taxi Service owner/operators concluded that the unregulated operations of Uber at that time had been rewarded by the State Government for breaking the laws while the comprehensively regulated Taxi industry had been punished for upholding the laws that governed their ability to earn a living. So they got out of the industry with what they could get.

With each having had potential \$150,000 per taxi buyers pull out of discussions because of the Uber threat, three Blue Mountains Taxi Service owner/operators sold their taxis for \$75,000 each. Having invested most of my superannuation into my taxi, to supplement my age pension I could not afford to sell it at such a loss. Since the introduction of the Point to Point Transport (Taxis and Hire Vehicles) Bill 2016, there has been no benefit what so ever to passengers, service providers or drivers.

The objectives of the Point to Point Transport (Taxis and Hire Vehicles) Bill 2016 have mostly not been met. .

1. While the “provision of the safety duties and safety standards” has been documented, in our area of operation they have not been enforced. Today, there are three 13Cab branded taxi, which appear to be in disrepair based on their appearance and information that they have not been in for a regular service since December 2019. The P2P response to Notifiable Occurrences and other reported breaches by P2P operatives within the Blue Mountains, has been frustratingly inadequate.
2. The “authorisation of providers of taxi services” does not include ride-share operators as an objective of the Point to Point Transport (Taxis and Hire Vehicles) Bill 2016. So they appear out of the blue to cherry pick peak passenger times and locations, without any regulatory requirements other than the name of the service provider (eg. Uber) on the back window and that rarely happens in our area.
3. “Determination of taxi licence numbers “ has not been applied to the proliferation of free WAT licenses in our area. This Upper House Inquiry should challenge the P2P on how they based their decision to allocate free WAT licenses on a ‘Disability and Community Access’ agenda for the Blue Mountains. They appear to spend most of their time, competing with legitimate TC plate taxis, picking up able-bodied passengers from taxi ranks with what amounts to a zero cost TC plate, rather than transporting wheel chair dependent people.
4. The bill also fails in its objective to “maximum fares for passenger services “ because while it has set controls on taxi fares, ride share providers can and do surge charge whatever they like.
5. “enforcement of safety and other requirements” has not been adequately applied in this area, particularly to some ride share and WAT operators on this area and this Upper House Inquiry should challenge the P2P on what inspection and enforcement they have undertaken in this regard.

6. “The functions of the Point to Point Transport Commissioner “ have been well documented and resulted in greater costs by taxi operators in responding to P2P administrative compliance requirements.
7. “to establish a Taxis and Hire Vehicles Industries Assistance Panel” is with this Upper House Inquiry now taking place.
8. “to impose a passenger service levy “ is an objective that the P2P very quickly succeeded in applying. This requirement punishes taxi passengers and drivers, who think taxi drivers are ripping them off when Uber drivers don’t charge a levy. It punishes taxi service providers who have had to invest in the management systems required to record and report on levy collection. Will this his Upper House Inquiry determine the point at which the State Government has recouped assistance funds paid to taxi owners (if that point has not already been reached)?
9. “Consequential repeals and amendments, savings and transitional provisions and other ancillary matters”.

This Upper House Inquiry should investigate and consider the following in accordance with its Terms Of Reference;

- (a) Where is the level playing field between Taxi and Ride Share services in respect of CTP, and other security, safety and administrative compliance requirements.
- (b) Bailment has for many decades been a fundamental element of the taxi owners ability to deliver a seven day per week service, because it has proven to be sustainable in respect of covering operational costs and suitable for those drivers who are not entirely dependant on their share of taxi earnings.
- (c) Is it the State Governments intention to limit the Levy Collection requirement to the recovery of its industry assistance package expenditure to date, or does the Government see this as an ongoing exercise without an end date being actioned by unpaid tax collectors?
- (d) The impact of the legislation on the value of taxi plates in the mid Blue Mountains has been to reduce their value from approximately \$200,000 in 2012 to between \$50,000 and 70,000 if a buyer could be found. As a consequence of the government’s legalisation, my superannuation investment in their controlled taxi industry is such that I can’t recover the loss in equity or quit the business and rely solely on my age pension. Like most small taxi owners, I am hoping that the State Government will action the buy back scheme that both sides of the house supported recently.
- (e) The role and function of the Point-to-Point Transport Commissioner should be to deliver the equal playing field that was promised.