

Personalised Transport Services Review

Terms of Reference

Background

An independent Review of personalised transport services in Queensland will be conducted to ensure that the regulatory framework supports the delivery of a service that meets the needs and expectations of the Queensland community.

This sector provides direct and indirect employment to thousands of workers. These services provide necessary transportation services to the business, leisure and tourist sectors, local communities, and essential transport to health services, including tailored services for people with a disability or mobility issues.

The Queensland Government regulates the provision of taxi and limousine services through the *Transport Operations (Passenger Transport) Act 1994* (TOPTA) and the *Transport Operations (Passenger Transport) Regulation 2005* (TOPTR). The current legislation regulates the following:

- Driver and operator entry requirements (criminal history, medical checks, driver training and so on);
- Vehicle requirements (vehicle types, ongoing inspections, age limits);
- Fare structures, including the setting of maximum taxi fares;
- Driver conditions such as taxi driver bailment agreements;
- Security measures such as taxi security camera systems;
- Minimum service levels for taxi booking companies operating under contract with TMR;
- Taxi Subsidy Scheme; and
- Market entry restrictions (taxi licences and contracts for the administration of taxi services).

The Queensland taxi industry operates within a protected marketplace, with little fundamental change made to the structural framework in recent decades. There are currently 3,261 taxi licences in Queensland (with a combined value of approximately \$1.4 billion) operating in 97 declared taxi service areas and 580 limousines in Queensland, one of which is wheelchair accessible.

The need for the Review is driven by:

- The upcoming expiration of the Queensland Taxi Industry Strategic Plan 2010-2015;
- The emergence of new technology-based innovations that are challenging the current regulatory model;
- A visible change in the needs and expectations of consumers using taxi, limousine and rideshare services and the wider community; and
- Recommendations in the Commonwealth's Competition Policy Review (March 2015) that industry reform is long overdue and the current regulatory framework could be improved.

Scope of the Review

The Review will investigate opportunities to uphold safety standards, meet customer needs, increase competition and foster innovation in the delivery of personalised transport services to Queenslanders, by considering the current economic, social and regulatory environment.

Personalised transport services include taxi and limousine services and other services provided for a fare where the passenger determines the destination.

Matters for consideration as part of the Review include:

- The safety of the community and drivers;
- The delivery of a flexible legislative framework that supports competition and innovation for all participants;
- Customer opinions of rideshare services;
- Steps undertaken by the taxi industry in adapting to changing customer needs and expectations;
- Supporting a sustainable industry that is forward-looking and fosters innovation;
- Competition in the sector, including vertical integration, anti-competitive practices and incentives for innovation;
- The provision of affordable and customer-focused services;
- The needs of the community across Queensland, including those with disabilities or reduced mobility;
- The current and potential role of taxis, limousines and rideshare services in an integrated transport system, with a focus on the role of these services to foster social inclusion;
- Transitional arrangements from the current regulatory and service arrangements to the recommended model;
- Other models and new approaches to delivering personalised transport services both in Australia and overseas;
- Potential use of personalised transport services by participants of the National Disability Insurance Scheme;
- Operational procedures and practices within the sector; and
- Any other related matters.

The Review must identify what a potential future market state could look like. This may include, but is not limited to:

- An appropriate long term regulatory framework, focused on service outcomes, where costs do not exceed the public benefits;
- Recommendations that will identify pathways and strategies for implementation;
- Providing affordable and consumer-focused services;
- Addressing the needs of the community across Queensland, including those with disabilities or reduced mobility;
- The safety of the community and drivers;
- Delivering a flexible legislative framework that accommodates future progression and supports innovation for all operators in the market;
- Appropriate compliance strategies and enforcement measures which can adapt in line with industry progression; and
- Supporting an economically sustainable industry that is forward-looking and fosters innovation.

There are a number of other personalised transport services regulated by the Queensland Government that may be considered alternatives/substitutes for taxi and limousine services, for example community transport and courtesy transport. While the role of these services, and how they relate to the personalised transport sector, should be considered during the Review, particularly regarding a flexible regulatory framework, recommendations to reform these services are not within scope of this Review.

Roles and Responsibilities

The Review will be undertaken by an independent Taskforce comprising a Chair, Deputy Chair and one other member. At any meeting of the Taskforce, the majority of members will constitute a quorum, though the Chair or Deputy Chair must be one of the majority.

The independent Taskforce will be supported by a Review Secretariat which will report to the Chair of the Taskforce. The independent Taskforce will be responsible for the following key activities:

- Engagement and consultation with stakeholders and the wider community;
- Development of shared set of guiding principles to shape the reform options and recommendations for Government consideration;
- Development of a Consultation Paper to support public discussion on reform options
- Reporting on progress to the Deputy Premier; and
- Development of a Final Report that presents recommendations and reform options, and details a preferred option, for Queensland Government consideration.

A Reference Committee will be formed comprising senior officers from key Queensland Government agencies, including the Department of the Premier and Cabinet, Queensland Treasury, Queensland Health, the Department of Justice and Attorney-General, the Queensland Police and Ambulance Services, the Department of Transport of Main Roads, the Department of Communities, Child Safety and Disability Services, and the Department of Tourism, Major Events, Small Business and the Commonwealth Games. Other agencies may be invited to attend during the Review process where necessary/relevant.

The Reference Committee will provide advice to the Taskforce regarding any key matters relating to the respective agency. As the regulator TMR will provide input through the Reference Committee.

See Attachment 1 which outlines the governance framework for the Review.

Attachment 1 – Governance Framework

