

24 August 2007

Allen Consulting Group  
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210 George Street  
Sydney NSW 2000  
By email: [dstransport@allenconsult.com.au](mailto:dstransport@allenconsult.com.au)

Dear Sir / Madam

**RE: DISABILITY STANDARDS FOR ACCESSIBLE PUBLIC TRANSPORT REVIEW**

Please find attached the Australian Taxi Industry Association's (ATIA) submission to the 5 year review of the Disability Standards for Accessible Public Transport (DSAPT). For your convenience we present our submission as a series of answers with explanatory comments to the questions posed in the Allen Consulting Group's issues paper (May 2007). (A separate accessible version of this letter, and our submission document, is supplied as a separate file).

The ATIA is the national peak representative body for the taxi industry in Australia. Accordingly, the ATIA's submission represents the views and interests of its State / Territory members including –

- New South Wales Taxi Council
- Victorian Taxi Association
- Taxi Council of Queensland
- Taxi Council South Australia
- Taxi Council of Western Australian
- Canberra Taxi Industry Association
- Taxi Council Northern Territory

Importantly, the ATIA's submission includes the following recommendations –

1. *The DSAPT should be amended to require facility and venue owners (including governments of all levels) where they establish restrictions limiting the assistance that taxi drivers would otherwise necessarily provide to passengers with disability, to make adequate and timely provision using their own resources for the delivery of equivalent assistance.*
2. *The DSAPT should be amended to require Local Governments and other road owners to make adequate and flexible provision for taxis to be able to set-down and pick-up passengers with disability, anywhere safe to do so, as close to their destination or origin as physically possible (e.g. anywhere other than within 20 meters of an intersection controlled by traffic lights or 10 meters of any other intersection).*
3. *The DSAPT should be amended to require State / Territory and Local Governments (and other road owners) to allow taxis to use transit lanes, bus lanes, bus ways and bus stops.*
4. *State / Territory governments should collect data on taxis' compliance with the DSAPT requirement concerning raised registration numbers when taxis present for their periodic mechanical inspections.*

5. *The DSAPT should be amended such that "response times" in Schedule 1 Part 1.2 be defined as the sum of the time taken to process the booking and offer it for dispatch to the affiliated WAT fleet.*
6. *An independent review should be conducted of the effectiveness of APTJC and APTNAC. Subject to the outcomes of that review, APTNAC in particular should be appropriately resourced and funded for all ongoing roles assigned to it.*
7. *The DSAPT should be amended to grant a permanent exemption to taxi operators, radio networks / cooperatives and drivers servicing towns or areas with less than 5,000 people.*
8. *State / Territory governments should develop a public transport plan for each town in their jurisdiction with less than 5,000 people that details how provision will be made for persons with disability to access affordable transportation services.*
9. *A comprehensive Australian Standard should be developed for:*
  - *restraint of both wheelchairs and mobility scooters in accessible vehicles; and*
  - *suitability of mobility aids for vehicular travel (including what types are suitable to allow the occupant to remain seated in the device whilst in transit).*
10. *The Commonwealth Government should establish a national certification system for the labelling / tagging of mobility aids according to their suitability for transportation which includes standard marking / identification of 'mobility aids' (engineered) safe anchorage points.*
11. *The DSAPT should be amended to only allow complaints of discriminatory action / inaction in circumstances involving mobility aids, where the mobility aid carries the appropriate certification.*
12. *APTNAC, or its NSPWG, should undertake a thorough and comprehensive review for the purpose of determining whether ramps represent an acceptable and safe access mechanism in a WAT environment.*
13. *The DSAPT should be amended to exempt taxis from any obligation to carry mobility scooters until 31 December 2012. (NB The effect of the exemption would not be to prohibit the carriage of mobility scooters in taxis, but to treat mobility scooters in the same class as oversized wheelchairs - their transportation would be voluntary upon taxi operators and drivers and subject to it being safe.)*
14. *APTNAC should expedite its consideration of the safe carriage of mobility scooters in taxis with a view to facilitating the development and implementation of all such measures by 31 December 2012 as may be required to ensure the safety of taxi passengers and drivers.*
15. *HREOC should be appointed as the single body to deal with all complaints, or other matters arising, in relation to the DSAPT and disability discrimination in a public transport context. HREOC's purview should be confirmed by intergovernmental agreement or other appropriate mechanism(s). All complaints dealing with disability discrimination in a public transport context presented to State or Territory Anti Discrimination Commissions, Tribunals, Boards, or Ombudsmen should necessarily be redirected to HREOC for its actioning.*

Finally, should you require any further information or clarification in regard to any matters raised in this letter and its attachments please do not hesitate to contact me directly on (07) 3847 3500.

Yours sincerely



Blair Davies  
Executive Director

## QUESTIONS FOR ALL STAKEHOLDERS

### **1. Has the accessibility of public transport improved since the introduction of the Transport Standards?**

- *How has accessibility to conveyances (eg, trains, buses, trams, ferries, taxis, aircraft, etc) changed? Can you provide examples?*

Yes to both questions.

State / Territory Governments have with mixed success used their regulatory control over the supply of taxi licences to increase the number and proportion of wheelchair accessible taxis (WATs) operating in their jurisdictions.

The Australian taxi industry has also implemented a range of measures, in cooperation with State / Territory regulators, to improve the utilisation rates of WATs undertaking “wheelchair jobs” as distinct from other taxi work performed by WATs. (NB In this submission, “wheelchair jobs” are defined as taxi trips which involve the transport of at least one passenger with disability travelling with a large mobility aid such as a wheelchair or mobility scooter.)

A detailed account of initiatives that have been implemented in Australian (and some overseas) jurisdictions for the purpose of improving WAT service levels is contained in the Australian National University’s Professor Nicholls’ 2007 research paper titled, “Transporting the Wheelchair Dependent – A Review of the Wheelchair Accessible Taxi Industry”. This research was commissioned by the ATIA and is attached to this submission.

- *How has accessibility of information (eg, maps, timetables, announcements, etc) changed? Can you provide examples?*

Yes, to the second question.

The ATIA, as well as many of our industry members / affiliates, have produced and distributed a range of brochures and other informational material. The focus of this material has been directed to support the training that taxi drivers received in regard to their obligations under the Disability Discrimination Act 1992 (DDA) and Disability Standards for Accessible Public Transport 2002 (DSAPT). However, many of the brochures have also been made available to a wide range of stakeholder groups for the information and education of their members.

The ATIA’s brochure titled, “Taxi Pocket Guide – Serving Customers with Disabilities is Smart Business” is an example of such material and is attached to this submission.

- *How has accessibility of infrastructure (eg, access to stations, stops, ports, piers, airports, interchanges, etc, as well as access to co-located facilities such as toilets, waiting rooms, and food and drink, etc) changed? Can you provide examples?*

The first question is only indirectly applicable for the taxi industry.

The provision of infrastructure, such as taxi pick-up / set-down areas and ranks, is the responsibility of the entity that holds or controls title to the relevant land / property. Accordingly, most taxi pick-up / set-down areas and ranks are the responsibility of the respective Local Government.

However, the following points are relevant to note.

The ATIA is concerned that a number of airports, marine ports, and other destinations prohibit taxi drivers leaving their taxis unattended while they assist a passenger with disability from the roadside to the inside of a building or to some other point where an appropriate person can take over responsibility for the ongoing care of the passenger. Facility owners are typically making such rules out of new concerns for public security - evidently regarding unattended vehicles of any kind as a potential terrorist bomb threat. However, these new arrangements can at times place taxi drivers (and carers) in a very difficult situation if the facility owners do not make adequate and timely provision for their staff to attend to the WAT or taxi on arrival (i.e. so that a synchronous handover of the care responsibility occurs at the taxi set-down point rather than inside their building). This is likely to be a growing problem as more organisations follow the lead of the Department of Veterans Affairs and others, in contracting taxi companies to provide a door-through-door service for their clients, as distinct from the industry's traditional door-to-door service.

**Recommendation:**

***The DSAPT should be amended to require facility and venue owners (including governments of all levels) where they establish restrictions limiting the assistance that taxi drivers would otherwise necessarily provide to passengers with disability, to make adequate and timely provision using their own resources for the delivery of equivalent assistance.***

Similarly, the promulgation of “no stopping” zones in the CBDs of many cities, and overzealous enforcement of those zones by Local Government or police officers, can also make it very difficult for taxi drivers to lend reasonable assistance and service when picking-up or setting-down passengers with disability.

**Recommendation:**

***The DSAPT should be amended to require Local Governments and other road owners to make adequate and flexible provision for taxis to be able to set-down and pick-up passengers with disability, anywhere safe to do so, as close to their destination or origin as physically possible (e.g. anywhere other than within 20 meters of an intersection controlled by traffic lights or 10 meters of any other intersection).***

As a final comment, in most Australian jurisdictions taxis can use bus lanes and the various (higher occupancy) transit lanes. However, taxis are typically restricted from using dedicated “bus ways” and bus stops. It is the view of the ATIA, that on many occasions, mass transit as a distinct and discrete segment of public transport often receives preferential treatment by State / Territory and Local governments to the detriment and discrimination of public transport passengers whose particular disability prevents their use of such services. In our view there seems to be no justifiable reason for one segment of public transport passengers, simply because they do not have access to an accessible mass transit service, to incur longer travel distances (and therefore higher taxi fares) and less convenient set-down points (and therefore even higher taxi fares) simply because of transport planners ideological preference for mass transit. It is the ATIA's view that taxis should be entitled to use such infrastructure (bus ways and bus stops) at all times when transporting a

passenger with disability, or at least as a minimum, taxis should be entitled to use such infrastructure at all times other than during peak periods.

***Recommendation:***

***The DSAPT should be amended to require State / Territory and Local Governments (and other road owners) to allow taxis to use transit lanes, bus lanes, bus ways and bus stops.***

***2. Have these changes matched your expectations of the implementation and uptake of the Transport Standards?***

- *Do you consider that the changes have matched (1) the compliance requirements and (2) your expectations?*

Yes, in regard to Raised Taxi Registration Numbers.

The ATIA expects that all taxis should be compliant with the DSAPT's requirement to have raised taxi registration numbers placed on the outside of each passenger door, forward of the handle, by 31 December 2007.

No, in regard to WAT response times.

The Australian Taxi Industry has used, and will continue to use, its best endeavours to provide the fastest possible response for WAT bookings. However, notwithstanding all of the industry's considerable efforts directed to achieving the DSAPT's target for WAT response times (i.e. that they be the same as those for other taxis) the industry by and large remains non-compliant. It is the ATIA's view that the performance level established in the target is unrealistically high given the infrastructure and regulatory environment within which the taxi industry delivers its various services. The reasons for this conclusion and recommendations for the resolution of the problem are discussed in detail later in this submission.

- *If the changes have fallen short of your expectations, can you provide examples?*

Yes.

The ATIA holds the view that it is entirely impractical and unfair to expect that taxi networks / cooperatives can, or will be in a position to, ensure that WAT response times will be the same as other taxis.

Significantly, taxi networks / cooperatives do not exercise control over a number of elements in the service supply chain critical to determining the response times with which WATs and other taxis (actually) respond to customer bookings. For example, taxi networks / cooperatives do not control the number or proportion of WATs affiliated with their fleet or the price(s) of taxi services. These are factors under the exclusive control of State / Territory governments as the industry's regulators. They also do not have (and therefore cannot exercise) line control over taxi drivers. They have no head of power to compel a taxi driver to -

1. station his / her WAT in an area proximate to where wheelchair jobs could be expected to originate (i.e. to minimise the lead or travel time to the customer); or
2. not station his / her WAT in an area inconvenient to where wheelchair jobs could be expected to originate (e.g. in the remote holding and taxi feeder areas at airports); or
3. accept a wheelchair job that is offered via the dispatch system.

This last point is very important. Taxi drivers are not employees of taxi networks / cooperatives but rather are self-employed independent contractors (bailees) who hire (bail) taxis from taxi operators. Taxi operators are persons who control a taxi licence that is affiliated with a taxi network / cooperative (although not necessarily in Tasmania and the Northern Territory). Taxi networks' / cooperatives' primary business is that of a call centre that acts as an agent for its affiliated fleet, receiving bookings from customers and then dispatching those bookings according to an agreed set of rules / parameters. Importantly, the computerised dispatch systems used by taxi networks / cooperatives in major cities does not indiscriminately assign jobs to affiliated taxis. Each request for a taxi service (booking) is first offered to a discrete sub-set of the fleet that is (or is en route to be) within some reasonable vicinity of the respective customer's location. The relevant taxi drivers then consider whether to bid for the job or not. The booking is only dispatched following 1 or more of the drivers of those taxis communicating their interest in performing the service (e.g. pressing a button on the taxi's mobile dispatch terminal). If the no taxi driver within the original sub-set responds (i.e. bids for and accepts the job) the dispatch system typically casts a wider and wider net, iterating through a process that offers the job to taxis located further and further away from the customer's location.

In addition to the jobs offered via a taxi network's / cooperative's dispatch system, taxi drivers can also accept hail and rank jobs. Importantly, taxi drivers are at liberty to ignore jobs offered by the dispatch system - as, and when, they believe it to be in their economic or other interest to do so (e.g. during peak demand periods, or when a particular rank has a queue of waiting customers etc). However, taxi drivers (when plying for hire) are not allowed to refuse a hail or rank job (unless the driver has reason for concern that his/her safety would be in jeopardy or the customer cannot pay the fare). Curiously in a DSAPT context then, and probably contrary to the general public's perception of such matters, taxi networks / cooperatives have less legal standing or power to affect the hire of a taxi than a passenger engaging directly a taxi driver directly from a rank.

In summary, taxi networks / cooperatives facilitate rather than control the delivery of taxi services. They are in no position to guarantee to every customer requesting a WAT that it will arrive with the same response time as another type of affiliated taxi. Using their best endeavours over the past 5 years to implement improvements to their dispatching procedures and systems, taxi networks / cooperatives have found that it is impossible to always achieve on-demand response times for WATs equal to (their) other taxis as required under the DSAPT. Of huge concern to the ATIA, where WAT response times turn out to be longer than other taxi response times, investigation has not shown the cause to be some discriminatory action / inaction on the part of the taxi network / cooperative. To the contrary, inferior response times are far more likely to result from –

1. an undersupply of WATs in the fleet vis-à-vis other taxi licences (i.e. the State / Territory government has issued insufficient WAT licences); and / or
2. an oversupply of other taxis in the fleet vis-à-vis WATs (i.e. the State / Territory government has issued too many other taxi licences); and / or



3. an underutilisation of the WAT fleet doing wheelchair jobs (i.e. the State / Territory government's regulatory enforcement program failing to ensure WATs comply with licence conditions that require consistent preference be given to wheelchair jobs over other taxi work; and the nearest available WAT driver not accepting a wheelchair job on a consistent basis).

**3. Do you consider that the level of compliance required at the end of the first five year period is sufficient to have had an impact on accessibility?**

Yes.

It is in direct response to the requirement in the DSAPT that Australian taxis will have raised taxi registration numbers fitted to the outside of their passenger doors by 31 December 2007. The ATIA is advised by organisations representing people with sight impairment that compliance with this requirement will be beneficial for many of their members.

Notwithstanding the impossibility of the target in regard to WAT response times, by and large the taxi industry has approached the intent of the DDA and DSAPT in good faith and worked with regulators and other stakeholders to improve WAT service performance. On a range of parameters, WAT service performance is significantly better in August 2007 than it was in October 2002 when the DSAPT were introduced.

**4. To what extent do you consider current data on accessibility are reliable?  
Can you provide examples of problems with data that you are aware of?**

"Not particularly" to the first question and "yes" to the second question.

In regard to WAT response times, State / Territory governments do collect some relevant performance data from taxi networks / cooperatives. Unfortunately, much of this data is not readily comparable to other taxi response time data. This is an important point because the DSAPT's target for WAT response times is a comparative rather than absolute metric.

Firstly, unlike conventional taxi bookings, a disproportionate number of WAT bookings are made directly with WAT drivers rather than through an authorised taxi network / cooperative. This creates a number of problems that are well enunciated in Professor Nicholls' attached research paper titled, "Transporting the Wheelchair Dependent – A Review of the Wheelchair Accessible Taxi Industry". In the first instance, WAT issued statistics issued by State / Territory regulators underreport the number of jobs actually performed (possibly by as much as 50%) because they do not include private bookings (- only data supplied by taxi networks / cooperatives). Secondly, WAT drivers naturally tend to "cherry pick" the best jobs for their private bookings and leave less "desirable" jobs to be handled by the taxi network / cooperative. A typical example of a less desirable job would be where the passenger's normal pick-up point involves a significant amount of dead running (perhaps to a fringe suburban location) for what is otherwise a relatively "short fare". By their very nature, being arrangements that are intended to work for the mutual

benefit of both passenger and driver, it is logical to expect that private jobs will be performed with better response times than jobs booked with (and dispatched by) the taxi network / cooperative. It also follows that if private bookings comprise a large percentage of WAT jobs, and that response times for private bookings can be expected to be distinctly better than residual jobs booked via the taxi network / cooperative, then the service levels and response times reported by the taxi network / cooperative to government agencies will seriously underreport the true performance of the respective WAT fleet.

The WAT reported data is further compromised by different arrangements applying in different States / Territories as to when the taxi meter is activated. In the case of a standard taxi, a passenger without disability can enter the taxi without assistance relatively quickly. Accordingly, the taxi arrives, the customer enters the taxi, and the driver activates the meter for the commencement of the journey. The activation of the meter sends a message back to the dispatch system to signal the end point of the “response time”. In the case of a WAT, there will be a considerable delay between the arrival of the taxi, the loading and securing of the passenger and their mobility aid, prior to the activation of the meter. Hydraulic hoists are slow to lower, raise, and then stow away. Securing anchorage devices and assisting with seatbelts are similarly not processes that can or should be rushed. The loading time for a wheelchair job in a WAT can take many minutes whereas the loading time for a conventional taxi would average less than 1 minute.

Except where response times are calculated net of the loading time, comparing reported WAT response times to other taxi response times will be like comparing apples and oranges. The former will be consistently disadvantaged by the inherent systemic bias in the data collection method. Moreover, the magnitude of the systemic bias is significant. Using Queensland figures as a case in point, taxi networks / cooperatives aim to provide as a Minimum Service Level (MSL), a taxi arriving at the customer’s location no later than 10 minutes of the requested time (including requests for immediate travel) on 85% of occasions during off-peak times. This MSL exists as a condition in the service contracts that the regulator (Queensland Transport) has with each taxi network / cooperative. The MSL for WATs is the same as the MSL for other taxi services. In the case of bookings for immediate travel, the 5 to 10 minutes or more that it takes for a WAT to load and secure a passenger and their mobility aid are crucial when the MSL is only 10 minutes in total.

In summary, the response time performance data produced by the computerised dispatch systems used in Australia will be systemically biased because –

1. the better performances associated with private bookings are excluded, effectively understating the overall WAT fleet performance and negatively skewing all estimates of central tendency;
2. the loading time for WATs is known to be significantly longer than other taxis and yet there is no consistent and reliable mechanism in place for adjusting reported response times for valid comparison.

***5. How could reporting of accessibility data be improved for future stages of the implementation of the Transport Standards?***



State / Territory governments, in regulating aspects of safety and service quality associated with taxis, are well placed to collect data on compliance with the DSAPT.

In regard to raised taxi registration numbers, State / Territory governments have to date generally been unwilling (or unable in the absence of a specific head of power) to collect data on compliance. This is somewhat surprising because it could readily be recorded for subsequent collation and reporting when taxis present for their periodic mechanical inspection.

**Recommendation:**

***State / Territory governments should collect data on taxis' compliance with the DSAPT requirement concerning raised registration numbers when taxis present for their periodic mechanical inspections.***

In regard to WAT response times and other taxi response times, the case has been previously made in this submission that the data available to State / Territory regulators will not validly represent the respective performances of the WAT and other taxi fleets. Accordingly, it is currently not possible to validly or reliably measure ongoing compliance at a State / Territory level. The differing approaches and regulatory environments of each State / Territory further compound this problem at a national level.

It has also been argued previously in this submission that holding taxi networks / cooperatives responsible for a target that requires WAT response times to be the same as other taxis is neither fair nor reasonable. Taxi networks / cooperatives only exercise effective control over a discrete portion of the service supply chain.

The ATIA is advised by Mr Dan O'Gorman SC (Barrister-at-law) that there is no legal principle prohibiting a law (e.g. the DSAPT), placing an obligation (e.g. WAT response times to be the same as other taxis) on a person (e.g. taxi network / cooperative) with which they are no capacity to comply. Nonetheless, it is understood by general legal principles that it is not good practice for law makers to make such laws. Moreover, when they learn of such circumstances it is normally incumbent on law makers to act prudently, but expeditiously, to amend the laws so to avoid courts being placed in a position where they may interpret them in such a way that –

- 1 could render a provision ineffectual; or
2. lead to a manifest injustice.

Accordingly, the ATIA is informed by Mr O'Gorman that the DSAPT could be amended in a way that makes it possible for taxi networks / cooperatives to comply with their obligations, namely the response time target should apply only to that part of the service supply chain over which the taxi network / cooperative could reasonably be expected to be able to exercise effective control.

**Recommendation:**

***The DSAPT should be amended such that "response times" in Schedule 1 Part 1.2 be defined as the sum of the time taken to process the booking and offer it for dispatch to the affiliated WAT fleet.***

(NB Mr O'Gorman's advice is legally privileged and for that reason is not included as an attachment to the ATIA's public submission. However, the ATIA is prepared to consider making that advice available to The Allen Consulting Group, upon request

and in-confidence, if it may assist them in the performance of their review of the DSAPT.)

As a final point, it is a matter of some curiosity to the ATIA that the DSAPT target WAT response times without any minimum service level established for other taxi response times. Many taxi passengers with disability travel in conventional taxis. It is also true that many “wheelchair jobs”, where the wheelchair is collapsible and can be stowed in the taxi’s boot, are performed using conventional taxis, rather than WATs. It can at times seem to the taxi industry that the WAT response time target is used inappropriately by some stakeholders and interest groups as a crude measure of the industry’s commitment to servicing people with disability (i.e. the WAT response time) versus people without disability (i.e. other taxi response time). When this occurs it is extremely disappointing because among other things such analysis fails to acknowledge the very important contribution that our industry has made, and continues to make, to the elimination of discrimination by providing transport services to persons with disability across the board.

**6. Are you aware of examples where improved accessibility of public transport has led to increased patronage?**

Yes.

Anecdotally, our members and affiliates have reported that as more venues and workplaces in their taxi districts have become accessible there has been a commensurate increase in demand for accessible taxi services. The ATIA expects that improved reliability and timeliness of WAT services has also been a factor in underpinning this growth in demand for WAT services.

**QUESTIONS FOR PUBLIC TRANSPORT USERS**

**7. Has the introduction of the Transport Standards helped you better understand your rights as a public transport user? If yes, in what ways has it done this?**

Not Applicable (NB the ATIA represents Transport Operators and Service Providers)

**8. Are the Transport Standards and the accompanying Disability Standards for Accessible Public Transport Guidelines 2004 (No.3)(the Guidelines) a sufficient source of information on your rights as a user of public transport, or have you needed to consult other sources? What other sources have you consulted? How did you find out about these sources?**

Not Applicable (NB the ATIA represents Transport Operators and Service Providers)

**9. Are you aware of other users of public transport who appear to be unaware of their rights or obligations? How could this lack of awareness be addressed?**

Not Applicable (NB the ATIA represents Transport Operators and Service Providers)

**QUESTIONS FOR PUBLIC TRANSPORT OPERATORS AND PROVIDERS**

**10. Has the introduction of the Transport Standards clarified your obligations as a public transport operator or provider? If yes, in what ways has it done this?**

Both yes and no to the first question.

The obligation on taxi operators under the DSAPT to place raised taxi registration numbers on the exterior of each passenger door is both certain and achievable.

It is noteworthy in the context of this submission that the industry would probably not be placing raised taxi registration numbers on the exterior of each passenger door by 31 December 2007 except for its express requirement in the DSAPT. As far as the ATIA is aware, Australia is the only jurisdiction that will require raised numbers on the exterior of taxis. Other jurisdictions around the world, where they have considered this issue, require the raised identification numbers to be placed inside the taxi. In the litigious environment in which we operate, it is unlikely that any Australian taxi operator would have been prepared to take responsibility for the associated risk and attendant liabilities of deliberately placing tactile identification numbers on the exterior of their taxi(s). The possibility of a person with sight impairment, possibly annoyed at being refused service or for some other reason, overstretching to feel the raised taxi registration number of a departing taxi, overbalancing, and falling into oncoming traffic is a potential and foreseeable risk.

It is the ATIA's view that placing raised taxi registration numbers on the exterior of each passenger door will help passengers with sight impairment identify that the vehicle they are entering is a bona fide taxi and it will provide them with the necessary details needed to make a complaint, compliment, enquire about lost property etc. Notwithstanding the potential safety concern, there are obvious and tangible benefits for passengers with sight impairment.

It is also the ATIA's view that in placing raised taxi registration numbers on the exterior of taxis it is largely redundant and unnecessary to contemplate placing raised taxi registration numbers on the inside of taxis. Passengers with sight impairment can determine the identity of the taxi –

1. on entry using the raised taxi registration number forward of the door handle;
2. on exit using the raised taxi registration number forward of the door handle;
3. during or after the journey, through enquiry of the authorised taxi network / cooperative through which the taxi was booked;
4. after the journey, through Cabcharge or their taxi voucher / credit / banking provider where the fare is paid using a non-cash payment method.

Even in the very few remaining cases where none of these conditions apply, emerging technological developments in computer dispatch technology will shortly facilitate the identification of the taxi trip through interrogation of GPS trails. In such cases the enquiry would be made with the relevant taxi network / cooperative and the only details the passenger would require, would be the date, time, origin and destination.

However, in the case of taxi networks / cooperatives and the target for WAT response times, the DSAPT have unfortunately created uncertainty for all stakeholders. In the absence of any express provision in the DSAPT to the contrary, some State / Territory Governments, WAT operators and WAT drivers have wrongly assumed that they have no responsibility for, or obligations in regard to, the non-discriminatory provision of WAT services. Where some or all of those parties have conducted themselves accordingly, it has not served the interests of passengers who use WATs. The efficient and effective provision of WAT services requires all elements of the service supply chain to work cohesively using their best endeavours.

It is also true that the WAT response time target in the DSAPT has created an unrealistic expectation for some WAT users and their advocates about the role and responsibility of taxi networks / cooperatives. Not altogether surprisingly given the wording used in the DSAPT, some have wrongly assumed that taxi networks / cooperatives are solely responsible for WAT response times, and if those response times are inadequate, such failure constitutes an action / inaction of discrimination on the part of the taxi network / cooperative. Regrettably, in such circumstances the DSAPT have inadvertently worked to polarise WAT users and service providers, to position the parties as antagonists rather than collaborators working cooperatively towards the resolution of service delivery problems.

The ATIA is particularly concerned about anecdotal reports that some members of the disability sector are not interested in working with the taxi industry to resolve service delivery issues but are deferring any action on their part until 1 January 2008, whereupon they can lodge the matter as a complaint of non-compliance with the DSAPT target (that becomes effective 31 December 2007). In our view, it would be far better for WAT users to engage their respective WAT service providers (and vice versa) in meaningful and well intended discussions that sought to remove discrimination by whatever means that is acceptable to the parties. Our very strong preference would be that court action, legal remedies and ultimately the imposition of punitive penalties should be a course of last resort.

***11. Are the Transport Standards sufficient, or have you needed to consult other sources? What other sources have you consulted? How did you find out about these sources?***

No, the DSAPT are not sufficient as a stand alone document.

The ATIA is a member of the Accessible Public Transport National Advisory Committee (APTAC) and therefore had access to a range of advice provided to that committee about the DSAPT.

As already noted in this submission, the ATIA has also had to seek expert legal opinion and commission academic research in respect of the DSAPT.

**12. Are you aware of other operators or providers of public transport, who appear to be unaware of their obligations? Can you provide examples? How could this lack of awareness be addressed?**

Yes.

The ATIA, both directly and through our member associations, has actively sought to advise our industry about the DSAPT and the implications of requirements contained therein. It has been a matter of some surprise and disappointment to the ATIA even recently to find industry members who were otherwise unaware of the DSAPT.

It is the view of the ATIA that the Commonwealth Government either directly, or through the Accessible Public Transport Jurisdictional Committee (APTJC), or through APTNAC could have been far more active and effective in informing operators and providers of public transport of their obligations under the DSAPT.

**Recommendation:**

***An independent review should be conducted of the effectiveness of APTJC and APTNAC. Subject to the outcomes of that review, APTNAC in particular should be appropriately resourced and funded for all ongoing roles assigned to it.***

## QUESTIONS FOR ALL STAKEHOLDERS

**13. Are there areas of the Transport Standards that you consider unclear in terms of the adjustments operators and providers need to make? Please specify.**

Yes.

As previously detailed in this submission, the DSAPT have effectively provided misleading and unclear direction to all parties involved in the WAT service supply chain.

The DSAPT are conspicuously silent about what responsibilities State / Territory Governments, WAT operators and WAT drivers may have in relation to the delivery of WAT services. However, the ATIA's legal advice suggests that that silence should not be construed to mean that any of these parties necessarily has no, or even diminished, responsibilities in regard to the provision of WAT services.

Moreover, the ATIA's legal advice suggests that post 1 January 2008 complaint about non-compliance in regard to the WAT response time target may not have the respective taxi network / cooperative as the sole or even main defendant.

**14. Have the exemptions allowed under the Transport Standards (as specified in the previous chapter), reduced the clarity of obligations under the Transport Standards?**

Yes.

It is entirely likely that the unjustifiable hardship exemption will be used as a defence against many claims of unlawful discrimination.

However, it is the ATIA's understanding in regard to the operation of the unjustifiable hardship exemption that it requires consideration of –

1. all relevant circumstances; as well as
2. certain extenuating circumstances (such as the extent to which equal access is or may be provided otherwise than by compliance with the DSAPT); and
3. the scope and objects of the DDA and the rights and interests of all relevant parties.

It is entirely probable then that any reliance by operators and taxi networks / cooperatives on a defence using unjustifiable hardship may be problematic because every case will turn on its own facts. Put another way, it is possible that certainty of obligation for individual operators and taxi networks / cooperatives may only be available through individual application to HREOC (for a temporary period) or through defence of a court action. Leaving aside any concerns about the effectiveness of such processes, it is unlikely that in this respect the DSAPT could be considered efficient in pursuit of their objectives.

The following case illustrates the point.

Many country towns in Australia are serviced by very small taxi businesses that hardly qualify under the industry's definition of a taxi network / cooperative. The extreme, although relatively common example, would be a single taxi servicing a small town where the driver receives bookings directly from customers via his/her mobile phone. There is no centralised coordination of a distinct dispatch function. Such taxi businesses are typically only modestly profitable and this is recognised by State / Territory governments allowing them to operate under a range of relaxed conditions that would otherwise impose unnecessary costs. For example, such taxis may be exempt from having to have a taximeter and a hail light. Maximum age limits for taxis in these areas are either unlimited or significantly in excess of those applying to city based taxis.

In such circumstances and without government intervention, it is highly unlikely that these taxi businesses would ever be able to afford to replace an existing conventional taxi vehicle with a WAT type vehicle given the latter, whether new or used, typically cost 2.5 times the cost of the former. If this was not so, it would make a nonsense of State / Territory governments' assessment of such businesses over many years that they needed support to remain viable. Why would State / Territory governments need to relax conditions on these taxi businesses which have the effect of saving mere hundreds of dollars if the DSAPT could without unjustifiable hardship impose a requirement on the business to operate a WAT type vehicle which added costs literally in the thousands of dollars? Even in spite of the relaxed conditions and any other assistance afforded, taxi operations in rural Australia are in decline. In the face of rising costs, reducing rural populations, modest income earning capacity, country based taxi operators are as a general rule struggling to maintain their businesses as going concerns.

It is also relevant to note in this context that State / Territory governments for many years have also been funding rurally based community groups, via the Home And Community Care scheme (HACC) and various gambling or gaming machine funding



schemes, to purchase wheelchair accessible vehicles in order to provide “community transport” services. Importantly, these community transport services are a poor substitute for a proper WAT service because they use untrained volunteer drivers and their hours of operation are highly restricted. However, it is virtually impossible for a rural taxi business to compete with them because the government subsidies allow them to offer their services free of charge or at peppercorn rates to patrons.

It is the ATIA’s view that in rural Australia, it will simply not be viable for taxi businesses to operate WATs commercially, without unjustifiable hardship, while State / Territory governments continue to fund the purchase and replacement of wheelchair accessible vehicles for community transport providers in their area.

***Recommendation:***

***The DSAPT should be amended to grant a permanent exemption to taxi operators, radio networks / cooperatives and drivers servicing towns or areas with less than 5,000 people.***

***State / Territory governments should develop a public transport plan for each town in their jurisdiction with less than 5,000 people that details how provision will be made for persons with disability to access affordable transportation services.***

**QUESTIONS FOR ALL STAKEHOLDERS**

***15. To what extent do the Transport Standards allow operators and providers a choice of ways in which they can demonstrate compliance?***

The ATIA does not hold the view that the DSAPT are particularly flexible for, or accommodating of, the taxi industry such that we could concur with the statement that they allow “a choice of ways in which (to) ... demonstrate compliance”.

***16. Where Australian Standards or other technical requirements are specified, are these appropriate? Please provide examples where you believe the use of Australian Standards is not appropriate.***

There are a number of Australian Standards that are relevant to the provision of WAT services, namely:

- AS 3696 re design and construction of wheelchairs;
- AS 2942 re restraint assemblies for wheelchairs in motor vehicles;
- AS 3856 1&2 re vehicle mounted hoists and ramps.

The adequacy of these Australian Standards was reviewed in 2006/07 by a special sub-committee of the Accessible Public Transport National Advisory Committee (APTNAAC) considering the more specific task of developing a national policy for mobility scooters in taxis. Importantly, the National Scooter Policy Working Group’s (NSPWG) research concluded that the existing Australian Standards were deficient in not specifying “*strength requirements for wheelchair structures or for vehicle*

*structures used to anchor the wheelchair occupant restraint assemblies” or in having specific applicability to mobility scooters.*

The most recent report of the NSPWG to APTNAC is attached to this submission. The ATIA supports the report’s call for an Australian equivalent of the international standards, ISO 10542 and ISO 7176.

***Recommendation:***

***A comprehensive Australian Standard should be developed for:***

- restraint of both wheelchairs and mobility scooters in accessible vehicles; and***
- suitability of mobility aids for vehicular travel (including what types are suitable to allow the occupant to remain seated in the device whilst in transit).***

Importantly, the NSPWG also found that most mobility aids (wheelchairs and scooters) are imported products and there is no certification system in place that establishes whether a particular mobility aid has been designed for:

- safe transportation in a WAT (i.e. inside the passenger compartment of an accessible vehicle);***
- users to remain safely seated in the device during transit.***

The ATIA is very concerned that safety must be a first order priority. However, in the absence of an appropriate certification system, there is currently no way to determine yet alone manage the risk to taxi passengers and drivers associated with the current practices used in the transportation of the diversity of mobility aids currently in use in Australia. This situation is completely unsatisfactory. The ATIA is strongly of the view that it is neither the role nor the responsibility of taxi drivers at the coalface to determine whether a particular mobility device has been designed for safe transportation in a WAT.

***Recommendation:***

***The Commonwealth Government should establish a national certification system for the labelling / tagging of mobility aids according to their suitability for transportation which includes standard marking / identification of mobility aids’ (engineered) safe anchorage points.***

***The DSAPT should be amended to only allow complaints of discriminatory action / inaction in circumstances involving mobility aids, where the mobility aid carries the appropriate certification.***

As a final comment, State / Territory regulators typically rely on AS 3856 1&2 to allow taxi operators a choice between fitting a hoist or a ramp to their WAT(s). However, the ATIA is aware of a report by Loadsafe Australia Pty Ltd to the Queensland Government, dated 16 April 2007, recommending that “*ramps be prohibited from use on any wheelchair accessible taxi.*” The report claims that driver and passenger injury are “*inevitable ... caused by exertion or slipping when pushing / pulling laden wheelchairs on sloping ramps*”

***Recommendation:***

***APTNAC, or its NSPWG, should undertake a thorough and comprehensive review for the purpose of determining whether ramps represent an acceptable and safe access mechanism in a WAT environment.***

**17. Are there requirements that have proven to be impractical or difficult to implement? If so, please specify.**

Yes.

As previously noted, it is impractical for the DSAPT to position taxi networks / cooperatives as the only entity in the service supply chain that should be held responsible for WAT response times.

**18. As a public transport user, are there areas of the Transport Standards where you consider that a more specific requirement for compliance would improve accessibility?**

Not Applicable (NB the ATIA represents Transport Operators and Service Providers)

#### QUESTIONS FOR ALL STAKEHOLDERS

**19. Do you consider that the requirements in the Transport Standards have been applied consistently across different modes of public transport?**

No.

The DSAPT require the taxi industry to be fully compliant by 31 December 2007. It appears completely anomalous and unfair to the ATIA that -

1. the Limousine / Hire Car industry is exempt of any obligations under the DSAPT; and
2. the Bus and Rail sectors have been given up to 2022 to affect full compliance with their obligations under the DSAPT.

**20. Will any current areas of inconsistency be addressed through the future stages of implementation of the Transport Standards? (see Appendix B)**

Yes.

The Bus and Rail sectors will progressively move towards full compliance by 2022.

However, the Limousine / Luxury Hire Cars industry will apparently remain exempt of any obligations under the DSAPT.

**21. Do you consider that the current exemptions granted are appropriate? Should these exemptions be reduced over time?**

No to the first question. Yes to the second question.

In most jurisdictions in Australia, limousines (or luxury hire cars) compete directly with luxury taxis for pre-booked passenger transits. As a case in point, the ATIA can see no justifiable reason for limousines to be exempt of a requirement to have raised registration numbers to be fitted to their passenger doors.

**22. In implementation of the Transport Standards, have the requirements led to a relatively consistent standard of compliance across all modes of public transport? If not, where are the major differences in approach?**

No.

The DSAPT require the taxi industry to be fully compliant by 31 December 2007.

The Limousine / Hire Car industry is exempt of any obligations under the DSAPT.

The Bus, Rail and Air sectors have been given an extended timeframe for compliance.

It is incongruous to the ATIA that Federal, State / Territory and Local governments have been prepared to provide huge amounts of public monies to assist and subsidise mass transit providers meet their obligations under the DSAPT and yet have been largely unwilling to provide genuine material support to their respective taxi operators.

It is the view of the ATIA, that the DSAPT would have been far more effective at eliminating discrimination, had they tied (or linked) government support and funding to the obligations placed on the taxi industry.

**QUESTIONS FOR ALL STAKEHOLDERS**

**23. To what extent do the requirements in the Transport Standards address all of the accessibility requirements for people with disability? Are there gaps in the coverage of requirements?**

Yes to the second question.

Some State / Territory governments have responded to the DSAPT targets by promoting the uptake of WAT licences to the virtual exclusion of other classes of taxi licence. This approach fails to appreciate that many people with disability, where their disability does not require them to travel in / with a large non-collapsible mobility aid (e.g. motorised wheelchair or scooter), strongly prefer to travel in a sedan based taxi rather than van based taxi.

It is the ATIA's understanding from representations that have been made to us by the respective peak bodies for people with sight and hearing impairment, the elderly, and

people with or recovering from ailments that restrict hip mobility (to name but a few) all experience some difficulty travelling in WATs vis-à-vis other taxis.

It is also not even true that all people who use wheelchairs require or prefer to travel in WATs. Many people with disability who use collapsible wheelchairs prefer to book and ride in a conventional taxi. Their reasons for doing so are numerous but include considerations such as –

1. safety (travelling in a conventional seat in a passenger sedan type taxi is safer than travelling seated in their wheelchair, and is probably also distinctly safer than travelling in a seat in a WAT.)
2. convenience (in congested high traffic areas such as CBDs, the side entry arrangements for passengers transferring from their wheelchair to a passenger seat may be easier and faster than rear entry arrangements that involve hoists / ramps.)

As a consequence it is now a standard practice by many taxi networks / cooperatives to allow customers to request a non-van taxi and for many customers to have that request recorded in their profile.

On a national basis, WATs currently comprise 8% of the total taxi fleet while demand for WATs is only 1%-2% of total demand. It is a concern to the ATIA that the DSAPT's target for WATs as currently drafted can only logically be achieved when WATs comprise 51% or more of a taxi fleet. It seems a disproportionate response to the needs of customers generating 1%-2% of demand who require a WAT to force the industry to make such a radical structural change to the composition of its fleet. It also seems particularly strange to the ATIA that the DSAPT as drafted effectively prioritise the special needs of the relatively small minority of taxi customers who travel in / with large non-collapsible mobility aids ahead of the far greater number of customers whose disability make WATs less "accessible" than conventional taxis.

The structural adjustment to increase WAT representation in the overall taxi fleet from 8% to 51% could only come at great cost to the industry and this cost would in turn need to be passed onto the community via higher taxi fares or higher taxes to fund government subsidies. (There is a \$50,000 cost differential between commissioning a standard passenger sedan for service as a taxi and the conversion of an appropriate van for service as a WAT. The cost of increasing the WAT fleet to 51% would therefore be in the order of a recurring amount of \$365 million every 8 years.)

***24. Does the compliance timetable provide for a gradual improvement of accessibility over the 30 year implementation period? Are there aspects of this timetable that present compatibility problems? How could these requirements be improved?***

No to the first question.

The DSAPT require the taxi industry to be fully compliant by 31 December 2007.

***25. Are providers meeting their obligations across all aspects of accessibility, which ensures compatibility?***

The ATIA represents transport operators and service providers in the Australian taxi industry.

The ATIA is unaware of incompatibility problems being created by the non-compliance with obligations in the DSAPT either for, or by, the taxi industry.

**26. Do the requirements of the Transport Standards need to more explicitly recognise the potential other regulatory constraints that impede the capacity of transport providers to deliver the objects of the Transport Standards?**

Yes.

Consistent with the aging of the population, the market for (motorised) mobility scooters has been growing rapidly. Importantly, this has in turn created a growing demand for the transportation of these mobility aids in WATs. This trend is well documented in the research paper prepared by Professor Nicholls (2006) titled, "Issues Relating to Strategic Planning for the Australian Taxi Industry". This research was commissioned by the ATIA and is attached to this submission.

However, as noted previously the carriage of mobility scooters in taxis is problematic and has been the subject of study by a special sub-committee of the Accessible Public Transport National Advisory Committee (APTNAAC). Importantly, the sub-committee found that –

1. mobility scooters are not designed for travel in taxis,
2. there is no certification system in place identifying safe anchorage points so that the devices can be safely restrained, and
3. State / Territory regulations are not consistent in their dealing with the matter.

Worryingly for the industry, the DSAPT would appear to place an obligation on the taxi industry to transport mobility scooters in spite of the fact that it is impossible to ensure that they can be safely anchored and restrained in a taxi. In the event of a crash, it is entirely possible that these devices may in whole or in part become projectiles that could cause serious injury to their owner, other passengers in the taxi, and the taxi driver.

The last report of that sub-committee is attached to this submission.

**Recommendation:**

***The DSAPT should be amended to exempt taxis from any obligation to carry mobility scooters until 31 December 2012. (NB The effect of the exemption would not be to prohibit the carriage of mobility scooters in taxis, but to treat mobility scooters in the same class as oversized wheelchairs - their transportation would be voluntary upon taxi operators and drivers and subject to it being safe.)***

***APTNAAC should expedite its consideration of the safe carriage of mobility scooters in taxis with a view to facilitating the development and implementation of all such measures by 31 December 2012 as may be required to ensure the safety of taxi passengers and drivers.***



## QUESTIONS FOR ALL STAKEHOLDERS

### ***27. How well are the current arrangements for making complaints about accessibility understood by the public?***

The ATIA is concerned that certain discretion exists with complainants as to where they direct their complaints about disability discrimination in a public transport context. Presently, complaints can be directed to HREOC or to a respective State / Territory based Anti Discrimination Commission, Tribunal or Board. Problematically, there appears to be no mechanism in place to ensure congruency of decision making between these entities (especially in terms of penalties, sanctions or remedies) and accordingly the potential exists for markedly different outcomes to spring from what are otherwise similar circumstances. It is the ATIA's view that this lack of national consistency creates uncertainty for taxi networks / cooperatives and operators..

#### ***Recommendation:***

***HREOC should be appointed as the single body to deal with all complaints, or other matters arising, in relation to the DSAPT and disability discrimination in a public transport context. HREOC's purview should be confirmed by intergovernmental agreement or other appropriate mechanism(s). All complaints dealing with disability discrimination in a public transport context presented to State or Territory Anti Discrimination Commissions, Tribunals, Boards, or Ombudsmen should necessarily be redirected to HREOC for its actioning.***

### ***28. Are the current processes sufficiently responsive to complaints, or requests for information or advice on the Transport Standards?***

Yes.

The ATIA is unaware of any problems associated with "responsiveness to complaints".

# ATTACHMENTS

1. Professor Des Nicholls (2007), *"Transporting the Wheelchair Dependent – A Review of the Wheelchair Accessible Taxi Industry"*
2. ATIA brochure, *"Taxi Pocket Guide – Serving Customers with Disabilities is Smart Business"*
3. National Scooter Policy Working Group's report to the Accessible Public Transport National Advisory Committee (January 2007), *"Mobility Aids and Carriage in Wheelchair Accessible Taxis – Towards a National Approach"*
4. Professor Des Nicholls (2006), *"Issues Relating to Strategic Planning for the Australian Taxi Industry"*



# Transporting the Wheelchair Dependent – A Review of the Wheelchair Accessible Taxi Industry

by

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for the

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## **Executive Summary**

This report has reviewed and analysed the transportation needs of, and the services available to, the wheelchair dependent from the point of view of the taxi industry, both internationally and nationally. Overall the report has shown that Australia, by comparison with many overseas countries, is well advanced in its planning to meet the future taxi transport needs of the wheelchair dependent. The impact of the ageing population and government legislation has had, and will continue to have, a major impact on the demand for, and supply of, wheelchair accessible taxis (WATs) into the future.

In the US different major cities have addressed the demand for WAT services in different ways, or not at all. Results have been extremely varied and in general the overall perception that emerges is that many regions in the US have a long way to go in addressing the future needs of the wheelchair dependent. By comparison, in the UK legislative requirements require that by 2020 all licensing authority areas with a population in excess of 120,000 must have all taxis wheelchair accessible by 2020. That is, the UK has adopted the universal taxi approach, which has not been the case in Australia. It is notable that the UK approach evolved from the UK Disability Discrimination Act in 1995, so that it will have taken a total of 25 years since then to achieve the goal of a universal taxi service.

In Australia the study has found that in many jurisdictions subsidies/financial incentives are required and will continue to be required to make WAT services viable. This support must not be restricted to customers and owners/operators but to the drivers as well. It is clear that, compared to conventional taxis, both capital and running costs, (including dead running time costs) are significantly higher for WATs than for conventional taxis. A number of jurisdictions have recognised this and have addressed the problem. However some offer no incentives to WAT drivers.

In many jurisdictions (e.g. the Australian Capital Territory and the Northern Territory) WAT licences have been handed back to the respective government agencies as the licence holders are unable to operate on a financially acceptable basis. The financial viability of WATs varies significantly between jurisdictions, in Queensland WAT licences command a premium while in others, as indicated, they are financially unattractive and are being surrendered.

Government policies aimed at keeping the elderly living in their home environments as long as possible are also going to impact on the demand for WATs. While individual governments have been prepared to heavily subsidise public transport, including buses and trains, to date there has not been the commitment to subsidising the needs of the disabled to the same extent, as has been demonstrated by WAT licence holders surrendering their licences because the business is not financially viable. Subsidies for the disabled to travel in WATs are available in all jurisdictions, though the level of subsidy varies. In addition to the subsidy (often being a percentage of the fare up to a maximum value per trip), a number of jurisdictions also pay a lift or assistance fee.

This report has identified that there has been an ad hoc and unstructured approach taken towards addressing the issue of servicing the needs of WAT users from the

point of view of regulators (and the industry). This has been demonstrated by the different approaches adopted by different government regulators and includes the lack of compliance enforcement of WAT licence conditions and inconsistency when funding mass public transport when compared to WAT public transport for the disabled.

There have been, and continue to be, a number of problems associated with servicing the needs of the disabled in small towns/rural communities. If such services are to be supplied, and the demand can be expected to increase through time, then local/state/territory governments must be prepared to develop outcomes which will satisfy the needs of the wheelchair dependent and make the WATs servicing those needs financially viable.

An important issue being addressed by each jurisdiction relates to the requirements of the Disability Standards, and in particular the requirement relating to networks and co-operatives being responsible for WATs and conventional taxis having the same response times by 31 December 2007. Some jurisdictions have attempted to release more WAT licences to achieve this but their failure to be financially viable has resulted in licences not being taken up, even when they are free.

There are potential legal issues associated with the requirement that networks and co-operatives be held responsible for the equal response time requirement (of the Disability Standards), given that decisions/actions by owner/operators/drivers, and government agencies who control the supply of taxi services and taxi licences respectively, will also affect response times.

In many locations, under current arrangements there will also be problems in the determination/recording of response times for comparative purposes, particularly given the estimated percentage (up to 60% in the case of one network) of private WAT bookings which do not go through the network/booking services in some jurisdictions. Unless the overwhelming majority of the WAT bookings can be directed through centralised booking services/networks, for example by limiting fare subsidies, lift fees, etc, to be paid only to fares booked through these booking services (where response times can be accurately recorded, collated and reported), it is not clear how response times can be effectively monitored for comparative purposes. This is particularly so given that private booking response times can be expected to be less than those made through a network.

WAT operators/drivers also have to address the increasing demand from users of motorised and electric scooters. These, and related problems, have been recognised by the Accessible Public Transport National Advisory Committee who have set up a sub-committee to consider the development of a national policy on the carriage of mobility scooters in WATs. The work of this group is on-going.

While the adoption of a universal taxi would overcome the problems associated with the response times, it should be emphasised that such taxis cost more (and could significantly increase average taxi fares). Furthermore with a move towards larger and heavier wheelchairs/scooters in Australia it is likely that the vehicles currently in use in the UK market would not be able to service a significant proportion of the local wheelchair/scooter dependent community. It is notable that the London black cab



design which has been adopted as the universal cab design in the UK does not meet the Australian Disability standards door entry and ceiling height requirements. However, given the impact of the baby boomers in the near future, Governments should examine the possibility of offering subsidies/ cost offsets for universal taxi designs.

What has emerged from this review is that the taxi industry must continue to work closely with relevant government agencies to plan for the increased needs of WAT services which will meet the predicted increasing needs resulting from both the ageing of the population and related government policies. Government legislation is placing requirements on the supply of WATs which will undoubtedly require significant additional government funding into the future to allow the WAT industry to service the needs of the wheelchair dependent as required by legislation.

The research underlying this report has found, both internationally and nationally, that with respect to taxi services for the wheelchair dependent there will be an increased demand into the future. Furthermore governments, through relevant agencies, will have to be prepared to support these services at a higher level than at present to make them both effective and financially viable.

## **1. Introduction**

Servicing the public transport needs of the disabled, particularly those dependent on wheelchairs for their mobility, has received, and continues to receive, attention from both the transport industry and private/public sector agencies. This report aims at a comprehensive review of the current situation with respect to the wheelchair accessible taxi industry, both overseas in a number of developed countries, and within Australia from both a federal and state/territory perspective. As will be demonstrated, like Australia, overseas countries, including the United States, the European Union, New Zealand, the United Kingdom and Ireland have all recognised the need for access to public transport for the disabled, including those confined to wheelchairs.

Within Australia the wheelchair accessible taxi (WAT) market has received considerable attention during the last decade. While there has been some progress in servicing the needs of this market, there are still both real and perceived problems in many states/regions. The ageing of the Australian population and the emerging increased needs of the 'post war baby boomers' has led to the expectation that demand for WAT services will increase into the future. This demand will also be affected as a result of Government policies aimed at keeping the elderly living in their own homes for as long as possible. To enable this to happen will require increased support services, including WAT services, to this section of the community.

This report will first review overseas experiences and trends with respect to the WAT market. The second part of this report will consider the current state of the WAT market in Australia. These findings are then analysed, taking into account future demands, particularly those resulting from the demographic changes to be experienced into the future. In making such comparisons and drawing conclusions however, local conditions, both economic and physical, must be taken into account.

## **2. Overseas Experiences.**

### **2.1 Background**

International transportation practices have been promoted through a series of international conferences on mobility and transport for elderly and disabled people which have been supported by the US Transportation Research Board since 1978. Approaches based on human rights, non-discrimination and cost-effectiveness have been considered, with many countries introducing legislation that requires transport services to be made accessible. The US, Australia and the United Kingdom all have human rights legislation, while Sweden has legislation aimed at normalisation and integration.<sup>1</sup>

In 1979 Sweden passed legislation mandating that public transport be adapted, over a 10 year period, to the needs of disabled people. Regulations published in 1985 define adapted public transport for buses, trains, trams, subways, taxis, ships and aircraft – but only for people who do not use wheelchairs. In Canada, the National

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<sup>1</sup> Lin Suen, S and Mitchell, C.G.B., *Accessibility Transportation and Mobility*.  
[www.onlinepubs.trb.org/onlinepubs/millennium/00001.pdf](http://www.onlinepubs.trb.org/onlinepubs/millennium/00001.pdf)

Transportation Act (1987) entrenched the concept of equal access to all. In 1990 the Americans with Disabilities Act made accessible and usable transportation a qualified civil right in the US.

In the UK the Disability Discrimination Act 1995 initially required that from January 2002 any newly licensed taxis must be wheelchair accessible, and from 2012 all taxis were to be wheelchair accessible. Licensing authorities were however entitled to set local conditions which improve the timescale. In 2003 full compliance was extended from 2012 to 2020.

Much of the legislation identified above has led to implementation programs in many countries, with protracted lead times of 10 to 15 years (or longer) often being allowed for their introduction.

## **2.2 European Union**

In 2001 the European Conference of Ministers of Transport (ECMT) released a report on the economic aspects of providing taxi accessibility.<sup>2</sup> A request for information on which this ECMT report is based resulted in responses from fourteen countries. Most countries in the study provide some form of taxi transport for disabled people, but the scale and geographical coverage of these schemes varies considerably. Three countries, Hungary, Portugal and Romania had no subsidised schemes.

In Sweden the vast majority of public transport trips made by the functionally impaired use Special Transport Services (STS). In many counties in Sweden trips by taxi or specially equipped vehicles within STS cost more than regular public transport services using buses or trains. Consequently publicly financed trips 'are an important condition for the mobility of the elderly and functionally impaired people'.<sup>3</sup>

With regard to the disabled and elderly in Sweden, developments during the last decade have resulted in a recognition that no community can be fully served with a single transportation model. This has resulted in community-responsive public transportation arrangements for urban areas, where special attention is paid to the needs of the elderly and disabled persons. The concept includes the traditional fixed route service, Service routes (fixed routes or on demand) which can either be planned on a regular route or make deviations from this or be on demand, and the STS. This latter service is for people who are so seriously handicapped that they require door to door transportation services and more personal assistance.

STS serves about 5% of the population in Sweden, of which the greater majority is elderly. Since 1975 all Swedish municipalities, by law, have to provide their citizens with this special transportation service which is mainly operated by taxis (90%). A form of demand responsive transport, Flex Route, was introduced in 1996. It is a flexible service route that has been described as an intermediate form between a shared taxi ride and the traditional service routes for mobility impaired persons. A Flex Route service is operated at fixed intervals between two major activity centres in an urban area and has a flexible route between the centres. Pick-up is at the door for

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<sup>2</sup> *Economic Aspects of Taxi Accessibility*. (2001) European Conference of Ministers of Transport. OECD Publications Service.

<sup>3</sup> Stahl, A., *Public Transport or Special Service or a Mix?* [www.tft.lth.se/konf/zStahl.pdf](http://www.tft.lth.se/konf/zStahl.pdf)

users with STS permits, and within a short specified walking distance (e.g. less than 150 metres) for other users.

The introduction of the FlexRoute service has been successful from the point of view of reducing the public funding for STS taxi users and increasing the mobility and participation of the elderly without a STS permit. It is notable that after 2 years of operation about 60% of all local STS-taxi travel previously done by STS eligible persons were shifted to FlexRoute minibuses. As Stahl<sup>3</sup> has reported, 'The savings achieved for STS-taxi in the district and fare revenue covers a majority of the operating expenses.'

Like Sweden, Finland also makes similar comprehensive services available for disabled people. Both Sweden and Finland provide their special services as a supply side subsidy.<sup>4</sup> The Netherlands also has a comprehensive provision of transport services for the disabled, but it uses a mixture of user-side and supply-side subsidies.

Denmark has a subsidy for disabled people (who cannot use public transport) which is generally paid to special individual transportation schemes provided by public transport companies. The vehicles used are adapted minibuses – taxis are little used for this service. However there is a permissive scheme in Denmark in which municipalities can provide transport for the mobility handicapped and which does make some use of taxis.

France has a mixture of special services (at reduced costs) for disabled people. Transport is provided, often by taxi, to take disabled children to school and to take disabled people in employment to and from work.

Many of the countries who took part in this ECMT study do not have any national regulations on the design of accessible taxis. With respect to the use of taxis by disabled people, comprehensive data on the use of taxis by disabled people appears to be very limited.

What the ECMT study found was that where there is national legislation, as in the case of Sweden, Finland and the Netherlands, substantial use of taxis results and the schemes 'provide a large part of taxi revenue: 43% (possibly more) in the Netherlands, and 56% in Sweden (including medical patients and school transport)'. The study resulted in fifteen separate conclusions and recommendations relating to the transportation of the disabled (listed on pages 55 – 57 of the report). In the case of the UK and Ireland, these two countries are considered in more detail below.

## **2.3 United States**

The United States is an interesting case as the issue of addressing the needs of the disabled through access to WAT services varies dramatically across the country. Different cities have addressed the issue in different ways, or not at all.

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<sup>4</sup> That is, payment for the supply of the service is made to the supplier of the service by the government or local authority. User-side subsidy means payment made to the individual who then uses the money to purchase a transport service. Supply side subsidies may be triggered by the user in schemes in which the supplier only receives payment when actual use is made of the service.

The Americans with Disabilities Act 1990 (ADA) has resulted in great improvements but has also resulted in many compliance gaps that pose significant problems to people with disabilities. The ADA does not require wheelchair accessible taxi vehicles ‘unless the taxi service uses vans that were purchased by the taxi provider and have a seating capacity of fewer than eight passengers, an arrangement that is unusual but not unheard of’.<sup>5</sup> In the void created by this lack of a legal mandate, many cities have attempted to establish a wheelchair accessible taxi service.

In many cases these efforts have been hampered by numerous difficulties. Some cities have imposed accessible taxicab mandates without providing the necessary incentives for drivers and cab companies, or without the necessary monitoring and enforcement. The lack of comprehensive ADA requirements for accessible taxis has resulted in varying degrees of activity aimed at putting wheelchair accessible taxis into circulation. Many different approaches have been attempted with varying degrees of success. A brief review of the approaches taken in a number of US cities follows.

A recent report by Hal Morgan<sup>6</sup> of the Taxicab, Limousine and Paratransit Association has presented an overview of accessible taxicab services in the US. Because of the competition with complementary paratransit services provided by transit authorities as required under the ADA, there has never been a compelling incentive for taxicab companies to add accessible vehicles to their fleets. As Morgan points out,

‘Anyone who is ADA eligible is not going to pay an \$18 cab fare when he/she can use ADA complementary paratransit and take the same trip for \$2. The accessible transportation market that is left to cab companies is for people with disabilities who for some reason are not ADA eligible, have an emergency trip, or a trip after hours when ADA complementary transit is unavailable. The numbers are staggering. In 1999, there were more than 100 million complementary paratransit trips provided in this country. While users paid an average of \$2.25 per trip, the real cost approached \$20 per trip.’

Cities which have considered the issue of accessible taxis include:

- **Portland, Oregon.** The city passed an ordinance mandating movement towards 20 percent accessibility of the taxi fleet by requiring all replacement cabs to be accessible. One company had a large fleet of accessible vehicles, saw this as an important part of its business, and provided a good service. The other companies had the required number of accessible cabs, but they are not in operation on the street as required. Additional training of drivers was also required; after considering the alternatives the cab companies absorbed these costs.

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<sup>5</sup> *The Current State of Transportation for People with Disabilities in the United States*. US National Council on Disability. (June 2005). [www.ncd.gov](http://www.ncd.gov)

<sup>6</sup> See [www.ctaa.org/pubs/taxi.asp](http://www.ctaa.org/pubs/taxi.asp)

- **Seattle, Washington.** A city council ordinance was passed establishing a goal of 10% accessibility of the taxi fleet, this being a voluntary rather than a mandatory goal. There was little support from either the taxi industry or the taxi regulators whose primary concern appeared to be for the needs of the companies, which were in turn concerned about the cost of accessible vehicles.
- **Chicago, Illinois.** Chicago passed an ordinance requiring every fleet of 15 taxicabs to have at least one accessible cab in service. Fleets of more than 100 vehicles have to place a second accessible cab in service and have to add one cab for every additional 100 cabs they place in service. There are currently 41 accessible cabs in service in the city. The city of Chicago has also made \$1m available to cab companies to defray the cost of accessible ramp-equipped vans. Those taxicab companies that have wheelchair accessible cabs in their fleets have voluntarily agreed to participate in a centralised dispatch system (using a dedicated toll-free number) in order to improve service to those needing accessible taxicab transportation. Chicago appears to be the only place in the US that has begun real monitoring and enforcement of the accessibility requirements that have been adopted.
- **San Francisco, California.** San Francisco increased the number of taxicab licences available from 981 to 1,281, with 50 of the 300 new licences set aside for accessible taxis. In total 75 of the 1,281 licences are set aside for accessible taxicabs, of which 55 are currently in use. An advantage of the San Francisco arrangements is that the same government agency regulates both Muni, San Francisco's ADA paratransit program and taxis, so it is easier for all modes to be co-ordinated. The various interest groups, including the taxi industry, have worked together so that paratransit customers and the general public have access to ramped taxis. Each person, whether calling for a commercial accessible taxi or a paratransit ride, calls the same dispatch service. The paratransit customer pays with subsidised scrip, and the commercial passenger pays with cash.
- **New York, New York.** As the 2005 National Council on Disability Report<sup>5</sup> points out, in August 2004 New York's Taxi and Limousine Commission (TLC) voted to modify the rules for the next licence auction to encourage the purchase of 27 more licences specifically designated for wheelchair accessible cabs. In anticipation of the move, the *New York Times* stated,

‘Today, only three of the city's 12,487 yellow cabs are accessible, meaning that someone in a wheelchair has about one chance in 4,162 of hailing an accessible minivan.’

The *New York Times* also stated that the TLC is finally enforcing a three year old rule that all black car and livery cab companies (more than 700 in all) either buy their own wheelchair accessible vans or contract with another company to provide it on demand. When the city finally began enforcing the rule early in 2005, less than one-third of the 613 companies inspected were found to be in compliance. The proportion rose to about 80% after the commission began to issue warnings and summonses, but most of the



companies have signed up with a single organisation, which has only four vans to serve the entire city.

A possible next step, supported by an advocacy group (Taxis for All), is seen as supporting legislation drafted by the City Council Transportation Committee that will require yellow cabs, as the older vehicles retire, to be replaced with new accessible vehicles. Because the TLC requires taxis to be replaced after three years of use, the legislation would make a full transition possible in as little as three to four years.

This approach has been strongly opposed by ‘fleet owners and others in the (taxi) industry with high powered lobbyists.’ Recognising this threat a spokesperson of the United Spinal Association stated<sup>3</sup>

‘The Council Transportation Chair last week offered to introduce a bill that the next batch of 300 medallions<sup>7</sup> to be auctioned off in one year would be required to be placed only on accessible cabs, if we back down on full access via cab replacement. We responded that there must be a schedule in such a bill for a gradual and meaningful conversion to full access. The situation changes every week.’

- **Boston, Massachusetts.** In 1991 the city required that 10 percent of all vehicles be accessible, that drivers of accessible vehicles receive special training, and that all newly licensed taxis have a dispatch radio. These requirements established a structure that was not ideal because it specified a percentage of vehicles in the fleet but didn’t specify use. Furthermore, vehicles could be parked and not taken out. Disability groups filed a suit which was settled in 1993. The settlement resulted in the provision of new accessible taxi licences (medallions) which were given free to individuals or companies that intended to put them on as accessible vehicles (existing medallions had a value between \$70,000 and \$90,000). Since then, both standard and accessible medallions have been auctioned. Currently 42 of 1,640 cabs in Boston are accessible. Boston is raising its number of medallions to 1,775, of which 100 will be set aside for accessible vehicles<sup>6</sup> (in other words, 58 of the 135 new medallions will be set aside for accessible vehicles).

With respect to other cities in the US, some taxicab companies have accessible taxicabs in operation because they have contracts to provide complementary ADA paratransit services and to operate the cabs in the taxi services when not in contract service. This is the case in Buffalo, Cleveland, Tampa, Albuquerque, Houston, and San Jose.

Some very large cities, Philadelphia (1,600 cabs), Dallas (1,900 cabs), Detroit (1,320 cabs) do not appear to have WATs in service, while WATs are being trialled in Kansas City, Indianapolis, Denver, Colorado Springs, Austin, Houston and Clearwater.

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<sup>7</sup> A licences to operate a taxi is referred to as a medallion. Physically it is an aluminium plaque bolted to the hood of each cab.

The 2005 US National Council on Disability Report<sup>5</sup> on the current state of transportation for people with disabilities in the case of the taxi industry made a number of recommendations, including;

- The taxi industry, in co-operation with other stakeholders, should conduct thorough training for drivers and other staff regarding the needs of people with disabilities.
- Accessible taxicab programs should include –
  - mandates for accessible cabs;
  - financial incentives for drivers and cab companies, including contracts for paratransit service, where appropriate;
  - training for drivers;
  - regulatory requirements, including a requirement to give priority to riders who need accessible taxis over other riders, a requirement for a percentage of accessible taxis to be in service, and adherence to ADA non-discrimination standards and vehicle standards;
  - sanctions;
  - monitoring, including tracking of denials and response time, to determine when more accessible taxis are needed; and
  - enforcement.

What is clear is that even though the Americans with Disabilities Act of 1990 has resulted in great improvements, many compliance gaps remain that pose significant problems to transportation for people with disabilities. Accessible taxis generally are not required by the ADA. However many cities have attempted to establish WAT services which has been seen to have met with mixed success.

In most cases their efforts have been hampered by numerous difficulties. Some cities have imposed accessible taxicab mandates without providing the necessary incentives for drivers and cab companies, or without the necessary monitoring and enforcement. Often WATs are not available for use by people with disabilities; they are busy providing paratransit rides on contract with the local transit agency, or waiting at the airport for passengers, or even parked and not in use.

## **2.4 New Zealand**

In September 2004, following a lengthy review, the New Zealand Human Rights Commission released a report into accessible public land transport<sup>8</sup>, including taxis. In the case of taxis, the age of the WAT fleet was identified as a factor that impacted on safety provisions. At the request of the Commission, the New Zealand Taxi Federation conducted a survey of the condition of all WATs in New Zealand. Replies were received from 123 out of a possible 140 members with WATs. The Federation reported that (see page 123, footnote 8);

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<sup>8</sup> *The Accessible Journey: Report of the Inquiry into Accessible Public Land Transport*. Human Rights Commission, New Zealand. September 2005. [www.hrc.co.nz](http://www.hrc.co.nz)

‘despite a recent push to upgrade and a temporarily boosted Transfund subsidy, the average vehicle age is 8.5 years and the average kilometres travelled per vehicle is 230 [thousand] km. There are still many vehicles in the 12 to 20 year age bracket, with between 400 and 800 [thousand] kms on the clock.’

There is a subsidised taxi service in place in New Zealand for people with serious mobility constraints. This scheme, the Total Mobility (TM) scheme, provides a subsidy (usually 50%) on the normal taxi fare (by way of a voucher system) and funding assistance for the purchase and installation of wheelchair hoists in WATs. Regional councils fund the scheme and are reimbursed by Land Transport NZ for 40% of their contribution to taxi fares, and 60% of the cost of fitting the taxi vans with wheelchair hoists.

The New Zealand Taxi Federation believes the TM scheme is working well in Auckland, Wellington and Canterbury where there is strong support both from regional council officials and politicians. The same is not true in many other regions however where, in some cases, there are poor budgetary allocations, severely restricted use criteria, and low levels of subsidy.

WAT users usually incur charges additional to those for an ordinary taxi fare. These include;

- It is not possible to hail a WAT – they have to be booked over the phone, which means wheelchair passengers cannot avoid the booking fee.
- Many drivers start the meter the moment they see the passenger, which means wheelchair users have to pay for the time it takes to be loaded via the hoist and have the wheelchair secured.
- In the case of the city of Wellington, one taxi company charges a \$10 fee on top of the meter fare for any person or group of people using a van – which cannot be avoided by wheelchair passengers.

From the point of view of WAT users other perceived problems include;

- The lack of availability of WATs during the ‘school run’ times at the beginning and end of the school day.
- The availability of WATs throughout New Zealand. Not all areas that have a taxi service also have WATs available.
- The lack of availability of WATs at weekends and evenings. The unpredictability and uncertain availability of WATs. Sedan taxis are generally available 24 hours a day, 7 days a week. This is not true for WATS.

In general WATs are operated by owner-operators who often depend on Ministry of Education contracts to transport disabled children to and from schools and institutions

catering for the elderly as their core income. Other issues of concern from the point of view of the WAT providers include;

- WAT vans used as ordinary taxis are not as popular with the general travelling public as sedan taxis. Consequently it can be difficult for WAT operators to supplement their income by taking non-disabled passengers. This has been acknowledged by the Wellington branch of the New Zealand Taxi Federation who have stated (see page 121, footnote 8),

‘While WATS do ply for hire on stands and carry out radio hires, they are subject to consumer resistance. Some people cannot board the vehicles, others prefer a sedan, some do not like to be seen in a ‘Disabled Vehicle’.’

- The nature of transporting disabled passengers means that there are often more non-chargeable kilometres (dead running time) going to a new job from the end of another job than would normally be the case.
- The cost associated with fitting out and running WATs. As has been discussed above, the New Zealand Taxi Federation contends that WAT fleets were overdue for replacement, and that the situation was deteriorating because of restricted funds for fit out and conversions, or incomes that are insufficient to support the purchase of replacement vehicles.

With budget constraints, the availability of TM subsidies are limited either by the authority running the scheme or by an authority sub-contracted to administer the scheme. Restrictions are usually applied to the number of vouchers available; the maximum fare available per trip which will attract a subsidy; the purpose of the trip for which the vouchers can be used; and the number of new clients or members.

Regional councils have recognised the inadequacy of the situation with respect to the TM scheme. However their major concerns relate to the funding burden on ratepayers. It is believed by many who responded to the Human Rights Inquiry that the TM scheme is a social service that should be funded by central government, rather than at a regional level.

The New Zealand Government, in August 2005, announced a \$9.5m funding increase for the TM Scheme, increasing the total annual budget to \$18.67m. The new funding is expected to allow for improved services and a 60% increase in the number of users (from 43,000 to 69,000) over the next three years. The Government’s share of funding is to be boosted from 40% to 50% in the current year and to 60% in subsequent years provided local authorities do not reduce their contributions.

The major review<sup>8</sup> over three years by the Human Rights Commission in New Zealand has been thorough and has given a complete overview of the state of accessible public land transport, including WAT transport. The Government is committed to change as a result of this review. Even before the final report was completed, the Government increased funding to support WAT services. It is clear however that WAT services vary dramatically from region to region in New Zealand. This is a direct result of the availability of funding/subsidies available, and the

resulting financial viability of supplying WAT services to different geographical regions, with urban centres tending to be better serviced than more sparsely populated rural regions. This phenomenon is not unique to New Zealand.

## 2.5 United Kingdom

In the UK section 32 of the Disability Discrimination ACT 1995 (DDA) gave the Government powers to make taxi accessibility regulations in England, Wales and Northern Ireland. In Scotland the powers to introduce the regulations are contained in section 20 of the Civic Government (Scotland) Act 1982, as amended by the 1995 Act. The purpose of the regulations is to ensure that disabled people including those who use and wish to remain in their wheelchairs can get into and out of, and travel, in licensed taxis in safety and in reasonable comfort.

With respect to the DDA 1995 relating to accessible taxis, the Government produced a document<sup>9</sup> for comment/consideration and which related to the development of associated regulations. It was sent to 'the taxi trade, local authorities, licensing officers, vehicle manufacturers, groups representing disabled people and members of the public' to seek their views about the Government's initial proposals for the accessible taxi regulations. The informal public consultation process commenced in July 1997 with a consideration of responses to commence in October 1997. The proposals contained in this document covered the features which could be included in regulations and suggested dates for the implementation of the regulations, with the timetable for the introduction of the regulations to be the same throughout the UK, together with technical specifications for vehicles.

The main aim of the DDA was to improve accessibility for disabled people. The Government initially proposed that the regulations should come into force for new vehicles on 1 January 2002. This would have given vehicle manufacturers over four years in order for them to comply with the new requirements while at the same time recognising that some vehicles, with minor modifications, already met the requirements. The proposed date of January 2012 by which all taxis were to be accessible gave owners of existing taxis which do not meet the regulations almost 15 years notice.

In 2003 the UK Department for Transport announced a variation to its 1997 proposals. In the House of Commons on 28 June 2005<sup>10</sup> in answer to a question as to what the timetabling was for publishing accessibility regulations for taxis, the Secretary for State for Transport responded that the Government's proposals to introduce regulations under Part 5 of the DDA 1995 were announced in the House on 26 October 2003. She pointed out that these would see the phasing in from 2010 (for all newly licensed vehicles) of regulations in specified licensing areas. Such areas are those which meet one or more of the following criteria: a licensing authority area population of at least 120,000 people; a major transport interchange; a major tourist attraction or an existing mandatory policy resulting in 100 per cent accessible vehicles. Full compliance would be required by 2020.

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<sup>9</sup> *The Discrimination Act 1995: The Government's proposals for taxis.*

[http://www.dft.gov.uk/stellent/groups/dft\\_mobility/documents/page/dft\\_mobility\\_503238.hcsp](http://www.dft.gov.uk/stellent/groups/dft_mobility/documents/page/dft_mobility_503238.hcsp)

<sup>10</sup> <http://www.publications.parliament.uk/pa/cm200506/cmhansrd/cm050628/text/50628w10.htm>

The 2010 date has been proposed to accommodate a full public consultation process, to give sufficient time for vehicle manufacturers and converters to produce new models that meet the regulations, and to give the trade sufficient time to adapt to the change. Before the regulations are introduced, local licensing authorities remain free to introduce their own accessibility policies and many have done so already.

It is notable that the Disability Discrimination Act was passed in 1995 with an initial date of January 2012 for all taxis in the UK to be wheelchair accessible. This date has since been extended to 2020, with the regulations still to be determined.

The DDA allowed for licensing authorities (LA) to set local conditions, which improve the timescale. This has happened with many LAs. In the case of Edinburgh, using powers granted to it by the Civic Government (Scotland) Act 1982, the then City of Edinburgh District Council in May 1989 set the requirement that all new hackney carriages (black London style cabs) in the City should be wheelchair accessible. It also set a target date of 1 January 1997 when all hackney carriages in the city should be wheelchair accessible. This has since been fully implemented, with 1260 wheelchair accessible hackney carriages now registered to trade in the city.<sup>11</sup>

In September 2003 the Scottish Parliament Local Government and Transport Committee considered a petition by the Scottish Accessible Transport Alliance calling on the Scottish Parliament to encourage local authorities to have (a) half their licensed fleet fully accessible for wheelchair users and other disabled people and (b) a standard concessionary scheme for taxis. This Committee, in June 2004 considered a paper supplied by the Clerk of the Scottish Executive which provided information on the numbers of wheelchair taxis in certain Scottish local authorities, and details of whether or not the local authorities operate concessionary travel schemes for users. It then conducted a survey of the provision of accessible taxis and taxi card schemes within each of Scotland's local authorities. A summary of the survey results appears in Table 1<sup>12</sup>.

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<sup>11</sup> See <http://www.leda.ils.nrw.database/measures/meas0631.htm>

<sup>12</sup> See <http://www.scottish.parliament.uk/business/committees/lg/inquiries/Accessible%20and%20Affordable%20Taxis.pdf>

**Table 1: Summary of numbers of wheelchair accessible taxis and provision of concessionary travel in a sample of councils in Scotland.**

Council area	Number of taxis	Number of wheelchair accessible taxis	% of taxis wheelchair accessible	Concessionary travel scheme
Aberdeen	882	226	25.6%	Yes
Aberdeenshire	286	24	8.4%	Yes
Angus	213	Yes	Not known	Yes
Argyll and Bute	162	Not Known	4.1%	
Borders	170	7		
Clackmannanshire	40	6	15%	Yes
Dumfries and Galloway	178	8	4.5%	Yes
Dundee	507	9	1.8%	Yes
East Ayrshire	112	22	19.6%	No
East Dunbartonshire	74	54	73%	No
East Lothian	68	68	100%	Yes
East Renfrewshire	77	3	4%	No
Edinburgh	1260	1260	100%	Yes
Falkirk	500	17	3.4%	Yes
Fife	443	26	5.9%	Yes
Glasgow	1428	1414	99%	No
Highland	546	14	2.6%	Yes
Inverclyde	230	5	2.2%	No
Midlothian	52	52	100%	Yes
Moray	164	4	2.4%	Yes
North Ayrshire	211	25	11.8%	No
North Lanarkshire	470	90	19.1%	No
Orkney Islands	38	1	2.6%	No
Perth and Kinross	88	10	11.4%	
Renfrewshire	214	49	23%	No
Shetland	80	2	2.5%	No
South Ayrshire	105	105	100%	No
South Lanarkshire	308	24	7.8%	No
Stirling	55	10	18.2%	Yes
West Dunbartonshire (Clydebank)	159	159	100%	No
West Dunbartonshire (Dumbarton)	177	4	2.3%	No
Western Isles	100	0	0%	No
West Lothian	159	52	32.7%	Yes
Total	9556	3750	39%	15

From this table it is clear that there are significant variations in the provision of wheelchair accessible taxis and the availability of a taxi card concessionary scheme.

This is true even in cities, with Edinburgh (160 taxis) having 100% accessibility, while Dundee (507 taxis) has only 1.8%, or 9 taxis wheelchair accessible. Local authorities have been encouraged to improve the provision of wheelchair accessible taxis in advance of the introduction of regulations provided for in the DDA 1995.

Since 1989 all new purpose-built London taxis have been wheelchair accessible. Because London type taxis are used in all big cities, most of the taxi fleets in these cities are wheelchair accessible.

In London the licensed taxis or 'black cabs' (officially called 'Hackney Carriages') have to be wheelchair accessible. The other type of taxi operating the streets of London is the 'private hire vehicle' or minicab. Whereas a licensed taxi can be hailed from the street, picked up at a taxi rank or pre-booked, a minicab can only be pre-booked and does not have a fare meter. There is no legal requirement for minicabs to be wheelchair accessible.

## **2.6 Republic of Ireland**

In the Republic of Ireland the deregulation of the taxi industry as a result of a High Court decision in October 2000 has had a significant effect, particularly with respect to the supply of taxis, including WATs. Table 2 gives a comparison of the number of taxis and WATs on 21 November 2000 and 31 March 2003.



**Table 2: Number of Taxis and WATs in Ireland on 21 November 2000 and 31 March 2003.<sup>13</sup>**

Licensing Authority	Total no. of taxis 21/11/00	No. of W.A.T 21/11/00	No. of ordinary taxis 31/3/03	No. of W.A.T 31/03/03	Total taxi plus W.A.T 31/03/03	Increase in total numbers and % 21/11/00 to 31/03/03
Athlone Town Co.	50	0	75	3 (+3)	78	28 -- 56%
Ballina Town Co.	42	0	44	2 (+2)	46	4 -- 9%
Bray Town Co.	0	0	35	10 (+10)	45	45 -- 4500%
Carlow Co. Co.	6	0	4	1 (+1)	5	(-1) -- (-17%)
Carlow Town Co.	15	1	38	6 (+5)	44	29 -- 193%
Castlebar Town Co.	76	1	86	2 (+1)	88	12 -- 16%
Charleville area	0	0	4	4 (+4)	8	8 -- 800%
Cobh Town Co.	0	0	29	2 (+2)	31	31 -- 3100%
Cork City Co.	216	10	615	32 (+22)	647	431 -- 199%
Donegal Co. Co.	12	0	17	1 (+1)	18	6 -- 50%
Drogheda Borough	51	0	127	4 (+4)	131	80 -- 157%
Dublin City Co.	2,722	797	7,592	981 (+184)	8,573	5,851 -- 215%
Dundalk Town Co.	20	0	68	4 (+4)	72	52 -- 260%
Dungarvan Town Co.	18	0	22	2 (+2)	24	6 -- 33%
Ennis Town Co.	20	0	85	1 (+1)	86	66 -- 330%
Galway City Co.	148	17	319	42 (+25)	361	213 -- 144%
Kilkenny Borough Co.	17	1	91	4 (+3)	95	78 -- 459%
Laois Co.	15	0	37	9 (+9)	46	31 -- 207%
Letterkenny Town Co	0	0	90	10 (+10)	100	100 -- 10000%
Limerick City Co.	206	0	449	8 (+8)	457	251 -- 122%
Longford Town Co.	14	1	39	1 (0)	40	26 -- 186%
Longford County Co.	7	1	5	1 (0)	6	(-1) -- (-14%)
Mallow Town Co.	15	0	26	1 (+1)	27	12 -- 80%
Naas Town Co.	17	0	55	5 (+5)	60	43 -- 253%
Navan Town Co.	50	0	115	6 (+6)	121	71 -- 142%
Sligo Borough	25	0	78	4 (+4)	82	57 -- 228%
Thurles Town Co.	6	0	8	0 (0)	8	2 -- 33%
Tipperary Town Co.	3	0	2	0 (0)	2	(-1) -- (-33%)
Tralee Town Co.	18	2	57	2 (0)	59	41 -- 228%
Waterford City Co.	41	0	132	14 (+14)	146	105 -- 256%
Westmeath Co. Co.	79	7	96	19 (+12)	115	36 -- 46%
<b>Total</b>	<b>3,934</b>	<b>840</b>	<b>10,054</b>	<b>1,188 (+348)</b>	<b>11,692</b>	<b>7,758 -- 197%</b>

This table indicates the uneven spread of WATs compared to conventional taxis throughout Ireland. In March 2003 10.2% of the taxi fleet were WATs. Since deregulation, for every 200 licences issued, only 9 have been for WATs.

As has been seen earlier, Ireland is one of the few countries in the European Union that has specifications for WATs. The standards were developed initially in 1993, revised in 1997 and included in the Road Traffic Act 1998. These standards require that WATs must be constructed or adapted so as to be capable of accommodating a person seated in a wheelchair. In addition the vehicle must have seating

<sup>13</sup> See [http://www.ncbi.ie/information/NCBI\\_policy\\_documents/accessible\\_taxi\\_service.php](http://www.ncbi.ie/information/NCBI_policy_documents/accessible_taxi_service.php)

accommodation for at least three passengers in addition to the person seated in the wheelchair. As a result of these, and other requirements, WATs in Ireland are generally converted vans. The majority of these are not purpose-built and have undergone conversions to meet the required specifications.

Recent research by the National Council for the Blind of Ireland<sup>13</sup> concluded that there is a serious problem in relation to the provision of taxi transport for people with disabilities in Ireland. In some areas there is no wheelchair accessible service. This report found there to be widespread dissatisfaction with the current level of taxi service among people with disabilities. It is clear that the deregulation of the taxi service in Ireland has had a dramatic influence on the taxi industry, including WATs.

### **3. Issues relating to WATs in Australia**

As in the case of the USA and the UK, in Australia the operation of wheelchair accessible taxis has been impacted upon by Commonwealth legislation through the Disability Discrimination Act (DDA) 1992. This Act was introduced by the Commonwealth Government and its provisions apply to all States and Territories. It is directed at eliminating discrimination against people with disabilities in a range of services including public transport, which includes taxis<sup>14</sup>.

Following consultation with people with disabilities and the transport industry, disability standards were developed and agreed to by all States and Territories in 2002. The resultant *Disability Standards for Accessible Public Transport 2002* prescribe how public transport is to be made accessible for the purposes of the Disability Discrimination Act. The Standards were amended in March 2004 and again in December 2005. A compilation of this legislation was prepared by the Commonwealth Attorney-General's Department on 11 May 2005<sup>15</sup>.

These Standards, in relation to vehicles, prescribe standards for issues such as allocated spaces for wheelchairs, ramps, doorways and headroom. As has been pointed out<sup>16</sup>, one issue that has particular relevance to WATs is the requirement in the Disability Standards that response times for accessible taxis are to be the same as for conventional taxis. Furthermore the Standards place the responsibility for achieving this on radio networks and taxi co-operatives by 31 December 2007.

It is surprising that radio networks and co-operatives are to be responsible for the response time requirements. It is not clear how this will happen, particularly given that in some jurisdictions it is estimated that large numbers (up to 60%) of wheelchair accessible bookings are not done through radio networks. In many cases the disabled have their 'preferred driver/operator' and communicate directly with that person to book a WAT.

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<sup>14</sup>See Section 3(a)(ii) (Commonwealth) Disability Discrimination Act 1992

<sup>15</sup> Schedule 1, Part 1.2 of the Disability Standards for Accessible Public Transport 2002. ([www.comlaw.gov.au](http://www.comlaw.gov.au)).

<sup>16</sup> Review of the Tasmanian *Taxi and Luxury Hire Car Industries Act 1995* Paper 4 – Wheelchair Accessible Taxis. Tasmanian Department of Infrastructure, Energy and Resources. February 2006.

During the period that the Disability Standards were being developed, the Commonwealth Human Rights and Equal Opportunity Commission (HREOC) undertook an inquiry into wheelchair accessible taxis during (2001-2002).<sup>17</sup> This extensive inquiry sought submissions on issues which included response times, the proportion of taxi fleets accessible and whether they were sufficient, measures to ensure a sufficient proportion of accessible taxis, universal taxis (100% of fleet accessible), dedicated services also being available for mainstream service, economic factors including a consideration of economic disincentives to the provision of WATs, and the effective use of WAT fleets.

The HREOC report found that around 14%<sup>18</sup> of taxi licences nationally are WATs, with percentages varying significantly between different regions. State by state figure reported were 5.4% for NSW; just over 6% for Victoria; 10% for Queensland; just over 8% for Western Australia's metropolitan fleet; 9.4% for the ACT and 4.9% for the Northern Territory. No figures were reported for Tasmania. In that state, in 2003 there was only one WAT operating as a taxi. Prior to that date however, users restricted to wheelchairs were able to travel in their wheelchair in a special purpose cab (SPC) which could be hired out to provide taxi type services to wheelchair dependent passengers and their carers, but were not taxis. (Indeed they were prohibited from providing taxi services to the general public, could not stand at a rank and could not be hailed). It should be recognised that these figures are dynamic and can quickly changes through time. Many of the issues identified in the HREOC report will be addressed later in this report.

In addition to legislative requirements, recent research<sup>19</sup> on issues relating to strategic planning for the Australian Taxi Industry identified the ageing of Australia's population as a major factor in the future demand for both conventional taxi and WAT services. That research identified the number of people aged 65 and over increasing from 12.6% of the population (or 2.48 million people) in 2002 to an estimated 19% (or 4.4 million people) in 2021, a 79% increase. The Australian Bureau of Statistics forecasts<sup>20</sup> that 27.1% or 7.16 million people will be over 65 years of age by 2051. This represents an increase of 189% when compared to the number in 2002. A major impact on these figures is that of the post war baby boom cohort of the population entering retirement. From these data it is clear that the demand for taxi services, including WATs, would be expected to increase dramatically into the future.

The impact of the post war baby boomers moving into retirement, and the demand for public transport from this cohort of the population is not confined to Australia. This is also the case in the UK where, as has already been identified in this report, under the current regulations (being developed) and which are associated with the UK

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<sup>17</sup> Human Rights and Equal Opportunity Commission. *Report of Wheelchair Accessible Taxi Inquiry*. (2002). ([www.humanrights.gov.au/disability\\_rights/inquiries/taxi/subs.htm](http://www.humanrights.gov.au/disability_rights/inquiries/taxi/subs.htm)).

<sup>18</sup> Official national figures were not reported to the inquiry; this figure was provided in a submission by Mr Angus Downie to that inquiry. Given the range of the individual state/territory percentages however, this figure would appear to be high.

<sup>19</sup> See Nicholls D. *Issues Relating to Strategic Planning for the Australian Taxi Industry*. (2006) (<http://www.atia.com.au/reports.php>)

<sup>20</sup> Australian Bureau of Statistics Population Projections, Australia, 2002 to 2101 (ABS Catalogue No. 3222.0)

Disability Discrimination Act 1995, all taxis in the UK will be required to be wheelchair accessible by 2020.

Within Australia the current state of WAT services in a number of jurisdictions will be considered. This will enable an evaluation of the demand for WAT services into the future taking account of the requirements the Disability Standards associated with the Disability Discrimination Act, issues raised in the HREOC report, the potential impact of the ageing population and issues relating to local environments/jurisdictions.

The 2002 HREOC report is extensive and summarises many of the issues which, since its release, have been addressed by individual states/territories. Such issues include:

- A consideration of response times. Since this report the Disability Standards have been agreed between Governments and, as has already been identified, 31 December 2007 has been set as the date for which response times for accessible taxis are to be the same as for conventional taxis. This important issue will be discussed more fully later in this report.
- The impact of private arrangements outside booking systems. Customers may have a preference for using one or small set of WAT drivers. However, the benefits of such arrangements need to be balanced by other considerations when assessing overall system performance. Private arrangements, particularly at peak hours, would be expected to reduce the effective and efficient supply of the nearest WATs for all users, especially those who use a network booking system.
- The implementation and monitoring of performance standards which are required to identify where and what additional accessible vehicles are required and what measures should be taken to ensure an effective service.
- The proportion of WATs in taxi fleets has received, and continues to receive attention. Many factors will affect the demand for WATs in a particular region or location including the number of disabled requiring WATs for transport. With the post war baby boomers moving into retirement and re-locating to particular regions, the demand for WATs will be expected to be higher in those regions than elsewhere.
- Additional time for boarding and unloading reduces the number of jobs a WAT can perform per day compared to a standard cab. Greater recognition of this in subsidy arrangements has become an issue. Given that WATs act as standard or maxi taxis when they are not servicing the disabled, incentives should be considered at a level that will entice WAT drivers to give priority to the wheelchair passengers.
- The demand for WATs during peak periods and the impact of school transport requirements. As the HREOC report indicates, the transport requirements of students with disabilities cannot be regarded as less of a priority than those of other people with disabilities. As with the case of conventional taxis,

servicing the needs of WAT passengers at peak periods is a significant problem to be addressed in those areas/regions where it exists.

- The use of WATs as a specialised vehicle with relatively small numbers in overall fleets means longer average journeys to pick up passengers (dead running time) and less efficient utilisation. To address this, some regions have introduced a strategy of introducing maxi-taxis whereby WATs are combined with other specialised vehicle requirements, including larger luggage space and higher passenger occupancy. While this concept has worked well in some regions/locations, specialised WAT vehicles operating as conventional taxis have been avoided by potential customers in others.
- Many regional towns with sizeable taxi fleets do not have an accessible taxi service. This could well be a function of the demographic mix of the population and/or the number of disabled people in a town. While the percentage of WATs in a taxi fleet is one indicator of WAT accessibility, it is not the only one. The demand for WAT services will depend on the number of wheelchair dependant persons in a particular community. Consequently Governments may well have to offer significant incentives/subsidies for a WAT to operate in that community. This has been, or is being, planned in some jurisdictions.
- Many of the issues referred to could potentially be overcome with a universal taxi design which offered greater comfort and safety to wheelchair dependent passengers and passengers riding with 'scooters' in taxis, as well as broad acceptability to general taxi users. Unfortunately, given the trend towards larger and heavier wheelchairs/scooters in Australia it is likely that the vehicles currently in use in the UK market would not be able to service a significant proportion of the local wheelchair/scooter dependent community. Larger universal taxi designs under consideration in the US would overcome that obstacle, although at significantly higher purchase and operating costs (vis-à-vis the existing WAT and conventional taxi fleet mixes). Nevertheless, given the impact of the baby boomers in the near future, Governments should examine the possibility of offering subsidies/cost offsets for universal taxi designs.

In April 2004 the Productivity Commission released a report following a review of the DDA.<sup>21</sup> In relation to WATs it drew heavily on submissions from HREOC and the Australian Taxi Industry Association (ATIA). Finding 54 (page 97) of that report stated;

‘The Disability Discrimination Act 1992 appears to have been relatively effective in improving the accessibility of public transport in urban areas. However it has been less effective in relation to taxis.’

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<sup>21</sup> *Review of the Disability Discrimination Act. 1992.* Productivity Commission. [www.pc.gov.au/inquiry/dda/finalreport/dda1.pdf](http://www.pc.gov.au/inquiry/dda/finalreport/dda1.pdf)

Box C.5 of Appendix C<sup>22</sup> of this report gives a brief summary of the HEORC inquiry final report findings, including data relating to the percentage of accessible taxis in six state/territory fleets. It noted that ‘Some States and Territories are taking steps to improve the performance of their WAT services’.

These , and other locally based issues have been, and continue to be addressed by State/Territory governments and the taxi industry. The next section of this report will investigate how each state/territory has responded to the various reports discussed and what is being done to take account of the requirements of the Disability Standards with respect to the requirement of equality of response times between WATs and conventional taxis by 31 December 2007.

#### **4. Individual State/Territory WAT Services**

State and Territory governments have been working closely with the taxi industry in recent years, particularly with respect to issues relating to deregulation as a result of the introduction of the National Competition Policy (NCP). This resulted in each state/territory undergoing one or more reviews of their taxi industry, primarily to consider deregulation of entry into the industry. Only one jurisdiction, the Northern Territory, introduced deregulation of entry into the taxi industry. The impact of this decision resulted in that Government re-regulating entry, a decision which was made in the public interest.

What emerged from the various jurisdictional experiences resulting from the NCP reviews was that governments were never prepared to completely deregulate the taxi industry, however major structural changes were made in many jurisdictions, such as new types of restricted licences being introduced.

While the NCP reviews were proceeding, other legislation (such as the Disability Standards associated with the Commonwealth Discrimination Act 1992) and reviews by other agencies (including the HREOC review<sup>17</sup>) relating to WATs have taken place. Reviews and inquiries responding to the outcomes of such legislation and inquiries at the state/territory level have taken, and continue to take place.

##### **4.1 New South Wales**

In October 2004 the NSW Government Ministry for Transport released an interim report of a Taxi Industry Inquiry<sup>23</sup>. This interim report ‘canvasses some strategies for consideration by Government and by industry participants, which may provide a blueprint for the future’ (page 2). Specific issues considered in this report included those relating to WATs.

In the 2002 HREOC report a Table was produced showing the distribution of Wheelchair taxis in NSW outside Sydney. This information was obtained as result of a survey of accessible taxi fleets in NWS outside Sydney by the Australian Quadriplegic Association and appears as Table 3.

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<sup>22</sup> [www.pc.gov.au/inquiry/dda/finalreport/dda2.pdf](http://www.pc.gov.au/inquiry/dda/finalreport/dda2.pdf)

<sup>23</sup> *Taxi Industry Inquiry – Interim Report*. (October 2004) NSW Government Ministry for Transport. See [www.transport.nsw.gov.au/taxi/taxi-inquiry-interim-report.doc](http://www.transport.nsw.gov.au/taxi/taxi-inquiry-interim-report.doc)

**Table 3: Distribution of Taxis and WATs outside Sydney<sup>24</sup>**

<b>Town/Region</b>	<b>Population</b>	<b>No of Taxis- Total Fleet</b>	<b>No of WATs</b>	<b>No of People per WAT</b>
Albury	41 491	28	3	13 800
Armidale	21 330	16	3	7 000
Ballina	16 056	8	4	4 000
Bathurst	26 029	27	1	26 000
Broken Hill	20 963	21	1	21 000
Central Coast	227 657	73	13	17 400
Cessnock	17 540	14	2	8 500
Coffs Harbour / Sawtell	35 417	18	4	9 000
Dubbo	30 102	20	2	15 000
Foster-Tuncurry	15 943	7	4	4 000
Goulburn	21 293	28	1	21 000
Grafton	16 562	14	1	16 500
Griffith	14 209	11	2	7 100
Katoomba	17 700	22	1	17 700
Kiama	11 711	5	1	11 700
Kurri-Kurri	12 555	6	1	12 555
Lismore	28 380	27	3	9 500
Maitland	50 108	31	2	25 000
Newcastle	270 324	157	5	52 000
Nowra	23 823	13	4	6 000
Orange	30 705	31	1	30 700
Port Macquarie	33 709	15	7	4 700
Queanbeyan	25 689	16	1	26 000
Richmond-Windsor	21 317	8	2	10 600
Singleton	12 519	6	2	6 250
Tamworth	31 865	22	3	10 600
Taree	16 702	14	1	16 700
Tweed	37 775	20	3	12 500
Wagga Wagga	42 848	29	5	8 000
Wollongong	219 761	127	5	44 000

Using only the number of people per WAT as an indicator of demand for WATs can be misleading. More appropriate indicators would be the percentage of disabled requiring wheelchair accessible transport in a region/town.

More recent figures indicate that of the 6,100 taxi licences issued in NSW 458, or 7.5% were WATs<sup>25</sup>. Table 4 indicates the location of WATs in NSW.

<sup>24</sup> See page 16 of footnote 17.

<sup>25</sup> Data from Ministry of Transport, July 2004 figures.

**Table 4: Location of WATs in NSW**

Location	Number
Sydney Metropolitan	285
Newcastle	4
Wollongong	8
Gosford/Wyong LGA	20
Country NSW	118

It is notable that in the Interim Report it is stated that ‘the overwhelming majority of submissions the Inquiry received came from individuals and organisations in the Newcastle/Hunter region regarding WAT services in their area’ (page 72). This would appear to be related to the relatively small number of WATs in that city.

At any one time the figures will vary, of course. As at 30 June 2006 of the total of 4,983 Sydney metropolitan taxis, 320 or 6.4% were wheelchair accessible, while 14.9% (193 of the 1300) of the outer metropolitan, regional and rural taxis were wheelchair accessible.<sup>26</sup>

In Sydney, Newcastle, Wollongong and the Central Coast the Ministry of Transport issues WAT licences on a short term basis for \$1,000 per annum, while in country NSW WAT licences are offered free of charge.

With respect to response times for WATs, there are currently no regulated times for how quickly such bookings are to be taken up. However section 53 (5) of the Passenger Transport (Taxi-cab Services) Regulation 2001 states that:

*The authorised taxi-cab network provider must ensure that every person who books a wheelchair accessible taxi-cab through the network is advised, within a reasonable time, of the time at which it is estimated that the taxi-cab will arrive at the nominated collection point.*

In addition section 56 (1) of the Passenger Transport (Taxi-cab Services) Regulation 2001 states that the:

*The driver of a wheelchair accessible taxi-cab that is available for hire must accept a hiring offered by a person using a wheelchair in preference to a hiring offered by a person not using a wheelchair.*

Noting that the Disability Standards will require that by 31 December 2007 the response time for WATS will be the same as for conventional taxis, in its Accessible Transport Plan for NSW Agencies<sup>26</sup>, the NSW Government has finalised its action plan for implementing these standards. In terms of WATs they focus on:

- Increasing the number of WATs;
- Considering strategies to reduce the cost of owning/operating a WAT;
- Developing improved measurement of WAT performance and standards;

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<sup>26</sup> Accessible Transport Action Plan for NSW Transport, Roads and Maritime Agencies. June 2005. Updated 30 June 2006. ([www.transport.nsw.gov.au/using\\_trans/access-trans-action-plan.doc](http://www.transport.nsw.gov.au/using_trans/access-trans-action-plan.doc)).



- Training more drivers to operate WATs; and
- Developing initiatives to promote the use of WATs.

The 2004 Taxi industry interim report summarised community issues raised in submissions to that inquiry. These included:

- Dissatisfaction with the difference in service standards between a WAT and a conventional taxi service;
- The general lack of provision of WATs by taxi networks;
- The issue in booking and long waiting times for WAT services; and
- The lack of training of WAT drivers.

Also identified was the issue of the impact of an increasingly ageing population, which will result in a greater need for WAT services into the future. This report has already identified this as a major issue to be addressed, identifying the need for decision makers to act now to implement the necessary changes required to promote the take-up of WATs.

From the point of view of the taxi industry, relevant concerns include:

- The prohibitive cost of entry to become a WAT operator and driver;
- WAT bookings are not lucrative due to the time incurred by drivers in carrying out each booking; and
- Disabled people may at times be more difficult and challenging to deal with and thus making it hard to attract new drivers.

In the Sydney metropolitan areas WATs are accessed via the 'Zero 200' booking service which is owned and operated by the Combined Communications Network (CNN). In addition to the listed industry concerns, CNN has noted that a problem was that Taxi Networks had no statutory power to require operators to operate WATs and that it always comes down to operators making a commercial decision on services they provide. This 'commercial decision' is also one shared by taxi drivers.

A Taxi Transport Subsidy Scheme (TTSS) has been available since 1981 and is administered by the NSW Ministry of Transport. The TTSS is aimed at assisting residents of NSW who are unable to use public transport as a result of a qualifying severe and permanent disability. Participation in the scheme is not means tested and subsidises the travel cost to TTSS participants, allowing them to travel by taxi at half fare up to a maximum of \$30 per trip.

The NSW Ministry of Transport has, over a period of a decade, introduced a number of measures to encourage the take-up of WAT licences. These include:

- Providing short term \$1,000 per annum licences for metropolitan regions and free licences for country regions;
- Reimbursing drivers for the cost of WAT training;
- Providing interest free loans (Maximum of \$30,000 or half the price of the vehicle) to country operators for the purchase of, or conversion of, WATs.
- Extending the regulated standard life of a WAT to 10 years;

- Van type WATs are able to charge higher rates when carrying 6 or more passengers.

It has generally been recognised that these incentives have not been very successful, with the major benefits of the incentives being the licence holder/vehicle owner rather than the driver.

One recent initiative introduced which benefited drivers was to pay a \$10 bonus for each WAT job on Christmas day 2005. This resulted in 1206 jobs, an 18% increase over 2004. A similar incentive on Easter Sunday 2006 resulted in 364 jobs, an increase of 23% over the same day in 2005.<sup>27</sup> These are only 'one-off' bonus payments. Other states have extra payments for drivers of WAT services to take account of the extra time and effort required to service the needs of wheelchair passengers, normally in the form of a lift fee. This is not the case in NSW.

When the Ministry of Transport interim report was released in October 2004 it noted that a Wheelchair Accessible Taxi Taskforce had been formed by the Minister for Transport Services to specifically investigate the provision of WATs in NSW. This Taskforce was established in May 2004 with a brief to:

- Conduct an analysis of why the availability of WATs is so limited;
- Assess the argument that operating WATs is not commercially viable;
- Assess the current incentives provided to the taxi industry to operate WATs;
- Advise on a realistically achievable goal and a timeframe for achieving this goal; and
- Provide financially sound recommendations to the Minister for increasing the number of WATs.

The Taskforce presented an interim brief to the Minister in September 2004<sup>28</sup> in which it gave a brief history of WATs in NSW and a profile of WATs (which varies slightly from those presented in Tables 3 and 4).

In considering the question of the supply of WATs, the Taskforce made a number of observations, including;

- The potential for the taxi industry to contribute to the 'community transport' task, a growing task given the ageing population. By 2041 it is forecast that 2 million or 24% of the NSW population will be over 65, up from 12% today, while 14% will be over 75 (currently 6%).
- In the long term Community Transport and taxis will be increasingly critical to meet the transport needs of the ageing population, particularly given Federal Government policy of wanting to keep the ageing in their familiar home environment for as long as possible. Taxis have the advantage that they can deliver door to door service and are able to provide a service 24 hours a day, seven days a week.
- In many locations WATs have standing arrangements to provide services which include transport for school children with mobility issues<sup>29</sup>, transport of

<sup>27</sup> Data supplied by NSW Taxi Council.

<sup>28</sup> See [www.transport.nsw.gov.au/pubs\\_legal/WAT-interim-brief.pdf](http://www.transport.nsw.gov.au/pubs_legal/WAT-interim-brief.pdf).

veterans (through the Commonwealth Department of Veteran's Affairs), health related transport trips (through NSW Health), and community transport trips (through local community transport providers).

- There is evidence to suggest that in many areas WAT bookings are made through private arrangements with drivers, having the flow on effect of leaving fewer WATs available to accept jobs booked through a network. This can result in long waiting times or in some instances jobs not being accepted at all.

The second major issue addressed by the Taskforce interim report was whether or not incentives currently in place were working. Issues raised for consideration include;

- Whether or not there are appropriate financial incentives in place to make driving WATs an attractive option;
- Dealing with WAT drivers who routinely breach their licence conditions by failing to prioritise WAT work and who appear resentful of their obligation to assist passengers without remuneration at the end of the journey;
- The impact of current driver shortages for WATs, recognising that more effort may be needed in driver recruitment, training and retention and the current package of incentives revised to better target drivers.

The Taskforce is to make recommendations relating to these matters in its final report. The final report will also evaluate three options, the evolution of a universally accessible taxi fleet, the nomination of mandatory minimum of 10% - 20% of taxi fleets to be WATs and localised targets for numbers of WATs. In considering options the Taskforce will consider the implementation of a small levy on all passenger trips to generate significant revenue for industry improvement.

In the case of the introduction of a levy on all taxi passenger trips, this has been considered in other jurisdictions. This proposal raises the issue as to why the taxi travelling public should be singled out to subsidise WAT services through the introduction of a levy when others (bus, train, plane and private car travellers) would not be required to contribute.

During the period the Taskforce has been undertaking its review, in February 2006 a group supported by Macquarie Bank announced Australia's first premium wheelchair accessible taxi fleet to be named 'Lime taxis'. The company stated its aim was to have 240 wheelchair taxis on Sydney's roads. On 13 August 2006 an article in the *Sydney Morning Herald* newspaper reported that at least 20 lime taxis 'are set to hit the road' next month and that they will be the first of a fleet of 240 WATs expected to be operating by September 2007.

These WATs are aimed to provide a luxury service for the disabled; the vehicles will have leather seats and GPS navigation systems. Lime Taxis CEO stated that the company had received about 1500 enquiries from people wanting to be drivers. This is surprising given the Taskforce has identified that there has been a real problem in attracting WAT drivers, and indeed drivers of conventional taxis.

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<sup>29</sup> The Special School Student Transport Scheme currently services around 9,000 students and has an annual budget of around \$45 million.

When this fleet is fully operational it will almost double the number of WATs operating in Sydney. Given the problems identified in the past which relate to the viability of WAT services, it will be interesting to see the impact of an almost doubling of the WAT fleet operating in Sydney in the next twelve months.

Personal communications with members of the industry have indicated that the operators will be required to purchase a franchise to operate a Lime WAT. Depending on the financial costs involved in such an arrangement, and given the competitive nature of the taxi industry, all stakeholders concerned will be interested to see how this new taxi company evolves.

Given the plans for Lime Taxis, and the investment involved, there will be real interest in the industry, particularly in Sydney, in the outcome of this new venture and its impact on the final report of the Taskforce. More recently it was reported in *The Sydney Morning Herald* (21 September 2006) that to date no Lime taxis were in operation in Sydney.

## 4.2 Victoria

The taxi industry in Victoria is regulated through the Victorian Taxi Directorate, located in the Department of Infrastructure (DOI). The most recent figures available indicate that there are 367 WATs across Victoria. Table 5 gives a distribution of both taxis and WATs in Victoria.

**Table 5: Distribution of Taxis and WATs in Victoria**

Location	No. of Taxis- Total Fleet	No. of WATs
Metropolitan	3560	228
Country (Including Outer Suburban)	635	111
Urban (Ballarat, Bendigo and Geelong)	230	28
Total	4425	367

In the Metropolitan area 6.4% of the fleet are WATs; in the non-metropolitan area the WAT fleet comprises 16.1% of the total. Overall for Victoria 8.3% of the taxi fleet are WATs.

The majority of WATs in Victoria are operated by owner drivers (unlike conventional taxis where 60% of licence owners do not operate the licences they own). WATs are required to operate through depots which provide a dedicated WAT booking service. As in other states, their licence conditions allow them to carry other passengers when not engaged in wheelchair bookings and in many cases their viability depends on their being able to service general users in addition to wheelchair bookings. The Peak service taxis, which are licensed to operate between the hours of 3 pm and 7 am and during specified major events within the Metropolitan Taxi Zone, contain no wheelchair accessible taxis.

In a document dated 30 May 2006<sup>30</sup> the Department of Infrastructure states that with respect to WATs, 'the fleet is currently meeting demand'. The Government's transport and liveability statement<sup>31</sup> indicates that new initiatives to improve the availability and reliability of taxi services for people who use wheelchairs will be introduced and will include:

- Subsidised training for wheelchair taxi drivers
- An increased presence by the Victorian Taxi Directorate (VTD) at Melbourne Airport to ensure WATs are collecting wheelchair passengers, and
- Giving the VTD the power to implement disciplinary processes if a driver is found to be consistently refusing to do WAT work.

These initiatives are part of an ongoing program for taxi and hire car reform in Victoria.<sup>32</sup> This series of reforms was introduced by the State Government commencing in May 2002 to create a 'world class taxi and hire car industry for Victoria.' The reform package resulted from the Federal Government National Competition Policy requirement that all states/territories review the regulation of their taxi and hire car industries.

A Multi Purpose Taxi Program (MPTP)<sup>33</sup> assists Victorians with severe and permanent disabilities to use taxis at an affordable rate. It is co-ordinated by the Victorian Taxi Directorate (VTD) and gives members half price taxi fares, up to a maximum of \$30 per trip, with some members of the scheme have a yearly limit of \$1,000.

Even though the Department of Infrastructure has stated that the current WAT fleet is meeting demand, this view does not appear to be held by others. In its newsletter in May 2004, Scope<sup>34, 35</sup> stated that Victoria's taxi system 'continues to fail people with a disability'. In November 2005 the Equal Opportunity Commission Victoria Disability Reference Group Newsletter<sup>36</sup> reported on problems with the MPTP for people with disabilities, including long delays when booking taxis, instances of poor driver education in relation to disabilities and problems with the use of the MPTP card. The types of problems identified by the Disability Reference Group had also been identified in 2001 by the Multiple Sclerosis Society of Victoria. The Disability

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<sup>30</sup> See

<http://www.doi.vic.gov.au/doi/internet/vehicles.nsf/AllDocs/712BF0EEC0458993CA256F320020A3FB?OpenDocument>

<sup>31</sup> *Meeting Our Transport Challenges*. See

<http://www.doi.vic.gov.au/DOI/Internet/planningprojects.nsf/AllDocs/811E3935C65B55D2CA257169001A463A?OpenDocument>

<sup>32</sup> See

<http://www.doi.vic.gov.au/DOI/Internet/vehicles.nsf/AllDocs/DCBFD3D4FEEA95A2CA256F320020D5A2?OpenDocument#future>

<sup>33</sup> See

<http://www.doi.vic.gov.au/DOI/Internet/transport.nsf/allDocs/RWPDF597F556E7229C4CA256C1C0017CB91>

<sup>34</sup> A not-for-profit organisation providing disability services throughout Victoria to people with physical and multiple disabilities.

<sup>35</sup> See [www.scopevic.org.au/news\\_taxis.html](http://www.scopevic.org.au/news_taxis.html)

<sup>36</sup> See <http://www.equalopportunitycommission.vic.gov.au/publications/DENN/default.asp>

Reference Group is working with the relevant agencies to address these, and other problems.

In 2005 the Victorian Government commissioned the Victorian Country Taxi Industry Review Working Group to conduct a review into the operation, regulation and licensing of taxi services in country Victoria. The terms of reference included a consideration of WAT procurement arrangements and operations. This substantial report<sup>37</sup> and the Department of Infrastructure's response<sup>38</sup> were both released in May 2006.

The report identified issues which, while relating to Victoria, may also be expected to apply to other states and the Northern Territory. These include:

- The majority of small towns (population less than 2,000) have no access to any form of taxi service;
- Less than 25% of all towns with a population of up to 5,000 have access to WATs; in contrast all the towns with a population larger than 10,000 have access to WAT services;
- For those towns with populations between 5,000 and 10,000, some 20% are currently without WATS.

The Review reported that approximately half the revenue generated by WATs is from MPTP trips and that, in addition, for each trip involving wheelchair bound passengers a lift fee is paid by the Government. What is of concern to the industry are the higher costs associated with purchasing and subsequently maintaining a WAT. The Victorian Taxi Association<sup>39</sup> reported that that cost and fitment of a new WAT is in excess of \$75,000 compared to approximately \$38,000 for a conventional taxi cab (BA Falcon).

The Review Working Group identified a number of issues concerning WAT vehicles, including;

- Users being concerned about the lack of accessible service within the smaller towns without an existing service;
- Operators being concerned about the high cost to purchase and operate the vehicle;
- Transport organisations typically require/expect a WAT vehicle for community transport services; and
- Public funding of community buses which is perceived by the taxi industry to undermine services provided by local taxi operators.

What was also identified was the inconsistency in the regulation of service fees which exist between metropolitan and country WATs. The two main metropolitan depots who handle WAT bookings are paid a range of service fees to manage WAT bookings in the metropolitan area, including;

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<sup>37</sup> *Country Taxi Review* (Final Report). [www.doi.vic.gov.au](http://www.doi.vic.gov.au)

<sup>38</sup> See [www.doi.vic.gov.au](http://www.doi.vic.gov.au)

<sup>39</sup> See [www.victaxi.com.au](http://www.victaxi.com.au)

- Booking fee (\$3.30 per booking);
- Pick-up fee (\$1.10 per passenger for pick-up over 4km away);
- Depot fee (\$100 per WAT per 28 days). This fee is only paid to two depots, Silver Top Taxis and Black Cabs Combined.

The options considered by the Working Group included maintaining the status quo, introducing WAT service fees in country Victoria similar to those paid in the metropolitan area, introducing a WAT vehicle purchase subsidy and restricting or limiting the provision of community buses.

In the case of WATs in Country Victoria, the Review made two recommendations.

1. The Working Group believes that introduction of booking and pick-up fees in the country would have limited impact in improving the financial viability of small operators. However the Working Group notes that there is a case to address the disparity in treatment of metropolitan and country WAT booking and travel fees and recommends that a whole - of - industry review be undertaken.
2. The Working Group recommends that the Government establish a vehicle purchase subsidy fund (i.e. a Tied Grant) for application by country operators. The subsidy provided to operators would be an amount to fund the difference in capital purchase cost between conventional taxis and WATs. Applications would be assessed on the basis of community need and operator's financial capacity.

In its response the DOI supported the recommendation on conducting a review on booking and pick-up fees. It noted that non-metropolitan depots argue that the treatment of depot fees is inequitable given that two major metropolitan taxi depots receive payment from the DOI to manage the dispatch of bookings by those in wheelchairs across the metropolitan fleet. It also pointed out that these payments arise from commercial arrangements negotiated between the VTD and the two depots to provide a central booking service for WAT services in the metropolitan area. The requirement for a dedicated booking services has not been considered necessary outside the metropolitan area and the VTD argues that there is no case to extend payments to other operators.

The DOI believes it is timely that the current arrangements for WAT bookings be reviewed but on a whole of industry basis, with such a review addressing both the levels of service provided as well as the financial viability of providing WAT services.

With regard to the second recommendation, the DOI supported the recommendation to establish a vehicle purchase subsidy scheme and \$3m is to be allocated for this purpose. The DOI has recognised the high capital cost (coupled with low demand) as a barrier to operators introducing such services in small country towns. The initiative is intended to equalise the purchase cost of WATs compared to conventional taxis. The pool of \$3m is seen as assisting the procurement of 75 new WATs but it is expected to stretch further as many operators could buy used rather than new vehicles.

The subsidy will also be available to operators in towns that currently do not have a WAT to encourage compliance with the Disability Standards obligation to ensure that response times for booked WATs are the same as for conventional taxis after 31 December 2007.

The Victorian Government has decided that the WAT purchase subsidy will be subject to a means test of country taxi operators purchasing WATs. The National Party's member for Benella has pointed out<sup>40</sup> that 'The requirement for a means test for country WAT grants is in stark contrast to the subsidies of many thousands of dollars per year provided to Melbourne cab operators to provide WATs – without means tests!' Even with the subsidies available to subsidise the purchase costs for WATs, operators will still be required to bear the extra on-going operating costs of a WAT vehicle.

### 4.3 Tasmania

The Tasmanian Government Department of Infrastructure, Energy and Resources (DIER) established a Taxi Industry Review Group in 1999 to review Tasmania's taxi legislation. Recommendations from this group resulted in the *Taxi and Luxury Hire Car Industries Amendment Act 2003* which was enacted in December 2003. In this amended Act the Government introduced WAT licences in order to facilitate the industry's compliance with its obligations under the Commonwealth DDA 1992.

Prior to the introduction of WATs, special purpose cabs (SPCs) provided a taxi style service to wheelchair dependent people. These vehicles were not able to operate as standard cabs. There were approximately 20 across the state and it was reported that they were in such demand that users would have to book a week or so in advance to gain access to a SPC.

As a result of amendments to the Act designed to fulfil the state's obligations under the National Competition Policy, each year DIER releases the equivalent of five percent of the number of licences currently on issue in each of Tasmania's 24 taxi areas, or one licence, whichever is the greater. WAT licences were first issued in 2004 and during 2004-2005 a total of 33 WAT licences have been made available, in lieu of standard perpetual licences, in the four main metropolitan areas of Hobart, Launceston, Burnie and Devonport.<sup>41</sup>

Of the 16 WAT licences issued in 2004, all but one were taken up. Sixteen of the 17 WAT licences issued in 2005 have been allocated. A review of the adequacy of services was conducted in 2005<sup>41</sup> to assist in determining whether additional WAT licences should be available in 2006<sup>42</sup>. The review found that the standard of taxi services provided to wheelchair dependent users had increased greatly since the

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<sup>40</sup> See [www.vicnats.com/news/article.aspx?ID=4648](http://www.vicnats.com/news/article.aspx?ID=4648)

<sup>41</sup> *Evaluation of Wheelchair Accessible Taxi Services*. SGS Economics and Planning with Myriad Consultancy. Department of Infrastructure Energy and Resources. (December 2005). [www.transport.tas.gov.au](http://www.transport.tas.gov.au).

<sup>42</sup> *Review of the Taxi and Luxury Hire Car Industries Act 1995. Paper 4 – Wheelchair Accessible Taxis*. Department of Infrastructure Energy and Resources. (February 2006). [www.transport.tas.gov.au](http://www.transport.tas.gov.au).



introduction of WATs (compared to the SPC services previously available), but that response times were not equivalent to response times for conventional taxis, as required by DDA. As a result the Minister has determined that further WAT licences will be made available in the four major centres (Hobart, Launceston, Burnie and Devonport) in 2006.

Wheelchair dependent users of taxi services are eligible for membership of the Government's Transport Access Scheme (TAS) which, through a voucher system, provides taxi fare concessions of up to 60% of a passenger's fare (to a maximum of \$30 per trip) when they travel in a WAT. It is notable that the use of taxi (including SPC) services by wheelchair dependent users increased by almost 90 per cent from 2004 to 2005 with Government subsidies to WAT users and operators being over \$2m<sup>42</sup>.

WAT licences are issued at no cost to operators, however unlike perpetual conventional taxi licences these licences expire after 10 years, but can be renewed. WAT licences cannot be leased but can be transferred to another party. The Transport Commission is able to impose conditions on WAT licences, including the area in which the WAT can operate, the availability of the WAT to wheelchair reliant passengers and the condition and standard of the vehicle.

Fares for trips where a wheelchair passenger is carried in a WAT are higher than those for conventional taxi fares. The flagfall is 50 per cent greater and the kilometre rate is about 20 per cent greater. The higher charges are in recognition of the extra time required for a driver to transport a passenger in a wheelchair, including the time taken to load and unload the wheelchair from the vehicle.

In addition to the metered fare, a trip subsidy (\$10 in Hobart, \$12 in Launceston and \$16 in Burnie and Devonport) is paid to WAT operators, by the Government, for each trip where at least one wheelchair is carried. This subsidy is paid in recognition of the initial high cost of the WAT vehicle and the costs associated with the modifying of the vehicle. As the number of WAT users, and hence the number of trips, is smaller in Launceston than in Hobart, and even smaller again in Burnie and Devonport, the trip subsidy was recognised as having to be higher in these areas to enable the operators to recover the capital cost in about the same time as WAT operators in Hobart.

The SGS review<sup>41</sup> included information obtained from a survey of stakeholders. The survey results indicated that most respondents (90 per cent) reported that pre-booked WATs arrived early or on time. Comparable data between response times for non pre-booked WAT bookings and conventional taxis are not available as radio rooms and operators are not required to record response times. In responding to this survey operators indicated that on average 40 to 50 per cent of WATs total work involved transporting wheelchair dependent passengers.

The 2006 review<sup>42</sup> identified a number of issues in relation to the adequacy of WAT services, as well as some technical issues relating to the operation of the WAT scheme. Issues considered included those from the perspective of the taxi industry, the adequacy of WAT services, value for money, driver training and attitudes (both

from the perspective of the operator and the user), vehicle specifications, licences, and WATs in rural areas.

One issue which will continue to emerge is that relating to electric or motorised scooters and similar mobility aids as alternative forms of transport. While many users are not totally reliant on a scooter for mobility, they might be unable to walk a long distance. The number of people using scooters in Australia increased by 78 per cent from 1998 to 2003.<sup>43</sup> This increase and the associated need for users to be able to transport scooters in WATs identifies an increasing need for WATs to be able to cater for this form of transport.

This raises a number of issues, including some scooters being too large and heavy to be accommodated in a WAT, even if the WAT is DDA compliant. In some cases there are problems with securing a scooter in the vehicle due to a lack of suitable anchoring points for scooters. Some taxi operators consider passengers on a scooter as 'wheelchair reliant' for the purpose of the Transport Access Scheme and stamp their voucher accordingly. This provides the passenger with a 60 per cent subsidy and the operator with the relevant trip subsidy. Technically many of these passengers are not wheelchair reliant and so not entitled to the higher subsidy and the operator would not be entitled to the trip subsidy.

In some jurisdictions (e.g. Western Australia) scooters may be treated in the same way as wheelchairs for the purpose of the taxi subsidy scheme, with some scooter users able to claim the same rebate to that available to wheelchair dependent users.

A major issue to be addressed by all jurisdictions relates to the Disability Standards associated with the DDA which specify that the radio rooms are responsible for meeting the objective of having the same response time for wheelchair dependent clients as for non wheelchair dependent users. Of course radio rooms are not themselves taxi operators but separate businesses providing dispatch services to operators. It is clear that if a dispatch service is unable to attract sufficient WAT operators, it may not be able to achieve this for their fleet, or indeed exert any influence over response times in general.

A further problem has emerged as a result of advances in technology and the use of mobile phones so that WAT operators tend to establish a clientele who deal directly with the operator rather than using the radio room. Consequently while response times based on direct contact between operators and regular clients may be excellent, these will not be recorded through radio rooms where WAT response times may not be the same as those for conventional taxis.

The February 2006 Review<sup>42</sup> states (page 31) that 'At the time of writing some radio rooms/co-operatives within metropolitan taxi areas have indicated that they are not willing to include WATs in their fleet. This could have serious implications for those organisations should an individual or disability advocacy group seek to bring an action against them for failing to provide equivalent services to wheelchair-reliant users.' This issue is also being given consideration in other jurisdictions.

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<sup>43</sup> *Survey of Disability, Ageing and Carers*. ABS Cat No 4430.0. Summary of Findings, 1998, 2003. Cited in footnote 41, page 14.

#### 4.4 Queensland

The taxi industry in Queensland is regulated through Queensland Transport. Table 6 gives a breakdown of conventional and WAT licences in contract areas throughout the state.

**Table 6: Distribution of Taxis and WATs in Queensland<sup>44</sup>**

Contract Area	Number of Conventional Taxi Licences	Number of Issued Wheelchair Accessible Taxi Licences (*)	Total
Mackay	53	11	64
Sunshine Coast	75	24	99
Warwick (2 contracts)	6	0	6
Maryborough	13	2	15
Mt Isa	33	0	33
Rockhampton	55	6	61
Toowoomba (2 contracts)	79	10	89
Hervey Bay	10	5	15
Gladstone	22	1	23
Capricorn Coast	4	3	7
Redcliffe (2 contracts)	28	4	32
Gympie	9	2	11
Brisbane (2 contracts) include Caboolture (2 contracts)	1517	199	1716
Townsville	110	17	127
Cairns	115	16	131
Bundaberg	26	3	29
Innisfail	9	1	11
Gold Coast	214	51	265
Bribie Island	2	2	4
Ipswich	53	9	62
<b>TOTAL (including non-contract areas)</b>	<b>2592</b>	<b>373</b>	<b>2965</b>

These June 2006 figures indicate that overall 13% of the total number of taxis in Queensland are WATs. In Brisbane 12% of the fleet are WATs while in the rest of Queensland between from 0% to 43% of the fleet are WATs. Interestingly 19% of the taxi fleet on the Gold Coast are WATs.

In August 2006 the Transport and Main Roads Minister announced that Queensland Transport had sold 45 additional taxi licences in Brisbane, including 25 WAT licences (priced between \$100,000 and \$156,000 each), and 10 'people mover' style

<sup>44</sup> *Taxi Council of Queensland Annual Report 2005/06*. (September 2006). Taxi Council of Queensland

cabs (in excess of \$365,000 each) which could conceivably be converted to carry a customer in a wheelchair. He also announced that a further 35 additional taxi licences had been released on the Gold Coast, 15 WAT licences (costing \$280,000 each) and 20 'people mover' style cabs (costing \$675,000 each).

In early September 2006, as part of his election campaign, the Queensland premier stated that there were 72 small communities in Queensland with no WATs and that if re-elected he would provide one-off funding of more than \$4.5m to provide WAT taxis in small towns and communities that currently had a taxi service, but not a WAT. The program was aimed at replacing a conventional taxi with a WAT and convert the conventional licence to a wheelchair licence at no cost. The details of this program were not given, including whether or not the funding would be means tested, (as is to be the case in Victoria).

It is of interest to note the strong market demand for WAT licences in Queensland when compared to other states/territories. In Brisbane the current value of an unencumbered WAT licence is in the order of \$180,000, while those with an owner – driver restriction can be obtained for \$130,000 - \$150,000. These high WAT values are not confined to Brisbane and the Gold Coast. In September 2006 a WAT was for sale in Bundaberg for \$280,000 and a wheelchair accessible maxi in Cairns was advertised for sale for \$460,000.

Wheelchair dependent taxi users are eligible for membership of a taxi subsidy scheme, members are issued with a membership card and a voucher book. When they travel they pay half the fare, with a maximum subsidy of \$25 per trip. A specific condition of WAT licences issued by Queensland Transport is that where WATs are available, people using wheelchairs are given first priority.

As in other jurisdictions, in the case of the taxi industry the Queensland Government has had to respond to the Commonwealth's implementation of the National Competition Policy, the Disability Standards associated with the 1992 DDA and the WAT inquiry conducted by the Commonwealth Human Rights and Equal Opportunity Commission.

The 2005 National Competition Council's Assessment<sup>45</sup> noted that Queensland's National Competition Policy (NCP) review of the Queensland *Transport Operations (Passenger Transport) Act* (which determines the number of taxis), released in September 2000, recommended continued regulation of the number of taxi licences, but with modifications to improve services. The National Competition Council (NCC) found in its 2002 NCP assessment that the review did not provide a strong public benefit case for this recommendation. In its 2004 NCP annual report to the NCC the Queensland Government stated that it will regularly release new taxi licences in taxi service areas in response to performance criteria related to waiting times.

In its 2005 NCP annual report the Queensland Government confirmed plans to introduce a formula based approach to reviewing and potentially increasing taxi numbers by the end of 2005. The approach is based on data on population, ageing,

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<sup>45</sup> [www.ncc.gov.au/AST7As-001.pdf](http://www.ncc.gov.au/AST7As-001.pdf)

waiting times, average number of jobs per taxi, seasonal peaks and the availability of other public transport. The Government considers that this model will enable licence releases to be planned, within areas, 'for up to five years in advance and will facilitate a progressive program of licence releases. The recent release of an extra 80 taxi licences (including WATs) in Brisbane and the Gold Coast is a clear indication that the Queensland Government is moving in the direction indicated.

In May 2004 Queensland Government produced a Taxi and Limousine Discussion Paper<sup>46</sup> 'to promote discussion between Queensland Transport, industry stakeholders and the community and to provide all stakeholders a unique opportunity to contribute to and be part of shaping the future development of the taxi and limousine industries in Queensland. In November 2004 the Government produced a Feedback Analysis<sup>47</sup> as an interim brief to the industry and community on this discussion paper. This document analyses the feedback received in response to the discussion paper released by the Minister in May.

The Feedback Analysis document issues relating to WATs indicated that;

- A committee is being established by Queensland Transport and the Taxi Council of Queensland to ensure the response times for customers with accessibility needs are the same as that for conventional taxi users. (page 10).
- Policy options included leasing WATs for a fixed period with the option of buying the licence at an offset rate at the lease expiry. (page 20). A major benefit of this option was seen to be that response times for people who use wheelchairs will improve and provide a mechanism for industry to achieve the target date of 31 December 2007 for the Disability Standards for accessible public transport.
- The Action Summary appearing in Appendix B includes a recommendation for the leasing of all future wheelchair accessible taxis for a limited time until the waiting time minimum service level is reached for taxi service area according to the model presented. (page 43).

It is clear from the recent actions of the Queensland Government in selling a further 80 licences in Brisbane and the Gold Coast (of which 70 will carry wheelchairs as WATs or people movers) that the Government has not yet moved to lease WATs. This is also confirmed by the premier's election promise that if re-elected he would provide one-off funding of more than \$4.5m to provide WAT taxis in small towns and communities that currently had a taxi service, but not a WAT. This will be achieved by replacing a conventional taxi with a WAT and converting the conventional licence to a wheelchair licence at no cost.

#### **4.5 Western Australia**

The NCP review of the Western Australia (WA) was completed in August 1999. Since that review the Government has been active in addressing the issue of supply

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<sup>46</sup> *Taxi and Limousine Discussion Paper*. (May 2004). Queensland Transport. [www.transport.qld.gov.au/PubTrans.nsf/index/TaxiAndLimoDevelopment](http://www.transport.qld.gov.au/PubTrans.nsf/index/TaxiAndLimoDevelopment)

<sup>47</sup> *Taxi and Limousine Development Discussion Paper Feedback Analysis*. (November 2004). Queensland Transport. [www.transport.qld.gov.au/PubTrans.nsf/index/TaxiAndLimoDevelopment](http://www.transport.qld.gov.au/PubTrans.nsf/index/TaxiAndLimoDevelopment)

and demand for taxis, including Multiple Purpose Taxis (MPTs) which are used for the transport of wheelchair dependent passengers.

By June 2005 there were 1,193 taxis in the Perth metropolitan area and 420 country taxis. Table 7 gives a break-up of the WA taxi fleet.

**Table 7: Distribution of Taxis in Western Australian National University<sup>48</sup>**

<b>Metropolitan Taxis</b>	<b>Number</b>	<b>Country Taxis</b>	<b>Number</b>
Conventional	923	Metered Taxis	303
Area Restricted	14	Multi Purpose (WATs)	16
Multi Purpose (WATs)	81	Peak Period Restricted	8
Peak Period Restricted	91	Private Taxis	93
Leased Conventional	42	<b>Total</b>	<b>420</b>
Leased Peak Period Restricted	35		
Leased Multi Purpose (WATs)	6		
Leased Area Restricted	1		
<b>Total</b>	<b>1193</b>		

In the Metropolitan area 7.3% of the total taxi fleet are wheelchair accessible (or 9.3% when the peak restricted taxis are not counted), while in the country 3.8% of the taxi fleet are wheelchair accessible (3.9% when the peak restricted taxis are not counted).

Following the NCP review in December 2003 the Government passed the *Taxi Amendment Bill 2003*. In relation to this legislation the Government released 48 new taxi plates in the first half of 2004 (32 conventional taxis with a lease cost of \$250 per week, 4 MPTs with a lease cost of \$100 per week and 12 peak period plates leased at \$50 per week). In June 2004 the Minister, announced the release of an additional 28 plates before the end of 2004 and then an additional 40 plates in each year from 2005 to 2008. The 40 plates released each year will comprise 12 MPTs and 28 conventional and peak period plates, with all plates being leased. On 27 August 2006 it was announced that 'up to 130 additional taxis could be on metropolitan streets by Christmas, to shorten waiting times and erase late night pressures'.

Of the 87 metropolitan MPT licences, 56 are transferable, 25 are non-transferable licences and a further 6 licences are leased by the Government (for a period of 10 years). As Table 7 indicates, there are a further 16 MPT licences in country areas.

In response to financial pressure on operators as a result of diesel price increases, vehicle purchase prices, maintenance and other general operational costs, in October 2005 the WA Government announced plans to buy back the 56 transferable MPT plates at a cost of \$108,000 each. This figure was based on the 2004 average market price of MPT plates. The buy back and re-issue of MPT plates under lease for \$100 per week was aimed at reducing the cost for operators. Following discussions with the WA taxi industry, this legislation has been referred to a Parliamentary Standing Committee.<sup>49</sup>

<sup>48</sup> Data supplied by the WA department of Planning and Infrastructure.  
[www.dpi.wa.gov.au/taxis/1565.asp](http://www.dpi.wa.gov.au/taxis/1565.asp)

<sup>49</sup> See page 24 of footnote 42.

It is clear that the Government in Western Australia has responded in a decisive manner to the Commonwealth National Competition Policy. While it hasn't deregulated the taxi industry, it has moved to dramatically increase the number of both conventional and wheelchair accessible MPTs in WA.

One of the major outcomes of the NCP review in WA has been the clarification of the roles of Government and the industry. The final recommendation of the review stated;

‘There will be clear and separate roles for Government and industry. The role of Government is as a policy leader and a standard setter. The role of industry is to meet the needs of the customers.

This clarification of roles will mean that Government is responsible for outcomes and industry is responsible for inputs.

Government will set standards of performance and industry will be responsible for devising strategies to meet performance standards. ...’

The Government's interpretation of this is in the case of wheelchair dependent taxi users is that the Taxi Dispatch Service(s) holding the MPT co-ordination contract will be required to perform identified performance standards.

MPTs must be able to carry two wheelchairs and be fitted with hydraulic lifts, enabling passengers in wheelchairs and scooters to be loaded directly into the taxi where they are secured. Drivers of MPTs are required to undergo additional training, with the Government offering cadetship grants valued at around \$1,300 to cover all the application and training costs for a person to become an MPT driver.

The lease of an MPT is ‘subsidised’ in that it costs \$100 per week, compared to a conventional taxi lease of \$250 per week. MPT drivers are able to charge a detention (waiting time) rate during pick up and set down, to assist them in servicing special needs, including wheelchair dependent customers. Each MPT vehicle is expected to complete a quota of 60 network dispatched wheelchair jobs per month.

In November 2005 the State Government announced a fuel subsidy to operators of diesel powered MPTs in an effort to combat escalating costs and improve customer service to people with disabilities. The subsidy is \$5 per trip and is provided to diesel MPT operators for each wheelchair job undertaken through the TUSS over the ensuing 18 months.

The \$5 subsidy is aimed at equalising the costs between diesel powered MPT vehicles and LPG powered conventional taxis when ‘calculated over an average shift, average kilometres travelled and taking the cost differences between diesel and LPG’<sup>50</sup>.

The mobility disabled (including those dependent on a wheelchair or scooter) who are prevented from using a conventional public transport bus service are able to apply for assistance under the Taxi User's Subsidy Scheme (TUSS). Members of this scheme

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<sup>50</sup> *Media Statement*. (29 November 2005). Minister for Planning and Infrastructure.

who use a wheelchair or scooter may be entitled to a 75% subsidy, up to an maximum of \$25 for each single trip, with the scheme operating on a voucher system.

In its response to the HREOC inquiry<sup>51</sup> the Government acknowledged that people with disabilities using the MPT service waited significantly longer for a taxi than people using a conventional taxi. At the time of this response a Taxi Dispatch Service held a central co-ordination contract 'being worth approximately \$100,000 in rank fees over 12 months.

This contract has since been re-tendered and as a result two taxi dispatch services have been appointed to co-ordinate MPTs. The appointments took effect from 1 October 2005 for an initial period of 2 years with an option to extend to a maximum of 5 years. The appointment of two MPT co-ordinators is intended to provide choice for MPT customers and MPT operators. Both MPT operators have to maintain a fleet of at least 30 MPTs under the terms of their appointment.

Other issues addressed in this response which relate to wheelchair dependent taxi users include;

- The introduction of further MPTs into the fleet. As has been identified above the Government has been active in achieving this.
- The introduction of universal taxis. It was acknowledged that doing this would be expected to improve waiting times for people with disabilities. However a number of problems were identified, including a vehicle type that meets the needs of the industry and financial issues relating to the cost differential between a conventional and a universal taxi and who is going to meet the cost of that differential.
- Economic factors relating to capital and running costs of accessible vehicles.
- Driver training issues. MPT training cadetships have since been introduced (at a cost of \$1,300 each) funded by the Government.
- Fare income received for wheelchair dependent passengers. Loading and unloading time for wheelchairs and scooters is allowed to be included in the taxi fare.

A Taxi Industry Forum was held in February 2003 to guide how the objectives of a review of the taxi industry regulatory structure could be achieved. This review was initiated to;

- Work to provide fair returns to drivers and owner/drivers while offering the public an efficient, economical and safe service; and
- Address the requirement of the National Competition Council.

In answer to the question 'How could Government achieve and sustain the highest standard in servicing people with disabilities?' the forum responses included;

- Offer incentives for owners to invest in WATs and increased enforcement for the wheelchair taxis to do wheelchair work.

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<sup>51</sup> [www.hreoc.gov.au/disability\\_rights/inquiries/taxi/wa.doc](http://www.hreoc.gov.au/disability_rights/inquiries/taxi/wa.doc)



- By taxi training schools emphasising that people with disabilities must have transport preference.
- Increase the level of subsidy paid by the Taxi Users' Subsidy Scheme.
- Improve the Taxi Users' Subsidy Scheme to an electronic system or pre-print member details on the current vouchers.
- WAT driver training should be improved.

The report on this review was released by the Minister in June 2003.<sup>52</sup> The report did not give emphasis to wheelchair dependent passenger issues raised by the Forum. Of the ten recommendations only one made reference to MPTs, namely recommendation 8 which recommended the issuing of a further 4 MPT licences. This recommendation was supported by the text of the report which identified continuing concerns in regard to the level of service by people who use MPTs and a significant increase in the number of taxi dispatch jobs in 2002 compared to the previous year.

In 2005 the Department of Planning and Infrastructure commissioned a report on MPT industry issues relating to the transport of the mobility disabled. The report was completed in August 2005.<sup>53</sup> The qualitative research process adopted in obtaining information for this report included two focus group discussions of randomly selected owners and owner-drivers. The primary objective of the project was 'to understand the opinions and perspectives of MPT drivers in relation to:

- How to improve the viability of running a MPT (to achieve a better outcome for drivers).
- How to achieve an acceptable level of job coverage (to achieve a better outcome for consumers).'

Issues regarded of importance by MPT drivers include;

- Running costs have 'blown out' with rising diesel costs having the biggest influence. It is notable that the Government responded to this by announcing the introduction of a \$5 fuel subsidy (referred to earlier) for diesel MPT operators in November 2005.
- Dispatch work levels have gone down. This has also been identified in other jurisdictions where it is believed that up to 50% of WAT work is not going through dispatch services; customers are dealing directly with MPT/WAT drivers/operators.
- There is excessive dead running time between jobs.
- MPTs are less financially attractive than conventional taxis.
- The TUSS maximum subsidy is too low.
- The relevant taxi dispatch service is inefficient when managing jobs and promoting the MPT service. In this regard, as has been identified, the Government has appointed two MPT co-ordinators from 1 October 2005 to provide choice for customers and MPT operators.

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<sup>52</sup> *Report on Review of Taxi Industry Regulatory Structure in the Perth metropolitan Area.* (June 2003). Minister for Planning and Infrastructure. [www.dpi.wa.gov.au/taxis/1559.asp](http://www.dpi.wa.gov.au/taxis/1559.asp)

<sup>53</sup> *MPT Industry Issues. Qualitative Research with Drivers and Owner-Drivers.* (August 2005) Market Equity Research and Strategy. A report for the Department of Planning and Infrastructure. [www.dpi.wa.gov.au/mediaFiles/taxis\\_MPTreportaug05.pdf](http://www.dpi.wa.gov.au/mediaFiles/taxis_MPTreportaug05.pdf)

The researchers asked drivers to rank preferred solutions which they believed would most help them. The top ranked solutions across all participants were;

1. A flat rate lifting fee.
2. Low interest loans to assist with the purchase of a vehicle and/or equipment.
3. Increasing the maximum subsidy on TUSS vouchers.
4. A fuel subsidy.

In addition drivers believed the current fleet was not being used efficiently and they would work harder if paid properly, and there were too many Government lease plates on the market.

In response to the NCP review, the HREOC review, state government instigated reviews, and the requirements of the Disability Standards, there has been a dramatic increase in the number conventional and wheelchair accessible taxis operating in WA. Plans by the WA Government to introduce more taxis into the market will undoubtedly have an impact on the income of drivers and the viability of the owner/operator businesses.

#### **4.6 Northern Territory**

The NCP review resulted in the Northern Territory (NT) Government deregulating entry into the taxi industry. As a direct result of this dramatic increase in the number of taxis, which subsequently resulted in a significant decline in drivers income and a drop in the quality of services, the Government reimposed a limit on the number of taxis, including MPTs (who carry wheelchair dependent passengers) operating in the Darwin and Alice Springs area.<sup>54</sup> In addition it created a Commercial Passenger Vehicle Board to provide advice to the Minister 'on all matters pertaining to the taxi, minibus and limousine industries'.

In the NT a MPT is an approved vehicle which is fitted and equipped to carry at least one passenger seated in a wheelchair. MPTs are required to accept wheelchair hirings as a priority over conventional taxi hirings. While they are permitted to stand for hire in designated taxi ranks and to respond to hails, they cannot operate within an area that is not specified in the MPT licence.

Following the deregulation of the taxi industry, compensation was paid to plate owners, after which all licences were leased from the Government. Lease rates vary between locations with the annual fee for an MPT being half that for a conventional taxi licence. Current MPT annual lease fees are \$8,000 in Darwin, \$6,500 in Alice Springs, \$4,500 in Katherine, \$2,500 in Gove and \$2,250 in Tennant Creek. If a licence has expired for a period of three or more months it is considered cancelled and is placed on a list of licences to be made available through a ballot process.

In a submission to the HREOC Review (released in 2002) the NT Health Services indicated at the time of its submission that there were 9 wheelchair accessible taxis in

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<sup>54</sup> See Nicholls D F (2003). *The Impact of Deregulation on the Commercial Passenger Vehicle Industry*. [www.atia.com.au/reports.php](http://www.atia.com.au/reports.php)

the NT out of a total fleet of 184, representing 4.9% of the fleet. Seven accessible taxis were located in Darwin and two in Alice Springs. In October 2004 the Government held a ballot for 10 taxi licences, seven for Alice Springs and three for Darwin. Six of these licences were new, the remainder being licences which were not renewed by the operator. These ten licences included one in Darwin and two in Alice Springs for WATs. Following this ballot seven licences were allocated.

In February 2006 there were 14 MPTs in Darwin (12.5% of the taxi fleet), 2 MPTs in Alice Springs (6.5% of the taxi fleet), and one MPT in each of Gove and Tennant Creek. Overall 11.2% of the Taxi fleet in the NT is wheelchair accessible. A ballot was held on 17 August 2006 to allocate a further nine multi purpose (wheelchair accessible) taxi licences, with five to be allocated in Darwin and four in Alice Springs.

It is notable that in advertising this ballot<sup>55</sup> the Department stated that the ballot draw to allocate MPT licences 'supports the requirement under the Commonwealth *Disability Standards for Accessible Public Transport 2002* that response times for Multiple Purpose Taxis are the same as for other taxis, by 31 December 2007'. The Department saw the additional licences as being necessary as a result of population increase and because some licences had been handed back.

The NT Department of Health and Community Services funds and manages a Taxi Subsidy Scheme which provides assistance to people with disabilities who are dependent on taxis for public transport. Financial assistance is provided but the scheme does not meet all transport costs. Eligible clients include people who are dependent on a wheelchair/scooter for mobility outside the home. The assistance takes the form of a subsidy (in the form of vouchers) for taxi travel of 'approximately 50% of a taxi fare'<sup>56</sup> up to a maximum of \$1,700 per year.

The NT taxi industry has experienced significant changes, both for conventional taxis and MPTs, since the NCC Review. Recent actions in organising ballots to increase the number of MPTs available, particularly in Darwin and Alice Springs, is a direct outcome of the Government's attempt to meet the Disability Standards response time requirement for MPT and conventional taxis by 31 December 2007.

#### **4.7 South Australia**

The NCP review of the South Australian Transport Act was conducted in 1999 and concluded there was no need to change the Act because the Government had the discretion to increase the number of taxi licences by 50 per year. The 2005 NCC Assessment (see footnote 45) stated that in South Australia the number of general taxi licences had remained at 920 since 2001, noting that there were also 70 WAT licences and 57 standby licences. (There are 72 WATs, referred to as Access Cabs, currently operating in metropolitan Adelaide). The South Australian Government challenged this view that licence numbers had remained static since 2001. It stated that 15 general licences with conditions related to the provision of disability accessible taxi services were offered in 2001 but only three were taken up. The State

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<sup>55</sup> [www.ipe.nt.gov.au/whatwedo/taxis/ballot/06/august.html](http://www.ipe.nt.gov.au/whatwedo/taxis/ballot/06/august.html)

<sup>56</sup> [www.nt.gov.au/health/agedisability\\_taxisubsidyapplication.pdf](http://www.nt.gov.au/health/agedisability_taxisubsidyapplication.pdf)

Government does not issue taxi licences outside the Metropolitan Adelaide region; these are issued by local governments.

The Government stated that this could be taken as evidence of a saturation of the taxi market, however the NCC did not agree with this. The Government also argued that the capital costs of WATs and the associated conditions mean that this form of licence tends to be less in demand than unrestricted licences. The NCC did acknowledge that the deregulation of entry into the hire car market in 1991 would have had an impact on the demand for taxis.

The Government gave a commitment to review the industry 'before the next election in 2006' while stating that it is current government policy to maintain a freeze on the issue of new taxi licences. It has indicated that the review 'will form an open and transparent evaluation of existing services and future demand'. The terms of reference are expected to include an assessment of the need for additional taxi licences, benefits to the public, competition for taxis from other passenger modes, and the roles of different licence categories. A taxi industry study is currently in progress. It was commissioned by the Taxi Council SA and is being conducted by UniSA Transport Division.

In its 2001 response to the HREOC inquiry<sup>57</sup>, the Government noted that the vehicles comprising the fleet of WATs in South Australia (SA) are owned by independent operators with special licences which set out specific conditions related to the provision of Access Cab services and are tied to one centralised booking service (CBS) which is used to dispatch all fully accessible vehicles.

Issues discussed in the response included waiting times for Access Cabs (improving<sup>58</sup>), proportion of taxi fleets accessible (WATs comprise approximately 7% of the taxi fleet in the Adelaide metropolitan area), universal taxis design, dedicated services, economic factors and effective use of accessible fleets. While some regional areas of SA do not have WATs, there are no regulatory impediments to the operation of accessible services in regional areas other than economic viability.

In 2001 the SA Passenger Transport Board, in conjunction with the Minister for Transport Urban Planning and the Arts, resolved to conduct a formal assessment of the Access Cabs system to determine whether it was delivering the outcomes needed by customers. In conducting the assessment regard had to be given to legislative requirements, including the DDA 1992, the associated Disability Standards, and Competition Policy. The consultants report<sup>59</sup> contains a large number of recommendations (see pages 54-58), many of which relate to operational aspects of the centralised booking service (CBS) and waiting times.

In considering waiting times, the report identified that the issue is not so much about having waiting times the same as conventional taxis, but that the percentage of customers having waiting times beyond some period, say 30 minutes, needs to be

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<sup>57</sup> See [www.hreoc.gov.au/disability\\_rights/inquiries/taxis/sagov.doc](http://www.hreoc.gov.au/disability_rights/inquiries/taxis/sagov.doc)

<sup>58</sup> See *Annual Report 2004-05*. (page 41) SA Department of Transport Energy and Infrastructure. [www.dtei.sa.gov.au/pdf/annrep0405.pdf](http://www.dtei.sa.gov.au/pdf/annrep0405.pdf)

<sup>59</sup> Kowalick, I J. *Assessment of the Access Cabs System*. (November 2001). See [www.adelaidemetro.com.au/pdfs/AccessCab.pdf](http://www.adelaidemetro.com.au/pdfs/AccessCab.pdf)

reduced and that a user should never have to be left waiting for two hours or more. It stated that it would be more practical for the Disability Standards to take a line similar to this rather than requiring WATs and conventional taxis to have the same response times. An added complication is that the Standards place the responsibility for achieving the same response times on radio networks and taxi co-operatives. In some jurisdictions up to 60 per cent of WAT bookings are believed to be direct between the customer and the driver. Consequently it is not clear how response times can be compared unless direct bookings with drivers are not permitted.

The Government has recognised that the cost of purchase, modification and resale of WATs may be beyond the capacity of single operators to provide WAT services in low population/low patronage areas. This then raises the issue of whether the service is provided as a taxi service or a community service through government funding.

As identified, there are currently 72 WATs operating in metropolitan Adelaide, consisting of single WATS (flashcabs) and vans able to fit two or three wheelchairs plus passengers. Licences are permanent and cannot be leased but may be sold or transferred. The industry association has indicated that transfers of licences are averaging around \$35,000 per licence (with the price for conventional taxi plates is of the order of \$225,000).

The WAT service is operated through a CBS which is managed by a single operator. In March 2003, following an open tender process, Adelaide Independent Taxis, trading as Adelaide Access Taxis, became the service provider responsible for the management of the CBS.

WAT drivers must be in radio contact with CBS at all times and must comply with all requests from the CBS operator in relation to bookings. Drivers must provide a dedicated service to bookings made through CBS between 7.30am and 6.30pm daily and may be required to participate in a roster system 'to provide services within any 24 hour period'.<sup>60</sup> Operators also have to meet any quotas or other measures imposed by the CBS to ensure effective distribution and bookings to the disabled. When there is no demand for WAT services by people with disabilities, by agreement with CBS WATs may be rostered off and used in general taxi work. WATs temporarily out of services can be replaced by Standby Licences that are attached to a vehicle capable of carrying at least one wheelchair.

The SA Transport Subsidy Scheme (SATSS) provides subsidised taxi transport for disabled people. Those confined to a wheelchair, or other motorised mobility aids, receive a 75% subsidy up to a maximum of \$22.50 per trip. Wheelchair confined members of SATSS are also eligible for access to two other schemes which provide additional vouchers. The Journey to Work Scheme provide a 75% subsidy for the first \$30 for each trip, while the Tertiary Education Assistance Scheme provides subsidised travel to and from tertiary courses as approved by educational institutions of 100% for the first \$30 for these trips.

WAT operators are required to participate in the SATSS. There is no lift fee for WAT hirings. However there is a provision for an 'on time' bonus. Introduced in

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<sup>60</sup> See page 22 of footnote 42.

December 2002, if the taxi arrives within 30 minutes and 59 seconds, the Department of Transport, Energy and Infrastructure pays a bonus of \$5 to the driver. The wheelchair passenger and the dispatch company must both be part of the scheme for the bonus to be payable. In addition, for jobs completed within 15 minutes and 59 seconds the CBS receives \$1 and for jobs completed within 30 minutes and 59 seconds the CBS receives 50 cents. Jobs must have a booking number made through the CBS to receive the time bonus.

While monetary incentives are currently offered to pick up disabled passengers in a timely manner, as is the case in other jurisdictions, there is no guarantee that these incentives will guarantee equal response times between conventional taxis and WATs by the end of 2007. It would appear that financial incentives will need to be increased to achieve this.

#### **4.8 Australian Capital Territory**

In the Australian Capital Territory (ACT) the Minister determines the quantities for taxi licences under the ACT's Road Transport (Public Passenger Services) Act. The ACT conducted two reviews to address NCP issues, one in 2000 by the Freehills Regulatory Group and a second in 2002 by the Independent Competition and Regulatory Commission. Both reviews recommended deregulation of entry to the taxi and hire car industry.

The Government announced reforms for the taxi and hire car industry in late 2002. While entry was not deregulated it was proposed to introduce an additional 5 per cent of taxi licences each year, subject to a reserve price set at 90 per cent of the market value. If the average price at auction was more than 95 per cent of the market value then a further 5 percent of licences would be released, up to a maximum of 10 per cent of the current fleet in any one year. The relevant legislation was introduced into the Legislative Assembly (in June 2003) who referred it to an ACT Government Standing Committee for consideration.

In the case of WATs, this Standing Committee recommended that;

- The WAT fleet meet its obligations under the DDA to provide equivalent services for all wheelchair users by 31 December 2007.
- The WATs be assigned to the ACTION (the ACT bus) network, that the despatch of the WATs be controlled by ACTION, and that WATs be regularly used on low patronage bus routes to be assigned by ACTION, as well as undertaking their normal special purpose WAT services.
- The Government use the transfer of the WATs to the ACTION network to establish conditions that will attract a second network provider to the ACT for standard cabs.

With the exception of the first recommendation relating to the DDA requirements, none of the Standing Committee recommendations relating to WATs were adopted by the Government, although entry into the hire car market was deregulated with the Government arguing that this would provide a higher level of competition for the taxi industry.

In May 2000 the ACT Government released the *Action Plan for Accessible Public Transport in the ACT*. This plan was updated in 2004.<sup>61</sup> Twenty issues identified in the 2000 Action Plan in the case of taxis were addressed in the updated plan, giving progress to date (2003) and objectives/actions for the period 2004 – 2007. These are summarised on pages 37 – 48 of the updated plan.

Up to December 1999 the ACT had a fleet of 6 WATs. In December 1999 a further 10 WAT licences were released, with a further 10 released in December 2000. This resulted in a WAT fleet of 26 of a total fleet of 243 (10.7%). Since then a number of WAT licences have been returned to the Government, currently there are 16 WATs in service in the ACT, with four having been surrendered.

WAT licences are non-transferable, leased licences issued by the Government and which have a duration of six years. The lease fee is \$1,000 per year, while conventional taxi plates sell for around \$270,000. The WAT licence permits the licensee/operator to carry out conventional taxi hirings but priority must be given to wheelchair hirings. WATs are also required to be able to carry two wheelchairs.

In the ACT a Taxi Subsidy Scheme (TSS) is available for those people with a severe disability that prevents them from using public transport. The TSS provides a subsidy towards the cost of taxi transport. Approved wheelchair dependent TSS recipients receive a 75 per cent subsidy of up to \$26 per trip. They also have the loading and unloading portion of the fare funded for by the Government through the payment of a lift fee which is currently \$10.

In its 2006-2007 budget the ACT Government announced the extension of the \$10 lift fee for drivers of WATs. From 1 August 2006 the lift fee payment will be made for all wheelchair hirings recorded with the taxi network. Previously this fee was only paid to those who had access to TSS vouchers. While it has been stipulated that the lift fee is only paid to hirings made through the network, there is anecdotal evidence to indicate that the fee is being paid for private bookings.

In March 2005 the Minister for Urban Services formed a reference group to provide recommendations to improve services provided by WATs. The main issues considered by the Reference Group were;

- The timeliness and reliability of WAT services;
- Viability of WAT operators and the incomes of WAT drivers;
- Access to WAT services;
- Safety and comfort of WAT passengers; and
- Customer service.

In its report<sup>62</sup> the reference group concluded that implementing 'micro-management' of the WAT fleet was the primary step to improve timeliness and reliability of WAT services, and the viability of WAT operators. The report made 39 recommendations which related to general micro-management of the WAT fleet (10 recommendations),

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<sup>61</sup> See [www.transport.act.gov.au/\\_data/assets/file/a4497/updatedplan.rtf](http://www.transport.act.gov.au/_data/assets/file/a4497/updatedplan.rtf)

<sup>62</sup> *Wheelchair Accessible Taxis reference Group Report*. (September 2005). ACT Department of Urban Services. [www.transport.act.gov.au/\\_data/assets/word\\_doc/14474/watrefgroup.doc](http://www.transport.act.gov.au/_data/assets/word_doc/14474/watrefgroup.doc)

certainty and continuity for WAT operators (4 recommendations), efficient micro-management (2 recommendations), prioritisation of wheelchair hirings (1 recommendation), stability and viability of the micro-managed fleet (3 recommendations), timeliness, reliability and viability of WAT services (2 recommendations), safety and comfort (3 recommendations), support expected from WAT drivers (3 recommendations), customer service (5 recommendations), the taxi subsidy scheme (2 recommendations), and issues relating to the implementation of the micro-management to ensure its success (4 recommendations). All these recommendations have been accepted by the Government and work has commenced to implement them.

An recent (undated) report by the Human Rights and Equal Opportunity Commission<sup>63</sup> stated that only 40 per cent of WAT bookings were received through the network. The remainder were privately booked direct with an operator. It also indicated that reports from users of private bookings indicate shorter waiting times than network bookings. This causes a real problem in that private bookings make the task of micro-managing hirings more complex and distorts overall response time data.

The ACT has established performance standards for response times for WATs and other taxis for peak and off-peak periods. With such a large estimated percentage of private bookings not going through the network it is hard to place much weight on statistics relating to waiting times for WATs, given the data are based on network booking data.

The 2006 Taxi customer survey indicated that overall satisfaction with WAT services has improved. The level is at 53% compared with that of conventional taxis at 67%. The HEORC report<sup>63</sup> states that the satisfaction with response times for hirings for wheelchair-bound passengers has increased from 28% in 2005 to 57% in 2006.

The taxi network in the ACT is aware of the Disability Standards response time requirements which are to come into effect at the end of 2007 and that the network will be liable under the legislation for failure to achieve this requirement. This will be difficult to assess, given that it is currently estimated that only 40% of WAT bookings are made through the network. If the Government enforced its requirement that lift fees will only be paid to WAT bookings made through the network this percentage would be expected to improve.

## **5. Summary of WAT Incentives in States/Territories**

Table 8 gives presents a summary of the incentives offered to WAT drivers/operators in the different states/territories.<sup>64</sup>

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<sup>63</sup> See [www.hreoc.gov.au/disability\\_rights/transport/Rpt%20ACT%20DDA.doc](http://www.hreoc.gov.au/disability_rights/transport/Rpt%20ACT%20DDA.doc)

<sup>64</sup> Much of this information appeared in the reference in footnote 62.



**Table 8: Summary of WAT Incentives in Australian States/Territories**

<b>State/ Territory</b>	<b>Lift Fee/Bonus</b>	<b>Maximum age of vehicle</b>	<b>Discounted WAT leases</b>	<b>Price of perpetual WAT licences</b>	<b>High- Occupancy tariff may be applied</b>	<b>Other Incentives</b>
ACT	\$10*	10 years (WATs), 8 years (standard)	\$1000/yr.	-	Higher tariff when carrying 6+ passengers	-
New South Wales	-	10 years (WATs), 8 years (standard country), 6 years (standard metro).	\$1000/yr (metro), free in country areas.	-	-	Loan scheme to purchase country taxis. Funding for additional training for WAT drivers.
Victoria	\$10, of which at least \$6.70 must go to driver	10.5 years (WATs), 6.5 years (standard metro taxis)	Country WATs leased at 50% discount to standard country taxis	Metro WAT licences trade at a discount on the open market	Higher tariff when carrying 6+ passengers	Networks may offer a \$1/km dead- running payment for WAT jobs**
South Australia	On-time bonus of \$5 to drivers for bookings within 31 mins.	8 or 10 years for WATs, as opposed to 6.5 years for conventional taxis	-	WAT licences trade at a discount on the open market	-	Direct payment to WAT networks. On-time bonus (\$0.50 to \$1) paid to networks
Tasmania	\$10-16 depending on region	10 years (WATs), 8 years (standard)	Free 10 year non- assignable, transferable licences	-	Higher tariff when carrying 5+ passengers	Higher WAT tariff for wheelchair bookings
Western Australia	-	10 years (WATs), 8 years (standard)	\$100/wk (WATs), \$250/wk (standard)	-	-	Pays the training costs of up to 10 WAT drivers
Northern Territory	-	8 years (WATs), 6 years (standard)	50% concession on WAT lease fee to standard lease fee	-	-	-
Queensland	-	8 years (WATs), 6 years (standard)	-	WAT licences trade at a discount on the open market***	Surcharge may be applied when pre- booked	-

\*From 1 August 2006 the lift fee has been extended from those eligible for membership of the taxi subsidy scheme to include all wheelchair dependent WAT users.

**\*\***The Victorian Government is to allocate \$3m to establish a vehicle purchase subsidy scheme in the country. The initiative is intended to equalise the purchase cost of WATs compared to conventional taxis and will be available to operators in towns who do not currently have a WAT. The subsidy will be means tested.

**\*\*\***In the recent election campaign the premier promised \$4.5m to provide WAT taxis in 72 small communities that currently had a taxi service, but not a WAT. This will be achieved by replacing a conventional taxi with a WAT and converting the conventional licence to a wheelchair licence at no cost.

## **6. Scooters**

As is the case of the wheelchair dependent, the impact of the ageing population will result in an increased demand for electric or motorised scooters and the need to transport them in a similar manner to wheelchairs. This review has identified that to date the transporting of scooters, in many jurisdictions, is treated quite differently with respect to eligibility for taxi subsidies. In Western Australia scooters may be treated in the same way as wheelchairs for the purpose of the taxi subsidy scheme, while in Tasmania some taxi operators consider passengers in a scooter as 'wheelchair reliant' and stamp their voucher, enabling them to receive a 60% subsidy.

There are also issues relating to the size and weight of scooters, as well as problems with the anchoring of scooters in taxis due to a lack of fixing points for scooters.

These, and related, problems have been recognised by the Accessible Public Transport National Advisory Committee (APTNAAC) who have set up a sub-group, the National Scooter Policy Working Group, which is to consider the development of a national policy on the carriage of mobility scooters in WATs. The main issues to be considered include those relating to the ability to safely anchor/restrain the mobility scooter in an accessible taxi, and the requirement for passengers to transfer from their scooter to a fixed seat in the WAT (instead of remaining seated on the mobility scooter) during transit. During the sub-group's deliberations a number of further issues have evolved which may lead to APTNAAC broadening the range of issues to be considered. It is expected that APTNAAC will develop a national policy on the carriage of scooters in taxis, for adoption by the relevant authorities.

## **7. Conclusion**

This review has highlighted the current state of the market with respect to the transport needs of the wheelchair dependent from the point of view of taxi services. As has been identified, in the case of overseas countries there are significant differences in addressing the needs of the wheelchair dependent. In addition there can also be significant differences within countries, as is demonstrated in the case of the US.

The UK could be regarded as being well advanced in responding to the needs of the disabled, including the wheelchair dependent. The standards associated with its 1995 Disability Discrimination Act require that all taxis in the UK (excluding licensing authority areas with populations less than 120,000) must be wheelchair accessible by 2020. That is, the UK has introduced through legislation the adoption of a universal taxi. However the London black cab which has been accepted as a universal taxi

design do not meet Australian Disability standards requirements with respect to door entry and height requirements. This universal taxi approach eliminates issues relating to equal response times between conventional and wheelchair accessible taxis, an issue which is currently being addressed by jurisdictions in Australia.

Within Australia the taxi industry, including WATs, has undergone a significant transformation as a result of the introduction of the National Competition Policy legislation in the mid 1990's, a major Human Rights and Equal Opportunity Commission review into WATs in 2001-02, and the impact of the 2002 Disability Standards associated with the 1992 Commonwealth Disability Discrimination Act.

In addition to legislative changes, the dramatic change in the demographic profile of the Australian population, as a result of the impact of the post war baby boomers moving into retirement, will affect the demand for WATs. Government policy to keep older people living in their familiar home environment for as long as possible has also been identified as an issue which will impact on the WAT industry.

The review has analysed the current position in each state/territory, and outlines how each jurisdiction is addressing the WAT related issues. Incentives offered by the different jurisdictions to assist in addressing the issues have been summarised in Table 8.

In implementing the Disability Standards the industry will face a real challenge. These Standards place physical requirements on the vehicles to be used as WATs, as well as requiring response times for conventional taxis and WATs to be the same by the end of 2007. If the response time requirement is not met, radio networks and co-operatives will be held liable.

The specification that the radio networks and co-operatives be held responsible for any failure to meet response time requirements raises an interesting issue which will undoubtedly lead to significant legal debate. In the case of networks they are most often a booking service which has no effective control over whether or not drivers pick up a customer within a specified time period. In the ACT for example, the taxi operators are all small businesses who pay a monthly fee for the network service and taxi drivers are small business people who bail or hire a taxi for the purpose of plying for hire at their discretion (although subject to any conditions associated with the taxi licence).

It may then be debatable as to who can or should be held responsible for a WAT service that fails to be delivered with an equal response time to an equivalent conventional taxi service, is it the network, the operator, the WAT driver who arrived late, any WAT drivers who refused or would not accept the job, or indeed the government agency responsible for the regulation of the number of WAT and conventional taxi licences? These are issues which the industry will have to address prior to the end of 2007 when the disability standard with respect to response times comes into effect.

In comparing response times between WATs and conventional taxis, this would appear to be extremely difficult to achieve unless all bookings were directed through networks. Private arrangements can account for the bulk of the WAT bookings in

some jurisdictions and it can be expected that response times in the case of private bookings are shorter than through the network. (For example it is estimated that only 40% of the WAT bookings in the ACT are directed through the network.) Unless all WAT bookings are directed through networks it is not obvious how WAT response times will be compared to conventional taxi response times.

One way might be for additional payments, such as lift fees, or subsidised fares, to be paid only to WAT bookings made through the network. This would then have the effect of directing WAT bookings to networks after which more accurate response times could be compared.

It is clear that the demand for WATs is going to increase quite dramatically into the future particularly as a result of the demographic shift to a more ageing population. Given the government policy of aiming to keep the aged living in their home environment for as long as possible, and the associated implications of that, it is clear that governments are going to have to change their policies with respect to giving more financial support to the WAT industry. There is ample evidence in many jurisdictions that a government's expectations with respect to the servicing the needs of the wheelchair dependent, will require a significant input of funding into the future to make WAT operations financially viable.

Governments are prepared to heavily subsidise mass transit forms of public transport (buses and trains) but in many jurisdictions appear reluctant to make a commitment to subsidise the transport needs of the wheelchair dependent to a level required to make them financially viable. This is clearly demonstrated by the fact that of the 26 WAT licences which have been issued in the ACT, only 16 are currently in service, with 4 having been handed back to the government because they weren't financially viable. This is so even though there is still a significant difference between WAT and conventional taxi response times in the ACT. In September 2006 all conventional taxi benchmarks set by the relevant ACT Government Department had been met, while the taxi service for disabled people had failed to meet any accreditation benchmarks in that month. This clearly illustrates that increasing the number of WATs is not the solution. Other measures must be found to make them financially viable and to enable them to meet the response time requirements of the Disability Standards by the end of 2007.

What has emerged from this is that governments must be prepared to work closely with the taxi industry in each jurisdiction to ensure that the public who are wheelchair dependent are well served both now and into the future. This would be expected to require a significant injection of further funds by individual governments to achieve the goals set by reviews of the past, and the (associated) legislative requirements.

## **8. Acknowledgements**

In the preparation of this report the author had contact, both by phone and e-mail, with a number of state/territory representatives of the Australian Taxi Industry Association. These discussions and the information supplied proved invaluable in the production of the final report. Their assistance and the supply of information in a timely manner was greatly appreciated. Finally the author would like to thank Blair

Davies, the Executive Director of the ATIA and CEO of the Taxi Council of Queensland, for his valuable advice on many issues relating to the background research resulted in the production of this report.

## It's easy to provide good service to customers with disabilities; just follow these tips on communication and assistance:

### 1 Communicating with Customers with Disabilities

Proper communication with people with disabilities follows the basic rules of customer service and good manners. It is important to emphasize the person, not the disability, and to use words that accurately portray an individual person or situation. For example, say "person who uses a wheelchair" instead of "wheelchair user." Use "person who is deaf or hard of hearing" rather than "deaf person" or "hearing impaired" and "seniors" or "older adults" in place of "elderly," etc. To be best prepared to communicate with your customers, it's smart to always have a pad of paper and a pen available.

### 2 Communicating with Customers who are Deaf or Hard of Hearing

- Face the customer when speaking to them, and don't let objects obstruct their view.
- Speak clearly. It is not necessary to raise your voice when speaking to a customer with a hearing impairment. Raising your voice distorts your lip movement and makes lip reading difficult.
- If you are picking up a passenger with a hearing impairment, you may need to knock on their door or use their accessible doorbell to let them know of your arrival.

### 3 General Guidelines for Serving Customers with Disabilities

- Treat customers with disabilities as you would like to be treated.
- Take the time to identify the customer's needs and determine how best to serve them when you first meet.
- Never make assumptions about your customer's physical or mental abilities.
- Customers with similar disabilities often have different needs to make independent travel possible.
- Ask customers with disabilities if they need assistance. Don't automatically assume they do.
- Do not touch a customer without his/her permission.
- Speak directly to customers with disabilities, not their companions.
- Speak clearly with a normal tone and speed, unless the customer requests otherwise.
- If you are asked to repeat or write what you said, do so calmly and pleasantly.
- Smile, listen, and show respect. Be friendly and courteous.
- Talk to customers at their eye level. It may be appropriate to sit when having a long conversation with a person using a wheelchair.
- Give customers with disabilities the same information and choices that you give other customers.
- Solve problems in a professional manner.

### 4 Serving Customers Who Use Wheelchairs

- People who use wheelchairs are easy to accommodate - don't pass up the fare!
- Ask the customers how you can assist them. The customers know what works best for them and must be able to manage their transfer to the passenger compartment of the taxi.
- Wheelchairs, walkers, canes, and other mobility aids are part of the customer's personal space. Do not hold or lean on them without the customer's permission.
- Wheelchair and other mobility aids are individualised. Do not make assumptions about how they operate or store.
- Whenever possible, mobility aids such as canes and walkers should travel in the customer compartment of the taxi. Wheelchairs and other large devices can be stored in the boot (trunk).
- Drivers of Wheelchair Accessible Taxis must ensure that they safely operate hoists or ramps as fitted (e.g. comply with the 300 kg weight limit on these devices), secure wheelchairs or scooters using the approved tie-down facilities prior to travel, and provide assistance to passengers as required to fit seat belts.
- Under Australian laws, passengers are currently not allowed to remain seated in a scooter while the taxi is moving. Large (motorised) wheelchairs and scooters must be able to fit into a maximum space of 1300mm by 800mm and must be fitted with secure anchorage points.

### 5 Serving Customers Who Use Service Animals

- Service animals are highly trained and allowed by law to ride in the customer compartments of taxis.
- People with various types of disabilities use service animals. Guide Dogs are the most common service animals, but other animals may help people with disabilities.
- Some, but not all, service animals wear identification like a tag, vest, or special harness. If you are not sure that the animal is a service animal, ask. Certification or identification is not required for the animal.
- The owner must stay with the service animal and keep it under control at all times.
- Never touch or talk to the service animal - it is working!

### 6 Serving Customers with Visual Disabilities

- Identify yourself, and use the customer's name if you know it.
- Respond verbally when the customer gives you information, so that he/she will know that you have heard them.
- Ask the customer what type of assistance is needed and how you can best provide it.
- When giving the customer their change, count out aloud, and identify the denomination of the notes.
- Give specific directions to help the customer safely reach their destination. Say "turn right," or "turn left to reach the front door." Ask if further assistance is needed.

## Serving Customers with Disabilities is Smart Business

## Acknowledgments

The Australian Taxi Industry Association wishes to thank the following individuals and organisations for their information and support for this project.

- Easter Seals Project ACTION
- NSW Taxi Council
- Victorian Taxi Association
- The Taxi Council of Queensland
- Taxi Council of Western Australia Inc.
- Taxi Council South Australia
- Canberra Taxi Proprietors Association
- The Taxi Council of the Northern Territory

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## Rights & Responsibilities of Drivers and Customers:

The law protects both customers with disabilities and taxi drivers, and each has their own set of rights and responsibilities. While these standards ensure safe and fair treatment for customers and drivers, they are also a formula for good service!

### DRIVERS MUST:

- Provide transportation to any person with a disability.
- Offer assistance to passengers if requested (not to include actual lifting).
- Serve customers with disabilities travelling alone and only use the assistance of family members, companions, or medical/public safety personnel if the customer requests or agrees to help from such persons.
- Give the same reservation services to customers with disabilities as are available to other customers.
- Not deny service to a customer with a disability solely because the disability results in appearance or involuntary behaviour that may offend, annoy, or inconvenience the driver.

### CUSTOMERS WITH DISABILITIES MUST:

- Know whether or not they can use a conventional taxi vehicle. Not all taxis can accommodate large, heavy or bulky mobility aids.
- Tell drivers if they need help and explain what assistance they need.
- Control their service animals at all times.
- Know their destination.
- Pay their fare.
- Know what works best for them and manage their transfer from their mobility aid to the passenger compartment of the taxi (unless travelling in a Wheelchair Accessible Taxi).

## Disability Discrimination Act 1992 (DDA)

The Disability Discrimination Act 1992 serves to eliminate discrimination against persons on the ground of disability in the areas of work, accommodation, education, access to premises, clubs and sport; and the provision of goods, facilities, services and land; and to ensure, as far as practicable, that persons with disabilities have the same rights to equality before the law as the rest of the community.



The Australian Taxi Industry  
providing accessible transport  
services for our communities

# Taxi Pocket Guide

Serving Customers with  
Disabilities is Smart Business!

### Inside, You'll Learn About:

- 1 Communicating with Customers with Disabilities
- 2 Communicating with Customers who are Deaf or Hard of Hearing
- 3 Serving Customers with Disabilities
- 4 Serving Customers Who Use Wheelchairs
- 5 Serving Customers Who Use Service Animals
- 6 Serving Customers With Visual Disabilities

Approximately four million people in Australia today live with disabilities. These people have jobs, families, classes, meetings, travel plans, and other activities that keep them on the move, and they need transportation, including taxis, to help them get where they're going! Think about it: 4,000,000 fares just waiting to give you their business...

Smart business people make it their goal to meet or exceed customers' expectations. Your customers, including those with disabilities, want and expect good and safe service. If you treat persons with disabilities with courtesy and respect you will gain:

- loyal customers
- repeat business
- referrals & additional business
- increased revenue
- recognition and reward
- personal satisfaction

## **APTNAC Agenda Item No.6**

**Title:** Mobility Aids and Carriage in Wheelchair Accessible Taxis - Towards a National Approach

**Prepared by:** National Scooter Policy Working Group

**Date of paper:** January 2007

**Time required for discussion at meeting:** 60 minutes

**Purpose of paper:** The approval of the development of a National Standard for the safe carriage of mobility aids in wheelchair accessible taxis.

**Background:** The National Scooter Policy Working Group was tasked by APTNAC to consider the development of a national policy on the carriage of mobility scooters in wheelchair accessible taxis (WAT).

This working group originally proceeded on the basis that its task was to draft a national policy to achieve a consistent approach in this area. It was intended that there be no change to the position regarding wheelchair users (manual and electric) which allows a wheelchair user to remain in their wheelchair during transit in an accessible taxi.

It later became apparent, on rehabilitation engineering advice, that not all mobility scooters may be unsafe or unsuitable for allowing the user to remain in the device whilst in transit and, moreover, that sufficient information to justify an arbitrary prohibition of the type originally contemplated is not currently before the working group.

In the Mini Issues Paper presented to the August 2006 APTNAC / APTJC meetings, APTNAC was asked to further define the group's scope of work. It was agreed that the Group would consider the carriage of both wheelchairs and mobility scooters in WATs only, and not other vehicles (for example, buses). Since the last meeting in Alice Springs the group met and prepared the attached report.

**Proposal:** To employ a part-time Project Officer to work on issues arising from the National Scooter Policy Working Group.

**Action required:**

- Approve the recommendations of the report aimed at the development of an Australian Standard for the Carriage, suitability and restraint of Mobility Aids in accessible vehicles;.
- Through the APTG, seek agreement from all jurisdictions to fund a part-time Project Officer to provide additional resources to the National Scooter Policy Working Group;
- Investigate the feasibility of developing a certification (and labelling) regime to support comprehensive Australian Standards development (or ISO 7176 adoption) in this area.



## **MOBILITY AIDS AND CARRIAGE IN WHEELCHAIR ACCESSIBLE TAXIS - TOWARDS A NATIONAL APPROACH**

### **Background**

The National Scooter Policy Working Group is a sub-group of the Accessible Public Transport National Advisory Committee (APTNAC). The sub-group was tasked by APTNAC to consider the development of a national policy on the carriage of mobility scooters in wheelchair accessible taxis (WAT).

The sub-group comprises representatives from Commonwealth Department of Transport and Regional Services, Queensland Transport, Queensland Health, the Australian Taxi Industry Association, and Australian Federation of Disability Organisations.

Safety concerns relating to the carriage of persons who remain seated in mobility aids in transit were identified during the production of the APTNAC information pamphlet "Safer Travel for Passengers Using Mobility Aids on Public Transport". The pamphlet states that people should transfer to a seat in a taxi if required by the transport operator or provider.

Primarily, the safety issues can be divided into two, overlapping, categories:

- Issues relating to the ability to restrain the mobility scooter in an accessible taxi; and
- Issues relating to the restraint of a passenger seated in a mobility scooter during transit.

Currently, a number of jurisdictions including Victoria, Queensland, Western Australia and the Australian Capital Territory require that mobility scooter users must transfer out of the scooter and onto a vehicle seat prior to the journey commencing. Information regarding the position in each jurisdiction is provided in Attachment 1.

This working group originally proceeded on the basis that its task was to draft a national policy to achieve a consistent approach in this area. It was intended that there be no

change to the position regarding wheelchair users (manual and electric) which allows a wheelchair user to remain in their wheelchair during transit in an accessible taxi.

It later became apparent, on rehabilitation engineering advice, that not all mobility scooters may be unsafe or unsuitable for allowing the user to remain in the device whilst in transit and, moreover, that sufficient information to justify an arbitrary prohibition of the type originally contemplated is not currently before the working group.

In the Mini Issues Paper presented to the August 2006 APTNAC / APTJC meetings, APTNAC was asked to further define the group's scope of work. It was agreed that the Group would consider the carriage of both wheelchairs and mobility scooters in WATs only, and not other vehicles (for example, buses).

### **Current Situation**

A summary of the jurisdictional differences as they relate to the carriage of mobility aids in Australian taxis is provided in Attachment 1.

Currently, there is an Australian Standard (AS 3696) which covers a number of aspects relating to the design and construction of wheelchairs (manual or electrically powered) or mobility scooters.

Internationally there also exists an International Standard (ISO) for wheelchairs and scooters.

There is no corresponding Australian Standard for mobility scooters.

Regarding the restraint of mobility aids in vehicles, Australian Standard AS 2942 – 1994 Wheelchair Occupant Restraint Assemblies for Motor Vehicles is relevant. The Standard covers:

- Wheelchair restraints;
- Occupant restraints;
- Wheelchair locations in the vehicle;
- Clear space around a wheelchair; and
- Installation instructions.

There is also an ISO relevant to the restraint only of wheelchairs in accessible vehicles.

### **Drivers for Reform**

There are a number of drivers for reform in this area, including:

- Addressing perceived inequalities in treatment of wheelchair and mobility scooter users, particularly if mobility scooter users are required to transfer onto a vehicular seat and the person has difficulty doing so.
- Ensuring decisions as to what mobility aids are carried in WATS – and whether users can remain seated in the device during transit – are made on relevant safety grounds, and are not imposed arbitrarily;
- The desirability of achieving uniformity in approach to these issues between jurisdictions – a national approach is needed;
- The need to provide certainty to the taxi industry, to:
  - make it easier to identify mobility aids suitable for carriage;
  - assist in taxi companies meeting response time requirements, as provided in the *Disability Standards for Accessible Public Transport 2002*;
  - provide a clear, government mandated, basis for any refusal to carry unsuitable mobility aids.
- Providing certainty to mobility aid users and purchasers of new mobility aids, as to the device's suitability for use in WATs (especially regarding device dimensions and weight specifications of *Disability Standards for Accessible Public Transport 2002*).

### **Issues Relating to the Restraint of Mobility Aids in WATs**

AS 2942 does not specify strength requirements for wheelchair structures or for vehicle structures used to anchor the wheelchair occupant restraint assemblies, nor does it specifically apply to mobility scooters. Research of international standards has however, confirmed that ISO 10542 and ISO 7176 do address the construction and restraint of wheelchairs and scooters for in-vehicle use. While further review of these standards is required, it appears that they may adequately fill the current gap in the Australian Standards.

When considering scooters generally, most mobility scooters in Australia are not specifically designed for vehicular travel. Due to their design features, mobility scooters are more difficult to restrain in vehicles than wheelchairs. Mobility scooters often have a three wheel configuration, the majority of which also lack defined tie-down points. The strength of the mobility aid itself is also a crucial determinant of its safety for the user in the event of an incident.

### **Issues Relating to the Restraint of Passengers in WATs**

In Victoria, Queensland, Western Australia and the Australian Capital Territory, all mobility scooter users are required to dismount from their scooter and sit in a passenger's seat. This is based on the assumption that transit in a vehicle whilst seated on a mobility scooter is less safe than transit in a vehicle whilst seated in a wheelchair. This may however, be based more on intuitive reasoning than scientific evidence.

There are currently no recognised standards or certification system addressing the suitability of wheelchairs or mobility scooters as vehicle seating. It should be noted that AS 2942 recommends that occupants of wheelchairs should transfer to passenger seats in vehicles and use the seat belts provided whenever that is practicable

### *Key Factors when considering vehicular carriage of scooters*

- Restraint Geometry;
- Head and Back Restraint;
- Vehicle Anchorages;
- Occupant Space;
- Rear facing or forward facing mobility aids.

### *Transfer Issue*

Many people with a disability would experience difficulty (some great difficulty), if they were required to transfer from a wheelchair or a scooter to a passenger seat. Furthermore, workplace health and safety considerations impose significant

limitations on the level of assistance a taxi driver may render to help a passenger transfer.

### **Primary Issues for Resolution**

- The key elements of, and minimum criteria for, the safe securing of mobility scooters;
- The minimum standard (from a transport safety perspective) that mobility scooters and wheelchairs must meet to allow importation into Australia;
- The implications of the differing designs of many wheelchairs and mobility scooters and the safety issues presented by different configurations in a WAT; and
- The rights, responsibilities and liabilities of taxi drivers, passengers using mobility aids in taxis and manufacturers and importers of mobility aids during carriage in a WAT.

The Report of Wheelchair Accessible Taxi Inquiry (Human Rights and Equal Opportunity Commission, March 2002) states that:

*"there is a clear need for better consumer information on compatibility of mobility aids with public transport vehicles...While most regulators have expressed support for a certification process, a viable means of achieving this or who should be responsible has yet to be identified. Pending this, industry and passengers remain exposed to considerable uncertainty.*

*In particular, submissions raise various views regarding carriage of passengers riding on "scooters" in taxis. HREOC's understanding from transport regulators is that most scooters and passengers riding on them simply cannot be safely secured in a taxi. If a person and their equipment cannot be carried consistent with safety obligations there is no discrimination in refusing to carry them (or at least requiring them to transfer)".*

## Issues for Mobility Aid Users

In the absence of simple and understandable specifications and guidelines, mobility aid users are unable to make an informed choice when:

- purchasing a mobility aid that can be safely secured in a wheel chair accessible taxi; and
- determining the risk of remaining in /on the mobility aid whilst the vehicle is travelling.

The Report of the Wheelchair Accessible Taxi Inquiry (Human Rights and Equal Opportunity Commission, March 2002) noted that evidence to the inquiry highlighted that because of the nature of their disability, a person may have no real choice about the design of the mobility aid used:

*"In other cases, however, compatibility of taxi and mobility aid may rather be a matter for wheelchair users to consider in selecting an appropriate mobility aid. It cannot be assumed that, in order to achieve compatibility between a public transport vehicle and one of the great varieties of wheelchair designs in use, it is always the public transport vehicle which can and should change."*

Issues for mobility aid users include:

- Purchasing a mobility aid that cannot fit in a WAT;
- Purchasing a mobility aid that cannot be safely secured in a WAT;
- Not being informed that the safest method of carriage is a passenger seat with headrest and approved restraint;
- If the person cannot transfer to a passenger seat, not having any data on the structural ability of the mobility aid to withstand a defined level of impact without collapsing and causing injury; and
- Using an occupant restraint unsuitable for a mobility scooter (there is an Australian Standard for a wheelchair occupant restraint only).

One area of difficulty is the expression in AS 2942 that:

*"It is recognised that a wheelchair that best serves the overall needs of its owner may not be ideal for restraint in motor vehicles, and that prohibiting the use of such wheelchairs in a vehicle is not practical despite some additional risk of injury".*

The difficulty with this approach is that the injury may not just involve the occupant of the wheelchair – a wheelchair unable to be effectively restrained may cause trauma to another person. Furthermore, the taxi driver is placed in the position of assessing on a case by case basis whether the mobility aid or the occupant is "safe enough" for carriage.

One option would be to provide a period of "grace" for the carriage of non-compliant models after an Australian Standard is developed and introduced. After that period has expired, only mobility aids certified as compliant with the Standards should be carried in a WAT.

### **Implications for the Taxi Industry**

While there is a lack of consistency in design specifications for tie down points for mobility aids, and uncertainty remains about where a mobility aid user should travel in the vehicle, it is difficult for taxi drivers to:

- interact with the public in a consistent manner regarding the safe carriage of mobility aids;
- be clear about safe procedures for securing mobility aids;
- be confident about indicating to the person the desirability of transferring to a passenger seat; and
- complete wheelchair and mobility scooter jobs in the most efficient time.

Another industry issue relates to insurance matters and the carriage of mobility aids in a potentially unsafe manner in vehicles. This issue is exacerbated where a person remains seated on a mobility scooter within the vehicle – particularly given the Human Rights and Equal Opportunities recommendation that the safest form of travel is to transfer to a seat within the vehicle and utilise a seat belt.

**The footprint and weight of the mobility aid and user is also an issue for industry as it is sometimes difficult to gauge conformity with the Transport Standards' minimum requirement given the absence of a certification system and the many different types of mobility aids on the market (with many imported).**

An emerging issue is a change in the composition of the taxi fleet. This is due to a growing preference for the use of single wheelchair vehicles as taxis. This trend could have implications for the actual carriage of mobility scooters, due to the smaller size of single wheelchair WATs as compared to double wheelchair WATs and associated difficulty for some occupants to transfer to a passenger seat. There is a need for consideration of the implications of this emerging trend on the national level, as well as by the relevant jurisdictional DDA Reference Committees (where established).

## **Recommendations**

It is recommended that the National Scooter Policy Working Group:

1. Seek the development of comprehensive Australian Standards for the:
  - Restraint of both wheelchairs and mobility scooters in accessible vehicles; and
  - Suitability of mobility aids for vehicular travel (including what types are suitable to allow the occupant to remain seated in the device whilst in transit).

As it has been previously noted, the initial review of ISO 10542 and ISO 7176 does indicate that these standards already address many areas of concern and could offer a solution to the standards issue for both wheelchairs and mobility scooters in accessible vehicles. Alignment of the Australian Standards to these international standards would have many advantages as most mobility scooters are imported. However, a full review of these standards and recommendations on their suitability is still considered necessary.



2. Investigate the feasibility of developing a certification (and labelling) regime to support comprehensive Australian Standards development (or ISO 7176 adoption) in this area.

The development of a certification system should consider issues surrounding those mobility aids in use and constructed prior to the implementation of the system (and were therefore built to potentially different strength and safety requirements). It should also consider whether any grace periods or exemptions (from all or part of the requirements) should apply.

3. Advise all jurisdictional regulators that there is no justification based on the research reviewed that generalisations can be made about all wheelchairs or all mobility scooters. This means that available research does not indicate that people travelling in wheelchairs are safer necessarily than people travelling on a mobility scooter in vehicles.
4. Advise the Taxi Industry to inform all passengers that the safest place to travel is in a vehicular passenger seat with a seat belt.
5. Reiterate to all regulators that the safest method of carriage remains the use of vehicular passenger seats and seat belts. All passengers travelling with mobility aids should be encouraged to transfer to vehicular passenger seats and use the seat belt provided whenever that is practicable.
6. APTNAC advise relevant jurisdictions to note and monitor changing trends with regard to the composition of their WAT fleets.
7. APTNAC provide additional resources to the National Scooter Policy Working Group to progress these recommendations. It is proposed that this resource would consist of a Project Officer located in one of the jurisdictions represented on APTNAC. It is further proposed that such a role would be funded by contributions from relevant stakeholders.

The Project Officer's responsibilities would include:

- Scope and develop a project plan for work associated with the development of Australian Standard(s) or adoption of ISO 10542 and ISO 7176);
- Source and manage the various technical expertise necessary to effectively represent the National Scooter Policy Working Group 's positions;
- Scope and develop a project plan for the development of a certification system;
- Scope and develop a project plan for the implementation of the certification system including a phasing in period; and
- Develop a project plan for the marketing of any changes to existing practice and a strategy to develop understanding and acceptance of the requirements.

All project plans would be endorsed by the National Scooter Policy Working Group and presented for approval by APTNAC. While it is anticipated that the Project Officer may not have the technical expertise to complete all the above actions, their role would involve the procurement and management of such expertise.

Estimated Cost: 0.5 of a person for 12 months (Including on-costs)  
\$70,000

Technical Expertise  
\$25,000

Operational Costs  
\$15,000

Travel  
\$10,000

**Total:**  
**\$120,000**

Contributions from the Commonwealth, and each State (6)  
and Territory (2) would be approximately  
\$14,000

Whilst it is not within the terms of reference of the National Scooter Policy Working Group to consider carriage of mobility aids on other forms of passenger transport, it

would be useful for APTNAC to note that the outcomes of work done by a dedicated project officer may inform other sub groups of APTNAC - including the 'Safe Carriage of Mobility Aids on Public Transport' working group – that are also considering and facing similar issues in relation to certification processes.

## Attachment 1

Jurisdiction	Wheelchair to be restrained	Scooter to be restrained	Supporting legislation
VIC	Yes *occupant may be restrained in wheelchair	Yes *occupant to transfer to a seat	No
TAS	No *must be able to be positioned centrally	No	No
NT	Yes *restraint systems must comply with AS2942 *occupant may be restrained in wheelchair	Not mentioned specifically	No
SA	Yes * no standard for type of restraint system	Not mentioned specifically	No
WA	Yes *restraint systems must comply with AS2942 *occupant may be restrained in wheelchair	Yes *occupant must transfer to a seat	No
NSW	Yes *restraint systems must comply with AS2942 *occupant may be restrained in wheelchair	Not mentioned specifically	Yes
ACT	Yes *occupant may be restrained in wheelchair	Yes *occupant must transfer to a seat	Yes
QLD	Yes *restraint systems must comply with AS2942 *occupant may be restrained in wheelchair – determined by transport operator	Yes *occupant must transfer to a seat	No



THE AUSTRALIAN NATIONAL UNIVERSITY

# **Issues Relating to Strategic Planning for the Australian Taxi Industry**

**by**

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**for the**

**Australian Taxi Industry Association**

**March 2006**

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## **Executive Summary**

The taxi industry in Australia has, by its very nature, been subjected to continual change, including changes implemented through legislation by governments responsible for regulating the industry. The industry itself has been successful in analysing and responding to the challenges and opportunities resulting from changes from these changes and responding to these in a manner aimed at protecting its members interests.

This report has identified opportunities and challenges for the Australian taxi industry into the future. Significant factors identified as having the potential to impact on the industry from the point of view of changing demand for taxi, and related, services include:

- rapid changes in communications and technology, both hardware and software,
- the increase in teleworking, teleconferencing and videoconferencing and the resultant impact on business travel,
- social changes, including the significant increase in two income working families, and the flow on effects on domestic tourism,
- international events including the (negative) impact of terrorism and the SARS outbreak, and the (positive) impact of the Sydney Olympics (2000) and the forthcoming Commonwealth games in Melbourne (2006),
- the impact of the post war 'baby boomers' moving into retirement and the expected changes in the types of demand for transport services resulting from the projected dramatic increase in the percentage of the population moving into the 65+ age group,
- the related impact of the future needs of the disabled,
- the impact of the introduction of new government policies/initiatives which affect the taxi industry.

From the nature of the changes which will be expected in the future, it is clear that the industry will need to be proactive and work closely with relevant agencies, recognising that the impact of these changes will vary between regions/jurisdictions. Many of the identified opportunities gives the taxi industry the potential to work together with private and public sector agencies to offer value added or premium services such as door through door services (as distinct from the basic door to door service).

## 1. Introduction

In 2004 the United States Taxicab, Limousine and Paratransit Association (TLPA) released an interim report<sup>1</sup> (based on research conducted by the Forbes Group) which was aimed at a study of TLPA members markets to identify issues important in formulating a strategic plan to increase the value the TLPA provides to its members.

This report will have similar aims to that of the TLPA report in that it will identify issues which will be expected to affect taxi services into the future in Australia. It will analyse these issues and identify potential changes which will form a basis for the Australian Taxi Industry Association (ATIA) to be pro-active in planning to capitalise on these expected changes in a manner which will benefit not only its members but its customers as well. While many of the issues affecting supply and demand for taxi services in Australia will be similar to those in many overseas markets, particularly at the macro level, there will be significant differences as a result of the different (local, state/territory and Federal government) conditions under which the Australian taxi industry must operate. What this report aims to do is to identify issues and factors that have the potential to significantly impact on the demand for, and supply of, taxi services into the future.

The identifying factors considered will be those which will affect the industry primarily at the macro-level, as distinct from the micro-level. Because of the diverse nature of the industry between states/territories and indeed regions within states/territories, local conditions would be expected to impact on different areas in different ways and will generally not be emphasised in this report.

The impact of economic, social, demographic and technological changes and how they will impact on today's customers with respect to their public transport needs into the future will be considered, as well as the impact of Government regulations/controls, at the local, state/territory and Federal government levels.

When one considers the changes that have been experienced by the transport industry in the last 10 years, changes in the next decade have the potential to be equally as significant or indeed more so. Like the US and Europe, and identified in the TLPA report in the case of the US, the combination of a shift to information-intensive services, electronic commerce and globalisation has restructured the economic landscape, 'changing the kinds of businesses that are being formed, the types of jobs being created and the reason and means to meet and travel'.

What will be examined in this report is the potential future impact on the taxi industry of relevant factors relating to:

- Business Travel
- Private Travel
- Tourism
- The Ageing population
- The Involuntary Taxi User Market, and
- Government Policy.

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<sup>1</sup> Interim Report of the Strategic Planning Committee of the Taxicab, Limousine & Paratransport Association. US Taxicab Limousines and Paratransit Association. (May 2004).



All of these will to some degree be affected by economic, social, demographic and technological changes. By having an awareness of developing trends, the taxi industry should be proactive not only in maintaining market share into the future but also to work with appropriate agencies with the aim of increasing market share which will follow from increased customer satisfaction. This may involve offering more than a basic door to door taxi service, with the industry being prepared to offer premium or value added services (such as door through door services).

The macro level approach of this study will include a consideration of the impact of significant 'one-off' events which have had, or will have, a considerable effect on areas relating to business/personal travel and tourism. It is well documented that events such as the terrorist attack on the World Trade Centre in September 2001, the SARS outbreak, terrorist attacks in the UK and Bali and the potential outbreak of an avian influenza pandemic have all had, or will have, a negative impact on international travel, with consequent flow on effects to sections of the taxi industry. Events such as these are normally not predictable of course.

## **2. Business Travel**

Research indicates that, historically, declines in business travel have occurred during the longest and strongest periods of economic expansion. This phenomenon indicates that business travel is responding to factors that are fundamentally redefining the purpose for business trips. This can be expected to continue, and indeed increase into the future.

Over the last decade there has been a move towards the rationalisation of business travel by major corporations as a result of the impact of many factors, including increased business airfares, heightened security, and technological advances allowing for the expanded use of communications, including teleconferencing and videoconferencing. Businesses are, on a continuing basis, evaluating how to best use the ever increasing variety of communication tools being made available to them.

Australia, along with other developed countries, has experienced a shift from goods producing businesses to more information intensive service businesses and this has been seen to have a negative impact on the demand for business travel. Furthermore the globalisation of business partnerships has made many face-to-face meetings impractical and indeed unnecessary as a result of information technology changes and advances in teleconferencing facilities.

### **2.1 Teleworking**

The rapid advances in telecommunications, including the expansion of broadband internet access in Australia, now allows large sections of the workforce to perform their jobs without having to go to a the traditional workplace. Instead of commuting to an office on a daily basis many work from home, at a nearby local centre or from a virtual office on the road using a portable computer with an internet connection. The rapidly increasing functionality of mobile phones and portable computers, allowing for their

connection to the internet and the sending and the receiving of information, including e-mails, is also contributing to the dramatic increase in teleworking<sup>2</sup>.

The Commonwealth Department of Communications, Information Technology and the Arts, in collaboration with the Department of Employment and Workplace Relations has recently prepared two discussion papers<sup>3, 4</sup> for the Australian Telework Advisory Committee (ATAC).

The take-up of teleworking internationally has increased significantly over the last decade, particularly in the US and Western Europe, and is expected to further increase into the future. The Netherlands has the highest incidence of teleworking in Europe (26%) as at 2002, while in the US the percentage is 25%. The typical teleworker in the US and Western Europe is a white collar worker 35-45 years of age in the middle of their careers and is likely to be in a managerial, professional or technical position. The proportion of teleworkers is high in banking, finance, the insurance sector, business services, the health sector and the voluntary sector. By 2004 an estimated 93% of US teleworkers were connected to the internet with the number of broadband enabled teleworkers increasing 84% in a year. It is well recognised that the potential for telework growth is considerable in the US and Western Europe.

While the uptake in teleworking in Australia appears to lag behind that in Western Europe and the US (there is currently little relevant statistical data available in Australia) there is an expectation that the rapid developments in communications and information transfer will see a significant increase in the future. In 2001 the Australian Bureau of Statistics conducted a survey in NSW on behalf of the NSW Roads and Traffic Authority (which is regarded as a teleworking pioneer in Australia) to estimate the number of teleworkers. Their findings indicated that in the three months to October 2001 an estimated 8% of those employed in NSW teleworked, with the majority living in Sydney. The most common age group participating in teleworking was 35-44 years, the same as that overseas.

In line with the overseas experience, and given the rapid developments in communications capabilities, there is little doubt that significant increases in the uptake of teleworking is inevitable. A recent report (2004) by Toshiba on workplace attitudes towards flexible working arrangements in 400 Australian businesses (referred to in the second ATAC report), showed that 38% of Australian organisations have introduced flexible workplace arrangements (which include telework).

## **2.2 Teleconferencing**

During the last decade teleconferencing has seen an explosive growth in the business community, as is also the case for videoconferencing. As broadband facilities become more commonplace it is natural that teleconferencing will become even more attractive. Currently there is a paucity of data available relating to the increase in teleconferencing by business in Australia. However when one checks the availability of commercial

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<sup>2</sup> Teleworkers are defined as persons who telework from home, mobile teleworkers or self-employed persons working from a home based office.

<sup>3</sup> Telework in Australia. Australian Telework Advisory Committee (ATAC), Paper II. (March 2005).

<sup>4</sup> Telework-International Developments. Australian Telework Advisory Committee (ATAC), Paper III.. (March 2005).

teleconference facilities, it is clear that this market has shown a dramatic increase in recent years.

All universities in Australia are heavily reliant on communicating with students through the internet, and indeed having students fully familiar with the internet for information retrieval and exchange. This has had the result of producing young professionals for whom distance learning and communications has been an integral part of their education. They are well versed with the potential (and limitations) of virtual meetings/electronic information exchange and would be expected to make even more effective use of these tools into their future workplace environments.

### **2.3 Globalisation**

A study conducted by AT&T, a US telecommunications company, has reported that a significant increase in remote working is taking place around the world with the business drivers contributing to this, including better technology and cost pressures. The declining trend in business travel was recognised before the September 11 2001 attack on the World Trade Centre in New York and the health scare relating to SARS. Other studies have identified the riskier global environment as reinforcing rather than causing the growth in virtual meetings.

What has been identified is that business practices and new competitive demands are driving telework, teleconferencing and videoconferencing globally (not the other way around as some believe). Terrorism and the SARS epidemic in Asia have led companies to re-evaluate remote workforce activity. Consequently transport providers should recognise these phenomena and their impact on global business travel.

### **2.4 The Future Demand for Business Travel**

While there is a paucity of current relevant data available in Australia, there is anecdotal evidence that Australia is closely following overseas experiences with respect to the demand for business travel, both nationally and internationally. The ability to communicate and collaborate remotely, together with costs, savings in time and security issues are having a negative impact on business travel, and are expected to continue to do so.

## **3. Private Travel**

There are many factors which have affected private travel and which are, or will, increasingly affect private travel in Australia.

- With both spouses working, survey results have indicated that the traditional family vacation is becoming less common. In the last two decades the number of two income families has risen dramatically both in Australia and in developed overseas countries. The expectation that this would result in couples having more time to travel has not eventuated; consumers feel they have less time to travel. With two spouse work schedules to consider, there has been a shift to shorter more frequent holidays rather than the traditional 2-3 week holiday.

- In an environment where the post war baby boomers moving into retirement are starting to impact, people in the work place are expected, or being called upon, to care for a rapidly growing older population. A US study in 2000 estimated that 27% of the adult population in America spend 10 or more hours per week providing some kind of help with the activities of the day to day living to an elderly relative, with the most common services provided by these carers being transportation.
- In Australia, the successful passage of the new Industrial Relations legislation through the Commonwealth parliament at the end of 2005 will mean that over a period of time there will be the potential for significant changes in small business employees working environments which could have an impact on employee benefits, including the possibility of less vacation time and holiday pay. This trend is already evident in the US.
- From the point of view of private travel the affordability of motor vehicles is also a significant issue affecting the demand for taxis in many regions. Table 3.1 shows the increase in registered motor vehicles per 1,000 people between 1991 and 2002 for the states and territories.

**Table 3.1**

**<sup>5</sup>Registered Motor Vehicles per 1,000 people - 1991 and 2002**

	<b>1991</b>	<b>2002</b>	<b>% Change</b>
<b>ACT</b>	556	643	15.6
<b>NSW</b>	525	578	10.1
<b>NT</b>	507	520	2.6
<b>Queensland</b>	569	663	16.5
<b>SA</b>	637	699	9.7
<b>Tasmania</b>	643	708	10.1
<b>Victoria</b>	622	701	12.7
<b>WA</b>	653	731	11.9
<b>Australia</b>	582	652	12.0

As the figures in Table 3.1 indicate, growth in motor vehicle ownership has increased dramatically between 1991 and 2002. To confirm this trend, between 1996 and 2003 the number of light motor vehicles per capita in the ACT has increased from 0.52 to 0.62, a rise of 19%.

The growth in private vehicle ownership has been largely driven by the greater affordability of motor vehicles, both new and second hand. This allows for the opportunity for more people to use their private vehicle as their primary means of travel for work and leisure, in preference to public transport (including taxis).

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<sup>5</sup> Source: Determination of Taxi Fares for the Period 1 July 2004 to 30 June 2007. (Report 11) ACT Independent Competition and Regulatory Commission. (2004).

- The increase in levels of car ownership has also contributed to a significant increase in traffic congestion in many major cities. This has resulted in problems with traffic flow for all drivers, including taxi drivers, particularly at peak hours in areas of demand for taxi services (city centres and airports). Flow on effects include loss of revenue for taxi drivers and increased waiting time for customers.

Even though there are a number of threats and challenges in the private travel market, there are also potential opportunities in the future. As a result of the post war baby boom, there is a growing number of retirees who vacation differently from the majority of two income families. Current demographic research into retirees expenditure patterns has considered three age groups, 55-64, 65-74 and 75 and above. As is the case of overseas studies, these groups have very different lifestyles, living arrangements and priorities. The younger age group are more physically active, generally have their health and life savings and has been identified as the fastest growing segment of the travel market.

The mass of Government statistics and analyses indicate that increasingly affluent retirees can be expected to have a significant impact on the for-hire transportation market, both with respect to travel needs and in neighbourhoods where public transport is deficient.

#### 4. Tourism

One of the major industries affecting the taxi industry is that of tourism, both international and domestic, with different regions of Australia being more sensitive to fluctuations in tourist numbers than others.

A recent Australian Government Department of Industry, Tourism and Resources (DITR) report<sup>6</sup> has listed movements in the number of International visitors to Australia and appears in Table 4.1.

**Table 4.1**  
**International Visitor Arrivals in Australia**

<b>Year</b>	<b>Visitors</b>	<b>% Change over Previous Year</b>
<b>1997</b>	4,317,900	3.7%
<b>1998</b>	4,167,200	-3.5%
<b>1999</b>	4,459,500	7.0%
<b>2000</b>	4,931,400	10.6%
<b>2001</b>	4,855,800	-1.5%
<b>2002</b>	4,841,200	-0.3%
<b>2003</b>	4,745,900	-2.0%
<b>2004</b>	5,215,000	9.9%

This table indicates significant movements between years caused by local and international events. The drop in 1998 was attributed to the Asian financial crisis which

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<sup>6</sup> Australia's Facts & Figures at a Glance. Australian Government Department of Industry, Tourism and Resources. (DITR). (May 2005).

resulted in a fall in numbers from those countries most affected. In 2000 the increase was as a direct result of the Sydney Olympics and associated events. The decline in the number of arrivals of overseas tourists in the following three years resulted from incidents such as the terrorist attacks of 11 September 2001, the Ansett collapse, SARS, and a slowdown in economic growth in a number of overseas countries.

In a press release on 6 October 2005 TTF (Tourism and Transport Forum) Australia reported that overseas visitor numbers grew over the previous year with an increase in visitor numbers of 6.5% in August 2005 compared to August 2004. Taiwan, Hong Kong and Korea showed significant increases. However overseas visitors from Japan dropped by 3.5%, or 3,500 less visitors in August 2005 compared to August the previous year.

It would be expected that 2006 will see a significant increase in overseas tourists as a direct result of the Commonwealth Games being held in Melbourne.

From the point of view of domestic tourism in Australia, Table 4.2 summarises visitor numbers and expenditure movements for the period 1999-2004.

<sup>7</sup>**Table 4.2**  
**Domestic Tourism in Australia**

<b>Year</b>	<b>Number of Visitors ('000)</b>	<b>% Change on Previous Year</b>	<b>Expenditure (Overnight and Day Visitors) \$ Billion</b>	<b>% Change on Previous Year</b>
<b>1999</b>	72,969	-1.1%	45.5	5.8%
<b>2000</b>	73,771	1.1%	49.2	8.1%
<b>2001</b>	74,585	1.1%	49.9	1.4%
<b>2002</b>	75,339	1.0%	51.8	3.8%
<b>2003</b>	73,621	-2.3%	51.3	-1.0%
<b>2004</b>	74,301	0.9%	51.1	-0.4%

These data indicate that the number of domestic tourists has been relatively static in recent years, with expenditure falling in the last two years.

A recent press report<sup>8</sup> discussed the findings of a benchmark study by the Bureau of Tourism Research<sup>9</sup> which indicates that the overnight domestic leisure market is in long term decline. The study showed that domestic tourism is becoming a two-tier industry with tourism and accommodation businesses located near low cost carrier hubs doing well, 'while those without air access struggle.'

This has been confirmed by many in the marketplace, including the General Manager of Australian operations at major hotel operator Accor who has reported that '..... domestic travel has softened across the group'. Tourism Australia's managing director has also

<sup>7</sup> Source: Tourism Research Australia.

<sup>8</sup> *The Australian* 23 November 2005.

<sup>9</sup> Now Tourism Australia.

stated that Australians are taking fewer holidays – a situation his organisation is now researching in a bid to reverse the trend.

Given the importance of the tourism market for the taxi industry, in particular regions of the country its erratic nature from the point of view of international visitor numbers and the overall decline in the case of domestic tourism emphasizes the importance of the need for tourism related industries and relevant Government agencies to promote the tourism industry.

## **5. The Ageing Population**

There is no doubt that the ageing of Australia's population will be a major factor impacting on Australia's economy into the future. This is as a direct result of the so-called post war baby boom, with this cohort of the population now entering retirement age. Both state and Federal governments have recognised this and as a result there has been, and continues to be, a significant amount of research conducted in an attempt to quantify its impact on all aspects of the economy, including health, welfare and employment.

Recent major studies and reports include: Ageing Gracefully<sup>10</sup>, An Overview of the Economic Implications of Australia's Ageing Population Profile<sup>11</sup>, and a report on The Economic Implications of an Ageing Australia<sup>12</sup>.

The Australian Bureau of Statistics (ABS) recognised the importance of this phenomenon and within that organisation created a National Ageing Statistics Unit (NASU) in 2002. The aim of this unit is to highlight developments in statistics on aspects of the ageing population, and features articles analysing data on typical ageing issues and other information of interest to researchers and policy makers.

The ABS has estimated that between 30 June 1984 and 30 June 2004, the proportion of population aged 15-64 years has remained relatively stable, increasing from 66% to 67% of the total population while the proportion of the population aged under 15 years of age decreased from 24.0% to 19.8%. However during the same period the proportion of people aged 65 years and over has increased from 10.1% to 13.0%.

Figure 5.1<sup>13</sup> illustrates the ageing of Australia's population projected to occur over the next 100 years. This is the result of fertility remaining at low levels over a long period of time coupled with increasing life expectancy. The median age of Australia's population is projected to increase from 35.9 years in 2001-02 to between 40.4 and 42.3 years in 2020-21 and to between 46.0 and 49.9 years in 2050-51. In 2100-01 the median age of the population is projected to be between 47.5 and 50.5 years.

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<sup>10</sup> Report of the Commonwealth Government House of Representatives Standing Committee on Ageing. (2005).

<sup>11</sup> Commonwealth Department of Health and Aged Care. Occasional Papers: New Series No. 10. (1999).

<sup>12</sup> Productivity Commission Research Report. (March 2005).

<sup>13</sup> See ABS publication 3201.0. (2005).

**Figure 5.1**

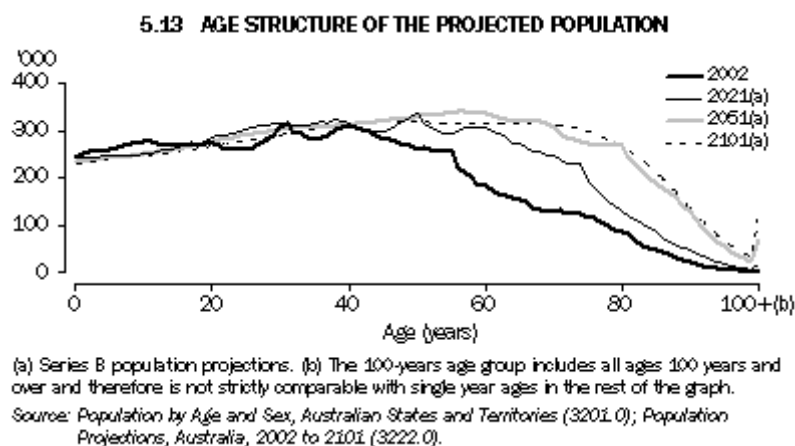


Table 5.1 presents a range of indicators, including population size and structure, to illustrate changes (actual and projected) in Australia's population from 1901 to 2101. These summary indicators show the dramatic change in the population profile into the future, particularly with respect to the increase in the 65-84 year age group.

**Table 5.1**

POPULATION, Summary indicators								
	Units	1901	1947	1971	2002	2021(a)	2051(a)	2101(a)
Total population	'000	3,773.8	7,579.4	13,067.3	19,662.8	23,368.4	26,421.5	26,355.7
Proportion of population								
0-14 years	%	35.1	25.1	28.7	20.3	16.1	14.0	13.8
15-64 years	%	60.8	66.8	63.0	67.1	64.9	58.9	57.2
65-84 years	%	3.9	7.7	7.8	11.2	16.5	21.1	22.0
85 years and over	%	0.1	0.4	0.5	1.4	2.5	6.0	6.9
Males per 100 females	no.	110.1	100.4	101.1	98.4	98.7	98.7	99.4
Median age	years	22.5	30.7	27.5	35.9	41.2	46.8	47.5
Proportion living in capital cities	%	36.8	51.2	63.2	63.9	64.5	66.6	n.a.
Source: ABS Australian Demographic Statistics (3101.0); Population Projections, Australia, 2002 to 2101 (3222.0).								

Given the significant migration of retirees to Queensland, it is of interest to examine the impact of the increasing survival rate on the age distribution of Queensland residents, together with the projected changing age structure for that state. Figure 5.2 gives a graphical illustration of the increased life expectancy in Queensland for the period 1971 – 2001, while Figure 5.3 illustrates the shift in age structure in Queensland from 1971 to 2001 and projected to 2031.

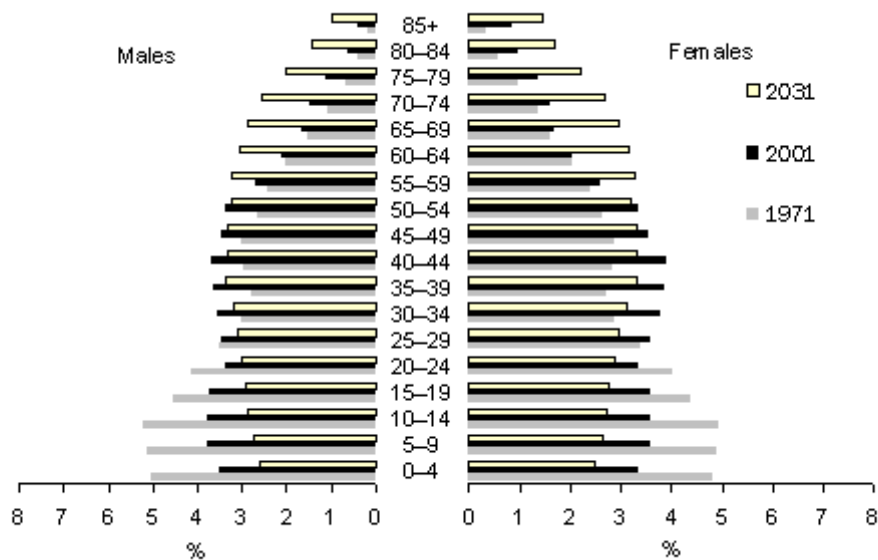


**Figure 5.2**  
**Life Expectancy – Queensland 1971-2001**



Source: ABS, Australian Demographic Trends (cat. no. 3102.0); Deaths, Australia (cat. no. 3302.0); Demography, Queensland (cat. no. 3311.3).

**Figure 5.3**  
**Age Structure of the Queensland Population, 1971, 2001 and 2031**



Source: ABS, Population Projections, Australia (cat. no. 3222.0).

It is clear from the data summarised in these graphs that there has been, and will continue to be, a dramatic shift in the demographic structure of the Queensland population. There are similar trends in the data relating to other states and territories and reflect the impact of increased life expectancy and the post war baby boom on Australia's demographic structure.

Having identified the phenomenon of an ageing population, as has been indicated the Federal and state/territory governments are working to evaluate its effects and prepare for the impact of this so as to determine how it is to be best managed. With regard to public transport, the ABS in a 2003 report<sup>14</sup> states:

‘The challenge of delivering effective public transport for the future will need to take into account the changing age structure of the population, as well as changes to living arrangements, changing health and mobility, and levels of car ownership and usage. For older people, accessible and affordable public, private and community based transport can assist in maintaining mobility and independence, and reducing isolation by providing a link between them and the wider community. .... .

The number of motor vehicles garaged, parked at or near occupied private dwellings on the night of the 2001 census, decreased with age, with one in ten people in the 65-74 age group reporting no vehicle, increasing to almost four in ten people aged 85 and over. Overall 17.1% of older persons (65 and over) reported no vehicles, compared with 4.5% of persons aged 45-64 years. Almost half of the older population (48.7%) reported the presence of a single motor vehicle.’

The impact of the ageing of the population should be seen as a real opportunity for the taxi industry. While a number of the other factors identified in this report could be seen as having a potentially negative impact on demand for taxi services, increased life expectancy combined with the effects of the post war baby boomers entering retirement offers an opportunity for the industry to work with all levels of government (local, state, territory and Federal) to ensure that older members of the community can continue to be independent and to live at home in familiar surroundings, rather than having to be displaced from that environment. A significant increase in the currently available subsidised taxi fare schemes to enable this to happen is one area which could be addressed by the industry in consultation with the appropriate government agencies.

## **6. The Involuntary Taxi User Market**

The local transportation market, of which the taxi industry is a major component, can be divided into two distinct groups of customers, voluntary users and involuntary users. Voluntary users of taxis are those who, even though they have access to (and the ability to use) other means of transport, choose to use taxis from time to time. Involuntary users include the elderly, the physically disabled and the financially disadvantaged.

During the last ten years a buoyant economy (record low unemployment, rising income and low interest rates) have all put downward pressure on the number of voluntary taxi hirers. For example as has already been discussed the affordability of both new and second hand motor vehicles has increased dramatically since 1991. This increased car ownership has been identified as having had a detrimental impact on the demand for taxi services in many areas.

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<sup>14</sup> Ageing in Australia 2001. ABS Catalogue No. 2048.0 (October 2003.)

In the case of involuntary taxi hirers, this is predicted to be an area for significant growth into the future, although it will almost certainly offer challenges to be met which will require a close working relationship between the taxi industry and relevant public and private sector agencies. With the impact of the ageing population combined with Government policies aimed at encouraging older people to continue to live independently, the demand for taxi services, including subsidised taxi services, to support this group will increase into the future.

In the case of wheelchair accessible taxis (WATs), in the US the TLPA report states:

‘..., price control policies on wheelchair-accessible transport services intended to assure access to local transport services for communities’ poor and disabled have actually had the opposite effect of restricting access by undermining incentives for the private sector to serve the local transportation market and limiting supply. This has unfairly encouraged investment in public and non-profit providers while leaving the private, for hire sector open to charges of ignoring the most needy local customers, and making private, for-hire firms the providers of last resort in the minds of public policy makers.’

This situation has also occurred in certain regions in Australia. Indeed in the ACT for example the WAT fleet has been in serious decline. Even though WAT lease fees are only \$1,000 per annum, the number of WAT vehicles operating in the ACT has declined from 26 to a current fleet of 16. Limited local government funding to support the WAT service has been insufficient for many operators to maintain a viable business.

Opportunities for the taxi industry will emerge into the future in the case of the elderly as a result of increased numbers of this cohort of the population being subject to either voluntary or imposed driving restrictions and the physically or mentally disabled groups who are unable to drive. Because of Australia’s demographic profile there is no doubt these types of customers are going to require significantly increased transport services.

The elderly are the fastest growing demographic group in Australia. As Table 5.1 indicates the over 65 group is forecast to increase to 19% in 2021, up from 12.6% in 2002. The impact of this is that the number of people 65 and over will increase from 2.48 million in 2002 to an estimated 4.44 million in 2021, a 79% increase. By 2051 the ABS forecasts indicate that 27.1% or 7.16m people will be over 65 years of age, an increase of 189% when compared to the number in 2002. Such dramatic increases will affect all aspects of the economy, including the transport industry.

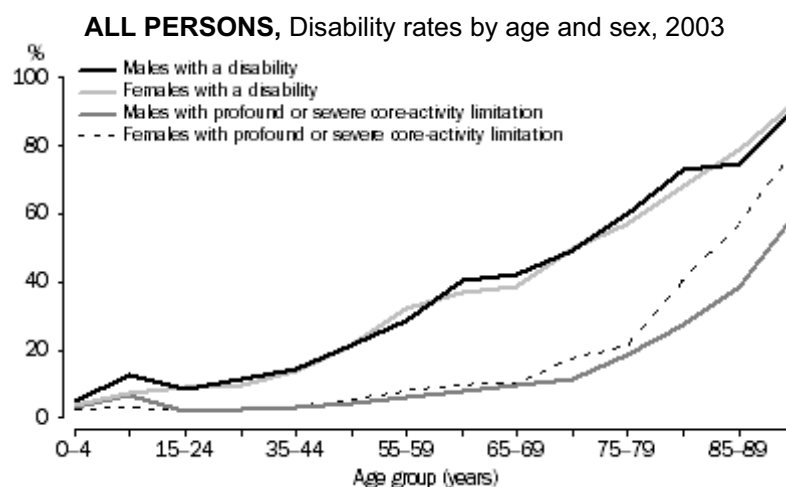
In the US, studies have indicated that there is strong evidence to indicate that with more experience taxis and other for-hire firms could become the preferred providers for elderly transport services. Taxis have been identified as the least objectionable of the available transport options. The most frequently cited problem with taxis by people aged 50 and over is the cost of the ride. However it is interesting to note that surveys have indicated that the percentage of older people identifying cost as a issue declines with age.

Several communities in the UK and Canada have been able to reduce passengers costs by sharing these expenses with health insurers, employers and local and national social service agencies. Given the Australian Government’s desire to assist in helping the

elderly to continue to live independently in their own home environment for as long as possible, the taxi industry should view this as an opportunity to work with relevant public and private sector agencies/groups to assist in servicing the public transport needs of the elderly. To some degree this already occurs in some regions in the case of specific classes of disabled persons.

With respect to the disabled, 20% of the population reported a disability in 2003, with 86% (3.39 million) being limited in core activities, including mobility. As Figure 6.1 indicates, rates of disability in the population increase dramatically with age.

<sup>15</sup>Figure 6.1



It is clear that with a rapidly ageing population and the increased disability rates associated with age, the demand for transport services for the disabled will increase.

One approach to the transportation of the disabled<sup>16, 17</sup> has been introduced in Edinburgh, Scotland where transport officials realized that it was not always necessary to have vehicles capable of transporting wheelchairs and motorised carts as long as these were available at the destination. Outside of Edinburgh, where taxi volumes could not justify the 100 per cent wheelchair accessibility mandated for the City Centre, it was determined that it was cheaper and more efficient to subsidise the purchase of wheelchairs and motorised carts by locations frequented by the disabled and elderly than to equip taxis. Such locations include shopping centres, malls, entertainment centres etc.

Edinburgh achieved 100 per cent compliance in wheelchair accessible taxis in the City Centre area with the process being completely self-financed through a *Taxicard*, program operated by the regional government. This program operates with disabled citizens obtaining a *Taxicard*, a concessionary fare scheme that gives reduced rates for disabled people. The scheme provides a discount of up to £3.00 per trip for a maximum of 104

<sup>15</sup> Source: ABS Publication No. 4430.0 Disability, Ageing and Carers, Australia: Summary of Findings. (2004).

<sup>16</sup> [www.Edinburgh.gov.uk/CEC/City\\_Development/Transport\\_and\\_Communications/Transport\\_Guide\\_for\\_People\\_withDisabilities/taxi.html](http://www.Edinburgh.gov.uk/CEC/City_Development/Transport_and_Communications/Transport_Guide_for_People_withDisabilities/taxi.html).

<sup>17</sup> Referenced in the TLPA report (Footnote 1).

single trips per year. The *Taxicard* system obtains financial support from various sources, including the National Health System. As the TLPA report states:

‘The result is a flexible response that engages taxis, private hire cars and public transportation facilities that have expanded door-to-door service to the disabled without crippling regulations or public sector takeovers.’

The *Taxicard* program has been replicated in the Canadian province of Quebec with similar success.

All Australian state and territory governments have, over a period of years, attempted to address the issue of public and private transport for the disabled and the elderly, including transport subsidy schemes. These schemes appear to be variable in nature (between different states/territories), to be regularly under review and can be expected to continue to be so as the demand for such services increases. Community passenger networks have been developed in partnership with many Home and Community Care programs, including some community organisations providing community buses to central points in metropolitan areas. There is a significant amount of information relating to the different schemes<sup>18</sup> which will not be pursued here since it is more at a micro level (than at the macro level towards which this report is directed). What is evident is that the supply of transport services for the aged and the disabled needs to be constantly reviewed by government agencies to take account of the changing needs of an ageing population.

In a background paper presented to the Community and Disability Services Minister’s Conference on 28 July 2004<sup>19</sup>, in recognising transport issues it was stated:

‘It is likely that the main impact on transport infrastructure will be an increase in the number of older people driving or needing to use general public or community transport to get them to the doctor or other service. Our transport system will need to be managed to ensure that it meets the range of diverse needs that older people will have. Not all older people will have disabilities, but some need specific design and accessibility considerations to cater for their varied needs. The costs of transport .... and even taxi fares will influence transport options and usage. .... Taxi subsidy schemes for people with disabilities, including age related disabilities, are also well established.’

While some taxi subsidy schemes may be well established, for example in the case of transport schemes for war veterans, there is a growing demand for transport needs currently supplied by nonprofit service providers, including home and community care (HACC) services.

In the case of eligible taxi transport for war veterans, the provision of contracts by Government to supply taxi services on a ‘door through door’ basis, (whereby taxi drivers deliver customers to admissions desks at hospitals and reception desks at doctor’s surgeries etc, if required) is a direction for the future. The industry must be prepared to move into offering services such as this since the increase in demand for this type of

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<sup>18</sup> See for example the terms of reference for the formal assessment of the Access Taxi Cabs System in South Australia. [www.adelaidemetro.com.au/general/accesscab.html](http://www.adelaidemetro.com.au/general/accesscab.html) .

<sup>19</sup> [www.health.gov.au/internet/wcms/publishing.nsf/Content/2C1B48A0B980486ACA25708A00138A8D/\\$File/afbe.pdf](http://www.health.gov.au/internet/wcms/publishing.nsf/Content/2C1B48A0B980486ACA25708A00138A8D/$File/afbe.pdf) .

service will be significant as a result of the age profile of the post war baby boomers. That is, in addition to a basic service, taxi drivers must be trained for, and be prepared to supply, value added services when required to do so, in addition to the basic 'door to door' service.

In the case of nonprofit providers, there is evidence which indicates that many of these providers, while initially created to serve a specific clientele, seek out additional clients in an attempt to maximize the use of capacity. The consequent additional servicing begins to absorb other rides for which the for-hire provider would be competitive if the nonprofit provider was required to charge similar rates.

If nonprofit providers (subsidised by government or other agencies) do not charge the passenger directly, or charge a significantly reduced fare determined by individual customers financial circumstances, and the true cost of the ride can be absorbed elsewhere, nonprofit transportation providers have the ability to erode taxi members core customers. A major concern for the taxi industry is preserving the private for hire market against encroachment from nonprofit providers and subsidised public transport agencies, particularly in the case of involuntary taxi users.

Given the implications of the significant increase in the aged population and the associated increase in the demand for disabled services (as has been identified in this report), current subsidised taxi fare schemes should be closely monitored and regularly reviewed with appropriate government agencies. The effects of the changing demographic profile of the population will require this, particularly given government policies encouraging older members of the population to live at home for as long as possible.

The taxi industry should aim to preserve, and indeed increase, the private, for hire market against encroachment from public transport agencies and non-profit providers, particularly in the case of servicing the increasing market for the ageing and disabled. Based on the direction overseas experiences have reported, together with local problems identified in particular regions of Australia in the case of WATs, there would appear to be opportunities for the taxi industry to work in with Governments and social service providers to service this expanding market.

## **7. Public Transport Issues**

State and territory governments, have in the past been prepared to heavily subsidise public transport bus and train services and not for profit providers (such as HACC agencies), leaving little incentive for local transport planners to financially support private for-hire providers. Historically there has been, in many jurisdictions, a desire by public transport agencies and nonprofit providers to prevent encroachment on their services, even when it is financially advantageous to do so.

One example of such a situation is the efficient servicing of late night bus routes, when patronage is low. In such situations it would be cost effective for taxis to replace the buses on such routes and supply a demand responsive transport service on a subsidised basis. This can be much more cost effective than running a bus around a fixed route for one or two passengers.

A second example is that of agencies receiving government grants to supply services (such as HACC) and who have invested significant amounts of capital in purchasing appropriate vehicles to services the needs of the elderly for a limited period each day. The vehicles often tend to be significantly underutilised making the services provided cost inefficient. In many of these situations it would be more cost effective for taxis to supply these services on a subsidised fare basis. Currently some Government agencies do let a number of such contracts ( eg Veterans Affairs) but these are extremely limited. The potential for public and private sector agencies to work in with the taxi industry in individual jurisdictions to supply cost effective subsidised value added services has considerable potential, and would be more cost effective.

The taxi industry, in looking to the future, should be working in with these agencies and providers to develop sharing arrangements for the supply of demand responsive transport services which would benefit the travelling public and reduce the financial burden of the current public transport systems throughout Australia. In many cases this would require further driver training and in many situations the supply of 'door through door' services. Rather than continue to supply a 'basic' taxi product, the industry should be looking to negotiate the supply of value-added services, including door through door services, particularly given the impact of the ageing population into the future.

## **8. Government Policy**

While the taxi industry has always been subject to relevant local, state and territory government policies with respect to their operation, since 1998 there has been an enormous amount of energy, time and funding directed at conducting reviews to address the issues which had to be identified as a result of the introduction of the National Competition Policy (NCP). The desire to achieve the deregulation of the number of taxis operating in the industry came under particular scrutiny.

While NCP stipulated that any review recommendations relating to deregulation of entry into the taxi market should take into account public benefit issues, most reviews did not do so and consequently produced flawed recommendations in that they ignored social outcomes. It is of interest to note that reviews tended not to recommend full deregulation, but only limited deregulation of entry into the taxi market. The Northern Territory (NT) was the one jurisdiction where the Government fully deregulated entry. The impact of this was significant in many respects, particularly with respect to its impact on public benefit and social issues. Indeed the declining quality of both drivers and the service they provided, combined with passenger and vehicle safety issues and declining revenue (as a result of a significant increase in the number of taxi licence plates issued) all resulted in the NT Government re-introducing controls over the number of taxi plates issued, as well as driver, vehicle and service standards.

Leading up to the most recent Federal election at the end of 2004, both of the major political parties indicated they would remove the funding attached to outcomes from the annual assessment of the implementation of NCP. The annual NCP assessment<sup>20</sup>

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<sup>20</sup> See [www.ncp.gov.au](http://www.ncp.gov.au)

released in December 2005 was the final such assessment under the current NCP arrangements.

In that assessment a number of states/territories were reported not to have fulfilled their NCP obligations with respect to NCP. These included South Australia, the ACT, Queensland, New South Wales and the Northern Territory. The Council of Australian Governments is currently undertaking a review of NCP, including the NCC's assessment role.

While the immediate threat of deregulation of entry into the industry appears to have diminished into the foreseeable future, the Productivity Commission issued a report 'Review of National Competition Policy Arrangements'<sup>21</sup> in April 2005. In that report the Commission recognised, amongst others, arguments put forward by the ATIA and others and reported that

'...the progressing of worthwhile reform in the taxi industry has proved more of a challenge than many first envisaged. However, in the Commission's view, this does not obviate the need for further reform.' (page 230). As a way forward the Commission proposes that a menu for reform might encompass, amongst other things, 'genuine reform of the taxi sector, drawing on experiences domestically and in overseas countries to avoid unintended consequences, and ensuring such reform is tailored to the circumstances of particular taxi markets.' (page 231).

The Productivity Commission concluded its analysis of the current state of the Australian passenger transport industry, including the taxi industry, by recommending (page 233):

'The Australian Government, in consultation with State and Territory governments, should commission an independent national review of the passenger transport sector, to assess the impacts of recent reforms and determine what is now required to deliver further performance improvements in both urban and regional areas.'

While this recommendation has not as yet been implemented, individual states/territories remain active in considering changes to the taxis industries for which they have responsibilities.

There has recently been an interest in innovative programs being considered for the provision of flexible and efficient demand responsive transport services. As an example, a Bill has recently been prepared for introduction into the ACT Legislative Assembly aimed at the supply of specific demand responsive transport services in the ACT. This Bill allows for the issuing of a service contract which allows for the right to operate a demand responsive service and also allows for it to be an exclusive right to operate this service, or a demand responsive service operated in a particular way, along a particular route or in a particular area. As it stands this Bill is vague with respect to what it means by a demand responsive transport service. Without any associated draft regulations yet being issued to clarify the Bill it could be seen as a threat into the future, given the nature on the ACT taxi and hire car industry. Other states, including New South Wales, are also considering further reforms/changes in the taxi industry.

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<sup>21</sup> See [www.pc.gov.au/inquiry/ncp/index.html](http://www.pc.gov.au/inquiry/ncp/index.html)



There is little doubt that the Australian taxi industry will continue to be very much a dynamic industry subject to ongoing change, with changes being proposed by the industry itself, by relevant governments, or by both working together.

## **9. Conclusion**

The real, and potential, changes identified in this report which have, and will, impact on the taxi industry will undoubtedly offer challenges and real opportunities. The impact of technology on communications will result in increasing acceptance of teleworking and teleconferencing in the workplace which is becoming increasingly global in nature. These, together with social changes, and demographic shifts as a result of the effect of the post war baby boomers moving into retirement, will impact on the type of demand for taxi services, particularly in the case of the aged and disabled.

Governments have recognised the impact of world events on tourism and the flow-on effects on the economy, with relevant agencies undertaking research to address issues of relevance to the international and domestic tourism markets.

As has been identified, local, state/territory and Federal government agencies are continually monitoring the taxi industry to meet perceived demand from the public and private sectors. The taxi industry, through its representative associations/organisations, has responded in a significant manner to support its members and will undoubtedly do so into the future. It has addressed issues and has made an impact on outcomes through submissions to enquiries and working with relevant government agencies to implement change when it is required.

There is no doubt that there will be ongoing changes impacting on the taxi industry into the future and which will need to be addressed. These include:

- recognising that the industry must offer more than just a basic product and work towards capturing increased market share with premium or value added products such as door through door services;
- working with agencies to gain access to markets currently not generally available, including those serviced by not for profit organisations; and
- working with other groups to lobby government to provide more cost effective and better quality services by working in conjunction with public transport (bus and train) systems which are heavily subsidised. This could involve the supply of cost effective (out of hours/late night) demand responsive transport services.

This report has identified that technological change, terrorism and the ageing of the population will change the type of service required from the taxi industry in the future. The industry and its representative associations/organisations will have a major role to play in the implementation of changes which will be required to service this changing market for taxi services. They must be proactive in working with other groups, including community groups and public transport providers to lobby government to offer value added services which are demand responsive, cost effective and seen as a premium service rather than a standard taxi service.

## **10. Acknowledgement**

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