

ACT TAXI INDUSTRY INNOVATION REFORMS

NEW SERVICES
NEW OPPORTUNITIES



RIDESHARE DRIVING IN THE ACT

The ACT Government has announced innovation reforms to the taxi and broader on-demand transport industry. The announcement follows a review that investigated how emerging technologies and new business models can contribute to a better on-demand transport system.

WHAT'S CHANGING?

The ACT will be the first jurisdiction in Australia to legalise and regulate ridesharing services, and the first capital city in the world to regulate ridesharing before the service has begun. The ACT will also regulate third-party taxi booking services.

The reforms will ensure that Canberrans have access to safe, flexible and affordable taxi, hire car and ridesharing services while also reducing significant costs and regulatory burden on the existing taxi and hire car industries to ensure they remain competitive and sustainable for drivers, owners and passengers.

WHEN WILL THE CHANGES HAPPEN?

The reforms will take effect on **30 October 2015** and be delivered in two stages:

Stage 1 is an interim phase that allows authorised ridesharing and other innovative booking services to operate subject to safeguards such as criminal history and driver history checks of drivers. It will also deliver an immediate reduction in fees for taxis and hire cars. This stage will start on 30 October 2015.

Stage 2 involves the introduction of new laws into the Legislative Assembly to introduce the full suite of reforms, including driver accreditation requirements for rideshare and reduced regulation for taxis and hire cars. The new laws will be introduced by 30 October 2015 and subject to debate and commencement at a later date.

WHAT RULES APPLY TO RIDESHARE DRIVERS? DURING STAGE I OF REFORMS FROM 30 OCTOBER 2015:

When you're starting up

To begin driving, all candidates are subject to appropriate clearances, including: police, driver history and immigration checks. Up-front medical assessments are required in some circumstances. Rideshare vehicles must be registered and roadworthy. Specific CTP and third-party property insurance arrangements must also be in place.

Rideshare drivers and/or the booking services to which they are affiliated must arrange third party property insurance. Ridesharing vehicles must also have ACT registration plates.

When you're on the road

- Rideshare drivers must have a zero blood alcohol level and be drug-free
- Rideshare drivers may not undertake rank and hail work, nor may they stop in taxi, bus or loading zones
- Surge pricing may not occur during a formally declared emergency
- Rideshare booking apps must provide a fare range before a booking is confirmed and drivers may not accept cash until stage 2 of the reforms and only if a security camera is installed
- Rideshare booking services must have customer complaint mechanisms in place and drivers should be aware of the process
- Handling of private information about passengers, including bank and transaction information, must comply with relevant Commonwealth and ACT privacy legislation
- Rideshare drivers must use smartphones in accordance with Australian Road Rules.

DURING STAGE 2 OF REFORMS AFTER THE NEW LEGISLATION IS PASSED:

- If you plan to become a rideshare driver after stage 2 begins the Government, via Access Canberra, will participate in your accreditation process
- To be accredited, mandatory driver medical assessment apply (to occur within three months of accreditation, or up-front in some circumstances) – in most cases this will cover the driver for 5 years, rather than 12 months at present
- Introduction of minimum training requirements for rideshare drivers will occur – further details will be included on the website when they are confirmed (www.act.gov.au/taxi-industry-reforms) and the training must be undertaken within six months of the laws starting
- Vehicles used for rideshare must receive an accredited annual inspection
- Specific compulsory third-party (CTP) and property insurance for ridesharing will be required

UPDATE: From 1 April 2016 – new CTP premiums will apply for rideshare vehicles (see <http://apps.treasury.act.gov.au/compulsorytpi/premiums>). Existing rideshare vehicles which are currently allocated to the CTP passenger vehicle class will need to change to the new CTP rideshare vehicle class at registration renewal and pay the additional premium for the CTP rideshare class. New rideshare vehicles (on and from 1 April 2016) will need to change premium class to the new CTP rideshare vehicle class and pay the additional premium on the balance of their registration before they can be used for ridesharing. Changes to vehicle class are to be undertaken at an Access Canberra shopfront.

- We are looking into allowing ridesharing cars to stop and pick up passengers at loading zones – this will make it safer for your passengers and means that you can safely pull in to a loading zone to use your smart phone to take more bookings. We will consider this further along in the reform process.

WHAT WILL THE REFORMS MEAN IF I DRIVE FOR MORE THAN ONE TYPE OF TRANSPORTATION BUSINESS?

STAGE I FROM 30 OCTOBER 2015:

- On-demand drivers (such as taxi, hire car and rideshare) can have access to multiple modes of business, from traditional taxi rank and hail work, to ridesharing and third party taxi booking apps if they and their vehicles meet certain conditions. This can increase driver productivity and potential income stream while providing a consistent and quality on-demand transport service.

STAGE 2 AFTER THE NEW LEGISLATION IS PASSED:

- Companies providing booking services to taxi and rideshare drivers will be regulated as Transport Booking Services (TBS). This means there won't be a taxi "network" anymore and companies like Aerial, Uber, and goCatch will need to become TBSs.
- As a driver, you might be allowed to take bookings from all of the TBSs. This will be good for drivers because you might find yourself busier and taking more pre-booked rides during your shift. However, if a TBS says you will only be able to take bookings from them and not from any other TBS, that means you are their employee for the purpose of workers' compensation and the TBSs must cover you for workers' compensation insurance.
- Also – if you are a driver but not the vehicle owner – under the new rules you might also be covered for workers' compensation. It won't matter anymore whether you work on a regular basis or just for a one-off shift. More information about workers' compensation, bailment agreements, and how they can work better for you will be available in due course.

HOW TO LEARN MORE ABOUT THE REFORMS?

You can learn more about the reforms and get updates at www.act.gov.au/taxi-industry-reforms

Access Canberra will also hold short orientation seminars about the reforms. The schedule of seminars can be viewed at www.act.gov.au/taxi-industry-reforms when they are established, or visit Access Canberra.