

Submission from Allen Ringland

The Review of Disability Standards for Accessible Public Transport

Queensland is the leader in providing accessible taxis in Australian cities, 430 of its 2971 metered taxis are accessible as of January this year.

Furthermore, Queensland's new initiative to assist with accessible taxis for smaller centres is excellent and may provide an example to other states. The purpose of this submission is to highlight where problems still exist and to suggest changes that could be made to the disability standards to improve service. My comments focus on Queensland taxis, but make some reference to public buses.

This submission is comprised of the following parts:

- General critique of the current situation
- Responses to questions
- Conclusion and recommendations
- Background of the author
- Three page document obtained through FOI

General critique of the current situation

The disability standards call for taxis to provide an equal service to wheelchair accessible customers and other customers by 31st December 2007. "Equal service" has been interpreted within Queensland's dispatch company's service contracts (first signed in 1996, but not made public) to mean the following with regard to maximum waiting times:

"A taxi service must be provided so that at all times other than Thursday, Friday and Saturday evenings and on any evening preceding a public holiday between 3 pm and 12 am the following standards are met for standard and accessible taxis alike:

- 85% of hires experience a maximum waiting time of no more than 10 minutes
- 95% of hires experience a maximum waiting time of no more than 20 minutes.

Other similar clauses exist to give extra time such as 18 and 30 minutes respectively for the busy periods as indicated above.

While the interpretation of equal service is good in theory, in practice, it is impossible for accessible taxis to meet the same requirements as standard taxis without significant changes to the proportion of accessible taxis in the overall taxi fleet. The attached service report (pages 8-10) for Cairns 1/04/05 to 30/6/05 shows that standard taxis exceeded clauses within their service contract by a substantial margin while wheelchair taxis were well under: 93.1% of standard taxi hires experienced a maximum waiting time of no more than 10 minutes while only 56.9% of wheelchair accessible taxi hires received the same service (all other times).

The figures indicate either poor dispatch procedures and/or insufficient accessible taxis. It is not a matter of the work not being done, it is more that customers are not serviced in a

timely manner. Taxis are either not in the vicinity of the customer when the request is made or the dispatch has poor systems to connect an individual taxi with the customer.

Taxis are not meeting the equal service requirements in any location through Queensland as far as I am aware although data is difficult to obtain and to check for its reliability. The service contracts in force for over 10 years in Queensland were initiated under a previous government. Cairns signed up in December 1996. It could be said the contracts were a sham when signed as they had no possibility of being met. No program was set out to improve the service and no penalty clauses were included. The contracts expired after five years and have been rolled over on a yearly basis since. My understanding is that the industry has resisted tougher second generation contracts which include penalty clauses.

The time frames given to meet the Transport Standards appear to be based on replacement of rolling stock. Taxis were given five years to meet the Standards of equal service. However standard taxis have not been converted to accessible vehicles. The majority of accessible taxis have come about only when new licences are required to service overall taxi demand. Queensland has been fortunate in having high population growth. An exception is the new initiative by Queensland where there is an attempt to ensure all country towns will have access to an accessible vehicle taxi.

A partial conversion of existing taxi fleets is needed. For equity reasons the licences effected may need to be compensated. The problem is who pays for it? Accessible taxi licences trade at a lower price than other licences due to higher establishment and running costs. Taxi earning capacity is similar. Simply issuing new accessible licences may lead to existing owners and drivers of all taxis losing considerable income. In effect excessive increases of taxi licences would make the overall industry less viable and may lead to overall diminished services.

The crux of the problem is in identifying who is responsible for ensuring the requirements within the Transport Standards are met. No party has accepted overall responsibility to meet the disability standards. As these are federal laws it may be the federal government that has a role to play in financing a full implementation of the standards.

Responses to questions under the review

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

Considerable effort has been applied. The results are visible with the introduction of large numbers of low floor buses and an increase of high capacity accessible taxis.

Queensland has been active in increasing its accessible taxi fleet in recent years with the percentage increasing from 11.5% in 2005 to 14.5% in 2007. However Queensland has a stated objective of only 10% of its fleet as accessible.

I consider the fleet percentage to meet Queensland's service contracts as one third to be accessible as a minimum. Figures that support higher fleet percentages are highlighted in

the attached contract service report under the heading Maxi. Maxi taxis which include wheelchair accessible taxis made up just under one third of Cairn's fleet at that time.

The business structure for taxis where 50% higher tariffs apply when customers request a Maxi taxi has led to Maxi taxis operating on standard licences earning a higher income than sedan taxis. The demise of sedans carrying five customers has further added extra work for high capacity vehicles. However many of these Maxi taxis while operating vehicles suitable to carry wheelchairs they are not outfitted to do so.

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

I understand in many areas buses have exceeded the requirements as to the percentage available to wheelchair accessible customers however they cannot be used safely due to no wheelchair locking devices. Australian standards do not call for locking devices. This failure means that travelling by wheelchair is highly dangerous to the person in the chair as well as other bus users. Many overseas jurisdictions mandate wheelchair locking devices. Consider the situation if normal bus seats were not locked to the floor.

Taxis have failed the requirements as to providing equal service to wheelchair accessible customers partly because responsibility for meeting the requirements is not clearly set out. The government believes it is the taxi company's responsibility and the taxi companies believe it is the governments. In the end they both blame the taxi drivers and have done so since the introduction of accessible taxis in the early 90s. Individual standard taxi owners take no responsibility.

Queensland Transport has published a Disability Service Plan 2007-2010 however the plan is vague with regard to practical steps in how to meet the Disability Standards.

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?

The compliance requirements associated with taxis are fine just no one has accepted responsibility. Maybe some form of penalty may need to be applied within the service contract as well as either state or federal government assistance in fleet conversions. Regional centres are the exception where the Queensland Government has accepted responsibility by implementing an Accessible Taxis for Queensland Program with one off funding of \$4.8 million to eligible taxi operators to introduce accessible taxis in small towns and communities.

4 To what extent do you consider current data on accessibility as reliable?

Data is extremely difficult to obtain.

Attached is a service report from my local area Cairns, obtained through freedom of information for a period in 2005. It took some 16 months to obtain, I am still attempting with some difficulty to obtain more current reports. Within the decision granting the FOI the Information Commissioner revealed the Queensland Taxi Council and the Cairns taxi company threatened to refuse to supply Queensland Transport with further service data if the decision was granted. What are they trying to hide? I may need to apply under FOI again.

Information received since obtaining the FOI information are regional figures which are distorted by data from another taxi district whose figures could be questioned.

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

Data should be made public on a regular basis say 3 monthly which complies with the reporting within Queensland service contracts.

The data needs to be in a form that can be readily understood and free of spin.

Taxis are considered an on call service therefore the reported data should mirror the expected service. The report should include.

- a. Where the service is a pre booked regular run such as carrying children to school.
- b. Where the service is a prior time booked service.
- c. Where the service is an immediate booking.

I consider that the immediate service figures for accessible taxis would compare extremely badly when placed against service to standard taxis customers. The need to pre book to obtain the present poor service does impose restrictions on wheelchair customers not necessarily experienced by standard customers.

Pre booked services in many cases can be compared to limousine services where services can be provided with limited resources. Taxi services require considerable greater numbers of vehicles spread randomly across service areas. Accessible taxis fit in that random spread with a salt and pepper effect.

For data to be accepted auditing of service levels may be required. This may be critical if those supplying the data need to expend their own financial resources to meet the laws.

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

It was quite apparent that demand for accessible vehicles expanded as their availability increased. Many of my customers expressed gratitude for the service, their major problem being the unreliability of the service. The wheelchair taxi fleet increased from 2 vehicles in 1994 to 17 at the time of me leaving the industry, it now stands at 23 for Cairns while overall taxi fleet numbers went from 116 to 137. Patronage of the service increased in line with the increase with availability. Company records if available would confirm this.

10 *Has the introduction of the Transport Standards clarified your obligations as a public transport operator or provider?*

As an individual accessible taxi owner/operator there was no change. The service contract between the Cairns Taxi Company and Queensland Transport didn't change. The individual licence had conditions attached which ensured priority to accessible customers over other customers, again no change. The authorities continued to blame the drivers.

11 *Are the Transport Standards sufficient, or have you needed to consult other sources?*

The standards are not specific enough with regard to responsibility for service as I have stated elsewhere. As a taxi owner I was notified by both Queensland Transport and the

company of my responsibility since the licence I held was for an accessible taxi. However neither QT nor the company outlined their responsibility and I could not get either to accept their obvious responsibilities.

The Cairns Taxi Company backed by the Queensland Taxi Council considered it was the Government's role to ensure sufficient accessible taxis were licensed within its fleet. While the Government considered it was the taxi company's role and the taxi company should pay if necessary to convert part of its fleet (the taxis are privately owned). The result is that neither acted. Further the companies dispatch is regarded by some as dysfunctional.

12 *Are you aware of other operators or providers of public transport, who appear to be unaware of their obligations?*

Taxi owners of standard licences (non accessible licences) consider they have no responsibility to meet the wheelchair taxi requirements and resent any extra funds being spent for efficient dispatch of accessible taxi work. The Cairns taxi company is a cooperative with equal monthly access charges for dispatch work.

Standard taxi owners have been assisted in their resistance to the transport standards by the Queensland Taxi Council which is controlled by Queensland taxi companies.

Many taxi companies have attempted to have other than accessible taxis issued when new licences have been deemed necessary because of overall taxi demand. An example of this is the issue of high occupancy, silver service and standard licences in the Gold Coast, Brisbane and the Sunshine Coast since the introduction of the standards. None of those centres were meeting their contracts with regard to equal service to wheelchair customers when the new licences were issued.

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

The failure to be specific as to the meaning of equal service and how it should be reported allows figures to be manipulated in a way that may give a false impression as to the level of service.

What is equal service in relation to taxis?

Should separate provisions be made for immediate booked taxis and time booked taxis?

An example may be Townsville where I understand extensive use is made of time bookings which then distort data from the on call services.

16 *Where Australian Standards or other technical requirements are specified, are these appropriate?*

I have a concern with the door height requirement for accessible taxis.

Many of the present selection of commonly available vehicles particularly those that may carry a single wheelchair are severely limited by the requirements due in 2012 of 1.5 m minimum.

I hasten to add that I have no knowledge as to the problems from the user's point of view with door height other than what I experienced with my time with a vehicle having the 1.5m height clearance.

Queensland has persisted with issuing dual wheelchair vehicle licences which in effect ensures the provision of small bus style vehicles similar to the Toyota Commuter with the

resultant inconvenience of many mobility impaired taxi customers who are not in wheelchairs. Queensland did issue a number of high occupancy taxi vehicle licences in the southeast corner however they were not accessible licences. If they had been single wheelchair accessible licences smaller more comfortable fuel efficient vehicles such as the Toyota Tarago and Mercedes Vito may have resulted. Entry height requirements are a consideration here, in particular the changes due in 2012. Sydney's Lime taxis may be an example.

Furthermore fuel costs are increasing and greenhouse gas emissions are a legitimate consideration so the vehicle may need to be as small as possible while still fulfilling the function. It may be that those requiring any extra height than 1.3m will have a limited access to vehicles as is the case between 4 and 5 seater taxis.

My concern with public buses is that the Australian standards do not include wheelchair lockdowns putting the safety of the wheelchair occupant and the other bus passengers at risk of serious injury. At the same time it severely restricts the convenience of buses to many wheelchair bound people.

I suggest a study be done of overseas public buses where in many cases lockdowns are common practice.

24 *Does the compliance timetable provide for a gradual improvement of accessibility over the 30 years implementation period?*

It is clear taxis will not meet their requirement for equal service by 31st December 2007. Taxis were given only 5 years. I suggest that equal service be defined and that taxis be given an extended time to meet that level, but only after clear responsibility for implementation is established.

27 *Are the current processes sufficiently responsive to complaints?*

Taxi complaint procedures are a failure.

Customers may complain to A/. A driver who can simply say sorry the problem lies elsewhere.

B/. Taxi operators can deflect the complaints to the taxi company's.

C/. The taxi company's have procedures to discipline drivers and operators. However the problem in many cases is late arrival of the taxi which is the fault of the taxi company in not having sufficient resources allocated to this area of service either associated with the dispatch of taxis or a sufficient proportion of its overall fleet. The company simply says sorry they are doing their best or attempts to blame the drivers.

D/. The Department of Transport can refer any complaints back to the relevant taxi company. There are no provisions within the service contract for penalties. The Department has done little to enforce the requirements of the service contracts they have with respective taxi companies.

Conclusion and recommendations

The transport standards for accessible taxi travel can be met given clear guidelines, Government commitment and an industry that accepts its responsibilities.

The main areas I see that may benefit from changes to the disability standards are:

- Public buses to require lock down devices to ensure safety of both those in wheelchairs as well as other bus passengers; and
- Taxi improvements including:
 - 1/. Define what is meant by equal service for wheelchair users compared to standard taxi users. Is Queensland Transport's definition valid?
 - 2/. Performance data to be made public with separate categories of data for both immediate services and time booked services.
 - 3/. Clarification is required as to who is responsible for ensuring sufficient accessible taxis operate within taxi fleets.
 - 4/. Realistic penalties must be applied where responsibility can be identified for failure to meet reasonable performance levels.
 - 5/. Care needs to be applied with height restrictions on entry to vehicles.
 - 6/. Responsibility needs to be established for funding the conversion of part of the existing standard taxi fleet to accessible.
 - 7/. Complaints procedures need to be introduced where complainants can see the actions being initiated to overcome identified problems.

Allen Ringland

August 2007

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Background of author

I was an owner-driver of an accessible taxi in Cairns from 1994 to 2006, during which time I gained a thorough understanding of the service provided within Cairns and more generally throughout Queensland. Over the years I have attempted to alert my local dispatch company, the Queensland Taxi Council and Queensland Transport Department to failures in the system and to suggest possible improvements of the service.

CAIRNS

QUEENSLAND TRANSPORT SERVICE CONTRACT REPORT

From 1/04/2005 to 30/06/2005:- For 131 Taxi Service Licences

OverAll Service Times

WaitTime Bands	Ord	%	M50	%	Maxi	%	Total	%
On Time	19140	5.9	209	6.8	738	5.8	20087	5.9
Between 0-5 Mins	199751	62.0	728	23.8	4894	38.7	205371	60.8
Between 05-10 Mins	78814	23.9	794	25.8	4186	33.1	81794	24.2
Between 10-15 Mins	16961	5.3	527	17.1	1444	11.4	18932	5.8
Between 15-20 Mins	5206	1.6	307	10.0	688	5.4	6201	1.8
Between 20-30 Mins	2955	0.9	336	10.9	485	3.8	3776	1.1
Between 30-40 Mins	718	0.2	115	3.7	123	1.0	956	0.3
Between 40-50 Mins	212	0.1	43	1.4	45	0.4	300	0.1
Between 50-60 Mins	95	0.0	15	0.5	16	0.1	126	0.0
Over 60 Mins	105	0.0	10	0.3	14	0.1	129	0.0
	321957		3082		12633		337672	

Busy Times - 1500 to 2400 Thur, Fri, Sat & Days preceding Pub Hols

WaitTime Bands	Ord	%	M50	%	Maxi	%	Total	%
Less Than 18 Mins	78020	97.3	354	75.0	3606	90.0	79979	96.8
Less Than 30 Mins	1728	2.2	82	17.4	324	8.1	2134	2.6
Over 30 Mins	358	0.5	36	7.6	76	1.9	470	0.6
	78106		472		4005		82583	

All Other Times

WaitTime Bands	Ord	%	M50	%	Maxi	%	Total	%
Less Than 10 Mins	226946	93.1	1486	56.9	6945	80.5	235377	92.3
Less Than 20 Mins	14321	5.9	705	27.0	1298	15.0	16324	6.4
Over 20 Mins	2584	1.1	419	16.1	385	4.5	3388	1.3
	243851		2610		8628		255089	

5/10 entered. + need update graph
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	243851		2610		8628		255089	

leak	sta	wac
1	79625	354
2	81677	436
3	358	36

off leak	sta	wac
Monday, 11 July 2005		
1	232891	1486
2	24950	2191
3	2584	419

Cairns (Black & White Quick)

		Quarter Apr-Jun 05	
MSL Reporting - Standard	Peak	First Level	79625
		First Level % achieved	97.1%
		Second Level	81677
		Second Level % achieved	99.6%
		Third Level	358
		Third Level %achieved	0.4%
	Total Fares		82035
	Off-Peak	First Level	233891
		First Level % achieved	92.8%
		Second Level	249510
		Second Level % achieved	99.0%
		Third Level	2684
		Third Level %achieved	1.0%
Total Fares		252094	
MSL Reporting - Wheelchair	Peak	First Level	354
		First Level % achieved	75.0%
		Second Level	436
		Second Level % achieved	92.4%
		Third Level	36
		Third Level %achieved	7.6%
	Total Fares		472
	Off-Peak	First Level	1486
		First Level % achieved	56.9%
		Second Level	2191
		Second Level % achieved	83.9%
		Third Level	419
		Third Level %achieved	16.1%
Total Fares		2610	
Total Standard fares (Peak and Off-Peak)		334129	
Total Wheelchair fares (Peak and Off-Peak)		3082	
Total all fares, Standard and Wheelchair (Peak and Off-Peak)		337211	