



THE AUSTRALIAN NATIONAL UNIVERSITY

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

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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.¹

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

¹ Lin Suen, S and Mitchell, C.G.B., *Accessibility Transportation and Mobility*.
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.² 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'.³

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

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

³ Stahl, A., *Public Transport or Special Service or a Mix?* 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 Stahl³ 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.⁴ 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.

⁴ 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’.⁵ 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 Morgan⁶ 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.

⁵ *The Current State of Transportation for People with Disabilities in the United States*. US National Council on Disability. (June 2005). www.ncd.gov

⁶ See 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 Report⁵ 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 stated³

‘The Council Transportation Chair last week offered to introduce a bill that the next batch of 300 medallions⁷ 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 vehicles⁶ (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.

⁷ 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 Report⁵ 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 transport⁸, 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);

⁸ *The Accessible Journey: Report of the Inquiry into Accessible Public Land Transport*. Human Rights Commission, New Zealand. September 2005. 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 review⁸ 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 document⁹ 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 2005¹⁰ 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.

⁹ *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

¹⁰ <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.¹¹

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 1¹².

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

¹² 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 2003.¹³

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%
Total	3,934	840	10,054	1,188 (+348)	11,692	7,758 -- 197%

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

¹³ See 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 Ireland¹³ 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 taxis¹⁴.

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 2005¹⁵.

These Standards, in relation to vehicles, prescribe standards for issues such as allocated spaces for wheelchairs, ramps, doorways and headroom. As has been pointed out¹⁶, 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.

¹⁴See Section 3(a)(ii) (Commonwealth) Disability Discrimination Act 1992

¹⁵ Schedule 1, Part 1.2 of the Disability Standards for Accessible Public Transport 2002. (www.comlaw.gov.au).

¹⁶ 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).¹⁷ 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%¹⁸ 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 research¹⁹ 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 forecasts²⁰ 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

¹⁷ Human Rights and Equal Opportunity Commission. *Report of Wheelchair Accessible Taxi Inquiry*. (2002). (www.humanrights.gov/disability_rights/inquiries/taxi/subs.htm).

¹⁸ 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.

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

²⁰ 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.²¹ 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.’

²¹ *Review of the Disability Discrimination Act. 1992.* Productivity Commission. www.pc.gov.au/inquiry/dda/finalreport/dda1.pdf

Box C.5 of Appendix C²² 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 review¹⁷) 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 Inquiry²³. 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.

²² www.pc.gov.au/inquiry/dda/finalreport/dda2.pdf

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

Table 3: Distribution of Taxis and WATs outside Sydney²⁴

Town/Region	Population	No of Taxis- Total Fleet	No of WATs	No of People per WAT
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 WATs²⁵. Table 4 indicates the location of WATs in NSW.

²⁴ See page 16 of footnote 17.

²⁵ 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.²⁶

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 Agencies²⁶, 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;

²⁶ 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).

- 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 2005.²⁷ 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 2004²⁸ 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 issues²⁹, transport of

²⁷ Data supplied by NSW Taxi Council.

²⁸ See 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.

²⁹ 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 2006³⁰ the Department of Infrastructure states that with respect to WATs, 'the fleet is currently meeting demand'. The Government's transport and liveability statement³¹ 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.³² 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)³³ 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^{34, 35} stated that Victoria's taxi system 'continues to fail people with a disability'. In November 2005 the Equal Opportunity Commission Victoria Disability Reference Group Newsletter³⁶ 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

³⁰ See

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

³¹ *Meeting Our Transport Challenges*. See

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

³² See

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

³³ See

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

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

³⁵ See www.scopevic.org.au/news_taxis.html

³⁶ 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 report³⁷ and the Department of Infrastructure's response³⁸ 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 Association³⁹ 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;

³⁷ *Country Taxi Review* (Final Report). www.doi.vic.gov.au

³⁸ See www.doi.vic.gov.au

³⁹ See 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 out⁴⁰ 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.⁴¹

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 2005⁴¹ to assist in determining whether additional WAT licences should be available in 2006⁴². The review found that the standard of taxi services provided to wheelchair dependent users had increased greatly since the

⁴⁰ See www.vicnats.com/news/article.aspx?ID=4648

⁴¹ *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.

⁴² *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.

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 \$2m⁴².

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 review⁴¹ 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 review⁴² 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 2003.⁴³ 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 Review⁴² 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.

⁴³ *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 Queensland⁴⁴

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
TOTAL (including non-contract areas)	2592	373	2965

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

⁴⁴ *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 Assessment⁴⁵ 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,

⁴⁵ 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 Paper⁴⁶ '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 Analysis⁴⁷ 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

⁴⁶ *Taxi and Limousine Discussion Paper*. (May 2004). Queensland Transport. www.transport.qld.gov.au/PubTrans.nsf/index/TaxiAndLimoDevelopment

⁴⁷ *Taxi and Limousine Development Discussion Paper Feedback Analysis*. (November 2004). Queensland Transport. 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 University⁴⁸

Metropolitan Taxis	Number	Country Taxis	Number
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	Total	420
Leased Peak Period Restricted	35		
Leased Multi Purpose (WATs)	6		
Leased Area Restricted	1		
Total	1193		

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.⁴⁹

⁴⁸ Data supplied by the WA department of Planning and Infrastructure.

www.dpi.wa.gov.au/taxis/1565.asp

⁴⁹ 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’⁵⁰.

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

⁵⁰ *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 inquiry⁵¹ 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.

⁵¹ 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 2003.⁵² 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 2005.⁵³ 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.

⁵² *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

⁵³ *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

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.⁵⁴ 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

⁵⁴ See Nicholls D F (2003). *The Impact of Deregulation on the Commercial Passenger Vehicle Industry*. 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 ballot⁵⁵ 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'⁵⁶ 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

⁵⁵ www.ipe.nt.gov.au/whatwedo/taxis/ballot/06/august.html

⁵⁶ 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 inquiry⁵⁷, 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 (improving⁵⁸), 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 report⁵⁹ 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

⁵⁷ See www.hreoc.gov.au/disability_rights/inquiries/taxis/sagov.doc

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

⁵⁹ Kowalick, I J. *Assessment of the Access Cabs System*. (November 2001). See 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'.⁶⁰ 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

⁶⁰ 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 2004.⁶¹ 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 report⁶² 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),

⁶¹ See www.transport.act.gov.au/_data/assets/file/a4497/updatedplan.rtf

⁶² *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

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 Commission⁶³ 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 report⁶³ 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.⁶⁴

⁶³ See www.hreoc.gov.au/disability_rights/transport/Rpt%20ACT%20DDA.doc

⁶⁴ Much of this information appeared in the reference in footnote 62.

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

State/ Territory	Lift Fee/Bonus	Maximum age of vehicle	Discounted WAT leases	Price of perpetual WAT licences	High- Occupancy tariff may be applied	Other Incentives
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 (APTNAC) 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 APTNAC broadening the range of issues to be considered. It is expected that APTNAC 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.

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