

Review of the  
*Taxi and Luxury Hire Car Industries Act 1995*

**Paper 4 – Wheelchair Accessible Taxis**

Department of Infrastructure, Energy and Resources

February 2006

*This is the fourth in a series of discussion papers to be produced by the Department of Infrastructure, Energy and Resources about the taxi industry.*

*These papers will address issues that were identified during the work of the Taxi Industry Review Group established in 1999 to review Tasmania's taxi legislation, as well as issues of ongoing interest.*

*The purpose of these papers is to seek input on these issues from members of the taxi industry, through the Taxi Industry Reference Group, and other interested stakeholders.*

*The issues in this paper are presented for discussion and do not represent Government policy.*

*The work of the Reference Group and the input from stakeholders will contribute to a process of rewriting the Taxi and Luxury Hire Car Industries Act 1995 and making new regulations to replace the Taxi Industry Regulations 1996 and the Taxi Industry (Taxi Areas) Regulations 1996, proposed for 2007.*

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## 1. Introduction

This paper is one of a series of discussion papers addressing issues that were identified during the work of the Taxi Industry Review Group, which was established in 1999 to review Tasmania's taxi legislation, and other issues of ongoing interest.

Recommendations from the Review Group resulted in the development of the *Taxi and Luxury Hire Car Industries Amendment Act 2003*, which was enacted in December 2003. Tasmania's taxi legislation has subsequently been assessed by the National Competition Council as representing Australian best practice in terms of compliance with National Competition Policy (NCP)<sup>1</sup>. The major features of the legislation included the requirement for new taxi licences to be made available every year, and provision for the introduction of wheelchair accessible taxis (WATs). During the Review several issues were identified that were outside the scope of the Review Group's Terms of Reference. These issues were to be addressed after the commencement of the new Act.

The Department of Infrastructure, Energy and Resources (DIER) has established a Taxi Industry Reference Group to provide advice on a range of issues affecting the industry, including the issues identified by the Review Group. Initially, the issues considered by the Reference Group will be those which will inform a process of rewriting the *Taxi and Luxury Hire Car Industries Act 1995*, the *Taxi Industry Regulations 1996* and the *Taxi Industry (Taxi Areas) Regulations 1996*, which is proposed to be completed in 2007. Further information on the Reference Group's work can be found in [Section 4](#).

This discussion paper relates to the services provided by wheelchair accessible taxis (WATs) and will consider issues such as the role of the Government in issuing WAT licences and the impact of WATs on the industry and on wheelchair-reliant taxi users.

The Government introduced WAT licences through the 2003 amendments to the *Taxi and Luxury Hire Car Industries Act 1995* (the Act) in order to facilitate the industry's compliance with its obligations under the Commonwealth *Disability Discrimination Act 1992* (DDA), in particular compliance with the requirement that response times for accessible taxis be equivalent to that of standard taxis.

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<sup>1</sup> National Competition Council: *Assessment of governments' progress in implementing National Competition Policy and related reforms: 2004, Volume One: Assessment*, Melbourne, October 2004, page 9.15, [www.ncc.gov.au/publication.asp?publicationID=201&sectorID=25](http://www.ncc.gov.au/publication.asp?publicationID=201&sectorID=25) accessed 1 February 2006.

Since the first issue of WAT licences in 2004, thirty one WATs have been introduced into the Tasmanian taxi fleet, in Hobart, Launceston, Devonport and Burnie. A review of the adequacy of WAT services was conducted in 2005<sup>2</sup> to assist the Government in determining whether additional WAT licences should be made available in 2006.

The review found that the standard of the taxi services provided to wheelchair-reliant users, including the standard of vehicles used and the availability of taxis, had improved greatly since the introduction of the WAT scheme, but that response times were not equivalent to response times for standard taxis, as required by the DDA. As a result, the Minister has determined that further WAT licences will be made available in Hobart, Launceston, Devonport and Burnie in 2006.

The success of the WAT scheme is demonstrated by the high level of take-up of WAT services. In 2005, wheelchair-reliant users accounted for over 27 000 of the approximately 61 000 journeys undertaken by WATs. It is estimated that the use of taxi (including Special Purpose Cab (SPC)<sup>3</sup>) services in Tasmania by wheelchair-reliant users increased by almost 90 per cent from 2004 to 2005, and that about half of the taxi journeys undertaken by wheelchair-reliant users in 2005 were undertaken in a WAT. In 2004–2005, Government subsidies to WAT users and operators in the form of trip subsidies and fare top-ups were over \$2 million. Table 1 demonstrates the take-up of WAT services.

**Table 1 – Distribution of ‘taxi’ journeys undertaken by wheelchair-reliant users<sup>4</sup>**

Year	Standard Taxi	SPC	WAT	Total
2004	57%	43%	0	100%
2005	43%	8%	49%	100%

The success of the WAT scheme is due to its implementation as a carefully integrated package of initiatives relating to licensing, vehicle standards and fares and charges. It is considered that significant changes to any element of this package would be likely to undermine the impact of the package as a whole. This discussion paper is therefore an opportunity to entrench the success of the WAT scheme for wheelchair-reliant travellers, and to further refine the scheme to provide the taxi industry with the best opportunity to meet its obligations under the DDA.

<sup>2</sup> SGS Economics & Planning with Myriad Consultancy: *Evaluation of Wheelchair Accessible Taxi Services*, Department of Infrastructure, Energy and Resources, December 2005.

<sup>3</sup> Refer to Section 2.3.1 for further information on Special Purpose Cabs.

<sup>4</sup> Estimate based on three month Transport Access Scheme voucher redemption over the period July–September 2004 and July–September 2005, derived from SGS Economics & Planning with Myriad Consultancy: *Evaluation of Wheelchair Accessible Taxi Services*, Department of Infrastructure, Energy and Resources, December 2005, Tables 15, 16, 17 and 18, pages 36–40.

This discussion paper will draw on the work undertaken in the 2005 review of the adequacy of WAT services. There will be links between the issues considered in this paper and other issues that will be the subject of future discussion papers (e.g. taxi areas and radio rooms). There are also links between this paper and the paper on rural taxis<sup>5</sup>, which has been produced concurrently with this paper, in relation to the introduction of WATs into the non-metropolitan areas.

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<sup>5</sup> Department of Infrastructure, Energy and Resources: *Review of the Taxi and Luxury Hire Car Industries Act 1995 Paper 3 – Rural Taxis*, February 2006.

## 2. Background

### 2.1. Role of Government

The Government has an interest in the operation of the taxi industry as part of the passenger transport network insofar as it contributes to 'an effective internal and external transport and communications system that meets and responds to Tasmania's needs'<sup>6</sup>. The Government's interest in the taxi industry reflects its obligation under the Act to, among other things:

- ensure the availability of adequate standard taxi services at reasonable prices; and
- enable variation in taxi services to meet community demands at prices determined by market forces<sup>7</sup>.

The Government is also concerned with the safety of the passenger transport system in relation to transport providers, customers and other road users.

The Commonwealth DDA requires that response times for accessible taxis are the same as for standard taxis by 31 December 2007. It places the responsibility for compliance in relation to the timeliness of WAT services on taxi radio networks and cooperatives. Therefore, whilst the Government is not directly responsible for meeting this target, as the regulator of the industry, it is keen to ensure that the legislation enables radio networks and cooperatives to comply with the DDA. The WAT scheme is designed to provide the industry with the best chance of meeting these obligations.

#### 2.1.1. Transport Access Scheme

The Government does not have a direct role in the provision of taxi services, but provides a significant financial investment in the taxi industry through the Transport Access Scheme (TAS). The TAS assists people with a permanent and severe disability that prohibits their independent access into the community. A large number of regular taxi users are TAS members.

Under the TAS, eligible members pay a reduced fare, with the balance – 50 per cent for trips in standard taxis and 60 per cent in WATs – paid by the Government. TAS members receive taxi vouchers, which are used in part-payment of the fare. The vouchers are then redeemed by the operators. The 60 per cent subsidy is payable to TAS members that have been certified by a medical practitioner to be totally reliant on a wheelchair for mobility. These members receive

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<sup>6</sup> Tasmania *Together*, Goal 1, Standard 3 (page 36).

<sup>7</sup> *Taxi and Luxury Hire Car Industries Act 1995* (Tas), Section 4(2)(c).

taxi vouchers that have been endorsed 'wheelchair-reliant' to distinguish them from standard taxi vouchers.

As at 31 December 2005 there were over 12 000 TAS members eligible for taxi fare concessions, with almost 3 000 of these members registered as wheelchair-reliant. Approximately 1 000 of these members are active users of WATs.

Under the Taxi Industry Regulations the Government pays a trip subsidy to WAT operators for each trip undertaken by a wheelchair-reliant TAS member<sup>8</sup>. This subsidy is administered through the TAS and the 'wheelchair-reliant' endorsement on the vouchers redeemed by the operator is the trigger for the payment of the trip subsidy.

At present, there is a significant proportion of TAS members whose status is unclear. DIER has provided WAT operators with a specific purpose stamp that they use to mark the vouchers where the TAS member's taxi voucher is not endorsed as 'wheelchair-reliant' but the member presents in a wheelchair. When such vouchers are presented for payment, DIER contacts the TAS member to confirm their status.

From 1997–98 to 2004–05 Government payments in the form of subsidised taxi fares and trip subsidies paid to WAT operators have grown from \$568 000 to \$2 015 000. Based on current demand trends, this is projected to increase to \$2.5 million in 2005-2006. Given that the TAS pays only 50 to 60 per cent of fares, taxi travel undertaken by TAS members represents about \$5 million to the taxi industry every year.

## **2.2. Introduction of wheelchair accessible taxis**

### **2.2.1. Disability Discrimination Act**

The DDA was introduced by the Commonwealth Government in 1992, and its provisions apply to all States and Territories. It aims to eliminate discrimination, as far as possible, against people with disabilities in a range of areas including the provision of services<sup>9</sup>. Public transport, which includes taxis, is a service covered by the DDA.

The *Disability Standards for Accessible Public Transport 2002* (the Disability Standards)<sup>10</sup> prescribe how public transport is to be made accessible for the purposes of the DDA. The Standards establish minimum accessibility requirements to be met by providers and operators of public transport conveyances, infrastructure and premises, in accordance with the Disability

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<sup>8</sup> *Taxi Industry Regulations 1996*, Regulation 28V.

<sup>9</sup> *Disability Discrimination Act 1992* (Cwth), Section 3(a)(ii).

<sup>10</sup> Information on the Disability Standards is taken from the Australian Government Attorney General website [www.ag.gov.au/dsfapt/welcome.html](http://www.ag.gov.au/dsfapt/welcome.html)

Standards' compliance timetable. The Disability Standards take into account the range of disabilities covered by the DDA and apply to the full range of public transport premises (such as bus terminals), infrastructure (such as bus stops, wharves and airports) and vehicles, with some limited exceptions.

The Disability Standards prescribe detailed requirements in relation to accessibility issues such as access paths, manoeuvring areas, ramps and boarding devices, allocated spaces, handrails, doorways, controls, symbols and signs, the payment of fares, and the provision of information.

All conveyances, premises and infrastructure brought into use for public transport after the commencement of the Disability Standards must comply with the Standards. The compliance timetable allows between five and 30 years for existing facilities to be made compliant.

The Disability Standards were developed following consultation with the transport industry and people with disabilities. They were agreed to by all States and Territories and commenced on 23 October 2002.

In relation to vehicles, the Disability Standards prescribe standards for issues such as allocated spaces for wheelchairs, ramps, doorways and headroom. One issue that has particular relevance to WATs is the requirement in the Disability Standards that response times for accessible taxis are the same as for other taxis by 1 December 2007<sup>11</sup>. It places the responsibility for achieving this target on radio networks and taxi cooperatives. The requirements for taxis as defined in the Disability Standards are reproduced at [Appendix 2](#). Most requirements will apply to both WATs and standard taxis, but there are some requirements that are specific to accessible taxis.

The introduction of WAT licences was intended to assist the industry in meeting its DDA obligations in relation to the provision of accessible taxi services.

## **2.3. Development of the WAT scheme**

### **2.3.1. Taxi-style transport for wheelchair-reliant passengers**

Prior to the introduction of WATs, owners of taxi licences had generally been reluctant to operate vehicles that were wheelchair accessible. Such specialised vehicles cost more to purchase and operate. They were also seen as being less appealing to conventional travellers, who tended to avoid travelling in them, and thus were likely to generate less income than standard taxis. In 2003 there was only one wheelchair accessible vehicle operating as a taxi in Tasmania, a Ford Falcon-based flashcab.

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<sup>11</sup> *Disability Standards for Accessible Public Transport 2002*, Schedule 1, Part 1.2.

Commercial taxi services for people with disabilities were provided in one of two ways. Many people in wheelchairs were able to transfer from their wheelchair into a standard taxi and have their wheelchair loaded into the boot. Users that were restricted to wheelchairs, or that had particular difficulty using standard taxis, were able to travel in their wheelchair in a Special Purpose Cab (SPC).

SPCs were introduced into Tasmania to meet the needs of persons with disabilities for taxi-style services. They were licensed under the limited passenger service provisions of the *Passenger Transport Act 1997* (PT Act). Under the PT Act, an SPC was registered as a public passenger vehicle, which can be hired out for reward, together with a driver<sup>12</sup>. The vehicles were required to be fitted with a wheelchair lift and could be hired by persons with disabilities<sup>13</sup>. Under the PT Act, SPCs provided 'taxi style' services to wheelchair-reliant passengers and their carers, but were not taxis. As such they were prohibited from providing taxi services to the general public and from standing on a rank or being hailed<sup>14</sup>. The vehicles used as SPCs were mainly vans, such as the Hiace or Transit.

As a result of the restrictions placed on them, SPCs were often commercially marginal operations. They were therefore only operated in the larger population centres (Hobart, Launceston and Devonport) and tended not to operate at times of low demand such as in the evenings and on weekends. Operators could generally not afford to use the newer vehicles normally found in mainland centres. A high percentage of SPC work was contract work for schools and other institutions, rather than on-demand taxi style work.

Some SPCs still operate in Tasmania, and the same restrictions continue to apply to them. As SPCs are not taxis, and the services they provide to wheelchair-reliant passengers are not part of the 'mainstream' taxi industry, SPCs are considered to be a parallel service for the purposes of the DDA. This is not legally acceptable in terms of providing equivalent access to transport services for people with disabilities. With WATs now undertaking the majority of wheelchair work, as demonstrated by Table 1 (page 6), SPCs in the metropolitan areas will have their access to the TAS phased out by 30 June 2007.

Transport services for people with disabilities have also been provided by community transport operators. Generally, community transport operators provide services to certain target groups to cater for specialist needs. Clients may contribute to the cost, but this is usually much less than the fare a commercial operator would charge. The provision of community transport reduces demand for commercial accessible transport services and reduces the commercial

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<sup>12</sup> *Passenger Transport Act 1997* (Tas), Section 7.

<sup>13</sup> *ibid.*, Schedule 2, Item 1(g).

<sup>14</sup> *ibid.*, Section 16.

viability of services such as SPCs in some areas of the state. The interaction between taxis and community transport is considered further in the discussion paper on rural taxis<sup>15</sup>.

### **Users' experiences**

A national survey of taxi customers was conducted in November and December 2002<sup>16</sup>, under the guidance of the National Taxi Regulators Group (NTRG)<sup>17</sup>. The survey provided nationally comparable data on a range of service and attitudinal measures for the Tasmanian (standard) taxi industry.

DIER commissioned a complementary survey of wheelchair taxi users in 2003<sup>18</sup> prior to the introduction of WATs. This survey provides a snapshot of users' experiences and expectations in relation to accessible taxi services. It was conducted to enable a comparison to be made between the experiences of wheelchair-reliant users and users of standard taxi users collected in the 2002 National Taxi Users Survey.

The 2003 survey found that while wheelchair-reliant users were generally happy with the service provided by SPCs, there were problems with the availability and cost of these services. The survey found that the wheelchair accessible vehicles did not, in general, provide equivalent transport to users of standard taxis, particularly in relation to availability, cost, and value for money. Further, a significant proportion of survey respondents reported that they would not use an SPC for reasons including cost, safety, driver attitudes, discomfort, and lack of availability.

According to the survey, wheelchair-reliant passengers experienced difficulty in accessing SPC services 'on demand'. The survey found that many users needed to pre-book, often a day or more in advance, to ensure travel. Users also expressed concern that drivers were not adequately trained in communicating with and transporting people with disabilities.

The 2003 survey provides baseline information against which the effectiveness of WAT services can be assessed.

### **2.3.2. Response to the DDA**

The policy framework underpinning the development of the WAT scheme was that, consistent with the requirements of the DDA for equivalent access, vehicles would be introduced that were first and foremost *taxis*. However, they would also be wheelchair accessible, and thus be able to provide services for both standard taxi users and wheelchair-reliant passengers. This was

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<sup>15</sup> Department of Infrastructure, Energy and Resources: op. cit.

<sup>16</sup> Colmar Brunton: *2002 National Taxi Users Survey Report*, February 2003.

<sup>17</sup> The NTRG comprises the taxi regulators from each state and territory. Its principal focus is the exchange of information and sharing of ideas in relation to the regulation of taxi services in Australia. The NTRG has now become part of the national transport policy framework and works within the construct of the Standing Committee on Transport and its subordinate Australian Passenger Transport Group.

<sup>18</sup> Colmar Brunton: *Wheelchair Taxi Users*, September 2003.

opposed to the previous segregated 'parallel' taxi service, which only serviced wheelchair-reliant users and was provided by specialised vehicles that were commercially unsustainable at off-peak and weekend periods (i.e. SPCs).

The WAT scheme is a package of initiatives designed to provide a high standard taxi service to people who rely on wheelchairs for mobility. The scheme includes provisions relating to licensing, vehicle standards, and subsidies. It was developed following consultation with representatives of people with disabilities and representatives from the taxi industry. The provisions for licensing and vehicle standards are aimed at ensuring the provision of a high quality, stable WAT service, and preventing the accumulation of scarcity value in WAT licences as has occurred with perpetual licences<sup>19</sup>.

### 2.3.3. Legislative requirements for WATs

The provisions of the Act and the Taxi Industry Regulations pertaining to WATs are reproduced at [Appendix 3](#) and [Appendix 4](#) respectively. They are summarised below.

#### Issue of WAT licences

The Act provided for an initial 16 WAT licences to be made available in the four metropolitan taxi areas (Hobart, Launceston, Burnie and Devonport)<sup>20</sup> in 2004, and a further 17 licences in 2005<sup>21</sup>. The initial 33 WAT licences were offered in place of an equivalent number of perpetual taxi licences which, but for the introduction of the WATs, would have been offered under the Act<sup>22</sup>. The 2003 amendments to the Act provided for a two-year moratorium on the release of perpetual taxi licences in the Hobart, Launceston, Devonport and Burnie taxi areas to enable WAT licences to be released in these areas<sup>23</sup>. This could be extended for a further twelve months in any or all of those areas if the Minister considered that response times for WATs in the relevant area/s did not meet the target set in the Disability Standards. Based on the 2005 review of WAT services, the Minister determined that further WAT licences would be made available in all areas in lieu of perpetual licences in 2006. Table 2 illustrates the distribution of the licences.

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<sup>19</sup> Perpetual taxi licences are able to be sold and leased. In Tasmania approximately 65 per cent of perpetual taxi licences are leased, with owners reportedly charging lessees in Hobart over \$200 per week to operate their licence, which represents a return of over ten per cent on the cost of the licence. There is concern in the taxi industry about the effects of lease rates on the viability of operators. Restrictions on the number of taxi licences in each area have meant that the major source of profit in the industry is derived from the scarcity value of the licences and corresponding high licence prices and lease rates, rather than from the service provided by operators and drivers.

<sup>20</sup> Under the *Taxi Industry (Taxi Areas) Regulations 1996* Tasmania is divided into 24 geographic taxi areas. Taxis are restricted to operating to, from or within their nominated area. Of the 404 taxi licences on issue, 85 per cent operate in the four metropolitan taxi areas – Hobart (207), Launceston (91), Burnie (22) and Devonport (22). The remaining licences are spread across the regional (non-metropolitan) areas.

<sup>21</sup> Taxi and Luxury Hire Car Industries Act, Schedule 7.

<sup>22</sup> Section 19 of the Taxi and Luxury Hire Car Industries Act requires the Transport Commission to make available new perpetual taxi licences in all taxi areas each year. In each area the number of new licences to be made available each year is equivalent to five per cent of the number of licences currently on issue in that area, or one licence, whichever is the greater.

<sup>23</sup> *Taxi and Luxury Hire Car Industries Amendment Act 2003* (Tas), Section 16.

**Table 2 – WAT licences to be made available in 2004 and 2005 in accordance with the Taxi and Luxury Hire Car Industries Act 1995**

<b>Taxi Area</b>	<b>2004 WAT Licences</b>	<b>2005 WAT Licences</b>	<b>2006 WAT Licences</b>
Hobart	10	10	10
Launceston	4	5	5
Devonport	1	1*	1*
Burnie	1	1*	1*
<b>Total</b>	<b>16</b>	<b>17</b>	<b>17</b>

\* WAT licences were not taken up in Burnie and Devonport in 2005. These licences will be made available again in 2006, which means that a total of two licences will be made available in each of Burnie and Devonport in 2006.

The provisions in the Act requiring the issue of new licences were introduced in 2003 to ensure that Tasmania met its NCP obligations in respect of reforming legislation that placed restrictions on competition. The provisions were intended to provide a gradual opening up of the market to new entrants by releasing a limited number of licences every year. The introduction of WATs, as taxis that can undertake standard taxi work as well as wheelchair work, fulfils this obligation while also assisting the industry to meet its DDA obligations.

In its 2004 *Assessment of Governments' progress in implementing National Competition Policy and related reforms*, the National Competition Council assessed Tasmania as complying with the relevant NCP obligations<sup>24</sup> and considered that its legislation represented best practice among the jurisdictions<sup>25</sup>.

In addition to the initial release of WAT licences in lieu of standard perpetual licences, the Act provides for additional WAT licences to be made available in the metropolitan areas (at any time), if the Transport Commission considers that the response times for WATs are not equivalent to the response times for standard taxis in a particular area<sup>26</sup>. In non-metropolitan areas, the Act provides for the Commission to make WAT licences available on application to the Commission<sup>27</sup>.

### **WAT licensing arrangements**

Licensing arrangements for WATs are different from those for standard taxis. WAT licences are issued at no cost to operators, other than a small administration fee, whereas perpetual taxi licences are made available by the Government at the assessed market value (AMV), which is

<sup>24</sup> National Competition Council: op. cit., page 16.6.

<sup>25</sup> *ibid.*, page 9.15.

<sup>26</sup> Taxi and Luxury Hire Car Industries Act, Section 23N(2)(a).

<sup>27</sup> *ibid.*, Section 23N(2)(b).

determined by the Valuer-General<sup>28</sup>, or can be traded on the open market. The AMV of perpetual taxi licences range from \$1 000 in some rural areas to over \$80 000 in Hobart, although the current market value can exceed this.

Unlike perpetual taxi licences, which do not expire, WAT licences expire after ten years from the date of issue and can be renewed on expiry at the discretion of the Commission<sup>29</sup>. WAT licences are not able to be leased<sup>30</sup>, but they can be transferred to another party<sup>31</sup>. Perpetual licences are the personal property of the person to which they are issued and can be assigned<sup>32</sup>.

In recognition of their previous service, operators of SPCs were given the first option to be issued with a new WAT licence in 2004 and 2005<sup>33</sup>. SPC operators could apply for one WAT licence for each SPC licence they held. The remaining licences that were not taken up by existing SPC operators were allocated to other applicants through a ballot process. In 2006 the licences will be allocated through a ballot process.

The Commission is able to impose conditions on WAT licences, including conditions relating to the area in which the WAT can operate, the availability of the WAT to wheelchair-reliant passengers and the condition or standard of the vehicle<sup>34</sup>. The Commission can also impose conditions on a WAT licence in respect of the minimum number of wheelchair-dependent passengers carried under that licence if this is deemed necessary to improve the response times of WATs<sup>35</sup>.

## Vehicles

Schedule 6 of the Act<sup>36</sup> outlines the requirements for vehicles used as WATs. It requires that vehicles registered as WATs comply with the WAT standards specified in the Disability Standards. In addition, under Schedule 6 WATs must be either new vehicles, or vehicles aged up to ten years that have been previously registered as a WAT in Tasmania. Vehicles that are not new and have not previously been registered as a WAT in Tasmania cannot be used as WATs. The Act also requires that vehicles must have ramp entry and must provide for a wheelchair-reliant passenger to sit centrally in the vehicle whilst seated in their wheelchair. Further, any modifications to make the vehicle wheelchair accessible must not significantly alter the original external appearance of the vehicle.

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<sup>28</sup> Under Section 11 of the Taxi and Luxury Hire Car Industries Act the Valuer-General assesses licence values every three years. The AMV is the minimum price at which the Government can make new licences available.

<sup>29</sup> Taxi and Luxury Hire Car Industries Act, Section 23P(3).

<sup>30</sup> *ibid.*, Section 23M(4).

<sup>31</sup> *ibid.*, Section 23S.

<sup>32</sup> *ibid.*, Section 21.

<sup>33</sup> Taxi Industry Regulations, Regulation 28U.

<sup>34</sup> Taxi and Luxury Hire Car Industries Act, Section 23P(2).

<sup>35</sup> *ibid.*, Section 23R.

<sup>36</sup> *ibid.*, Schedule 6.

The vehicle standards were developed following consultation with representatives of people with disabilities, who provided detailed guidance regarding the types of vehicles that should be able to be registered as WATs. The consensus of users was that they did not want to travel in vehicles that looked different or looked as if they were 'dedicated' to transporting people in wheelchairs. It was agreed that vehicles that were highly visually modified to make them wheelchair accessible were appealing to neither wheelchair-reliant users nor to users of standard taxis. Ensuring that the vehicles were accepted by non wheelchair-reliant users was an important component of the design of the WAT scheme, as the commercial viability and success of the scheme would depend heavily on the acceptance of the vehicles by the general public as well as wheelchair-reliant users. In particular, if WATs were unable to compete effectively with standard taxis in providing taxi services to the general public, they would be unlikely to be viable, especially during off-peak periods. This would result in the availability of WATs being reduced, with the result that response times would not meet the targets set by the DDA.

Thus there was a strong preference among users for passenger vehicles that could be converted to accommodate wheelchairs, rather than the more commercial van-style vehicles and the highly modified flashcabs that had been used as SPCs. It was also noted that vans tend to deliver a less comfortable ride than converted passenger vehicles.

There was also preference for vehicles that could be entered via a 'ramp' rather than via a traditional 'hoist'. It is understood that some older vehicles that were converted for wheelchair accessibility were equipped with a hoist that lifted the wheelchair into the air. Users reported feeling unsafe during hoist entry and considered that this style of entry was very undignified. Conversion of vehicles to allow hoist entry would result in significant modifications to the original external appearance of the vehicle, which was seen as unacceptable for the reasons outlined above. DIER understands that accessible vehicles are no longer equipped with this style of hoist.

Since the introduction of the scheme, users have raised concerns that standard ramps, where the driver pushes the wheelchair up the ramp, whilst complying with the Standards, do not enable users in heavier wheelchairs to enter WATs, due to the weight of the wheelchair. A mechanical 'lifting ramp' is often needed to accommodate these users. This issue is discussed in further detail in Section 3.6.2.

In developing the WAT scheme, it was decided that only high quality vehicles should be permitted to be used as WATs, to ensure a high standard of service and to encourage commercial viability. Thus the legislation requires that vehicles registered as WATs be new vehicles or, if not new, previously registered as a WAT in Tasmania. This would ensure, for example, that the most up-to-date models were used, which, it was hoped, would provide the highest levels of comfort and greatest ease of access.

## Fares and charges

Fares for journeys where at least one wheelchair passenger is carried in a WAT are higher than standard taxi fares. The flagfall is 50 per cent greater and the kilometre rate is about 20 per cent higher<sup>37</sup>. The \$4.50 flagfall is equivalent to 7.5 minutes of waiting time, and together with the higher fare, recognises the extra time required for a driver to transport a passenger in a wheelchair, in particular the time taken to load and unload the wheelchair from the vehicle. WATs are also permitted to charge a high occupancy tariff when they are carrying more than five passengers. This tariff is equivalent to the off-peak wheelchair tariff.

Table 3 outlines the fares applicable to WATs. Table 4 demonstrates example fares for a range of distances (assuming 60 seconds waiting time in each case) on a normal weekday.

**Table 3 – Taxi fare structure for wheelchair accessible taxis from 2 November 2005**

Fare Component	Tariff 3	Tariff 4
Applies	When transporting passengers in a wheelchair 6.00 am to 8.00 pm Monday–Friday other than public holidays	When transporting passengers in a wheelchair at all other times  High occupancy work at all times
Flagfall (Standard taxi work)	\$4.50 (\$3.00)	\$4.50 (\$3.00)
Waiting Time (per hour) (Standard taxi work)	\$36.00 (\$31.50)	\$36.00 (\$31.50)
Distance Rate (per kilometre) (Standard taxi work)	\$1.76 (\$1.58)	\$2.10 (\$1.89)

<sup>37</sup> Taxi Industry Regulations, Schedule 4.

**Table 4 – Cost of WAT fares compared to standard taxis for a range of distances (assuming 60 seconds waiting time) during a weekday**

Journey (km)	Standard Taxi (Tariff 1)	Including 50% TAS subsidy	WAT (Tariff 3)	Including 60% TAS subsidy
1.5	\$5.90	\$2.95	\$7.74	\$3.10
3	\$8.27	\$4.13	\$10.38	\$4.15
5	\$11.43	\$5.71	\$13.90	\$5.56
7	\$14.59	\$7.29	\$17.42	\$6.97
10	\$19.33	\$9.66	\$22.70	\$9.08
20	\$35.13	\$17.56	\$40.30	\$16.12

In addition to the metered fare, a trip subsidy (\$10.00 in Hobart, \$12.00 in Launceston and \$16.00 in Burnie and Devonport) is paid by the Government to WAT operators for each trip where at least one wheelchair passenger is carried<sup>38</sup>. The trip subsidy is paid in recognition of the initial high cost of the WAT vehicle and the costs associated with modifying the vehicle. It was intended to encourage operators to especially target the needs of wheelchair-reliant passengers and thereby increase their access to taxi services.

The fare structure and subsidy amounts were based on detailed cost modelling of the likely operations of the WATs in each taxi area compared to standard taxis. Factors taken into consideration included the cost of the vehicle and the modifications required, the capacity of the vehicles (i.e. one wheelchair), the higher operating costs associated with operating a WAT, the likely proportion of standard journeys to wheelchair journeys, and the relatively lower resale value of a WAT at the end of its working life.

As noted above, the trip subsidy was intended to offset the initial capital cost of entering the WAT market. As the number of WAT users, and therefore the number of trips, would be smaller in Launceston than in Hobart, and smaller again in Burnie and Devonport, the trip subsidy needed to be higher in these areas to enable operators in these areas to recover the capital costs in about the same time as operators in Hobart.

There have been some calls for the fare structure and the trip subsidies to be amended. This is discussed further in Sections 3.2.4 and 3.4.1.

<sup>38</sup> *ibid.*, Schedule 6.

## 2.4. Accessible taxis in other jurisdictions

### 2.4.1. New South Wales<sup>39</sup>

There are 477 WATs in New South Wales (NSW), which accounts for 7.7 per cent of the total fleet of 6 172 taxis across the State. 300 of these are located in Sydney, with the remaining 177 in regional NSW. In the regional areas most WATs are maxi-taxis or flashcabs. There are currently 1 966 WAT accredited drivers in NSW, although not all of these may be active.

In Sydney the 'Zero-200' Booking Service provides a centralised booking service for customers and WAT operators. The Zero-200 Service operates on a queue-based system, allocating jobs to drivers who are next in queue.

There is no cap placed on the available number of standard taxi plates. These currently trade for around \$270 000 in the Sydney market. There is also no restriction in the number of WAT licenses. WAT licences are leased by the NSW Government for \$1 000 per year in the major metropolitan areas. Outside of Sydney no licence fee is charged.

WAT licence conditions require provision of a priority service to wheelchair jobs, and a WAT vehicle must always be driven by a WAT authorised driver. Besides the low licence fee for the licence owner, there are additional government incentives to subsidise operation of WAT vehicles. For instance the Ministry of Transport offers interest free loans to operators in identified high need country towns where no WAT service exists or where there is a demand for an additional WAT. The loans are for amounts up to a maximum of \$30 000 or half the market value of the vehicle, whichever is the lesser amount, and are repaid over four years. The scheme has been in place since 1992<sup>40</sup>.

The Government reviews WAT vehicle activity levels prior to renewing a licence. A combination of information is considered, including data on numbers of wheelchair hirings (provided by an applicant on each application for a WAT licence), verification of wheelchair bookings undertaken (provided by taxi network), and an analysis of Taxi Transport Subsidy Scheme docketts.

If the government determines that insufficient WAT work has been undertaken by a WAT, a license renewal may be refused or given conditional approval, pending a further performance assessment.

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<sup>39</sup> NSW Ministry of Transport, Wheelchair Accessible Taxi Taskforce, *Interim Brief to the Minister for Transport Services*, September 2004.

<sup>40</sup> NSW Ministry of Transport website: [www.transport.nsw.gov.au/concess\\_grants/wheelchair.html](http://www.transport.nsw.gov.au/concess_grants/wheelchair.html) accessed 31 January 2006.

WAT drivers may not change shifts between 3:00 pm and 5:00 pm in order to ensure availability of vehicles at peak times. WAT drivers are required to undertake an additional two-day WAT course as well as standard taxi driver training. The WAT training costs are covered by an industry fund of money sourced from accreditation payments.

In 2003, the NSW Government amended licence conditions to allow WATs to carry only one wheelchair. Previous licences required vehicles to be capable of carrying two wheelchairs. This change in policy allowed a greater range of vehicle types to enter the market, promoting lower on-road and running costs.

#### **2.4.2. Victoria<sup>41</sup>**

A fleet of 366 WATs operates across Victoria, including 87 in major regional centres, with the remainder operating in Melbourne.

The Victorian Government regulates the release of wheelchair accessible taxi licences on the basis of assessed consumer demand. The last release of these types of licences in the metropolitan taxi-cab zone was in 1999, when 100 high occupancy taxi-cab licences were issued at a price of \$65 000. These licences had four-year non-transferable conditions attached, and currently trade for around \$250 000 in the market.

In regional Victoria, an application for a WAT licence can be made at any time. However, an applicant must demonstrate that there is a need for a licence to be issued, taking into account the interests of the public, including existing operators. If the Victorian Taxi Directorate (VTD) is satisfied that it is in the public interest to issue the licence, it is subject to an annual lease fee, which can vary between \$500 and \$2 100, depending of the number of taxis operating in the area. These fees are determined by the Minister from time to time. The licences are non-transferable and non-assignable.

Accessible taxis are required to give priority to bookings from people who use wheelchairs, but their licence conditions also allow them to carry other passengers when not engaged with wheelchair bookings. The wheelchair accessible fleet includes taxis equipped to carry one wheelchair and up to four other passengers, and those that can carry two wheelchairs and up to six other passengers.

WATs are currently dispatched in the metropolitan area by one of two taxi depots. WATs attached to country depots are dispatched by their own network.

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<sup>41</sup> Department of Infrastructure website accessed 3 January 2006:  
[www.doi.vic.gov.au/DOI/Internet/transport.nsf/AllDocs/CC8D03F91EE0B219CA256C1C001DE33D?OpenDocument](http://www.doi.vic.gov.au/DOI/Internet/transport.nsf/AllDocs/CC8D03F91EE0B219CA256C1C001DE33D?OpenDocument).

WATs collect a lifting fee of \$10.00 per hiring by a person in a wheelchair. The driver is entitled to retain at least \$6.70 of this lifting fee. Outside Melbourne, ordinary taxis can collect a lifting fee of \$5.00 for carrying collapsible wheelchairs. The taxi industry has asked for the lifting fee to be applied per wheelchair, but the proposal has not been accepted. The lifting fee is reimbursed directly by the Department of Infrastructure to the driver and is not paid by the customer.

Currently driver training is paid for by individual drivers. However, the VTD is currently investigating the possibility of providing Government-funded subsidies for driver training to improve the level of customer service.

#### **2.4.3. Queensland<sup>42</sup>**

At May 2004 there were 315 WATs on issue in Queensland, including 169 in Brisbane. This number does not include standard taxis voluntarily converted to wheelchair accessible vehicles.

It is a specific condition of the WAT licence issued by Queensland Transport that where WATs are available, people using wheelchairs will be given first priority.

#### **2.4.4. South Australia<sup>43</sup>**

There is currently a fleet of 72 WATs operating in metropolitan Adelaide. The fleet consists of single WATs (flashcabs) and vans able to fit two to three wheelchairs plus passengers.

Licences to operate WATs are termed 'General Licences with Special Conditions'. The Special Conditions relate to the operation of WAT vehicles. Licences are permanent and cannot be leased but may be sold or transferred. The operator must ensure that the prospective buyer/s of the licence is fully aware of and understands the conditions attached to the licence. The Taxi Council South Australia Inc. (the industry association) reports that transfers of licences are averaging around \$40 000 per licence.

WAT operators are required to be affiliated with the centralised booking service (CBS), which is managed by a single service provider. Since September 2001, WATs have not been permitted to be connected to a second radio network.

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<sup>42</sup> Queensland Transport website: [www.transport.qld.gov.au/public](http://www.transport.qld.gov.au/public) accessed 3 January 2006.

<sup>43</sup> Adelaide Access Taxis website: [www.opt.dtup.sa.gov.au/publications/access\\_perf\\_current.html](http://www.opt.dtup.sa.gov.au/publications/access_perf_current.html) accessed 3 January 2006.

WAT drivers must be in radio contact with the CBS at all times and must comply with all requests from the CBS operator in relation to bookings and associated matters. In particular, drivers must provide a dedicated service to bookings made through the CBS between the hours of 7:30 am and 6:30 pm daily. The period of dedicated service may be greater on holidays and other days of special events, including Christmas Day and Mothers Day.

WATs may be required to participate in a roster system to provide services within any 24-hour period. Operators are required to ensure that the vehicle meets any quotas or other measures imposed by the CBS to ensure effective distribution and servicing of bookings to people with disabilities. At times when there is no demand for services by people with disabilities, the WAT may, by agreement with the CBS, be 'rostered off' and deployed in general taxi work.

The operator is responsible for ensuring that their drivers have sufficient responsibility, skills and aptitude to drive a WAT and to provide related services to people with disabilities. Drivers are required to have undertaken relevant training.

WATs that are temporarily out of service can only be replaced by Standby Licences that are attached to a vehicle capable of carrying at least one wheelchair or mobility aid.

Operators are required to participate in the South Australian Transport Subsidy Scheme (SATSS). There is no lift fee for wheelchair hirings. However, there is provision for an 'on time bonus'. If the taxi arrives within 30 minutes and 59 seconds, the Department for Transport, Energy and Infrastructure pays a bonus of \$5.00 to the driver. The scheme has been in place since December 2002. 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 \$1.00 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 on time bonus.

The State Government does not issue taxi licences outside the Metropolitan Adelaide region. Licences for country taxis are issued by local government. Country 'taxis' without a licence (e.g. hire cars) are regarded as small passenger vehicles under the *Passenger Transport Act 1994* and have permission to ply for hire and use a meter and roof sign. WATs in country areas are therefore not subject to the conditions (including the on time bonus) of metropolitan taxis but are approved to accept the SATSS.

#### 2.4.5. Western Australia<sup>44</sup>

At June 2005 there were 87 multi-purpose taxis in Perth (known as the MPT fleet). Of these, 56 were transferable MPT licences, 25 were non-transferable licences and a further six licences were leased by the Government (for a period of ten years at a rate of \$100 per week). There were a further 16 MPTs in country areas. In November 2005 the Western Australian (WA) Government announced that additional metropolitan taxi licences would be made available, including 12 MPT plates<sup>45</sup>.

MPTs are wheelchair accessible taxis that are required to give priority to wheelchair hirings, although they can do other work in between. MPT operators have the choice of two registered dispatch services with which to affiliate. Of the 87 MPTs, approximately 20 to 30 do mainly private bookings of wheelchair work, with little dispatch work. The remaining taxis do a mixture of private bookings and dispatch work and may derive income from both wheelchair and non-wheelchair hirings.

MPT drivers are able to charge the 'detention rate' during pickup and set down, to assist them in servicing special needs customers, who often take longer to get in to and out of a taxi. Each MPT vehicle is expected to complete a quota of 60 wheelchair jobs per month. In December 2005 the WA Government introduced a \$5.00 fuel subsidy to operators of diesel powered MPTs for each wheelchair job undertaken through the Taxi User Subsidy Scheme for an 18-month period, in an effort to combat escalating fuel costs<sup>46</sup>.

Metropolitan MPTs are required to carry two wheelchairs and must be fitted with an electronic hoist. They are also required to have a fold down or slide-out step and a vertical grab rail fitted to the side entry of the rear passenger cabin to assist ambulant passengers (i.e. those able to walk) during entry and exit. The age of the vehicle cannot exceed ten years, and a vehicle cannot be older than five years when it is first registered as an MPT. There are no vehicle specifications for the country MPTs.

In October 2005 the WA Government announced plans to buy back the 56 transferable plate at a cost of \$108 000 each. This figure was based on the 2004 average market price of MPT plates. This announcement was in response to financial pressure on operators as a result of diesel price increases, and other factors such as vehicle purchase prices, maintenance and general operational costs. The buy-back of MPT plates and the re-issue of these plates under lease at \$100 per week was to have reduced the cost for operators significantly, and was

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<sup>44</sup> Market Equity Research and Strategy: MPT Industry Issues – Qualitative Research with Drivers and Owner-Divers, a report for Department for Planning and Infrastructure, Government of Western Australia, August 2005.

<sup>45</sup> Government of Western Australia Media Statement, Allannah McTiernan MLA, Minister for Planning and Infrastructure: "More taxis and increased fares help both customers and drivers", 4 November 2005.

<sup>46</sup> Government of Western Australia Media Statement, Allannah McTiernan MLA, Minister for Planning and Infrastructure: "Fuel subsidy to combat taxi costs and improve disability services", 29 November 2005.

intended to make operating an MPT vehicle a more attractive proposition for current and potential drivers. Leases to existing MPT owners would be for a minimum of three years and a maximum of ten years<sup>47</sup>. This legislation has been referred to a Parliamentary Standing Committee, following lobbying by some sectors of the WA taxi industry.

MPT drivers are required to undertake training and they will normally pay for his or her own training. The WA Government has recently introduced a new scheme to directly fund MPT driver training. The scheme is known as MPT Cadetship, and aims to increase the number of MPT drivers available. The candidates for this scheme are selected according to their experience or desire to work with people with disabilities. The Government pays for all driver licensing and training associated with the scheme.

#### **2.4.6. Northern Territory<sup>48</sup>**

A Multi Purpose Taxi (MPT) is a vehicle approved by the Director of Commercial Passenger (Road) Transport that is fitted, equipped or constructed to carry and secure at least one passenger seated in a wheelchair. MPTs must accept wheelchair hirings as a priority over any other hiring. MPTs are permitted to stand for hire in designated taxi ranks and to respond to hails. They cannot be operated within an area that is not specified in the MPT licence.

The Northern Territory (NT) Government has placed a cap on the number of taxis, including MPTs, operating in the Darwin and Alice Springs areas. The availability of licences is based on the population of these areas. Licences are allocated by ballots, which are generally held once a year, subject to licence availability. If a number of licences become available, ballots will be held more frequently. The number of licences issued at ballot ensures that at least ten per cent of taxis are MPTs.

The annual fee for an MPT licence varies from region to region (ranging from \$8 000 in Darwin to \$2 250 in Tennant Creek) and is half of the applicable licence fee for a standard taxi. Payment for the first 12 months is required for any new MPT licence that is issued. Following the initial 12 months, the option of three, six, nine and twelve monthly payments are available. If an MPT licence is expired for a period of more than three months it is considered cancelled and is placed on a list of licences to be made available through the ballot process.

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<sup>47</sup> Government of Western Australia Media Statement, Allannah McTiernan MLA, Minister for Planning and Infrastructure: "Legislation to be introduced enabling MPT lease plate buy back", 18 October 2005.

<sup>48</sup> NT Department of Planning and Infrastructure website: [www.ipe.nt.gov.au/whatwedo/taxis/information-bulletins.html](http://www.ipe.nt.gov.au/whatwedo/taxis/information-bulletins.html) accessed 3 January 2006.

#### 2.4.7. Australian Capital Territory<sup>49</sup>

WAT licences are non-transferable, leased licences issued by the Government, which have a duration of six years. The lease fee is \$1 000 per year. The low cost licence is intended to compensate for the high costs of obtaining and operating special WAT vehicles.

The WAT licence permits the licensee/operator to carry out standard taxi hirings. Unlike standard taxi licences, WAT licences have conditions attached to them. The conditions include that WATs must give priority to wheelchair hirings under all circumstances, and that WAT vehicles must be capable of carrying two wheelchair passengers simultaneously. The licensee must ensure drivers comply with the licence conditions, and disciplinary action may be taken by the Road Transport Authority against the licensee for non-compliance.

WAT networks are required under the Australian Capital Territory (ACT) Road Transport legislation to provide a minimum standard of service to all passengers. They are required to:

- ensure that WATs give priority to people who use a wheelchair;
- inform people of the expected time of arrival of the WAT; and
- advise the RTA of any WAT driver who does not give priority to a person in a wheelchair.

WAT networks are also required to provide a dedicated WAT manager from 7:00 am to 7:00 pm. The WAT manager must allocate all pre-booked hirings every morning. There have been some problems with implementing this system, as drivers may also have private bookings that are not coordinated through the network.

Although 26 WAT licences have been issued by the Government, at February 2006 there were only 18 WATs in operation. A number of operators returned their licences as they did not consider their WAT service to be viable.

The ACT Government introduced a lift fee for drivers in 2003. This is currently \$10.00.

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<sup>49</sup> ACT Department of Urban Services, WAT Reference Group Secretariat: *Wheelchair Accessible Taxis Reference Group Report*, September 2005.

## 2.5. Current Situation

### 2.5.1. Tasmanian WAT fleet

In 2004 and 2005, in accordance with the Act, 33 WAT licences were made available in the metropolitan taxi areas. All 16 of the WAT licences released in 2004 were taken up, and all are now in service. Fifteen of the 17 WAT licences made available in 2005 have been allocated. These vehicles are being rolled out from July 2005. Table 5 outlines the areas in which licences have been issued.

**Table 5 – WAT Licences on issue in Tasmania at January 2006**

Taxi area	2004 licences issued	2005 licences issued	Total licences issued
Hobart	10	10	20
Launceston	4	5	9
Devonport	1	0*	1
Burnie	1	0*	1
<i>Total</i>	<i>16</i>	<i>15</i>	<i>31</i>

\* No application was received for the 2005 Devonport WAT licence and the successful applicant for the Burnie licence subsequently withdrew their application. These licences will be made available again in 2006.

The Commission is required to make the licences that were not taken up in 2005 available again after the end of the initial period of release of licences (i.e. after the initial two years)<sup>50</sup>.

A more detailed breakdown of the licences on issue is provided at [Appendix 5](#).

Under the Act, WAT licences were to be made available in lieu of standard perpetual taxi licences only in 2004 and 2005. However, Section 16 of the *Taxi and Luxury Hire Car Industries Amendment Act 2003* provides the Minister with the discretion to extend the moratorium on perpetual taxi licences in the metropolitan areas for a further 12 months and make further WAT licences available in these areas. Further WAT licences will be made available in 2006, as the Minister has determined that the response times for WATs are not equivalent to the response times for standard taxis in a particular taxi area, as required by the Disability Standards.

### 2.5.2. Review of adequacy of WAT services

In late 2005, SGS Economics & Planning and Myriad Research undertook a review of the adequacy of WAT services to inform the Minister's decision on whether to issue further WAT

<sup>50</sup> Taxi and Luxury Hire Car Industries Act, Section 23N(3).

licences in the metropolitan taxi areas in 2006. The terms of reference of this review are presented at [Appendix 6](#).

The review included a phone survey of a random sample of 171 WAT users and face-to-face discussions with representatives of disability advocacy groups, focusing on their experiences and expectations. The consultants also interviewed members of the taxi industry, including WAT operators, radio room staff, standard taxi operators, and the two industry associations to ascertain their views on WAT services.

The significant findings of the review are summarised in the following sections. Further detail and analysis of the issues raised is presented in Section 3 of this paper.

### **Changing demand for WATs**

The review noted that the WAT market in Hobart had changed significantly since the introduction of WATS, but that there had been little change in Launceston, Devonport or Burnie. In Hobart, most of the WAT operators were not previous SPC operators and many are newcomers to the taxi industry. One operator noted that users were very happy with the level of service now provided by WATs compared to that provided by SPCs. Demand for wheelchair services has reportedly grown in Hobart due to this increased level of customer satisfaction<sup>51</sup>.

In the other three cities, the operators and number of vehicles providing wheelchair services are more or less the same. The only significant change is in the type of vehicles. The WAT licences issued in Burnie, Devonport and Launceston were taken up by former SPC operators; so all operators had a previously established base of customers. However, all operators reported that the number of TAS members using taxis and the number of people using WATs were growing all the time<sup>52</sup>.

### **Users' responses**

Users expressed a high level of satisfaction with WAT services. This is consistent with the high ratings of standard taxis in the 2002 National Taxi Users Survey<sup>53</sup>.

### **Availability**

Most respondents reported an improvement in services in the past 18 months (i.e. approximately since the time of the entry of WATs into the market). However, a number of users still reported poor availability of WATs as opposed to standard taxis, and most users noted that there was a need to book in advance. In terms of compliance with the DDA, requiring

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<sup>51</sup> SGS Economics & Planning with Myriad Consultancy: Evaluation of Wheelchair Accessible Taxi Services, Department of Infrastructure, Energy and Resources, December 2005, pages 52-53.

<sup>52</sup> *ibid.*, page 53.

<sup>53</sup> Colmar Brunton: *2002 National Taxi Users Survey Report*, February 2003.

a WAT to be booked in advance would not be considered to be 'equivalent' to a service provided by a standard taxi, as these often do not need to be pre-booked. Users can normally obtain a taxi on demand, on a rank, by hailing or by calling a taxi company.

The reported rate of failure to obtain a WAT was estimated at roughly 70 per cent to 100 per cent higher than the rate reported for standard taxis in the 2002 survey<sup>54</sup>. WAT availability was poorest in peak times, which coincide with the start and end of the school day, and outside standard hours.

### **Response times**

Most respondents (90 per cent) reported that pre-booked WATs arrived early or on time. DIER has no information on an equivalent figure for standard taxi users, as this was not collected in the 2002 survey.

Directly comparable data between response times for 'as soon as possible' (ASAP – i.e. non pre-booked) WAT bookings and standard taxis are not available because radio rooms and operators are not required to record response times. However, the report found that WAT users have significantly lower expectations for ASAP response times than standard taxi users and that even these lower expectations are not being met. Wheelchair-reliant users transferring from their wheelchair into standard taxis reported that on average, standard taxis responded to ASAP calls more quickly than WATs.

### **Vehicle preferences**

About half of the 171 users surveyed indicated that WATs were their preferred form of transport, with 14 per cent preferring standard taxis. Thirty five per cent of users saw WATs as a last resort when nothing else was available. Only 15 per cent indicated that WATs were their only option for transport.

WAT vehicles were generally rated as superior to SPCs. However, there were some users who had concerns about some aspects of the vehicles, such as the need for hoist entry for some users, especially those with large or heavy wheelchairs that could not be loaded into a WAT on a standard ramp.

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<sup>54</sup> SGS Economics & Planning with Myriad Consultancy: op. cit., page 45. In the 2002 survey 37 of the 226 respondents (16%) reported that they had been unable to obtain a standard taxi in the previous six months (Colmar Brunton 2002: pages 36–37). In the 2005 survey 29 of the 171 respondents (17%) reported that they had been unable to obtain a WAT in the previous six months. However the report noted that "This may in fact understate the proportion of times when wheelchair accessible taxis are not available as many respondents had not tried to obtain one. Once this is corrected for, 29 per cent of respondents who tried were unable to obtain a ride when requested at some time in the last six months."

### **Operators' responses**

The report found that the proportion of wheelchair work varies between operators, with some operators doing only or almost exclusively wheelchair work. On average, 40 to 50 per cent of WATs' total work involves transporting wheelchair-reliant passengers. Some operators reported that there was not enough wheelchair work for them to remain viable solely on the basis of this type of work. This is consistent with the Government's intention for WATs to undertake standard taxi work in competition with standard taxis.

Standard taxi operators also reported carrying significant number of wheelchair-reliant passengers. This could be because travelling in a car seat in a standard taxi is more comfortable than travelling in a wheelchair, especially over longer distances, or because some users may not wish to travel in a vehicle that looks different to that which other people use. Users may also prefer standard taxis because the fares can be cheaper than WAT fares, even with the higher TAS subsidy paid to wheelchair-reliant WAT users.

Hobart was the only area where operators reported that ASAP WAT bookings were becoming more prevalent. In Burnie and Devonport, with only one WAT per area, the report noted that it would be difficult to guarantee good response times for ASAP bookings. In Launceston the operator encouraged clients to book ahead. This is not consistent with the requirements of the DDA for equivalent response times.

### **Other findings**

The report highlighted a number of issues for further consideration by DIER. This included allegations of misuse of Transport Access Scheme (TAS) vouchers; a need for potential new WAT operators to be better appraised of the WAT market in their area; and a need to review the vehicle specifications to ensure that they meet the needs of all users. The report also highlighted issues associated with driver training, booking services, and the possibility of reviewing tariffs to accommodate dual wheelchair trips.

The report also noted that a significant proportion of TAS members classified as wheelchair-reliant did not actually use a wheelchair. DIER is currently seeking clarification from these members of their wheelchair status. DIER believes there are currently about 1 000 'active' wheelchair-reliant members (i.e. people who use taxis frequently and are reliant on wheelchairs).

## **3. Issues**

### **3.1. Issues for consideration**

This section considers some of the issues raised in the 2005 review of the adequacy of WAT services<sup>55</sup>, as well as some technical issues relating to the operation of the WAT scheme.

### **3.2. Taxi industry issues**

#### **3.2.1. Perspective of operators**

The 2005 review consulted operators of both standard taxis and WATs in order to determine their views on WATs. The principal concern of the taxi industry is that there are currently too many taxis on the road, affecting commercial viability, income, standard of vehicles, standard of drivers, and quality of service. The industry's view is that no additional licences of any kind should be issued, and that any additional WAT licenses should replace existing standard taxi licenses<sup>56</sup>.

DIER does not agree with the position of some parts of the taxi industry, who argue that the size of the taxi market is fixed, that the introduction of further taxis into the market reduces the amount of work available per taxi, and that the size of the market cannot be increased. Such a view is based on the premise that the only competition for taxis comes from other taxis or luxury hire cars. However, it is more likely that competition comes from a range of sources, including buses, private cars, walking, cycling, and even from people who choose not to travel because of the cost or other reasons. There is potential for the size of the market to be increased considerably through promotion and provision of services that are better targeted to users. As the regulator, the Government is keen to ensure that the regulatory framework does not unnecessarily restrict the industry from introducing measures to do this.

Some people within of the industry suggested that WATs should be coordinated by a central radio room. They believe this would avoid inefficient co-ordination and deliver the best response times. A number of other jurisdictions have taken this approach, introducing a centralised booking phone number that coordinates all WAT bookings. This issue is linked to the possible accreditation of radio rooms, which is the subject of a future discussion paper in this review of the legislation.

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<sup>55</sup> Users' responses in Section 3 are taken from SGS Economics & Planning with Myriad Consultancy: Evaluation of Wheelchair Accessible Taxi Services, Department of Infrastructure, Energy and Resources, December 2005, Appendix A: Myriad Research User Survey Report, Appendix B: Myriad Research Advocacy Groups Report, and Appendix D: Additional Responses – ACROD Members.

<sup>56</sup> SGS Economics & Planning with Myriad Consultancy: op. cit., page 51.

The Disability Standards specify that the radio rooms are responsible for meeting the objective of having the same response time for wheelchair-reliant clients as for non wheelchair-reliant clients. Radio rooms are not themselves fleet operators but separate businesses providing dispatch services to operators. If a radio room is unable to attract sufficient WAT operators, it may not be able to achieve this for their fleet, or exert any influence over response times in general. 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 service to wheelchair-reliant users.

The 2005 WAT review reported that few operators expressed enthusiasm about obtaining additional WAT licences, and that those that did express interest typically regarded it as a means of securing or expanding their market share<sup>57</sup>.

### **3.2.2. Wheelchair journeys**

Journeys in which wheelchair-reliant passengers are carried differ from standard taxi journeys. Drivers need to allow time before the commencement and after the conclusion of a hiring to load and unload the wheelchair and to secure it into the vehicles. The time taken can vary according to the type and size of the wheelchair, the abilities of the passenger, and the experience of the driver. The average time is understood to be about ten minutes, with some larger or heavier wheelchairs reportedly requiring up to 15 minutes to load into the taxi.

The driver also needs to take particular care during the journey and might need to drive more slowly when transporting a passenger in a wheelchair than when transporting non-wheelchair passengers. This is to make the ride as comfortable as possible for the passenger. A WAT journey could therefore be expected to take slightly longer than a standard taxi journey over the same distance.

### **3.2.3. Proportion of wheelchair work**

The 2005 review reported that the proportion of wheelchair work varies from operator to operator, and between regions. A few WAT operators reported doing only or almost exclusively wheelchair work, and in general, operators reported that 40 to 50 per cent of their total work is for wheelchair-dependent passengers, with the remainder being standard trips. However, some WAT operators in Hobart reported very low levels of wheelchair work, despite intentionally targeting this work<sup>58</sup>. This figure is generally consistent with the data supplied to DIER by operators.

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<sup>57</sup> *ibid.*, page 54.

<sup>58</sup> *ibid.*, page 52.

The review found that some WAT operators are explicitly making their vehicles available only for wheelchair work, as they believe that operating a larger vehicle as a standard taxi is uneconomical. Operators reported that a standard taxi is less expensive to run than a WAT, because its fuel costs are usually lower, as are the costs of tyres, repairs, spare parts and general maintenance, although the extent of these differences has not been assessed. If this is correct, it means that the operating cost per kilometre is higher for WATs than for standard taxis. It might therefore be more financially attractive for WAT operators to focus on wheelchair work, which attracts higher fares. The review noted that operators focusing exclusively on wheelchair work are typically doing 20 to 50 per cent fewer kilometres than other WAT operators. It reported that these operators appear to be more content with the profitability of their WATs<sup>59</sup>.

Standard taxi operators expressed concern that WAT operators were not always providing service to wheelchair passengers as a priority, but competing with standard taxis on ranks and at the airport etc<sup>60</sup>. One particular concern from standard operators and drivers was that the maxi-taxi work that WATs were doing was reducing the number of fares available for standard taxis, particularly on Friday and Saturday nights. They considered that the general public's perceptions about WATs were changing, and that increasingly groups of people were using the maxi-taxi capabilities of WATs rather than taking multiple taxis, as it was more cost effective.

However, it could also be argued that WATs are increasing the availability and affordability of taxi services to people that would otherwise not travel in taxis. For instance, a long journey undertaken by a large group of people in a WAT at the high occupancy tariff would be significantly cheaper both overall and per person than the same journey undertaken in two standard taxis. Where users might not have been able to afford to travel in two separate taxis, and thus would either have not undertaken the journey at all, or used an alternative form of transport, the availability of maxi-taxi style services increases their transport options and provides additional business to the taxi industry that would otherwise have been lost. Likewise, the subsidies provided by the TAS make taxi travel more affordable to people who might otherwise have chosen not to use taxis. As demonstrated in Table 1 (page 6), the number of wheelchair-reliant people travelling by taxi in 2005 was significantly greater than for the corresponding period in 2004 prior to the introduction of WATs. The introduction of WATs appears therefore to have increased the market for taxi services.

The 2005 review noted that if WATs concentrated primarily on standard taxi work, this could lead to a reduction in the availability of WATs to undertake wheelchair work and hence response times, even where there was technically sufficient capacity. Radio rooms reported that when a WAT was waiting for a wheelchair job it would also be in the queue for standard

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<sup>59</sup> *ibid.*

<sup>60</sup> *ibid.*, page 51.

work. With a smaller number of WATs this could lead, on occasion, to a situation where no WATs were available for ASAP wheelchair jobs. This would affect response times<sup>61</sup>. In Tasmania, radio rooms are not regulated and there are no requirements for radio rooms to report response times, unlike in other jurisdictions, many of which have benchmarks for response times against which radio rooms are assessed. It is unlikely that such benchmarking could be introduced without some regulation of radio rooms. This issue will be considered in a future discussion paper.

It is the intention of the legislation that WATs undertake standard taxi work in addition to wheelchair work and that they compete with standard taxis for this work. There is no requirement in the legislation that WAT operators give priority to wheelchair work. However, the Transport Commission is able to impose conditions on WAT licences in relation to the priority given to wheelchair work<sup>62</sup>. The Commission is also able to impose conditions on WAT licences with respect to the minimum number of wheelchair-reliant passengers carried<sup>63</sup>. To date no such conditions have been imposed. It has been suggested that in order for such quotas to be effective, there would need to be a demonstrated unmet demand for WATs, as it would not be possible to meet a quota if there was insufficient wheelchair work available for operators to undertake.

DIER monitors the monthly TAS voucher returns from WAT operators to ensure that they are undertaking wheelchair work. These figures confirm that the existing incentives (i.e. the trip subsidy) are encouraging operators to give priority to wheelchair work most of the time. The monitoring process will be improved with the introduction of swipecard technology, which will be trialled in WATs beginning in 2006.

Some operators consulted in the 2005 review argued that there was little incentive for drivers to make wheelchair jobs a priority. Although the driver will receive his or her share of a higher tariff for transporting a wheelchair-reliant passenger, the 2005 review suggested that this might not be sufficient to ensure that they make themselves available for wheelchair work. Respondents from the taxi industry reported that WATs do a large amount of maxi-taxi work, i.e. trips with five or more passengers. For undertaking such a trip, the driver would receive tariff 4, which is a higher tariff than is provided for a wheelchair job. A high occupancy journey would also be likely to be less time-consuming than a wheelchair journey, as the driver would not have to assist a wheelchair-reliant passenger in and out of the vehicle<sup>64</sup>.

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<sup>61</sup> *ibid.*, pages 51-52.

<sup>62</sup> Taxi and Luxury Hire Car Industries Act, Section 23P(2)(3).

<sup>63</sup> *ibid.*, Section 23R.

<sup>64</sup> SGS Economics & Planning with Myriad Consultancy: *op. cit.*, page 55.

One operator reported that he pays the driver a percentage of the trip subsidy, which is a strong encouragement for them to make wheelchair trips a priority<sup>65</sup>. However, this is not standard practice, as the subsidy was intended to be paid to operators to cover the high capital costs of the vehicle. Without sufficient incentives to undertake wheelchair work, drivers might be more likely to seek out higher yielding standard taxi work, such as from the airport, or maxi-taxi work.

#### **3.2.4. Viability of WATs**

WAT operators consulted in the 2005 review expressed mixed views about the viability of WATs. Some considered that they were not getting enough wheelchair work to remain viable. One operator (location not identified) believed that they were losing work to SPCs that were still doing a 'considerable' amount of wheelchair work<sup>66</sup>.

Operators that appeared to be more 'successful' tended to be able to rely on, and capture, a larger number of wheelchair jobs<sup>67</sup>. As noted in Section 3.2.3, these operators would typically travel fewer kilometres than those operators who had a higher proportion of standard taxi work, which provides lesser returns (i.e. lower tariff and no trip subsidy) for more kilometres.

#### **Vehicle cost**

In the 2005 WAT review some operators were concerned about the high cost of their vehicles and pointed to some cheaper vehicles that were being rolled out<sup>68</sup>. The cost of the vehicles varies, from approximately \$55 000 to \$85 000, depending on the model of vehicle chosen and the degree of modification required, in particular whether the vehicle is modified for side or rear entry.

The capital outlay for a WAT operator will increase significantly if the operator needs to replace their original WAT within the ten-year life of the licence. This might occur if the vehicle is written off in an accident or if it needs to be replaced due to the distance travelled. Some operators have reported that they expect the useful economic life of their WAT to be significantly less than the ten years for which a WAT licence is issued (based on an annual distance travelled of more than 100 000 kilometres). If this is correct, it means that the capital cost of entering the WAT market will include the cost of not one, but two new vehicles, and operators will need to cover the cost of a vehicle in fewer than ten years, meaning that they need to make higher returns in the short term<sup>69</sup>. This assertion requires careful analysis so as to ensure that the alignment of the duration of the licence and the maximum age of the WAT vehicle is maintained.

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<sup>65</sup> *ibid*, page 54.

<sup>66</sup> *ibid*.

<sup>67</sup> *ibid*.

<sup>68</sup> *ibid*.

<sup>69</sup> *ibid*.

### **Substitute WATs**

It is also likely that WAT operators will need to engage a substitute WAT for some portions of the ten year licence period, for example if the original WAT was involved in an accident that required extensive repairs. At present, unlike for standard taxis, the Act does not include provisions for operating substitute vehicles under a WAT licence. For an operator to do this legally, they would need to seek approval from the Transport Commission and have additional conditions imposed on their licence.

If not resolved, this could pose problems for the continuity of service provided to wheelchair-reliant passengers. If operators were only permitted to use as substitute WATs vehicles that met the same standards as WATs (i.e. brand new), this would impose a significant additional cost on operators that they would be unlikely to be able to recover over the life of the licence, as the vehicle could only be used to generate income while the original WAT was off the road. However, any relaxation of the vehicle standards for substitute WATs would dilute the high standards that have been an important feature of the scheme's early success. The management and enforcement of substitute WATs will also require careful management. For instance, if a lower standard of vehicles was permitted to be used, there might be a range of conditions associated with the use of these vehicles to ensure that they were only used in situations where the original WAT was unable to be used for any purpose, and that there were strict time limits on the use of such vehicles. Operators might be required to supply evidence to the Commission supporting their request to use a substitute WAT.

### **Trip subsidy**

All operators consulted in the 2005 review expressed their belief that the trip subsidy was a necessary and successful policy both for creating the incentive for doing wheelchair work and also for the part it played in paying off the higher cost of the vehicle. It is not available for non-wheelchair fares, so if the number of wheelchair trips per WAT goes down, the operators' profitability will be affected<sup>70</sup>. This is an incentive for operators to make wheelchair work a priority, but, as noted in section 3.2.3, there may be little incentive for many drivers to do so.

The trip subsidy was intended to remain fixed for the first ten years of the WAT scheme. This is because it was assumed that the initial outlay for a vehicle would be incurred only once. DIER anticipates that the cost of a WAT vehicle is unlikely to change significantly, due to the tendency for new vehicle prices to decrease over time. This is likely to offset any increases in labour costs associated with vehicle modifications. DIER therefore seeks comment as to if and under what circumstances, the trip subsidy may need to be reviewed.

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<sup>70</sup> *ibid.*

### **Carriage of two wheelchairs**

WAT drivers are able to charge higher fares (Tariff 3 and Tariff 4) when transporting people in wheelchairs, and can charge Tariff 4 at all times when transporting more than five passengers. The higher fares and flagfall for wheelchair hirings were designed to compensate the driver for the extra time required to assist a person in a wheelchair to board the taxi. This time is a period where other income cannot be generated, as the driver is assisting the passenger rather than being available to undertake another hiring.

There have been calls from WAT operators for some form of payment for the time required to undertake a journey where two wheelchairs are carried at the same time. Loading and securing two wheelchairs can add significantly to the time required to complete the journey.

One suggested solution is for drivers to be able to treat two wheelchairs as a high occupancy journey and charge Tariff 4. While this would result in a higher cost for the journey, it would be considerably lower per passenger (as well as reduce the cost to the TAS) than if each wheelchair-reliant passenger had travelled in a separate WAT. It would also offset, at least to some degree, the extra time needed to complete the journey. This would ensure a higher return to the driver as compensation for the extra time taken for such a journey. The introduction of additional tariffs (Tariff 5 and 6) to be applied where two wheelchairs are carried has also been suggested as an alternative.

DIER has not been in favour of increased fares for trips involving multiple wheelchairs, as there is no relationship between the distance travelled and the extra costs associated with carrying two wheelchairs, which are incurred in loading and unloading the additional wheelchair. There are also a number of practical difficulties associated with implementing further tariffs. For example they would have the potential to confuse the travelling public and complicate on-road enforcement by Transport Inspectors. Furthermore, the current voucher based nature of the TAS does not provide an appropriate audit trail to manage an expansion of the kind proposed, although the introduction of the swipecard might overcome this difficulty.

Rather than higher fares, some operators have requested that an additional trip subsidy be paid for jobs where two wheelchair-reliant passengers are transported in a WAT. This would be in recognition of the additional time to load a second wheelchair into the vehicle. As noted above, the trip subsidy was intended to offset the initial costs of the vehicle rather than to cover the additional time taken to undertake a wheelchair job. However, given that loading two wheelchairs is a time-consuming process for the driver, DIER is prepared to consider some form of additional payment to drivers to compensate for this.

As the costs associated with transporting two wheelchairs are incurred by the driver through the extra time required to load and unload the additional wheelchair, rather than being related to the

initial costs associated with purchasing the vehicle, it may be appropriate for most, if not all of any supplementary payment to go to the driver rather than the operator.

It should be noted that the model used to set the fares and trip subsidies was based on the use of vehicles with the capacity of one wheelchair. There is no requirement for any operator to introduce vehicles with greater capacity. An operator will make a decision to introduce such a vehicle based on their own assessment of the market, and the likely commercial implications for their business, in full knowledge of the fares and subsidies they will receive. However, in doing so, operators are catering to a demand that might otherwise remain unmet, as well as delivering benefits to the public purse through the potential for reduced overall Government-funded trip subsidy levels.

Any changes to the fares and subsidies to accommodate vehicles with the capacity to carry multiple wheelchairs would need to be carefully considered in the context of the overall WAT scheme.

### **3.2.5. Standard taxis v WATs**

Standard taxi drivers have reported carrying significant numbers of wheelchair-reliant passengers<sup>71</sup>. In part they claim this is due to the fact that WATs are unacceptable to some wheelchair clients. They believed that many wheelchair-reliant people did not want to be seen travelling in a vehicle that was distinctly different to that which other people used.

As discussed in Section 2.3.3, this is a major reason for the requirement for modifications that do not significantly alter the external appearance of the vehicle. Even with this requirement, some people might be reluctant to travel in a 'van' as opposed to a sedan, as it still looks different. However, with the increasing presence of WATs into the taxi fleet and the greater exposure users have to them, it is likely that WATs will become more acceptable to both wheelchair-reliant users and users of standard taxis as a 'legitimate' taxi vehicle and that they will be used more often. As noted above, this is already happening among users that are taking advantage of the high occupancy capacity of the WATs.

Consultations with users and advocacy groups found that other reasons wheelchair-reliant people use standard taxis instead of WATs include the fact that they felt more comfortable sitting in a car seat than in their wheelchair, especially for long trips, and that it was easier to obtain a standard taxi than a WAT, especially on an ASAP basis.

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<sup>71</sup> *ibid.*, page 51.

### WATs as taxis

WATs have been introduced on the basis that they are taxis that are accessible, and are therefore able to operate in the standard taxi market. In particular this means that WATs can ply or stand for hire in a public street within the taxi area in which they are licensed<sup>72</sup> and they can be used for private purposes when not being used as a taxi<sup>73</sup>. This is important as it allows WATs to compete with standard taxis for standard taxi work, as well as to undertake wheelchair work, which enables them to be commercially viable operations. It also complies with the requirements of the DDA for an 'equivalent' service as opposed to segregated 'parallel' service that only services wheelchair-reliant users. For this reason it is not intended that this aspect of the WAT scheme be reviewed.

#### 3.2.6. Questions

1. Would a centralised booking service provide a better service to WAT clients? How might such a service operate?
2. How will radio networks and cooperatives that do not have WATs meet their obligations under the DDA in relation to providing equivalent services to wheelchair-reliant people?
3. Are WATs 'taking work away' from standard taxis to a significant degree or are WATs increasing the size of the taxi market?
4. Is sufficient priority being given to wheelchair-reliant users by WAT drivers and operators? Should drivers be provided with additional incentives?
5. Are the perceptions of users (both wheelchair-reliant and non wheelchair-reliant) about WATs changing? Are users more comfortable with travelling in WATs now that they are more visible?
6. Is there a need for conditions to be imposed on WAT licences in relation to improving WATs' availability to wheelchair-reliant clients?
7. Should the trip subsidy be reviewed over time? If so, how?
8. Are the current flagfalls, fares and tariff times appropriate to cover the additional time needed to complete a wheelchair hiring?

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<sup>72</sup> Taxi and Luxury Hire Car Industries Act, Section 23M(2).

<sup>73</sup> *ibid.*, Section 23M(3).

9. Should additional payments be made to drivers when transporting more than one wheelchair? Should this be in the form of higher fares or an additional trip subsidy?
10. How should the legislation deal with substitute WATs, either temporarily where the original vehicle is out of service, or permanently, if it is written off? How can substitute WATs be introduced at a minimal cost to operators without relaxing vehicle standards?

### **3.3. Adequacy of WAT services**

As noted in Section 2.5.2 the 2005 review found that, users were generally satisfied with the WAT services, with over 90 per cent of users reporting that they were very satisfied or satisfied with their most recent WAT journey and less than two per cent indicating that they were not satisfied. Areas of least satisfaction were ride comfort, availability, response times, and value for money.

#### **3.3.1. Availability and response times**

About four per cent of respondents to the 2005 survey were dissatisfied with the availability of WATs and three per cent were dissatisfied with the response time.

In general, both users and advocacy groups consulted in the 2005 review commented that availability was better than prior to the introduction of WATs, but that it was difficult to access WATs at peak times. Most users pre-book WATs, with a significant number of users having regular bookings with operators.

Users' comments on availability included that WATs are hard to get early in the morning and that they are only occasionally found on taxi ranks. Several users stated that they did not use WATs because of the need to pre-book or because they were not available. Some respondents to the survey said that there were not enough WATs on the road, that it was difficult to get a WAT to travel to some outer suburban areas and/or that they were too difficult to get compared to a standard taxi. There was a general view that it is difficult to obtain a WAT that has not been booked in advance, whereas standard taxis are much more obtainable on an ASAP basis.

#### **3.3.2. Response times**

The 2005 review asked users about their expectations in relation to response times. It found that WAT users' expectations were lower than the expectations of users of standard taxis from the 2002 national survey, and that the actual response times of WATs were slower than what users considered to be acceptable. This was especially the case for ASAP bookings. Users

reported that standard taxis arrived more quickly than WATs to ASAP calls<sup>74</sup>. Most users reported that their pre-booked WAT arrived either early or on time, with only eight per cent of respondents reporting that the taxi was late. The duration of the delay ranged from five minutes to 55 minutes.

Advocacy groups noted that while response times had decreased, and some representatives noted that it was now possible to obtain a WAT the same day as it was needed, it was still normally necessary to book in advance, and that there were times that it was difficult to get a WAT. These included peak times and late at night. The review identified two peak periods of demand during weekdays in Hobart and Launceston: between 8:00 am and 9:00 am and between 2:00 pm and 4:00 pm, which coincide with the start and end of a school day. Many operators reported that they have regular bookings for these times for students. One Hobart-based advocacy group found it was difficult to make a permanent booking during these times let alone get an ASAP booking<sup>75</sup>.

Some advocacy groups acknowledged that the response times and availability of SPCs in the past had been so poor that they had given up relying on them and had sought other means of transport. They were therefore unaware that WATs had become more available<sup>76</sup>.

### **ASAP bookings**

Hobart is the only region where operators report that ASAP bookings are becoming more prevalent. In Burnie and Devonport, given that both have only one WAT, it is difficult to guarantee good response times for ASAP bookings. This is one reason why customers are often encouraged to book a day in advance. This said, however, both Devonport and Burnie WAT operators report very low usage of their vehicles by wheelchair-reliant customers. They reported doing between one and four round trips a day, which is confirmed by an analysis of their TAS voucher redemption rates<sup>77</sup>. With such a low usage rate, these vehicles should be able to deliver good response times.

One Launceston operator reported that '99 per cent' of bookings were still made in advance and that they had not noticed any growth in the number of ASAP bookings. In part the prevalence of pre-booked journeys also reflects the user group's tendency to book in advance either as they were used to doing so with SPCs, or because of the preference of planning their days ahead of time. However, it also could be argued that it is a sign that supply has not yet met demand<sup>78</sup>.

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<sup>74</sup> SGS Economics & Planning with Myriad Consultancy: op. cit., pages 46-47.

<sup>75</sup> *ibid.*, page 53.

<sup>76</sup> *ibid.*

<sup>77</sup> *ibid.*

<sup>78</sup> *ibid.*

In Hobart, one SPC operator reported that prior to the WAT rollout, SPC operators would often refer customers to other operators during times of peak demand. This might have been partly due to the fact that demand for accessible taxis far exceeded supply at this time. While one current WAT operator said that he referred customers to another operator when his company was unable to meet demand, referring customers to other companies does not seem to be the norm with WAT operators. Part of this reflects the fact that generally it is reported that demand can be met. Operators stated that for the ASAP bookings they did receive, the estimated response times were typically between 10 to 15 minutes. This is consistent with user survey findings. However, for the majority of WAT operators, response times were not considered an issue, given the predominance of pre-bookings<sup>79</sup>.

While it appears that response times and availability have significantly improved since the introduction of the WAT fleet, the review found that there was still a gap between the services provided by standard taxis and the services provided by WATs to wheelchair-reliant users. It also suggested that WAT users had lower expectations than users of standard taxis, based on their previous experiences with SPCs, and that in general they did not expect to receive service equivalent to that provided by standard taxis. The review has demonstrated that, while taxi services to wheelchair-reliant users have improved and there is a high level of satisfaction, improvements in response times are required in order for DDA compliance to be achieved.

### **3.3.3. WAT availability and response times in the future**

It was on the basis of the information gathered in the 2005 review of response times and availability of WATs that the Minister determined that response times for WATs was not equivalent to that of standard taxis, and that further WAT licences should be issued in 2006 in lieu of standard perpetual licences, in accordance with the provisions of the Amendment Act.

2006 is the final year in which WAT licences can be made available in lieu of standard perpetual licences. From 2007, new standard perpetual licences will be made available in the metropolitan areas every year<sup>80</sup>. WAT licences are to be made available in these areas in the future if the Commission is satisfied that the response times for WATs are not at least equivalent to the response times for standard taxis<sup>81</sup>. To enable an assessment of whether response times are equivalent, it will be necessary for a monitoring process for response times both of WATs and of standard taxis to be established. There is likely to be a role for radio rooms in this process.

This issue is being considered at a national level by the NTRG, which is considering options for a national reporting framework for WAT response times. Such a framework is considered to be

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<sup>79</sup> *ibid.*, pages 53-54.

<sup>80</sup> Taxi and Luxury Hire Car Industries Act, Section 19.

<sup>81</sup> *ibid.*, Section 19(2)(a).

an important component of broad national reporting of progress on the implementation of the Disability Standards. The NTRG's work on response times is at an early stage, and it has been noted that differences in jurisdictional reporting requirements from radio rooms will mean that it will be difficult to develop of a comprehensive national reporting framework.

At present, WAT operators are required to report to DIER the number of wheelchair journeys<sup>82</sup> and the total number of journeys they have undertaken every month. These reports are submitted as part of the TAS voucher redemption process. There are some concerns that the reports of total journeys may not always be accurate, and that therefore a true picture of the proportion of wheelchair work undertaken by WATs is not available. Again, there may be a role for radio rooms in developing a more comprehensive reporting system for WATs.

#### **3.3.4. Questions**

11. How can response times for ASAP bookings for WATs be improved to bring these services into line with standard taxis?
12. How can the availability of WATs be increased at peak times and at other times when they are not readily available?
13. How can response times for WATs be monitored in the future to assist in determining whether further WAT licences should be issued?
14. Is there a need for changes to the current reporting system for WAT operators in relation to the number of wheelchair and/or total journeys undertaken in order to get more accurate information on the use of WATs?

### **3.4. Value for money**

#### **3.4.1. Fares**

As noted in Section 2.3.3, fares for wheelchair-reliant passengers in WATs are significantly higher than standard taxi fares. This is to compensate for the additional time taken to complete a wheelchair journey, in particular for loading and unloading the wheelchair. This is offset to some degree by an increased subsidy provided by the TAS (60 per cent as opposed to 50 per cent for standard taxi journeys), although advocacy groups consulted during the 2005 review

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<sup>82</sup> Taxi Industry Regulations, Regulation 28T.

noted that, especially for frequent or regular users, even paying 40 per cent of the fare was very costly<sup>83</sup>.

In the 2005 survey, about seven per cent of respondents were dissatisfied with the value for money of WAT journeys; Launceston respondents represented almost half of those who were dissatisfied. Some users thought that fares for WATs should be the same as for ordinary taxis.

At present there is a cap on the subsidy for TAS members' taxi fares. A maximum concession of \$25.00 per journey applies when using standard taxis (i.e. 50 per cent of a \$50.00 fare), and a maximum concession of \$30.00 applies for wheelchair-reliant members when using a WAT (i.e. 60 per cent of a \$50.00 fare). These caps have not been increased since July 2002. However, since 1998, taxi fares have increased by over 40 per cent. It might, therefore, be appropriate to review the maximum fare subsidy provided per journey.

Some advocacy groups questioned the practice of drivers who turn on the meter before loading a passenger and not turning it off until the passenger has been unloaded. This adds significantly to the cost of a WAT journey – for example ten minutes loading charged at the detention time rate (\$36.00 per hour) would add an extra \$3.60 to the fare, or \$7.20 if it was added at both the beginning and the end of the journey. This amount is equivalent to an additional two (or four) kilometres travelled.

This practice appears to be an attempt by the driver to compensate for the additional time required to load and unload a passenger, which would not normally be required if the passenger was not in a wheelchair. In particular, advocacy groups were concerned that passengers that were being loaded into the vehicle could not see the meter and therefore did not know whether it was turned on or off. Some other jurisdictions require WATs to have an auxiliary meter screen if the main meter screen is not easily visible to all passengers.

This practice is prohibited by the Taxi Industry Regulations, which require the driver, as soon as the taxi is hired and not before, to start the taximeter; and immediately at the end of the hiring, to stop the taximeter or operate to hold it constant<sup>84</sup>. For the purposes of the Regulations, the hiring is considered to start once the taxi is set in motion at the start of the journey and to end once the taxi stops at the end of the journey.

It would appear that this practice could be a result of the same practice being permitted for SPC operators. In 2002 DIER allowed SPC operators to leave their meters running while loading or unloading passengers in wheelchairs, to offset the extra time required to service these passengers. SPC operators continued to claim that they were struggling to make their vehicles

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<sup>83</sup> SGS Economics & Planning with Myriad Consultancy: op.cit., page 49.

<sup>84</sup> Taxi Industry Regulations, Regulation 24(2).

commercially viable and later in 2002 the operators introduced a 'minimum fare', which was collected as an 'extra fee' on top of the metered fare.

The Government did not have the legislative ability to prevent operators from charging a minimum fare, as SPCs were not taxis and therefore were not subject to the same fare regulations. Likewise, the restrictions on when the meter must be started and stopped did not apply to SPC operators. The fare charged by SPC operators was therefore left to their discretion, although TAS members could only be charged the prescribed fare. This has led to some passengers reportedly being charged extremely high fares, such as in cases where a journey involved a significant period of 'dead running'. This issue is considered further in the discussion paper on rural taxis<sup>85</sup>.

### **3.4.2. Questions**

15. Should the maximum fare subsidy paid by the TAS per taxi journey be increased?
16. Is there a need to promote to drivers and users the requirement of the Regulations that the meter can only be turned on once the journey begins and must be turned off at the end of the journey? Should this requirement be relaxed?
17. How can drivers and operators be compensated for the additional time required to load and unload passengers in wheelchairs without disadvantaging users? When is it reasonable for the meter to be turned on and off so as to not result in excessive charges for the user but also to recognise the extra time taken for the journey? Are there other ways in which the additional time could be paid for?

## **3.5. Driver training and attitudes**

The 2005 review identified some issues regarding driver training. At present, all taxi drivers, including WAT drivers, are required to undertake a two-and-a-half day Taxi Training course conducted by Road Transport Training. WAT drivers undertake an additional half-day module specific to driving WATs, conducted by TAFE Tasmania. The Taxi Training course is mandatory for all taxi drivers and covers issues such as customer service, navigation, financial transactions, administration, and driving a taxi.

### **3.5.1. Operator perspectives**

Some operators consulted during the 2005 review felt that the cost of the training was excessive given that most of their drivers were part time and they had to pay for training for two to three

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<sup>85</sup> Department of Infrastructure, Energy and Resources: op. cit.

drivers per vehicle. Some believed that as that their drivers did not undertake standard trips, it was unnecessary for them to do the standard course<sup>86</sup>. However, DIER considers that the standard course includes the minimum components necessary to drive a taxi, whether it is a standard taxi or a WAT, and that the skills covered by the standard course apply equally to WAT drivers as to drivers of standard taxis.

Some operators expressed concern about the lengthy periods between WAT driver training sessions due to the fact that sessions would only be offered if there were more than a certain number of drivers. Operators from outside Hobart were also concerned about the cost of sending drivers to Hobart twice, once to undertake the standard course and again to undertake the WAT module<sup>87</sup>.

All operators reported that they provided in-house training. One operator suggested that rather than having centralised training, DIER could provide individuals to train drivers within each company<sup>88</sup>.

DIER is currently reviewing the taxi driver training program. One option proposed is for the WAT module in the standard taxi course, so that all drivers are instructed in issues relating to transporting people in wheelchairs. As a high proportion of wheelchair-reliant TAS members use standard taxis instead of, or in addition to, WATs this would ensure that standard taxi drivers are well trained in transporting people with disabilities and are equipped to provide a high level of service to these users.

### **3.5.2. Users' perspectives**

Most survey respondents were very satisfied with the attitudes and courtesy of WAT drivers, with almost half of respondents agreeing that driver behaviour had improved over the past 18 months. Advocacy groups were also generally positive about drivers and noted that they were now more aware of the needs of wheelchair-reliant users. One respondent noted that this was in contrast to standard taxi drivers, some of whom are reported as being 'impatient' or 'rude' when dealing with a customer in a wheelchair.

Some advocacy groups suggested that the scope of training was not broad enough in that it did not cover the varying needs of different elements of the disabled community. They believed that all taxi drivers should be trained in dealing with customers with disabilities<sup>89</sup>. Some organisations recommended that wheelchair-reliant people be included in the training of WAT

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<sup>86</sup> SGS Economics & Planning with Myriad Consultancy: op.cit., page 55.

<sup>87</sup> *ibid.*

<sup>88</sup> *ibid.*

<sup>89</sup> *ibid.*, page 61.

drivers, and that drivers should experience being transported in a wheelchair to give them a better appreciation of the experiences of customers.

One respondent suggested that all drivers should have a first aid certificate so that they are better equipped to deal with the medical state of a client. This is not required in any other jurisdiction and could raise significant concerns about driver liability – for instance in circumstances where a driver applied first aid to a client (whether or not they had a disability), who subsequently died. DIER understands that the Victorian government investigated paying school bus drivers (not taxi drivers) to undertake first aid training but did not proceed because of union concerns about such liability issues. The benefits and potential disadvantages of such a proposal would need to be fully investigated, and it is unlikely, for the reasons of driver liability, that a compulsory first aid scheme could be introduced.

### 3.5.3. Questions

18. Is the current training course for WAT drivers adequate to enable them to provide a professional high quality service to users? In what ways could it be improved?
19. How could drivers of standard taxis be better informed about the needs of transporting people with disabilities? Should all taxi drivers be required to participate in the training module on transporting passengers with disabilities?
20. Should the merits of introducing first aid training be further investigated?

## 3.6. Vehicle specifications

All WATs must meet the requirements of the Disability Standards in areas such as the size of the space allocated for a wheelchair, minimum headroom, and the device used for boarding the vehicle. The Act requires that WATs must comply with the Standards and, in addition, that they must have ramp entry and provide for a wheelchair-reliant passenger to sit centrally in the vehicle whilst seated in their wheelchair<sup>90</sup>.

### 3.6.1. Vehicle standards

As noted previously, the requirement for vehicles used as WATs to be new was intended to ensure that these vehicles are of a high quality and are attractive vehicles both to wheelchair-reliant users as well as users of standard taxis. Given the high levels of usage of WATs, it would appear that this has been an effective strategy.

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<sup>90</sup> Taxi and Luxury Hire Car Industries Act, Schedule 6.

However, WATs are still relatively new vehicles, with no vehicles currently on the road being older than 18 months. It is possible that as the vehicles age, even with regular maintenance, they will become less attractive to users due to parts wearing out and the vehicles starting to look older. Users' comfort levels might also decline as the vehicles age, which would further decrease their appeal, and might result in the vehicles being seen in the same light as some of the older SPC vehicles are currently seen (i.e. old, uncomfortable and unattractive) and ultimately being no longer commercially viable.

The Act allows WATs to operate up to a maximum age of ten years<sup>91</sup>, which was intended to align with the life of the licence. This is in contrast with a standard metropolitan taxi, which can only operate as a taxi up to eight years<sup>92</sup>. As noted in Section 3.2.4, some operators consider that the vehicles will not last for ten years, and combined with the likelihood that older WATs will not be as attractive to the travelling public, it is likely that at least some operators will make a commercial decision replace their WATs before the end of the ten year life.

Existing WAT operators entered the market on the basis that vehicles could be operated as WATs up to the age of ten years. To change this requirement for existing operators might undermine the assumptions upon which they based their decision to enter the WAT market and could have a significant impact on their business. Therefore in fairness to these operators, it is not proposed to change this provision for existing WATs.

High standards could still be maintained, without reducing the ten year life, by the imposition of conditions on WAT licences in relation to the condition or standard of the vehicle<sup>93</sup>. For example, if it was considered that the standard or condition of some vehicles was inadequate, the Transport Commission could impose licence conditions to ensure that the vehicles were either restored to an acceptable standard or replaced if they were not able to be restored to such a standard

Given the experiences of the first WAT operators, there is a need to review this provision for any future (post 2006) releases of WAT licences and for renewals of existing licences. It might also be the case that it is not appropriate to link the working life of a WAT with the life of the WAT licence, or alternatively, that the life of the licence should be reviewed. This is discussed further in Section 3.7.

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<sup>91</sup> *ibid.*

<sup>92</sup> Taxi Industry Regulations, Regulation 16(3).

<sup>93</sup> Taxi and Luxury Hire Car Industries Act, Section 23P(3).

### 3.6.2. Access

The WATs currently in service have been modified to include a DDA-compliant ramp that allows a wheelchair to be pushed into the vehicle. Some operators have raised concerns about these ramps, on occupational health and safety grounds. Further some larger or heavier wheelchairs cannot be pushed up these ramps, even though they comply with the Disability Standards. The slope and length of the ramp can contribute to how easy or difficult it is to push a wheelchair into the vehicle, as can the size of the wheelchair and the terrain on which the vehicle is positioned. Thus, based on responses from users and operators, it is clear that existing WATs might not be accessible by all wheelchair-reliant passengers.

In the past, as noted in Section 2.3.3, some accessible vehicles were equipped with a hoist. Some SPCs in operation are reported to have hoist entry and are used for wheelchairs that cannot be loaded via a ramp. Some users in the 2005 review (23 per cent) expressed a preference for a hoist rather than a ramp.

DIER understands that the traditional 'hoist' style entry, where a wheelchair is lifted into the air, is no longer used for accessible vehicles. References to a 'hoist' are now understood to refer to a mechanical or hydraulic lifting ramp or platform where the wheels of the wheelchair remain in contact with the platform during loading. Such a mechanism is considered to be safer than a standard ramp for loading larger wheelchairs into vehicles, and would not result in the same loss of dignity felt by users when the traditional 'hoist' entry was used.

Mechanical lifting ramps have not been permitted by DIER in existing WATs. However, given the feedback from users and operators in relation to problems associated with the traditional ramps, DIER is considering permitting operators to install lifting ramps in WATs in the future. However, this would need to be considered carefully in the context of the WAT scheme, in particular this requirement that modifications to vehicles do not significantly alter the external appearance of the vehicle.

It is likely that there will be some wheelchairs in use that can neither be accommodated by a lifting ramp nor a standard ramp, even though these boarding devices are DDA compliant. It is important to note that the DDA does not require that every style of wheelchair be accommodated, as there may be circumstances where the modifications required to vehicles would be impractical. The Accessible Public Transport National Advisory Committee (APTNAC)<sup>94</sup> has produced guidelines for public transport users in relation to the specifications

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<sup>94</sup> APTNAC provides a consultative framework to progress specific national accessible transport issues. Membership includes representatives from peak public transport industry bodies, state and territory transport departments, peak disability organisations, the Australian Local Government Association, the Australian Government Department of Transport and Regional Services, the Human Rights and Equal Opportunity Commission (observer) and the Australian Attorney-Generals Department (observer). APTNAC reports its outcomes to the Standing Committee on Transport, through the Australian Passenger Transport Group and the Australian Transport Council.

for mobility aids that can safely be accommodated in DDA-compliant public transport, including taxis<sup>95</sup>. If mobility aids (e.g. wheelchairs and scooters) do not meet these specifications, the DDA would not require them to be carried. The specifications are outlined at [Appendix 8](#).

In light of this situation, it might also be possible to reconsider the status of those SPCs that are equipped with traditional hoists if a need is established for vehicles with this form of access. Some WAT operators have reportedly retained their hoist-equipped SPCs so that they are able to service clients requiring this type of access.

### 3.6.3. Comfort

Most respondents to the 2005 survey indicated that they were satisfied with the comfort of WAT vehicles, with less than four per cent of respondents being dissatisfied. Some users said that travelling in the back of any vehicle was generally rough and uncomfortable, with some vehicle models (generally the more commercial van-style vehicles) being identified as particularly uncomfortable. Other reasons for lower levels of satisfaction were that there was not enough room in the vehicle for larger wheelchairs, and that wheelchairs were difficult to manoeuvre to face the front in side entry vehicles (although some users preferred side entry vehicles, as they felt these were safer). One user also identified problems with securing the wheelchair in the vehicle.

The 2005 review noted that many users know the types of vehicles that are most comfortable for them, and contact the taxi companies or operators that operate those vehicles<sup>96</sup>.

As with the manner of entry, some vehicles are not able to accommodate some types of wheelchair. One respondent reported that on one occasion the taxi they had been sent was unsuitable for their wheelchair and that a different vehicle had to be ordered from the taxi company. The issue of accommodating different sized mobility aids in accessible transport is discussed further in Section 3.6.5.

Some respondents stated that the flashcabs or stretch cabs, previously used as SPCs, were very comfortable for passengers, although these are not DDA-compliant. Other respondents were very critical of the SPC vehicles.

It should be noted that the Disability Standards currently prescribe a minimum headroom in spaces for wheelchairs in WATs of 1410 millimetres<sup>97</sup> and a vertical height for doorways of 1400 millimetres<sup>98</sup>. These will both be increased to 1500 millimetres for vehicles entering

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<sup>95</sup> Accessible Public Transport National Advisory Committee: *Safer Travel for Passengers using Mobility Aids on Public Transport* (brochure).

<sup>96</sup> SGS Economics & Planning with Myriad Consultancy: *op.cit.*, page 48.

<sup>97</sup> Disability Standards for Accessible Public Transport, Part 9.3.

<sup>98</sup> *ibid.*, Part 12.5.

service on or after 1 January 2013. All existing WAT vehicles in Tasmania must comply with the current Standards. New WATs introduced from 1 January 2013 will be required to comply with the new standards. Not all vehicles currently operating as WATs would meet the 2013 standards, but as the new standards only apply to vehicles entering service in 2013, any existing WATs that were still in service in 2013 would not have to meet the new standards.

#### **3.6.4. Capacity**

Many WATs in the current fleet only have the capacity to transport one wheelchair. This was raised by advocacy groups in the 2005 review as an issue of particular concern for group travel from group homes.

While some WATs can carry two wheelchairs, as noted in Section 3.2.4, there is currently no incentive for a driver to carry more than one wheelchair, as only one trip subsidy is payable, and the time to load and unload two passengers will be double that of a single wheelchair journey.

#### **3.6.5. Scooters**

Electric or motorised scooters and similar mobility aids are increasing in popularity as alternative forms of transport, especially over shorter distances. Many users are not totally reliant on a scooter for mobility, but might be unable to walk long distances.

According to the Australian Bureau of Statistics (ABS) *Survey of Disability, Ageing and Carers*, the number of people using scooters in Australia increased by 78 per cent from 1998 to 2003<sup>99</sup>. Figures for Tasmania are not available, although a general view is that the number of people using scooters for mobility is increasing. Generally, scooters do not have to be registered, and users do not have to hold a licence to operate them. There are a range of issues associated with the use of scooters that are beyond the scope of this paper. Of primary interest is the relationship between scooters and accessible taxis.

While a number of respondents to the 2005 survey indicated that they use their scooter to travel shorter distances instead of calling a taxi, some people wish to travel in WATs with their scooters, especially over longer distances. Some respondents identified problems associated with transporting their scooter in a WAT, and suggested that WATs needed to be able to cater for scooters.

This has a number of implications for WAT usage. Firstly, some electric scooters are very heavy and large and might not be able to be accommodated in a WAT, even if the WAT is DDA compliant. One user identified problems with securing a scooter in the vehicle, noting that there

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<sup>99</sup> ABS Cat No 4430.0 *Survey of Disability, Ageing and Carers*, Summary of Findings, 1998, 2003 cited in SGS Economics & Planning with Myriad Consultancy: op. cit., page 14.

were no fixing points for scooters. As noted in Section 3.6.2, there is a limit to the size and weight of mobility aids that DDA compliant vehicles are required to carry, so not all scooters will be able to be conveyed in WATs.

DIER understands that some taxi operators consider passengers on a scooter to be 'wheelchair-reliant' for the purposes of the TAS and will stamp their voucher accordingly (see Section 2.1.1). This provides the passenger with the 60 per cent subsidy and the operator with the relevant trip subsidy. However, many of these passengers would not regard themselves as wheelchair-reliant, and would not be regarded by their medical practitioner as such. They would therefore technically not be entitled to the higher subsidy and the operator would not be entitled to the trip subsidy. There is therefore a need to clarify this among operators and drivers.

DIER is currently updating the details it holds on TAS members to ensure that only members entitled to the 60 per cent subsidy are provided with 'wheelchair-reliant' endorsed vouchers.

In some jurisdictions (e.g. WA), scooters may be treated in the same manner as wheelchairs for the purposes of the taxi subsidy scheme, with some scooter users able to claim the same rebate that is available to wheelchair-reliant users. To be eligible, the user must have a severe disability that prevents them using a conventional public transport bus service. In other jurisdictions scooters are not specifically referred to in the program guidelines.

In Tasmania, a person on a scooter would not normally be considered to be *totally* reliant on the scooter for mobility, which is the criterion for wheelchair-reliant membership of the TAS.

#### **3.6.6. Questions**

21. Is the ten year lifespan for a vehicle used as a WAT too long? Will WATs deteriorate to a state that they are no longer attractive to the public or comfortable to travel in if they are used for ten years? What is a reasonable expectation for the useful working life of a WAT?
22. How can operators be encouraged to maintain a high standard WAT vehicle if they decide to retain the vehicle for the full ten years?
23. Is the current fleet of WAT vehicles adequate to transport the different types of wheelchairs in use? Is there a need for a greater variety in vehicles that can be used as WATs?

24. How can DIER work with operators and users to ensure that the vehicles permitted to be used as WATs are appropriate for the needs of wheelchair-reliant taxi users? Should DIER prescribe the makes and models of vehicles able to be used as WATs or should operators be able to choose a vehicle that they consider will best meet the needs of the market and best suit their business operations?
25. In considering vehicle standards, specifications and models, how can appropriate standards of appearance and amenity be maintained in order to ensure that the service offered by WATs remains appealing to both wheelchair-reliant users and able-bodied users? Is it important to retain the requirements for a new vehicle without significant external modification?
26. Is ramp entry (including lifting ramps) adequate to enable all types of wheelchair to be loaded into WATs? Is there a need for some vehicles to be equipped with a traditional 'hoist'?
27. Is there a need for more WATs with the capacity to carry more than one wheelchair?
28. What incentives could be introduced to encourage drivers and operators to undertake more multiple wheelchair journeys?

### 3.7. Licences

Under the Act, WAT licences are issued for a period of ten years and can be renewed at the discretion of the Transport Commission<sup>100</sup>. While the Act does not specify circumstances under which a WAT licence can be renewed, WAT operators who hold their WAT licence in their name for the whole ten-year life of the licence will be given the opportunity for that licence to be reissued to them at the end of the ten-year period. This is intended to provide stability in the provision of WAT services without allowing licences to gain a transfer value as a perpetual asset. In the case of perpetual licences, which can be traded and which do not expire, the scarcity value of the licence is the main driver of profit and a significant cost to consumers.

#### 3.7.1. Duration of licences

The ten-year licence period was intended to align with the expected working life of the WAT. However, the life of the vehicles might be less than ten years, which means that operators might have to purchase at least one further vehicle during the life of a WAT licence. This issue is discussed in Section 3.6.1.

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<sup>100</sup> Taxi and Luxury Hire Car Industries Act, Section 23P(3).

If vehicles are replaced more often than ten years, due to age, accident or a general deterioration in standards, it might be appropriate for licences to be aligned with the expected replacement age of the vehicle. This might be five or six years. A disadvantage in doing this is that the stability in WAT services might be reduced, as operators might review the viability of their operations, in terms of whether to renew their licences, more often. They might also be less willing to enter a business that had a guaranteed life of only five or six years rather than ten years, although this should be offset by the current policy allowing the original operator to renew their licence.

Alternatively, WAT licences could be issued for a period covering the working life of two WAT vehicles, in which case potential operators would need to factor in the cost of two vehicles over the life of their licence when deciding whether to enter the market. In this case, a licence duration of ten or twelve years might be appropriate.

### **3.7.2. Cost of licences**

WAT Licences are issued free of charge. This was an important component of the design of the WAT scheme, intended to encourage the take-up of the licences and to balance the significantly higher cost of purchase of a WAT vehicle compared to the purchase cost of a standard taxi.

The only fees associated with the issue of a WAT licence are the non-refundable fees for applying for a licence once it has been allocated<sup>101</sup> (100 fee units = \$117.00 in 2006) and for the issue of a licence<sup>102</sup> (30 fee units = \$35.10 in 2006). This fee is not payable by people that submit an expression of interest for a licence and are not allocated a licence.

Due to concerns arising from past cases where applicants for WAT licences failed to comply with the timing requirements in terms of ordering and delivering up the vehicles, and subsequently withdrew their application, it has been proposed that it might be appropriate to increase the application fee. This would be intended to discourage applicants from withdrawing their applications. DIER considers that applicants should have seriously considered their decision to apply for a WAT licence, taking into account relevant commercial issues, prior to applying, and that a subsequent withdrawal of an application has the potential to disrupt the implementation of the WAT scheme and services to WAT users.

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<sup>101</sup> *ibid.*, Section 23O(2)(c).

<sup>102</sup> *ibid.*, Section 23P(4).

### 3.7.3. Transfer of licences

WAT licences are not able to be leased<sup>103</sup>. Licence holders must operate the licence themselves. This helps to avoid the situation that currently occurs with perpetual licences, where they can be leased for amounts exceeding \$200.00 per week, adding significantly to the cost for operators and consumers' fares. It would also be unreasonable to allow a licence-holder to earn an income from leasing a licence that they had received from the Government at no cost. It is not proposed to review this provision.

WAT licences can be transferred to another operator<sup>104</sup>, and there are no legislative restrictions on the circumstances under which licences can be transferred. However, all WAT licences are issued with a condition that they cannot be transferred within the first twelve months of operation (i.e. the operator must have held and operated the licence for twelve months before he or she can transfer it). This is intended to ensure that applicants that did not intend to operate the licence could not apply for licences on behalf of another operator, to provide that operator with a better chance of being allocated more licences.

There are a variety of reasons for an operator transferring their licence/s within the lifespan of their licence. A licence holder might leave the industry due to death, illness or retirement, or for financial or other reasons. If this happens, it means that the holder of a WAT licence on its expiry will not be the person to whom it was originally issued.

The price for which a WAT business would be sold would include an amount for the vehicle/s and other equipment as well as an amount for the intangible components of the business – i.e. the goodwill the operator had built up through providing services to clients, although the extent to which goodwill is a factor in the buying and selling of a taxi business is not known. From the perspective of the original operator, the majority, if not all, of the costs associated with purchasing the WAT/s and establishing the business would be expected to have been recovered by the time the business was sold. In particular, much of the initial cost of the vehicle/s would have been covered by trip subsidies generated, with the balance being covered by the sale of the vehicle/s.

The WAT licence/s would also be included in the transfer, although it would be impossible to establish the value, if any, of the licence, as distinct from the value of the goodwill, if any, in the business. Without the inclusion of the licences, a WAT business would be worth very little, if anything. Although the buyer would have the WAT vehicles, they would be unable to operate them as WATs without WAT licences.

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<sup>103</sup> *ibid.*, Section 23M(4).

<sup>104</sup> *ibid.*, Section 23S(1)(a).

The ability of an operator to transfer their licence to another operator therefore provides a means by which a WAT licence can gain value. This could be prevented by prohibiting all WAT licence transfers and requiring WAT operators seeking to leave the industry to return their licences to the Government for reissue. A disadvantage of this would be that, unless the operator had already recovered their costs associated with entering the WAT market, a decision to leave the industry could result in a significant loss for them unless they could sell their vehicles to other operators.

However, the potential for a licence to gain value might not be a significant problem, given that under the current arrangements, the licence would only have any value for the period remaining of its life, so it could not be transferred between operators indefinitely for higher and higher prices. This issue is discussed in section 3.7.4.

#### **3.7.4. Renewal of licences**

As noted above, DIER has proposed that WAT operators who hold a WAT licence in their name for the whole ten years life of the licence will be given the opportunity for that licence to be reissued to them at the end of the ten-year period.

In circumstances where a WAT licence holder has transferred their licence/s to a family member due to death, illness or retirement, DIER has proposed that the new licence holder should also be entitled to apply for automatic reissue of the licence on its expiry, again to ensure stability in the provision of WAT services.

However, where the holder of a WAT licence at the time of its expiry is not the person to whom the licence was originally issued, and is not a family member as specified above, it is intended that the holder of the licence would have no right to the automatic reissue of the WAT licence. On the expiry of the licence, the new licence owner would therefore have to contest a ballot for the licence with any other applicant(s) for a new WAT licence.

The reason for this is to prevent WAT licences from gaining value as perpetual assets. If an operator sold their business, including the licences, a short time into the life of the licence, without the restriction on renewals, it would effectively guarantee the new operator a perpetual WAT licence, which could likewise be transferred to a new operator with the same guarantee of an automatic reissue. This would render the ten-year lifespan of the licences meaningless, and would mean that WAT licences could effectively be traded in the same manner as perpetual licences. While there is no restriction in the Act on 'selling' WAT licences, the Government is opposed to WAT licences gaining value in the same way as perpetual licences, as the scarcity value of the licence would become a major source of any profit derived from the licence.

There might be circumstances under which the original operator needs to leave the taxi industry, e.g. due to ill health, but is not able to transfer the business to a family member because of the inability or unwillingness of family members to take on the business, or because there are no other family members. In such a situation, the operator would be likely to seek to sell the business to another operator, who, unlike the original operator, would not be entitled to an automatic reissue of the licence after the ten-year life of the licence expired. Without the certainty of being able to operate the business beyond the expiry date of the licence, a new operator might be reluctant to take on a business that only had a guaranteed lifespan of two or three years. The original licence holder might therefore find it difficult to transfer their business to another operator. This could result in a considerable disruption to services for WAT users if the original owner was unable to continue to operate the business, an outcome that is clearly undesirable. It would also disadvantage the operator financially if they had not recovered their costs in relation to establishing their WAT business.

It is in the interests of both the operators and WAT users that this issue is resolved to ensure the continued smooth operation of the WAT scheme, while ensuring the integrity of the ten-year life of the WAT licences.

When operators originally obtained their WAT licence they were aware of the ten-year life and the fact that the right to automatic reissue was not transferable. They have therefore effectively made a commitment to operate WAT/s for a minimum of ten years, knowing that if they wanted to leave the industry within that time frame, they might have difficulties in finding a purchaser due to the restrictions on the reissue of licences. Therefore, operators should have considered this risk when making a commercial decision on whether to enter the WAT market.

However, this fails to take into account the potential for an operator's circumstances to change significantly over a ten-year period to the extent that where, originally, the operator had intended to operate WATs for the long term, they were subsequently unable to do so through no fault of their own.

It is therefore necessary to determine the circumstances, if any, that might enable the right to automatic renewal of a WAT licence to be transferred and to consider how to allow this without allowing WAT licences to gain value as a perpetual asset.

### 3.7.5. Cancellation or suspension of a WAT licence

The Act provides for the Commission to suspend a WAT licence for a period of up to three months or to cancel a WAT licence<sup>105</sup>. Circumstances in which the Commission can suspend a WAT licence are where the licence holder has failed to comply with the conditions of the licence; where the WAT vehicle has temporarily ceased to be registered; or where the vehicle has ceased to meet the specifications of a WAT<sup>106</sup>. Circumstances in which a WAT licence can be cancelled are where the licence holder has failed to comply with a fundamental condition of the licence; where the WAT vehicle has ceased to be registered and is likely to remain so for a prolonged period; or where it has ceased to meet the specifications of a WAT; or where the licence is surrendered to the Commission<sup>107</sup>. The Regulations provide for the Commission to advise the licence holder of its intention to suspend or cancel the licence, and for the licensee to respond.

Under the Act, licence conditions can relate to the area in which a vehicle may operate as a WAT, the availability of the vehicle to wheelchair-reliant users and the condition or standard of the vehicle<sup>108</sup>. The regulations do not define which licence conditions might be considered to be 'fundamental' and of which breaches could or should result in cancellation of the licence. The Commission therefore must use its discretion in this matter. Reasons for licence suspension or cancellation pertaining to the status of the vehicle are likely to be less open to interpretation and therefore less discretionary.

### 3.7.6. Questions

29. Is the ten-year life of a WAT licence appropriate? Should it continue to be aligned with the expected working life of a WAT, or should it cover the working life of two WATs? What would be the advantages and disadvantages of this?
30. Should operators be able to transfer their WAT licence to another operator? Is the restriction preventing operators from transferring a WAT licence until they have held and operated the licence for twelve months reasonable? Should this apply to reissued licences?
31. Should the application fee for a WAT licence be increased?
32. Should WAT licence holders be entitled to automatic reissue of their licence after ten years if they are the original licence holder?

<sup>105</sup> *ibid.*, Section 23T.

<sup>106</sup> Taxi Industry Regulations, Regulation 28R.

<sup>107</sup> *ibid.*, Regulation 28S.

<sup>108</sup> Taxi and Luxury Hire Car Industries Act, Section 23P.

33. Under what circumstances, if any, should licence holders other than the original licence holder be entitled to automatic reissue of a WAT licence?
34. If this is permitted, how can the integrity of the ten-year lifespan of a WAT licence be preserved and the licence not gain a tradeable value?
35. How can the transfer of WAT licences be managed to ensure that operators are not disadvantaged if they purchase a WAT licence that is close to expiry and that services to users are not disrupted if an existing operator leaves the industry?
36. Are there reasons other than breaches of licence conditions and a vehicle ceasing to be registered or failing to meet the specifications of a WAT that should be grounds for suspension or cancellation of an operator's WAT licence?
37. What licence conditions might be considered 'fundamental' to the extent that a breach of them should result in the cancellation of an operator's WAT licence? Should the Transport Commission have discretion in making such decisions or should guidance on this issue be provided?
38. Are there other conditions that the Commission could impose on WAT licences in addition to conditions relating to the areas of operation, vehicle standards and conditions, and the availability of the vehicle to wheelchair-reliant users that should be specified in the legislation?

### 3.8. WATs in rural areas

There are no WATs currently operating outside the metropolitan taxi areas, but the Act provides for the Commission to make licences available in those areas on application<sup>109</sup>.

Many of these areas have a low level of demand for taxi services, with only one or two taxis per area, and there has been little interest in most areas in taking up the new perpetual licences that are made available each year. It is unlikely that taxi operators see WATs as commercially viable operations in these areas, although there has been one preliminary expression of interest in a non-metropolitan WAT licence.

The DDA requires equivalent access to taxi services, and there is scope for disability action groups to make claims of discrimination if such access is not provided. For example, in Roma Queensland (population approximately 7 000) a disability action group successfully lobbied the Queensland Government to review a policy that prevented the issue of an accessible taxi

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<sup>109</sup> *ibid.*, Section 23N(2)(b).

licence in the town<sup>110</sup>. The same group instigated a successful court action against a local council in relation to a number of accessibility issues, resulting in a legal bill of almost \$200 000 for the council<sup>111</sup>.

A separate discussion paper on rural taxis<sup>112</sup> considers this issue further. In relation to WATs, it seeks to examine the barriers to provision of WAT services in regional and rural areas and to develop strategies to overcome these barriers.

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<sup>110</sup> Access For All Alliance (Hervey Bay) Inc. website: [www.accessforall.org.au/news\\_page\\_4.htm](http://www.accessforall.org.au/news_page_4.htm) accessed 19 January 2006.

<sup>111</sup> Access For All Alliance (Hervey Bay) Inc. website: [www.accessforall.org.au/waste.htm](http://www.accessforall.org.au/waste.htm) accessed 19 January 2006.

<sup>112</sup> Department of Infrastructure, Energy and Resources: op. cit.

## 4. Further information

The *Taxi and Luxury Hire Car Industries Act 1995* Review Project is being conducted by the Passenger Transport Policy Branch of the Department of Infrastructure, Energy and Resources (DIER).

The Taxi Industry Reference Group is meeting over the course of 2006 to consider a range of issues that will inform the rewriting of the *Taxi and Luxury Hire Car Industries Act 1995*, the *Taxi Industry Regulations 1996* and the *Taxi Industry (Taxi Areas) Regulations 1996*. The issues being considered are:

- Fare setting mechanisms and driver pay & conditions
- Links between taxis and community transport
- Wheelchair accessible taxis
- Taxi and luxury hire car accreditation under the Passenger Transport Act/ Industry code of conduct
- Interaction between taxis and luxury hire cars
- Taxi areas
- Role of radio rooms
- Review of national competition policy changes to the *Taxi and Luxury Hire Car Industries Act 1995*
- Technical and other amendments to the *Taxi and Luxury Hire Car Industries Act 1995*

The discussion papers are available on DIER's website at [www.transport.tas.gov.au/miscellaneous/taxi\\_review.html](http://www.transport.tas.gov.au/miscellaneous/taxi_review.html). Members of the taxi industry wishing to contribute their views to the project can contact one of the industry representatives on the Reference Group or can make a written submission to DEIR. Members of the public are also invited to contribute. Submissions can be emailed to [taxi.review@dier.tas.gov.au](mailto:taxi.review@dier.tas.gov.au) or sent in hard copy to the address below.

Further information on the project can be obtained from:

Taxi Industry Legislation Review  
Passenger Transport Policy Branch  
Department of Infrastructure, Energy and Resources  
GPO Box 936  
HOBART TAS 7001  
Phone: (03) 6233 2865  
Email: [taxi.review@dier.tas.gov.au](mailto:taxi.review@dier.tas.gov.au)

Review of the  
*Taxi and Luxury Hire Car Industries Act 1995*

Wheelchair Accessible Taxis

**Appendices**

## Appendix 1: Glossary of Terms

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### Legislation

DDA	<i>Disability Discrimination Act 1992 (Commonwealth)</i>
The Disability Standards	<i>Disability Standards for Accessible Public Transport 2002</i>
The Act	<i>Taxi and Luxury Hire Car Industries Act 1995 (Tas)</i>
The Amendment Act	<i>Taxi and Luxury Hire Car Industries Amendment Act 2003 (Tas)</i>
The Regulations	<i>Taxi Industry Regulations 1996 (Tas)</i>
PT Act	<i>Passenger Transport Act 1997 (Tas)</i>

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### Acronyms

ABS	Australian Bureau of Statistics
ACT	Australian Capital Territory
AMV	Assessed market value
APTAC	Accessible Public Transport National Advisory Committee
ASAP	As soon as possible
CBS	Centralised booking service
DIER	Department of Infrastructure, Energy and Resources
GST	Goods and Services Tax
MPT	Multipurpose taxi
NCP	National Competition Policy
NSW	New South Wales
NTRG	National Taxi Regulators Group
RTA	Road Transport Authority (ACT)
SA	South Australia
SATSS	South Australian Transport Subsidy Scheme
SPC	Special purpose cab
TAS	Transport Access Scheme
VTD	Victorian Taxi Directorate
WA	Western Australia
WAT	Wheelchair accessible taxi

## **Appendix 2: Disability Standards for Accessible Public Transport 2002**

The following standards relate to all taxis, including WATs. Most of these standards also relate to other modes of conveyance. Those that are relevant only to WATs are marked \*\*.

### **PART 2 Access paths**

#### **2.9 When is an access path not required**

- (1) An access path need not extend inside the entrance of a conveyance.
- (2) If there is no access path inside the entrance of a conveyance, the operator must provide on-board wheelchairs or direct assistance to passengers to use on-board facilities or services.

### **PART 3 Manoeuvring areas**

#### **3.3 Limited on-board manoeuvring**

If the design restrictions of a conveyance limit on-board manoeuvring areas for wheelchairs and similar mobility aids, the operator of the conveyance must ensure equivalent access by direct assistance to passengers.

*Note:* See Sections 33.3 to 33.6 in relation to equivalent access and direct assistance.

### **PART 6 Ramps**

#### **6.2 Boarding ramps**

A boarding ramp must comply with AS/NZS3856.1 (1998) Clause 2.1.8 (b), (c), (f) and (g).

#### **6.3 Minimum allowable width**

The minimum allowable width of a ramp is 800 mm.

#### **6.4 Slope of external boarding ramps**

The slope of an external boarding ramp must not exceed:

- (a) 1 in 14 for unassisted access (AS/NZS3856.1 (1998) Clause 2.1.8 (e) (including the notes)); and
- (b) 1 in 8 for unassisted access where the ramp length is less than 1520 mm (AS1428.2 (1992) Clause 8.4.2 (a) and AS1428.1 (2001) Figure 8); and
- (c) 1 in 4 for assisted access (AS/NZS3856.1 (1998) Clause 2.1.8 (e)).

## **PART 8 Boarding**

### **8.1 Boarding points and kerbs**

- (1) Operators and providers may assume that passengers will board at a point that has a firm and level surface to which a boarding device can be deployed.
- (2) If a kerb is installed, it must be at least 150 mm higher than the road surface.

### **8.2 When boarding devices must be provided**

- (1) A manual or power assisted boarding device must be available at any accessible entrance to a conveyance that has:
  - (a) a vertical rise or gap exceeding 12 mm (**AS/NZS3856.1 (1998) Clause 2.1.7 (f)**); or
  - (b) a horizontal gap exceeding 40 mm (**AS/NZS3856.1 (1998) Clause 2.1.8 (g)**).

### **8.3 Use of boarding devices**

- (1) If a conveyance has a manual or automatic boarding device, it must be available for use at all designated stops.
- (2) An available boarding device must be deployed if a passenger requests its use.

### **8.5 Width and surface of boarding devices**

A boarding device must:

- (a) be a minimum of 800 mm wide; and
- (b) have a slip-resistant surface.

### **8.6 Maximum load to be supported by boarding device**

- (1) A boarding device must be able to support a total weight of up to 300 kg.
- (2) The device must be clearly labelled with the maximum load that it can carry, both on the boarding device and next to the accessible entrance on the outside of the conveyance.

## **Part 9 Allocated space**

### **9.1 Minimum size for allocated space**

The minimum allocated space for a single wheelchair or similar mobility aid is 800 mm by 1300 mm (**AS1428.2 (1992) Clause 6.1**, *Clear floor or ground space for a stationary wheelchair*).

### **9.2 \*\*Minimum number of allocated spaces to be provided**

At least one allocated space must be provided in each conveyance (**AS1428.2 (1992) Clause 6.1**).

**9.3      \*\*Minimum head room**

(1)          The minimum head room in an allocated space is 1410 mm.

Note: See Section 12.5 in relation to minimum doorway opening.

(2)          For a conveyance entering service on or after 1 January 2013, the minimum headroom is 1500 mm.

**9.9      Use of allocated space for other purposes**

Allocated space may be used for other purposes if it is not required for use by a passenger in a wheelchair or similar mobility aid.

**Part 11      Handrails and grabrails****11.3      Handrails on steps**

(1)          A handrail on steps need not extend beyond the top or bottom of the steps.

(2)          A domed button may be placed 150 mm from any break or end of a handrail instead of an extension at a rail end (**AS1428.2 (1992) Figure 5**).

**11.4      Handrails above access paths**

If installed, a handrail above an access path must comply with **AS1428.1 (2001) Clause 6.1 (c)**, *Handrails* and **Figure 9**.

**11.5      Compliance with Australian Standard**

A grabrail must comply with **AS1428.2 (1992) Clause 10.2**, *Grabrails*.

**11.6      Grabrail to be provided where fares are to be paid**

A grabrail or handrail must be provided at fixed locations where passengers are required to pay fares.

**Part 12      Doorways and doors****12.1      Doors on access paths**

(1)          Any doors along an access path must not present a barrier to independent passenger travel.

(2)          Direct assistance may be provided through security check points.

**12.5      \*\*Vertical height of doorways**

(1)          Doorways must have an unobstructed vertical height of at least 1400 mm.

Note See Section 9.3 in relation to internal headroom.

(2)          For a conveyance entering service on or after 1 January 2013, the minimum unobstructed doorway height must be 1500 mm.

## 12.6 Automatic or power-assisted doors

- (1) Doors may be fully automatic.
- (2) Power-assisted doors must not require passengers to grip or twist controls in order to operate opening devices.
- (3) Operators may provide equivalent access to conveyances by opening manual doors for people with disabilities.

Note: See Sections 33.3 to 33.5 in relation to equivalent access.

## Part 14 Stairs

### 14.1 Stairs not to be sole means of access

Stairs must not be the sole means of access.

## Part 16 Symbols

### 16.1 International symbols for accessibility and deafness

- (1) The international symbols for accessibility and deafness (**AS1428.1 (2001) Clause 14.2**, *International symbol* and **Clause 14.3**, *International symbol for deafness*) must be used to identify an access path and which facilities and boarding points are accessible.
- (2) The colours prescribed in **AS1428.1 (2001) Clause 14.2 (c)** are not mandatory.
- (3) The size of accessibility symbols must comply with **AS1428.2 (1992) Table 1**.

### 16.2 Compliance with AS2899.1 (1986)

The illustrations and symbols prescribed in **AS2899.1 (1986)** must be used if applicable.

### 16.3 Accessibility symbols to incorporate directional arrows

The symbol for accessibility must incorporate directional arrows and words or, if possible, pictograms, to show passengers the way to accessible facilities such as toilets.

## Part 17 Signs

### 17.1 Height and illumination

Signs must comply with **AS1428.2 (1992) Clause 17.1**, *Signs*, **Clause 17.2**, *Height of letters in signs* and **Clause 17.3**, *Illumination of signs* and **Figure 30**.

### 17.6 Raised lettering or symbols or use of Braille

- (1) If a sign incorporates raised lettering or symbols, they must be at least 0.8 mm above the surface of the sign.
- (2) If an operator or provider supplements a notice with Braille characters, they must be placed to the left of the raised characters.

### **17.7 Taxi registration numbers**

Raised taxi registration numbers must be placed on the exterior of passenger doors forward of the handle.

## **Part 19 Alarms**

### **19.1 Emergency warning systems**

- (1) If installed, emergency warning systems must comply with **AS1428.2 (1992) Clause 18.2.1, Emergency warning systems, Clause 18.2.2, Audible alarms, and Clause 18.2.3, Visual alarms.**
- (2) Provision must be made for people with vision impairment to locate the exit path in the event of an emergency.

## **Part 20 Lighting**

### **20.3 Dimming**

Internal lighting may be dimmed as required to avoid reflection interfering with an operator's vision.

## **Part 25 Payment of fares**

### **25.1 Passengers to pay fares**

All passengers must be prepared to pay fares.

### **25.2 Fare payment and ticket validation systems**

- (1) Fare payment and ticket validation systems must not require actions from passengers with disabilities that exceed the requirements for other passengers.
- (2) For passengers who have difficulties with standard fare payment systems, operators and providers must offer a form of payment that meets equivalent access principles.

Note: See Sections 33.3 to 33.5 in relation to equivalent access.

## **Part 27 Information**

### **27.1 Access to information about transport services**

General information about transport services must be accessible to all passengers.

### **27.2 Direct assistance to be provided**

If information cannot be supplied in a passenger's preferred format, equivalent access must be given by direct assistance.

Note: See Sections 33.3 to 33.6 in relation to equivalent access and direct assistance.

**27.3 Size and format of printing**

- (1) Large print format type size must be at least 18 point sans serif characters.
- (2) Copy must be black on a light background.

**27.4 Access to information about location**

All passengers must be given the same level of access to information on their whereabouts during a public transport journey.

**Part 32 Adoption****32.1 Effect and application of these Standards**

These Standards apply, on and from the date they come into effect under Section 31 of the *Disability Discrimination Act 1992*, to:

- (a) public transport services provided with:
  - (i) newly constructed premises or infrastructure; or
  - (ii) conveyances entering service after these Standards come into effect; or
  - (iii) premises, infrastructure or conveyances that have undergone substantial refurbishment or alteration; or
  - (iv) additional or replacement equipment in premises and infrastructure or on conveyances; and
- (b) new or revised ancillary services that are provided as an adjunct to the public transport operation; and
- (c) new or updated information provided to the public.

**32.2 Manufacture to be completed before target dates**

In all cases, manufacture or other work that is required to ensure compliance with these Standards is to be completed before the target dates set out in Schedule 1.

**Part 33 Compliance****33.1 Date for compliance with these Standards — new conveyances, premises and infrastructure**

Operators and providers must comply with the specified Sections of these Standards for all new premises, infrastructure and conveyances brought into use for public transport service on and from the date these Standards come into effect under Section 31 of the *Disability Discrimination Act 1992*.

**33.2 Date for compliance with these Standards — conveyances, premises and infrastructure in use at target dates**

Operators and providers must comply with the specified sections of these Standards for premises, infrastructure and conveyances that are still in use for public transport at the target dates specified in Schedule 1.

## Schedule 1 Target dates for compliance

(Section 33.2)

### Part 1 Target date — 31 December 2007

#### 1.1 Responsibility

- Operators
- Providers

#### Requirement

Full compliance with the relevant Standards in relation to:

- |                          |                           |
|--------------------------|---------------------------|
| • Waiting areas          | • Hearing augmentation    |
| • Symbols                | • Information             |
| • Signs                  | • Booked services         |
| • Alarms                 | • Food and drink services |
| • Lighting               | • Belongings              |
| • Furniture and fittings | • Priority                |

#### 1.2 \*\*Responsibility

- Radio networks
- Co-operatives

#### Requirement

Response times for accessible vehicles are to be the same as for other taxis.

#### 1.3 Responsibility

- Operators
- Providers

#### Requirement

Compliance with the relevant Standards by 25% of each type of service in relation to:

- |                     |                                     |
|---------------------|-------------------------------------|
| • Access paths      | • Doorways and doors                |
| • Manoeuvring areas | • Lifts                             |
| • Passing areas     | • Stairs                            |
| • Resting points    | • Toilets                           |
| • Ramps             | • Tactile ground surface indicators |
| • Boarding          | • Controls                          |
| • Allocated space   | • Street furniture                  |

**Part 2 Target date — 31 December 2012****2.1 Responsibility**

- Operators
- Providers

**Requirement**

Full compliance with the relevant Standards in relation to:

- |                           |                    |
|---------------------------|--------------------|
| • Surfaces                | • Gateways         |
| • Handrails and grabrails | • Vending machines |

**2.2 Responsibility**

- Operators

**\*\*Requirement**

Full compliance with the relevant Standards in relation to:

- 1500 mm minimum head room and vertical door opening

**2.3 Responsibility**

- Operators
- Providers

**Requirement**

Compliance with the relevant Standards by 55% of each type of service in relation to:

- |                     |                                     |
|---------------------|-------------------------------------|
| • Access paths      | • Doorways and doors                |
| • Manoeuvring areas | • Lifts                             |
| • Passing areas     | • Stairs                            |
| • Resting points    | • Toilets                           |
| • Ramps             | • Tactile ground surface indicators |
| • Boarding          | • Controls                          |
| • Allocated space   | • Street furniture                  |

**Part 3 Target date — 31 December 2017****3.1 Responsibility**

- Operators
- Providers

**Requirement**

Compliance with the relevant Standards by 90% of each type of service in relation to:

- |                     |                      |
|---------------------|----------------------|
| • Access paths      | • Doorways and doors |
| • Manoeuvring areas | • Lifts              |

- Passing areas
- Resting points
- Ramps
- Boarding
- Allocated space
- Stairs
- Toilets
- Tactile ground surface indicators
- Controls
- Street furniture

## **Part 4 Target date — 31 December 2022**

### **4.1 Responsibility**

- Operators
- Providers

### **Requirement**

All public transport services are to fully comply with the relevant Standards.

## Appendix 3: Taxi and Luxury Hire Car Industries Act 1995

(as at 3 January 2006)

### PART 4B - Wheelchair-Accessible Taxi Licences

#### 23L. Interpretation of Part 4B

In this Part –

"**motor vehicle**" means a motor vehicle within the meaning of the Vehicle and Traffic Act 1999;

"**registered**" means registered under the Vehicle and Traffic Act 1999;

"**small passenger vehicle**" means a motor vehicle with a seating capacity of less than 13 adults, including the driver, that is designed and constructed primarily for the carriage of passengers;

"**WAT licence**" means a wheelchair-accessible taxi licence;

"**wheelchair-accessible taxi**" means a small passenger vehicle –

(a) in respect of which a licence issued under this Part is in force; and

(b) which is in accordance with Schedule 6.

#### 23M. Wheelchair-accessible taxi licences

(1) The Commission may issue persons with licences, called wheelchair-accessible taxi licences, in respect of small passenger vehicles.

(2) A WAT licence authorises the small passenger vehicle specified in the licence to ply or stand for hire within, to or from a public street in the taxi area to which the licence relates for the purpose of carrying passengers or parcels in that area.

(3) A WAT licence does not prevent the vehicle specified in the licence from being used for private purposes and any other purposes authorised by virtue of its registration under the Vehicle and Traffic Act 1999.

(4) The holder of a WAT licence must not lease that licence to another person.

Penalty:

Fine not exceeding 10 penalty units.

#### 23N. Number of WAT licences to be made available

(1) The initial numbers of WAT licences to be made available are specified in Schedule 7.

(2) The Commission is to make available WAT licences in addition to those shown in Schedule 7 if –

(a) after the initial release of WAT licences the Commission is satisfied that the response times for wheelchair-accessible taxis are not at least equivalent to the response times for perpetual taxis in a particular taxi area; or

(b) application is made to the Commission for a WAT licence to be issued in a taxi area not specified in Schedule 7.

(3) If not all the licences specified in Schedule 7 are allocated within the period specified in that Schedule, the Commission is to make the unallocated licences available again after the expiration of the period.

### 230. Application for wheelchair-accessible taxi licence

(1) A person may apply to the Commission for a WAT licence.

(2) An application is to be –

(a) lodged with the Commission; and

(b) made on a form that the Commission has provided or approved for the purpose; and

(c) accompanied by the prescribed fee; and

(d) supported by such information or evidence as the Commission requires.

### 23P. Issue and commencement of licences

(1) The Commission is to issue an applicant with a WAT licence in respect of a motor vehicle if the Commission –

(a) is satisfied that the vehicle is a registered small passenger vehicle; and

(b) determines that the vehicle meets prescribed specifications as a suitable motor vehicle for operation as a wheelchair-accessible taxi.

(2) The licence may be issued on such conditions as the Commission determines, having regard to the objects of this Act in respect of wheelchair-accessible taxi services, including conditions relating to –

(a) the area in which the vehicle may operate as a wheelchair-accessible taxi; and

(b) the availability of the vehicle to wheelchair-reliant persons; and

(c) the condition or standard of the vehicle.

(3) A WAT licence takes effect on the day on which it is issued and, unless forfeited or surrendered in accordance with this Part, it –

(a) remains in force for a period of 10 years from that day; and

(b) is renewable, at the discretion of the Commission.

(4) A new or renewed WAT licence is to be issued for a prescribed fee determined by the Commission.

(5) A WAT licence may be surrendered to the Commission at any time.

(6) The Commission may, on payment of a prescribed fee, issue a licensee with a replacement for a WAT licence that has been lost or destroyed or been damaged to an extent that renders it unsuitable for the purposes of this Part.

**23Q. Variation of WAT licence conditions**

- (1) The Commission may vary the conditions of a WAT licence in accordance with this section.
- (2) The Commission must –
- (a) give the licensee notice in writing of its intention to vary the licence conditions; and
  - (b) give the licensee a reasonable opportunity to make representations to the Commission regarding the proposed variations; and
  - (c) take any such representations into account in exercising its power under this section.

**23R. Passenger quotas**

The Commission may impose such conditions on a WAT licence, in respect of the minimum number of wheelchair-reliant passengers carried under that licence, as the Commission considers necessary or desirable to improve the response times for wheelchair-accessible taxis.

**23S. Transfer of WAT licences**

- (1) The holder of a WAT licence may at any time apply as prescribed to the Commission to do either or both of the following:
- (a) have the licence transferred, temporarily or for the remaining life of that licence, to another person;
  - (b) have the licence apply, temporarily or for the remaining life of that licence, to another motor vehicle.
- (2) The Commission is to approve the application if the Commission –
- (a) is satisfied that the motor vehicle to which the licence is to relate is a registered small passenger vehicle; and
  - (b) determines, in accordance with Schedule 6, that the vehicle meets the requirements for a wheelchair-accessible taxi; and
  - (c) is satisfied, in a case to which subsection (1)(b) applies where the applicant is not the registered operator of the other vehicle, that the application is authorised by the registered operator of that vehicle.

**23T. Cancellation and suspension of WAT licences**

- (1) The Commission, in prescribed circumstances, may suspend a WAT licence for a period not exceeding 3 months.
- (2) The Commission, in prescribed circumstances, may cancel a WAT licence.

**23U. Delivering up of WAT licences**

A person who holds a WAT licence must, if given notice to do so by the Commission, deliver up that licence to the Commission at such time and place as the Commission by the notice specifies.

Penalty:

Fine not exceeding 10 penalty units.

### 23V. General offences

**(1)** A person who holds a WAT licence must not contravene or fail to comply with the conditions of the licence.

Penalty:

Fine not exceeding 20 penalty units.

**(2)** A person who does not hold a WAT licence must not hold himself or herself out to be the holder of such a licence.

Penalty:

Fine not exceeding 20 penalty units.

**(3)** A person must not make a false or misleading statement to the Commission, or produce a false or misleading document to the Commission, in connection with an application or any other matter under this Part.

Penalty:

Fine not exceeding 20 penalty units.

## SCHEDULE 6 – Requirements for Wheelchair-accessible Taxis

### Section 23L

1. The Commission is to determine that a small passenger vehicle is a wheelchair-accessible taxi for the purposes of Part 4B if the vehicle meets the following criteria:

**(a)** the vehicle must meet the standards for wheelchair-accessible taxis specified under the *Disability Standards for Accessible Public Transport 2002*, formulated under Section 31(1) of the Disability Discrimination Act 1992 of the Commonwealth;

**(b)** the vehicle must have ramp entry and provide for a wheelchair-reliant passenger to sit centrally in the vehicle whilst seated in their wheelchair;

**(c)** the vehicle at the time of introduction as a wheelchair-accessible taxi is to be –

**(i)** a new vehicle; or

**(ii)** any age up to 10 years if previously used as a wheelchair-accessible taxi in Tasmania;

**(d)** the vehicle is to operate as a wheelchair-accessible taxi for a period not exceeding 10 years, commencing on the first day of registration;

**(e)** any modifications to make the vehicle wheelchair-accessible must not significantly alter the original external appearance of the vehicle.

**SCHEDULE 7 – Number of Wheelchair-accessible Taxi Licences**Section 23N

1. The initial number of wheelchair-accessible taxi licences to be made available in the first 2 years of licence issue is to be in accordance with the following table:

<b>Taxi area</b>	<b>No. of licences to be made available in first year of issue</b>	<b>No. of licences to be made available during second year of issue</b>	<b>Total no. of licences made available after 2 years</b>
Hobart	10	10	20
Launceston	4	5	9
Devonport	1	1	2
Burnie	1	1	2

## **Appendix 4: Taxi Industry Regulations 1996**

### **PART 5B - Wheelchair-Accessible Taxi Licences**

#### **28L. Form of WAT licence**

A WAT licence is to be in such form as the Commission determines but must contain at least the following information:

- (a) the name and address of the WAT licensee;
- (b) the licence number;
- (c) particulars of the vehicle to which the licence applies;
- (d) the date on which the licence was issued and the date on which, unless sooner forfeited or surrendered, it expires;
- (e) particulars of any conditions of the licence.

#### **28M. Register of WAT licences**

(1) The Commission must keep a register of WAT licences in which it is to record, in respect of each licence issued –

- (a) the name and address of the WAT licensee; and
- (b) the licence number; and
- (c) particulars of the vehicle to which the licence applies; and
- (d) the conditions of the licence; and
- (e) particulars of any transfer, suspension or cancellation of the licence; and
- (f) any other matters the Commission considers appropriate.

(2) The register is not a public register.

#### **28N. Distinguishing number-plates and labels**

(1) The Commission may issue a WAT licensee with a distinctive licence number-plate or label, or both, for the vehicle to which the licensee's licence applies.

(2) A licence number-plate or label so issued may be in such form as the Commission determines.

(3) A licence number-plate or label so issued may be in addition to, or in substitution for, any other plate, label or form of identification issued by the Commission in respect of the vehicle.

(4) A licence number-plate so issued remains the property of the Commission.

(5) If the Commission exercises its power under subregulation (1), it must also issue the WAT licensee with written instructions for affixing the licence number-plate or label on the vehicle for which the licence has been issued.

- (6) The registered operator of the vehicle must –
- (a) affix the licence number-plate or label to the vehicle in accordance with the Commission's written instructions; and
  - (b) keep the licence number-plate or label affixed to the vehicle in accordance with the Commission's written instructions for so long as the person holds a WAT licence in respect of the vehicle; and
  - (c) cause the licence number-plate or label to be completely covered up during any period during which the person's WAT licence in respect of the vehicle is suspended; and
  - (d) remove the licence number-plate or label from the vehicle within 14 days after the day on which the person's WAT licence in respect of the vehicle expires, is surrendered or is cancelled; and
  - (e) return the licence number-plate to the Commission within 30 days after the day on which the person's WAT licence expires, is surrendered or is cancelled.

Penalty:

Fine not exceeding 10 penalty units.

(6A) It is a defence in proceedings for an offence under subregulation (6)(b) if the defendant establishes that, when the offence allegedly occurred –

- (a) the licence number-plate was –
  - (i) lost; or
  - (ii) unusable because of damage sustained in an accident; and
- (b) he or she had notified the Commission in writing as soon as practicable after –
  - (i) the loss was discovered; or
  - (ii) the licence number-plate sustained the damage.

(7) The Commission may issue a WAT licensee with a replacement licence number-plate or label on payment of a prescribed fee.

(8) The Commission may, by written notice, request a WAT licensee to return a licence number-plate issued to that licensee under subregulation (1) within such time as the Commission specifies in the notice.

(9) The WAT licensee must comply with a request under subregulation (8).

Penalty:

Fine not exceeding 10 penalty units.

**28P. Application for WAT licence under Section 23N of Act**

An application under Section 23N(2) of the Act is to be –

- (a) lodged with the Commission; and
- (b) made on a form that the Commission has provided or approved for the purpose; and
- (c) accompanied by the appropriate fee specified in Schedule 1; and
- (d) supported by such information or evidence as the Commission requires.

**28Q. Change of name or address**

A WAT licensee must, within 30 days after changing his or her name or postal address, notify the Commission of his or her new name or postal address.

Penalty:

Fine not exceeding 10 penalty units.

**28R. Suspension of WAT licence**

(1) The circumstances in which the Commission may suspend a WAT licence are as follows:

- (a) where the WAT licensee has failed to comply with a condition of the licence;
- (b) where the vehicle to which the licence applies has ceased temporarily to be registered;
- (c) where the vehicle to which the licence applies has ceased to meet the specifications of a wheelchair-accessible taxi.

(2) The Commission, if it considers that the circumstances permit, may –

- (a) give the WAT licensee notice of its intention to suspend the licence; and
- (b) consider any representations of the licensee.

(3) On suspending a WAT licence, the Commission must immediately give the WAT licensee notice of –

- (a) the suspension; and
- (b) the reasons for the suspension; and
- (c) the actions that the licensee must take to have the suspension lifted.

### **28S. Cancellation of WAT licence**

- (1) The circumstances in which the Commission may cancel a WAT licence are as follows:
  - (a) where it is satisfied that the WAT licensee has failed to comply with what the Commission considers to be a fundamental licence condition;
  - (b) where it is satisfied that the vehicle to which the licence applies has ceased to be registered and is likely to remain unregistered indefinitely or for a prolonged period;
  - (c) where it is satisfied that the vehicle to which the licence applies has ceased to meet the specifications of a wheelchair-accessible taxi;
  - (d) where the licence is surrendered to the Commission.
- (2) The Commission, if it considers that the circumstances permit, may –
  - (a) give the WAT licensee notice of its intention to cancel the licence; and
  - (b) consider any representations of the licensee.
- (3) On cancelling a WAT licence, the Commission must immediately give the WAT licensee notice of –
  - (a) the cancellation; and
  - (b) the reasons for the cancellation; and
  - (c) the actions, if any, that the Commission requires the licensee to take as a result of the cancellation.

### **28T. Reporting requirements for WAT licensees**

A WAT licensee must –

- (a) provide the Commission with a report each month of the total number of wheelchair passengers transported by the licensee for that month; and
- (b) submit the report, in a form approved by the Commission, within 7 days after the end of the relevant month.

Penalty:

Fine not exceeding 10 penalty units.

### **28U. Procedure for issuing WAT licences**

When making a WAT licence available under Section 23N of the Act, the Commission is to –

- (a) call for expressions of interest for the licence; and
- (b) give preference, when issuing the licence, to a person who is an operator of a public passenger vehicle fitted with a wheelchair lift and accredited under the Passenger Transport Act 1997, on the basis of one licence for each such vehicle operated as at 1 JANUARY 2004; and
- (c) conduct a ballot for any remaining licences not issued under paragraph (b) among any other parties who have expressed interest.

**28V. Trip subsidy**

- (1) A trip subsidy is payable by the Commission, in accordance with the table set out in Schedule 6, to a WAT licensee for each trip on which the licensee carries a wheelchair passenger.
- (2) The Commission is to determine the trip subsidy payable in respect of a taxi area not specified in Schedule 6.
- (3) Before paying a trip subsidy, the Commission may require the WAT licensee to provide such evidence of the trip as the Commission considers necessary.

**SCHEDULE 6 – Trip subsidy**

1. The trip subsidy payable for each trip on which at least one wheelchair passenger is carried by a WAT licensee is as follows:

<b>Taxi area</b>	<b>Trip subsidy</b>
Hobart	\$10
Launceston	\$12
Devonport	\$16
Burnie	\$16

## Appendix 5: WATs in service

Commencement	Number	Type	Radio Room	Loading
<b>Hobart</b>				
October 2004	1	Chrysler Voyager	Independent	Rear
November 2004	1	Fiat Ducato	Associated	Rear
November 2004	1	Chrysler Voyager	Associated	Rear
December 2004	1	Chrysler Voyager	City Cabs	Side
December 2004	1	Renault Trafic	City Cabs	Side
December 2004	1	Chrysler Voyager	Associated	Rear
April 2005	2	Chrysler Voyager	Taxi Combined	Rear
May 2005	1	Toyota Tarago	Associated	Rear
June 2005	1	Renault Trafic	City Cabs	Rear
October 2005	1	Fiat Ducato	Associated	Rear
November 2005	1	Renault Trafic	City Cabs	Rear
December 2005 – March 2006	8	Fiat Ducato	City Cabs	Rear
<b>Launceston</b>				
October 2004	2	Fiat Ducato	Central Cabs/Independent	Rear
January 2005	2	Fiat Ducato	Central Cabs/Independent	Rear
July 2005	1	Fiat Ducato	Central Cabs/Independent	Rear
August 2005	1	Fiat Ducato	Central Cabs/Independent	Rear
September 2005	1	Fiat Ducato	Central Cabs/Independent	Rear
October 2005	1	Fiat Ducato	Central Cabs/Independent	Rear
November 2005	1	Mercedes Benz Sprinter	Independent	Rear
<b>Devonport</b>				
November 2005	1	Kia Carnival	Devonport Taxis	Rear
<b>Burnie</b>				
December 2004	1	Fiat Ducato	Independent	Rear

## **Appendix 6: Terms of Reference of the Review of Wheelchair Accessible Taxi Services**

### **GENERAL DESCRIPTION**

The Department of Infrastructure, Energy and Resources (DIER) seeks tenders from suitably experienced consultants to evaluate the effectiveness of wheelchair accessible taxi (WAT) services in Tasmania\*.

The aim of this review is to produce a report that assesses the adequacy of WAT services to wheelchair-dependent taxi users in Tasmania compared to the services provided to users of standard taxis. This report will be used as a basis for advice to the Minister for Infrastructure, Energy and Resources, who must determine whether additional WAT licences should be made available in Tasmania in 2006.

### **TERMS OF REFERENCE**

The terms of reference of the consultancy are as follows:

1. identify a representative group of wheelchair-dependent taxi users and other parties qualified to comment on services provided to WAT users;
2. consult with DIER to finalise the methodology for conducting the review of the adequacy of WAT services;
3. ascertain the demand for WAT services in the four metropolitan taxi areas and to assess the extent to which this demand is being met;
4. determine the extent to which the level of taxi services provided to wheelchair-dependent users has changed since the 2003 wheelchair taxi survey;
5. assess the taxi industry's compliance with the Disability Standards in terms of the response times for WAT services for wheelchair-dependent passengers compared to the response times for all taxis in relation to standard (that is, non-wheelchair) taxi trips;
6. analyse other indicators of the adequacy of WAT services to wheelchair-dependent users in the four metropolitan taxi areas including: suitability of vehicles, number of vehicles, availability of vehicles, driver training and awareness, and any other issues

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\* For the purposes of this consultancy, the meaning of 'effectiveness' is to be interpreted broadly. It includes, but is not limited to: availability, response time, cost, safety, comfort, and driver behaviour.

identified during the review, and to suggest ways in which their services to wheelchair-dependent passengers might be improved; and

7. produce a report to DIER about the adequacy of WAT services in the four metropolitan taxi areas.

## **KEY TASKS**

Consultants are invited to identify and describe their proposed methodology for the project. It is envisaged, however, that as a minimum, the consultant will be required to undertake the following tasks:

- liaise with DIER on the approach to be taken and the users/user groups and members of the taxi industry to be consulted;
- after initial consultation with stakeholders, agree with DIER on the methodology to be used to undertake the review;
- consult with WAT users and/or their representatives to seek feedback on the adequacy of WAT services provided to them;
- obtain information from the taxi industry about response times for WATs undertaking wheelchair work and for all taxis undertaking standard taxi work;
- consult with WAT operators and drivers about their experiences in providing services to wheelchair-dependent passengers;
- analyse the information obtained from the stakeholder groups;
- produce a draft report for review by DIER on the adequacy of WAT services in the four metropolitan taxi areas, in particular in relation to the requirements of the Disability Standards, including suggestions for how WAT services might be improved in these areas; and
- based on feedback from the review of the draft report, produce a final report on the adequacy of WAT services in the four metropolitan taxi areas, including suggestions for how WAT services might be improved in these areas.

## CONSULTATION

Consultation should be undertaken with a range of stakeholders including, but not necessarily limited to, WAT users and/or their carers and advocacy groups, WAT operators, WAT drivers, and operators of standard taxis. Input might be sought from other sources such as radio rooms, community associations, training organisations and disability advocacy/support groups.

To ensure effective project management, the consultant will be required to develop a consultation strategy as part of their tender which ensures effective liaison with the project manager.

Consultation with external stakeholders must not occur without prior DIER approval.

## DELIVERABLES AND TIMING

Assuming a commencement date of 26 September 2005, the consultant will be expected to meet the following deadlines:

- After consultation with DIER, present a methodology for the review by 10 October 2005.
- Information gathering, consultation, and analysis of gathered information should be completed by 7 November 2005.
- Delivery of a draft report for review by DIER by no later than 21 November 2005. The draft report will be required to describe the methodology and research used by the consultant in undertaking the work to date. The draft report will also be required to clearly identify any areas where further work is required.
- Delivery of a final report, incorporating amendments/alterations identified at the draft stage, by no later than 9 December 2005.

Copies of the above reports, as well as any other relevant documentation, must be provided electronically in Microsoft Word 2000 (or compatible) format.

**The deadline of 9 December 2005 is strict and non-negotiable. Should, for any reason whatsoever, the successful tenderer fail to supply a report of a standard acceptable to the Project Manager by that date, the tenderer will not be entitled to any payment whatsoever.**

## TENDER CONTENTS

In preparing their tender, consultants should:

- demonstrate their knowledge and understanding of passenger transport industries, with a specific focus on the taxi industry;

- demonstrate an understanding of the transport needs of people with disabilities, particularly those dependent on wheelchairs;
- demonstrate their proficiency in the areas of data collection and analysis, in particular a capacity to engage with people with disabilities and their carers and advocacy groups;
- demonstrate the skills and experience of nominated key personnel proposed to undertake the project;
- describe the proposed methodology and approach, including the consultation strategy;
- identify the proposed time inputs by both person and task;
- confirm the availability of the nominated personnel to provide the proposed time inputs;
- clearly state the proposed price, inclusive of all costs, and provide a project budget; and
- where applicable, identify any optional components and any price implications associated with those optional components.

Proposals should be succinct. CVs for nominated staff should be restricted to one page. Proposals should not exceed 20 pages in length, including attachments.

## **PROJECT MANAGEMENT**

This project will be managed by representatives of the Department of Infrastructure, Energy and Resources' Passenger Transport Policy Branch (PTPB).

## **BUDGET**

The available budget for this consultancy is **\$20 000 (GST inclusive)**. Consultants should ensure that their proposals, including all fees and anticipated expenses, are within this budget.

The consultant will be required to submit a fixed lump sum price for the work to be undertaken.

## TENDER EVALUATION

Each tender will be assessed with regard to the following categories and weights.

<b>Category</b>	<b>Weight (%)</b>
Value for money	25
Demonstrated understanding of the project brief, including knowledge and understanding of passenger transport industries, particularly the taxi industry	25
Demonstrated experience and proficiency in data collection and analysis, including the capacity to engage with people with disabilities and their carers and advocacy groups	25
Proposed plan, methodology and program (including consultation strategy) for undertaking the work	25

## TENDER SUBMISSION AND CLOSING DATES

Tenders for this project must be received by 5.00 pm EST on **9 September 2005**.

Late tenders will not be accepted unless the tenderer can demonstrate satisfactorily that the tender was delayed for reasons outside the tenderer's control, and in normal circumstances would have arrived on or before tender closing date and time, and the tenderer has not had further access to the tender document as a result of the delay.

## Appendix 7: Taxi Subsidy Schemes

### New South Wales Taxi Transport Subsidy Scheme<sup>113</sup>

People with severe and permanent physical or intellectual disabilities qualify for assistance under the NSW Government's Taxi Transport Subsidy Scheme (TTSS). People with disabilities using the TTSS are entitled to a discount of 50 per cent off the metered fare to a maximum of \$30.00.

To be eligible for fare assistance under the TTSS the disability must be severe and permanent and come within the following categories of eligible disabilities:

- permanent inability to walk;
- total and permanent dependence on a wheelchair;
- severe mobility problems which require the permanent use of complex walking aids or constant assistance of another person;
- total loss of vision or severely impaired sight;
- severe and uncontrollable epilepsy; or
- severe intellectual disability causing socially unacceptable behaviour or requiring constant assistance if on public transport.

### Victoria Multi Purpose Taxi Program<sup>114</sup>

The Multi Purpose Taxi Program (MPTP) helps Victorians with severe and permanent disabilities use taxis at an affordable rate. Victorian residents with a severe and permanent disability that prevents them from using public transport are eligible for the program.

Members must also either:

- permanently use a wheelchair; or
- hold a Department of Veterans' Affairs Pensioner Concession Card or gold Repatriation Health Card; or

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<sup>113</sup> [www.nswtaxi.org.au/taxi\\_services\\_special\\_needs.htm](http://www.nswtaxi.org.au/taxi_services_special_needs.htm) accessed 3 January 2006.

<sup>114</sup> [www.doi.vic.gov.au/DOI/Internet/transport.nsf/AllDocs/CC8D03F91EE0B219CA256C1C001DE33D?OpenDocument](http://www.doi.vic.gov.au/DOI/Internet/transport.nsf/AllDocs/CC8D03F91EE0B219CA256C1C001DE33D?OpenDocument) accessed 3 January 2006.

- hold certain means-tested Pensioner Concession or Health Care Cards issued by Centrelink; or
- demonstrate financial hardship.

The MPTP gives members half price taxi fares to a maximum of \$30.00 per trip. Some members have a yearly limit of \$1 000, but they can apply to have this limit increased for a variety of reasons. This limit does not apply if the member has:

- a disability listed on Multi Purpose Taxi Program exemptions – for example legally blind, major organ disorder, paraplegic, quadriplegic, a range of intellectual disabilities, confined to a wheelchair, brain damage; or
- a Department of Veterans' Affairs Pensioner Concession Card that is endorsed Extreme Disablement Adjustment (EDA) or Totally and Permanently Incapacitated (TPI).

#### **Queensland Taxi Subsidy Scheme<sup>115</sup>**

The taxi subsidy scheme is an initiative of Queensland Transport that aims to improve the mobility of persons with severe disabilities. Eligible members pay half the prescribed fare with the maximum subsidy being \$25.00 per trip. The subsidy is to be used on journeys only when the full metered fare is charged, or in the case of non-metered cabs, the approved fare is charged.

Permanent residents of Queensland with a disability covered under one or more of the six categories outlined below are eligible for membership:

- physical disability requiring dependence on a wheelchair for all mobility outside the home;
- severe ambulatory problem that cannot functionally be improved and restricts walking to an extremely limited distance;
- total loss of vision or severe visual impairment (both eyes);
- severe and uncontrollable epilepsy with seizures involving loss of consciousness;
- intellectual impairment or dementia resulting in the need to be accompanied by another person at all times for travel on public transport; or

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<sup>115</sup> [www.transport.qld.gov.au/qt/PubTrans.nsf/index/Subsidy](http://www.transport.qld.gov.au/qt/PubTrans.nsf/index/Subsidy) accessed 3 January 2006.

- severe emotional and/or behaviour disorders with a level of disorganisation resulting in the need to be accompanied by another person at all times for travel on public transport.

Scheme membership is approved for a maximum of five years. All members must reapply for assessment prior to expiry of their current membership. Temporary membership may be granted for a period of six to 12 months for people with a temporary disability. After this time an application for an extension of membership must be submitted.

### **South Australian Transport Subsidy Scheme<sup>116</sup>**

The South Australian Transport Subsidy Scheme (SATSS) was introduced in 1987 to provide subsidised taxi transport for people who have a severe and permanent disability that limits their mobility, in particular their ability to catch public transport. The aim of the scheme is to provide an accessible transport system to assist people with physical disabilities gain access to employment, education, community services and recreational activities.

Eligibility to the scheme is based on the applicant meeting one or more of the following mobility criteria:

- total and permanent dependence on a wheelchair;
- severe permanent ambulatory problems resulting from paralysis or necessitating permanent use of large complex walking aids;
- permanent inability to negotiate three bus steps 350 mm high;
- permanent inability to sit in public transport without restraints; or
- unable to walk more than 100 metres without brief rests.

There are two categories of SATSS members:

- Ambulant members (able to walk) receive a 50 per cent subsidy for taxi fares up to \$30.00 (\$15.00 maximum subsidy).
- Members confined to a wheelchair or other large motorized mobility aids receive a 75 per cent subsidy for taxi fares up to \$30.00 (\$22.50 maximum subsidy).

Wheelchair confined members of SATSS also are eligible for the following schemes, which provide additional vouchers to general SATSS vouchers:

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<sup>116</sup> [www.opt.dttup.sa.gov.au/publications/access\\_perf\\_current.html](http://www.opt.dttup.sa.gov.au/publications/access_perf_current.html) accessed 3 January 2006.

- Journey To Work Scheme, provided by subsidised travel to and from employment or employment-related training. The subsidy is 75 per cent for the first \$30.00 for these trips.
- Tertiary Education Assistance Scheme provides subsidised travel to and from tertiary courses at approved educational institutions. The subsidy is 100 per cent for the first \$30.00 for these trips.

### **Western Australian Taxi Users' Subsidy Scheme** <sup>117</sup>

The Taxi Users' Subsidy Scheme (TUSS) provides taxi travel at a reduced rate for people who have a severe disability that will always prevent them using a conventional public transport bus service.

Eligible members must be a permanent resident of Western Australia and have a severe disability that will always prevent them using a conventional public transport bus service. The disability is required to be continual and fall within the specified categories of:

- Severe mobility disability.
- Severe vision disability (legal blindness).
- Severe cognitive/intellectual disability.

Most members are entitled to a 50 per cent subsidy, up to a maximum of \$25.00 for each single trip. Members who use a wheelchair or scooter may be entitled to a 75 per cent subsidy, up to a maximum of \$25.00 for each single trip.

Eligible members, unless placed in the temporary category, will be granted membership for an initial five-year period.

### **ACT Taxi Subsidy Scheme** <sup>118</sup>

The Taxi Subsidy Scheme assists people who have a severe disability that prevents them using public transport. The scheme provides a subsidy towards the cost of taxi transport. Travel can be regular taxi or a wheelchair accessible taxi where required.

People who are residents of the ACT, and who because of a severe disability are unable to use public transport are eligible for the scheme. For the purposes of this scheme a severe disability includes the following:

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<sup>117</sup> [www.dpi.wa.gov.au/taxis/tuss/index.html](http://www.dpi.wa.gov.au/taxis/tuss/index.html) accessed 3 January 2006.

<sup>118</sup> Application for the ACT Taxi Subsidy Scheme, [www.dhcs.act.gov.au/DisabilityACT/Services/Services.htm](http://www.dhcs.act.gov.au/DisabilityACT/Services/Services.htm) accessed 3 January 2006.

- severe mobility disability;
- legal blindness, as defined for social security purposes;
- severe vision impairment;
- cognitive/intellectual/severe psychiatric disability; or
- severe and uncontrolled epilepsy.

Vouchers are issued to approved individuals, which may be used towards partial cost of taxi fares. Most approved individuals will be eligible for a 50 per cent subsidy up to a maximum of \$17.00 per trip. Approved individuals who use a wheelchair for all travel outside their home and take the wheelchair with them when travelling in a taxi will be eligible for a 75 per cent subsidy, up to a maximum of \$26.00 per trip. Approved individuals who use a wheelchair will also have the loading and unloading portion of the fare paid for by the Government through payment of a Lift Fee.

Depending whether the applicant has a permanent or time limited disability, eligible applicants will be granted either general access (initial period of three years) or temporary access (for a limited period of six or 12 months). Factors such as income; eligibility for other subsidy, concession or pension schemes; availability of, or proximity to public transport; and length of journey or timetable problems will not be used to determine eligibility:

## Appendix 8: Summary of Criteria for use of Mobility Aids on Public Transport

<b>Weight</b>	A boarding device (e.g. ramp) must be able to support a total weight of up to 300kg
<b>Allocated Space</b>	Fit within an allocated space of 1300mm x 800mm
<b>Manoeuvrability</b>	Turn 180 degrees within an area 2070mm x 1540mm
<b>Wheels</b>	Should be able to - <ul style="list-style-type: none"> <li>➤ cross a horizontal gap up to 40mm wide</li> <li>➤ mount a vertical rise (bump) up to 12mm</li> <li>➤ cross grating gaps up to 13mm wide and 150mm long</li> </ul>
<b>Brakes</b>	Have effective braking systems to maintain stability
<b>Ramps</b>	Negotiate - <ul style="list-style-type: none"> <li>➤ a 1:14 grade unassisted (e.g. ramp)</li> <li>➤ a 1:8 grade where the ramp is less than 1520mm, and</li> <li>➤ a 1:4 grade with assistance (e.g. ramp)</li> </ul>
<b>Head Height</b>	Negotiate a taxi door height of 1400mm
<b>Anchoring Devices</b>	Have appropriate anchoring points if needed by transport operators or providers
<b>Batteries</b>	Comply with regulations governing the carriage of batteries on public transport

## Appendix 9: Resources

ACT Department of Urban Services, WAT Reference Group Secretariat: *Wheelchair Accessible Taxis Reference Group Report*, September 2005

([www.transport.act.gov.au/accessiblepublictransport.html](http://www.transport.act.gov.au/accessiblepublictransport.html) accessed 3 January 2006).

Colmar Brunton: *2002 National Taxi Users Survey Report*, February 2003.

Colmar Brunton: *Wheelchair Taxi Users*, September 2003.

Market Equity Research and Strategy: *MPT Industry Issues – Qualitative Research with Drivers and Owner-Drivers, a Report for Department for Planning and Infrastructure, Government of Western Australia*, August 2005 ([www.dpi.wa.gov.au/taxis/news.html](http://www.dpi.wa.gov.au/taxis/news.html) accessed 3 January 2006).

SGS Economics & Planning with Myriad Consultancy: *Evaluation of Wheelchair Accessible Taxi Services*, Department of Infrastructure, Energy and Resources, December 2005.

NSW Ministry of Transport, Wheelchair Accessible Taxi Taskforce: *Interim Brief to the Minister for Transport Services*, September 2004 ([www.transport.nsw.gov.au/pubs\\_legal/](http://www.transport.nsw.gov.au/pubs_legal/) accessed 3 January 2006).