

Submission on Land Transport Rule: Operator Licensing 2017 (Yellow Draft)

1 Introduction

TRAFINZ (The New Zealand Traffic Institute Inc.) represents a wide grouping of NZ local authorities, covering the majority of the New Zealand population. Its membership includes regional councils, the major metropolitan cities and smaller provincial authorities as well as private sector and non-local government members.

TRAFINZ welcomes the opportunity to submit to the Transport Agency's Rules Team.

TRAFINZ recognises the Ministry of Transport and the NZ Transport Agency's efforts to encourage innovation within the passenger services sector with a regulatory framework that is flexible enough to accommodate consumer attitudes and needs, and is relevant to emerging technologies.

Following consultation with our Members we have concerns that the changes to existing Rules now proposed may have unintended consequences and impact adversely on public safety, traffic management in the central areas of towns and cities, and on those members of our communities who are elderly or physically disadvantaged.

2 Impacts on Safety

- 2.1 TRAFINZ would encourage the Agency to explore ways to encourage all operators to adopt the latest technology to enhance high standards of driver performance and safety for drivers and passengers of small passenger vehicles.
- 2.2 The proposed Rule in S 3.8 continues the current requirement for the installation and use of in- vehicle security camera systems and in Schedule 3 lists the areas where these will be mandatory. TRAFINZ supports this Rule in principle. Such systems have proved very effective in reducing the previous problems of driver assault and other bad behaviour. Their existence gives reassurance to passengers and drivers, especially to the more vulnerable passengers.
- 2.3 However in s 3.7 (2) the Proposed Rule provides an exception to the installation and use of in-vehicle security camera systems. It is proposed that they not be required for vehicles which only provide services to registered passengers, with the operator being required to hold names and photographs of driver and registered passengers and details of trips. Refer s 3.7(4).
TRAFINZ does not support this exemption.
The existence of filed photos gives no assurance to passengers that if an issue arises there will be recorded evidence available to support legal action or other redress. The driver may have been contracted by one registered passenger but he or she may enter the vehicle with others and they may cause trouble. The cost of the necessary systems are reducing and **our view is that they should be a requirement for all small passenger service vehicles providing transport services arranged by phone, internet, or on street.**
- 2.4 TRAFINZ does however support the exemption in s 3.7 (5) for special occasion hires, tour services and government contracted services.

3 Impacts on Traffic Management

- 3.1 In recent years markets have been disrupted by the rise of a new 'amateur economy' for small vehicle passenger transport. TRAFINZ supports the use of new types of service and appreciates that regulators are having difficulty in defining this new space between private and commercial activity.
- 3.2 TRAFINZ is concerned that the Rule as now proposed removes the previous mandatory requirement for taxis to be clearly identifiable. In urban areas Councils provide Taxi Stands and may through Bylaws allow Taxis to use Bus Lanes. Taxis also have the privilege of double parking to pick up or set down passengers subject to conditions. The proposed Rule requires drivers of small passenger vehicles to display their transport service license card on the windscreen facing outwards, but this will only be readable to an enforcement officer when the vehicle is stationary and the officer is in close proximity to the vehicle. This card will in no way replace the present clear identification of a Taxi to allow the enforcement of the illegal use of Bus Lanes by cars.
- 3.3 The proposed new Rule in s 3.5 provides for small passenger vehicles to “take up position in an area designated for small passenger service vehicle if the vehicle is available to hire” and to accept the first hire offered unless it “only provides services to registered passengers”. This implies that such vehicles can park in “Taxi Stands” awaiting electronic advice of a hire. Councils in the major urban areas have real difficulties now with the number of Taxis who wish to use Taxi Stands. There is a shortage of space available at the kerbside and the existing overflow of waiting taxis onto metered spaces requires much enforcement effort. Taxi Stands are valued by the public as a convenient place to obtain transport but the proposal in 3.5 will negate their use and create much public confusion if a larger number of small passenger vehicle are allowed to park there, some of which will not be available for hire.
- 3.4 TRAFINZ have submitted on the Land Transport Amendment Bill on these issues and have suggested to the Select Committee at a recent hearing that **there is a need for a sub set of small passenger vehicles generally available for hire on the street to be clearly identified on the outside of the vehicle so that Bylaws can be drafted accordingly.**

4 Conclusions

- 4.1 TRAFINZ appreciates the opportunity to make comment on the Yellow Draft.
- 4.2 As detailed above we have concerns about the proposals in s 3.7 and support the wider use of in- vehicle security camera systems so that driver and passenger safety can be better assured.
- 4.3 We also are concerned about the proposals in s3.5 allowing a potentially much larger number of vehicles being able to use 'Taxi Stands' and Bus Lanes and the difficulty of identifying such vehicles as being "approved for such usage". We have made suggestions for better identification to allow effective enforcement of Bylaws and other regulatory devices.
- 4.4 We would welcome future involvement in this important area of transport policy development, together with other expert organisations working in the sector.

For more information please contact:

Cr Andy Foster

President

New Zealand Traffic Institute (TRAFINZ)

021 227 8537

andy.foster@wcc.govt.nz

21 November 2016