



Research Office
Legislative Council Secretariat

Information Note

Measures to enhance the competitiveness of the taxi industry

IN16/18-19

1. Introduction

1.1 Taxi in Hong Kong forms a part of public transport, filling in the service gap of other public transport with round the clock and personalized service. It is the only legal point to point passenger transport offering both rank and hail, and pre-booked service. Despite its essential role in public transport, its patronage has fallen to the historical low since the 1990s, and the share of average daily patronage has dwindled from nearly 12% in 1998 to 7% in 2018. In fact, increased competition from the expansion of other public transport services like rail, and changing and higher expectation from taxi users have continued to exert pressures on the industry to improve the services. Added to these changes is the emergence of ride-hailing service¹ involving carriage of passengers for hire or reward without permit. All these old and fresh challenges facing the industry have led to concerns over the competitiveness and sustainability of the taxi industry.

1.2 At the request of Hon Frankie YICK Chi-ming, the Research Office has completed this study on measures to enhance the competitiveness of the taxi industry. This begins with a detailed overview of the taxi industry in Hong Kong, followed by global trends of the taxi industry. Two places, namely New South Wales ("NSW") in Australia and the City of Toronto in Canada are chosen for this study as they have recently completed reviews on their point to point personalized transport service, and have rolled out

¹ In this information note, ride-hailing service is equivalent to ride-sharing or ride-sourcing service, which generally refers to the use of smartphone applications to connect passengers with non-taxi drivers directly for the provision of point to point transport service. The service is characterized by location tracking, cashless payment and online service rating. Passengers usually pay by credit card a distance-based fare set by the service operator and the fare is split at an agreed rate between the service operator and the driver. In some jurisdictions, such operation is considered to have blurred the traditional market boundary between the street-hail taxis and the pre-booked hired cars.

measures to assist the taxi industry to cope with the market, policy and regulatory changes. An overview of the key characteristics of the taxi industry in the two places and Hong Kong is given in the **Appendix**.

2. Overview of taxi industry in Hong Kong

2.1 There are at present 18 163 registered taxis in Hong Kong, or 2.4 taxis per 1 000 population.² According to the Government, its policy to issue new taxi licences is on the basis of demand. The last time urban taxi licences were issued was in 1994.³ Hence, over the past 25 years, the total number of taxis has been stagnant despite a 21% population growth.⁴ Taxi ownerships are described by the Government as highly scattered, as they are possessed by about 9 000 individual and corporate licence holders.⁵ Although there are 210 000 people holding a valid taxi driver licence, only about 59 000 or 28% of them are regular drivers working mostly on a self-employed basis.

2.2 There are also taxi companies serving as middlemen managing the lease of licensed taxis on behalf of some licence holders, and about 30 "taxi call stations" as well as some taxi application ("app") operators providing taxi booking and dispatching services.⁶ Taxi fares charged by the taximeter are regulated at standard rates.⁷ The Road Traffic Ordinance (Cap. 374) and its subsidiary legislation specify the basic taxi service and safety standards, such as drivers' qualifications and behaviour, and specifications of the vehicle outfit and equipment. As to enforcement, taxi malpractices including overcharging or soliciting are dealt with by the Police while other driver misconducts are handled by the Transport Department ("TD").

² As at February 2019, 84% (15 250) of the 18 163 taxis are urban taxis serving the whole territory except some places in Lantau. There are also 2 838 New Territories and 75 Lantau taxis. The per 1 000 population taxi number in Singapore was 3.5 in 2018.

³ Apart from taxi demand, operating and traffic conditions will also be considered when deciding whether or not to issue licences and if there is such a need, how many licences should be issued. All past licences issued are perpetual and transferrable.

⁴ The population growth refers to the period of 1994-2017. Over the same period, the number of taxis increased by 0.3%. The additions were all Lantau taxi licences.

⁵ About 76% (about 6 800) of licence holders own a single licence. A total of 146 owners own 10 or more licences each, controlling over 8% of the taxi market. See Legislative Council Secretariat (2018).

⁶ The Transport Department website indicated until May 2018 that there were 25 such call stations serving the urban area, New Territories and Lantau. The number was 4 less than that in 2012, due to the reorganization and merger among the stations.

⁷ The law does not explicitly prohibit a passenger from seeking a lower fare from the operator. There is also no peak time or night time charge.

2.3 Taxi faces limited and indirect competition from other cheaper public transport such as minibus, bus and rail. The Government deliberately minimizes such competition by maintaining a sufficient fare differential (five to seven times for urban taxi) between taxi and other public transport when setting the taxi fare.⁸ Although the number of private car has risen significantly in recent years, car owners cannot provide carriage of passenger service for hire or reward unless they obtain a hire car permit from TD. Even with such a permit, they can only take advance booking at an agreed fare. It is illegal for them to ply in the streets like taxi. At present, there is an underutilisation (41.5%) of the 1 500 permit quota for private hire car, with 877 permits issued by end February 2019.⁹

2.4 The emergence of ride-hailing service in Hong Kong since mid-2014 has brought the industry new challenges. However, provision of such service is illegal if drivers do not possess a valid private hire car permit and relevant insurance coverage for their business.¹⁰ During 2016-2018, the Police have taken a total of 117 enforcement actions against illegal hire car service, including 54 actions in 2018. So far, the heaviest penalty imposed by the court on the convicted was a HK\$10,000 fine and 12-month driving suspension.¹¹ None of them was sentenced to jail. In February 2019, the Government proposed to raise the fine and jail terms of the offence.¹²

⁸ See Transport and Housing Bureau (2017a).

⁹ Since February 2017, TD has updated the requirements for hire car permit to facilitate new entry into the hire car market and ensure the quality of vehicles. These requirements include "pre-application assessment" and giving special consideration to individual applicants unable to produce the required hiring records or future service contracts. The vehicle age requirement has also been modified. Between end 2015 and February 2019, the permits issued have increased by 43%.

¹⁰ By 2017, the service operator claimed it had recruited 30 000 drivers, most being part-time drivers, and these drivers had provided over 300 000 rides in the first quarter of 2017. The operator has offered taxi hailing service via its app.

¹¹ In August 2015, according to media reports, the Police arrested seven drivers and raided the office of a ride-hailing service operator. Two drivers who pleaded guilty were later fined HK\$7,000 each and suspended driving, and the remaining five were eventually convicted and fined HK\$10,000 each with one-year driving suspension. All had their vehicles impounded and mobile phones confiscated. In a separate court ruling on 17 July 2018, 28 drivers were convicted of providing illegal hire car services and fined up to HK\$4,500 each. On 20 May 2019, a driver who pleaded guilty for providing an illegal ride was also fined HK\$3,000. Court hearings for 29 more drivers are still pending.

¹² See Transport and Housing Bureau (2019c). The Government position on ride-hailing service is that while it remains technology-neutral and encourages innovation, the service must comply with the law.

Recent trends of Hong Kong's taxi industry

2.5 While the ride-hailing service may have brought fresh challenges unseen before, it may have also unveiled some structural problems of the taxi industry. Below is a summary of the recent trends of the industry:

- (a) **Declining patronage:** the average daily passenger journey has dropped to the record-low of 889 000 in 2018, based on the published data available from the 1990s. Amid a long-term shrinkage, the taxi patronage had tended to fluctuate in tandem with economic cycles, but it has fallen for five consecutive years between 2014 and 2018 and accumulated a drop of 12% during the period.¹³ That persistent fall may have signalled a worsening operating environment of the taxi industry amid growing competition from other transport providers;¹⁴
- (b) **Rising number of complaints:** while the number of taxis has remained flat since 1997 and patronage dropped continually, the number of complaints against taxi service has surged by 56% from 7 051 in 2006 to 11 000 in 2018.¹⁵ About 25% of the complaints in 2018 were related to "refusing hire" and 19% "behaving other than in a civil or orderly manner" (**Figure 1**). The usual sanction against these driver malpractices is prosecution by the Police. Yet only 5.7% of drivers in cases referred to the Police were successfully summonsed in 2018;¹⁶

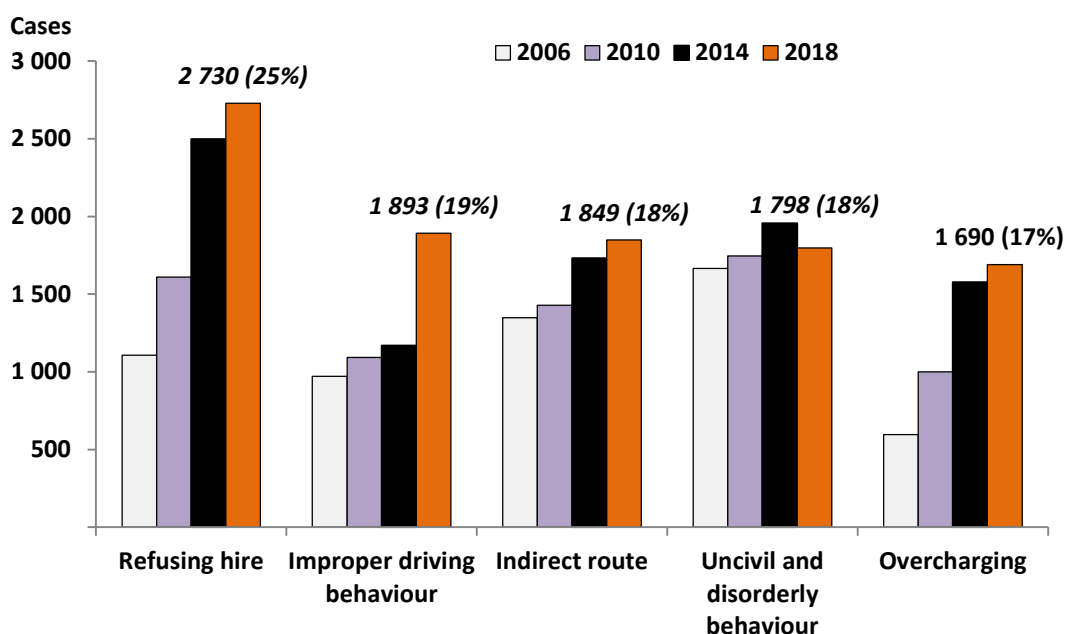
¹³ During the same period, the franchised bus patronage rose by 1.35% while the rail's rose by 5.38%.

¹⁴ The Public Transport Strategy Study still predicted the taxi patronage would rise to 8% by 2031.

¹⁵ The increase in complaints far outgrew the 24.2% increase in the estimated annual distance travelled by all taxis between 2006 (1 991 million km) and 2017 (2 472 million km).

¹⁶ According to the Transport Complaints Unit, about 68% of the referred cases handled by the Police in 2018 were withdrawn by the complainants, and 26% could not proceed due to insufficient evidence. Gathering evidence is considered challenging as the driver and passengers may dispute over the incidence leading to a complaint without an impartial recording of the incidence. Unlike other places such as New South Wales, in-car camera is not mandatory in Hong Kong. Yet, the use of in-car camera in taxi is currently not subject to any regulations in terms of image use, retrieval, storage and destruction, giving rise to privacy concerns.

Figure 1 — Top five most complained issues about taxi service

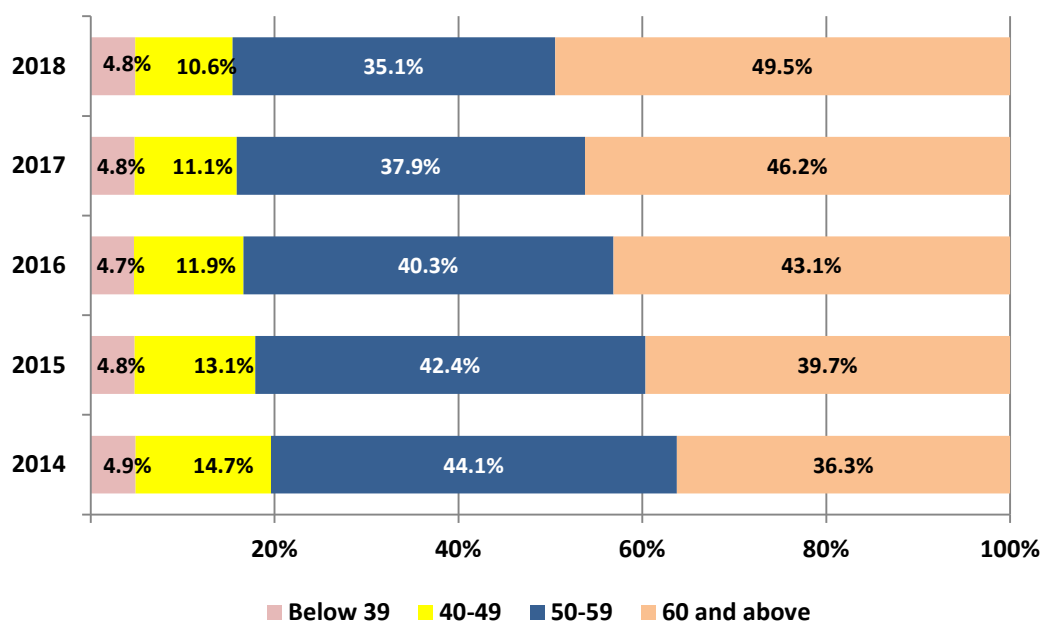


Source: Transport Complaints Unit.

(c) **Ageing and supply of drivers:** since 2000, there has been a large pool of over 200 000 people licensed to drive a taxi. However, the profession of taxi drivers is still often perceived as one that caters for the half-retired and part-timers. Such perception appears to align with the trend of ageing among drivers. In 2018, about half of the taxi driver licence holders have reached the age of over 60 while less than 5% were under 40 (Figure 2).¹⁷ This has raised concern over the industry's long term manpower sustainability as more experienced drivers will retire. Having said that, the demand for a taxi driver licence has been steadily increasing, with over 9 000 people taking the written test in 2018, compared to around 4 800 in 2008. About 42% of new drivers obtaining licences in 2018 were aged under 40;

¹⁷ It was also reported that the average age of taxi drivers also climbed to 58.4 in March 2019, up from 58 in 2016. See SCMP (2019). Currently, a driver, who is at least 21, physically fit and does not have serious driving offence records, can obtain a taxi driver licence after passing a written examination. There is neither any language requirement nor other mandatory criminal history checks required. To improve entry to the industry, the Government plans to amend the law in 2019 to lower the minimum holding period of private car or light goods vehicle driver licence from three years to one year for taxi driver licence applicants. A taxi driver licence costs HK\$900 for 10 years, while a taxi vehicle licence has to be renewed annually at HK\$3,159.

Figure 2 — Age distribution of valid taxi driver licence holders (2014-2018)



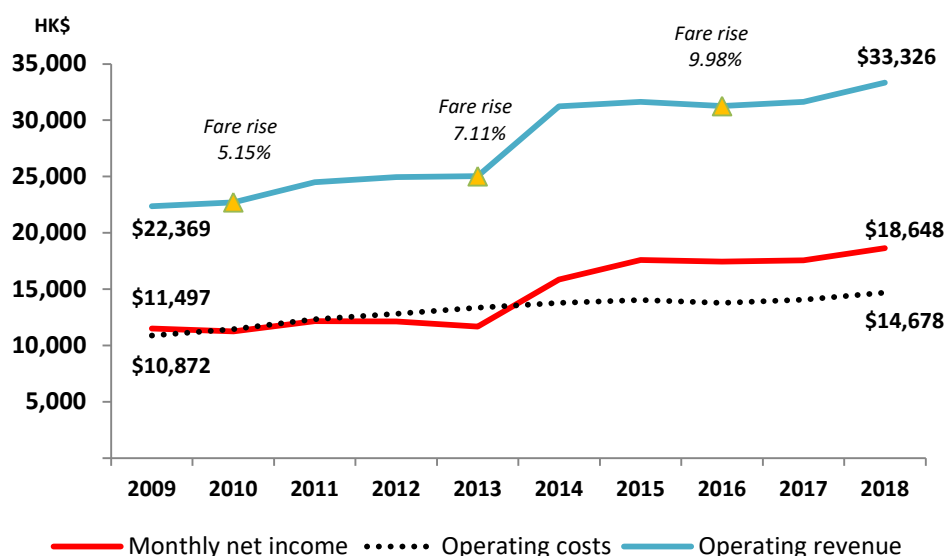
Source: Transport and Housing Bureau.

(d) **Lower-than-average income:** although an urban taxi rentee-driver's average monthly net income amounted to HK\$18,648 between April 2017 and March 2018 (Figure 3), it was still 8% below the average monthly salary of HK\$20,297 of the overall transportation sector during the same period.¹⁸ Apart from lower salary, since taxi drivers are considered as self-employed persons, they usually do not have medical benefits, retirement protection, minimum wage, and annual and sick leave, as other driver-employees do. These may affect recruitment of drivers for the industry;¹⁹ and

¹⁸ See Census and Statistics Department (2019).

¹⁹ See Transport and Housing Bureau (2019d).

Figure 3 — Income, costs and revenue of rentee-drivers (urban taxi)



Notes: Figures are from TD surveys. Figures for 2009, 2012, 2014, and 2015 are monthly average for the year, while figures for other years are either for a three-month or six-month period of the year, or a 12-month period spanning over two years.

Sources: Transport and Housing Bureau submissions to the Legislative Council on urban taxi fare applications of various years.

(e) **Low and rigid fare:** the lower income of taxi drivers may be attributed to the relatively lower taxi fare in Hong Kong. According to an international survey in 2015, Hong Kong's taxi fare was among the lowest in large cities.²⁰ Compared to London and New York, Hong Kong's nominal fare is around 60% and 40% cheaper (5 km trip) respectively. The difference in fare is wider when night or peak time charge is included. Some industry players also consider the taxi fare structure rigid, without flexibility to meet changing market demands.²¹

²⁰ See UBS (2015) and Transport and Housing Bureau (2017a). In fact, the Government deliberately creates a taxi fare at least five times the fare of other public transport.

²¹ However, a review on taxi operation in 2008 considered Hong Kong's fragmented taxi industry structure not conducive to adopting flexible fare. See Transport Advisory Committee (2008).

Government initiatives for taxi industry

2.6 Since the 1980s, the Government has conducted several reviews on the taxi trade. The earlier reviews primarily focused on the taxi licensing system to address public concerns over speculation of taxi licences and its perceived negative impacts on taxi service. In 1998, the Transport Advisory Committee ("TAC") completed another review on licensing which also covered the service improvement measures. In 2008, TAC completed another comprehensive review on taxi operation in response to the changing operating environment brought by rail and bus service expansion and taxis offering discounts to compete for business. That review recommended fare reduction for long trips and increase for short trips, which was implemented by the Government in 2008.²² Among others, the review also recommended to introduce premium taxis and wheelchair-accessible taxis.

2.7 In 2017, the Government published the Public Transport Strategy Study, reviewing the roles and development of different forms of public transport. In relation to taxi service, the report highlighted some structural barriers to service improvement, particularly the unfeasibility of imposing licensing conditions on service and standards in perpetually awarded taxi licences and fragmentation of licence ownerships which made it hard for taxi owners to centrally manage service quality. The report came to the conclusion that the taxi regime should be divided into two – one being ordinary for more affordable mainstream service under the existing regulatory regime,²³ and another being new franchised taxi for higher quality but more expensive service operating under a new regulatory framework.²⁴ In April 2019, the Executive Council endorsed the proposal of introducing on a five year trial basis no more than 600 franchised taxis of higher quality and with "online hailing" features, and a bill has been introduced to the Legislative Council. Apart from franchised taxi, the Government has also

²² Other previous measures rolled out by the Government included drop-off points in restricted areas, temporary fuel surcharge, and subsidies for conversion to liquefied petroleum gas taxis. A mandatory pre-service training for taxi driver was also proposed in 2003 which, according to the Government, would be underpinned by legislation to be introduced in 2019. The Government has also set up a committee on quality taxi service with the industry.

²³ For ordinary taxis, five measures were proposed: (a) review taxi malpractices penalty; (b) relax stopping restrictions on certain roads; (c) lower the requirement for taxi driver licence and introduce a pre-service course; and (d) consider subsidizing drivers to enrol in training courses.

²⁴ Under the new regime, franchised taxi licences will be time-limited, non-transferable and non-renewable. Three franchisees will be selected through open bidding, which are allowed to set the fare at around 50% above ordinary taxi fare. See Transport and Housing Bureau (2019b).

proposed a demerit points system for taxi drivers on 18 kinds of taxi offences in bid to raise the service standards. Yet no further progress or update is seen for this proposal for the demerit points system.

2.8 In addition to government initiatives, the taxi industry has also taken steps to strengthen their service such as the formation of special taxi fleets offering upgraded services for people with special needs. Cashless payment has also been increasingly adopted by taxi operators. A new industry body²⁵ with participation from major taxi groups has also been established to promote self-regulation and better taxi service. There are also a number of taxi-hailing apps in operation in the market already, with features like location tracking and driver review.

3. Overseas trends of taxi industry

3.1 Outside Hong Kong, many places have also been facing similar challenges and thereby introducing measures to assist the taxi industry to enhance their competitiveness. In **Chicago** and **New York**,²⁶ for example, the city authorities have rolled out initiatives to assist the industry in harnessing technology to boost their service and competitiveness. The former has notably selected and endorsed two taxi apps as approved official taxi apps for mandatory participation of taxi drivers to improve residents' access to taxis and bring innovation to the taxi industry.²⁷ Probably because of higher perceived reliability compared with other taxi apps, it was reported that the usage measured by the combined number of trips hailed through these official apps had doubled after the first year of operation. Likewise, New York has partnered with two taxi apps in a two-year pilot project, allowing the offer of upfront fare pricing, which hopefully would help increase business and thereby

²⁵ The industry body is named "Hong Kong Taxi Council".

²⁶ For example, the taxi industry in some major cities of the United States ("US") has flagged their deep concerns over the industry's long term sustainability. There are reports about plummeting taxi licence price, declining occupancy rate, falling number of trips and drivers earnings, difficulty to hire drivers, shrinking fleet size, and debt crisis among licence owners and lenders financing the licence, and even a decline in public transit use.

²⁷ These apps are referred to as approved providers of "E-Hail" service on the city's official websites. It enhances passengers' confidence in the app's technical capabilities and consumer protection.

earnings of drivers.²⁸ To address the issue of refusal of service by taxis, the New York authority has recently established a dedicated office to develop training for drivers, and expand the public education campaign to encourage passengers to file complaints when denied service.

3.2 In **Canada**,²⁹ some provinces and cities have taken measures to loosen the regulations of the taxi industry. For instance, in **British Columbia**, existing taxi licensees were allowed to increase by 15% of their fleet to boost taxi supply to meet competition from ride-hailing service. Each taxi licence owner is also allowed to have up to two taxis – one for day and another for night shift to address concerns over refusing hire during changeover. Operators will also be allowed to charge lower fare during off peak hours for app-hailed taxi trips since September 2019.³⁰

3.3 In **London**, the Mayor issued an action plan in 2016 which, among others, sought to improve the health of the taxi industry by facilitating more efficient operation of taxis. For instance, the Mayor has decided to increase by 20% of the number of taxi ranks to 600 throughout the city; allow up to 60 more bus lanes for use by traditional black cabs; let drivers use staff toilets at four underground stations on a trial basis; and provide financial support for switching to greener taxis. To provide more payment options, contactless payment has been made mandatory for its taxis since November 2016, following a consultation by the Transport of London on mandatory contactless payment and its survey in which 88% of respondents welcomed the card payment option.

3.4 In **Singapore**, there has been a 28% decline in taxi fleet size and 37% decrease in taxi patronage between 2014 and 2018.³¹ In response to the challenges brought by ride-hailing service, the Singapore government has just completed a public consultation on rationalizing the regulatory regime for both the taxi and private hire cars by, among others, proposing to prohibit driver

²⁸ The Mayor of Chicago introduced the Taxi Driver Fairness Reform to assist the taxi industry amid regulatory changes to embrace ride-hailing service in 2014. The reform measures included fee reductions, lowering frequency of vehicle inspection, and increasing fare flexibility. To improve drivers' income, taxi fare was lifted by 15% since 2016, and taxi owners are required to share advertising revenue with drivers. See City of Chicago (2014).

²⁹ Most provinces and cities in Canada have already opened up the market to ride-hailing service.

³⁰ See Hara Associates Inc. (2018).

³¹ See Land Transport Authority (2018).

exclusivity arrangements³² and introduce two types of point-to-point operator licences, namely street-hail service and ride-hail service³³. To overcome future challenges of drivers' supply, Singapore has also accelerated its efforts to develop driverless taxi.³⁴

3.5 In other places, facilities in the taxis have also been upgraded to offer new and convenient services to passengers. In **Dubai**, over 10 000 taxis are being fitted with free wifi under an agreement entered in October 2018 between the government and a local telecommunications company.³⁵ The taxi industry itself has also initiated to improve rider experience by enhancing the facilities. For instance, mobile charging USB ports and interactive panels are provided in at least 1 000 taxis by a taxi operator in **Singapore**. To address the problem of taxi driver shortage³⁶, the National Transport Authority of **Ireland** has launched a taxi driver recruitment advertisement campaign in the past two years, promoting "more flexibility" to work as a self-employed taxi driver, along with a publicity campaign to raise public respect to taxi drivers in 2019, while a taxi-hailing app operator had also offered financial rewards to those passing the taxi driver test and joining the operator's taxi fleet.

4. Taxi industry in New South Wales, Australia

4.1 NSW has about 6 700 taxis, including 5 600 (about 15% being wheelchair-accessible) operating in Sydney Metropolitan. Considered as a form of point to point transport service,³⁷ taxis account for less than 2% of the

³² In Singapore, taxi service is primarily provided by seven taxi operators. Operators are allowed to offer exclusive contracts to drivers, which will prevent the drivers from driving for other operators. This arrangement is considered to have limited market competition.

³³ The proposed two types of operator licences are different from the current regulatory framework. At present, one set of regulations apply to taxi operators which provide both street-hail and ride-hailing services, and there are no uniform regulations that apply to operators solely providing ride-hailing services.

³⁴ See Economic Development Board (2016).

³⁵ The free wifi initiative was expanded to 10 000 taxi after a trial for 500 taxis in 2016. Without disclosing the cost of the project, it is part of the effort to support the UAE government's vision 2021 for providing accessible modern telecommunication services. LED panels were also installed in 700 taxis in 2017. See Gulf Business (2018).

³⁶ The number of active taxi drivers in Ireland has reportedly dropped by 45% during 2009-2017 due to retirement.

³⁷ Point to point transport in NSW include taxis, hire cars, ride-share services and community transport provider which has 12 seats or less including the driver.

total daily trips in Sydney. Similar to Hong Kong, the supply of taxi licences is controlled by the government but there is a variety of taxi licences issued in NSW, with some only allowed to supplement taxi service during busy periods.³⁸ Of all issued licences, about 82% are in the hands of individuals owning one licence, and most of them rent their taxis out to rentee-drivers. The taxi industry structure has four tiers of players, comprising drivers, licence owners, taxi operators, and networks³⁹. The NSW government not only regulates the maximum taxi fare and related fees, but also the rent level paid by rentee-drivers to the taxi operators or licence holders.⁴⁰ The private hire car sector in NSW, with about 1 700 registered cars, posed limited competition against taxi as their market only overlaps with taxi's in the pre-booked service market mainly for corporate clients.⁴¹

Recent developments and trends of taxi industry in NSW

4.2 The emergence of the ride-hailing service in 2012 however heightened the competition in both the taxi and private hire car markets. At that time, the NSW government had taken vigorous enforcement against the service deemed to be illegal.⁴² Nevertheless, there had been reports of a decline in business of taxi operators. Although there was no official estimate of it, the NSW Taxi Industry Association estimated that the drop had been around 35% to 40% in terms of trips. The alleged fall in business has reportedly resulted in persistent decline of the taxi licence value since 2011.⁴³ Coupled with that was the rather stagnant and persistently low earnings of taxi drivers. According to a government-commissioned survey, the average hourly earnings for taxi drivers in weekday day shift was as low as A\$10 (HK\$70) in 2014, which was about 41% below the statutory minimum wage.⁴⁴

³⁸ There are 17 types of licences with different licensing conditions. About 65% of the licences were perpetual and transferrable licences allotted for free before 1990 while other licences specify conditions like operating time limits and areas. New licences for Sydney Metropolitan are no longer transferable and can only be annually renewed for up to nine years. See Point to Point Transport Commissioner (2018).

³⁹ Taxi operators refer to managers of taxi fleets or individual owner-drivers while taxi networks provide taxi booking and dispatching services.

⁴⁰ Taxi fare in NSW is determined by the Independent Pricing and Regulatory Tribunal ("IPART").

⁴¹ See IPART (2017b).

⁴² Enforcement actions included suspending registration of cars providing the illegal service, and imposition of fines on drivers.

⁴³ The value fell from the peak of A\$425,000 (HK\$3.41 million) in 2011 to A\$220,000 (HK\$1.28 million) in 2015, to below A\$100,000 (HK\$556,000) in early 2019. See Point to Point Transport Commissioner (2019).

⁴⁴ See IPART (2014).

Measures to enhance the competitiveness of the NSW taxi industry

4.3 Over the past two decades, at least three taxi industry reviews were carried out with a view to identifying impediments to improve competition in the taxi and private hire car markets. For instance, the **Taxi Industry Inquiry** in 2004 led to the formation of a taskforce in 2005 which made recommendations to improve the taxi services such as setting service standards for taxi networks, and improving drivers' career paths by reviving a seniority scheme to award long-standing drivers with a free licence or interest-free loan to purchase wheelchair accessible taxi.⁴⁵

4.4 In the 2010s, amid the growing popularity of ride-hailing service, the NSW government launched the **Point to Point Transport Taskforce** in response to the changes in the booked trips market. The Taskforce, formed in 2015, considered that the existing regulatory requirements over taxi are "overly prescriptive, preventing the industry participants from innovating in their style of management and the technology used, and imposing unnecessary costs". It therefore came to the conclusion that a "substantial overhaul of the model" was required and a new regulatory framework for all point to point transport including taxis, private hire cars, and ride-hailing service was introduced to promote "cost efficient and innovative service delivery". As part of the reform, rules of the taxi industry have been loosened to improve their operating environment, and below is a summary of the key measures:

- (a) **Introducing flexible fare:** although NSW taxi is allowed to charge more during peak and night time, it had been prohibited from charging more than the metered fare. The regulatory changes in 2015 have deregulated the fare for pre-booked taxi trips, provided the passengers are given the total estimated fare before trips, and not charged more than that agreed amount. The deregulation is thought to be able to assist the industry to more effectively compete with other service providers by offering higher quality and more diverse services at a higher price. However, the maximum fare for rank and hail taxi trips will continue to be regulated;

⁴⁵ The seniority scheme option was not adopted by the NSW government eventually.

- (b) **Minimizing regulatory burden:** to remove over-prescriptive regulations and reduce operating costs, the NSW authorities have (i) abolished the mandatory requirement for taxi operators to affiliate with a taxi network (i.e. call station), (ii) reduced the frequency of vehicle inspection from twice to once a year, and (iii) removed equipment specifications relating to vehicle standards. The requirement for a taxi serving in Sydney to be aged below six years was also repealed upon recommendation of the Taskforce;
- (c) **Lowering insurance cost:** compulsory third party insurance premium for taxi accounts for about 8% of the total cost of taxi services and the premium level was at least 10 times of that of private cars. To help save the taxi industry's operating cost, the NSW government, based on taskforce's suggestion, has adopted a new premium assessment based on vehicle usage or travelled distance. This will replace the vehicle-class based assessment, and can potentially save 40% of premium payment;⁴⁶
- (d) **Incentivizing provision of wheelchair-accessible service:** the NSW government has doubled (i) the non-means tested taxi transport subsidy scheme cap to A\$60 (HK\$351.6) per trip (metered fare) for people with disability using taxi service, and (ii) the wheelchair accessible taxi incentive payment to A\$15 (HK\$87.9) per trip for drivers. In 2016, a total of A\$26 million (HK150 million) subsidy was paid for over 1.9 million trips.⁴⁷ In addition, the government also provides interest-free loan for the industry to purchase or retrofit their taxi, with a loan up to A\$100,000 (HK\$586,000); and
- (e) **Providing hardship assistance and allowance:** to help the taxi industry adapt to regulatory reform, the authority has provided transitional assistance package totalling up to A\$250 million (HK\$1.46 billion) to industry players.⁴⁸ The package consists of two parts: (i) the Transitional Assistance Payment Scheme ("APS") offers 4 000 licence owners A\$20,000 (HK\$117,200) per licence

⁴⁶ See IPART (2014) and State Insurance Regulatory Authority (2016).

⁴⁷ The scheme has over 44 000 registered participants, including over 32 000 active participants. About 21 000 of the active participants are aged over 65. See Transport for NSW (2017).

⁴⁸ The package also includes A\$10 million (HK\$58.6 million) to buy back the licences of hire cars.

(up to two licences);⁴⁹ and (ii) Additional APS – totalling up to A\$142 million (HK\$832 million) – provides assistance to anyone in the taxi industry suffering financial hardship, which is determined by the pension threshold of A\$52,000 (HK\$304,720) and A\$561,250 (HK\$3.28 million) in terms of annual earnings and net assets respectively.⁵⁰ A total of 1 250 people have applied for the Additional APS and a panel has been formed specifically to vet the applications. The funding for these payment however comes from a A\$1 (HK\$5.86) levy per each point to point transport trip in populous areas in NSW since 1 February 2018 for up to five years, payable by taxi service providers or booking service providers who were reportedly expected to pass on the cost to customers.⁵¹

4.5 In addition to the above government initiatives, the taxi industry has also been proactive in improving their service. For instance, NSW taxis are the first mover in Australia to develop a non-cash fare payment system. By 2010, over 90% of the NSW taxis were already equipped with the cashless payment system. To compete with the rival ride-hailing service, some of the largest taxi networks in Australia, including those operating in NSW, have jointly developed a taxi-hailing app that could be used in various major cities.⁵²

4.6 According to surveys conducted by the NSW authorities, the taxi market has been stabilized amid a notable rise in the use of ride-sharing services.⁵³ It was reported that there had also been growth in the booked market for taxis. The measures to ease regulations for point to point transport were also estimated to result in A\$30 million (HK\$175 million) saving in industry costs.⁵⁴ While the regulatory burden has eased, certain safety standards for taxis such as duress alarm, location tracking and security

⁴⁹ The NSW government also agreed not to issue taxi licence for Sydney Metropolitan for four years until 2019 to help transition of the industry.

⁵⁰ The net asset threshold is raised to A\$768,250 (HK\$4.5 million) if the applicant does not own his home.

⁵¹ See Transport for NSW (2019) and Daily Telegraph (2015).

⁵² It was reported that the taxi networks behind the app, which among other taxi apps available in NSW, controls about 50% of taxis in Australia. Apart from this app, the NSW government had also paid an innovation grant of A\$250,000 (HK\$2 million) to a start-up to develop an taxi app back in 2011. This app has now also engaged in ride-hailing service.

⁵³ See IPART (2017a).

⁵⁴ See Daily Telegraph (2015).

camera⁵⁵ remain mandatory for protection of both drivers and passengers. Amid changing operating environment in the past few years, the quality of taxi service in NSW has remained fairly good. The overall satisfaction level of the service hovered between 81%-86% from November 2013 to May 2018, based on surveys conducted by Transport for NSW.

5. Taxi industry in Toronto, Canada

5.1 Toronto is the largest Canadian city with a 5 000-strong fleet of taxis.⁵⁶ Toronto taxi plays a supporting role in the city's transportation system by providing about 65 000 trips per day, compared to 1.47 million trips per day of rail transit in 2016. There are over 10 000 licensed taxi drivers, and many of them are rentee-drivers reportedly of immigrant background working on a full-time basis. There are also a number of licensed service providers known as "taxi brokers" or "taxi operators" which provide taxi dispatching service or taxi licence management services for owners. The Toronto city government controls the supply of taxi licences which is determined by "passenger service level". They also set taxi fare consisting of a flag fall rate and distance-based increments,⁵⁷ and oversee driver qualifications and enforcement against non-compliance. It is estimated that the industry generates daily revenue of C\$1.5 million (HK\$9.1 million).

Recent developments and trends of taxi industry in Toronto

5.2 Taxi in Toronto had not faced much direct competition from the limousine or private hire car sector which comprises less than 1 000 licensed vehicles. Nevertheless, in 2012, the emergence of the app-based ride-hailing service that dispatched "unlicensed, personal vehicles to passengers" has

⁵⁵ Duress alarm and location tracking are required for taxis operating in certain areas including Sydney Metropolitan. For security camera, taxis are required to put in place signs in the interior and exterior of the vehicles informing people they may be under video surveillance while in or near the taxi. Video recordings are disposed of no earlier than 30 days, and before 60 days, unless requested by the relevant authority.

⁵⁶ Prior to May 2016, there were four types of taxi licences, namely Standard, Ambassador, Accessible, and Toronto Taxicab Licence ("TTL"), distinguished by whether they are operator-owned or wheelchair accessible. Standard taxi is the only taxi not required to be driven by licence owners. TTL was created in 2014 but is now no longer issued after the passage of the Vehicle-for-Hire Bylaw in 2016.

⁵⁷ Fare review is conducted annually since 2005, taking into account a number of cost factors.

disrupted both the taxi and limousine markets. At one point, it was reported that such unauthorized rides, provided by 15 000 driver partners, reached 45 000 per day.⁵⁸ According to a report of the Canadian Competition Bureau in 2015, taxi licence value has fallen from a high of C\$360,000 (HK\$2.79 million) in 2012 to C\$188,235 (HK\$1.32 million) in 2014, possibly reflecting the changing market conditions.

5.3 Indeed, the Toronto city government applied a court injunction in 2014 to ban the ride-hailing service. Yet the court dismissed it on the ground that there was "no evidence" the company was operating as a taxi broker or it had breached city bylaws.⁵⁹ Subsequently, the city government conducted a review on the operations of taxis, limousines and ride-hailing service; and in 2016, it passed a new Vehicle-for-Hire Bylaw to regulate "private transportation companies" using software or telecommunication platforms to provide transportation services. At the same time, it has also introduced new rules to protect taxi owners and drivers. To compete with rival service, major taxi fleets in Toronto have also developed their own taxi-hailing apps.

Measures to enhance the competitiveness of the Toronto taxi industry

5.4 In the past 20 years, Toronto has at least conducted three taxi industry reviews. **The Taskforce to Review the Taxi Industry** established in 1998 came up with 50 recommendations such as the creation of the then Ambassador Taxi programme⁶⁰ subject to stricter quality standards, driver training and taxi vehicle standards.⁶¹ Another taskforce review completed in 2014 proposed to simplify the taxi licensing structure⁶² and increase wheelchair accessible taxis. The latest **Ground Transportation Review** completed in 2015 assessed the operating landscape and impact of

⁵⁸ The number of drivers working for ride-hailing service has grown to 60 000 in 2016, according to the Toronto city government.

⁵⁹ See National Post (2015).

⁶⁰ Ambassador taxi must be owner-operated so as to give drivers "a pride of ownership" as an incentive to improve service. Drivers had to undertake certain hours of professional driver training. The programme also aimed to minimize the influence of over-concentration of taxi licences in companies or individuals and to reduce costs for drivers by getting rid of the need for middlemen managing taxi licences. However, the programme was discontinued in 2016 partly due to the rigid licensing requirements such as minimum service hours and a ban on leasing the licence to rentee-drivers.

⁶¹ See City of Toronto (2015a).

⁶² For example, it was proposed to convert the Standard and Ambassador licences to the newly created Toronto Taxicab licences.

technologies on taxi and private hire car markets. The review led to the regulatory changes in 2016 to accommodate the ride-hailing service alongside the loosening of the taxi and private hire car industry rules. Below are some of the key measures adopted upon reviews to improve the sustainability of the taxi industry:

- (a) **Making minimum fare more affordable:** in order to boost the competitiveness of the taxi industry, the City of Toronto has lowered the base fare of taxi by C\$1 (HK\$6) or about 24% from C\$4.25 (HK\$25.5) to C\$3.25 (HK\$19.5) since November 2015. The reduction was considered urgent and necessary at that time as the taxi trade considered high taxi fare – already among the highest of the peer cities in North America – had contributed to losing passengers to the cheaper ride-hailing service;
- (b) **Introducing flexible fare:** the regulatory overhaul in 2016 has introduced the "surge pricing" flexibility, allowing taxi fare higher than the statutory metered rate, provided that a trip is booked via a mobile app and the fare is clearly communicated to the passenger prior to the trip, and a printed receipt is issued. Taxi brokers are also allowed to set a flat fare for trip outside the city, and offer discounted fare for trips booked directly through the brokers. Despite this, major taxi operators have reportedly snubbed the "surge pricing" measure as they consider this unwelcome by passengers and unhelpful to their plights;⁶³
- (c) **Reducing entry and operating barriers:** since May 2016, all drivers of vehicle for hire have been spared from a 17-day mandatory training as a licensing requirement introduced in 1998. The change was said to be able to reduce barriers to entry and costs to drivers, hence potentially increasing the availability of drivers.⁶⁴ Apart from training, the maximum age of taxi on road has also been lifted from five to seven years. To promote accessible taxis, its licence application and renewal fee have also been waived;

⁶³ See The Star (2016).

⁶⁴ It is considered that consumer protection can be achieved through competition and the use of technology like GPS and drivers review. With the elimination of mandatory training, industry participants are expected to bolster their existing training and implement new training as they see fit. To facilitate this, the city authorities have also made all training materials online. Meanwhile, wheelchair-accessible taxi drivers are still required to undergo mandatory training.

- (d) **Developing efficiencies by giving access to High Occupancy Vehicle ("HOV") lanes:** while HOV lanes are reserved for vehicles carrying two or more people as an incentive for people to carpool or choose public vehicles rather than driving themselves, since the early 2010s, driver-only taxis as well as airport limousines have been provided with unrestricted access to HOV lanes in the city, allowing them to avoid periodic congestion.⁶⁵ The arrangement is on pilot basis and has recently been extended to 2020; and
- (e) **Expanding revenue sources:** Toronto taxi bylaws allow the delivery of parcel or documents by a taxi without a passenger, at a minimum charge of C\$10 (HK\$60.5) per trip.⁶⁶ This arrangement remains even after the regulatory changes. There is however no statistics on the volume of such business, how it may help raise additional revenue for drivers and its impacts on taxi availability. Apart from that, since 2014, the fare schedule has also listed a maximum charge of C\$25 (HK\$151.3) for soiling the taxi. To protect drivers' earning, the taxi bylaw also allows drivers to take advance fare of up to C\$25 (HK\$151.3) from passengers deemed likely to jump the fare.

5.5 After the implementation of the Ground Transportation Review recommendations, the Toronto city government is currently preparing a further review to understand the economic, social and traffic impacts of the regulatory regime changes. Indeed, when amending the Vehicle-for-Hire Bylaw in 2016, the city government has planned to study the feasibility of establishing a transition fund for taxicab licence owners whose investments have been negatively impacted by new market entrants.⁶⁷ While there is yet any result on the feasibility study and the review outcomes on the regulatory changes are yet available, there are mixed observations on the present state of the operating environment after rules loosening. Some of the taxi drivers

⁶⁵ There are five such lanes in Toronto but over 400 in Ontario.

⁶⁶ A similar idea has been proposed by a taxi union in Singapore in 2017. Although such service remains illegal now, the Land Transport Authority is considering if it can be provided on a trial basis.

⁶⁷ Without waiting for the study outcome on the establishment of a transition fund, the taxi industry has recently launched a class action against the city government for C\$1.7 billion (HK\$10.3 billion) compensation for the loss of licence value due to negligence of the government in enforcement against the ride-hailing service.

reported continued falling number of trips and some were reportedly surrendering their licence, whereas a leading taxi fleet reported a steady growth in service demand amid its efforts to utilize technology and improve customer service, such as developing its own taxi app and requiring their drivers to attain the necessary training including customer service.⁶⁸ Recently, the operator has also introduced the in-app payment feature using QR code. It is also noted that two other operators have recently partnered with a telecommunication company to equip free-wifi to their 900-strong fleet, reflecting growing efforts of the industry to drive better services.

6. Concluding remarks

6.1 Taxi industry in many places around the world is facing unprecedented challenges to its long term competitiveness. Hong Kong is no exception. These challenges seem to arise from deep-seated problems associated with the trade itself, growing expectations of customers, and also the recent emergence of ride-hailing service. In addressing these challenges, the taxi industry in Hong Kong has in recent years sought to strengthen its competitiveness by for example rolling out booking apps with diverse features and forming a new industry body to promote better services.

6.2 Recently, the Government has introduced legislative proposals on the pilot premium taxi programme to provide higher quality services with increased adoption of technologies. Yet other specific support to improve the current operating environment of the taxi trade in Hong Kong remains limited. In Chicago and New York, their governments have supported the development of taxi booking apps through partnership or endorsement to broaden the booking choice of consumers. Facing shortage of taxi drivers, the Irish authority launched a campaign to urge more people to join the industry. In other places like Dubai, all taxis will be installed with free wifi under its government plan. In NSW and the City of Toronto, despite their differences in industry structure and regulatory regime, they have both changed rules in recent years to allow more flexibility in the taxi operation.

6.3 Both places have implemented flexible taxi fare for pre-booked trips via apps. They have also relaxed some taxi rules deemed to be impeding industry self-improvement. For instance, Toronto abolished the 17-day

⁶⁸ See Canadian Business Journal (2015) and Beck Taxi (2017).

mandatory training for drivers which is considered as capable to boost driver supply. Whether and to what extent these measures can rejuvenate the industry may require more time to monitor their impacts. Apart from making it more flexible for the industry to operate, NSW has provided a special measure to both taxi owners and drivers as hardship assistance. While these changes/measures were arising from the regulatory reform to accommodate ride-hailing service, they have enabled a more flexible operation of the taxi trade. To improve taxi drivers' earnings, Toronto also allows taxis to provide parcel delivery service without carrying passengers.

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Key characteristics of the taxi industry in Hong Kong, New South Wales and Toronto

	Hong Kong	New South Wales	Toronto
Taxi licensing			
Number of taxi licences	• 18 163.	• 6 700 (5 600 in Sydney).	• 5 000.
Types of licences	• 3.	• 17, differing in licensing conditions in terms of holding period, serving districts, transferability, etc.	• 4.
Taxis per 1 000 population	• About 2.4.	• About 1.0 (applicable to Sydney).	• About 1.7.
Licence capped by government	• Yes.	• Yes.	• Yes.
Availability of premium taxi	• Franchised taxi (pending).	• No.	• No. ¹
Fare structure			
Regulated maximum fare	• Yes.	• Yes.	• Yes.
Flag fall rate	• HK\$24 for first 2 km.	• Hiring charge: A\$3.6 (HK\$21.1).	• C\$3.25 (HK\$19.7) for first 0.143 km.
Distance-based increment rate/waiting time rate	• HK\$1.7 per 0.2 km/HK\$1.7 per minute up to the fare of HK\$83.5 and HK\$1.2 for fare beyond HK\$83.5.	• A\$2.19 (HK\$12.8) per km/ A\$0.944 (HK\$5.5) per minute while speed is less than 26 km per hour.	• C\$0.25 (HK\$1.5) per 0.143 km/ C\$0.25 (HK\$1.5) per 29 seconds.
Time-specific surcharge or distance rate	• No.	• Peak time hiring charge: A\$2.5 (HK\$14.7); night time distance rate: A\$2.63 per km (HK\$15.4). ²	• No.

¹ The Ambassador Taxi programme was discontinued in 2016.

² There is also a holiday distance rate, a fixed amount per km applied to trips in country areas of NSW.

Key characteristics of the taxi industry in Hong Kong, New South Wales and Toronto

	Hong Kong	New South Wales	Toronto
Fare structure (cont'd)			
Government levy	<ul style="list-style-type: none"> No. 	<ul style="list-style-type: none"> A\$1 (\$HK5.86) per trip for industry assistance package. 	<ul style="list-style-type: none"> No.
Fare (5 km, off peak, day time)	<ul style="list-style-type: none"> HK\$49.5. 	<ul style="list-style-type: none"> A\$14.55 (HK\$85.3), excluding levy. 	<ul style="list-style-type: none"> C\$11.7 (HK\$70.7).
Flexible fare	<ul style="list-style-type: none"> No. 	<ul style="list-style-type: none"> Yes (for booked trip). 	<ul style="list-style-type: none"> Yes (for booked trip).
Multiple hiring (taxi-pooling)	<ul style="list-style-type: none"> No. 	<ul style="list-style-type: none"> Yes, each passenger charged 75% of maximum fare.³ 	<ul style="list-style-type: none"> No.
Other taxi charge/revenue measures	<ul style="list-style-type: none"> Baggage fee: HK\$6/piece. Booking fee: HK\$5 (telephone booking). 	<ul style="list-style-type: none"> Cleaning fee up to A\$120 (HK\$703). 	<ul style="list-style-type: none"> Cleaning fee up to C\$25 (HK\$152). Parcel/document delivery without passenger: minimum at A\$10 (HK\$60.8).
Government fare subsidy/loan	<ul style="list-style-type: none"> No. 	<ul style="list-style-type: none"> Taxi fare subsidy to disabled passengers and taxi drivers. 	<ul style="list-style-type: none"> No.

³ Multiple hiring occurs when two or more hirers use the same taxi at the same time. A hirer can be one person or a group travelling together. Such hiring must meet the following conditions: (a) all of the hirers commence the hiring of the taxi-cab at the same time; (b) each of the hirers agrees that the driver may accept the other hiring; and (c) all the hirers are travelling to destinations in the same general locality or the same general direction. However, when a group of friends, family or workmates travels together to one destination, it is considered a single shared ride, not a multiple hire.

Key characteristics of the taxi industry in Hong Kong, New South Wales and Toronto

	Hong Kong	New South Wales	Toronto
Taxi driver requirements			
Number of taxi drivers	• About 59 000.	• About 24 000.	• About 10 000.
Mandatory training	• No.	• No.	• No.
Prior driving experience required	• 3 years.	• 12 months in preceding two years.	• 12 months.
Language requirements	• Not specified.	• Sufficient competence in English communication.	• Not specified.
Background check	• Serious driving offences.	• Criminal background check.	• Criminal background check.
Vehicle requirements			
Vehicle inspection	• Once a year.	• Once a year.	• Up to twice a year.
Maximum life span	• No.	• No.	• 7 years.
Mandatory in-car camera	• No.	• Yes.	• Yes.

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