

Thank you again for giving Melbourne Airport the opportunity to participate in to the Inquiry into the Commercial Passenger Vehicle Industry Act 2017. We appreciate the time that the Committee has given us to discuss the issue of touting and look forward to seeing a swift resolution on this point.

As requested, we have looked at the relevant regulations in both New South Wales and in Queensland in relation to the management of touting.

Both states have specific regulations outlawing touting and specifying the number of penalty units – these regulations are extracted below.

In relation to a Victorian regulatory solution, we recommend reinserting the previous section (section 158A) as it aligns with regulations in other States and Territories. We believe that the critical part of any reinstated provision outlawing touting is that it imposes sufficient penalty units so as to act as a strong deterrent to potential touters and clearly identifies who can issue/impose those penalty units.

NSW

S66 of the *Point to Point Transport (Taxis and Hire Vehicles) Regulation 2017* (NSW)

66 No touting or soliciting for passengers

(1) The driver of a passenger vehicle or any other person must not tout or solicit for passengers for, or for a hiring of, a vehicle.

Maximum penalty:

(a) in the case of an offence committed in the Sydney Airport precinct—50 penalty units, or
(b) in any other case—5 penalty units.

(2) This clause does not apply to an inquiry of persons as to whether they are waiting for the specific booked service provided by the passenger vehicle.

QLD

Part 16 Division 5 s274 of the *Transport Operations (Passenger Transport) Regulation 2018* (QLD)
274 Soliciting or touting

(1) A person must not solicit or tout for passengers for a public passenger vehicle or for a hiring of a public passenger vehicle.

Example of touting for passengers— pestering a person, or exerting pressure on a person, to be a passenger Maximum penalty—40 penalty units.

(2) For subsection (1), arranging for multiple hirers of a taxi at a taxi rank under section 86 is not soliciting or touting for passengers or a hiring