



30 January 2020

The Secretary  
Economy and Infrastructure Committee  
Parliament House, Spring Street  
East Melbourne, Victoria 3002

Dear Secretary

**RE: Inquiry into the increase in Victoria's road toll**

Ola welcomes the opportunity to respond to the Economy and Infrastructure Committee's inquiry into the increase in Victoria's road toll.

Ola was founded in India in 2011 and is one of the world's largest and fastest growing ridesharing companies, operating in Australia, New Zealand, the United Kingdom and India.

One of the keys to our successful growth and global expansion has been our focus on drivers. We give drivers the opportunity to increase their earnings by taking lower commission rates, which allows drivers to make more per ride. We also offer more consumer choice, including on prices and vehicle types, to help passengers conveniently and safely get from A to B.

In Australia and New Zealand, we have over 1.5 million users and as of July 2019 we had served over 100 million kilometres. We have over 75,000 drivers on the platform and we are looking to double this within the year. We have over 50 staff in Australia and New Zealand.

Ola's platform provides sustainable, personalised mobility within the modern urban environment by harnessing technology to connect people with matching needs - drivers with underutilised vehicles to consumers who need transport. We take our responsibility to the communities we serve very seriously and seek to participate in discussions such as this Inquiry with a view to improving outcomes for our riders, drivers and the general public.

With this in mind, Ola specifically wants to address item four in the inquiry's terms of reference on smart phone use and road safety. Road safety is an important aspect of our civic responsibility, and we support practical measures which will positively impact safety outcomes whilst remaining responsive to developments in technology. In this context, we would like to briefly address an anomaly in Victoria's Road Rules as they relate to smart phone use for the purposes of offering rideshare services.

Currently, the use of a mounted smart phone to accept a rideshare booking, with one touch or a voice command, is illegal unless the vehicle is parked. In contrast, it is legal for drivers to touch their phone to accept phone calls, perform audio playing functions or operate a navigational system.<sup>1</sup> Likewise, there are no restrictions on the use of touchscreens (such as vehicle control panels and taxi dispatch systems) that require degrees of input which are similar to or more extensive than rideshare apps.

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<sup>1</sup> Victorian Consolidated Regulations, [Road Safety Road Rules 2017 - REG 300](#)

Digital technology is evolving at a pace that can make prescriptive rules obsolete very quickly, particularly in relation to smart phones and other driver assist technologies. This would appear to be the case here, where a specific behaviour is prohibited whilst other behaviours involving similar levels of distraction are permitted.

Other jurisdictions are taking action to address this anomaly. New South Wales permits the use of mounted smartphones as dispatch systems under exemptions provided for driver's aids.<sup>2,3</sup>

The National Transport Commission (NTC) is examining the issue as part of their examination of the effectiveness of Australian Road Rules relating to driver distraction. The Consultation RIS for this project notes that "*Australian Road Rules relating to driver distraction that regulate the use of specific technology devices are becoming quickly outdated*", estimates the impact of compliance with rules prohibiting drivers from accepting rides unless parked to be \$1.2 million p.a. nationally, and recommends a hybrid prescriptive/performance-based model which would enable rideshare operators to use apps to accept ride requests.

Ola is fully supportive of practical measures to reduce the potential for smart phone to cause driver distraction. We believe that, as far as possible, an outcomes or performance-based approach should be adopted to achieve this, taking account whether the result of an action is distraction, rather than introducing a simple list of behaviours that should be ruled out.

It is important to note that such an approach would not necessarily entail a general relaxation of the current regime around distraction; indeed, it may eventuate in the effective prohibition of behaviours currently permitted, such as entering addresses manually into a navigation system. Rather, it would encompass a more wholistic and consistent approach to the issue of distraction, as opposed to the current system which arbitrarily bans one action whilst permitting others which arguably involve equal or greater capacity for distraction.

Rideshare is fast becoming a dominant feature of the Australian personal transport sector<sup>4</sup> and Ola submits that in the interim period prior to the updating of the Australian Road Rules, Victoria should follow the lead of New South Wales to correct this anomaly, by amending the relevant regulation to allow rideshare drivers to legally accept jobs with one-touch on their phones.

We thank you for the chance to contribute to this consultation and would be more than happy to discuss the issue in more detail at your convenience.

Faithfully,

  
Simon Smith  


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<sup>2</sup> Transport for NSW, *Know the rules*, <https://roadsafety.transport.nsw.gov.au/staying-safe/mobile-phones/know-the-rules.html>

<sup>3</sup> NSW Consolidated Regulations, *Road Rules 2014 – REG 300*

<sup>4</sup> Roy Morgan (2019), *Ride-sharing app Uber overtakes taxis as preferred private transport service*