



Unbooked Taxi Fare Review 2022

Consultation Paper

16 February 2022



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Introduction

We set maximum fares for unbooked taxis

We must set maximum fares for unbooked commercial passenger vehicle services that begin in Melbourne, the Mornington Peninsula, Geelong, Ballarat and Bendigo.¹ For trips that begin in all other parts of Victoria, service providers set their own fares for unbooked services. The fares we set are maximums so service providers may charge below this amount.

Unbooked commercial passenger vehicle services are trips that have not been booked via an app, over the phone or via a website (for example, trips hailed from the street or hired from a designated taxi rank). Fares for booked commercial passenger vehicle services are not regulated.

In this paper, we refer to commercial passenger vehicles that provide unbooked services as unbooked taxis, and applicable unbooked services as unbooked taxi services.

We must complete a review of maximum fares no later than two years after a price determination is made.² We last determined fares in September 2020.

How we meet our legislative objectives and requirements

When we regulate maximum fares for unbooked taxis, our objectives include promoting the long-term interests of Victorian consumers³ and the efficient provision and use of unbooked taxis.⁴

To promote these outcomes, the maximum fares should not be set too low or too high. If the maximum fares are too low, unbooked taxi service providers will not recover their efficient costs. This could lead to operators leaving the market which could result in there not being enough taxis to meet demand. Further, if maximum fares for unbooked trips are too low, taxi drivers may choose to do booked trips instead of unbooked trips. This could mean that people that rely on taxis to get around, such as the elderly and people with disability may have difficulty getting a taxi from a rank.

On the other hand, if the maximum fares are set too high, and unbooked taxi operators choose to charge the maximum amount, informed customers are likely to choose alternative commercial passenger vehicle services. However, we note that many passengers that rely on taxi services to

¹ Essential Services Commission Act 2001, s. 32; Commercial Passenger Vehicle Industry Act 2017, s. 110D

² Commercial Passenger Vehicle Industry Act 2017, s. 110F(2)

³ Essential Services Commission Act 2001, s. 8

⁴ Commercial Passenger Vehicle Industry Act 2017, s. 110C

get around may not have smartphones. These customers would be left paying more than necessary for the service.

Neither undersupply nor underutilisation of taxi services are in the long term interests of Victorian consumers. Maximum fares must be set at a level that ensures quality and reliable service provision now and in the future.

In addition to our objectives we must also have regard to a range of other matters, including the financial viability of the industry, under the Essential Services Commission Act 2001 and Transport Integration Act 2010.⁵ We may also determine different fares in a number of different ways under the Commercial Passenger Vehicle Industry Act 2017.⁶

We seek stakeholders' views on maximum fares

We are interested in stakeholders' views on our proposed assessment approach, barriers to implementing 'time **and** distance' tariffs and the impact of any changes to market conditions.

As in recent reviews, we are likely to use a market outcomes approach to assess maximum fares, but we are open to considering other approaches. As part of a market outcomes approach, we will collect trip data and shift data from Commercial Passenger Vehicles Victoria and booking service providers using our compulsory information gathering powers.

As in past reviews, we consider that 'time **and** distance' tariffs provide significant advantages over 'time **or** distance' tariffs. In particular they make fares more predictable and easier to compare between different commercial passenger vehicle services.⁷

We also acknowledge that the coronavirus pandemic has had, and continues to have, an impact on the commercial passenger vehicle industry. We have heard from stakeholders that there has been a significant decline in the demand for and supply of unbooked taxis. We have also heard about the financial impact of this on some unbooked taxi services. We consider that a market outcomes approach is still appropriate in these circumstances as it will give us the most detailed picture of the industry to assess what should happen to maximum fares.

⁵ Essential Services Commission Act 2001, ss. 8A; Transport Integration Act 2010, s. 24

⁶ Commercial Passenger Vehicle Industry Act 2017, s. 110E

⁷ Under a 'time **and** distance tariff', the time rate and the distance rate apply at the same time. Under the existing tariffs, which are 'time **or** distance' tariffs, either the time rate or the distance rate applies at any point in time (depending on the speed of the vehicle).

Questions for stakeholders

1. What are the advantages and disadvantages of our proposed market outcomes approach?
2. Are there any other assessment approaches that we should consider? What are the advantages and disadvantages of these approaches?
3. What costs should we include in our new taxi cost index?
4. How should we use the Fair Work Commission's annual wage review in our review of fares? Should we use it to determine the change in fares? Should we use the Fair Work Commission's annual wage review to measure changes in the cost of driver labour?
5. Are there any barriers to implementing 'time **and** distance' tariffs that we should consider?
6. How has the customer experience of catching unbooked taxis changed in the past two years? How has the quality of the vehicles and service changed? How has vehicle availability changed?
7. What changes in the commercial passenger vehicle industry should we consider in setting maximum fares? What is the impact of these changes on the demand, supply, and or the cost of operating taxis?

How to make a submission

To help stakeholders plan how to take part in this review, Table 1 provides the indicative timelines for our consultation.

Table 1. Indicative timelines

Key milestone	Indicative timeline
Submissions on consultation paper close	5pm 16 March 2022
Release draft decision	June 2022
Submissions on draft decision close	July 2022
Release final decision and price determination	September 2022

Submissions on this consultation paper should be made by **5pm 16 March 2022**. We may not be able to consider, or may not give the same weight to, submissions received after this date.

To make a submission, please go to Engage Victoria's website www.engage.vic.gov.au. Otherwise, please email us at transport@esc.vic.gov.au to discuss other options for making a submission.

All submissions come under the commission's submissions policy. Submissions will be made available on the commission's website, except for any information that is commercially sensitive or confidential. Submissions should clearly identify which information is sensitive or confidential. View more information at www.esc.vic.gov.au/submissions.

We seek views on our assessment approach

We propose to use a market outcomes approach to assess maximum fares, but we are also open to considering other approaches to assess maximum fares. We are interested in stakeholders' views on our proposed approach or any other approach that we should consider.

Market outcomes approach

Market outcomes are the levels of demand, supply, costs, revenues and service quality in the commercial passenger vehicle industry. A market outcomes approach looks at the balance between demand for and supply of commercial passenger vehicles. It gives us information on whether maximum fares should go up, go down or stay the same (including at different times of the day, week, or year). However, it does not tell us what the level of change in maximum fares should be (if any). We consider that using a market outcomes approach will promote efficient outcomes in the commercial passenger vehicle industry.

Demand and supply assessment

We use the number of trips (booked and unbooked) taken by passengers as a proxy for the demand for taxis, and the shift hours worked by drivers as a proxy for the supply of taxis.

We combine this information on taxi trips and taxi shifts to observe whether taxis are spending more time on the road without a passenger. That is, if there is excess unused capacity.⁸

Generally, in a market where there is excess capacity, we would expect either suppliers to exit, or prices to go down. A decrease in prices would make the service more attractive to potential customers. Suppliers would then use their unused capacity to service the new customers and so increase their revenues without incurring additional fixed costs.

Cost assessment

As part of our market outcomes approach, we will use a taxi cost index to measure changes in the cost of operating taxis over time. To construct a taxi cost index, we do the following:

1. identify the **cost components** associated with operating taxis
2. calculate the share of each cost component as a proportion of total cost (**cost share**)
3. assign a **cost inflator** to each cost component

⁸ Noting that there will be a significant share of a taxi shift where they will not have a passenger because drivers are waiting for a passenger or are driving to collect a passenger.

To update the taxi cost index and measure the change in cost of operating a taxi, we then:

4. multiply the cost share for each cost component by the change in its respective cost inflator **(index contribution)**
5. Add up the index contribution for each cost component to find the total change in costs.

We propose to construct a new taxi cost index

We will review the cost basket and cost inflators used in our existing taxi cost index to construct a new taxi cost index. To help us identify the relevant cost components and cost shares, we will undertake a survey of taxi operators. This survey will give the industry an opportunity to tell us what their costs are. In undertaking the survey, we will take into consideration the regulatory burden on industry so that they are able to provide relevant, timely and appropriate cost information in a simple manner. We will also use a representative sample of taxi operators.

Constructing a new taxi cost index will ensure we have the most up to date cost information. For example, we note that hybrid taxis have become more common and LPG taxis less common since we constructed our existing taxi cost index. Our new taxi cost index will account for this.

We are interested in stakeholders' views on what costs we should include in our approach to construct a new taxi cost index.

We may determine fares according to the Fair Work Commission's annual wage review

The Commercial Passenger Vehicle Industry Act 2017 was amended in 2021. We may now have regard to the Fair Work Commission's annual wage review in setting maximum fares.⁹

In our existing taxi cost index, we use the transport workers wage price index to measure changes in the cost of driver labour. We are interested in stakeholders' views on whether we should use an index based on the Fair Work Commission's annual wage review to measure changes in the cost of driver labour in our new taxi cost index.

We will also update our existing taxi cost index

We will update our existing taxi cost index for the purpose of cross-checking the results of our market outcomes assessment and new taxi cost index. As our existing taxi cost index was constructed in 2014, it may not account for technological, regulatory, or other changes that have occurred in the commercial passenger vehicle industry since then.

⁹ Commercial Passenger Vehicles Industry Act 2017, s. 110E(ga)

We will use the period September 2019 to September 2021. We will also need to update this to reflect the most recent data available at the time of our final decision (this will be the period June 2020 to June 2022).

Our preliminary analysis shows that costs for conventional taxis have increased by 7.1 per cent between September 2019 and September 2021. The key reason for the increase is higher fuel costs. Table 2 shows the change in each cost component and the contribution to the overall change in the cost of operating taxis.

Table 2. Change in costs for conventional taxis¹⁰ based on existing taxi cost index
September 2019 to September 2021

Cost component	Cost share	Change in cost inflator	Contribution to overall change
Fuel	15.4%	26.8%	4.1%
Network (equipment)	2.9%	-4.5%	-0.1%
Network (labour)	2.9%	3.7%	0.1%
Comprehensive insurance	2.7%	6.5%	0.2%
Worker's compensation	0.7%	3.7%	0.0%
Vehicle	5.2%	-0.2%	0.3%
Registration ^(a)	1.8%	0.8%	0.0%
Repairs and maintenance	8.0%	6.0%	0.5%
Administration	5.4%	3.7%	0.2%
Total operating costs	45%	9.8%	5.4%
Driver labour	55%	3.2%	1.7%
Total operating and labour costs	100%	Not applicable	7.1%

Source: ESC analysis; (a) includes TAC charge

When updating our existing taxi cost index, we will use the cost components, cost shares and cost inflators identified in our 2014 review. We also include a cost component for driver labour. With the exception of the fuel cost inflator (which we obtain from Fuel TRAC) all cost inflators are from publicly available sources including the Australian Bureau of Statistics, Reserve Bank of Australia,

¹⁰ Conventional taxis are taxis other than wheelchair accessible or high occupancy taxis.

Transport Accident Commission, and Insurance Council of Australia. Table 3 shows the cost inflators for each cost component.

Table 3. Current taxi cost index cost components and cost inflators

Cost component	Description	Cost inflator
Fuel	Total fuel costs incurred by a taxi	FuelTRAC (liquified petroleum gas, Melbourne)
Network	Costs associated with booking service affiliation. Taxi operators receive access to services such as centralised booking and dispatch and networked security alarms.	CPI (telecommunications equipment and services component, Melbourne) WPI (Victoria)
Comprehensive insurance	Includes general liability and comprehensive insurance where these are purchased.	Insurance Council of Australia comprehensive car insurance index
Worker's compensation	Operators that have bailee drivers are required to have workers compensation insurance provided by WorkSafe.	WPI (Victoria)
Vehicle	Costs associated with purchasing or leasing a vehicle, including fit-out	Imputed on CPI (motor vehicle, Melbourne) and Reserve Bank of Australia lending rates for small businesses
Registration/TAC	Vehicle registration and compulsory third-party insurance (Transport Accident Charge)	Imputed based on actual Transport Accident Charge
Repairs and maintenance	Cost of taxi operators' own time, staff costs and costs paid to other businesses for maintenance and repair	CPI (maintenance and repairs of motor vehicles, Melbourne)
Administration	Cost of taxi operators' own time, staff costs and costs paid to other businesses for administration (e.g. accountant)	WPI (Victoria), CPI (all groups, Melbourne)
Driver labour	Labour involved in driving a taxi	WPI (transport, postal and warehousing, Australia)

Service quality assessment

Measuring taxi service quality can provide information on whether the level of fares or the structure of fares is sufficient to maintain or improve the service quality. To measure service quality, we can look at:

- customer wait times for booked trips
- non-compliance notices issued by Commercial Passenger Vehicles Victoria.

Customer wait times

Customer wait time is calculated as the difference between the time that a trip was booked for, and the time that the meter was turned on for the trip to begin. While the customer wait time is related to booked trips only, it can also provide an indication of changes in service quality for unbooked services. For example, if customer wait times for booked trips are getting longer, this suggests that the reliability of booked services is declining. This could mean that there is a shortage of taxis and that the reliability of unbooked services is also declining.

Non-compliance notices

Commercial Passenger Vehicles Victoria reports on the number of non-compliance notices issued each year in its annual report. These non-compliance notices relate to contraventions of provisions in the Commercial Passenger Vehicle Industry Act 2017 or the Commercial Passenger Vehicle Industry Regulations 2018. For example, in 2020-21 some of these notices related to covid cleaning and touting.¹¹ We can look at the trend in the number of non-compliance notices issued as an indicator of service quality. However, in doing this we must also take into account changes in operating environment when interpreting the data.

The customer satisfaction index is no longer available

In earlier reviews we also used a customer satisfaction index and customer complaints lodged with Commercial Passenger Vehicles Victoria to measure service quality.

In our 2020 review, Commercial Passenger Vehicles Victoria informed us that, due to industry reforms, the survey about customer satisfaction was discontinued in 2019. It has been replaced with a customer satisfaction survey that relates to the regulatory services provided by Commercial Passenger Vehicles Victoria.¹² This new survey is not relevant to our review.

¹¹ Commercial Passenger Vehicles Victoria, Annual Report 2020-21, p. 6

¹² Starting from 2018, the number of complaints relates to all commercial passenger vehicles, rather than only taxis. Starting mid-2018, complaints could be made directly to the relevant booking service providers or the provider of the unbooked commercial passenger vehicle services. Under the Commercial Passenger Vehicle Industry Regulations 2018

Customer complaints were previously lodged with Commercial Passenger Vehicles Victoria but are now increasingly being lodged with booking service providers and operators. Booking service providers are required to have a complaints management system in accordance with the Commercial Passenger Vehicle Industry Regulations 2018.^{13,14} We will collect customer complaints data from booking service providers in this review.

This means that the data we have may not be a complete timeseries and may not be comparable with previous years. It is likely that we will only be able to use the complaints data as a starting point to measure changes in future years.

Regulatory impact

While a market outcomes approach gives us a detailed picture of demand and supply, and where maximum fares are relative to the efficient level, we recognise that it is complex and may impose an administrative burden on the industry. As part of our assessment we will need to collect trip, shift and cost data from taxi operators, booking service providers and Commercial Passenger Vehicles Victoria.

However, it is our understanding that much of the data we will need to collect, especially trip and shift data are already provided to Commercial Passenger Vehicles Victoria. The remaining information will be collected through voluntary surveys or has been collected from booking service providers in the past. This should make it easier for industry participants to provide information for our review.

(the regulations), the registration of a person as a booking service provider is subject to the condition that the person must have complaints management system. The regulations also contain a requirement for providers of unbooked commercial passenger vehicle services to investigate complaints.

¹³ Commercial Passenger Vehicles Industry Act 2017, s. 60(4); Commercial Passenger Vehicle Industry Regulations 2018, r. 23

¹⁴ The regulations also require providers of unbooked commercial passenger vehicle services to ensure that every complaint relating to its provision of unbooked commercial passenger vehicle services is investigated promptly, and any action required to adequately address the complaint is taken promptly; Commercial Passenger Vehicle Industry Regulations 2018, r. 24

We seek views on our assessment approach

We seek views on 'time and distance' tariffs

Under a 'time **and** distance' tariff, the time rate and the distance rate apply at the same time. Under the existing tariffs, which are 'time **or** distance' tariffs, either the time rate or the distance rate applies at any point in time (depending on the speed of the vehicle). The box below shows how fares are calculated using a 'time **and** distance' tariff and a 'time **or** distance' tariff.

'Time and distance' tariff

Taxi fare = (kilometres travelled × distance rate) + (duration of trip in hours × hourly rate)

'Time or distance' tariff

Taxi fare = (kilometres travelled at speed above 21 kilometres per hour × distance rate) + (amount of time spent at speed below 21 kilometres in hours × hourly rate)

'Time **and** distance' tariffs have the benefits of:

- allowing passengers to better estimate their fares. It is easier to estimate the distance and duration of a trip than to estimate the speed the vehicle will be travelling at during the trip (as required under a 'time **or** distance' tariff).
- being easier to compare fares between service offerings
- making fares more predictable¹⁵.

In our 2018 review, we made 'time **and** distance' tariffs optional as we understood that many of the older meters still in use at the time could not be programmed to calculate 'time **and** distance' tariffs. In our 2020 review, we acknowledged that it was appropriate for 'time **and** distance' tariffs to remain optional in the context of the coronavirus pandemic and possible resource constraints in the industry.

Given the benefits of 'time **and** distance' tariffs explained above and our understanding that all meters in use now can be programmed to calculate 'time **and** distance' tariffs, we consider that it may now be appropriate to require unbooked taxi services to use 'time **and** distance' tariffs.

We are interested in stakeholders' views on whether there are any other barriers to implementing 'time **and** distance' tariffs that we should consider.

¹⁵ 'Time **and** distance' tariffs are less volatile than 'time **or** distance' fares. Source: Essential Services Commission, Unbooked commercial passenger fare review 2018 – Final decision, September 2018, Appendix K

We seek views on the impact of changes in the industry

Changes in the commercial passenger vehicle industry may have an impact on the demand, supply and/or cost of operating taxis. Some recent changes in the industry are discussed below. We are interested in stakeholders' views on the impact of these changes, and if there are any other changes we should consider in setting maximum fares.

Coronavirus pandemic

We understand that the coronavirus pandemic has had a significant impact on the commercial passenger vehicle industry, including a significant decline in demand for taxi trips, and supply of drivers and vehicles.

We are interested in stakeholders' views on the impact of the pandemic on the demand, supply, and cost of operating taxis.

Multi-Purpose Taxi Program

The Multi-Purpose Taxi Program (MPTP) offers subsidised taxi fares to support the travel needs of people with severe and permanent disabilities. Members get 50 per cent off the total fare up to \$60.¹⁶ There are two key changes that may impact the MPTP:

- Commercial Passenger Vehicles Victoria has introduced more transport options for MPTP members so that members have more choice over the type of commercial passenger vehicle. MPTP members can now take subsidised trips with Uber vehicles.¹⁷
- The National Disability Insurance Scheme (NDIS) is being progressively rolled out across Victoria. This may affect the way the taxi trips of MPTP members are funded.

We understand that these changes to the MPTP may affect the demand for taxis. As more commercial passenger vehicle services become eligible to undertake MPTP trips, passengers may choose these new services instead of taxis.

¹⁶ Commercial Passenger Vehicles Victoria, 'Multi Purpose Taxi Program', <https://cpv.vic.gov.au/passengers/mptp> [accessed 20 December 2021]

¹⁷ Commercial Passenger Vehicles Victoria, 'Multi Purpose Taxi Program', <https://cpv.vic.gov.au/passengers/mptp> [accessed 20 December 2021]

In consultations with stakeholders in the taxi industry we heard concern that with fewer trips for taxis coming from the MPTP it might be less attractive for taxi operators to invest in wheelchair accessible taxis.

Our initial view is that this is not a matter that can be addressed through maximum fares. Setting separate and higher fares for wheelchair users would be discriminatory. To the extent that there is a shortage of wheelchair accessible taxis this would be better addressed through revising the lifting fee paid as part of the MPTP.

We are interested in stakeholders' views on the impact of the changes in the MPTP on demand for taxis.

Changes to legislation

The Commercial Passenger Vehicle Industry Act 2017 was amended in 2021. In setting maximum fares, we may now also determine fares according to:

- the Fair Work Commission's annual wage review, and
- the commercial viability of operating a taxi service.¹⁸

Fair Work Commission's annual wage review

In setting fares, we may determine prices according to the Fair Work Commission's annual wage review.¹⁹ To do this, we could:

- Increase maximum fares by the percentage increase in the minimum wage as determined by the Fair Work Commission's annual wage review.
- Use the Fair Work Commission's annual wage review as the cost inflator for driver labour in our taxi cost index rather than the wage price index (transport, postal and warehousing).

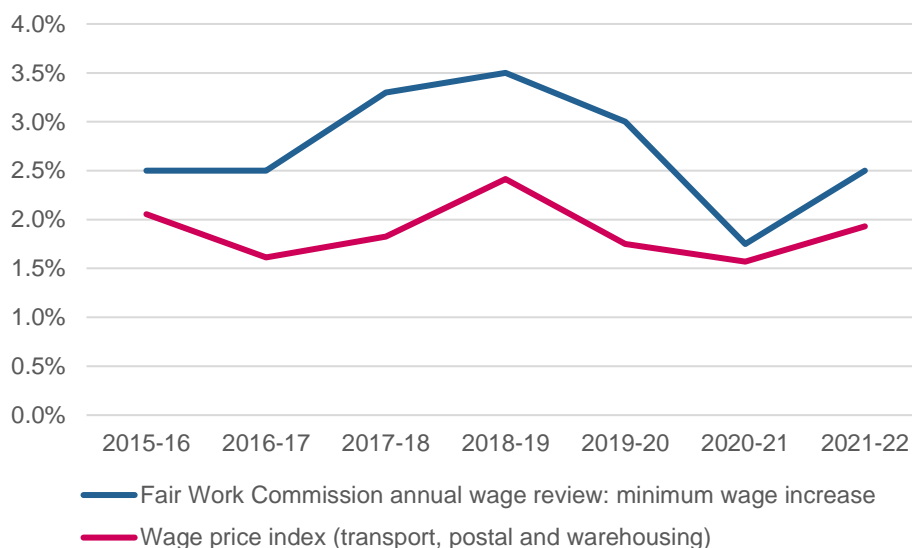
We compared the change in the minimum wage to the change in the cost inflator for driver labour in our existing taxi cost index for the period September 2019 to September 2021 (see Figure 1). If we use the Fair Work Commission's annual wage review in our cost index the change in the total cost of operating taxis would be 7.7 per cent. If we use the wage price index we have used in past reviews it would be 7.1 per cent.

We are interested in stakeholders' views on how we might use the Fair Work Commission's annual wage review in determining fares.

¹⁸ Commercial Passenger Vehicles Industry Act 2017, s. 110E.

¹⁹ Commercial Passenger Vehicles Industry Act 2017, s. 110E(ga).

Figure 1. Comparison of change in the minimum wage and the wage price index (transport, postal and warehousing) over time



Note: we have used the change in wage price index (transport, postal, warehousing) for the period September 2020 to September 2021 for 2021-22 as this is the most recent data available.

Commercial viability of operating a taxi service

With recent changes in legislation we may now determine fares according to the commercial viability of operating a taxi service.²⁰ This is in addition to the existing requirement for us to have regard to the financial viability of the industry.²¹

In past reviews we have considered the financial viability of the industry by looking at (among other things):

- where current prices are relative to the efficient level,
- the demand for and supply of taxi services, and
- the costs of and revenues from operating a taxi service.²²

To have regard to the commercial viability of operating a taxi service, in addition to these, we could look at:

- what substitute services are available, and

²⁰ Commercial Passenger Vehicles Industry Act 2017, s. 110E(gb).

²¹ Essential Services Commission Act 2001, s. 8A(1)(b).

²² Essential Services Commission, Unbooked Commercial Passenger Vehicle Fare Review 2018: Final Decision, Appendix C, 13 September 2018.

We seek views on the impact of changes in the industry

- how the level and structure of maximum taxi fares impact the ability of taxi services to compete with substitute services.

We are interested in stakeholders' views on what data or other information we should consider when we have regard to the commercial viability of operating a taxi service.

Other developments

We are interested in stakeholders' views on any other changes in the commercial passenger vehicle industry that we should be aware of, and the impact of these changes on the demand, supply, and cost of operating taxis.

Appendix A: Industry context

This Appendix provides context for our review of maximum fares, including a brief overview of the commercial passenger vehicle industry. It also recaps the key outcomes of our 2020 review.

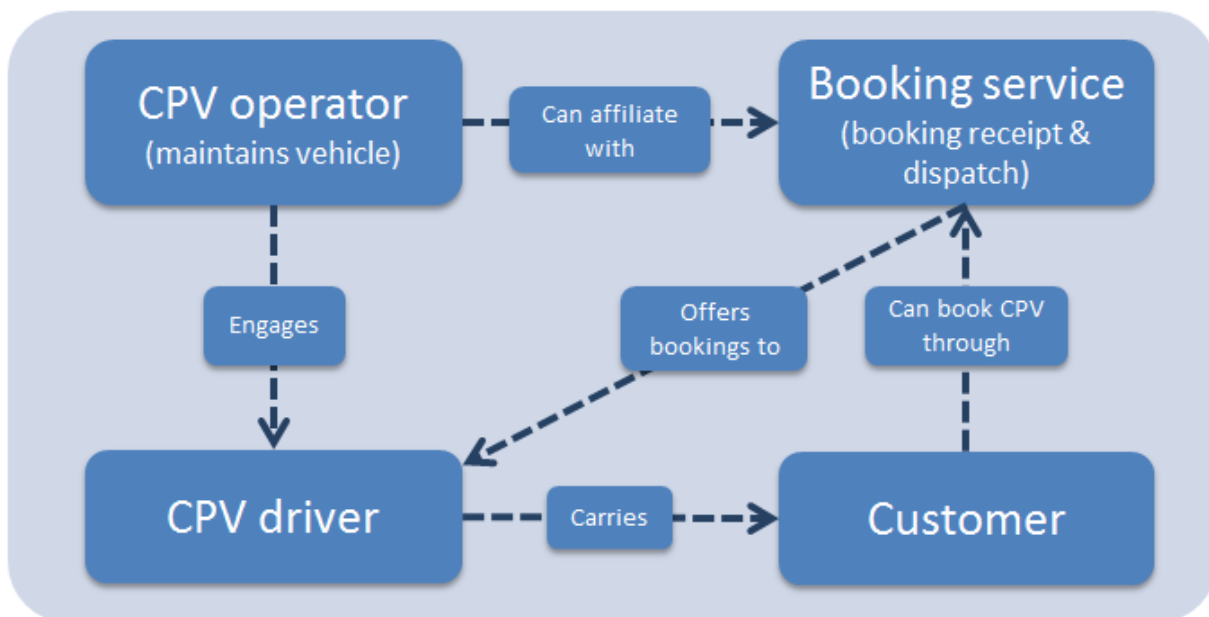
The commercial passenger vehicle industry

The commercial passenger vehicle industry provides the hire of point-to-point vehicle transport. This is different to other forms of commercial transport that, for example, run on pre-specified routes. Commercial passenger vehicles include taxis, hire cars, and rideshare.

Commercial passenger vehicle industry participants

The main industry participants in the commercial passenger vehicle industry are operators, drivers and booking service providers. The key functions of these industry participants are shown in Figure A.1. In some cases, an individual participant may take on more than one role. For example, an operator may drive vehicles, or a booking service provider may operate vehicles.

Figure A.1 Commercial passenger vehicle industry participants



Submarkets and service providers

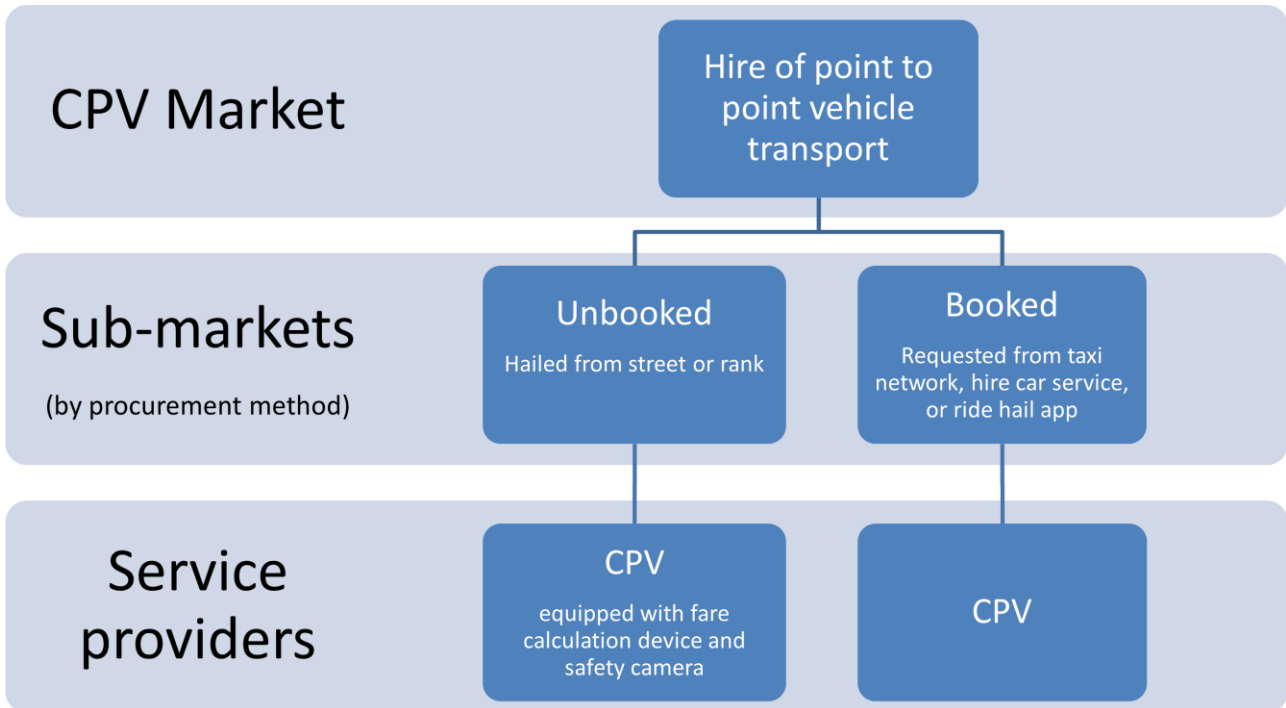
It is useful to divide the market for commercial passenger vehicle services into two submarkets depending on the way passengers obtain services:

- Unbooked (rank and hail) services: trips hailed from the street or hired from a designated taxi rank.

- Booked services: trips that have been booked in advance via an app, over the phone or via a website.

To provide unbooked commercial passenger vehicle services a vehicle must meet certain requirements. For example, a fare calculation device²³ and security camera²⁴ must be installed. Taxis are commercial passenger vehicles that meet these requirements. Figure A.2 illustrates the differences between booked and unbooked commercial passenger vehicle services.

Figure A.2 Submarkets for commercial passenger vehicle services



Hire cars and rideshare vehicles that operate exclusively in the booked market are not subject to fare regulation. Fares for booked taxi services are also not subject to regulation.

In the unbooked submarket, negotiation of fares between service providers and customers may be difficult or impractical. Customers do not have complete information on the availability of services and fares offered by other service providers. In the booked market, customers are typically better placed to negotiate prices, or to at least compare differing services and prices. It is easier to seek a fare estimate upfront and compare service providers over the phone or the internet.

²³ Commercial Passenger Vehicle Industry Regulations 2018, r. 12

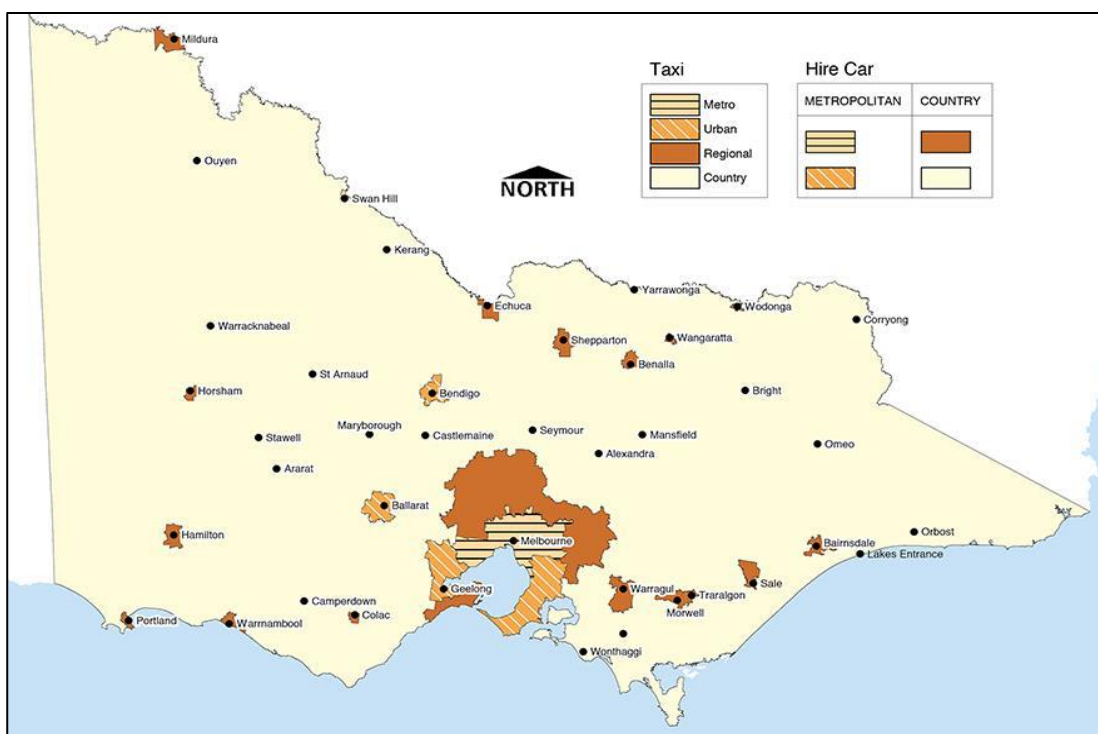
²⁴ Commercial Passenger Vehicle Industry Regulations 2018, r. 14

Commercial passenger vehicle zones

Historically, there were four zones in Victoria: the Melbourne Metropolitan Zone, the Urban Zone, the Regional Zone, and the Country Zone (shown in Figure A.3). These zones were determined by Commercial Passenger Vehicles Victoria (CPVV) to define the boundaries of where taxis were allowed to operate before taxi licences were abolished. While the zones no longer exist, the boundaries are still used for the purposes of where maximum fares apply for unbooked services.

The maximum fares that we set for unbooked commercial passenger vehicles apply only to trips that begin in the Melbourne Metropolitan Zone or the Urban and Large Regional zone. For trips that begin in all other parts of Victoria, taxi service providers set their own prices for unbooked trips.

Figure A.3 Historical taxi zones in Victoria



Competition in the commercial passenger vehicle industry

There are currently many commercial passenger vehicle services based on smartphone technology. This has resulted in more competition between taxi operators, hire cars, and rideshare services.

Smartphone technology has also changed the way that passengers can book a commercial passenger vehicle service. It is now common for passengers to book taxis using a booking app.

The increasing number of booking apps has had two notable impacts:

1. It is easier to make bookings for taxis and hire cars where the customer requests an immediate pick up. As a result, booked services are increasingly becoming a substitute for unbooked services.
2. Booking apps have introduced some degree of flexibility to fares for booked services. Some taxi booking service providers and operators have been providing discounted trips and fixed fares.

Dynamic pricing in rideshare services

Fares for rideshare services are calculated in the booking app and vary with the time and distance travelled. The booking service provider sets a base fare rate. Some booking service providers vary their rates using an algorithm that increases fares above the base rate during times of peak demand and limited supply. This allows dynamic pricing in response to demand and supply.

Summary of our 2020 review of maximum unbooked taxi fares

Our last review of maximum unbooked taxi fares was completed in September 2020. Our decision was to keep maximum fares unchanged and keep 'time **and** distance' tariffs optional. The key reasons for our decision were:

- To provide some level of stability during the coronavirus pandemic and over the following two years.
- To not impose unnecessary administrative and implementation burdens on unbooked taxi service providers.

In our decision, we noted that:

- We did not observe a shortage in the supply of unbooked taxis based on information from stakeholders and publicly available data.
- The quality of taxi services had generally improved.
- The cost of operating taxis may have decreased.

Appendix B: The legislation governing our role in regulating maximum fares

Table B.1: Relevant sections of the Essential Services Commission Act 2001

		Section detail
s. 8 (1)	Objective of the Commission	In performing its functions and exercising its powers, the objective of the Commission is to promote the long term interests of Victorian consumers.
s. 8 (2)		Without derogating from subsection (1), in performing its functions and exercising its powers in relation to essential services, the Commission must in seeking to achieve the objective specified in subsection (1) have regard to the price, quality and reliability of essential services.
s. 8A (1)	Matters which the Commission must have regard to	<p>In seeking to achieve the objective specified in section 8, the Commission must have regard to the following matters to the extent that they are relevant in any particular case—</p> <ul style="list-style-type: none">(a) efficiency in the industry and incentives for long term investment;(b) the financial viability of the industry;(c) the degree of, and scope for, competition within the industry, including countervailing market power and information asymmetries;(d) the relevant health, safety, environmental and social legislation applying to the industry;(e) the benefits and costs of regulation (including externalities and the gains from competition and efficiency) for—<ul style="list-style-type: none">(i) consumers and users of products or services (including low income and vulnerable consumers);(ii) regulated entities;(f) consistency in regulation between States and on a national basis;(g) any matters specified in the empowering instrument.
s. 8A (2)		Without derogating from section 8 or subsection (1), the Commission must also when performing its functions and exercising its powers in relation to a regulated industry do so in a manner that the Commission considers best achieves any objectives specified in the empowering instrument.

s. 31A **Definitions**

In this Part—

prescribed goods and services means any goods or services made, produced or supplied by or within a regulated industry which goods or services are specified in the empowering instrument as being goods or services in respect of which the Commission has power to regulate prices;

prescribed price means the price or price-range however designated for the supply or sale of any goods or services by or within a regulated industry or particular factors used in price-fixing or terms and conditions relating to the price at which particular goods or services are supplied or sold, being a price, price-range, factor or term and condition specified in the empowering instrument as being a price, price-range, factor or term and condition which the Commission has power to regulate.

s. 32 **Price Regulation**

- (1) The Commission may regulate prescribed prices for or in respect of prescribed goods and services supplied by or within a regulated industry.

s. 33 **Price determinations**

- (1) This section is subject to anything to the contrary in the empowering instrument specifying the prescribed prices or prescribed goods and services in respect of which the Commission is exercising its power of regulation.
- (2) In making a price determination, the Commission must adopt an approach and methodology which the Commission considers will best meet the objectives specified in this Act and any relevant legislation.
- (3) In making a determination under this section, the Commission must have regard to—
 - (a) the particular circumstances of the regulated industry and the prescribed goods and services for which the determination is being made;
 - (b) the efficient costs of producing or supplying regulated goods or services and of complying with relevant legislation and relevant health, safety, environmental and social legislation applying to the regulated industry;
 - (c) the return on assets in the regulated industry;
 - (d) any relevant interstate and international benchmarks for prices, costs and return on assets in comparable industries;

- (e) any other factors that the Commission considers relevant.
- (4) In making a determination under this section, the Commission must ensure that—
- (a) the expected costs of the proposed regulation do not exceed the expected benefits; and
 - (b) the determination takes into account and clearly articulates any trade-offs between costs and service standards.
- (5) A price determination by the Commission may regulate a prescribed price for prescribed goods and services in any manner the Commission considers appropriate.
- (6) Without limiting the generality of subsection (5), the manner may include—
- (a) fixing the price or the rate of increase or decrease in the price;
 - (b) fixing a maximum price or maximum rate of increase or minimum rate of decrease in the maximum price;
 - (c) fixing an average price for specified goods or services or an average rate of increase or decrease in the average price;
 - (d) specifying pricing policies or principles;
 - (e) specifying an amount determined by reference to a general price index, the cost of production, a rate of return on assets employed or any other specified factor;
 - (f) specifying an amount determined by reference to quantity, location, period or other specified factor relevant to the rate or supply of the goods or services;
 - (g) fixing a maximum average revenue or maximum rate of increase or minimum rate of decrease in the maximum average revenue in relation to specified goods or services;
 - (h) monitoring the price levels of specified goods and services.

Table B.2: Relevant sections of the Commercial Passenger Vehicle Industry Act 2017

s. 3 **Definitions**

"unbooked commercial passenger vehicle service" means a commercial passenger vehicle service that is provided other than as a result of the provision of a booking service.

s. 4 **Meaning of *commercial passenger vehicle service***

- (1) A ***commercial passenger vehicle service*** is the carriage, for a fare or other consideration, of one or more passengers in a motor vehicle on a journey that begins in Victoria and ends at one or more destinations (whether in or outside Victoria).
- (2) Each of the following activities is also a ***commercial passenger vehicle service***—
 - (a) doing either of the following things while being available to provide the service referred to in subsection (1)—
 - (i) driving a motor vehicle;
 - (ii) being in charge of a motor vehicle;
 - (b) driving a motor vehicle to collect a passenger referred to in subsection (1).
- (3) None of the following things is a ***commercial passenger vehicle service***—
 - (a) a charitable passenger service;
 - (b) a vehicle pooling service;
 - (c) driving a motor vehicle while being available to provide a charitable passenger service or a vehicle pooling service;
 - (d) driving a motor vehicle to collect a passenger for a charitable passenger service or a vehicle pooling service;
 - (e) the driving of a vehicle operated by or on behalf of and under the control of—
 - (i) an ambulance service created under section 23 of the Ambulance Services Act 1986 or listed in Schedule 1 to that Act; or
 - (ii) an ambulance service created under a law in force in another State or in a Territory of the Commonwealth;
 - (f) the driving of a motor vehicle for the purposes of a non-emergency patient transport service (within the meaning of the **Non-Emergency Patient Transport and First Aid Services Act 2003**).

s. 110A **Definitions**

In this Division—

"applicable unbooked service" means an unbooked commercial passenger vehicle service in respect of carriage on a journey that begins in—

- (a) the Melbourne Metropolitan Zone; or
- (b) the Urban and Large Regional Zone;

"Melbourne Metropolitan Zone" means the Melbourne Metropolitan Zone established under section 143B(1)(a) of the Transport (Compliance and Miscellaneous) Act 1983 (as in force immediately before the commencement of item 10.7 of Schedule 1 to the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Act 2017;

"Urban and Large Regional Zone" means the Urban and Large Regional Zone established under section 143B(1)(b) of the Transport (Compliance and Miscellaneous) Act 1983 (as in force immediately before the commencement of item 10.7 of Schedule 1 to the Commercial Passenger Vehicle Industry Amendment (Further Reforms) Act 2017.

s. 110B **Application of Essential Services Commission Act 2001**

(1) For the purposes of the Essential Services Commission Act 2001 —

- (a) this Division is relevant legislation; and
 - (b) the commercial passenger vehicle industry is a regulated industry in relation to applicable unbooked services.
- (2) If there is any inconsistency between this Division and a provision of the Essential Services Commission Act 2001, the provision of this Division prevails.

s. 110C **Objective of the ESC**

The objective of the ESC in relation to the commercial passenger vehicle industry is to promote the efficient provision and use of applicable unbooked services.

s. 110D **Powers in relation to fares regulation**

for the purposes of Part 3 of the Essential Services Commission Act 2001 —

- (a) applicable unbooked services are prescribed services; and

(b) the maximum charges for the services covered by paragraph (a) are prescribed prices.

s. 110E **Price determinations**

Without limiting section 33(5) of the Essential Services Commission Act 2001, the manner in which the ESC may regulate prescribed prices includes determining different prices according to—

- (a) the time of day at which, or day of the week or kind of day on which, an applicable unbooked service is provided;
- (b) the speed at which the commercial passenger vehicle used in the provision of the applicable unbooked service is travelling;
- (c) the distance travelled by the commercial passenger vehicle used in the provision of the applicable unbooked service;
- (d) the type of commercial passenger vehicle used in the provision of the applicable unbooked service;
- (e) the occupancy of the commercial passenger vehicle used in the provision of the applicable unbooked service, including where there is more than one passenger;
- (f) where a journey in respect of which the applicable unbooked service is provided begins or ends;
- (g) the prevailing economic conditions, including the price of fuel and the consumer price index;
- (ga) the Fair Work Commission's annual wage review under section 285 of the Fair Work Act 2009 of the Commonwealth;
- (gb) the commercial viability of operating a taxi service;
- (h) any other matter the ESC considers to be relevant.

s. 110F **Exercise of regulatory functions**

(1) The ESC must make a determination under this Division of the maximum charges for applicable unbooked services before the first anniversary of the day on which this section comes into operation.

(2) The ESC must complete a review of a price determination no later than 2 years after it is made.

s. 110G **Offence to charge or ask for a fare for an unbooked service in excess of the maximum fare**

A person who drives a commercial passenger vehicle for the purpose of providing an applicable unbooked service must not charge or ask for a fare for the service that is in excess of the fare or hiring rates permitted by a determination of the ESC under this Division.

Penalty: 60 penalty units.

Table B.3: Relevant sections of the Transport Integration Act 2010

s. 3 **Definitions**

commercial passenger vehicle service has the same meaning as it has in the Commercial Passenger Vehicle Industry Act 2017;

transport body means—

- (v) the Essential Services Commission established under section 7 of the **Essential Services Commission Act 2001** when it is exercising its functions and powers under any transport legislation in respect of the transport system;

transport legislation means—

- (ea) Commercial Passenger Vehicle Industry Act 2017;

transport services includes—

- (ca) commercial passenger vehicle services;

transport system means all the components which make up the system for the movement of persons and goods including—

- (d) the services components including passenger, freight and any other transport services to move persons and goods;

s. 7 **Transport system objectives**

This Division specifies the transport system objectives.

s. 8 **Social and economic inclusion**

The transport system should provide a means by which persons can access social and economic opportunities to support individual and community wellbeing including by—

- (a) minimising barriers to access so that so far as is possible the transport system is available to as many persons as wish to use it;
- (b) providing tailored infrastructure, services and support for persons who find it difficult to use the transport system.

s. 9 **Economic prosperity**

The transport system should facilitate economic prosperity by—

- (a) enabling efficient and effective access for persons and goods to places of employment, markets and services;
- (b) increasing efficiency through reducing costs and improving timeliness;
- (c) fostering competition by providing access to markets;
- (d) facilitating investment in Victoria;
- (e) supporting financial sustainability.

s. 10 **Environmental sustainability**

The transport system should actively contribute to environmental sustainability by—

- (a) protecting, conserving and improving the natural environment;
- (b) avoiding, minimising and offsetting harm to the local and global environment, including through transport-related emissions and pollutants and the loss of biodiversity;
- (c) promoting forms of transport and the use of forms of energy and transport technologies which have the least impact on the natural environment and reduce the overall contribution of transport-related greenhouse gas emissions;
- (d) improving the environmental performance of all forms of transport and the forms of energy used in transport;
- (e) preparing for and adapting to the challenges presented by climate change.

s. 11 **Integration of transport and land use**

- (1) The transport system should provide for the effective integration of transport and land use and facilitate access to social and economic opportunities.
- (2) Without limiting the generality of subsection (1), transport and land use should be effectively integrated so as to improve accessibility and transport efficiency with a focus on—
 - (a) maximising access to residences, employment, markets, services and

recreation;

- (b) planning and developing the transport system more effectively;
 - (c) reducing the need for private motor vehicle transport and the extent of travel;
 - (d) facilitating better access to, and greater mobility within, local communities.
- (3) Without limiting the generality of subsection (1), the transport system and land use should be aligned, complementary and supportive and ensure that—
- (a) transport decisions are made having regard to the current and future impact on land use;
 - (b) land use decisions are made having regard for the current and future development and operation of the transport system;
 - (c) transport infrastructure and services are provided in a timely manner to support changing land use and associated transport demand.
- (4) Without limiting the generality of subsection (1), the transport system should improve the amenity of communities and minimise impacts of the transport system on adjacent land uses.

s. 12 **Efficiency, coordination and reliability**

- (1) The transport system should facilitate network-wide efficient, coordinated and reliable movements of persons and goods at all times.
- (2) Without limiting the generality of subsection (1), the transport system should—
 - (a) balance efficiency across the network so as to optimise the network capacity of all modes of transport and reduce journey times;
 - (b) maximise the efficient use of resources including infrastructure, land, services and energy;
 - (c) facilitate integrated and seamless travel within and between different modes of transport;

provide predictable and reliable services and journey times and minimise any inconvenience caused by disruptions to the transport system.

s. 13 **Safety and health and wellbeing**

- (1) The transport system should be safe and support health and wellbeing.
- (2) Without limiting the generality of subsection (1), the transport system should—

- (a) seek to continually improve the safety performance of the transport system through—
 - (i) safe transport infrastructure;
 - (ii) safe forms of transport;
 - (iii) safe transport system user behaviour;
- (b) avoid and minimise the risk of harm to persons arising from the transport system;
- (c) promote forms of transport and the use of forms of energy which have the greatest benefit for, and least negative impact on, health and wellbeing.

s. 14 **Decision making principles**

This Division specifies the decision making principles.

s. 15 **Principle of integrated decision making**

The principle of integrated decision making means seeking to achieve Government policy objectives through coordination between all levels of government and government agencies and with the private sector

s. 16 **Principle of triple bottom line assessment**

The principle of triple bottom-line assessment means an assessment of all the economic, social and environmental costs and benefits taking into account externalities and value for money.

s. 17 **Principle of equity**

The principle of equity means—

- (a) equity between persons irrespective of their—
 - (i) personal attributes, including age, physical ability, ethnicity, culture, gender and financial situation; or
 - (ii) location, including whether in a growth, urban, regional, rural or remote area;
- (b) equity between generations by not compromising the ability of future generations to meet their needs

s. 18 **Principle of the transport system user perspective**

The transport system user perspective means—

- (a) understanding the requirements of transport system users, including their information needs;
- (b) enhancing the useability of the transport system and the quality of experiences of the transport system.

s. 19 **Precautionary principle**

(1) The precautionary principle means that if there are threats of serious or irreversible environmental damage, lack of full scientific certainty should not be used as a reason for postponing measures to prevent environmental degradation.

(2) The precautionary principle includes—

- (a) a careful evaluation to avoid serious or irreversible damage to the environment wherever practicable; and
- (b) an assessment of the risk-weighted consequences of various options.

s. 20 **Principle of stakeholder engagement and community participation**

The principle of stakeholder engagement and community participation means—

- (a) taking into account the interests of stakeholders, including transport system users and members of the local community;
- (b) adopting appropriate processes for stakeholder engagement.

s. 21 **Principle of transparency**

The principle of transparency means members of the public should have access to reliable and relevant information in appropriate forms to facilitate a good understanding of transport issues and the process by which decisions in relation to the transport system are made.

s. 24 **Application to a transport body**

(1) A transport body must have regard to the transport system objectives in exercising its powers and performing its functions under any transport legislation.

(2) A transport body must have regard to the decision making principles in making decisions under any transport legislation.

(2A) Subsections (1) and (2) do not apply to a transport body when it is exercising a power or performing a function for or in relation to—

- (a) the grant, issue or giving of a transport authorisation; or

- (b) the renewal of a transport authorisation; or
 - (c) the amendment or variation of, or change to, a transport authorisation or any conditions to which a transport authorisation is subject; or
 - (d) the suspension of a transport authorisation; or
 - (e) the cancellation of a transport authorisation; or
 - (f) the revocation of a transport authorisation or any condition to which a transport authorisation is subject.
- (3) If a transport body is a specified transport body in a statement of policy principles, it must have regard to the specified policy principles which apply to it under the statement of policy principles.
- (4) If a transport body is exercising a power which is a specified power in a statement of policy principles or performing a function which is a specified function in a statement of policy principles, it must have regard to the specified policy principles which apply under the statement of policy principles.
- (5) An Act specified in the heading to an item in Schedule 1 is amended, on the commencement of that item or a provision of that item, as set out in that item or provision.

(6) In this section—

transport authorisation means a licence, an accreditation, a permit, a permission, an exemption or a registration under transport legislation.

s. 26 **Weight to be given to transport system objectives**

For the purposes of sections 24 and 25, a transport body or interface body may determine the weight to give to each transport system objective.

s. 27 **Weight to be given to decision making principles**

For the purposes of sections 24 and 25, a transport body or interface body may determine the weight to give to each decision making principle.

s. 28 **Effect of this Part**

The Parliament does not intend by this Part to create in any person any legal right or to give rise to any civil cause of action.

Appendix C: Current maximum fares

Metropolitan zone and East Urban area

Table C.1: Maximum fares for unbooked commercial passenger vehicle services that begin in the Melbourne Metropolitan zone or east urban area - ‘time or distance’ tariffs²⁵

	Tariff 1 ‘Day’ (9am-5pm)	Tariff 2 ‘Overnight’ (5pm-9am, excluding peak)	Tariff 3 ‘Peak’ (Fri & Sat nights 10pm-4am)
Standard fare components	Maximum charge up to		
Flagfall (\$)	4.20	5.20	6.20
Distance rate (\$/km) (when speed is above 21 km/hr)	1.622	1.804	1.986
Waiting time (\$/min) (when speed is below 21 km/hr)	0.568	0.631	0.695
Other fare components (applicable to tariffs 1, 2 and 3)	Maximum charge up to		
High occupancy fee ^(a)			\$14.00
Airport rank fee ^(b)	For trips from the airport rank		Pass-through
Holiday rate ^(c)			Tariff 3 rates
CPV levy recovery fee			Pass-through
CityLink and EastLink tolls ^(d)			Pass-through
Cleaning fee	Up to a maximum of \$120		

(a) For taxis carrying 5 to 11 passengers.

(b) As published by that airport in a daily newspaper generally circulating in Victoria and on that airport’s website.

(c) For trips commencing on Christmas Day, Boxing Day, New Year’s Day and from 6pm on New Year’s Eve.

(d) As published from time to time in the Victorian Government Gazette in accordance with the Melbourne City Link Act 1995 or the EastLink Project Act 2004 as applicable.

²⁵ Essential Services Commission, *Unbooked Taxi Fare Review 2020*, September 2020, p. 25

Table C.2: Maximum fares for unbooked commercial passenger vehicle services that begin in the Melbourne Metropolitan zone or east urban area - ‘time and distance’ tariffs ²⁶

	Tariff 1 ‘Day’ (9am-5pm)	Tariff 2 ‘Overnight’ (5pm-9am, excluding peak)	Tariff 3 ‘Peak’ (Fri & Sat nights 10pm-4am)
Standard fare components	Maximum charge up to		
Flagfall (\$)	4.20	5.20	6.20
Distance rate (\$/km) (at all times)	1.342	1.490	1.648
Duration rate (\$/min) (at all times)	0.344	0.379	0.408
Other fare components (applicable to tariffs 1, 2 and 3)	Maximum charge up to		
High occupancy fee ^(a)			\$14.00
Airport rank fee ^(b)	For trips from the airport rank		Pass-through
Holiday rate ^(c)			Tariff 3 rates
CPV levy recovery fee			Pass-through
CityLink and EastLink tolls ^(d)			Pass-through
Cleaning fee	Up to a maximum of \$120		

(a) For taxis carrying 5 to 11 passengers.

(b) As published by that airport in a daily newspaper generally circulating in Victoria and on that airport’s website.

(c) For trips commencing on Christmas Day, Boxing Day, New Year’s Day and from 6pm on New Year’s Eve.

(d) As published from time to time in the Victorian Government Gazette in accordance with the Melbourne City Link Act1995 or the EastLink Project Act 2004 as applicable.

²⁶ Essential Services Commission, *Unbooked Taxi Fare Review 2020*, September 2020, p. 26

Western Urban area

Table C.3: Maximum fares for unbooked commercial passenger vehicle services that begin in the Large Regional areas of the Urban and Large Regional zone, including Geelong, Ballarat and Bendigo - 'time or distance' tariffs²⁷

Fare component		Maximum charge
Standard fare components		
Flagfall (\$)		3.60
Distance rate (\$/km) (applies when speed is above 21 km/hr)		1.838
Waiting time (\$/min) (applies when speed is below 21 km/hr)		0.643
High occupancy trips		
For trips with 5 or more passengers: not applicable if the commercial passenger vehicle does not have the capacity for carriage of 5 or more passengers in fixed seats. 'Fixed seats' does not include positions for the carriage of persons in wheelchairs.		
Flagfall (\$)		3.60
Distance rate (\$/km) (applies when speed is above 21 km/hr)		2.757
Waiting time (\$/min) (applies when speed is below 21 km/hr)		0.965
Other fare components		
Late night fee	For trips commencing between 7pm on Friday and Saturday nights through to 6am the following morning; and from midnight to 6am on all other days	\$3.40
Holiday rate ^{(a)(b)}		\$4.20
CPV levy recovery fee		Pass-through
CityLink and EastLink tolls ^(c)		Pass-through
Airport rank fee ^(d)	For trips from the airport rank	Pass-through
Cleaning fee	Up to a maximum of \$120	

(a) For trips commencing between 7pm on evenings prior to all public holidays, through to 6am the following mornings and trips commencing on Christmas Day, Boxing Day, New Year's Day and from 6pm on New Year's Eve.

(b) The 'late night fee' does not apply during times that the holiday rate applies.

(c) As published from time to time in the Victorian Government Gazette in accordance with the Melbourne City Link Act 1995 or the EastLink Project Act 2004 as applicable.

(d) As published by that airport in a daily newspaper generally circulating in Victoria and on that airport's website.

Table C.4: Maximum fares for unbooked commercial passenger vehicle services that begin in the Large Regional areas of the Urban and Large Regional zone including Geelong, Ballarat and Bendigo - 'time and distance' tariffs²⁸

Fare component		Maximum charge
Standard fare components		
Flagfall (\$)		3.60
Distance rate (\$/km) (at all times)		1.494
Waiting time (\$/min) (at all times)		0.491
High occupancy trips		
For trips with 5 or more passengers: not applicable if the commercial passenger vehicle does not have the capacity for carriage of 5 or more passengers in fixed seats. 'Fixed seats' does not include positions for the carriage of persons in wheelchairs.		
Flagfall (\$)		3.60
Distance rate (\$/km) (at all times)		2.441
Waiting time (\$/min) (at all times)		0.529
Other fare components		
Late night fee	For trips commencing between 7pm on Friday and Saturday nights through to 6am the following morning; and from midnight to 6am on all other days	\$3.40
Holiday rate ^{(a)(b)}		\$4.20
CPV levy recovery fee		Pass-through
CityLink and EastLink tolls ^(c)		Pass-through
Airport rank fee ^(d)	For trips from the airport rank	Pass-through
Cleaning fee	Up to a maximum of \$120	

(a) For trips commencing between 7pm on evenings prior to all public holidays, through to 6am the following mornings and trips commencing on Christmas Day, Boxing Day, New Year's Day and from 6pm on New Year's Eve.

(b) The 'late night fee' does not apply during times that the holiday rate applies.

(c) As published from time to time in the Victorian Government Gazette in accordance with the Melbourne City Link Act 1995 or the EastLink Project Act 2004 as applicable.

(d) As published by that airport in a daily newspaper generally circulating in Victoria and on that airport's website.

²⁷ Essential Services Commission, *Unbooked Taxi Fare Review 2020*, September 2020, p. 27

²⁸ Essential Services Commission, *Unbooked Taxi Fare Review 2020*, September 2020, p. 28