

NATIONAL TAXI LEKGOTLA 2020

TAXI INDUSTRY PROFESSIONALISATION & CUSTOMER CARE

RE-IMAGINING TOMORROW'S
TAXI INDUSTRY

"Every accomplishment starts
with a decision to try."
– Unknown



transport

Department:
Transport
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The Department of Transport

Taxi Industry
**Professionalisation
& Customer Care**

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Disclaimer

This discussion document is only intended to guide discussion and debate on topical issues towards the development of a blueprint for the taxi industry of the future.

Nothing contained in this document represents any official position of government or industry representative bodies. It merely provides information as a basis for dialogue and engagement.

Introduction

1. This Discussion Document on professionalisation and customer care in the taxi industry provides background information on matters raised by passengers using minibus taxis with the Department of Transport (DoT), evidence raised from formal studies and the resulting need to professionalize minibus taxi services. There are interventions that concern institutional operations within the industry, as well as the relationship with passengers themselves.
2. Professionalization of minibus taxi services is a dynamic between the institutional mechanisms that control it and the passengers that are transported. The paper presents the history, a situational analysis and progress on the professionalization of the taxi industry, towards an outcome where passengers are treated equitably, with dignity and in safety, in line with both the Bill of Rights of the Constitution, and Batho Pele principles. In order to achieve this, changes are required to the institutional arrangements of the industry, which are also examined in this document.
3. Finally the Discussion Document outlines a variety of future options for consideration by all stakeholders, and ways forward are proposed. This discussion document on passengers and professionalization has been written for the DoT, National Taxi Lekgotla Task Team, to provide a background and briefing on the matters that concern the passengers that use minibus taxi services, and the industry itself. National policy has required Departments to measure the effect of policy implementation on citizens and residents that are the most vulnerable in society, since 1997, through the White Paper on the Integrated National Disability Strategy. This Discussion Document also highlights the issues raised by women and people with disabilities, in particular; and other passenger groups, elderly people and children.

Historical Context

4. The following section provides a brief history of minibus taxi issues from a passenger perspective, and demonstrates the relationship between these issues and the professionalization of minibus taxi services.

Problem Statement

5. Minibus taxi services, or a variation of them, remain the backbone of public transport. They are the only choice of service in most rural and peri-rural areas and the majority of townships. The National Household Travel Survey (RSA: 2013) indicated that in the seven peri-rural Provinces: Eastern Cape, Limpopo, Mpumalanga, Northern Cape, Free State, Kwazulu-Natal and North West; the taxi industry formed more than 70% of the public transport market share.
6. Mashiri et al (2005) suggests that solid, well thought-out interventions in the taxi industry would have positive impact on improving access to people with disabilities, who currently are unable to access most other public transport across the country. Whilst this is changing with the formation of Integrated Public Transport Networks (IPTNs) and the instigation of new services, the pace

of change is very slow. People with disabilities have never been reasonably accommodated within the current services. Women are beginning to raise alarming and distressing incidents with DoT.

7. Minibus taxi passengers currently have, and historically have had, a strained relationship with the minibus taxi transport system. Issues raised over the past 24 years have not been resolved, and have arguably worsened in the past five years. More recently, the Covid-19 pandemic has exacerbated the strained relationship; as has the continued support in planning and development to the prioritization of private cars over public transport, resulting in an even smaller market of public transport passengers.
8. In 2015, Cabinet signed the White Paper on the Rights of Persons with Disabilities, which required Transport to make changes to all transport licenses; so that people with disabilities were accommodated in services. This has not yet happened. Over the last five years, DoT has begun to receive extremely serious reports on passenger deaths, injury and abuse, from people with disabilities and women. This paper examines how the minibus taxi industry and government need to respond, so that the service can become a professional service in a sustainable, economically viable and universally accessible future.

History

9. The first review of minibus taxi services particularly, took place in 1996. The findings of the first National Taxi Task Team (NTTT) were published. It is significant that many of the issues raised 24 years ago have not changed. In 1996, the findings of the NTTT document reflected the following problems, which can be categorized as follows:

Road Accident and casualty rates: the NTTT findings noted a doubling of road accidents from 30,000 in 1984 to 60,000 in 1994, a tripling in fatalities in 1984 from 330 to 1000 in 1994, and a tripling of serious injuries from 2,000 in 1984 to 6000 in 1994. Minor injuries also tripled, from 3,500 in 1984 to 10,500 in 1994. A 1998-1992 study on fatalities involving minibus taxis in comparison to other vehicles, found that fatality rates for minibus taxi passengers was both higher and escalating, whilst fatality rates for other vehicles demonstrated a downward trend.

Network: facilities are often situated by municipalities some distance away from destinations, which is not a passenger focused approach. Pedestrian safety and security was a concern, with high order roads that pedestrians had to cross; congested, unpleasant and crowded sidewalks, and unsafe stopping points for passengers and drivers, on street corners.

Infrastructure: the following problems with the provision of facilities were noted, a shortage of stopping bays on minibus taxi routes, inadequate ranking facilities, the need for upgrading of rural and township roads, inadequate facilities for people with disabilities. The NTTT report notes that ranks/transport hubs were badly planned, and there was nowhere for vehicles to turn around. Ranks were not laid out to separate vehicles from passengers, there was no allowance for orderly and efficient operations and limited access to the surrounding street

system.

Vehicles: the report notes that there were problems with vehicles that were not compliant with traffic regulations, vehicles that had significant defects and a general lack of vehicle maintenance. Vehicles were dirty, in poor repair and there was a lack of a correlation between vehicle standard and charges levied.

Driver behaviour: typical driver problems noted were speeding, following too closely, dangerous over-taking, not switching on headlights after sunset and lack of seatbelt usage. An additional significant identified problem was driver fatigue. The findings noted that common minibus taxi traffic offences contributing to accidents were, cutting corners, driving on the wrong side of the road, exceeding the speed limit, overloading, ignoring red traffic lights, turning in front of on-coming vehicles, touting whilst driving and losing control of the minibus as a result.

Treatment of passengers: studies noted that inconsiderate and rude driver behaviour, reckless driving, and compelling passengers to accept uncomfortable seating were common. Overloading to make more money, forcing passengers to get out of the vehicle when the passenger asks a driver to reduce speed because they feel unsafe, or when the passenger complains about vehicle roadworthiness also seem to have been normal practice. On being reprimanded for reckless and dangerous driving by passengers, the report noted that drivers become aggressive and spiteful.

10. On matters concerning women and people with disabilities noted in the 2016 Programme of Action on Minibus taxi services, passengers who are blind were dropped in the middle of the road rather than at a sidewalk, run over and killed. Wheelchair users able to transfer out of their wheelchair were charged additional fares by taxi drivers, other wheelchair users unable to transfer out of their wheelchairs were refused a service, and had to hire their own transport. As a result almost all of the person's social grant was spent on transport. Verbal abuse and insults from drivers or staff at taxi ranks were widely reported.
11. A report from Sonke Justice in 2019 noted the following: sexual violence, assault and crime perpetrated while walking to, or waiting for, public transport within public spaces; sexual violence, assault and abuse while on board public transport, often perpetrated by mini-bus taxi drivers; female passengers being robbed in minibus taxi's whilst commuting. Incidents included harassment at gunpoint and being stabbed for personal valuables during robberies; verbally abusive drivers, who were cohesive and aggressive towards passengers, drivers under the influence of intoxicating substances, without licences, in possession of firearms, and driving recklessly above the speed limit, placing passenger lives at further risk.
12. Institutional issues including the lack of a complaints system: the NTTTT report noted the lack of formal guidelines on acceptable behaviour for both passengers and drivers, a lack of a formal structure to handle complaints and no process to listen to the needs of both passengers and drivers. Further it noted that insufficient emergency medical services were available on rural roads and no road accident or management plans. From a personnel perspective, there was no evaluation of driver behaviour, attitude and experience, state of dress,

interpersonal skills and job suitability.

13. Permits and licenses: the report notes that licensing boards sometimes issued permits too freely; no proper feasibility studies were carried out, no future planning, and there was a lack of consultation on the agreement of routes. An over-supply of licenses meant that operators in business for years, lost business. Seasoned operators found themselves having to compete with people with no standards, having no funds to maintain vehicles or upgrade them as a result. Other research found that drivers felt that their permit applications were rejected with no valid reason. The Rugby World Cup (1995), led to a deluge of new entrances with temporary licenses that were made permanent, further flooding the market.
14. The report noted a direct relationship between network planning, infrastructure and minibus taxi operations, such as lack of stopping bays leading to unsafe passenger loading and off-loading, and the lack of priority lanes for public transport causing driver frustration and consequent poor driver behaviour. A shortage of stopping bays on minibus taxi routes to allow for the safe disembarking or embarking of passengers led to traffic conflict, with a negative impact on road safety in general.
15. Finally, comments on metered taxis were included, that there was a lack of information for commuters and tourists on legal metered taxis, and that poor standards in the metered taxi sector had a negative effect on tourism. The report found that basic standards in the metered taxi industry were needed and there was a need to set and define different standards for different taxi markets.

Current situation

16. In 2016 the Department of Transport developed a programme of action on the situation for universal access passengers using minibus taxis. Two passenger groups had raised particular concerns to the Department, these are women and people with disabilities. Incidents of abuse, rape, molestation and violence on minibuses against women as well as adults and children with disabilities were reported. Similar incidents against the LGBTQI community were also reported.
17. Complaints from these passenger sectors demonstrate that in the years between 1996 and 2017, not enough progress has been made in addressing the problems already apparent in the taxi industry, and there are indications that the situation has worsened.

Future Options

18. This section explains the externalities affecting the current situation, and explores future options.

Situational analysis

19. Whilst some of these problems that point to lack of professional conduct in the taxi industry lie squarely with lack of self-regulation, it is also apparent that the current operating environment has a number of differences to the historic operating environment, which has put undue stress on drivers and operators. The responsibilities of solving these externalities does not lie with the taxi industry, but government at all levels, urban planners and developers. Alongside this, traces of progress has been made in resolving passenger issues in line with legislation. These traces are minor in comparison to the overall problems, but do demonstrate that it is possible to solve passenger problems within the current operational model.
20. The 1996 Transport White Paper, the NTTT Report and the 1999 Moving South Africa Report, included an approach to passenger engagement that has lost momentum in recent years. It was also recognised in these documents that public transport passenger's needs had never been properly researched and analyzed. The historical purpose of public transport was to transport one group of people in and out of one apartheid area to another and back again, en-mass, as quickly as possible. Public Transport had never, historically, been designed to meet passengers' needs.
21. These post-apartheid engagements with passengers, led to DoT legislation and policy with a strong focus on passenger issues. This includes the Public Transport Strategy, The NLTA and the Accessible Public Transport Strategy, developed between 2007-2009. The instigation of Integrated Public Transport Networks was supposed to lead to a greater focus on the introduction of new forms of public transport that were safe, universally accessible, affordable, and dignified, and upgrading existing forms of transport to the same standard, including minibus taxi services.
22. Some of the external issues that have prevented this from taking place, include the geographical spread of cities, caused by the approach taken to urban planning over the last 25 years, which has continued to place poorer people on the margins of cities. The effect on the minibus taxi industry, has been to stretch journey times and operational expenses, whilst deflating income, because poorer people have more restricted income and cannot pay the market rate for a trip. This situation has put more strain on the ability to make money, which increases the likelihood of poor driver performance, in the bid to reach financial targets. Covid-19 has added additional strain.
23. People who are elderly and who have disabilities have continued to be placed on the edge of RDP developments, without an accessible environment, whilst transport remains inaccessible; despite the Promotion of Equality and Prevention of Unfair Discrimination Act, 2000, which should have led to the development of more accessible urban spaces and communities. Other historic issues affecting

both institutional development and governance, outlined in the Unity and Leadership presentation, are relevant; and ultimately impact on poor quality treatment of minibus taxi passengers.

NTTT Final Recommendations

24. The NTTT Final Recommendations proposed a range of future options for the professionalization of the taxi industry. From the complaints from passengers the Department has received over the past 5 years, it is apparent that not much ground was covered in moving towards a professional ethos in the industry. Therefore the NTTT recommendations remain valid, because they address the problem. The problem of a universally designed minibus taxi can now also be addressed because more options are available, and these also need to be explored. The move towards electric vehicles will assist with this, because of the progress other countries have already made with universally designed electric vehicle.

25. Whilst the recommendations of the NTTT may still be valid, it is important to explore why the outcomes below have not been achieved over the past 24 years, so that they can be examined and achieved in the next 24 years, or sooner. The proposed future options from 1996 as recommended in the report include:

Data collection: data is needed on traffic offence records of drivers and associations, records on the involvement of minibus taxis in road accidents. Complaints lodged against drivers.

Enforcement by operators: operators must conduct business with due care for public safety, no use of unsafe or un-roadworthy vehicles or vehicles without an annual Certificate of Fitness and Roadworthiness.

Training programmes: training is urgently needed for public transport officials, road authorities, taxi owners, taxi drivers, rank marshals, so that passengers are safe and professionally accommodated.

Personal development: drivers, operators and other personnel, need life skills training, change management, cross-cultural awareness, conflict management and understanding conflict. The use of power, dealing with differences and deadlock, communication skills and techniques, negotiation skills were also identified as capacity building areas.

Driver training: the report recommended a programme for advanced driver training, and a graded approach to driver experience, defensive driving, safe stopping, merging with traffic, accidents, traffic legislation and vehicle checks.

Operations: valid licences and Professional Driving Permits were identified as needed. There was, or should have been, direction on the provision of services to all passengers, including passengers with disabilities. A code of conduct for operators, drivers and passengers should be issued.

Vehicles: basic vehicle maintenance to assist with safe operations, was not noted as regular. Regular roadworthiness testing of vehicles, addressing issues affecting the age and condition of vehicle, maintenance schedules, taking account of the manufacturer's recommendations are noted. The Programme of Action in 2016 noted the need for a universally designed vehicle, as did the Competition Commission report in 2018.

Customer care: a system for customer care covering human relations, communication, emergency medical skills, protection from other passengers was identified as necessary.

Infrastructure and network development: the NTTTT Recommendations indicate the need to develop a transport network, and infrastructure, that is passenger focused. The development of a public transport responsive network based on the needs of women, people with disabilities, elderly people and children, through proper research; is identified in legislation, the DoT Programme of Action, 2016 and the Sonke Gender Justice report, 2019. Compliance with construction legislation supporting the need to provide universally accessible minibus taxi facilities, identified in the NTTTT report in 1996, has still not been achieved.

Vehicles: although this was not discussed in 1996 in the NTTTT document, due to the unavailability of existing vehicles that were accessible, the NTTTT document does not note the lack of services available to people with disabilities. Subsequently DoT has worked on a universally designed vehicle, currently being tested with a variety of manufacturers' vehicle offerings.

Creating Passenger-Focused Taxi Industry

26. In addition to the transport legislation and policy (the Public Transport Strategy, 2007, the National Land Transport Act, 2009 and Accessible Public Transport Strategy, 2009), legislation from other Departments is relevant to the provision of safe, universally accessible, affordable and dignified public transport vehicles and facilities, including those that form part of the minibus taxi services and operations.
27. The Promotion of Equality and Prevention of Discrimination Act, 2000 (PEPUDA) identifies that all services providers, whether public or private must put an equality plan in place to move towards the national provision of accessible services. The minibus taxi industry does not have this plan, initiatives are taken when operators and drivers choose to do so for personal reasons. Due to this Act, the following other documents are also relevant:
28. The White Paper on the Rights of Persons with Disabilities (WPRPD), 2015. This requires government to include conditions in the licences of all transport operators on the accommodation of people with disabilities. Also, to conduct universal access audits on all facilities, so that these can be upgraded to be accessible to everyone, in line with minimum standards, using a universal design and universal access approach to the accommodation of people with disabilities in all services. These terms are already defined in PEPUDA, 2000, which was never properly implemented.
29. The Building Regulations and Building Standards Act, 1977, as amended in 2008,

also applies. This references minimum standards re-issued in 2011, which are directly relevant under PEPUDA, and apply to all transport facilities, including those used for minibus taxi services. These standards have been used in Equity Court Cases (none of which yet refer to transport) which have all been won by complainants with disabilities. Ranks and stops are owned by local municipalities, which are responsible for physical infrastructure, as well as the provinces.

Commuter Rights

30. In 2010, the Department of Transport developed the following approach for commuter rights, which is still applicable today.¹

31. Transport operators have been urged and encouraged to conduct their businesses with due care for the safety and security of the public and to ensure that the working conditions for their employees are in line with labour legislation. Public transport passengers have the right to:

- Freedom to choose the public transport mode or vehicle from those available that they would like to use, where this choice affects their safety.
- Safe public transport services and roadworthy vehicles.
- Drivers with valid license and professional driving permits.
- Reliable services that transport them according to schedule or expectation.
- Travel on vehicles that are not overloaded or overcrowded.
- Professional and courteous treatment from the drivers and staff of all public transport operators.
- Travel on a public transport service without experiencing any form of harassment or discrimination.
- Transport services that provide value for money.
- Transport operators at all levels should maximise efforts to improve safety.
- Good road behaviour should include stopping at traffic signs, safe speed, safer following distance and not driving under the influence of alcohol.
- Taxi operators and bus operators must respect the rights of the passengers they transport from one place to another and commuters should be treated as contributors to social and economic development.
- Operators must ensure that their vehicles are driven by drivers who are medically fit to drive public passengers and are in possession of valid professional driving permits at all times.
- Drivers MUST pay attention to passenger safety, rights and respect passengers.
- Drivers must listen carefully to passenger complaints, identify problem areas and if appropriate take action to remedy the situation.
- It is the responsibility of operators to display the public transport charter in

¹ <https://www.arrivealive.mobi/commuters-and-road-safety-in-south-africa>

all public transport vehicles in a position clearly visible to passengers and to display telephone numbers or addresses on vehicles where complaints should be directed.

- It is also the responsibility of operators to prohibit drivers from harassing, intimidating or molesting passengers and to take action against drivers who do so.
 - Passengers have the responsibility to make sure that vehicles stop before boarding or alighting, pay the valid fare for the trip and show tickets for inspection when required.
 - Commuters have the right to ask the driver not to exceed the number of passengers permitted to be carried in the vehicle or board a vehicle, which is overloaded.
32. In order to develop a sustainable professional culture passengers, drivers and public transport operators should treat each other with respect and dignity to achieve the goals of sustainable, affordable and reliable public transport.
33. It is equally important to appreciate that road safety for commuters can only be achieved through a partnership between government, industry and the public. Government has committed to providing the regulatory framework for such co-operation and has developed guidelines and plans to enhance commuter safety. These are based on the following core principles.
- Operators have the right to be paid the valid fare in full by all passengers, adequate, clean, secure and well managed public transport facilities, including stops, ranks and termini.
 - They also have the right to adequate road infrastructure that is managed in such a way as to allow for safe and cost-effective public transport operations and traffic management that ensures that public transport services can operate effectively.
 - Regulatory and administrative processes that are efficient and effective for example operating licence applications and permit conversions and assistance in educating drivers and passengers on their rights and responsibilities are key in addressing challenges that affect the rights of all parties.
34. Cabinet approved the Public Transport Strategy and Action Plan in 2007. The strategy aims to radically accelerate the improvement in public transport by focusing on modal upgrading and establishment of Integrated Rapid Public Transport Networks.
35. As part of this process, and in line with the National Land Transport Act, a complaints system and customer satisfaction surveys by all operators, including the minibus taxi industry, are needed.
36. Government has accepted the responsibility to ensure that commuter and operators' rights are respected. In accepting this responsibility government has pledged to work earnestly to maintain the networks that will require city-wide, transport authority controlled networks of rapid public transport corridors together with feeder systems of smaller buses, taxis, bicycles, pedestrian access as well as metered taxis and park and ride facilities.

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