



4 September 2019

National Transport Commission
Level 3, 600 Bourke Street
Melbourne VIC 3000

To whom it may concern

Uber welcomes the opportunity to comment on the NTC's "Developing technology-neutral road rules for driver distraction" consultation regulation impact statement.

Introduction: Uber in Australia

Uber was started to solve a simple problem: how do you get access to a ride at the touch of a button? More than 10 billion trips later, we're building products to get people closer to where they want to be, by changing how people, food, and things move through cities.

Since our Australian launch in 2012, Uber is now available in 39 cities across the country with around 3.8 million active riders, and ridesharing has changed the way people move around Australian cities. Through our innovative technology, we are working on a range of new products to help our cities move better. Uber Eats is now available in 18 cities across the nation, connecting thousands of restaurants in Australia with millions of customers.

Australia has led the world in openly regulating the rideshare market, allowing for competition, complementarity and innovation between different types of point to point services. And using smartphone apps as dispatch systems - connecting riders with driver-partners, and deliver-partners with restaurants - has been at the heart of this since day one.

Smartphones are a crucial part of the future of urban mobility

Over 82,000 people use our platform to earn a flexible income they can fit around their other obligations, and 3.8 million Australians use the Uber app to get from A to B affordably, conveniently and reliably. Similarly, all Australian state and territory governments have embraced ridesharing, and acknowledged the value to the community by recognising ridesharing in law and

legislating to allow it. Smartphones are what make this service possible and the regulatory framework, in allowing for rideshare, must permit necessary use of smartphones.

Tens of thousands of Australians regularly use apps like Uber safely as a driver's aid for navigation and to accept trips from riders and restaurant-partners. In the case of ridesharing, this has enabled a significant growth in the point-to-point transport market, improving mobility for millions of Australians.¹ Importantly, in a recent independent study in New South Wales, IPART also found that users of rideshare services experienced fewer problems with unsafe driving with ridesharing than with other traditional transport services.²

There is no telling what other technological features Australians will come to rely on in the future, or what features will be developed to help make driving safer. At Uber, we believe that regulatory regimes should allow for innovation and continue to protect access to technology that can help improve and promote urban mobility. .

The hybrid approach

Uber supports the proposed hybrid approach in principle. We agree that a technology-neutral regulatory framework is required; as the NTC Issues Paper made clear, opportunities for distraction abound during the driving task and regulation needs to be directed at the true nature and extent of the distraction rather than at the particular mechanism. We believe that the hybrid approach usefully combines elements of both the performance and prescriptive approaches.

We note and support the provision for ridesharing drivers to accept ride requests while their vehicles are moving. In translating the policy principles to the model law, the NTC should ensure that the hybrid-based approach proposed also clearly captures the safe usage of other app-based matching services. For example, delivery-partners using "one tap" interactions to undertake delivery services using the Uber Eats app.

We consider that limiting interaction with rideshare and delivery apps to accepting trips/deliveries and navigating, is unnecessarily prescriptive in that it does not accommodate other functions and features that are a core part of operations. For example, Uber's rideshare app includes a series of pre-populated short phrases drivers can send to riders with one touch, such as "I have arrived" and "be right there." This feature was designed to help improve the pickup experience and make sure driver partners can communicate with riders in a manner that is seamless and easy. We fully recognise that manually entering text is a legitimate road safety concern; however we think greater clarity that minor additional interaction with the phone - which does not involve entering text or reading more than two or three words, and can be achieved in "one touch" - is permissible as a necessary incident of accepting trips/deliveries. This approach would be more in keeping with the objective of enabling driver apps like Uber to be used safely and lawfully.

¹ See, for example, Independent Pricing and Review Tribunal - New South Wales *Survey of Point to Point Transport Use* (November 2018) at p 1.

² Orima Research *IPART 2018 Point to Point Transport Survey Report* (November 2018) at p 23, fig 20.

The benefits of Uber's technology

Uber is an advocate for improved road safety around the world. Within our business, we are working to help driver partners understand how to be safe on the road, from encouraging the use of phone mounts, to providing safety tips and notifying driver partners electronically when they should consider if it is time for a rest. While it will ultimately always be up to road users to follow best practice, we know technology can be designed to assist.

Driver partners on the Uber platform receive potential trips by way of a notification on their smartphone, which can be accepted or rejected in a single click. There is no necessity to click through multiple screens, absorb complex information or otherwise interact with the smartphone beyond following GPS directions to the pick-up point.

Our focus on safety extends to a range of new products and products under development. While Uber rides have been GPS-tracked from the beginning, in select cities internationally we recently introduced Ride Check, a feature that detects possible crashes, prompts driver partners and riders to use our Safety Toolkit (including a button to directly contact emergency services), and facilitates our safety team following up with a phone call. We are also working on new technology, like voice activation to help improve the pickup and dropoff experience for both people who ride and drive. All of these efforts are in support of our desire to keep safety at the forefront of what we do.

Fundamentally, technology presents a huge opportunity to improve safety on our roads. Uber is dedicated to playing its part and our teams of engineers, designers and researchers are working hard to help make the roads safer for all of us.

If you have any questions or would like to discuss this submission please contact our safety policy lead, Lewis Mills on lewis.mills@uber.com.

Yours sincerely

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