

# **TCO REVIEW**

**1 March – 31 August 2013**

**Michael Arnold  
Tolling Customer Ombudsman**

# TOLLING CUSTOMER OMBUDSMAN REVIEW

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## Introduction

The Tolling Customer Ombudsman (TCO) has a protocol of meeting with toll operators to discuss matters of interest as regularly as possible. This Report follows meetings held with toll operators Queensland Motorways Limited / Go Via and BrisConnections / AirportlinkM7 in Brisbane. It is intended to have meetings with EastLink and CityLink in the next quarter.

These meetings are part of the TCO outreach function it provides to toll operators, in addition to its independent decision-making role. The objective is to liaise with toll road operators in all States to keep abreast of developments and discuss service issues. Such contacts are intended to explore matters that may assist in the earlier resolution of disputes in the respective customer relations sections.

This is in keeping with the TCO's philosophy that most benefit can be achieved if complaints are resolved between operators and their customers. Experience shows that in many circumstances where there is not an immediate direct resolution by the parties, one can be facilitated with the minimal intervention of the TCO. Accordingly, the TCO's knowledge and confidence in operators' methods is essential.

As part of this practice, the TCO also conducts seminars in the various States to which all toll road operators are invited. Such seminars are aimed to have a free flow of ideas and discussions of mutual issues. They have been well received to date. It is hoped to hold the next of such seminars in Brisbane in early 2014.

It came up in the course of some discussions, that the responsible Government Minister had indicated the need for toll road operators to maintain good relations with their customers. Although the vast majority of customers have no problems with toll operations, it is the dissatisfied customer that attracts attention. It is essential to have their problems handled as well as possible.

It is worth noting in this regard, without commenting on the rights and wrongs of individual complaints, an examination of the disputes shows the following have been issues with customers:

- Interoperability problems.
- Failure to recognise toll roads.
- Multiple administration fees.
- Errors in completing applications for passes online or by telephone.
- Difficulty in contacting toll operators by telephone.
- Inability to collect tolls from owner of vehicle which used toll roads, eg after vehicle was sold but toll operator not informed.
- Non-receipt of notices from toll operator or Government collection agency at all or in a timely manner.
- Escalation of fees following reference to Government collection agencies.

I recognise that some of these matters can involve privacy issues and some toll road operators have a relationship with State Governments that can impose structural constraints on their operations. This, in some instances, can impact on the ability to access the identity of some motorists that use the toll roads and can also impact on the toll recovery process.

Such situations can involve customers being required to pay tolls and often additional fees, because of their contractual obligations with the toll operator, which were incurred by other motorists. These problems are usually caused by such things as customers not completing their motor registration details online or over the telephone or failing to inform the operator of a sale of a vehicle.

Toll operators have terms and conditions stating it is the accountholder's responsibility to contact their toll operator to add or remove vehicles from their account. Toll operators must provide customers with account statements, which outline any charges applied to their accounts. Further, customers can access their account details online to confirm what vehicles are linked to their account.

Despite the fact that the problems are due to the customers' conduct, they can get most upset when told a toll operator cannot or may not recover tolls and administration fees from the owner of the vehicle that actually used the toll road. An operator might be better placed if its processes were such that a customer was given another option in respect of the recovery of such tolls and fees.

This could involve recovery by the toll operator. In such case, this would necessitate explaining to the customer that the operator would seek to recover the tolls from the owner but the customer must remain liable for the administration fees incurred due to their error and any additional costs over and above the normal recovery costs from the owner.

I note in response to my report of September 2011, Queensland Motorways Limited amended account statements to include details of all vehicles linked to an account to further educate its customers and inform them of vehicles for which they were responsible.

There are issues around the escalation of fees following the referral of tolls and fees to Government agencies for collection. I recognise that this may require a change of existing relationship with Government agencies and some Government action in this regard.

I do not have statistics but it seems that considerable time and effort is spent on some disputes which go to Government collection agencies which result in the non-recovery of tolls or fees for the operators. A better business model would suggest that direct civil litigation would be a more effective recovery model; less time consuming for operators and not as costly for customers.

### **Change of Toll Operator**

Toll road users in all States have, at times, expressed confusion about the identity of toll operators responsible for different roads.

I note that QML has moved to acquire Brisbane's Clem7 tunnel. This will be of benefit to toll road users as there has been some confusion in complaints made to me about who was responsible for tolling problems with Clem7. Arrangements are on foot to acquire

tolling rights to the Go Between Bridge and Legacy Way (due to open in 2015). The establishment of a one stop shop, which makes the payment of tolls and management of accounts easier, will follow.

### **Timelines of Toll Notices or Invoices**

Toll operators must be aware that there can be delays in postal services in some instances. Accordingly, toll notices or invoices should be posted as promptly as possible after their issue to enable payment within the nominated period. This requires co-operation with the printing houses and mail providers.

### **General**

I welcome the initiative of the Queensland toll road operators in the development of a joint Queensland toll road website accessible at <http://queenslandtollroads.com.au/> or <http://qldtollroads.com.au/>.

### **Conclusion**

I note that there continues to be timely responses from tollway operators to complaints from their customers, which is to be commended. Dealing with complaints is not always an easy task, so it is pleasing when a customer expresses thanks as a result of excellent service.

Below is a table of complaints and outcomes for the reporting period.



**Michael Arnold**  
**Tolling Customer Ombudsman**

<b>AirportlinkM7</b>
<b>CityLink</b>
<b>EastLink</b>
<b>Go Via</b>
<b>Roam</b>
<b>Roam Express</b>

Category	March 13	April 13	May 13	June 13	July 13	August 13
Account Management					1	1
	12	16	12	7	17	21
	1	5	7	1	7	2
	9	11	18	13	15	22
	4	3	1	3	3	6
	1	1	5	2	-	1
Billing/Tolling	4			1	5	3
	14	8	13	11	6	11
	4	1	4	3	2	5
	8	5	11	10	20	15
	1		3	2	3	3
	4		3	2	4	1
Damage to Vehicle						
						1
Infrastructure/Signage Traffic Management		1				
				1		
Service		2	1		3	
	2	3	1		1	1
		1				
			1			
Vehicle Classification			1			
Website		1	1			
Feedback/Enquiry/Copy to TCO only		1			1	

Category	March 13	April 13	May 13	June 13	July 13	August 13
TOTAL	4	1	-	1	6	4
	26	28	28	18	27	32
	5	6	11	5	9	7
	19	19	30	23	36	39
	5	4	4	5	6	9
	6	1	9	4	4	2
Resolved/Closed by Customer Resolutions	4	1	-	1	6	4
	26	28	28	18	27	32
	5	6	11	5	9	7
	19	19	30	23	36	39
	5	4	4	5	6	9
	6	1	9	4	4	2
Pending						