

Taxi  
Regulator



Commission For Taxi Regulation  
An Coimisiún Um Rialáil Tacsaithe



# ROADMAP

Towards a new national code of regulation for taxis, hackneys and limousines in Ireland

Consultation paper  
number two

# ROADMAP

❖ *Improved accessibility features in all vehicles*

❖ *Skills development programme and professional accreditation for all drivers*

❖ *New code of good practice for all drivers*

❖ *Charter of customer rights and responsibilities in all vehicles*

❖ *Major awareness and information programme*

❖ *User-friendly guides for passengers*

❖ *User-friendly guides for service providers*

❖ *New complaints process*

❖ *Greatly strengthened enforcement*

❖ *Streamlined licensing systems*

❖ *Improved operating procedures for dispatch operators*

# HIGHLIGHTS

❖ *Simplified and better defined taximeter areas*

❖ *New national database of vehicle and driver licences*

❖ *Simpler taxi fares with all taxi journeys subject to maximum fares*

❖ *The Commissions website, [www.taxiregulator.ie](http://www.taxiregulator.ie) will be a major resource for all*

❖ *Move towards a national unified fare structure*

❖ *Taxis, hackneys and limousines will provide a receipt with licence and fare details*

❖ *New design guidelines for taxi ranks*

❖ *Improved vehicle standards*

❖ *Introduction of voluntary quality assurance scheme and quality mark*

❖ *New procedures for vetting driver licence applicants*

❖ *Better safety and security*

# Commissioner's introduction

On the first of September 2004, the Minister for Transport established the Commission for Taxi Regulation (the Commission) as an Independent Public Body under Part 2 of the Taxi Regulation Act 2003 (2003 Act).<sup>1</sup> I was appointed as the sole member of the Commission on that date.

Since then, the Commission has been involved in the normal process of establishing a new public body including recruitment of staff, procuring and equipping offices and developing IT, communication and administration procedures. During this period, the Commission also carried out the most extensive review of taxi, hackney and limousine services and vehicle standards and related matters ever undertaken in this country.

The principal function of the Commission is the development and maintenance of a regulatory framework for the control and operation of small public service vehicles (SPSVs) and their drivers. In carrying out its functions, the Commission is guided by its statutory objectives as set out in the 2003 Act and page 30 of this document, the core principles set out in the Government White Paper *Regulating Better* and the Commission's vision for a first class consumer oriented licensing system and customer focused service for taxi, hackney and limousine users and service providers.

The core principles of *Regulating Better* are: necessity, effectiveness, proportionality, transparency, accountability and consistency.<sup>2</sup> The Commission's adherence to these principles is evident from the extensive consultation process and in-depth research undertaken to date. While considerable consultation and analysis has already been undertaken to ascertain the likely impacts of the proposals put forward in this document, the purpose of its publication at this early stage in the Commission's life is to;

- Inform all interested parties of the work and research of the Commission to date
- Set out the issues that need to be addressed at this stage
- Indicate the Commission's current thinking in relation to these issues
- Seek the input and opinions of the Advisory Council to the Commission for Taxi Regulation (Advisory Council)
- Allow an opportunity for an input from all service users and suppliers, interested parties and individuals in advance of preparing a new Regulatory Code
- Carry out a more in-depth Regulatory Impact Analysis of the proposed changes

Small public service vehicles provide an essential part of the public transport system due to their flexibility, ability to provide a door-to-door service and potential to integrate with other public transport services. Enhancing the service they provide and making them more accessible will make all transport services more accessible to the travelling public. There has been a very significant increase in the supply of taxi services since liberalisation in 2000.

<sup>1</sup> The Taxi Regulation Act 2003 can be accessed on the Commission website [www.taxiregulator.ie](http://www.taxiregulator.ie)

<sup>2</sup> Government of Ireland (2004), *Regulating Better: A Government White Paper Setting Out Six Principles of Better Regulation*, [www.betterregulation.ie](http://www.betterregulation.ie)

## STRUCTURE OF THE COMMISSION



\* The 2003 Act states that the Commission, which is an independent public body, shall consist of not more than three and not less than one member. Mr Ger Deering was appointed the sole member of the Commission on the first of September 2004. The terms Commission, Commissioner and Taxi Regulator tend to be interchanged as they are one and the same.

† See page 29 for a full list of members.

Currently many taxi, hackney and limousine drivers and operators provide an excellent service. The service is available to many people in Ireland, 24-hours a day, three hundred and sixty five days a year. Some, however, provide a sub-standard service and there are serious issues of non-compliance that require attention. The Commission intends to ensure that all service providers are fully compliant and deliver a quality service giving all passengers access to a first class service.

This will be achieved by putting in place a new code of regulation, generating greater awareness and stronger enforcement. The proposals in this document provide an exciting opportunity to ensure Ireland enjoys a first class service that meets the highest standards, gives professional recognition to the profession of taxi, hackney and limousine drivers and enhances the customer experience. This in turn will lead to greater use of the service and achieve better integration with other elements of the public transport system.

As an initial step in achieving its objective of providing better access to a first class professional service, the Commission for Taxi Regulation conducted a National Review of Services and Vehicle Standards in Irish Taxis, Hackneys and Limousines. The Services Review was carried out on behalf of the Commission by Goodbody Economic Consultants and the Vehicle Review by Dublin Institute of Technology. Both involved widespread research and consultation including public meetings at locations throughout the country, face to face meetings with a range of stakeholders and substantial input from the Advisory Council, together with consideration of some 130 submissions received.

The review provides the Commission with a national baseline against which future quality improvements and its own effectiveness can be measured. It also assists in determining where new regulation is required or where existing regulations require amendment.

Its findings were positive in many respects; however, a significant number of issues were identified where change is required. These are set out in this consultation document, together with the reasons why such change is required, and the Commissions proposed solutions.

In making these proposals, the Commission has had regard to the findings of the research carried out as part of the National Review. As the research has only recently been presented, the Commission is still considering its findings and may seek further clarification from the consultants and other experts and interested parties in relation to some issues raised or recommendations made. While recommendations in the Review are based on specific areas of research, the Commission, in arriving at its final decision, must take into account a much broader range of factors in assessing the potential impact of any changes. You are therefore invited to give us your views in relation to the National Review as well as the proposed changes in this document.

The majority of the changes proposed can be put in place on a phased basis commencing in 2006, while a small number of issues require complex solutions and involve change in areas not under the remit of the Commission, or may require the consent of the Minister for Transport or the Minister for Finance, or both. Where this is the case it is indicated.

Where changes proposed could have cost or logistical implications for service providers, particularly in relation to vehicle standards, appropriate lead-in times will be allowed following consultations with those affected. In putting forward the Commissions proposals, I have endeavoured to put in place pragmatic common sense solutions and I intend to take a light approach to regulation by only intervening where I believe it is necessary in order to bring about improvements, or to ensure safety and improved access, and to use a policy of non-intervention where the market or other solutions are more appropriate.

In arriving at these proposals I have endeavoured to strike a balance between the wants and needs of customers and associated direct and indirect costs; together with the customer's willingness to pay for the costs of such changes. Many very valid, worthwhile suggestions were put forward during the consultation process – such as a fully accessible fleet, a uniform vehicle and colour, dress codes for drivers, mandatory affiliation to dispatch operators and more extensive use of modern technology. While these are all very desirable and beneficial and should be considered further at some future date, I believe there are other more necessary and achievable reforms that should be put in place as a priority. In particular, the provision of greater access to services for people with disabilities and special mobility needs.

The Commission is proposing fundamental reforms across a broad range of areas to improve the quality of service, including a mandatory skills development programme for drivers, improved awareness and availability of information, a new complaints process, stronger enforcement, improved accessibility, simpler and more transparent fares, enhanced vehicle standards and streamlined licensing and administrative procedures.

These issues are dealt with in more detail in the chapters which follow. For more information or for copies of the National Review, you are invited to visit our website [www.taxiregulator.ie](http://www.taxiregulator.ie) or contact us by post, email or phone.

The Commission, which has a small but dedicated management team and staff, has a national remit and is determined to be a resource to customers and service providers of taxis, hackney and limousine services, state agencies, other stakeholders and the public generally throughout the country. To assist us in this we welcome feedback at any time, but we are particularly anxious to receive feedback on the National Review and the proposals in this document on or before **Monday 26 September 2005** from any individual or body interested in improving the service provided by taxis, hackneys or limousines.

Having considered any submissions or comments; together with any input or recommendations from the Advisory Council, the Commission will commence drafting the new Code of Regulations which will be implemented on a phased basis from early 2006.

It is important that the plans of the Commission for Taxi Regulation are easily understood and transparent and have maximum input from all stakeholders. This is essential to promote investment and encourage innovation in the industry, and provide confidence for customers leading to greater usage of the service. It is for these reasons, and to allow maximum input from interested parties, that I am publishing the findings of the Review and this Consultation document at the earliest possible opportunity.

I encourage all concerned to move forward in a spirit of co-operation and embrace the opportunity now presented to bring about positive change.



**Ger Deering**  
Commissioner for Taxi Regulation  
June 2005

Comments and submissions in relation to the research contained in the National Review and proposed changes outlined in this document should be forwarded, in electronic format (where possible) to the Commission at:  
**[commission@taxiregulator.ie](mailto:commission@taxiregulator.ie)**

Alternatively, comments or submissions can be posted to:

**Commission for Taxi Regulation**  
**35 Fitzwilliam Square, Dublin 2**

Submissions should arrive no later than  
**5pm on Monday, 26 September 2005**

Copies of the National Review together with this document and a range of other information are available on the Commissions website:  
**[www.taxiregulator.ie](http://www.taxiregulator.ie)**

Large print copies of this document and the National Review reports are also available from the Commission.

# Quality of service

# 1

## BACKGROUND

Small public service vehicles provide an essential part of the public transport system due to their flexibility, and ability to provide a door-to-door, 24-hour, seven day week service. SPSVs complement other public transport services and for many people, provide their only means of transport. Ensuring the services they provide are of the highest standard and making them more accessible will improve and make more accessible all transport services to the travelling public, thus enhancing quality of life. The services are not just important to those living in Ireland but tourists, who form a very significant market, also require a quality service. Last year over six million overseas tourists visited Ireland and the Commissions Review shows that over ninety per cent of tourists surveyed reported using a cab.

The Review generally indicated a high level of satisfaction with taxi, hackney and limousine services post liberalisation. However, it did identify a number of issues that require attention so that customers can expect to receive a service that is to a recognisable and consistent high standard. The proposals set out here and throughout this document are aimed at ensuring better access to a first class professional service that provides safety, security and comfort for passengers, drivers and other road users. Like overall quality, the issue of improving accessibility is a cross cutting theme throughout the document. Given its importance, accessibility is also dealt with specifically in Section 2.

Improved standards will be achieved through a number of measures including consistency with regard to regulatory requirements for all drivers and operators, a mandatory, accredited professional skills development programme for all existing and new taxi, hackney and limousine drivers; the development of a customer charter and driver code of good practice and enhanced in-vehicle information. Extended receipting requirements together with a national awareness programme on all aspects of SPSV services, together with better access to information will also improve standards.

A new complaints and commendation process and improved enforcement, together with the introduction of quality standards for dispatch companies and a voluntary quality assurance scheme will also bring about significant improvements. New guidelines for the provision of taxi ranks will be prepared.

## 1.1 Customer charter and driver and passenger information

### ISSUE

In many cases passengers are not fully aware of their rights and responsibilities and there is also a considerable lack of understanding in relation to fares. The Commissions National Review found that many passengers are unaware of how to make a complaint in relation to services provided by taxis, hackneys or limousines. Some drivers and operators are not fully aware of their responsibilities. There is an overall lack of easily accessible information for consumers, drivers, operators, agencies and the public in relation to all aspects of small public service vehicles and their licensing and operation.

### NEED FOR CHANGE

It is essential that passengers have as much information as possible in relation to fares and the rights and responsibilities of both drivers and passengers in taxis, hackneys and limousines. Informed passengers and an easily accessible complaints process are essential elements of effective enforcement. It is important that drivers are kept up to date and are fully aware of their rights and responsibilities. This is particularly important in relation to changes in legislation and regulations governing the sector.

## CHANGES PROPOSED BY THE COMMISSION

Section 34 of the 2003 Act, when commenced, provides that the Commission may make regulations in relation to information which may be displayed and the manner of its display while Section 39 provides that the Commission may make regulations regarding the issuing of receipts. Accordingly, the Commission proposes that:

- A Customer charter would be displayed in large clear form in the front and back of taxis, hackneys and limousines detailing customers' rights and responsibilities. Such a charter would also provide details of enforcement, complaints and commendation processes
- Details of the number of passengers which the vehicle is licensed to carry together with details of the driver and vehicle licence and fares should be displayed in the front and back of all vehicles in the same format
- Maximum fares and their method of calculation would be displayed in the front and back of all taxis
- In the case of hackneys and limousines the method of calculating fares would be displayed in the front and back of all vehicles
- Provision of a receipt to customers with journey, fare and licence details would be mandatory for all taxi, hackney and limousine service providers on payment of fares
- A major awareness programme would be undertaken to inform both drivers and passengers of their rights and responsibilities and other issues in relation to SPSVs
- Separate user friendly guides would be prepared and circulated to consumers, operators, drivers and agencies
- Consumer information will be available in accessible formats
- The Commissions website *www.taxiregulator.ie* will be a major resource and source of information

The Commissions website is now operational. It is proposed to put the other initiatives outlined above in place on a phased basis throughout 2006 and 2007.

## 1.2 Driver skills development programme

### ISSUE

Irish cab drivers are generally highly regarded by consumers, however not all drivers operate to the same level of professionalism. Currently there are no regulations regarding training for small public service vehicle drivers. A number of private companies provide training for SPSV driver licence applicants and drivers, but it appears that the uptake, particularly among existing drivers, is quite low. There is no formal accreditation or independent assessment of these courses or their delivery at present.

### NEED FOR CHANGE

Ongoing personal and professional training and development is a key feature of any successful business. This is particularly true for small public service vehicle drivers who operate in a constantly changing and challenging environment. Training and skills development leads to personal growth and success, yet many people fail to see its value or believe that the cost of training, or time commitment is unjustified. Skills development and training should not be viewed as a cost but rather as an investment that provides valuable benefits, including new skills, identification of new opportunities and an overall sense of pride in the profession. Accreditation for this programme will give formal, professional recognition of the important function which SPSV drivers perform in society. In addition to these reasons for such a programme, the Sale of Goods and Supply of Services Act 1980, (which falls within the remit of the Director of Consumer Affairs), provides that the supplier of a service must have the necessary skills to render the service and that he or she will supply the service with due skill, care and diligence.

### CHANGES PROPOSED BY THE COMMISSION

Section 34 of the 2003 Act, when commenced, provides that the Commission may establish requirements for the grant of a licence. Accordingly, the Commission proposes to develop a mandatory skills development programme, with practical application, for all existing and new taxi, hackney and limousine drivers. The programme would be delivered locally on a part-time basis, and would be accredited by a recognised accreditation body and include:

- Relevant legislation
- Route selection area knowledge
- Customer care training

- Fares and charges
- Health and safety
- Manual handling and lifting
- Good driving practice
- Equality diversity training (to include disability awareness)
- Appropriate dress and deportment
- Knowledge of operation of equipment in vehicle

A separate short refresher course is proposed which all drivers would be required to attend every three years in conjunction with the renewal of their SPSV driver's licence. Drivers will be free to participate in refresher courses more regularly if they wish.

It is proposed that successful completion of the programme would be a requirement for all new applicants from 2007 and for renewal of existing licences from 2008 onward. Attendance at a short refresher course would be required every three years thereafter.

### 1.3 Quality assurance and quality mark

#### ISSUE

There are a considerable number of drivers and operators who provide an excellent service with many aspects that considerably exceed the minimum required under the current regulations. There is currently no formal mechanism for these drivers and operators to receive recognition for such initiatives.

#### NEED FOR CHANGE

It is important that quality service and innovation is recognised and that customers have sufficient information to make informed choices in terms of the quality of service available. The structure of the market at present makes this difficult. The attainment of the highest possible standards should be encouraged, recognised and rewarded.

#### CHANGES PROPOSED BY THE COMMISSION

Section 48 of the 2003 Act, when commenced provides that the Commission may establish or provide for the establishment of quality service certification. Accordingly, the Commission proposes to develop a quality certification scheme and quality mark on a pilot basis which service providers would

be encouraged to participate in. Participation will be on a voluntary basis. The achievement and awarding of the quality mark will be a clear indication to customers that the service provider has consistently achieved a very high level of service.

The scheme would initially be administered on a pilot basis through dispatch companies. Following this pilot period the scheme could be expanded. Such a scheme would be supported by a strong marketing and awareness campaign and innovative features such as '*dispatch company of the year*', '*driver of the year*', and '*most accessible service*'.

It is proposed that the pilot initiative will commence in 2007.

### 1.4 Operating standards for dispatch operators

#### ISSUE

Taxis and hackneys are often affiliated to dispatch operators that provide them with radio communications and take telephone bookings in return for a fee. Given the significant increase in passengers booking their trips by phone this sector of the market is of growing importance. Currently there are no regulations governing the operation of dispatch services other than in relation to the licensing of communications equipment (regulated by ComReg). Some dispatch operators regularly inform customers that they have 'no control' over their affiliated drivers leading to a lack of accountability when pre-booked taxis fail to collect passengers.

#### NEED FOR CHANGE

Dispatch operators play a crucial role in the delivery of services to consumers in the hire of taxis and hackneys. Despite this there is limited information available on many of these operations and no regulations governing them. Where drivers are affiliated to such operators the drivers remain self-employed and determine the hours they work. Dispatch operators are often the first point of contact for many passengers, particularly people with disabilities. There is a need to improve the quality and accountability of the services provided by some dispatch operators. Customers need to know that when they book a service they can have confidence in the operator's ability to deliver, or that they have some form of redress in the event of failure to deliver the required or booked service. Dispatch operators can play a key role in improving services to people with disabilities.

## CHANGES PROPOSED BY THE COMMISSION

Section 34 of the 2003 Act, when commenced, provides that the Commission may make regulations in relation to the control and operation of SPSVs and their drivers and the fitting and operation of equipment in the vehicles. In order to improve the quality of service for people who book taxis and hackneys off street, the Commission proposes that all dispatch operators would be required to meet certain standards of service to include:

- Developing and implementing a complaints process for their customers
- Providing a fully accessible service including the availability of wheelchair-accessible taxis at all times of operation
- Putting in place improved and more accessible booking procedures including provision for booking by fax, email and SMS messaging
- Providing training for staff in customer care and dealing with people with disabilities
- Ensuring all affiliated drivers and vehicles are properly licensed and compliant
- Preparing and implementing a health and safety statement
- Providing information to the Commission for Taxi Regulation on vehicles and drivers affiliated
- Dispatch operators would be encouraged to participate in a voluntary quality assurance scheme
- The Commission proposes to provide details of the number of accessible and wheelchair-accessible vehicles affiliated to each dispatch operator on its website *www.taxiregulator.ie*
- It is also proposed that details of operators who have achieved the voluntary quality mark will be published with the Commission carrying out regular checks to ensure that relevant standards are met

Operators and drivers will be encouraged to affiliate to dispatch operators who meet the required standards. The independence and self-employed status of individual drivers would not be compromised by these arrangements, but rather greater co-ordination and co-operation would be achieved.

It is proposed that all these measures would be put in place throughout 2006/2007. As an initial step dispatch operators would be invited to register with the Commission by December 2005.

## 1.5 Driver standards

### ISSUE

Some of the current regulations in relation to driver safety and code of conduct are specific to taxi drivers and do not apply to hackney or limousine drivers.

### NEED FOR CHANGE

The highest standards must apply to all small public service vehicle drivers, accordingly there is a need to standardise regulations relating to driver safety and code of conduct to include hackney and limousine drivers.

## CHANGES PROPOSED BY THE COMMISSION

Section 34 of the 2003 Act, when commenced, provides that the Commission may make regulations in relation to the drivers of SPSVs, while Section 39 provides for a driver code of conduct. Accordingly the Commission proposes to revise the existing regulations regarding the safety and conduct of taxi drivers and extend them to include the provision of services by hackneys and limousines, and a driver code of good practice will be developed in consultation with drivers and customers including people with disabilities.

These new regulations will be put in place on a phased basis commencing in 2006.

## 1.6 Complaints and commendation process and enforcement

### ISSUE

Complaints and enforcement of the SPSV regulations including fares are the responsibility of the Gardaí. The Carriage Office in Dublin Castle handles complaints in the Dublin area while the relevant Garda PSV officer handles complaints outside of Dublin. The Legal Metrology service is responsible for the enforcement of regulations in relation to the use of taximeters. The resources available for enforcement have not kept pace with the huge increase in licences, leading to inadequate enforcement in certain areas. The Commission Review indicated that less than seven per cent of passengers ever made a formal complaint and many did not know how to make a formal complaint.

### NEED FOR CHANGE

Proper enforcement is the cornerstone of any regulatory process. It is an essential element in raising and maintaining standards and ensuring consistency for customers and preventing unscrupulous service providers from operating outside the law. The current system

pre-dates liberalisation of the SPSV market and needs to adapt to meet the requirements of a new regulatory code and the vast increase in the number of small public service vehicles licensed and operating. An effective system of receiving and processing complaints is an essential element of ensuring a quality customer service and good enforcement. The complaints system should be easily accessible to the consumer and complaints should be dealt with in a transparent and timely manner. Feedback from customers should not be confined to complaints. There should also be an opportunity for customers to acknowledge good service.

#### CHANGES PROPOSED BY THE COMMISSION

The Gardaí and Legal Metrology will continue to have an important enforcement role. In order to supplement their work, Section 49 of the 2003 Act, when commenced, provides for the Commission to appoint Enforcement Officers.<sup>3</sup> While Section 34 provides for the information which must be displayed and Section 38 provides for the maintenance of a Register of Licences, Section 46 provides for fixed charges offences. Working with the Gardaí and other relevant enforcement agencies, the Commission proposes to develop a model of enforcement to include:

- Informing drivers, operators and passengers of their rights and responsibilities
- A tamper proof disc with licence details and period of validity clearly visible inside the front windscreen and rear window in all licensed vehicles
- The appointment of Enforcement Officers by the Commission to carry out random checks
- Development of a database to assist in identifying non compliant service providers
- Development of a scheme of on-the-spot fines and wider use of the sanctions available under the 2003 Act including legal proceedings
- A modern complaints system that will be widely advertised and easily accessible to all customers, managed by the Commission
- The Commission would also propose to operate a commendation process for passengers who wish to acknowledge good service as part of the quality assurance scheme

The Commission would propose to progress these matters throughout 2006/2007.

## 1.7 Taxi ranks

### ISSUE

Responsibility for decisions regarding the number, location and provision of taxi ranks rests with local authorities in consultation with the Gardaí. During the consultation process, service users and providers expressed concerns about the inadequate number, location and accessibility of taxi ranks in many areas.

### NEED FOR CHANGE

The provision of suitable, accessible taxi ranks is a key element of a successful taxi service. It is important that customers can access taxi services in a suitable, safe and accessible location and for taxis to access their customers in an effective and efficient way. There are a number of areas where this is deficient at the moment.

#### CHANGES PROPOSED BY THE COMMISSION

Local Authorities will continue to be responsible for deciding on the number, location and provision of taxi ranks in consultation with the Gardaí.

- The Commission proposes to revise the guidelines in place under the existing regulations incorporating best practice in terms of accessibility for the provision and maintenance of taxi ranks. These will be distributed to local authorities, and Commission staff propose to meet with the relevant staff from local authorities to promote the provision of quality accessible taxi ranks
- The Commission proposes to undertake an audit of taxi ranks throughout the country for publication on the Commission website [www.taxiregulator.ie](http://www.taxiregulator.ie)

The Commission proposes to complete the Design Guidelines in 2006 with distribution and audits taking place on an on-going basis.

<sup>3</sup> The number and remuneration of any Enforcement Officers must be agreed by the Minister for Transport and the Minister for Finance. The Garda Commissioner must also be consulted on this matter.

## BACKGROUND

A first class taxi, hackney and limousine service must provide accessibility for all, including passengers with disabilities and particular accessibility requirements. Accessibility is not just dealt with in this Section but is a cross cutting theme throughout the Commissions proposals. Recent surveys have reported different figures in terms of people with disabilities, ranging from just over eight per cent of the total population in the 2002 Census to seventeen per cent in the Economic and Social Research Institute (ESRI) living in Ireland Survey 2001. In the 2002 Census 436,000 people were over 65 years of age. It is evident from these figures that a significant number of people may have special and diverse accessibility needs.

As part of the National Review people with disabilities were surveyed and consulted. In addition to its own research the Commission also drew on the report, *Towards an Accessible Taxi Service for All*, published by a collective group of organisations representing people with disabilities,<sup>4</sup> and submissions from the National Disability Authority and a range of groups and individuals.

Transport is essential for many people with disabilities to participate in daily living. Door to door transport as provided by taxis and hackneys is often their preferred, and in some cases their only, option. Despite this, the Commissions National Survey indicates that cab<sup>5</sup> use by people with disabilities is low compared to the general population. Accessibility, availability and affordability are the key issues affecting usage. Finding solutions to these issues poses a considerable challenge but the Commission is determined to ensure all people have access to a service as is their right.

The Commission aims to improve accessibility through a number of measures, including improved accessibility standards in all vehicles, improved standards in wheelchair-accessible taxis, a new category of wheelchair-accessible hackney, improved booking procedures, driver awareness and training, improved provision of information regarding accessible services, maintaining and enhancing existing licence related incentives and preparation of design guidelines for taxi ranks.

The Commission acknowledges that the ideal situation would be a fully accessible SPSV fleet and that given the right incentives and conditions this could be achieved. Regrettably, however, this will take some considerable time but should remain the ultimate goal. In the short to medium term the Commission is of the view that having all vehicles meet the current wheelchair-accessible requirements is not the solution as these vehicles are not suitable for some people with sensory and mobility impairments. Furthermore, the Commission is of the view that simply having any particular portion of the fleet wheelchair-accessible without provisions to encourage or compel licence holders to actually provide a service for people who use wheelchairs will not improve matters. Therefore, the Commission proposes to develop measures to improve both the vehicle standards and service provisions as a medium term measure. In the absence of a fully accessible fleet, the Commission proposes to proceed on the lines proposed in *Towards an Accessible Service for All*. This would mean moving over time towards two categories of taxi and hackney vehicles.

- *Category 1*: An accessible vehicle based on the large family car category with minimum internal, boot and engine size specified and licensed to carry up to four passengers and incorporating special accessibility features for most passengers, except for those who need to travel in their wheelchairs and
- *Category 2*: This would apply to all other taxi and hackney vehicles licensed to carry up to eight people and would include specific accessibility features for all passengers including people who need to travel in their wheelchairs.

It is recognised that this will take time to achieve, require incentives, and may have implications for fares. Appropriate lead-in times would also be required to facilitate these changes. All these issues will be progressed as a priority. Accordingly, the Commission intends to engage in further consultations immediately with the relevant stakeholders to progress this issue through the development of detailed specifications and establish the timeframe over

<sup>4</sup> Accessible Taxi Group (2004), *Towards an Accessible Taxi Service for All*, Technical Report, Dublin: Accessible Taxi Group.

<sup>5</sup> Cab refers to taxi, hackney or limousine.

which it can be achieved. Despite the improvements the Commission proposes to put in place, it is recognised that neither regulation nor the market will fully provide for the needs of people with disabilities particularly those who use wheelchairs. Providing a fully accessible service requires a system that subsidises fares for people with disabilities, particularly those who use wheelchairs, and simultaneously provides incentives for drivers. Recommendations will be made to Government in this regard and the Commission will investigate the possibility of a pilot incentive scheme. The Commission believes that the way forward is to devise a Common European Standard for a fully accessible vehicle and will become a strong advocate for such a common standard.

## 2.1 Booking taxi or hackney services

### ISSUE

People with disabilities can experience serious difficulties booking cabs particularly wheelchair-accessible taxis. In many cases pre-booked cabs fail to arrive or provide any service. When contacted dispatch operators regularly offer the excuse that they do not control the vehicles or drivers affiliated to them as they are self employed and independent. The National Review found that the absence of accessible service or lack of a wheelchair-accessible service is a major issue. For those who do have a local service 30 per cent feel cab companies are unwilling to provide a service and 55 per cent of people who use wheelchairs have had the experience of a dispatch operator refusing to provide them with a service on the basis that no accessible vehicles were available. Some people complained about the attitude of dispatch operators and drivers. Some taxi ranks are not easily accessible to people with disabilities.

### NEED FOR CHANGE

People with disabilities have a particular need to be able to pre-order taxis or hackneys. A mechanism which would allow people with disabilities to pre-book suitable taxis or hackneys would ensure a better use of vehicles adapted for such a purpose, increase demand for such services and provide a better and more efficient service for passengers. It is not acceptable that a service provider issued with a public service vehicle licence is unable or unwilling to provide a service to people with disabilities. It is equally unacceptable that dispatch operators cherry pick business or do not provide a holistic and inclusive service. The Equal Status Act provides rights for people to access services. It is also important that the Commission itself operates in a disability friendly manner and furthermore, that all taxi ranks are accessible.

### CHANGES PROPOSED BY THE COMMISSION

As outlined in Section 1.4 above, and in line with Section 34 of the 2003 Act, the Commission proposes a number of measures to improve access to services for all, with a particular focus on dispatch operators as they are ideally placed to provide a fully accessible booking system for all people with disabilities.

- The Commission proposes that dispatch operators be required to ensure that a wheelchair-accessible taxi service is available at all times of operation, accept bookings via fax, minicom, email and SMS messaging, provide disability awareness and equality training for their staff and put in place a complaints process for their customers
- To assist passengers to identify and book services the Commission proposes to develop a database of licensed wheelchair-accessible taxis and dispatch operators with affiliated wheelchair-accessible vehicles. Details will be made available on the Commissions website and in Braille, large print computer disk and audiotape as required. The Commission will be contactable by phone, fax, email, minicom or SMS. All Commission passenger and consumer information will be available in accessible format
- The Commission proposes to develop new best practice guidelines for local authorities to assist in the provision of accessible taxi ranks
- Disability awareness and best practice training will form part of the proposed Mandatory Skills Development Programme for existing and new drivers
- The Commission proposes to carry out ongoing access audits and monitoring and will put in place greatly improved information and awareness programmes together with strengthened enforcement
- It is proposed that additional charges will not be permitted for the transportation of mobility aids or assistance/guide dogs, while drivers will be prohibited from refusing to carry assistance/guide dogs or mobility aids accompanying passengers
- The Commission proposes to develop a system to monitor the level and quality of services available to people with disabilities on an ongoing basis

It is proposed to commence putting these proposals in place from 2006 on a phased basis.

## 2.2 Accessibility requirements for non wheelchair-accessible vehicles

### ISSUE

It should be noted that accessibility is not just an issue for people who use wheelchairs; in fact many people with disabilities have particular difficulty boarding and leaving wheelchair-accessible vehicles. Indeed for many people with disabilities, wheelchair-accessible taxis are not suitable particularly for those with limited mobility.

### NEED FOR CHANGE

Current accessibility standards have been developed primarily with users of wheelchairs in mind, and relate only to wheelchair-accessible taxis and some design features actually make them more difficult to access. There is a need to improve the accessibility of all vehicles used as taxis, hackneys and limousines. Having public service vehicles designed in the most accessible manner possible would benefit all passengers and society in general.

### CHANGES PROPOSED BY THE COMMISSION

In line with the provisions of Section 34 of the 2003 Act, when commenced, which provides for the Commission to make regulations in relation to the categories of vehicles and vehicle standards to be complied with, the Commission favours two categories of small public service vehicle: a standard accessible vehicle with specific accessibility features for all passengers except for those who need to travel in their wheelchairs and a wheelchair-accessible taxi with the same accessibility features. As a first step to achieving this, the Commission proposes to develop new specifications to improve the accessibility of all vehicles<sup>6</sup> other than wheelchair-accessible vehicles (which are dealt with in 2.4). It is proposed that all vehicles would be required to:

- Be of a minimum size equal to a large family car category with a minimum internal, boot and engine size
- Be fitted with a front passenger seat capable of swivelling
- Have bright yellow grab handles and internal window and door controls
- Have all information in large clear print
- Have non-slip floor covering that contrasts with seat colour

- Have a contrasting colour around any gap in internal screens
- Carry a pen and paper
- In the case of taxis, be fitted with a talking meter

The Commission will work with representatives of the motor and SPSV industries and other stakeholders, including the National Disability Authority, to encourage the adoption of these standards as soon as possible. The proposed target date for making them mandatory should be 2008.

## 2.3 Wheelchair-accessible hackneys

### ISSUE

Hackneys provide a very valuable service in some areas. Their service tends to attract repeat business and may sometimes be better placed to meet the needs of people with disabilities. However, there is currently no category of licence for a wheelchair-accessible hackney.

### NEED FOR CHANGE

There are a number of situations where service providers might consider providing a dedicated service for people who use wheelchairs but do not wish to operate on street as taxis. This is particularly true of the not for profit sector.

### CHANGES PROPOSED BY THE COMMISSION

The Commission is anxious to facilitate and promote the broadest possible provision of wheelchair-accessible vehicles. In order to achieve this, it is proposed that a new category of licence be available for wheelchair-accessible hackneys. The requirements in relation to vehicles should be exactly the same as those applying to wheelchair-accessible taxis but the conditions that apply in all other respects to standard hackneys should apply to this new category of hackney.

It is proposed that the wheelchair-accessible hackney licence will be in place in 2006.

<sup>6</sup> Some exceptions may apply in the case of certain classic or vintage cars used as limousines.

## 2.4 Wheelchair-accessible taxis

### ISSUE

A number of steps have been taken in recent years with regard to provision of vehicles for use by people who use wheelchairs. These include a reduction in licence fees for wheelchair-accessible taxis, and regulations regarding vehicle standards. While the number of wheelchair-accessible taxis increased in recent years in absolute terms they have reduced as a percentage of the overall fleet, and many people who use wheelchairs are unable to access a service. Even where suitable vehicles exist people who use wheelchairs regularly report difficulties accessing a service. 43 per cent of people with disabilities indicated that the price of taking a cab was a deterrent. There are worrying indications that the number of drivers willing to provide a wheelchair-accessible service is declining. There are insufficient incentives for drivers of wheelchair-accessible taxis to either purchase a wheelchair-accessible vehicle or tailor their service for wheelchair users. Improvements are required to the existing vehicle specification. A number of purpose designed and manufactured accessible taxi vehicles do not currently meet the Irish specifications. This is mainly due to the requirement for doors on either side of the vehicle to accommodate a wheelchair entering and exiting both sides.

### NEED FOR CHANGE

Current incentives only relate to initial costs of licence. The value of this is eroded over a relatively short time and provides no incentive to actually provide a service to people who use wheelchairs. An incentive that encourages active prioritisation for people with disabilities is likely to improve overall accessibility, while at the same time increasing demand for such services. The National Review has highlighted a number of international models that increase supply and stimulate demand through subsidies. The Review clearly indicates that the economics of purchasing and operating a wheelchair-accessible vehicle requires a significant financial incentive. While it is acknowledged that improvements in the current specification are desirable, the Commission is conscious of the potential costs and risk of existing service providers exiting this market. It is desirable that purpose designed and manufactured fully accessible taxi vehicles should be available in this country. A common EU or Irish and UK standard would provide economies of scale and encourage vehicle manufacturers to produce such a vehicle and encourage a second-hand market between Ireland and the UK.

### CHANGES PROPOSED BY THE COMMISSION

In providing wheelchair-accessible vehicles it is important to strive to achieve the highest levels of safety and comfort. Providing this without causing a major disincentive to the provision of a service is a formidable technical, economic and logistical challenge. The Commission favours the use of purpose designed and built or suitably modified fully accessible vehicles. As the desired standard and dimensions could have serious implications for the existing fleet and its replacement the Commission intends entering into further consultations with the Minister for Transport, the Minister for Finance, the Minister for Social and Family Affairs, the National Disability Authority, representatives of people with disabilities, SPSV service providers and their representatives, the motor industry and local authorities to find a satisfactory solution. To progress matters the Commission proposes to:

- Consult with groups representing people with disabilities, the SPSV and motor sector and develop a suitable specification for a wheelchair-accessible taxi and hackney. The Commission will endeavour to achieve a specification that meets the requirements of people in wheelchairs, is fully accessible for all other users and has the potential to provide an economic return for service providers. The need to retain the current requirement for access by a wheelchair on both sides of the vehicle will be further investigated as part of this process
- Work with other interested parties in Europe and in particular the UK to develop a uniform European specification of requirements for wheelchair-accessible taxi and hackney vehicles that would also have a wide range of features to meet the needs of people with different disabilities
- Make a recommendation to the Minister for Finance that vehicle registration tax (VRT) be removed and value added tax (VAT) be refunded in respect of the cost of purchasing a fully accessible taxi or hackney vehicle that meets the required standards. Such a refund would be subject to the operator affiliating with a dispatch operator that has in place a fully accessible booking system or putting in place an alternative fully accessible booking mechanism to the satisfaction of the Commission

- Make a recommendation to the Minister for Social and Family Affairs that travel concessions available to passengers with disabilities on other forms of public transport be made available to passengers in taxis and hackneys
- Investigate other possible incentive schemes
- Maintain and enhance the existing incentives for wheelchair-accessible vehicles in relation to the cost of purchasing and renewing licences and extend these to the new category of wheelchair-accessible hackneys
- Prepare design guidelines for fully accessible taxi ranks and consult with local authorities to establish their willingness and ability to provide taxi ranks to a specification and in a location to suit all vehicles and passengers

This process will commence in July 2005 with a view to having the new vehicle specifications developed at an early date. There will be an appropriate number of years lead in time for the new specifications and phasing out of the existing specifications.

## BACKGROUND

Maximum taxi fares apply to journeys within taximeter areas in Ireland. They are set by the elected members of the Local Authority in the taximeter area in which they operate. Fares are mainly calculated on distance and time. They are programmed into a meter in the taxi which must then be used to calculate all journeys within the taximeter area. A fare card must be displayed in the taxi, setting out how the fare is calculated. Taxi drivers can charge less than the maximum fare. A receipt printed by the machine attached to the meter must be given to every passenger on payment of the fare. Hackney and limousine fares are not fare controlled. However, hackney fares must be agreed in advance of the journey.

The complexity of the current fare structure, process and rates does not assist customers in making choices and does not promote competition. This is compounded by the fact that there is significant diversity between how fares are calculated in many areas. Furthermore, in quite a number of areas maximum fares do not apply because the taximeter area is so small that practically all journeys go outside it. The Commissions Review examined the scope for simplifying and standardising fare structures across the country and found that there is considerable scope to do so.

There is a need for a holistic approach and joined up thinking in relation to fares and a fare review process that is regular and systematic. The Commission proposes to radically reform the fare process, by putting in place a new, simplified fare structure with all taxi fares subject to maximum fares and charged on the meter. The changes should include rationalisation of minimum fares and unsocial hours, and consistency in relation to extras. It is proposed to put in place a systematic national fare review process together with a move to a unified national fare structure. Improved awareness and customer information together with stronger enforcement would support the changes.

The Commission proposes that hackney and limousine fares will remain unregulated; however they will be reviewed over time to assess their effect on competition.

## 3.1 Taxi fares

### ISSUE

The task of regulating fares is complex. Maximum taxi fares are currently set by the elected members of the Local Authority in whose administrative area the taximeter area is located. Fare reviews, usually resulting in fare increases, generally take place in response to requests by taxi representative groups at irregular intervals. There are considerable variations in fares nationally, and in some cases inconsistencies in both the fare structure and rates. In many cases journeys extend beyond taximeter areas and are therefore not fare controlled, or charged on the meter. This situation can lead to disputes regarding fares charged. Journeys of up to seven miles account for almost 82% of all cab trips, while trips between seven and ten miles account for 10% with trips over ten miles accounting for only 8%.

### NEED FOR CHANGE

Some of the current fares give weightings to components that penalise and discourage passengers on certain trips, while others do not properly reward service providers for certain trips and times. A particular problem in this regard is the high minimum fare set in some towns which acts as a deterrent to short distance taxi use. There is significant diversity between taximeter areas nationally. However a calculation of the actual fare that would be charged over various distances at various times shows a convergence in fares actually charged to within 10% of the average in most cases. The complexity and diversity of fares makes it difficult for customers to understand or compare fares, or for the commission to inform the public in relation to fares and the method of their calculation. This in turn leads to low levels of bargaining for either taxi or hackney fares. Because many taximeter areas are based on a very small geographic area, and together with the fact that major residential, shopping and business areas are often located outside the taximeter area means many fares are not fare controlled or calculated on the meter causes confusion for passengers, potential for excessive fares and regularly leads to disputes.

Well designed fares can promote competition, quality and innovation. For example lower hiring fares can boost demand for short trips generating extra business and dispersing taxis more and reducing waiting times.

#### CHANGES PROPOSED BY THE COMMISSION

Section 42 of the 2003 Act, when commenced, provides for the Commission to set maximum fares for taxis. The Commission proposes to develop a more transparent and simpler fare and fare setting process that would ultimately see:

- The Commission deciding fare structures and rates and setting maximum fares across the country
- All taxi fares subject to maximum fares and calculated on the meter with drivers free to give discounts or charge less than the maximum fare
- Any extras (except a soiling charge) entered on the meter at the start of the journey
- A new simplified fare structure for taxis moving towards a unified fare structure and rate for the country
- A time and distance based fare structure with a graduated tariff based on the distance travelled from where the journey begins
- Changes to minimum fares, a rationalisation of unsocial hours and consistency in the approach to extra charges
- Fares no longer to be linked to or have and function in relation to taximeter areas which will be known as Licensing and Operational Areas
- Hackney and limousine fares continue to be calculated based on agreement in advance of the journey
- Hackney fares and the level of competition they provide kept under review
- All measurements to be in kilometres

It is proposed that this change process commence in 2006 in conjunction with changes proposed to the taximeter areas.

## 3.2 Fare information

### ISSUE

Fares are often complex, with the result that customers can have difficulty understanding them. Customers also have a lack of knowledge in relation to how taxi and hackney fares are calculated or agreed and their rights in this regard. Due to this lack of knowledge customers rarely bargain for fares.

### NEED FOR CHANGE

In order to ensure competition and best value it is important that customers are aware of how fares are calculated, and their right to bargain and agree fares in certain circumstances. Customer awareness and empowerment and an appropriate redress mechanism is an important feature of fares enforcement.

### CHANGES PROPOSED BY THE COMMISSION

The Commission proposes that having developed a more transparent and simpler fare and fare setting process the following initiatives would be undertaken:

- Customer and driver friendly guides explaining fares and fare structures produced and distributed
- A major education and awareness programme to inform both drivers and the public in relation to fares
- Maximum taxi fares and other fare details clearly displayed in the front and back of all taxis
- The method by which hackney and limousine fares are calculated and agreed would be clearly displayed in the front and back of all vehicles
- A national awareness campaign would be put in place by the Commission
- Taxis, hackneys and limousines would be required to give a receipt to all customers with licence, trip and fare details
- An improved complaints and strengthened enforcement process would be put in place and managed by the Commission

This process of change would commence in 2006.

## 3.4 Fare review process

### ISSUE

Reviewing fares can be a complex process. Currently fare reviews tend to take place at irregular intervals based on requests from taxi interests and almost always result in fare increases.

### NEED FOR CHANGE

Regular and systematic fare reviews are necessary to facilitate greater knowledge of fares for customers, and allow the Commission to educate the public in relation to fares. Regular reviews also provide service providers with an element of certainty and encourage investment. Fares should help to balance supply and demand by taking into account of the ability of service providers to earn a reasonable return on time and resources invested. Where possible the fare review process should minimise costs of compliance for service providers and assist the presentation and dissemination of fare information for passengers.

### CHANGES PROPOSED BY THE COMMISSION

The Commission proposes putting in place a system of fare reviews that would include:

- A systematic national programme of fare reviews carried out at two-yearly intervals
- More fundamental fare reviews or interim fare reviews undertaken if and when required.
- A formula to set maximum fares that gives value for money, encourages taxi use, provides incentives to assist in matching supply and demand and encourages owners and drivers to increase productivity and efficiency
- A reliable system of information gathering to assist fare reviews

It is envisaged that the methodology for the new fare review process will be developed in 2006.

# Licensing and administrative procedures

## 4

### BACKGROUND

The operation of a vehicle as a taxi, wheelchair-accessible taxi, hackney or limousine requires that the vehicle is licensed as a Small Public Service Vehicle (SPSV) and that the driver is the holder of a Small Public Service Vehicle Driver's Licence. Current procedures for licensing SPSVs and their drivers are laid down in broad measure in legislation and regulations that have evolved since 1961 under the Minister for Local Government and more recently the Minister for Transport. Various local authorities process applications for small public service vehicle licences while the Gardaí process applications for and issue SPSV drivers licences.

There are four types of vehicle licences: taxi, wheelchair-accessible taxi, hackney and limousine. A SPSV licence is valid for one year from the date of issue and is renewable annually subject to the payment of a fee and meeting the required criteria such as insurance, tax clearance and an NCT.

### 4.1 Vehicle licences

#### ISSUE

Acquiring or renewing a licence to operate a vehicle as a taxi, hackney or limousine can involve three regulatory bodies. The local authority is responsible for issuing and renewing licences based on guidelines from the Department of Transport, Legal Metrology are responsible for verifying that meters are correctly calibrated and operating properly while the NCTS tests the vehicles. The present arrangements can create practical difficulties, delays and downtime for operators leading to a loss of earnings.

The current licensing system does not have sufficient security features to assist compliance. There is a significant information deficit between the relevant bodies involved which leads to greater opportunities for breaches of the regulations and non compliance.

### NEED FOR CHANGE

It is important that regulatory functions should be as efficient as possible and should impose the minimum financial or time burden on the regulated body. The current licensing process can be cumbersome and time-consuming. This is particularly a problem for operators who have an urgent need to transfer licenses to other vehicles at short notice. The process must also be effective and ensure integrity and compliance.

Greater use should be made of modern technology and information flows to ensure compliance. There is a need for better quality and more up-to-date information to assist monitoring, enforcement and decision-making.

### CHANGES PROPOSED BY THE COMMISSION

The Commission proposes that the existing taxi, wheelchair-accessible taxi, hackney and limousine licence categories will be maintained with one additional category. It is also proposed that the licensing process be streamlined and include enhanced security measures. The proposals for this area include:

- The addition of a new category of wheelchair-accessible hackney
- A modern efficient streamlined licensing system which makes maximum use of modern technology and communications and reduces time delays
- Enhanced security and enforcement features including, provision of a tamper evident licence certificate and the securing of a tamper evident identification mark to the front and back window of all SPSVs at the time of licensing or renewal, with details of the licence including expiry date. It is proposed that this identification mark should remain permanently in place while vehicle is licensed as a SPSV
- That signage on hackneys and limousines be increased and other forms of advertising or signage other than that prescribed by regulation continue to be prohibited on hackneys or limousines

- Based on the proposed increase in signage the Commission will make a recommendation to the Minister for Transport that hackneys and limousines be permitted to use bus lanes
- That vehicles not be permitted to hold more than one licence (i.e. multi-licensed vehicles should be prohibited)
- A database of all SPSV licences with real time data and greatly enhanced information flows to detect breaches, improve enforcement and assist the Commission in its monitoring should be developed. This database should also provide the Commission with quality and timely information to assist with decision-making

It is envisaged that these improvements would be put in place on a phased basis through 2005/2006.

## 4.2 Driver's licences

### ISSUE

SPSV driver licences are processed and issued by the Gardaí and are valid for five years. The fee of €15 is currently paid to the local authority motor taxation office in two separate installments – €12 for the application and €3 on receipt of the licence – in order to get a driver's badge. To qualify for a SPSV driver's licence a person must have a current driver's licence, tax clearance certificate, satisfy the Gardaí that they are a fit and proper person to hold such a licence and have a good knowledge of the geography of the area, SPSV Regulations, and general road traffic legislation and regulations.

### NEED FOR CHANGE

There is a need to ensure that people granted or renewing a SPSV licence are of sufficiently good character and have sufficient knowledge of relevant legislation, health and safety and have the skills to provide assistance to people with disabilities and good customer care generally. They also require a sufficient knowledge of the geography of the area in which they are licensed to operate. It is important that there is a consistency in standards across the country.

The period of validity of the driver licence needs to be reduced to improve enforcement and the fee increased to reflect the cost of processing. The current licence application process requires the applicant to communicate with the Gardaí at least twice and also twice with the local authority. In practice this generally involves two visits to each. This process requires streamlining.

### CHANGES PROPOSED BY THE COMMISSION

Section 34 of the 2003 Act provides for the Commission to make regulations regarding licences in respect of drivers of SPSVs. The Gardaí will continue to process SPSV driver licence applications and renewals. It is proposed that the Commission will work closely with the Gardaí to streamline the process and ensure driver character, knowledge and skills are of a high standard. A number of measures are proposed as follows;

- A new mandatory Skills Development Programme with national accreditation for all new and existing drivers as part of the licensing process<sup>7</sup>
- Licenses to be valid for a period of three years
- Short refresher courses every three years in conjunction with licence renewal
- Mandatory disqualification from holding a SPSV licence for people with convictions for a range of offences<sup>8</sup>
- Driver's badge replaced with photo ID smartcard containing name, licence number, expiry date and photograph
- A streamlined and simplified application and renewal process
- An increase in the fee for both new and renewed licences to reflect actual costs of processing
- A national database of all driver licence holders to be established by the Commission

It is envisaged that these changes will come into effect on a phased basis throughout 2006 and 2007.

<sup>7</sup> See skills development programme 1.2.

<sup>8</sup> See safety and security 4.4.

## 4.3 Taximeter areas – licensing and operational areas

### ISSUE

Taximeter areas are currently delineated by local authorities generally for the larger towns and mostly on the basis of their administrative areas. The four Dublin local authorities operate as one taximeter area. Taxi licences can only be issued where taximeter areas have been declared. Taxis can ply for hire in the street and stand at ranks in the taximeter area for which they are licensed. A number of towns with significant population do not have taximeter areas so taxis cannot operate there.

### NEED FOR CHANGE

Many of the current taximeter areas have little regard to settlement patterns or location of industrial or business centers. Their poor design and small geographic area coupled with growing urban sprawl results in many fares not being subject to maximum fares or calculated on the meter. The fact that maximum fares operate only within the taximeter area is confusing to the customer and leads to disputes. The lack of taximeter areas leads to lack of competition between taxis and hackneys and lack of choice for the customer. There is a need for radical reform in relation to the delineation and operation of taximeter areas in order to simplify the system, bring about some uniformity and extend competition.

### CHANGES PROPOSED BY THE COMMISSION

When Section 41 of the 2003 Act is commenced the Commission can declare any area a taximeter area. The Commission proposes to extend taximeter areas to cover the entire country on the following basis:

- Each City and County local authority administrative area outside Dublin to become a taximeter area
- The four Dublin Local Authority administrative areas to continue as one taximeter area
- Taximeter areas should no longer have any link with, or function in relation to, taxi fares
- The only purpose of taximeter areas would be to delineate the area for which a taxi may be licensed and the area in which it may operate

- Taxis should be eligible to operate anywhere within their Licensing and Operational area
- The area of operation could be indicated by letters prefixing the licence similar to those of car registrations
- Drivers should have the right to refuse passengers wishing to travel beyond a certain distance. The actual distance should be decided on foot of this consultation. Drivers should not have the right to unreasonably refuse to provide a service to passengers wishing to travel within this distance

It is envisaged that these changes would become operational on a phased basis over 2006/2007.

## 4.4 Safety and security

### ISSUE

The safety and security of drivers and passengers of small public service vehicles and other road users is of paramount importance. As most drivers are self employed they may not be fully aware of their requirements under health and safety legislation or have easy access to appropriate training. During the review drivers expressed their concerns about security and anti-social behaviour. Given the key role that SPSV drivers play in society and the trust placed in them by passengers it is essential that they are of suitable character to hold a SPSV licence.

### NEED FOR CHANGE

SPSV drivers come within the scope of the Safety, Health and Welfare at Work Act and are required to carry out a risk assessment and prepare a safety statement and put in place some control measures which could reduce their risk of injury. Other legislation in relation to the workplace and road safety also has implications for drivers and operators. Section 36 of the Taxi Regulation Act 2003, when commenced, provides for mandatory disqualification from holding a SPSV drivers or vehicle licence for people convicted of a range of serious offences including murder, manslaughter, and various sexual, drug trafficking and other offences. A person so disqualified can apply to the courts to be allowed to apply for a licence.

#### CHANGES PROPOSED BY THE COMMISSION

Security or behaviour of drivers or passengers in relation to anti-social behaviour or any criminal matter will remain the sole responsibility of the Gardaí. However a number of measures to improve safety and security are proposed by the Commission as follows:

- Health and Safety, basic first aid, security and relevant legislation to form part of the Skills Development Programme
- Each vehicle should carry a fire extinguisher and basic first aid kit
- A Safety Statement to be mandatory for all drivers, vehicles and dispatch operators
- That drivers be made more aware that prohibition on smoking in the workplace includes SPSVs
- Drivers to be encouraged to participate in advanced driver training skills as part of the voluntary Quality Assurance Scheme
- The Commission will work with the Gardaí, the Departments of Transport and Justice, Equality and Law Reform, the Court Service and Industry representatives to put in place a process to allow for the Commencement of Section 36 of the 2003 Act which provides an automatic disqualification for people convicted of certain offences from holding a SPSV licence

It is proposed that these measures will be progressed throughout 2006/2007.

## 4.5 Fees and administrative issues

#### ISSUE

Local authorities are currently the licensing authority for small public service vehicles. They retain the fees in respect of new licences and the fee of €125 per annum for renewals. This fee has not increased for a number of years.

#### NEED FOR CHANGE

A broad range of measures to improve the quality and accessibility of services are now proposed by the Commission. Section 34 of the 2003 Act, when commenced, provides that the Commission may make regulations regarding fees to be paid in respect of the grant of a licence while Section 50 stipulates that fees set by the Commission may be used for meeting its expenses and funding certain quality and infrastructural development.

#### CHANGES PROPOSED BY THE COMMISSION

Section 34 of the 2003 Act, when commenced, provides that the Commission may become the licensing authority and decide who may grant licences. Section 50 provides that where licensing authorities, other than the Commission, are engaged in licensing on behalf of the Commission, then the Commission with the agreement of the Minister for Transport and the Minister for Finance shall determine a percentage fee income generated by the licensing authority that shall be retained by it.

The Commission proposes to develop an efficient and effective system of licensing. However given the many improvements planned for the small public service vehicle sector the Commission anticipates that an increase in the annual licence fees will be required to meet these costs.

## BACKGROUND

The standards applied to full SPSVs to date are set out in various regulations dating back to 1961. Many of these are likely to continue when the Commission takes responsibility for regulating the sector. Compliance with these regulations and standards for all vehicles are currently tested by the NCTS who issue a certificate of suitability for all SPSVs that conform.

The DIT review of vehicle standards raised a number of additional proposals with the view to improving the quality and safety of SPSVs. From our consultations, it is also clear that the industry and consumers alike support the highest standards of vehicles. This ensures not only a quality service for consumers and passenger safety, but also a safer working environment for drivers. The Commission is proposing a number of improvements to be brought about in relation to Vehicle Standards, with a particular emphasis on accessibility. In considering these proposals the Commission has attempted to balance overall quality and safety improvements that would allow passengers to embark, travel and disembark safely and comfortably, together with cost and other practical implications for drivers and operators.

A number of areas require further research and consultation in this regard. This process will commence immediately.

## 5.1 Vehicle licence categories

### ISSUE

There are currently four categories of vehicle licences namely, taxi, wheelchair-accessible taxi, hackney and limousine.

### NEED FOR CHANGE

There is a need to encourage provision of services for people who use wheelchairs. There are a number of situations where service providers might consider providing a dedicated service for people who use wheelchairs but do not wish to operate on street as taxis.

## CHANGES PROPOSED BY THE COMMISSION

To maximise the potential provision of wheelchair-accessible services, it is proposed that a new category of licence be made available for wheelchair-accessible hackneys. The requirements in relation to vehicles would be exactly the same as those applying to wheelchair-accessible taxis but the conditions that apply in all other respects to standard hackneys would apply to this new category of hackney.

It is envisaged that the wheelchair-accessible hackney licence would be put in place in early 2006.

## 5.2 Vehicle type

### ISSUE

There is a significant variation in the size and type of vehicles used as taxis and hackneys. Some vehicles are clearly not suitable as public service vehicles by virtue of their engine size, interior or boot space. While passengers expressed general satisfaction in relation to vehicle standards in the National Review, people with disabilities expressed dissatisfaction with regard to the availability and quality of service. The current regulations do not provide for any accessibility features in non wheelchair-accessible vehicles. Many wheelchair-accessible taxis are unsuitable for people with mobility problems and other disabilities.

### NEED FOR CHANGE

Vehicles licensed as public service vehicles should be of a sufficient size and standard to comfortably seat the number of passengers for which they are licensed. SPSVs provide an important part in the public transport system. The door to door and flexible nature of the service makes it particularly important to many people with disabilities. People with disabilities are entitled to the same level of service from SPSVs as the general population. The specification for vehicles must be based on the principle of inclusive design to meet the needs of all members of society.

## CHANGES PROPOSED BY THE COMMISSION

The Commission favours having two categories of vehicles for taxis and hackneys and increased accessibility features as follows:

- *Category 1:* An accessible vehicle based on the large family car category with regulations setting out the minimum engine and internal and boot size but not stipulating a particular make, model or colour of vehicle. Category 1 would be licensed to carry up to four passengers in comfort and safety and incorporate special accessibility features for most passengers, except for those who need to travel in their wheelchairs; and,
- *Category 2:* This would apply to all other taxi and hackney vehicles licensed to carry up to eight people which would be fully accessible and include specific accessibility features for all passengers including people who need to travel in their wheelchairs.<sup>9</sup>

The Commission proposes that all taxis, hackneys and limousine vehicles<sup>10</sup> should be required to:

- Be of a minimum size equal to a large family car category with a minimum internal, boot and engine size
- Be fitted with a front passenger swivel seat to facilitate entry and exit for people with reduced mobility
- Have bright yellow grab handles and internal window and door controls
- Have non-slip floor covering that contrasts with seat colour
- Have a contrasting colour around any gap in internal screens
- Have windows that allow visibility into the vehicle in daylight conditions
- Have pen and paper
- Carry a fire extinguisher and basic first aid kit
- In the case of taxis be fitted with a talking meter

The Commission acknowledges that achieving these standards could have cost implications that may impact on fares. The Commission will engage immediately with relevant stakeholders to progress the development of a specification that would include these features and measure their impact.

It is proposed that this process will commence in July 2005 with a view to having the new specification developed as early as possible. There should be an appropriate number of years lead in time for the new specifications and phasing out of the existing specification.

## 5.3 Vehicle identification

### ISSUE

It is important that passengers can feel safe and secure in the knowledge that any vehicle purporting to be a small public service vehicle is in fact properly licensed and compliant. Current regulations require a taxi to have a roof sign and hackneys and limousines to have smaller signs to indicate they are licensed.

### NEED FOR CHANGE

While the Commission believes the current taxi sign is sufficient for most people to identify the vehicle as a taxi, many people expressed their frustration at not being able to identify whether or not the taxi is available for hire. The view was also expressed that hackney and limousine signs were too small and therefore difficult to identify.

A very serious issue that arises at present is the lack of any marking which clearly identifies that the vehicle operating as a SPSV is in fact the actual vehicle licensed and that the licence is valid.

## CHANGES PROPOSED BY THE COMMISSION

The Commission proposes that all SPSVs will be required to have a tamper proof disc fitted to the front windscreen and back window at the time of first license and on renewal of vehicle licences. The disc should contain details of the licence, the car and period of validity. It should remain in place at all times while the vehicle is licensed as a SPSV.

Taxi roof signs should be required to be lit while available for hire at all times (by day and night) and extinguished while occupied or not available for hire.

The hackney and limousine signs should be increased in size.

It is envisaged that these changes could come into force during 2006.

<sup>9</sup> For further details on wheelchair-accessible taxis see Section 2.4 above.

<sup>10</sup> Some exceptions may apply in the case of certain classic or vintage cars used as limousines.

## 5.4 Vehicle testing

### ISSUE

The current situation is that all vehicles including new standard production cars must have a NCT certificate to be licensed as a SPSV. A vehicle being tested for SPSV use for the first time must also undergo a NCT suitability test.

### NEED FOR CHANGE

The view was expressed during the consultation and supported in the National Review that it should not be necessary to carry out a NCT on a new standard production vehicle just purchased. However it was suggested that the suitability test should extend beyond first registration to ensure that vehicles continue to comply with the specific requirements of a SPSV.

### CHANGES PROPOSED BY THE COMMISSION

The Commission proposes that new standard production vehicles being licensed for the first time should not require a NCT for the first twelve months. It is proposed however that they should continue to be required to undergo a suitability test, and that the suitability test should be carried out annually as part of licence renewal. A system of type approval based on future standards and dimensions required for SPSVs could be put in place to assist manufacturers, importers and taxi operators and drivers in identifying categories of models suitable for use as SPSVs.

## 5.5 Age of vehicles

### ISSUE

The average age of taxis in Ireland is 6.9 years and hackneys 7.5 years, while the average age of limousines is 7.4 years. Limousines are not directly comparable to taxis and hackneys as their age profile is influenced by the number of very old or classic vehicles that are licensed as limousines. In the case of taxis 7.9% are over ten years old and 12.9% of hackneys are over ten years old.

### NEED FOR CHANGE

Design of cars is constantly evolving to include more safety and comfort features. Newer cars are more environmentally friendly, fuel efficient and economical. Older cars require more maintenance and are generally less reliable in use. It is not in the interest of overall standards that there should be no age limit in relation to SPSVs.

### CHANGES PROPOSED BY THE COMMISSION

Section 34 of the 2003 Act, when commenced, provides that the Commission may make regulations in relation to the age of vehicles regulated as SPSVs. In order to reduce the age of the fleet the Commission proposes that from 2008 vehicles which were first registered more than nine years prior to the date of renewal of the SPSV licence should not be eligible to be licensed as a SPSV. In the case of limousines certain exceptions should apply.

It is proposed that these proposals take effect from 2008 and be reviewed over time.

# Glossary

**Cab** An alternative term for a SPSV (see below) covering taxis, wheelchair-accessible taxis, hackneys and limousines.

**Dispatch Operator** Takes telephone bookings for cabs and arranges with affiliated cab drivers to collect the booking passenger(s), sometimes referred to as a radio company.

**Fare card** A card which sets out how the fare in the relevant taximeter area is calculated. Fare cards must be displayed in all taxis.

**Hackney** A SPSV which is used for private hire only and is not subject to fare control.

**NCT** National Car Test

**NCTS** National Car Testing Service

**Small public service vehicles (SPSVs)** vehicles with seating for up to eight passengers. These fall into the categories of taxi, wheelchair-accessible taxi, hackney or limousine.

**Taximeter** A device used to measure and calculate and display a taxi fare based on duration and/or distance.

**Taximeter area** A taximeter area is a designated area within which taxis or wheelchair accessible taxis can operate. Taxis can ply for hire on street within the taximeter area, or stand at taxi ranks where available.

**VAT** Value Added Tax

**VRT** Vehicle Registration Tax

It should be noted that the terms Commission for Taxi Regulation, Taxi Regulator and the Commissioner are one and the same, and are used interchangeably throughout this document.

# The Advisory Council to the Commission for Taxi Regulation

Mr Pat Byrne  
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(Chairperson)

Chief Supt. John Farrelly  
*An Garda Síochána*

Ms Noreen Mackey  
*Competition Authority*

Ms Sadie Doherty  
*Consumer and Community interests*

Mr Jerry Brennan  
*SIPTU*

Mr John Ussher  
*Irish Taxi Drivers Federation*

Ms Deirdre Power  
*Irish Hotels Federation*

Mr Douglas Jordan  
*Fáilte Ireland*

Mr Michael Kilcoyne  
*Consumers Association of Ireland*

Mr Vincent Kearns  
*National Taxi Drivers' Union*

Mr Derek Dalrymple  
*Taxi Company Owners Association*

Mr Tom Fannin  
*National Chauffeur Drive Association*

Mr Brian Killeen  
*Transport Logistics*

Ms Mary Keogh  
*National Disability Authority*

Mr Vincent Thornton  
*Irish Motor Industry*

Ms Lucy O'Donoghue  
*Chambers of Commerce of Ireland*

Mr Christopher Humphrey  
*National Private Hire & Taxi Association*

Mr Joe Gavin  
*County and City Managers Association*

# Commission objectives

- To promote the provision and maintenance of quality services by small public service vehicles and their drivers
- To pursue the continued development of a qualitative and customer orientated licensing system, regulatory code and standards for small public service vehicles, small public service vehicle licence holders and small public service vehicle drivers
- To oversee the development of a professional, safe, efficient and customer-friendly service by small public service vehicles and their drivers
- To encourage and promote competition in relation to services ( including fares) offered by small public service vehicles
- In seeking to achieve the provision of quality services by small public service vehicles and their drivers, to have due regard to the protection of service users and providers alike
- To promote measures to facilitate increased integration of taxi services in the public transport system
- To promote the development of high quality cost effective services by small public service vehicles and their drivers, which meet a wide range of customer needs including those of passengers with mobility or sensory impairments
- To promote access to small public service vehicles by persons with disabilities
- To encourage investments to support and enhance the services offered by small public service vehicles and to promote innovation in this regard



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