

Appendix V: Taxi Regulation Review – List of Recommended Actions

ACTION	TIMELINE	ACTION BY
DRIVER LICENSING:		
<p><i>Action 1:</i></p> <p>In order to address concerns in relation to the risk of, or potential for, fraudulent benefit claims it is intended to put in place appropriate arrangements to enable an enhanced level of information exchange with the Department of Social Protection (DSP) in relation to SPSV driver licence holders. These arrangements will provide the DSP with continuous on-going access to the NTA's information database on driver licence details and enable DSP to cross-check against benefit claimant details and assist the DPS in their investigation of suspected benefit fraud cases.</p>	Short Term	NTA in conjunction with the Department of Social Protection
<p><i>Action 2:</i></p> <p>In relation to the issue of tax compliance, it is intended to put in place appropriate arrangements to enable an enhanced level of information exchange with Revenue in relation to SPSV driver licence holders. These arrangements will provide more accessible and detailed data to Revenue, to assist in their general enforcement of tax compliance and to assist in their identification of potential cases of tax evasion within the SPSV industry.</p>	Short Term	NTA in conjunction with the Revenue Commissioners

<p>Action 3:</p> <p>In order to ensure, in the case of part-time drivers, improved compliance with working time legislation, it is proposed to require a declaration by SPSV licence holders at licence application or renewal as to whether they have any other employment. Where answered in the affirmative, the application will require the submission of a form signed by the applicant's employer confirming that they are aware that the applicant is seeking an SPSV driver licence or is the holder of an SPSV driver licence and that the applicant's operation of an SPSV vehicle is compatible with his/her other employment. In addition, the SPSV licence holder would be under a continuing obligation to inform the NTA and provide an employer confirmation form when he/she takes up other employment or changes employment.</p>	<p>Short Term</p>	<p>NTA</p>
<p>Action 4</p> <p>Work will commence to establish an individual's personal public service (PPS) number as the key reference for all SPSV driver and vehicle data holdings by the NTA and with regard to data sharing between the key enforcement and investigative agencies. This will facilitate easier cross-referencing an individual's records and will limit the potential for record duplication.</p>	<p>Short Term</p>	<p>NTA in conjunction with the Department of Social Protection</p>
<p>Action 5:</p> <p>Under this action it is intended to transfer responsibility for licensing SPSV drivers from An Garda Síochána to the NTA. This will amalgamate the driver and the vehicle licensing systems into one agency and to provide a streamlined process for the overall licensing of the industry. An Garda Síochána will continue to carry out the vetting function in relation to driver applications but the issuing of driver licences and the management of the driver licensing system would transfer to the NTA. Certain legislative and organisational arrangements are prerequisites to this transfer.</p> <p>The NTA will also review the number of areas that a licenced taxi driver can operate in and related issues for driver's area knowledge within the context of the current skills development system.</p>	<p>Medium Term</p>	<p>NTA and the Garda Síochána</p>

<p>Action 6:</p> <p>Following transfer of the driver licensing function from An Garda Síochána to the NTA, it is intended to reduce the SPSV driver licence validity period (currently five years) to three years. . As part of that transition, an annual declaration process will be introduced whereby SPSV licence holders have to complete an annual declaration form confirming their tax status, social welfare benefits status, insurance status and other employment details.</p>	<p>Medium Term</p>	<p>NTA</p>
<p>Action 7:</p> <p>It is proposed to introduce a process, with the assistance of the Courts Service, whereby any SPSV licence holder, who is convicted of an offence, is notified to the NTA database following such conviction. This will enable the NTA to take appropriate actions under the SPSV driver licensing legislation in cases where the particular offence details merit such action. The objective of this proposal is to ensure continued compliance with suitability and fitness requirements in respect of SPSV licence-holders.</p>	<p>Medium Term</p>	<p>NTA</p>
<p>VEHICLE LICENSING AND STANDARDS:</p>		
<p>Action 8: (Replicates Action 1 in Driver Licensing Category)</p> <p>In order to address concerns in relation to the risk of, or potential for, fraudulent benefit claims it is intended to put in place appropriate arrangements to enable an enhanced level of information exchange with the Department of Social Protection (DSP) in relation to SPSV vehicle licence holders. These arrangements will provide the DSP with continuous on-going access to the NTA's information database on vehicle licence details and enable DSP to cross-check against benefit claimant details and assist the DPS in their investigation of suspected benefit fraud cases.</p>	<p>Short Term</p>	<p>NTA in conjunction with the Department of Social Protection</p>

<p>Action 9: (Replicates Action 2 in Driver Licensing Category)</p> <p>In relation to the issue of tax compliance, it is intended to put in place appropriate arrangements to enable an enhanced level of information exchange with Revenue in relation to SPSV vehicle licence holders. These arrangements will provide more accessible and detailed data to Revenue, to assist in their general enforcement of tax compliance and to assist in their identification of potential cases of tax evasion within the SPSV industry.</p>	<p>Short Term</p>	<p>NTA in conjunction with the Revenue Commissioners</p>
<p>Action 10:</p> <p>Following the recent vehicle standards consultation by the NTA proposing to strengthen vehicle standards, the vehicle age limit at licence issue or licence renewal for taxi, wheelchair accessible taxis and hackneys will be nine years for all new vehicles entering the fleet and for vehicles that have entered the fleet since 1st January 2009. For existing vehicles in the fleet prior to 1st January 2009, those vehicles will be allowed to operate up to 14 years of age, subject to passing a roadworthiness (NCT) test and an NTA Licence Renewal Assessment at six monthly intervals where the vehicle is nine years old and above. Over a period of time, vehicles over nine years will gradually transition out of the fleet. While it is recognised that age is only one factor determining the condition of a vehicle, the development of an alternative system based on vehicle inspections and mileage would be expensive to develop and operate. In addition, the movement to vehicles of nine years or less will also reduce the carbon footprint of the taxi sector.</p>	<p>Short Term</p>	<p>NTA</p>
<p>Action 11:</p> <p>Also arising from the vehicle standards consultation process, it is recommended to:</p> <ul style="list-style-type: none"> (i) Prohibit the use of pick-up type vehicles as taxis or hackneys; (ii) Prohibit tinted windows from small public service vehicles, excluding limousines, with this restriction to apply to all existing vehicles at change of vehicle or licence ownership transfer; and 	<p>Short Term</p>	<p>NTA</p>

<p>(iii) Put in place an inspection arrangement in relation to safety critical vehicle alterations in modified vehicles.</p> <p>The concept of vehicle branding/identification is addressed separately as part of the “<i>Consumer and Industry Assurance</i>” section.</p>		
<p>Action 12:</p> <p>To include on the tamper proof licence disc affixed to the windscreen and rear screen of each licensed vehicle, a QR code (Quick Reaction barcode) containing core licensing information that will make fraudulent copying more difficult. It will also facilitate automatic access by enforcement personnel to licensing data through the scanning of the barcode and will be readable by a smartphone application (both inside and outside the vehicle) that will allow customers to verify driver and vehicle licence information.</p>	Short Term	NTA
<p>Action 13:</p> <p>To design, for consultation with the industry, a new taxi roof sign that is more compact, is subject to restricted availability from authorised suppliers, and can display a greater level of information for consumer and compliance improvements. Consideration will be given to the use of electronic displays as part of the roof sign and the future-proofing of the sign to link with future developments in the area of taxi technology.</p>	Short Term	NTA
<p>Action 14:</p> <p>To introduce a prohibition on the transferability of taxi vehicle licences such that after 1st October 2012 all taxi vehicle licences will be unique to the person to whom the licence has been issued and cannot be transferred or sold to another individual.</p>	Short Term	NTA
<p>Action 15:</p> <p>To introduce during 2012 a requirement that the holders of SPSV vehicle licences must also be the</p>	Short Term	

registered owner of the vehicle to which the licence relates. Certain limited exclusions will be permitted to deal with circumstances such as vehicles operating under long term leases.		NTA
<p>Action 16:</p> <p>To reduce the period during which an “inactive” SPSV vehicle licence can be reactivated from the current five year period to one year.</p>	Short Term	NTA
<p>Action 17:</p> <p>To introduce, in conjunction with Legal Metrology Services, revised inspection/testing arrangements that better integrate the inspection of taximeters with the SPSV licensing process such that a more streamlined arrangement is available to vehicle operators.</p>	Medium Term	NTA in conjunction with Legal Metrology Services
ACCESSIBLE SERVICES:		
<p>Action 18:</p> <p>To introduce, on a pilot basis, a single contact point for the ordering of a wheelchair accessible service. The operator of the contact centre will have access to the NTA’s database of wheelchair accessible taxi operators complete with contact details - these will be organised on a geographic basis. A simple software system will be developed to enable rapid identification of the wheelchair accessible taxis licensed for a particular area.</p> <p>In addition, consideration will be given to the arrangements governing the operation of wheelchair accessible vehicles linked to dispatch companies. There will also be further analysis undertaken of the usage optimisation of such vehicles.</p>	Short Term	NTA in conjunction with National Disability Authority

<p>Action 19:</p> <p>To produce a website and smartphone application that facilitates self-ordering of wheelchair accessible taxis. It is proposed to develop a simple database of operators of wheelchair accessible vehicles (abstracted from the NTA's database) complete with telephone contact details and organised on a geographic basis.</p>	<p>Short Term</p>	<p>NTA in conjunction with National Disability Authority</p>
<p>Action 20:</p> <p>To review the existing specifications for wheelchair accessible taxis and hackneys to establish whether an adjustment to the current wheelchair accessible vehicle standards would assist in increasing the supply and availability of wheelchair accessible vehicles. In particular, consideration will be given to relaxing the current requirement for the vehicle to be able to carry three passengers in addition to an occupied wheelchair, in order to facilitate the possible introduction of a wider range of lower cost wheelchair accessible vehicles into the SPSV fleet.</p>	<p>Medium Term</p>	<p>NTA</p>
<p>COMPLIANCE AND ENFORCEMENT:</p>		
<p>Action 21:</p> <p>To extend the current range of SPSV Fixed Charge Penalties available to An Garda Síochána from the current single offence to a total of twelve specified offences. This will enable the Gardaí to issue fixed penalty notices for breaches of the relevant regulations for a variety of offences, rather than having to pursue a prosecution through the Courts system as at present. This facilitates a more efficient use of Garda resources, reducing the need for time consuming court prosecutions.</p> <p>The additional fixed charge offences are set out at Appendix IV of this report.</p>	<p>Short Term</p>	<p>The Department of Transport, Tourism and Sport in consultation with the Garda Síochána and the NTA</p>

<p>Action 22:</p> <p>To amend and bring into operation Section 36 of the Taxi Regulation Act 2003, which will provide for the mandatory disqualification of persons who have been convicted of certain serious offences from holding SPSV licences. This will enable the licensing regime to exclude from the industry, persons convicted of certain serious offences and for the revocation or suspension of existing licences where appropriate.</p> <p>Also, section 35 of the Taxi Regulation Act 2003 which determines the conditions for refusal, revocation and grant of a licence will be commenced to improve enforcement and to allow for more effective sanctions for breaches of regulations. As necessary, complementary regulations to be made by the NTA under section 34 of the 2003 Act will be strengthened to clarify the sanctions regime for licence holders. The potential for suspension of a licence subject to certain criteria of breaches will also be examined.</p>	<p>Short Term</p>	<p>Department of Transport, Tourism and Sport in consultation with the NTA</p>
<p>Action 23:</p> <p>To introduce a legislative amendment to permit the examination of SPSV vehicles for 'roadworthiness and condition' at any location. This will address an issue whereby, under the current licensing arrangements, documentation and records may be inspected at any location, but a similar power in respect of the vehicles is not explicitly in place.</p>	<p>Short Term</p>	<p>Department of Transport, Tourism and Sport</p>
<p>Action 24:</p> <p>To strengthen the collaboration between An Garda Síochána and the NTA to secure effective "on-street" enforcement of taxi regulations, and to refocus the compliance activities of the NTA towards a greater level of "off-street" compliance and enforcement. In addition, it is recognised that An Garda Síochána will require support from the NTA in targeting and coordinating aspects of enforcement activity, and will also require support from other agencies. Legislative amendments, such as introducing additional Fixed Charge Penalties, will be required to enable a more effective system of operation than is currently possible.</p>	<p>Short Term</p>	<p>An Garda Síochána and the NTA</p>

<p>Action 25:</p> <p>To introduce a graduated system of fixed charge penalties to replace the current single level of penalty charge of €250. This will enable the tailoring of the penalty charge to more closely reflect the significance of the particular infringement to which it refers.</p>	<p>Short Term</p>	<p>Department of Transport, Tourism and Sport in consultation with the Garda Síochána and the NTA</p>
<p>Action 26:</p> <p>To address concerns over certain SPSV drivers who may have inadequate area knowledge to perform their role competently, it is intended to introduce a system whereby three or more complaints from customers within a defined period will trigger the need for the relevant driver to sit the Area Knowledge Test, which forms part of the Skills Development Programme. Safeguards will be put in place to ensure that the complaints triggering such a requirement are not vexatious or frivolous. Failure to pass the test may result in the revocation or suspension of the driver licence in question. Alternatively an option may be provided for the driver to receive additional supported training and a further test, the passing of which would be mandatory.</p>	<p>Short Term</p>	<p>NTA</p>
<p>Action 27:</p> <p>To conduct a full review of all relevant secondary legislation, which establishes the regulatory framework for SPSVs, and consolidate these into a single set of regulations. This will facilitate a clearer understanding of the applicable legislation, both for operators and consumers, and will remove the current difficulties whereby the legislation has been amended and supplemented on numerous occasions in separate pieces of legislation.</p>	<p>Short Term</p>	<p>NTA</p>
<p>Action 28:</p> <p>To introduce CCTV monitoring at selected key taxi ranks in urban areas to assist with enforcement and to</p>		<p>NTA in conjunction</p>

provide a greater level of security to members of the public and the SPSV industry. This may be deployed in conjunction with Automatic Number Plate Recognition technology to facilitate the compliance monitoring of taxi vehicles using the particular rank and enable the identification of vehicles operating without valid licences.	Medium Term	with Dublin City Council and other urban Local Authorities
<p>Action 29:</p> <p>To introduce a system of penalty points which would apply to single or multiple breaches of applicable regulations and allow for the objective assessment of licence holders and their suitability to retain a licence. This will be separate from the penalty points system operating under road traffic law, and would pertain exclusively to the SPSV industry. The details of the system including the infringements that will incur penalty points, the level of points to be awarded for those infringements and the trigger values for licence suspensions will be the subject of consultation with the industry in 2012.</p>	Medium Term	NTA
CONSUMER AND INDUSTRY ASSURANCE:		
<p>Action 30:</p> <p>To provide for a user-friendly, on-line system for consumers to submit complaints to the NTA, reducing the need for paper forms and offering a fully traceable process. This will make the complaints process easier to use, introduce more clarity to the process and enable complaints to be dealt with in an efficient and timely manner.</p>	Short Term	NTA
<p>Action 31:</p> <p>It is proposed to introduce distinctive “branding” of taxis (and wheelchair accessible taxis). This would take the form of a semi-permanent decal (vinyl adhesive material printed with a particular design) applied to the vehicle body, potentially to the doors on either side of the vehicle. The exact design of the branding will be developed but may incorporate the umbrella “Transport for Ireland” design to further</p>	Short Term	NTA

link taxis to the public transport network and to the consumer portal <i>TransportforIreland.ie</i> where all consumer information on taxis will reside, along with taxi identifier signage and vehicle licence data. The branding will provide greater recognition of taxis, promote greater professionalism of the industry and reduce the potential for unlicensed vehicles to operate as taxis. Affordability for operators should be a key component to the development of this process.		
<p>Action 32:</p> <p>It is intended, as a safety and security measure, to develop a smartphone app for driver verification that allows consumers to self-verify that the driver of the vehicle is the authorised driver associated with the vehicle. It is intended that by inputting the SPSV vehicle licence number (provided on the roof sign and on disks affixed to both the windscreen and rear screen) or the normal vehicle registration number, the name and photograph of the driver registered to the vehicle will be displayed on the smartphone. This also has benefits in terms of compliance monitoring.</p>	Short Term	NTA
<p>Action 33:</p> <p>To consider the introduction of a review process within the NTA that would facilitate certain categories of decisions, particular to an individual, to be the subject of a review procedure. Such a process, if introduced, would be without prejudice to any other appeal rights available.</p>	Medium Term	NTA
<p>Action 34:</p> <p>To provide that industry representative groups may make a referral to the Advisory Committee on Small Public Service Vehicles (“Advisory Committee”), established under the Taxi Regulation Act 2003, in relation to the introduction, or proposed introduction, of industry regulations. Where the Advisory Committee considers that such regulations or proposed regulations should not be introduced or should be revoked, it shall write to the National Transport Authority informing it of its views and the reasons for those views. Where the National Transport Authority does not adopt the recommendations of the Advisory Committee, the Advisory Committee shall be entitled to require the attendance of the Chief</p>	Medium Term	NTA in conjunction with the Taxi Advisory Committee

<p>Executive of the Authority before it to explain, on behalf of the Authority's Board, why its recommendations had not been adopted or to require the Board of the Authority to provide a written statement of the reasons for that course of action.</p> <p>It will continue to be the duty of the Committee to advise the Minister on the issues relevant to the taxi sector. Accordingly, the Minister will be re-constituting the Taxi Advisory Committee.</p>		
<p>Action 35:</p> <p>In addition a sub-committee of the Taxi Advisory Committee will be formed to act as a forum for the taxi sector when considering issues of particular concern to the sector. Relevant issues can therefore receive appropriate consideration at subcommittee level before their examination in the "plenary" Committee.</p>	Medium Term	NTA
<p>Action 36:</p> <p>As a measure to increase driver safety by reducing the potential for theft, it is intended to actively promote payment of taxi fares by debit and credit cards and, by a date to be established in consultation with the industry, to make it a requirement of dispatch operator licences that vehicles associated with dispatch operators must be able operate a cashless payments system. It is also intended to investigate the facilitation of taxi payments by the new integrated ticketing card "Leap".</p>	Medium Term	NTA
<p>Action 37:</p> <p>In recognition of driver safety issues, a consultation process will be carried out with the industry in 2012, on the possibilities and merits of introducing a requirement for the mandatory provision of certain driver safety equipment in taxis. Potential options for consultation include:</p> <ul style="list-style-type: none"> • In-vehicle security cameras; • A partition separating the driver front seat area from the remainder of the vehicle; • A locational alert system; or • Other new technology based options. 	Medium Term	NTA

<p>Action 38:</p> <p>Given the importance of the taxi business to the tourism sector, it is proposed that Failte Ireland in co-operation with taxi representative organisations develop a customer service and hospitality course whereby SPSV drivers would be issued with certificates and stickers for their vehicles. Such an initiative would encourage improved professionalism and would encourage visitors to use taxi services.</p> <p>The relevant equality bodies will work with the taxi representative organisations to develop equality training for drivers.</p>	<p>Medium Term</p>	<p>NTA</p>
<p>FLEET MANAGEMENT AND RENTAL CONTROLS:</p>		
<p>Action 39:</p> <p>To move towards a more professional taxi rental industry, it is proposed to prohibit the practice of the renting of taxi licences only (i.e. without vehicle), while facilitating the continuation of “full package” taxi rental, which includes the vehicle, complete with roof sign, taxi meter and printer. Additional requirements will include that:</p> <ul style="list-style-type: none"> • The person/entity providing the rental is tax compliant and of appropriate character; • The person/entity providing the rental has responsibility for the condition of the vehicle at the time of rental and can only rent a vehicle in roadworthy condition; • The person/entity providing the rental also provides insurance on the vehicle for the rental period; • The person/entity providing the rental must own both the vehicle and the SPSV licence; and • Rental agreements (in terms of who has rented the vehicle and period of rental) are notified on-line to the NTA database at rental commencement. <p>As part of the development of this proposal, consideration will be given to introducing a new licence to operate a taxi rental business, without which it would be illegal to rent out taxis. Consideration will be given to the encouragement of the availability of WAVs in rental fleets.</p>	<p>Short Term</p>	<p>NTA in conjunction with the insurance industry</p>

<p>Action 40:</p> <p>To put in place a system to link SPSV licensed drivers to specific SPSV licensed vehicles such that the identification of the authorised driver of an SPSV vehicle is continually available and updated. On line and text based updating solutions will be available to the SPSV industry to allow convenient updating of driver changes on a particular vehicle to a central NTA database. A reporting function will allow the licence holder to maintain their own records with ease. This proposal will facilitate and enable other dependent actions such as the greater dissemination of driver information.</p>	Short Term	NTA in conjunction with the Revenue Commissioners
<p>Action 41:</p> <p>To introduce arrangements with the insurance industry to enable the real time monitoring and on-going verification of the insurance status of SPSV licence holders. Such an arrangement will provide a greater level of assurance of the adequacy of the insurance being maintained on the relevant vehicle and allow for licence suspensions where insurance requirements are breached.</p>	Short Term	NTA
<p>Action 42:</p> <p>In order to provide a system that monitors on-going tax compliance, it is proposed to introduce a requirement for continuous tax compliance as a condition of SPSV licensing. In parallel with this, new regulations would be introduced which would provide for appropriate sanctions for breaches of such compliance. As part of the arrangements, the NTA would establish, in conjunction with Revenue, a process of regular monitoring of on-going tax compliance during the full driver and vehicle licence period rather than just on the day of licensing transactions (as currently).</p>	Short Term	NTA in conjunction with the relevant Local Authorities
<p>Action 43:</p> <p>The introduction of an on-line self-service portal for SPSV operators that would allow more efficient and dynamic licensing, compliance and test/inspection booking services. The benefits of an online service model are that it would allow operators to maintain, update and track their own information and would also provide for greater efficiencies in the delivery of SPSV licensing services.</p>	Short Term	NTA

<p>Action 44:</p> <p>To investigate, in conjunction with the relevant local authorities, the potential for the introduction of additional “part-time” rank space during night-time hours at key urban locations. This could include the possible additional conversion of bus lanes and paid parking areas to “part-time” taxi ranks after a defined hour, possibly 9 p.m., which would then revert to normal use during day-time hours. Also the review of the relevant Road Traffic Regulations to provide for any necessary changes.</p>	<p>Short Term</p>	<p>NTA in conjunction with relevant Local Authorities</p>
<p>Action 45:</p> <p>This action proposes the planned migration to the use of smart (electronic) technologies in individual SPSVs to address the current challenges in monitoring and regulating a fleet of over 20,000 vehicles; and also to better exploit the potential to integrate the SPSV fleet into the wider public transport system.</p> <p>Developments in computing and communications technology, together with the increasing sophistication of in-car technology, creates opportunities to move the SPSV industry to a different level, both in terms of interfacing with customers and in regard to efficient monitoring of regulatory compliance.</p> <p>Possible capabilities that could be considered include enhanced information availability for customers, improved operational data collection, remote taximeter fare update capability, remote disabling of roof sign operation, driver security monitoring features and similar functionality.</p> <p>It is likely that the integration of these features into taxi technology will take place over a period of time, on an incremental basis, and it is important that regulatory proposals in this area are considered in the context of likely technological developments.</p>	<p>Medium Term</p>	<p>NTA</p>

<p>Action 46:</p> <p>It is proposed to introduce a “Local Area Hackney Licence” for rural locations meeting certain criteria.</p> <p>The objective of the Local Area Hackney Licence is to facilitate a low cost entry to the hackney market for transport provision in rural areas that, otherwise, would be unlikely to have such services. Its features would include:</p> <ul style="list-style-type: none"> • Limited area of operation – Area of pick up would be limited to a specified distance from a nominated base location and the licence holder would be prohibited from plying for hire in towns; • The need for a “Local Area Hackney Licence” must be validated by a local community or business organisation; • Low entry cost – low licence fee and simple vehicle standards; • Drivers must be resident in local area and the requirement to sit the Skills Development Programme under the SPSV licence is waived; and • Like all hackneys the driver will not be permitted to ply for trade on public roads or at taxi ranks. However, the establishment of an approved “hackney stand” in an off-street area will be permissible, where the hackney vehicle can accept customers. 	<p>Medium Term</p>	<p>NTA</p>
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