



Public Consultation on Transitioning to a Wheelchair Accessible Licensed Bus Sector

Issues paper

National Transport Authority

Dún Scéine

Iveagh Court

Harcourt Lane

Dublin 2

1. Introduction

Improving the accessibility of the transport system enhances the opportunity for people with disabilities to participate fully in society and is important both for the intrinsic value of accessible transport provision, and as an enabler of access to other services. Between 16.8 per cent and 20.4 per cent of the population has a long-term disability¹. Physical disabilities, particularly mobility and dexterity difficulties, are the most prevalent forms of disability and their incidence tend to increase with age. Demographic trends will have implications for the need for more accessible facilities into the future and policy must respond accordingly.

People with Disabilities are more likely to rely on public transport on a regular basis. Of those using buses, nearly 1 in 4 encountered difficulties, mostly getting to the bus or getting on it.² Improving accessibility of the transport system for wheelchair users is a good starting point to improve the accessibility for people with other disabilities but also for other groups of customers.

Some components of Ireland's public transport offering have registered considerable progress in enhancing the accessibility of services with the assistance of state funding. The Dublin Bus and Bus Éireann city fleets are now 100% accessible and a low floor system is in place on all Luas services. There have similarly been continuous improvements in accessibility to heavy rail services, and since June 2010, the only taxi licenses issued have been for wheelchair accessible vehicles.

In the licensed bus and coach sector however, progress has been slower. This paper looks at some of the issues involved in achieving progress towards more complete achievement of policy objectives in this area.

¹ Department of Social Protection and ESRI (2011), *A Social Portrait of People with Disabilities in Ireland*

² IPSOS MRBI (2011), *Research Report Survey on National Disability Strategy Indicators prepared for the NDA*

2 The licensed bus and coach sector

2.1 License categories

Licences are awarded by the National Transport Authority (The Authority) under the Public Transport Regulation Act 2009. The Authority specifies the different categories of licence and their validity periods, up to a maximum of 5 years.

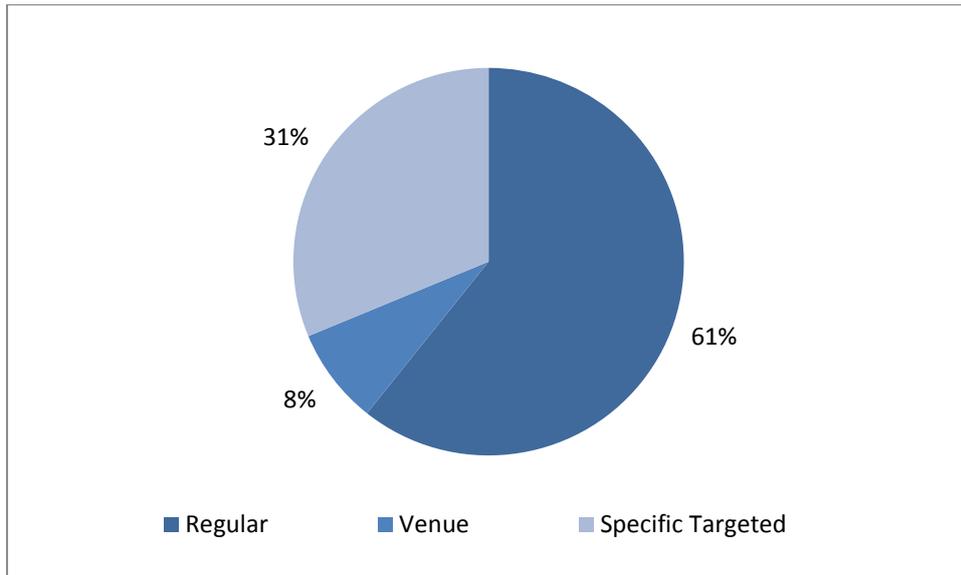
The core license categories are:

- **Regular service licenses** - regular passenger services provided on a predetermined route with predetermined pick up and set down points. Licences for these categories have a validity of 3 years. Services of this nature could include:
 - *Interurban services* - these consist of Express services & Multi-stop services, depending on the whether there are numerous intermediate stops
 - *Commuter services* – services between centres of employment and education provided predominantly in peak travel periods (i.e. 7-10am and 4-7pm)
 - *Rural services* – services linking two or more small towns, villages or rural areas
 - *Urban/suburban services* – includes the majority of services that operate within urban and suburban areas³
- **Specific targeted services** – For services dedicated to specific groups such as tours or people attending specific events. Licences for this category are valid for one year
- **Temporary services** – for the deployment of bus services in exceptional circumstances. Licences for this category are valid for one year
- **Demand Responsive Services** – for the provision of optional services, for example to serve the specific needs of people living in remote locations. Licences for this category are valid for one year
- **Event or venue specific licenses** – for the provision of services to specific events such as concerts, race meetings and festivals. Licences for this category are valid for one year

Figure 2.1 illustrates proportion of routes licensed under each of the main categories; Regular, Venue and Specific Targeted.

³ National Transport Authority (November 2010), *Guidelines for the Licensing of Public Bus Passenger Services*

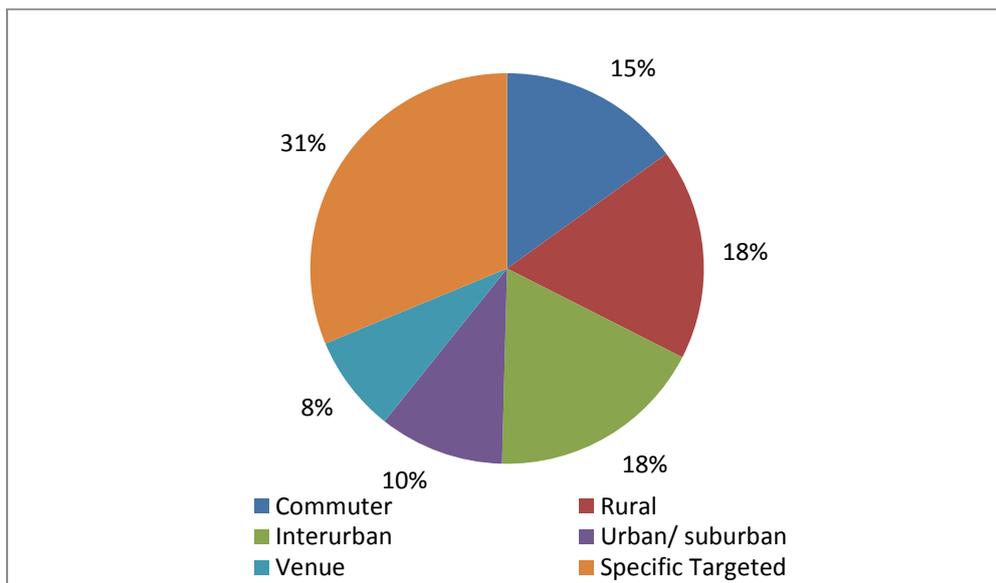
Figure 2.1 Licence type by main category



Source: Analysis of License data base

The “regular” category accounts for the majority of services. This group represents a wide variety of services however, and so further disaggregation is required. Figure 2.2 provides more detail.

Figure 2.2 “Regular” licence type by sub-category



Source: Analysis of license database

This data relates to licences, rather than services. For instance, while inter-urban made up less than a fifth of licenses, it is likely to account for a larger share of passenger journeys and total market revenue. Although a sizeable proportion of operators run services across a range of licence categories, the vast majority (83%) run services in one category only.

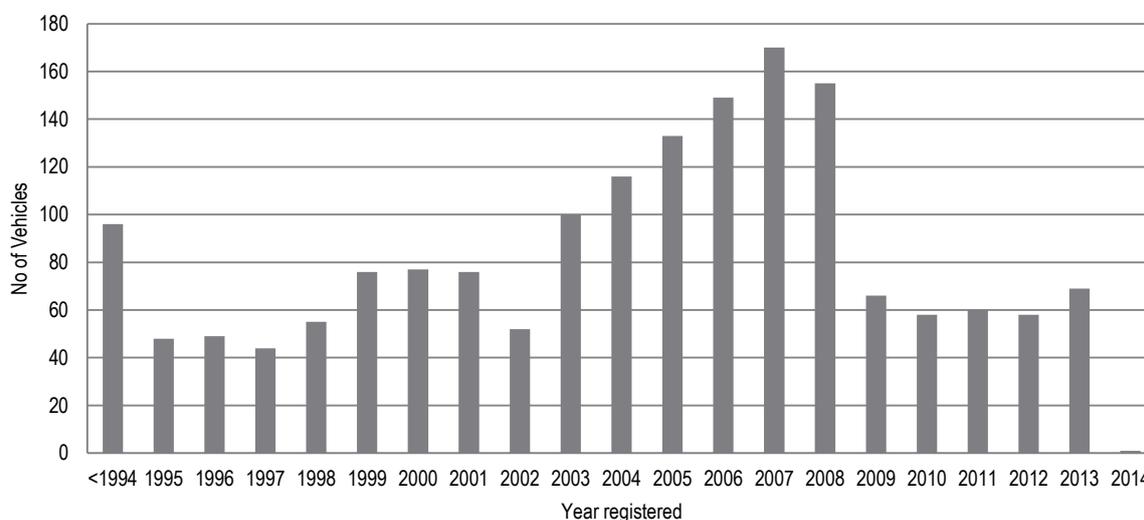
2.2 Age profile of vehicles

The age profile of vehicles in the national fleet is illustrated in Figure 2.3.⁴ The average age of vehicles is 10 years. As 20 years is considered to be the general useful life of a coach, at 8.3%, the share of vehicles which are 20 years old or more is substantial.

The pattern of vehicles replacement is uneven. The steady state trend is the addition of approximately 60 new coaches per year to the fleet. However, from 2003-2008 almost double that figure were added annually. This period corresponded with strong economic growth, granting additional income to operators which allowed them to invest more heavily in new vehicles. Since 2009, vehicle investments have returned to the same level as the late 90s and early 2000s.

The surge in vehicle investments from 2003-2008 suggests that future economic growth may lead to faster fleet replacement, which would have implications for how quickly full accessibility levels could be reached.

Figure 2.3 Age profile of the national fleet



Source: Analysis of registrations data base

2.3 Baseline accessibility

In 2014 the NTA conducted a survey to gather statistics on the licensed bus sector in Ireland. The survey included questions about the volume and usage of wheelchair accessible buses in each operator's fleet.

The survey excluded the services provided under Specific Targeted, Event and Venue Specific licence categories due to the adhoc and irregular nature of those services.

⁴ The age profile of the fleet was based on the RPTOL database as at February 2014 and assumed to apply to the licensed fleet.

At a national level, it was found that 32% of the licensed services fleet are wheelchair accessible, where 10% of vehicles are low floor and 22% of vehicles are fitted with wheelchair lifts.

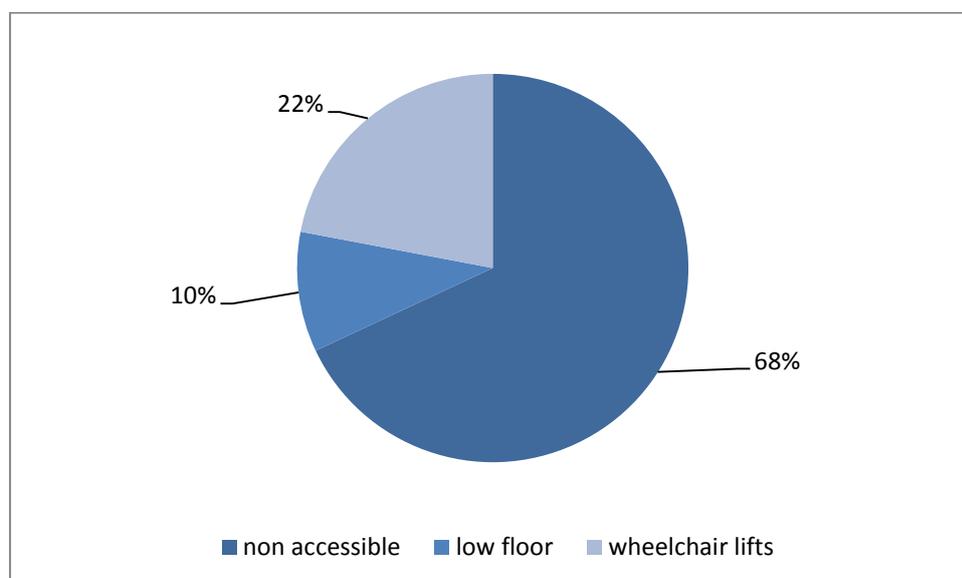
Table 2.4 Baseline accessibility Regular Services, 2013

	Fleet size	No. of low floor buses	No. of buses with wheelchair lifts	% of fleet wheelchair accessible
Total national fleet	844	84	187	32.1%

Low-floor vehicles generally provide urban style bus services (short distance, frequent stops, etc.) They tend to offer the maximum accessibility/flexibility to wheelchair users and other groups of users as there are usually designated wheelchair user spaces and do not necessarily require the removal of seats, operation of a lift or any other assistive equipment.

Vehicles that require the usage of wheelchair lifts tend to be coaches providing longer distance journeys, express services or sometimes used by operators wishing to offer an urban luxury service. Coaches are usually high floor making access for wheelchair users reliant on a lift. Unlike city buses, seats have to be removed prior to the coach being released for a wheelchair passenger booking. They therefore offer less flexibility. According to trials carried by Bus Éireann prior to the launch of their wheelchair accessible coaches, the inadequacy of present bus stop design is the main barrier to accessibility: more space is required at bus stops to accommodate wheelchair lifts.

Figure 2.5 Accessibility of national licensed bus sector



Source: Analysis of NTA data

3. Medium-term prospects for the licensed bus and coach sector

3.1 Overview

The vitality of the bus and coach sector will determine its capacity to bear further regulation in the form of more exacting quality standards. To understand how this may evolve over the medium-term, we look at the outlook for a number of key economic variables of relevance.

In general, the demand for any transport mode will be a function of broader trends such as demographics and economic performance and income levels. The interaction of different transport options is also relevant – the ‘modal share’ of each means of transport will be determined by factors such as its price, the availability of alternative options and the quality of the product itself.

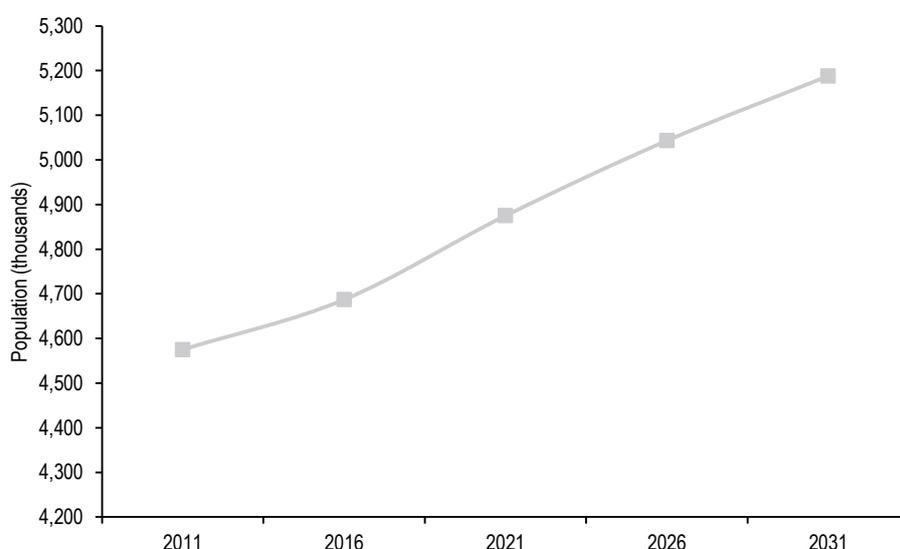
Given data limitations it is not possible to model all of these interactions. What follows therefore aims to provide a general sense of prospects in the licensed bus and coach sector based on available information.

3.2 Demographics and existing services

Looking first at demography, the population rate has run counter to economic trends since the onset of the downturn in 2007/8. Despite significant outward migration, there has also been a high level of inward migration coupled with a natural increase in the birth rate. The population is now about 100,000 higher than five years ago.

Into the medium-term, growth is forecast to continue. Figure 3.1 below shows the national population projection for the intercensal periods to 2031.

Figure 3.1 Population Projections 2011-2031



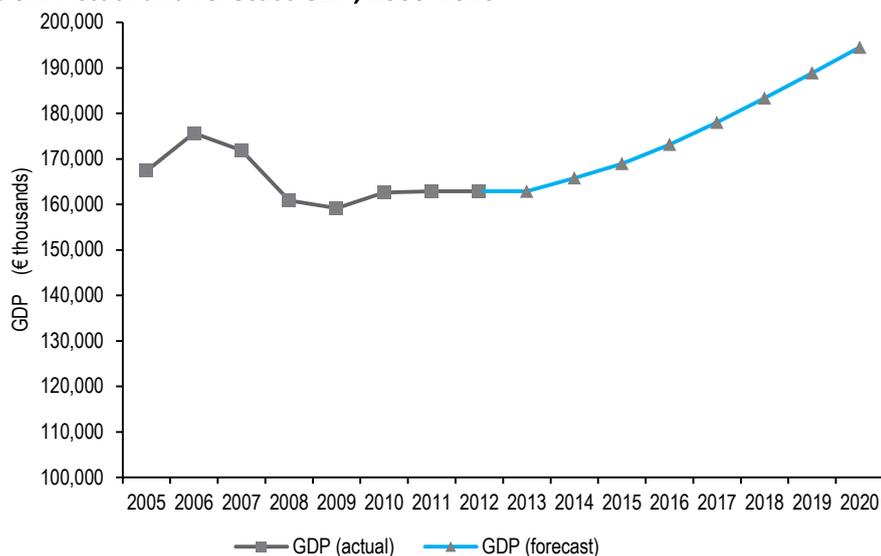
Source: CSO

All things being equal, population growth can be expected to lead to higher demand in the licensed bus and coach sector.

3.3 Economic outlook

Following a highly challenging period for the Irish economy, the outlook for the range of macro indicators is generally positive for the first time in over 7 years. Figure 3.2 shows the recent trajectory of GDP growth along with the medium-term forecast as per EY's Economic Eye model.

Figure 3.2 Actual and forecast GDP, 2005-2020



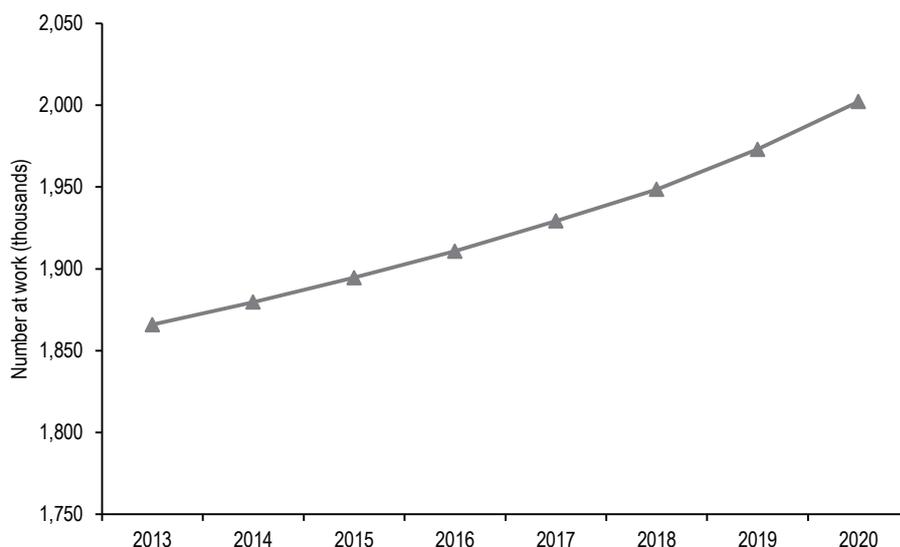
Sources: CSO, EY Economic Eye

Within the aggregates, specific components are also worth looking at further. The labour market has shown signs of stabilisation, turning to growth. Figure 3.3 shows the forecast trend for the years to 2020.

The recent ESRI Quarterly Economic Commentary similarly shows a degree of optimism for the medium term.⁵ However, downside risks to those forecasts remain and it is important that further evidence of recovery materialises before policy decisions are implemented on the back of these projections.

⁵ ESRI, (March 2014), *Quarterly Economic Commentary, Spring 2014*

Figure 3.3 Forecast employment, 2013-2020



Source: EY Economic Eye

Changes in employment levels have a significant effect on demand for bus transport. The numbers of people travelling to work by bus fell by 20% from 2006 when the economy was at full employment to 2011 when there was 14% unemployment.⁶ As the numbers in employment increase, it can be expected that a corresponding increase in demand for commuter services will materialise. It can also be argued that rising income levels would lead to a shift from public transport to private cars. However, the general trend in demand associated with growth in employment can be expected to be positive. Again, recovery is at an early stage and further monitoring of these trends and their actual impact on the sector will be required.

Increased employment levels lead to increased levels of disposable income. This can have a positive impact on discretionary travel on all categories of licences.

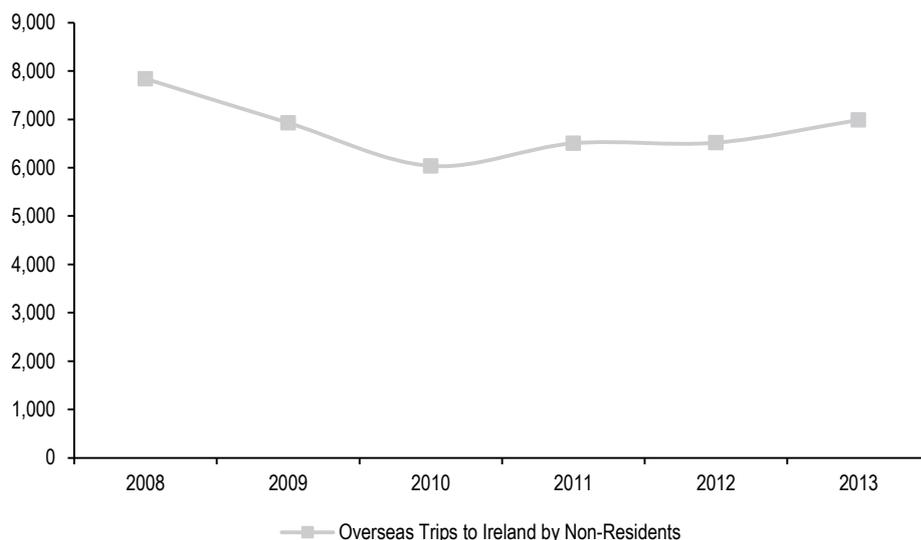
3.3 Tourism

The licensed bus and coach sector in Ireland is also likely to be sensitive to trends in the tourism industry. Certain license categories are directly tourism-related – principally the specific-targeted category, which accounts for almost one third of all licenses. Services in other categories such as interurban are likely to be driven by tourism trends also.

After a number of years of contraction associated with the global economic downturn, inbound tourism to Ireland has displayed firm signs of recovery. Figure 3.4 shows the recent pattern in visitor numbers.

⁶ CSO

Figure 3.4 Inbound tourism, 2008-2013



Source: CSO

Medium-term prospects for tourism in Ireland are bright: a stronger economic outlook in the key markets of the UK, Germany and the US will boost visit numbers from these countries. The success of *the Gathering*, which contributed to strong growth in visitor numbers of from UK (+5.6%), Europe (+5%) and the US (+14%) in 2013 is likely to result in increased tourist numbers in the future. An increased number of direct flights to Ireland and new European ferry sailings were added for 2014.⁷

This process is also assisted by improvements in the tourism product offering, for example the launch of the Wild Atlantic Way coastal route in March 2014. These developments can further benefit the licensed bus and coach sector into the future

In 2013, passenger numbers at Dublin Airport grew by 6%. As with economic and employment forecasts, it will be important to monitor these developments and their impact in the licensed bus and coach sector. Medium term prospects for the licensed bus sector appear reasonably positive. In light of forecast population growth of 13% nationally, rising employment levels and a positive outlook for the tourism industry it can be expected that demand for services will grow over the coming years. However, close monitoring will be required to ensure that these trends positively impact on the sector.

3.4 Capacity to bear additional regulation

The net effect of these developments is that the industry may be expected to have a higher capacity to bear additional regulatory requirements over the medium-long term than in the period since the onset of the economic downturn.

⁷ Fáilte Ireland, March 2014, Situation and Analysis Report

The profile of fleet replacement set out is highly correlated with national economic performance. A higher level of vehicle purchase and replacement can therefore be anticipated based on rising income, employment and output levels.

At the same time, risks to economic recovery remain. It will also be important to monitor whether broader recovery is translating into growth in the licensed bus sector. The burden associated with the greater regulatory standards would be lightened if it was pushed further into the future and if there was a level of certainty over specific requirements as far in advance of required implementation as possible.

4. Policy context and legislative framework

Enhancing accessibility is an important element of policy both in terms of transport and policy relating to individuals with disabilities. There is a strong social rationale for improving accessibility of public transport services. Access to transport facilities is an important prerequisite for independent access to education, employment and social activities for people with disabilities. As well as increased use by disabled passengers, it brings wider social benefits by facilitating access for other groups of customers, such as those with temporary disabilities and the elderly. “*Improving accessibility is good for business*”.⁸ Global demographic trends point towards an increased need for accessible transport which could increase tourism potential where accessibility is a factor.⁹

Requirements around accessibility are accordingly enshrined in national and EU legislation and international guidance as discussed below.

4.1 National accessibility and transport policy

The policy objective of increasing the accessibility of transport services is rooted in the strategic framework of the Department of Transport, Tourism and Sport (the Department).

The Department aims “to improve quality of life and accessibility to transport for all and, in particular, for people with reduced mobility...”.¹⁰ Its objective is to ensure that future transport needs are met by aligning transport in Ireland with changing demographic, spatial and economic demands.

This policy commitment is also reflected in the National Transport Authority’s Statement of Strategy 2012-2014, in which it undertakes “to develop an accessible public transport system, which ensures that most people are within easy reach of a reliable public transport service and which enables people with a disability or mobility impairment to access those services”.

The policy approach pursued by the Department and the Authority reflects the requirements of the Disability Act 2005 and is determined by public policy on the mobility needs of people with disabilities in line with the National Disability Strategy.

Elaborating on its high-level vision, the Department published *Transport Access for All*, the sectoral plan under the Disability Act 2005. Published in mid-2006 and updated in 2012, the vision pledges that the Department will endeavour to:

- Be proactive in efforts to identify and remove barriers that prevent people with mobility, sensory and cognitive impairments and older people accessing the public transport system, and to ensure that no future barriers are created
- Work in partnership with public, private and community-based transport providers to improve the accessibility of public transport services
- Implement established best practice when developing policies and implementing plans
- Continue to consult with the representatives of people with mobility, sensory and cognitive impairments and older people

⁸ National Disability Authority(2005) *Recommended Accessibility Guidelines for Public Transport Operators in Ireland*

⁹ Department of Transport, Tourism and Sport, 2012, *Transport Access for All, 2012 edition*

¹⁰ Department of Transport, Tourism and Sport, “*A Sustainable Transport Future: A New Transport Policy for Ireland 2009- 2020*”. http://smartertravel.ie/sites/default/files/uploads/pdfs/NS1264_Smarter_Travel_english_PN_WEB.pdf

- Pursue Value for Money, through targeting available resources at initiatives that are affordable and sustainable and that maximise benefits to people with mobility, sensory and cognitive impairments and others whose quality of life can be enhanced by accessible public transport¹¹

Transport Access for All published in 2006, contained a commitment to provide scheduled coach-based services that are accessible to people with mobility, sensory and cognitive impairments by 2015. However, the difficult economic situation in the intervening period and the continued pressures on public funding have had an impact on investment in accessibility. Nevertheless the Department has reaffirmed its commitment to achieving the goal of comprehensive accessible public transport services, albeit within a longer timeframe.¹²

The National Disability Authority (NDA) is the statutory body which provides policy advice to the government on issues of disability policy and practice and on universal design.

Recognising the importance of transport services for ensuring the personal independence and freedom of those with mobility issues, the NDA has called for mechanisms to improve the availability and accessibility of transport services.¹³ Increasing the proportion of buses and coaches which are accessible to wheelchair users is consistent with the NDA's goal of ensuring that people with disabilities can live independently and participate in the community as active citizens as set out in its Strategic Plan.¹⁴ Improving bus, coach and train accessibility through ensuring the accessibility of newly purchased vehicles is one of the actions included in the Implementation Plan for the Strategy.¹⁵

Enhancing the accessibility of the licensed bus fleet is therefore consistent with public policy as it relates to both transport and disability.

4.2 UN Convention on the Rights of Persons with Disabilities

The UN Convention on the Rights of Persons with Disabilities was signed by Ireland in 2007 and Ireland is committed to ensuring it is ratified.¹⁶ The Convention aims to enhance opportunities for persons with disabilities to participate in all aspects of social and political life including access to employment, education, health care, information, justice, public transport and the built environment. Article 9 of the Convention states that persons with disabilities have the right to access all areas of life including buildings, transport, information and communication. Article 20 on personal mobility also has implications for transport providers.

4.3 EU legislation

Relevant EU legislation refers to the general thrust of policy in this area and to specific bus and coach-related provisions. At the broader level, an EU-level commitment aiming to combat

¹¹ Department of Transport, Tourism and Sport (2006) *Transport Access for All*

¹² Department of Transport, Tourism and Sport (2012) "Transport Access for All, 2012 Edition"

¹³ National Disability Authority (2011), "National Disability Authority Submission to the Taxi Regulation Review"

¹⁴ National Disability Authority: "Promoting inclusion and participation: Strategic Plan 2013-2015"

¹⁵ National Disability Strategy Implementation Group, *National Disability Strategy Implementation Plan 2013-2015*

¹⁶ Department of Transport, Tourism and Sport, 2012, *Transport Access for All, 2012 edition*

discrimination based on disability in defining and implementing all policies is included in the Treaties.¹⁷

The Charter of Fundamental Rights, which enjoys the same legal status as the EU Treaties prohibits discrimination based on disability (Article 21) and declares that “the Union recognises and respects the right of persons with disabilities to benefit from measures designed to ensure their independence, social and occupational integration and participation in the life of the community” (Article 26).

The European Disability Strategy 2010-2020 makes a commitment to removing economic and social barriers preventing people with disabilities from enjoying equal opportunities.¹⁸

The Bus and Coach Directive (Directive 2001/85/EC)¹⁹

The Bus and Coach Directive includes several provisions relating to the accessibility for disabled persons to new Class I buses, (e.g. those most commonly deployed in urban areas)

These mobility requirements apply to all Class I vehicles (vehicles which allow standing passengers – i.e. urban buses). Where member states choose to apply accessibility standards to other vehicle classes, these must comply with the requirements set out in the Directive.

Rights of Passengers when Travelling by Bus and Coach Transport Regulations 2013 (Regulation 2011/81/EU)

Regulation 2011/81/EU which entered into force on 1 March 2013 sets out passenger rights for bus and coach travel. It completes the suite of legislation on passenger rights which are in existence for other modes (maritime, air, rail). The regulation specifies the rights of passengers when subject to delays or cancellation of services as well as setting out a number of rights which apply to passengers with a disability or reduced mobility in the case of regular services.²⁰ The Authority has been designated as the body responsible for the enforcement of the regulation.²¹

The Regulation prohibits transport operators (including tour operators) from refusing to accept a booking or to take on board a person on the grounds of disability or reduced mobility for all journeys. However, passengers may be refused in cases where vehicle design or infrastructure prevent it, or where carrying the passenger would result in the contravention of safety rules.

The Regulation also provides for carriers to establish disability training procedures and ensure that their personnel, including drivers, receive disability training. The Authority has reflected this requirement in its current licence conditions.

¹⁷ Article 9, Treaty on the Functioning of the European Union

¹⁸ EU Disability Strategy 2010-2020: A renewed commitment to a barrier free Europe, COM (2010) 636

¹⁹ Directive 2001/85/EC relating to special provisions for vehicles used for the carriage of passengers comprising more than eight seats in addition to the driver's seat

²⁰ A ‘regular services’ is defined as “a service which provides for the carriage of passengers by bus or coach at specified intervals along specified routes, passengers being picked up and set down at predetermined stopping point.” ‘Occasional services’ are those which do not fall within the definition of regular services and the main characteristic of which is the carriage by bus or coach of groups of passengers constituted on the initiative of the customer or the carrier himself, Article 3(a) and (b), Regulation 181/2011/EU.

²¹ S.I. No. 152 of 2013

Further requirements are in place in the case journeys of 250 kilometres or longer.

4.4 Public Transport Regulation Act 2009

The Public Transport Regulation Act 2009 provides the statutory basis for the licensing of public bus passenger services. For the first time, the Act allows for minimum accessibility standards as a condition for the granting, amendment or renewal of licences for public bus passenger services by the Authority.²²

In the short-term, this offers the most likely channel through which a potential policy change might be implemented. In other countries, primary legislation has been used to effect policy in this area. In the longer-term this may represent a more firm and coherent basis to drive change in Ireland.

²² Public Transport Regulation Act 2009, Section 13

5. International practice and policy options

5.1 Require newly purchased vehicles to be wheelchair accessible

Internationally, progress has been made in this area through varying policy approaches. The most common regulatory approach adopted in the international case studies examined is to require that all newly purchased vehicles used for scheduled services adhere to specified accessibility standards.

International examples in place include:

- US – Final Rule 1998
- UK – Public Service Vehicles Accessibility Regulations (PSVAR) 2000
- Australia – Disability Standards for Accessible Public Transport 2002
- Northern Ireland – Public Service Vehicles Accessibility Regulations (Northern Ireland) 2003
- France – Law on equality of rights and opportunities, participation and citizenship of disabled people 2005 (Bus and Coach Directive 2001 standards)

In all of the case studies examined this provision has been limited in scope to certain sectors of the market. This requirement has generally been introduced alongside a phased approach to implementation of accessibility standards for existing vehicles with a view to delivering a fully-accessible fleet (for specific service categories) by a target date.

The potential benefits of this option are:

- It leads to a gradual implementation of full-accessibility. Full accessibility would likely be achieved by 2034 at the latest. Under even a moderate economic recovery scenario, this could be achieved more quickly as the historic pattern has shown faster fleet replacement during periods of economic growth. For larger operators who replenish fleets on a more regular basis, compliance would likely be achieved more rapidly
- It complements the natural vehicle replacement cycle and therefore causes limited disruption to the industry, with a high proportion of these well in advance of this date
- The burden of compliance on operators is limited to the difference in price of an accessible coach compared to a non-accessible coach

The cost to the industry of requiring all new coaches used in the provision of regular licensed services to be wheelchair accessible is estimated as €16.8m based on the assumption that the differential cost of a vehicle being wheelchair accessible is €20,000 and allowing that differential replacement cost for vehicles that are already wheelchair accessible. It is reduced to a maximum of €11.5m if you exclude the vehicles that are already wheelchair accessible. It should be noted that it is an over-estimation of the exact cost of wheelchair accessibility as there are urban buses (rather than coaches) amongst the 573 vehicles (currently providing a licensed service) that are not currently wheelchair accessible. New urban buses are, by standard, low-floor buses, therefore there would be no extra-cost for wheelchair accessibility on replacement. There is also scope for operators to change the nature of the vehicle they use on replacement (e.g. in the case of operators using coaches to provide urban services): this would reduce the need for lifts and the cost associated with them.

Because the requirement to provide wheelchair accessible fleet has been in existence in the UK since 2005 there is a reasonably mature market for accessible vehicles²³. For example, 30% of vehicles currently produced by Plaxton, a coach manufacturer in the UK, are PSVAR compliant.²⁴ There is also room for flexibility as to the inclusion or exclusion of certain services.

5.2 Phased approach for existing vehicles

A phased approach to implementation of accessibility requirements of existing vehicles generally accompanies an accessibility requirement for all newly-purchased vehicles.

Deadlines for accessibility of all coaches (with sectoral limitations in some cases) implemented in the international examples looked at are:

- UK: 20 years (legislation enacted 2000) full coach accessibility required by 2020
- Northern Ireland: 19 years (legislation enacted 2003) full coach accessibility required by 2022
- Australia: 20 years (legislation enacted in 2002) full coach accessibility by 2022 (with phased targets)
- France: 10 years (legislation enacted 2005) full coach accessibility by 2015
- US: 14 years (legislation enacted 1998) accessibility required by 2012 (large operators only). No deadline applies for smaller operators.

The principal benefit of this approach is that it speeds up delivery of full accessibility. 100% accessibility could be reached by 2024 in the case of a 10 year deadline and by 2029 in the case of 15 years.

- An incremental approach to deadlines has the potential to strike an appropriate balance between achievement of full wheelchair accessibility within a given timeframe and containing the resulting cost-burden on operators.
- A phased approach allows operators to plan and budget for investment in accessible vehicles.
- It allows vehicle manufacturers to adjust production to meet the new requirements. Insufficient supply of accessible vehicles has been identified as one of the barriers to implementation in France. The market for right-hand drive vehicles is driven by the UK where, to date, no problems with supply of accessible coaches have been reported.

While a shorter time horizon speeds up the achievement of policy goals in this area, there is an obvious trade-off in terms of the additional compliance burden it would place on operators as the cost of compliance remains at a maximum of €16.8m.

5.3 Equivalent access services

Equivalent access requires operators to either possess or have access to a sufficient number of suitable vehicles to be able to respond to a request subject to a specified notice period.

²³UK Public Service Vehicles Accessibility Regulations (PSVAR) 2000

²⁴ Information received from Plaxton, contacted 13/2/2014

In the US this approach has been taken in a number of cases, and a notice period of 48 hours is applied. Most notably it is applicable for the entire market segment of charter and tour services. It was also applied for scheduled services in the lead up to the 2012 deadline for full accessibility. For smaller operators the 48 hour rule applies until full accessibility is reached (no deadline) and for those small operators for whom fixed services constitute less than 25% of turnover the 48 hour rule applies indefinitely.

Although not legislated for in Australia, operators have argued that equivalent access would be a much more appropriate means of delivering accessible services and that the cost of ensuring full fleet accessibility is not proportionate to the low user demand.²⁵

The EU Bus and Coach Passenger Rights Regulation (2011/181/EU) (see Section 3) stipulates that a 36 hour notice period applies for provision of services to disabled passengers, meaning that in implementation in an Irish context would be required to meet this deadline. At present, Bus Éireann operates a 24 booking period for wheelchair users.²⁶

This approach is pragmatic as it delivers an accessible service to wheelchair users at a minimal cost to operators. Smaller operators have the option of hiring accessible vehicles if demand for services does not warrant the investment required to purchase an accessible vehicle. At the same time it falls short of full accessibility.

5.4 Specific categories only

The international examples reviewed demonstrate that a number of options apply as regards the inclusion or exclusion of different service types from the scope of regulations.

Exclusion of certain categories of services from accessibility requirements means that there is no regulatory burden placed on operators of such services. This is the case for school buses in Australia and the US and for the tour sector in the UK (except for NI) and in France.

A benefit associated with this option is that a market remains for vehicles which are decommissioned from scheduled services once the deadline for full accessibility has passed.

It should be noted however that the exclusion of broad categories of service types results in a corresponding gap in the provision of services for wheelchair users.

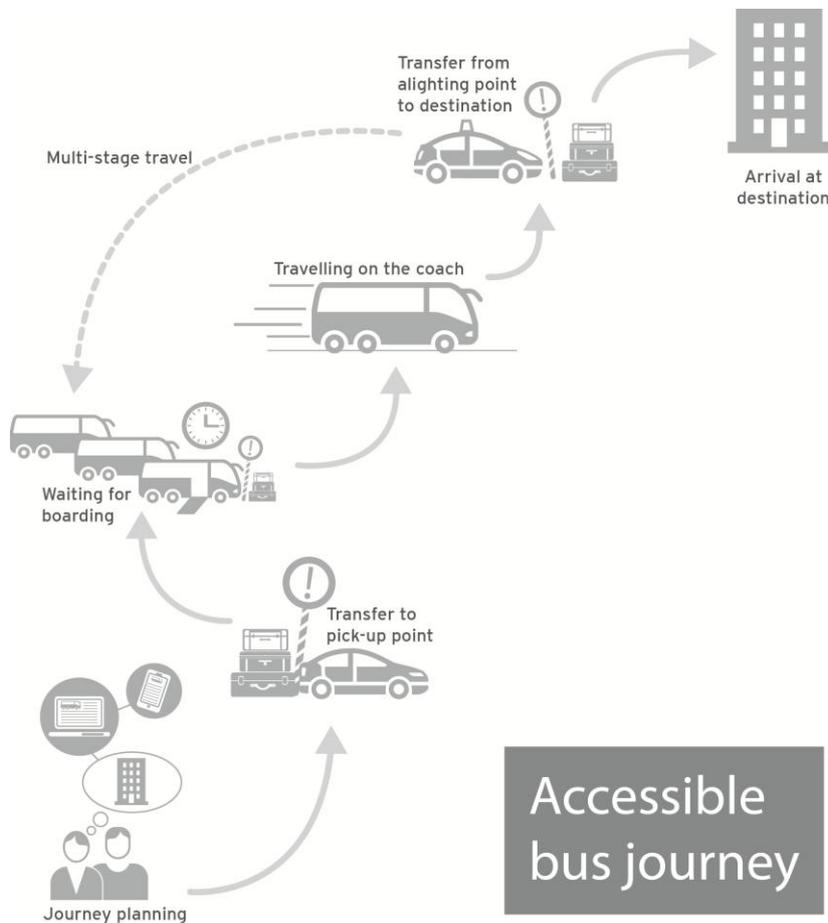
²⁵ Australian Passenger Transport National Advisory Committee (APTAC), *Joint Industry Response to the Review of the Disability Standards for Accessible Public Transport 2002*

²⁶ Bus Éireann (January 2014), *Accessibility and Accessible Vehicles*

6. Further issues

In addition to these vehicle-centric issues, there are other considerations relevant to advancing policy in this area. Wheelchair accessible vehicles are just one element in the mobility chain which must be accessible in its entirety to allow a journey to be possible for a wheelchair user. Factors affecting accessibility must be considered from the moment a passenger decides to travel, to arrival at their final destination as illustrated in Figure 6.1 below.

Figure 5.1 Stages and requirements of the mobility chain



Source: Adapted from EU Cost 349 Report

In this way, a range of factors from driver training to accessible bus stops form part of the ecosystem required to fully achieve policy objectives in this area.

7. Conclusions

7.1 Public policy rationale

There is a strong public policy rationale for improving the accessibility of the licensed bus and coach sector. This objective is affirmed in the strategic framework of the Department, the Authority and the NDA and is consistent with international obligations to deliver equal opportunities for people with disabilities.

7.2 Market prospects

The capacity of the sector to bear regulation depends on its overall health and medium-term prospects. Forecast population growth, economic recovery, rising employment levels and a positive outlook for the tourism sector can be expected to increase demand over the coming years. This indicates that the sector's capacity to withstand additional regulation is likely to be higher in the coming years than over the period of the downturn. Economic recovery remains fragile however, and an appropriate balance will have to be struck between delivery of improved accessibility in a specified timeframe and not overburdening the sector. In particular it should be ensured that any emerging upturn in economic activity is translating into positive impacts for the sector as envisaged.

Providing as much notice as possible to the market will assist in minimising the disruption caused by tighter regulation or greater quality standards.

7.3 Options available

Analysis of international experiences identified potential approaches that could be applied in an Irish context. There are different policy options available; the starting point for most is the requirement for new vehicles to be wheelchair accessible. Based on the natural fleet replacement cycle of round 20 years, this approach is likely to deliver close to full accessibility in the fleet by 2034 at a maximum cost of €11.5m or €16.8m depending on whether you include the cost of replacing vehicles that are already wheelchair accessible..

This policy can be combined with the introduction of mandatory deadlines for ensuring all vehicles delivering licensed services are accessible. Deadlines of 10 or 15 years result in quicker implementation of full accessibility, but result in a corresponding increase in the compliance burden on operators as they are required to replace vehicles sooner than would otherwise be the case.

In some countries looked at, State funding has been provided to operators to cover the incremental cost of purchasing an accessible vehicle. Where such options are assessed against relevant policy objectives in Ireland, there is an obvious trade-off between the scale of direct financial burden that falls on the State versus that which falls on operators.

There is flexibility too around the scope of application of regulation. Tour and charter services are two sectors which have been excluded in the international examples looked at. While exclusion reduces the compliance burden on operators of these services it results in a gap in service provision for wheelchair users. In Ireland it is likely that a large proportion services - as measured by passenger journeys - could be reached by including certain segments only.

Finally, the option of equivalent service accessibility provides a further approach and can be said to benefit from greater proportionality than some of the full accessibility options.

7.4 Proportionality and accessible journeys

A common theme raised by operators is the proportionality of delivering a fully accessible fleet and the demand for accessible services. Principles of universal design aim to cater for the broadest spectrum of users possible. Design features can be incorporated at design stages which can improve accessibility for broader groups of passengers with disabilities in an extremely cost-efficient way.

It must also be remembered that accessible vehicles are one component of an accessible journey. Progress is being made to improve accessibility of bus stops and bus stations, yet these works are expensive. Without the enabling infrastructure, accessibility will be constrained. In addition, training is a critical element and must be provided to the degree required under existing regulations.

Improving transport services for people with disabilities is also predicated on better integration of existing services at a local level such as the Rural Transport Programme, HSE non-acute services, school transport, and wheelchair accessible taxis. While these services cannot substitute interurban coach services for example, they are instrumental in facilitating point-to-point transport and improving the mobility of people with disabilities.