

STATUTORY INSTRUMENTS

S.I. No. [•] of 2012

TAXI REGULATION ACT 2003 (REVISED VEHICLE STANDARDS) REGULATIONS 2012.

The National Transport Authority, in exercise of the powers conferred on it by section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003) (as amended by section 13 of the Roads Act 2007 (No. 34 of 2007) and section 43 of the Public Transport Regulation Act 2009 (No. 37 of 2009)), hereby makes the following regulations -

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Revised Vehicle Standards) Regulations 2012.

2. These Regulations come into operation on 31 January 2013.

3. In these Regulations -

“Authority” means the National Transport Authority;

“crew cab” has the meaning given to it in section 130 of the Finance Act 1992; and

“pick-up” has the meaning given to it in section 130 of the Finance Act 1992.

Vehicle age requirements

4. Regulation 23 of the Taxi Regulation Act 2003 (Suitability Inspection and Annual Licence Renewal Assessment of Small Public Service Vehicles) Regulations 2010 (S.I. 249/2010) is amended by substituting for Regulation 23 the following Regulation -

“23. (1) The National Transport Authority shall not grant a taxi licence, wheelchair accessible taxi licence, hackney licence or wheelchair accessible hackney licence in respect of a vehicle that has, on the date the application for the grant of the licence is received by the National Transport Authority, reached the tenth or later anniversary of the date of its first registration.

(2) Subject to paragraph (3), the National Transport Authority shall not renew a taxi licence, wheelchair accessible taxi licence, hackney licence or wheelchair accessible hackney licence in respect of a vehicle that has, on the date of expiry of such licence (as determined in accordance with Regulation 10(2) of the Regulations of 2000), reached the tenth or later anniversary of the date of its first registration.

(3) The National Transport Authority may renew -

(a) a taxi licence or hackney licence first granted before 1 January 2009,
or

(b) a wheelchair accessible taxi licence or wheelchair accessible hackney licence first granted before 31 January 2013,

in respect of a vehicle that has reached the tenth anniversary of the date of its first registration provided that the vehicle has not, on the date of expiry of such licence (as determined in accordance with Regulation 10(3) of the Regulations of 2000), reached the fifteenth or later anniversary of the date of its first registration.

(4) The National Transport Authority shall not transfer a taxi licence, wheelchair accessible taxi licence, hackney licence or wheelchair accessible hackney

licence to a different vehicle that has reached the tenth or later anniversary of the date of its first registration.

(5) For the purposes of this Regulation,

‘date of first registration’ means the date on which the vehicle in question was first registered in whichever country the vehicle was first registered; and

‘Regulations of 2000’ means the Road Traffic (Public Service Vehicles) (Amendment) (No.3) Regulations 2000 (S.I. 367/2000).”

5. Regulation 10 of the Road Traffic (Public Service Vehicles) (Amendment) (No.3) Regulations 2000 (S.I. 367/2000) is amended by substituting for Regulation 10 of the following Regulation -

“10. (1) A small public service vehicle licence granted under the regulations collectively cited in article 1(2) shall remain in force until the earlier of the date of -

- (a) the expiry of a period of one year from the date on which the licence was granted,
- (b) the tenth anniversary of the date of first registration of the vehicle to which the licence relates,
- (c) the surrender or revocation of the licence, or
- (d) the licence holder ceasing to be legally entitled to the use and possession of the vehicle to which the small public service vehicle licence relates.

(2) Subject to paragraph (3), a small public service vehicle licence renewed under the regulations collectively cited in article 1(2) shall remain in force until the earlier of the date of -

- (a) where the licence is renewed before the expiry date specified on the licence, the expiry of a period of one year from such expiry date,
- (b) where the licence is renewed after the expiry date specified on the licence, the expiry of a period of one year from the date on which the licence is renewed,
- (c) the tenth anniversary of the date of first registration of the vehicle to which the licence relates,
- (d) the surrender or revocation of the licence, or
- (e) the licence holder ceasing to be legally entitled to the use and possession of the vehicle to which the small public service vehicle licence relates.

(3) Where -

- (a) a taxi licence or hackney licence first granted before 1 January 2009,

- (b) a wheelchair accessible taxi licence or wheelchair accessible hackney licence first granted before 31 January 2013, or
- (c) a limousine licence,

is renewed under the regulations collectively cited in article 1(2) in respect of a vehicle that has reached the tenth or later anniversary of the date of its first registration, such licence shall remain in force until the earlier of the date of -

- (i) where the licence is renewed before the expiry date specified on the licence, the expiry of a period of six months from such expiry date,
 - (ii) where the licence is renewed after the expiry date specified on the licence, the expiry of a period of six months from the date on which the licence is renewed,
 - (iii) except in the case of a limousine licence, the fifteenth anniversary of the date of first registration of the vehicle to which the licence relates,
 - (iv) the surrender or revocation of the licence, or
 - (v) the licence holder ceasing to be legally entitled to the use and possession of the vehicle to which the small public service vehicle licence relates.
- (4) On the change of ownership of a small public service vehicle, the small public service vehicle licence in respect of that vehicle lapses, provided that the licence may, within one year of the date of the change of ownership, be transferred by the National Transport Authority to another vehicle.
- (5) For the purposes of this Regulation, 'date of first registration' means the date on which the vehicle in question was first registered in whichever country the vehicle was first registered."

Prohibition on certain types of vehicles

6. As and from 31 January 2013, the Authority shall not -

- (a) grant a small public service vehicle licence in respect of vehicle that is a crew cab or a pick-up, and
- (b) where a small public service vehicle licence has been granted in respect of a vehicle -
 - (i) approve the transfer of such licence to a different vehicle that is a crew cab or pick-up, or
 - (ii) renew a small public service vehicle licence in respect of a vehicle that has, since the date the licence was last renewed by the Authority, been modified such that, at the time of application for renewal of the licence, the vehicle is a crew cab or pick-up.

Tinted windows requirements

7. (1) As and from 31 January 2013, the Authority shall not -
- (a) grant a taxi licence, wheelchair accessible taxi licence, hackney licence or wheelchair accessible hackney licence in respect of a vehicle, or
 - (b) transfer a licence referred to in sub-paragraph (a) to a different vehicle,
- unless the vehicle that is the subject of such application complies with paragraphs (2) and (3).
- (2) Except for a band of a maximum of 125 millimetres in depth at the top upper edge, the front windscreen of a vehicle referred to in paragraph (1) shall exhibit 75 per cent minimum visible light transmission.
- (3) The windows other than the front windscreen of a vehicle referred to in paragraph (1) shall exhibit 70 per cent minimum visible light transmission.
- (4) A vehicle in respect of which a taxi licence, wheelchair accessible taxi licence, hackney licence or wheelchair accessible hackney licence has been granted that, as of 1 January 2013, complies with the minimum visible light transmission requirements referred to in paragraphs (2) and (3) shall, as and from 1 January 2013, continue to comply with such requirements.

Given under the seal of the National Transport Authority,

Date: _____.

JOHN FITZGERALD,

Chairperson, National Transport Authority

EXPLANATORY NOTE

(This note is not part of the instrument and does not purport to be a legal interpretation.)

These Regulations provide for a number of matters in relation to small public service vehicle standards. These include:

- requirements in relation to the maximum permissible ages of small public service vehicles;
- a prohibition on the licensing of pick-ups or crew cabs as small public service vehicles; and
- standards in relation to tinted windows.