



STATUTORY INSTRUMENTS.

S.I. No. 33 of 2015



TAXI REGULATION (SMALL PUBLIC SERVICE VEHICLE)
REGULATIONS 2015

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TAXI REGULATION (SMALL PUBLIC SERVICE VEHICLE)
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The National Transport Authority, in exercise of the powers conferred on it by sections 7, 8, 20, 48, 56 and 68 of the Taxi Regulation Act 2013 (No. 37 of 2013), hereby makes the following regulations:

PART 1

PRELIMINARY AND GENERAL

Citation

1. These Regulations may be cited as the Taxi Regulation (Small Public Service Vehicle) Regulations 2015.

Commencement

2. These Regulations come into operation on 31 January 2015.

Definitions and interpretation

3. (1) In these Regulations—

“Act of 1961” means the Road Traffic Act 1961 (No. 24 of 1961);

“Act of 2003” means the Taxi Regulation Act 2003 (No. 25 of 2003);

“Act of 2004” means the Immigration Act 2004 (No. 1 of 2004);

“Area Knowledge Test” means an assessment by the Authority of a person’s knowledge of the geography, routes and place names of a particular geographical area and other matters relevant to the operation of a small public service vehicle in such area;

“booking fee” means a fee charged in respect of a taxi service that had been booked in advance by or on behalf of an intending passenger;

“booking service” means a service facilitating intending passengers to book, or to arrange the hire of, a small public service vehicle for one or more journeys, other than—

- (a) a marshalling arrangement for small public service vehicles in a public place, or
- (b) the provision of booking assistance on behalf of an intending passenger or other consumer at an information desk in a hotel, tourist office, airport, transport terminal or similar customer service facility;

*Notice of the making of this Statutory Instrument was published in
“Iris Oifigiúil” of 3rd February, 2015.*

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

“Construction, Equipment and Use Regulations” means the Road Traffic Act (Construction, Equipment and Use of Vehicles) Regulations 1963 to 2002;

“date of first registration” in the case of a vehicle means—

- (a) the date the vehicle was first registered in the State under section 131(1) of the Finance Act 1992,
- (b) in case the vehicle was registered in another jurisdiction under corresponding legislation before registration in the State, the date the vehicle was first registered in that other jurisdictions, or
- (c) in any other case, the date the vehicle first entered into service.

“dispatch operator licence” means a licence to operate as a dispatch operator or to provide a booking service;

“Industry Knowledge Test” means an assessment by the Authority of a person’s knowledge of the legislation and practices applying to the licensing and operation of small public service vehicles;

“kit car” means a vehicle consisting of separately manufactured components that is assembled by the purchaser or a party other than the manufacturer;

“limousine” means a small public service vehicle in respect of which a limousine licence has been granted;

“local area hackney” means a vehicle that is licensed in accordance with these Regulations to operate as a hackney in respect of a specified area;

“local area hackney driver’s licence” means a licence granted in respect of a person to drive a local area hackney for the carriage of persons for reward;

“local area hackney licence” means a small public service vehicle licence granted in respect of a local area hackney;

“maximum permissible age” in relation to a small public service vehicle means the age of such vehicle as determined in accordance with Regulation 31 beyond which that vehicle may not be licensed as a small public service vehicle of the relevant vehicle licence category;

“modified vehicle” means a vehicle that is not a standard mass produced passenger car including—

- (a) a vehicle that has been converted from a goods or light goods vehicle without subsequent type approval,
- (b) a vehicle that has been stretched,
- (c) a kit car, or

(d) a vehicle where the seats, safety belts and safety belt anchorages are not original or the installation of these items is not original;

“non national” means a person to whom a permission has been given under the Act of 2004;

“non-commercial personal vehicle sharing service” means a personal vehicle sharing service operated without a gain for the person engaged in providing the service or another and where no payment is made to, or charges are levied by, the person operating the service in respect of the provision of the service;

“off-shore island” means an island forming part of the State but which is not connected to the rest of the State by any road or bridge;

“permission” has the meaning given to it by section 4 of the Act of 2004;

“personal vehicle sharing” means, in connection with a personal vehicle sharing service, the use of a private passenger motor vehicle by a person other than the registered owner of the vehicle or the person who is legally entitled to possession or use of the vehicle;

“personal vehicle sharing service” means a service providing arrangements to facilitate journeys by personal vehicle sharing;

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

“Principal Act” means the Taxi Regulation Act 2013 (No. 37 of 2013);

“registered owner” has the meaning given to it by section 3(1) of the Act of 1961;

“spare wheel system” means the manufacturer’s original specification supply or—

(a) a wheel or rim fitted with a tyre suitable for use on any axle position and capable of being fitted to the vehicle for immediate use and suitable for such use,

(b) an apparatus capable of raising any wheel fitted to the vehicle to a reasonable height from the ground, and

(c) such tools as are necessary for the removal or replacement of any wheel or rim fitted with a tyre referred to in paragraph (a);

“SPSV Driver Entry Test” means an assessment comprising the Industry Knowledge Test and the Area Knowledge Test in respect of a single area of operation;

“SPSV Driver’s Identity Card” means the personal identity photographic card issued to drivers of small public service vehicles by the Authority;

“SPSV Driver Display Card” means the dashboard display identity/area of operation card issued to drivers of small public service vehicles by the Authority;

“standard hackney” means a small public service vehicle in respect of which a standard hackney licence has been granted;

“standard taxi” means a street service vehicle (within the meaning of section 3 of the Act of 1961) which is not a wheelchair accessible taxi;

“technical assessor” means a mechanical or automotive engineer, automotive assessor or a person with similar qualifications who, by reason of his or her competence, experience and independence, is deemed by the Authority to be an appropriate person to assess the fitness and safety of a mechanically propelled vehicle;

“technical assessor’s basic report” means a declaration, in a form and substance satisfactory to the Authority, by a technical assessor following a visual inspection of a vehicle that the vehicle, in its modified state, complies with the Construction, Equipment and Use Regulations and the applicable requirements of Part 4 of these Regulations;

“technical assessor’s full report” means a declaration, in a form and substance satisfactory to the Authority, by a technical assessor following a visual inspection of a vehicle and professional review of the accompanying test data, that the vehicle, in its modified state, complies with the applicable requirements of Part 4 of these Regulations, the relevant essential type approval provisions and the Construction, Equipment and Use Regulations in relation to category M1 passenger cars;

“technical assessor’s LPG report” means a declaration, in a form and substance satisfactory to the Authority, by a technical assessor following a visual inspection of a vehicle and the component or system adaptations to the vehicle for the use of liquefied petroleum gas or compressed natural gas, that such adaptation complies with the Construction, Equipment and Use Regulations;

“test certificate” has the meaning given to it by the Road Traffic (National Car Test) Regulations 2014 (S.I. No. 322 of 2014);

“type-approval” means the process of certification whereby a type of vehicle satisfies the relevant administrative provisions and technical requirements imposed by, or pursuant to, Directive 2007/46/EC;

“VDA method” means the method of luggage volume measurement of the German Association of the Automotive Industry, Verbund die Automobil Industrie;

“VIN” means vehicle identification number being a fixed combination of characters assigned to each vehicle by the manufacturer marked on the manufacturer’s plate and on the chassis, frame or other similar structure;

“vintage limousine” means a limousine whose date of first registration was prior to 1 January 1980;

“wheelchair accessible hackney” means a small public service vehicle constructed or adapted for the carriage of wheelchair users seated in their wheelchairs in respect of which a wheelchair accessible hackney licence is in force; and

“wheelchair accessible taxi” means a street service vehicle (within the meaning of section 3 of the Act of 1961) which is constructed or adapted for the carriage of wheelchair users seated in their wheelchairs.

(2) In these Regulations—

- (a) Regulations 5(g), 5(h), 6, 8(g), 8(h), 9(g) and 9(h) are made by the Authority in exercise of the powers conferred on it by section 8 of the Principal Act,
- (b) Regulation 10 is made by the Authority in exercise of the powers conferred on it by section 56 of the Principal Act,
- (c) Regulation 21 is made by the Authority in exercise of the powers conferred on it by section 68 of the Principal Act,
- (d) Regulation 23 is made by the Authority in exercise of the powers conferred on it by section 56 of the Principal Act,
- (e) Regulation 51(4) is made by the Authority in exercise of the powers conferred on it by section 7 of the Principal Act,
- (f) Regulations 66 and 67 are made by the Authority in exercise of the powers conferred on it by section 48 of the Principal Act,
- (g) except for Regulations 5(g), 5(h), 6, 8(g), 8(h), 9(g), 9(h), 10 and 21, the Regulations contained in Part 2 and Part 3 are made by the Authority in exercise of the powers conferred on it by section 7 of the Principal Act, and
- (h) except for Regulations 23, 51(4), 66 and 67 the Regulations contained in Parts 4 to 10 are made by the Authority in exercise of the powers conferred on it by section 20 of the Principal Act.

Saver and revocation

4. (1) A licence granted under the Small Public Service Vehicles (Consolidation and Reform) Regulations 2014 (S.I. No. 165 of 2014) or pursuant to regulations made under the 2003 Act or section 82 of the 1961 Act which is valid immediately before the commencement of these Regulations shall remain valid in accordance with its terms as if granted under these Regulations.

(2) Save for Regulation 52, the definition of Principal Act and Schedule 10, which are revoked with effect from 30 April 2015, the Small Public Service Vehicle (Consolidation and Reform) Regulations 2014 (S.I. No. 165 of 2014) are hereby revoked.

PART 2

LICENSING OF DRIVERS OF SMALL PUBLIC SERVICE VEHICLES

Application for new licence to drive small public service vehicles

5. Subject to Regulation 9, an application for the grant of a new licence to drive small public service vehicles shall be accompanied by—

- (a) evidence that the applicant—
 - (i) holds a valid driving licence without endorsement, and
 - (ii) has held the driving licence referred to in subparagraph (i) on a continuous basis during the twelve month period immediately preceding the date of his or her application
- (b) evidence that the appropriate fee specified in Schedule 1 has been paid to the Authority,
- (c) an undertaking that, if the licence is granted, the applicant shall not drive a small public service vehicle for more than eleven hours in any one day in any period of three consecutive days,
- (d) a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,
- (e) evidence of the successful completion by the applicant of the relevant SPSV Driver Entry Test for the chosen area of operation,
- (f) the information required under section 11 of the Principal Act in relation to any other occupation held by the applicant,
- (g) a declaration by the applicant that—
 - (i) his or her health does not affect, to a material extent, his or her ability to drive a small public service vehicle, and
 - (ii) he or she is not taking, on a regular basis, drugs or medications which would be likely to cause the driving of a vehicle by him or her in a public place to be a source of danger to the public,
- (h) if requested by the licensing authority—
 - (i) confirmation in form and substance satisfactory to the licensing authority as to whether the applicant ever had, or currently suffers from, any of the medical conditions listed in Part 5 of Form D401 of Schedule 1 of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006), and
 - (ii) if the applicant ever had, or currently suffers from, any of the medical conditions referred to in sub-paragraph (h)(i), a medical

report substantially in the form of Form D501 of Schedule 1 of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006),

- (i) a declaration by the applicant confirming that he or she has not been convicted of any of the offences specified in section 30(3) or the Schedule to the Principal Act, and
- (j) such other items as may be directed from time to time by the licensing authority.

SPSV Driver Entry Test

6. (1) Subject to paragraph (3) and Regulation 9, an applicant for a new licence to drive small public service vehicles shall undertake the SPSV Driver Entry Test relevant to the area of operation being applied for.

(2) On the successful completion of the SPSV Driver Entry Test referred to in paragraph (1), the Authority shall issue a certificate to the applicant in such form as may be determined by the Authority, which shall include confirmation of the relevant operational area for standing or plying for hire in respect of which the applicant has successfully completed an Area Knowledge Test.

- (3) An applicant for a new licence to drive small public service vehicles who—
 - (a) previously held such a licence (other than a licence granted under Regulation 9) during the twelve months prior to the date of his or her application, and
 - (b) previously successfully completed the SPSV Driver Entry Test in respect of the area of operation being applied for,

shall not be required to repeat the SPSV Driver Entry Test.

(4) A holder of a licence to drive small public service vehicles (other than a licence granted under Regulation 9) may apply for authorisation to stand or ply for hire in additional areas to those authorised on his or her existing licence and the Authority may grant such authorisation on the successful completion by the applicant of the Area Knowledge Test relevant to the area of operation being applied for.

Form and duration of licence to drive small public service vehicles

7. (1) Subject to paragraph (2), a licence to drive small public service vehicles granted by the licensing authority shall be in such form as may be determined by the licensing authority.

(2) Without prejudice to the generality of paragraph (1), a licence to drive small public service vehicles granted by the licensing authority shall state—

- (a) that the named holder is licensed to drive small public service vehicles,
- (b) the date on which the licence was granted,

- (c) the name and address of the person to whom the licence was granted,
- (d) the licence number,
- (e) the expiry date of the licence,
- (f) the operational area or areas in respect of which the licence holder is licensed to stand or ply for hire, and
- (g) such other items as the licensing authority may determine.

(3) A licence to drive small public service vehicles shall remain in force until the earlier of—

- (a) the expiry of a period of five years from the date of its grant or renewal,
- (b) the surrender of the licence by the holder,
- (c) the revocation of the licence under the Principal Act, and
- (d) the disqualification of the licence holder pursuant to section 30 or 38 of the Principal Act.

Application for renewal of licence to drive small public service vehicles

8. (1) Subject to Regulation 9, an application for the renewal of a licence to drive small public service vehicles shall be made no earlier than three months prior to the expiry date of the existing licence and shall be accompanied by—

- (a) evidence that the applicant holds a valid driving licence,
- (b) evidence that the appropriate fee specified in Schedule 1 has been paid to the Authority,
- (c) an undertaking that, if the licence is granted, the applicant shall not drive a small public service vehicle for more than eleven hours in any one day in any period of three consecutive days,
- (d) a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,
- (e) the information required under section 11 of the Principal Act in relation to any other occupation held by the applicant,
- (f) if required by the Authority under Regulation 11, evidence of the successful completion by the applicant of the Area Knowledge Test for the area in respect of which he or she is licensed to stand or ply for hire,
- (g) a declaration by the applicant that—

- (i) his or her health does not affect, to a material extent, his or her ability to drive a small public service vehicle, and
 - (ii) he or she is not taking, on a regular basis, drugs or medications which would be likely to cause the driving of a vehicle by him or her in a public place to be a source of danger to the public,
- (h) if requested by the licensing authority—
- (i) confirmation in form and substance satisfactory to the licensing authority as to whether the applicant ever had, or currently suffers from, any of the medical conditions listed in Part 5 of Form D401 of Schedule 1 of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006), and
 - (ii) if the applicant ever had, or currently suffers from, any of the medical conditions referred to in sub-paragraph (h)(i), a medical report substantially in the form of Form D501 of Schedule 1 of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006),
- (i) a declaration by the applicant confirming that he or she has not been convicted of any of the offences specified in section 30(3) or the Schedule to the Principal Act, and
 - (j) such other items as may be directed from time to time by the licensing authority

(2) Where an application for the renewal of a licence to drive small public service vehicles in accordance with paragraph (1) is received by the licensing authority not later than six weeks prior to the expiry date of the existing licence, the provisions of section 9(16) of the Principal Act shall apply.

(3) An application for the renewal of a licence to drive small public service vehicles shall not be made after the expiry of one year from the date of expiry of such licence.

Licence to drive a local area hackney

9. (1) An application for the grant of a new local area hackney driver's licence shall be accompanied by—

- (a) evidence that the applicant holds a local area hackney licence,
- (b) evidence that the applicant—
 - (i) holds a valid driving licence without endorsement, and
 - (ii) has held the driving licence referred to in sub-paragraph (i) on a continuous basis during the twelve month period immediately preceding the date of his or her application,

- (c) evidence that the appropriate fee specified in Schedule 1 has been paid to the Authority,
 - (d) a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,
 - (e) the information required under section 11 of the Principal Act in relation to any other occupation held by the applicant,
 - (f) if required by the Authority, evidence of the successful completion by the applicant of the Area Knowledge Test for the area to which such application relates,
 - (g) a declaration by the applicant that—
 - (i) his or her health does not affect, to a material extent, his or her ability to drive a small public service vehicle, and
 - (ii) he or she is not taking, on a regular basis, drugs or medications which would be likely to cause the driving of a vehicle by him or her in a public place to be a source of danger to the public,
 - (h) if requested by the licensing authority-
 - (i) confirmation in form and substance satisfactory to the licensing authority as to whether the applicant ever had, or currently suffers from, any of the medical conditions listed in Part 5 of Form D401 of Schedule 1 of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006), and
 - (ii) if the applicant ever had, or currently suffers from, any of the medical conditions referred to in sub-paragraph (h)(i), a medical report substantially in the form of Form D501 of Schedule 1 of the Road Traffic (Licensing of Drivers) Regulations 2006 (S.I. No. 537 of 2006),
 - (i) a declaration by the applicant confirming that he or she has not been convicted of any of the offences specified in the Schedule to the Principal Act,
 - (j) evidence, in a form and substance satisfactory to the licensing authority, that the application relates substantially to the same area as that for which the applicant holds the licence referred to in paragraph (1)(a), and
 - (k) such other items as may be directed from time to time by the licensing authority.
- (2) Where an application for the renewal of a local area hackney licence in accordance with paragraph (1) is received by the licensing authority not later

than six weeks prior to the expiry date of the existing licence, the provisions of section 9(16) of the Principal Act shall apply.

(3) A local area hackney driver's licence shall remain in force until the earlier of—

- (a) the expiry of a period of three years from the date of its initial grant,
- (b) the surrender of the licence by the holder,
- (c) the revocation of the licence under the Principal Act,
- (d) the holder of the licence obtaining any other category of small public service vehicle licence other than a local area hackney licence, or
- (e) the disqualification of the licence holder pursuant to section 30 or 38 of the Principal Act.

(4) Where a local area hackney driver's licence expires in accordance with paragraph (3)(a), the holder of such licence may apply to the licensing authority under paragraph (1) for the grant of a new local area hackney driver's licence.

(5) A person shall not drive a local area hackney for the carriage of passengers for reward unless he or she holds a valid licence to drive small public service vehicles or a valid local area hackney driver's licence.

(6) It is a condition of a licence to drive a local area hackney that the licence holder shall not drive a small public service vehicle, other than a local area hackney, for the carriage of passengers for reward.

Exemption from requirement to hold a licence to drive small public service vehicles

10. (1) A person is not required to hold a licence to drive small public service vehicles where he or she—

- (a) drives a vehicle as part of a non-commercial personal vehicle sharing service and receives no reward for his or her services, other than payment to him or her of an amount not exceeding the reasonable cost of the fuel consumed in providing such service, or
- (b) is operating a vehicle under a contract of employment where the operation of such vehicle is solely for the carriage of the person who has ownership or possession of the vehicle.

(2) The holder of a licence to drive small public service vehicles shall not participate in a personal vehicle sharing programme.

Mandatory Area Knowledge Test

11. (1) The Authority may require an applicant for the renewal of a licence to drive small public service vehicles to complete an Area Knowledge Test in respect of the area to which such application relates where, in the period of

three years immediately preceding the date of such application, the Authority has received three or more complaints from passengers relating to the applicant's knowledge of the geography, routes or place names of such area.

(2) Where the Authority requires the licence holder to complete the Area Knowledge Test in accordance with paragraph (1), the first such test shall be provided by the Authority without charge to the licence holder.

PART 3

LICENSING OF SMALL PUBLIC SERVICE VEHICLES

One licence, one vehicle

12. (1) Only one small public service vehicle licence shall be in force in respect of a vehicle at any time.

(2) No small public service vehicle licence shall be granted in relation to, or otherwise associated with, a vehicle in respect of which a small public service vehicle licence is already in force.

Grant of new small public service vehicle licence

13. (1) Subject to Regulation 22, an application for the grant of a new small public service vehicle licence shall be made to the Authority in accordance with this Regulation and accompanied by the fee specified in Schedule 1.

(2) Where an application for the grant of a new small public service vehicle licence is made to the Authority, the Authority may make a conditional offer of the grant of the new licence in respect of a vehicle provided that—

- (a) in the case of a modified vehicle, the application is accompanied by evidence, in form and substance satisfactory to the Authority, that the vehicle to which the application relates complies with the requirements of Regulation 29,
- (b) in the case of an application in relation to a wheelchair accessible taxi licence or wheelchair accessible hackney licence, the applicant provides—
 - (i) the names of any persons, including the licence holder, proposed to drive or use the vehicle to carry passengers for reward,
 - (ii) the proposed contact details for the purposes of making a booking in respect of the vehicle,
 - (iii) the areas of the State in which the licence holder proposes to drive or use the vehicle to carry passengers for reward, and
 - (iv) the days and times during which the licence holder proposes to make the vehicle available to carry passengers for reward, and

- (c) the vehicle complies with the vehicle age requirements set out in these Regulations and is not of a specific vehicle type or model which the Authority has determined does not comply with the requirements applicable to the relevant vehicle licence category under Part 4 of these Regulations.

(3) Subject to Regulation 17, in respect of an application for the grant of a new small public service vehicle licence, other than a limousine licence or a local area hackney licence, the Authority may grant such a licence only where the vehicle the subject of the application has not reached the sixth anniversary of the date of first registration of the vehicle and the vehicle the subject of the application complies with the specifications relating to wheelchair accessible taxis or wheelchair accessible hackneys, as appropriate, contained in these Regulations.

(4) Where the Authority has made a conditional offer under paragraph (2), the Authority may grant a small public service vehicle licence where, within a period to be specified by the Authority,—

(a) the applicant provides—

- (i) evidence, in form and substance satisfactory to the Authority, that a test certificate has been issued not more than 90 days prior to the date of the application in respect of the vehicle the subject of the application,
- (ii) a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,
- (iii) evidence, in form and substance satisfactory to the Authority, that the vehicle the subject of the application is covered by insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of passengers carried for reward in such vehicle,
- (iv) subject to paragraph (5), in the case of an applicant who is a non-national, a declaration by such person that the conditions of his or her permission do not preclude him or her from operating a business or being self-employed in the State,
- (v) evidence, in form and substance satisfactory to the Authority, that the applicant is—
 - (A) the registered owner of the vehicle the subject of the application, or
 - (B) legally entitled to the use and possession of the vehicle the subject of the application for a period of not less than 12 months from the date of the application,

- (vi) where the applicant is a company, the information required under section 9(10) of the Principal Act, and
- (b) the Authority is satisfied, following an assessment of the vehicle by or on behalf of the Authority, that the vehicle meets the requirements applicable to the relevant vehicle licence category under Part 4 of these Regulations, provided that where the Authority has determined that a specific vehicle type or model does not comply with the requirements applicable to such vehicle licence category under Part 4 of these Regulations, the Authority may refuse to grant the licence without an assessment of the specific vehicle being carried out.

(5) A person who has made a declaration in accordance with paragraph (4)(a)(iv) shall, if requested by the Authority, produce evidence, in form and substance satisfactory to the Authority, that the conditions of his or her permission do not preclude him or her from operating a business or being self-employed in the State.

Renewal of small public service vehicle licence

14. (1) Subject to Regulation 22, an application for the renewal of a small public service vehicle licence shall be made to the Authority in accordance with this Regulation no earlier than sixty days prior to the expiry date of the existing licence and accompanied by the relevant fee specified in Schedule 1.

(2) A small public service vehicle licence may only be renewed by the Authority where—

- (a) the applicant provides—
 - (i) evidence, in form and substance satisfactory to the Authority, that a test certificate has been issued not more than 90 days prior to the date of the application in respect of the vehicle the subject of the application,
 - (ii) a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,
 - (iii) evidence, in form and substance satisfactory to the Authority, that the vehicle the subject of the application is covered by insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of passengers carried for reward in such vehicle,
 - (iv) subject to paragraph (4), in the case of an applicant who is a non-national, a declaration by such person that the conditions of his or her permission do not preclude him or her from operating a business or being self-employed in the State,

- (v) evidence, in form and substance satisfactory to the Authority, that the applicant is—
 - (A) the registered owner of the vehicle the subject of the application, or
 - (B) legally entitled to the use and possession of the vehicle the subject of the application for a period of not less than 12 months from the date of the application,
 - (vi) a declaration that the vehicle has not been modified since its last assessment by or on behalf of the Authority, or where the vehicle has been so modified, the application is accompanied by evidence, in form and substance satisfactory to the Authority, that the vehicle to which the application relates complies with the requirements of Regulation 29,
 - (vii) in the case of an application for the renewal of a wheelchair accessible taxi licence or wheelchair accessible hackney licence, the following information—
 - (A) the names of any persons, including the licence holder, proposed to drive or use the vehicle to carry passengers for reward,
 - (B) all contact details available for the purposes of making a booking in respect of the vehicle,
 - (C) the areas of the State in which the licence holder proposes to drive or use the vehicle to carry passengers for reward,
 - (D) the days and times during which the licence holder proposes to make the vehicle available to carry passengers for reward, and
 - (viii) where the applicant is a company, the information required under section 9(10) of the Principal Act, and
- (b) the Authority is satisfied, following an assessment of the vehicle by or on behalf of the Authority, that the vehicle meets the requirements applicable to the relevant vehicle licence category under Part 4 of these Regulations, provided that where the Authority has determined that a specific vehicle type or model does not comply with the requirements applicable to such vehicle licence category under Part 4 of these Regulations, the Authority may refuse to grant the licence without an assessment of the specific vehicle being carried out.
- (3) Where an application for the renewal of a small public service vehicle licence in accordance with paragraphs (1) and (2) is received by the Authority

not later than four weeks prior to the expiry date of the existing licence, the provisions of section 9(16) of the Principal Act shall apply.

(4) A person who has made a declaration in accordance with paragraph (2)(a)(iv) shall, if requested by the Authority, produce evidence, in form and substance satisfactory to the Authority, that the conditions of his or her permission do not preclude him or her from operating a business or being self-employed in the State.

Period of validity of small public service vehicle licence

15. (1) A new small public service vehicle licence granted by the Authority under Regulation 13 or 22 shall expire on the earlier of—

- (a) the date falling—
 - (i) in the case of a limousine licence (other than a vintage limousine licence) associated with a vehicle that has reached the tenth or later anniversary of the date of first registration of the vehicle, six months after the date on which it was granted, or
 - (ii) in the case of a licence associated with any other vehicle, one year after the date on which it was granted,
- (b) the date upon which the vehicle reaches its maximum permissible age,
- (c) the surrender of the licence by the holder,
- (d) the revocation of the licence under the Principal Act, 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.

(2) Subject to paragraph (3), a small public service vehicle licence renewed by the Authority under Regulation 14 or Regulation 22 shall expire on the earlier of—

- (a) where the licence is renewed before the expiry date specified on the licence, the date falling one year after such expiry date,
- (b) where the licence is renewed after the expiry date specified on the licence, the date falling one year after the date on which it was renewed,
- (c) in the case of a licence renewed under Regulation 22, the date falling three years after the date on which the licence was first granted,
- (d) the date upon which the vehicle reaches its maximum permissible age,
- (e) the surrender of the licence by the holder,
- (f) the revocation of the licence under the Principal Act, or

- (g) 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) Subject to paragraph (4), where the Authority renews a small public service vehicle licence in respect of a vehicle that has, on the date of renewal of the licence, reached the tenth or later anniversary of the date of first registration of the vehicle, such licence shall expire on the earlier of—

- (a) where the licence is renewed before the expiry date specified on the licence, the date falling six months after such expiry date,
- (b) where the licence is renewed after the expiry date specified on the licence, the date falling six months after the date on which it was renewed,
- (c) the date upon which the vehicle reaches its maximum permissible age,
- (d) the surrender of the licence by the holder,
- (e) the revocation of the licence under the Principal Act, or
- (f) 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) Where a small public service vehicle licence is renewed in respect of a vehicle referred to in paragraph (3) that is a vintage limousine or is used solely on an off-shore island, such licence shall expire on the earlier of—

- (a) where the licence is renewed before the expiry date specified on the licence, the date falling one year after such expiry date,
- (b) where the licence is renewed after the expiry date specified on the licence, the date falling one year after the date on which it was renewed,
- (c) the date upon which the vehicle reaches its maximum permissible age,
- (d) the surrender of the licence by the holder,
- (e) the revocation of the licence under the Principal Act, or
- (f) 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.

(5) A person shall not apply to the Authority for the grant of a small public service vehicle licence in respect of a vehicle that has reached its maximum permissible age.

Change of vehicle

16. (1) An application for the continuance in force of a small public service vehicle licence in respect of a different vehicle shall be made to the Authority accompanied by the fee specified in Schedule 1.

(2) The Authority may approve the continuance in force of a small public service vehicle licence in respect of a different vehicle where—

- (a) the applicant provides—
 - (i) evidence, in form and substance satisfactory to the Authority, that a test certificate has been issued not more than 90 days prior to the date of the application in respect of the vehicle the subject of the application,
 - (ii) a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,
 - (iii) evidence, in form and substance satisfactory to the Authority, that the vehicle the subject of the application is covered by insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of passengers carried for reward in such vehicle,
 - (iv) subject to paragraph (3), in the case of an applicant who is a non-national, a declaration by such person that the conditions of his or her permission do not preclude him or her from operating a business or being self-employed in the State,
 - (v) evidence, in form and substance satisfactory to the Authority, that the applicant is—
 - (A) the registered owner of the vehicle the subject of the application, or
 - (B) legally entitled to the use and possession of the vehicle the subject of the application for a period of not less than 12 months from the date of the application,
 - (vi) where the applicant is a company, the information required under section 9(10) of the Principal Act,
- (b) in the case of a modified vehicle, the application is accompanied by evidence, in form and substance satisfactory to the Authority, that the vehicle to which the application relates complies with the requirements of Regulation 29,

- (c) in the case of an application in relation to a wheelchair accessible taxi licence or wheelchair accessible hackney licence, the following information—
 - (i) the names of any persons, including the licence holder, proposed to drive or use the vehicle to carry passengers for reward,
 - (ii) all contact details available for the purposes of making a booking in respect of the vehicle,
 - (iii) the areas of the State in which the licence holder proposes to drive or use the vehicle to carry passengers for reward, and
 - (iv) the days and times during which the licence holder proposes to make the vehicle available to carry passengers for reward, and
- (d) the Authority is satisfied, following an assessment of the vehicle by or on behalf of the Authority, that the vehicle meets the requirements applicable to the relevant vehicle licence category under Part 4 of these Regulations, provided that where the Authority has determined that a specific vehicle type or model does not comply with the requirements applicable to such vehicle licence category under Part 4 of these Regulations, the Authority may refuse to grant the licence without an assessment of the specific vehicle being carried out.

(3) A person who has made a declaration in accordance with paragraph (2)(a)(iv) shall, if requested by the Authority, produce evidence, in form and substance satisfactory to the Authority, that the conditions of his or her permission do not preclude him or her from operating a business or being self-employed in the State.

(4) Except in the case of a limousine licence, the Authority shall not approve an application under paragraph (1) where the vehicle in respect of which it is proposed to continue the licence in force has reached the tenth or later anniversary of the date of first registration of the vehicle.

(5) Where the Authority approves the continuance in force of a small public service vehicle licence in respect of a different vehicle, the licence is deemed to have been renewed by the Authority under Regulation 14 with effect from the date of such approval.

(6) Where a small public service vehicle licence is continued in force in respect of a different vehicle under this Regulation and, within eight weeks of such continuance in force, the original vehicle is re-instated on the licence, the licence holder may apply to the Authority for a refund of fifty per cent of the fee paid by the applicant under paragraph (1).

(7) Subject to paragraph (8), in the case of a new wheelchair accessible taxi licence or a new wheelchair accessible hackney licence issued under these Regulations, the Authority may only grant an application under paragraph (1) where the vehicle in respect of which it is proposed to have the licence continued in

force is, on the date such application is received by the Authority, not older than the vehicle associated with the licence at the time of such application.

(8) For the purposes of paragraph (7), where no vehicle is associated with the licence at the time of an application under paragraph (1), the Authority may only grant such application where the vehicle in respect of which it is proposed to have the licence continued in force is, on the date such application is received by the Authority, not older than the last vehicle which was associated with the licence.

(9) The holder of a standard taxi licence may apply to the Authority for the continuance in force of such licence in respect of a wheelchair accessible vehicle that—

- (a) complies with the vehicle standards and requirements specified in Schedules 2 and 4, and
- (b) has not reached the sixth anniversary of the date of first registration of the vehicle.

(10) The holder of a licence that has been continued in force under paragraph (9), may subsequently make an application for the continuance in force of such licence in respect of a vehicle complying with the vehicle standards and requirements specified in Schedule 2.

Replacement of expired licence

17. (1) Except where—

- (a) a small public service vehicle licence has been surrendered or revoked, or
- (b) in the case of a local area hackney licence, a period of three years has elapsed since the initial grant of such licence,

the holder of a small public service vehicle licence that has expired may, subject to this Regulation, apply to the Authority for the replacement of the expired licence in respect of the same vehicle or a different vehicle provided that such application shall be accompanied by the relevant fee specified in Schedule 1.

(2) The Authority may approve an application under paragraph (1) provided that—

- (a) the application is made to the Authority on or before the date falling twelve months after the date of expiry of the licence, and
- (b) following an assessment of the vehicle by or on behalf of the Authority, the Authority is satisfied that the vehicle meets the requirements applicable to the relevant vehicle licence category under Part 4 of these Regulations, provided that where the Authority has determined that a specific vehicle type or model does not comply with the requirements applicable to such vehicle licence category under Part 4

of these Regulations, the Authority may refuse to replace the licence without an assessment of the specific vehicle

Death of licence holder

18. (1) The Authority may approve an application under section 15 of the Principal Act by a nominated representative to continue to operate a small public service vehicle licence where—

- (a) the nominated representative provides—
 - (i) evidence, in form and substance satisfactory to the Authority, that a test certificate has been issued no more than 90 days prior to the date of the application in respect of the vehicle the subject of the application,
 - (ii) a valid tax clearance certificate has been issued in respect of the nominated representative under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997, and
 - (iii) evidence, in form and substance satisfactory to the Authority, that the vehicle the subject of the application is covered by insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of passengers carried for reward in such vehicle,
- (b) the application is accompanied by the relevant fee specified in Schedule 1,
- (c) the application is made within the time period specified in section 15 of the Principal Act,
- (d) in the case of a modified vehicle, the application is accompanied by evidence, in form and substance satisfactory to the Authority, that the vehicle to which the application relates complies with the requirements of Regulation 29,
- (e) in the case of an application for a wheelchair accessible taxi licence or wheelchair accessible hackney licence, the following information—
 - (i) the names of any persons, including the licence holder, proposed to drive or use the vehicle to carry passengers for reward,
 - (ii) all contact details available for the purposes of making a booking in respect of the vehicle,
 - (iii) the areas of the State in which the licence holder proposes to drive or use the vehicle to carry passengers for reward, and
 - (iv) the days and times during which the licence holder proposes to make the vehicle available to carry passengers for reward, and

- (f) following an assessment of the vehicle by or on behalf of the Authority, the Authority is satisfied that the vehicle meets the requirements applicable to the relevant vehicle licence category under Part 4 of these Regulations, provided that where the Authority has determined that a specific vehicle type or model does not comply with the requirements applicable to such vehicle licence category under Part 4 of these Regulations, the Authority may refuse to grant the licence without an assessment of the specific vehicle.

Form of vehicle licence certificate

19. A small public service vehicle licence issued in respect of a vehicle under these Regulations shall state—

- (a) the date on which the licence was granted to such vehicle,
- (b) the expiry date of the licence,
- (c) the name and address of the licence holder,
- (d) the licence number,
- (e) the maximum number of passengers that the vehicle is licensed to carry for reward,
- (f) the registration number of the vehicle that is associated with the licence, and
- (g) the vehicle make, model, colour and engine capacity.

Surrender of licence

20. (1) The holder of a small public service vehicle licence may at any time surrender the licence to the Authority.

(2) Upon the surrender of a small public service vehicle licence under paragraph (1), the licence shall be deemed to have permanently expired and shall not be renewed under Regulation 14 or replaced under Regulation 17.

Insurance

21. (1) The holder of a small public service vehicle licence shall maintain in force for the duration of the licence a policy of insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of the carriage of passengers for reward in the vehicle.

(2) Subject to paragraph (3), the insurance policy referred to in paragraph (1) shall be held—

- (a) in the name of the holder of the small public service vehicle licence to which the insurance policy relates, or

- (b) jointly between more than one party where one party is the holder of the small public service vehicle licence to which the insurance policy relates.

(3) Where the insurance policy referred to in paragraph (1) is not held in accordance with paragraph (2), the holder of the small public service vehicle licence shall provide written confirmation to the Authority from the relevant insurance company or broker acting for such insurance company that the insurance company is aware that the holder of the insurance policy is not the person who is the registered owner of the vehicle or is otherwise legally entitled to the use and possession of the vehicle.

Local area hackney licence

22. (1) The Authority may grant a new local area hackney licence or renew a local area hackney licence only where the Authority is satisfied that—

- (a) the public transport needs of the area in respect of which the licence is sought are not being adequately met by existing public transport services or small public transport services licensed by the Authority, and
- (b) in order to meet the public transport needs of such area, there is a need for the provision of the public transport service to be the subject of a local area hackney licence.

(2) In considering whether to grant a new local area hackney licence, the Authority shall have regard to—

- (a) the public transport needs of the area in respect of which the licence is sought,
- (b) any existing public transport services or services operated by small public service vehicles licensed by the Authority in the area in respect of which the licence is sought and the potential impact of a local area hackney service on such existing services,
- (c) any other proposals for public transport services in the area in respect of which the licence is sought,
- (d) any transport demand analysis that may be undertaken by or on behalf of the Authority or otherwise, and
- (e) such other information as the Authority considers relevant.

(3) A local area hackney licence shall only be granted by the Authority where—

- (a) the applicant provides—
 - (i) evidence that the appropriate fee specified in Schedule 1 has been paid to the Authority,

(ii) except in the case of an application for renewal of the licence, confirmation in writing from—

(A) from an established organisation representing local businesses in the area, or

(B) from a community group concerned for social and welfare needs of one or more communities, which has been granted an exemption from income tax under section 207 of the Taxes Consolidation Act 1997, by the Revenue Commissioners,

of the need for such local area hackney service in the proposed area,

(iii) except in the case of an application for renewal of the licence, an analysis, in form and substance satisfactory to the Authority, of the need for such local area hackney service in the proposed area carried out by or on behalf of the local authority in whose administrative area the local area hackney service is proposed to be provided and written confirmation from that local authority that there is a need for such local area hackney service in the proposed area,

(iv) evidence, in form and substance satisfactory to the Authority, that a test certificate has been issued not more than 90 days prior to the date of the application in respect of the vehicle the subject of the application,

(v) a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,

(vi) evidence, in form and substance satisfactory to the Authority, that the vehicle the subject of the application is covered by insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of passengers carried for reward in such vehicle,

(vii) evidence, in form and substance satisfactory to the Authority, that the applicant is—

(A) the registered owner of the vehicle the subject of the application, or

(B) legally entitled to the use and possession of the vehicle the subject of the application for a period of not less than 12 months from the date of the application,

(b) in the case of a modified vehicle, the application is accompanied by evidence, in form and substance satisfactory to the Authority, that the

vehicle to which the application relates complies with the requirements of Regulation 29, and

- (c) following an assessment of the vehicle by or on behalf of the Authority, the Authority is satisfied that the vehicle meets the requirements applicable to the relevant vehicle licence category under Part 4 of these Regulations, provided that where the Authority has determined that a specific vehicle type or model does not comply with the requirements applicable to such vehicle licence category under Part 4 of these Regulations, the Authority may refuse to grant the licence without an assessment of the specific vehicle.
- (4) The holder of a local area hackney licence shall—
- (a) ensure that the vehicle associated with such licence is available for hire as a local area hackney in the area in respect of which the licence is granted,
 - (b) not, during the term of such licence, hold a small public service vehicle licence in respect of any vehicle other than the vehicle referred to in sub-paragraph (a), and
 - (c) not provide, or advertise the provision of, services for the carriage of passengers for reward outside of the local area in respect of which the licence has been granted.

(5) A local area hackney licence granted or renewed by the Authority shall specify the area in respect of which such licence has been granted.

Exemption from requirement to hold a small public service vehicle licence

23. (1) A person is not required to hold a small public service vehicle licence where such vehicle is being operated as part of a non-commercial personal vehicle sharing service and no payments are made in respect of such service other than payment to the driver of an amount not exceeding the reasonable cost of the fuel consumed in providing such service.

(2) The holder of a licence in respect of a small public service vehicle shall not permit such vehicle to participate in a personal vehicle sharing programme.

(3) A person is not required to hold a small public service vehicle licence where such vehicle is being driven by an employee of that person and the vehicle is solely for the carriage of the person who has ownership or possession of the vehicle.

PART 4

VEHICLE STANDARDS

Standard taxi vehicle requirements

24. Standard taxis shall comply with the vehicle standards and requirements specified in Schedule 2.

Standard hackney and local area hackney vehicle requirements

25. (1) Subject to paragraph (2), standard hackneys and local area hackneys shall comply with the vehicle standards and requirements specified in Schedule 3.

(2) Local area hackneys shall be exempt from the requirements of paragraph 16 of Schedule 3.

Wheelchair accessible taxi vehicle requirements

26. (1) Subject to paragraph (2), wheelchair accessible taxis shall comply with the vehicle standards and requirements specified in Schedules 2 and 4.

(2) Where a vehicle is associated with a wheelchair accessible taxi licence first granted on or before 8 June 2010 and was associated with such licence on 1 January 2013, such vehicle shall be exempt from the requirements of—

- (a) paragraph 5 (Provision of Access Step) of Schedule 4,
- (b) paragraph 6 (Access Step Requirements) of Schedule 4,
- (c) paragraph 7 (Access Step Integrity) of Schedule 4,
- (d) paragraph 8 (Kneeling Suspension System Requirements) of Schedule 4,
- (e) paragraph 11 (User Manual) of Schedule 4,
- (f) paragraph 12 (Handholds) of Schedule 4,
- (g) paragraph 13 (Targeted Interior Lighting) of Schedule 4,
- (h) paragraph 14 (Flooring) of Schedule 4, and
- (i) paragraph 15 (Intercom and Induction Loop) of Schedule 4.

Wheelchair accessible hackney vehicle requirements

27. Wheelchair accessible hackneys shall comply with the vehicle standards and requirements specified in Schedules 3 and 4.

Limousine vehicle requirements

28. Limousines shall comply with the vehicle standards and requirements specified in Schedule 5.

Modified vehicles

29. (1) An application for—

- (a) the grant of a new wheelchair accessible taxi licence or new wheelchair accessible hackney licence, or
- (b) the continuance in force of a wheelchair accessible taxi licence or wheelchair accessible hackney licence in respect of a different vehicle,

shall be accompanied by a technical assessor's full report dated not more than 60 days before the date of the application and an information package containing formal test data confirming that the vehicle (referenced by its VIN) complies with—

- (i) in the case of an application in relation to a wheelchair accessible taxi licence, the vehicle standards and requirements specified in Schedules 2, 4 and 7, and
- (ii) in the case of an application in relation to a wheelchair accessible hackney licence, the vehicle standards and requirements specified in Schedules 3, 4 and 7.

(2) An application for the renewal of a wheelchair accessible taxi licence first granted on or before 8 June 2010 shall—

- (a) in the case of the first renewal of such licence on or after 1 January 2016, and
- (b) upon the expiry of each subsequent period of five years since the first renewal of such licence under sub-paragraph (a),

be accompanied by a technical assessor's basic report dated not more than 60 days before the date of the application confirming that the vehicle (referenced by its VIN) complies with the relevant vehicle standards and requirements specified in Schedules 2, 4 and 7 for such vehicle.

(3) An application for—

- (a) the grant of a new standard taxi licence, a new standard hackney licence or a new local area hackney licence in respect of a modified vehicle, or
- (b) the continuance in force of a standard taxi licence, standard hackney licence or local area hackney licence in respect of a different vehicle that is a modified vehicle,

shall be accompanied by a technical assessor's full report dated not more than 60 days before the date of the application and information package confirming that the vehicle (referenced by its VIN) complies with—

- (i) in the case of an application in relation to a standard taxi licence, the vehicle standards and requirements specified in Schedule 2, and
- (ii) in the case of an application in relation to a standard hackney licence or, subject to Regulation 25(2), a local area hackney licence, the vehicle standards and requirements specified in Schedule 3.

(4) An application for the renewal of a standard taxi licence, standard hackney licence or local area hackney licence in relation to a modified vehicle shall—

- (a) in the case of the first renewal of such licence on or after 1 January 2016, and
- (b) upon the expiry of each subsequent period of five years since the first renewal of such licence under sub-paragraph (a),

be accompanied by a technical assessor's basic report dated not more than 60 days before the date of the application confirming that the vehicle (referenced by its VIN) complies with—

- (i) in the case of an application in relation to a standard taxi licence, the vehicle standards and requirements specified in Schedule 2, and
- (ii) in the case of an application in relation to a standard hackney licence or, subject to Regulation 25(2), a local area hackney licence, the vehicle standards and requirements specified in Schedule 3.

(5) An application for—

- (a) the grant of a new limousine licence in respect of a modified vehicle, or
- (b) the continuance in force of a limousine licence in respect of a different vehicle that is a modified vehicle,

shall be accompanied by a technical assessor's full report dated not more than 60 days before the date of the application and information package confirming that the vehicle (referenced by its VIN) complies with the vehicle standards and requirements specified in Schedule 5.

(6) An application for the renewal of a limousine licence in relation to a modified vehicle shall—

- (a) in the case of the first renewal of such licence on or after 1 January 2016, and
- (b) upon the expiry of each subsequent period of five years since the first renewal of such licence under sub-paragraph (a),

be accompanied by a technical assessor's basic report dated not more than 60 days before the date of the application confirming that the vehicle (referenced by its VIN) complies with the vehicle standards and requirements specified in Schedule 5.

(7) Where a small public service vehicle has been adapted to operate using liquefied petroleum gas or compressed natural gas, whether in addition to an

existing means of propulsion or otherwise, the small public service vehicle licence holder shall provide a technical assessor's LPG report confirming that the gas adaptation for the vehicle (referenced by its VIN) complies with the relevant Construction, Equipment and Use Regulations.

(8) The technical assessor's report referred to in paragraph (7) shall be provided to the Authority at the next following vehicle assessment on licence renewal in accordance with Regulation 14(2).

(9) Where a small public service vehicle is modified in respect of any of the matters contemplated by this Regulation, the small public service vehicle licence holder shall, within ten days of such modification being carried out—

- (a) notify the Authority in writing of such modification, and
- (b) furnish the relevant technical assessor's report to the Authority, as would be required for a licence renewal application in respect of such vehicle, in accordance with this Regulation.

Prohibition on fitment of taximeter

30. Hackneys and limousines shall not be fitted with a taximeter.

Maximum permissible age requirements

31. (1) Subject to paragraphs (2) and (3), the maximum permissible age of a—

- (a) standard taxi, standard hackney or local area hackney is ten years from the date of first registration of the vehicle, and
- (b) wheelchair accessible taxi or wheelchair accessible hackney is fifteen years from the date of first registration of the vehicle.

(2) Where a vehicle is associated with a standard taxi licence or standard hackney licence first granted before 1 January 2009 and was associated with such licence on 1 January 2013, the maximum permissible age of such vehicle is fifteen years from the date of first registration of the vehicle.

(3) This Regulation does not apply to—

- (a) limousines, or
- (b) a wheelchair accessible taxi or wheelchair accessible hackney that is associated with the small public service vehicle licence on 1 April 2014.

Mutual recognition

32. The vehicle standards and requirements referred to in this Part 4 shall be satisfied by compliance with:

- (a) a relevant standard or code of practice of a national standards body or equivalent body of any EEA State,

- (b) any relevant international standard recognised for use in any EEA State, or
- (c) any relevant technical regulation with mandatory or de facto mandatory application for marketing or use in any EEA State,

insofar as the standard, code of practice, technical regulation or process in question enables the protection of the health and safety of passengers and drivers and the promotion of accessible services for passengers with disabilities to be met in an equivalent manner.

Prohibition on certain vehicles

33. (1) The Authority shall not grant a licence in respect of vehicle that is a crew cab or a pick-up.

(2) In the event of a conflict between Regulation 32 and Regulation 33(1), Regulation 33(1) shall prevail.

Determination of passenger seating capacity

34. (1) Subject to paragraph (2), the number of passengers for which passenger accommodation is available in a small public service vehicle shall be determined by reference to the number of seating positions in the vehicle, provided that the maximum number of seating positions shall not exceed eight, excluding the driver's seat.

(2) Seating positions for the purposes of paragraph (1) shall be determined by reference to the following—

- (a) a minimum seat squab width of 400 millimetres is required in respect of each seating position,
- (b) a seating position fitted with a safety belt is reckoned as one seating position,
- (c) in relation to a bench seat without a safety belt, the number of seating positions shall be assessed as a multiple of the required minimum squab width of 400 millimetres in respect of each position, and
- (d) in relation to a wheelchair accessible vehicle each wheelchair space is reckoned as one seating position.

(3) In the case of a small public service vehicle that can accommodate more than eight seating positions, excluding the driver's seat, the holder of the small public service vehicle licence shall permanently disable, or cause to be permanently disabled, any seating positions in the vehicle in excess of eight, excluding the driver's seat.

PART 5

DUTIES OF HOLDERS OF WHEELCHAIR ACCESSIBLE HACKNEY LICENCES AND WHEELCHAIR ACCESSIBLE TAXI LICENCES

Information to be provided to the Authority

35. (1) The holder of a wheelchair accessible taxi licence or wheelchair accessible hackney licence shall provide to the Authority, upon request and within such period as may be specified by the Authority, the following information—

- (a) the names of any persons, including the licence holder, driving or using the vehicle to carry passengers for reward,
- (b) all contact details available for the purposes of making a booking in respect of the vehicle,
- (c) the areas of the State in which the licence holder drives or uses the vehicle to carry passengers for reward, and
- (d) the days and times during which the licence holder makes the vehicle to available to carry passengers for reward.

(2) The Authority may use or publicise the information provided under paragraph (1), and any similar information provided by the licence holder as part of his or her licence application under Part 3 of these Regulations, to assist consumers who wish to avail of, or to book, a wheelchair accessible taxi or wheelchair accessible hackney.

(3) The Authority may seek further information in relation to any of the information provided by a licence holder under paragraph (1) and the licence holder shall promptly provide such further information upon request by the Authority.

(4) Where there is a subsequent change to any of the information provided to the Authority under—

- (a) paragraph (1) of this Regulation,
- (b) Regulation 13(2)(b),
- (c) Regulation 14(2)(a)(vii), or
- (d) Regulation 16(2)(c),

the licence holder shall promptly provide details of such change to the Authority.

Maintenance of records of bookings

36. (1) The holder of a wheelchair accessible taxi licence or wheelchair accessible hackney licence shall maintain records of all bookings received.

(2) The records referred to in paragraph (1) shall include—

- (a) the date and time of the booking,
- (b) the name and contact details of the person making the booking,
- (c) the name and contact details of the person intending to travel,
- (d) the destination of the journey booked,
- (e) the time at which the fare commenced, and
- (f) the time at which the destination was arrived at.

(3) The holder of a wheelchair accessible taxi licence or wheelchair accessible hackney licence shall promptly, and, in any event, within such period as may be specified by the Authority, following a request from the Authority make available for inspection, in such form and manner as may be required by the Authority, the records referred to in this Regulation.

(4) Each record created by a licence holder under this Regulation shall be retained for a period of not less than one year from the date of its creation.

Priority to persons with disabilities

37. The holder of a wheelchair accessible taxi licence or a wheelchair accessible hackney licence shall give priority to bookings in respect of persons with disabilities, including persons who wish to travel in their wheelchairs.

PART 6

DUTIES OF DRIVERS OF SMALL PUBLIC SERVICE VEHICLES

Duties of drivers of small public service vehicles

38. (1) The driver of a small public service vehicle, when carrying passengers for reward, shall—

- (a) carry such persons and luggage and drive the vehicle to such places as the hirer may reasonably direct,
- (b) proceed at a reasonable speed while so driving, and
- (c) wait with the vehicle at such places and for such lengths of time as the hirer may reasonably direct.

(2) Where a passenger requests the driver of a taxi to drive to a specified place and, having arrived at that specified place, requests the driver to drive to another specified place, it shall be the duty of the driver to comply with such latter request unless such passenger fails to—

- (a) tender the lawful fare in respect of the completed part of the journey, or

- (b) prove to the reasonable satisfaction of the driver that he or she will pay the lawful fare for the total journey on being so required by the driver.

(3) Where a passenger or intending passenger of a small public service vehicle makes an advance payment in respect of services not yet rendered, the driver of the vehicle shall—

- (a) perform those services immediately unless the driver is—
 - (i) directed otherwise by such passenger or intending passenger, or
 - (ii) reasonably prevented from performing the services,
- (b) hold such payment as a deposit,
- (c) only retain the lawful fare in respect of any services performed, and
- (d) having retained the lawful fare for any services performed, repay any outstanding balance to the passenger or intending passenger.

(4) The driver of a small public service vehicle, where such vehicle is being operated for the carriage of passengers for reward or, in the case of a taxi, when standing or plying for hire, shall—

- (a) comply with the reasonable requirements of any passenger or intending passenger,
- (b) provide all reasonable assistance and information to any person having authority to examine the vehicle,
- (c) take all reasonable precautions to ensure the safety of persons in, on, entering or alighting from the vehicle,
- (d) not invite or allow any person to travel in the vehicle without the consent of the person hiring the vehicle,
- (e) switch on the light to illuminate the interior of the vehicle when requested to do so by a passenger provided such illumination does not interfere with the safe driving of the vehicle,
- (f) when requested by a person who has hired the vehicle, afford reasonable assistance in loading and unloading luggage and in removing luggage to or from the entrance of any house, station or place at which the driver takes up or sets down such person, and
- (g) carry and have available for inspection his or her SPSV Driver's Identity Card while so operating or standing or plying for hire

(5) The driver of a small public service vehicle licence shall not while standing or plying for hire or carrying passengers for reward—

- (a) act in a manner that is abusive, threatening or offensive to any passenger or intending passenger,
- (b) act in a manner that is a nuisance or a danger to any person,
- (c) use any threatening, obscene or offensive language or make any threatening, obscene or offensive gesture to any person, or
- (d) discriminate (within the meaning of section 3 or 4(1) of the Equal Status Act 2000) against any passenger or intending passenger.

Guide and other assistance dogs

39. (1) Subject to paragraph (2), the driver of a small public service vehicle shall not refuse to carry in his or her vehicle a guide dog or other assistance dog accompanying a person with disabilities.

(2) The driver of a small public service vehicle may refuse to carry a guide dog or other assistance dog in his or her vehicle where that driver has provided prior evidence to the Authority, in form and substance satisfactory to the Authority, that the driver is unable, for medical reasons, to carry a dog in his or her vehicle.

PART 7

OPERATING REQUIREMENTS

Maximum hours of operation

40. A person shall not, in any period of three consecutive days, drive or use a small public service vehicle for the carriage of passengers for reward for more than eleven hours in any one day.

Limitation on number of passengers

41. A person shall not drive or use a small public service vehicle to carry passengers for reward where the number of passengers or intending passengers would exceed the maximum number of passengers stated on the small public service vehicle licence issued in respect of such vehicle.

Unfit vehicles and vehicle standards

42. (1) A person shall not drive or use a small public service vehicle for the carriage, or the intended carriage, of passengers for reward while the vehicle is unsafe or otherwise unfit for the carriage of persons.

(2) A person shall not drive or use a small public service vehicle for the carriage, or the intended carriage, of passengers for reward unless the vehicle meets the requirements of Part 4 of these Regulations applicable to a vehicle of the relevant vehicle licence category.

Carriage of dangerous substances

43. (1) Subject to paragraph (2) of this Regulation, a person shall not cause or permit any highly inflammable, dangerous or offensive article to be carried in a small public service vehicle.

(2) Paragraph (1) of this Regulation shall not operate so as to prohibit the carriage in a small public service vehicle of—

- (a) fuel and lubricant necessary for the vehicle,
- (b) any substance which is carried in containers so designed and constructed or which is so packed that in the event of an accident it is unlikely to cause damage or injury to the vehicle or to persons carried therein, or
- (c) a firearm carried by a member of the Defence Forces or of the Garda Síochána.

Tamper proof disc

44. (1) Subject to paragraph (2), a person shall not operate or purport to operate a small public service vehicle unless a valid tamper-proof disc is affixed, in such form and manner as the Authority may determine, to each of the front and rear windows of the vehicle.

(2) In the case of a limousine, the Authority may waive the requirement to have a valid tamper-proof disc affixed to the rear window of the vehicle.

(3) Subject to section 17 of the Principal Act, a person shall not, without the prior consent of the Authority, remove or attempt to remove, damage or otherwise interfere with a tamper-proof disc affixed to a small public service vehicle in accordance with this Regulation.

(4) A tamper-proof disc issued by the Authority shall at all times remain the property of the Authority.

In-vehicle information

45. (1) The driver of a small public service vehicle shall display such in-vehicle information in such form and manner as the Authority may specify.

(2) Without prejudice to the generality of paragraph (1), the driver of a small public service vehicle shall display in-vehicle information as the Authority may specify relating to the rights and obligations of consumers relevant to the class of small public service vehicle concerned.

(3) A person shall not, without the prior consent of the Authority, remove or attempt to remove, damage or otherwise interfere with any in-vehicle information displayed in a small public service vehicle.

Taxi roof sign

46. (1) Where a taxi is being driven or used for the carriage, or for the intended carriage, of passengers for reward, a taxi roof sign shall be affixed to the vehicle in accordance with paragraph 19 of Schedule 2.

(2) A taxi roof sign referred to in paragraph (1) shall—

- (a) where the vehicle is standing or plying for hire, be illuminated by means of the internal electric light installation, and
- (b) where the vehicle has been hired by a passenger or intending passenger, not be illuminated.

(3) Where a passenger or intending passenger has given his or her prior consent and the journey is likely to exceed 30 kilometres, the taxi roof sign may be positioned longitudinally on the roof of the vehicle.

(4) A person shall not affix a taxi roof sign to a vehicle being driven or used in a public place unless the vehicle is a taxi being driven or used for the carriage, or for the intended carriage, of passengers for reward.

Driver identification

47. (1) Where a small public service vehicle is being driven or used for the carriage of passengers for reward or, in the case of a taxi, when standing or plying for hire, the driver of the vehicle shall display his or her SPSV Driver Display Card in a prominent place on the dashboard such that it is clearly visible to passengers in the rear of the vehicle and to persons standing in front of the vehicle.

(2) The SPSV Driver Display Card referred to in paragraph (1) shall contain the following information—

- (a) the name of the driver,
- (b) a photograph of the driver,
- (c) the licence number of the driver's licence to drive small public service vehicles,
- (d) the expiry date of the driver's licence to drive small public service vehicles,
- (e) on the side of the card facing the front of the vehicle, the area or areas in respect of which the driver is authorised to stand or ply for hire,
- (f) such security features as may be determined by the Authority, and
- (g) such other relevant information as the Authority may from time to time determine.

Prohibition on advertising

48. (1) A person shall not display, or permit the display of, any sign or advertisement on the exterior, or on the interior such that it is visible from the exterior of the vehicle, of a hackney or limousine unless such sign or advertisement has been approved in writing by the Authority.

(2) The holder of a small public service vehicle licence shall not permit the use of any electronic advertising sign in or on the vehicle associated with the

licence such that it is visible from the exterior of the vehicle unless such sign has been approved in writing by the Authority.

(3) A person shall not display, or permit the display of, any sign, symbol or advertisement in or on a small public service vehicle that contains threatening, discriminatory, obscene or offensive words or images.

(4) The holder of a taxi licence shall not display, or permit the display of, any sign or advertisement on the front doors of the vehicle associated with the licence other than the signage specified in Schedule 6.

(5) The holder of a taxi licence shall not display, or permit the display of, any sign or advertisement on the side doors (other than the front doors) of the vehicle associated with the licence—

(a) where the sign or advertisement is greater than 1,600 square centimetres in area, or

(b) where, in the case of more than one sign or advertisement on a door, the combined area of such signs or advertisements is greater than 1,600 square centimetres in area.

(6) The holder of a small public service vehicle licence shall not display, or permit the display of, any sign or advertisement on the exterior of the vehicle, or on the interior such that it is visible from the exterior of the vehicle, in relation to payment by credit or debit cards other than the sign set out in paragraph 19(j) of Schedule 2.

(7) The holder of a small public service vehicle licence shall not display, or permit the display of, on the exterior of the vehicle, or on the interior such that it is visible from the exterior of the vehicle, signs providing names, details or logos of industry representative groups.

Operation of small public service vehicle by another person

49. The holder of a small public service vehicle licence shall not allow a person to operate the vehicle to which such licence relates for the carriage of passengers for reward unless the licence holder—

(a) is satisfied that the proposed driver holds a licence to drive small public service vehicles,

(b) provides, and maintains, insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of passengers carried for reward by the proposed driver in such vehicle,

(c) keeps a written record of—

(i) the name and address of any persons who drive the vehicle for the carriage of passengers for reward,

- (ii) the periods of use of the vehicle by any persons referred to in sub-paragraph (c)(i), and
 - (iii) the details of the small public service vehicle driver licence of any persons referred to in sub-paragraph (c)(i), including the licence numbers and expiry dates thereof, and
- (d) promptly makes available to the Authority, at the request of the Authority, the records referred to in sub-paragraph (c) or copies thereof.

Rental or lease of small public service vehicle to another person

50. The holder of a small public service vehicle licence shall not enter into any rental, leasing or similar arrangement in respect of the driving or use of the vehicle for the carriage of passengers for reward by another person unless the licence holder—

- (a) is satisfied that the proposed driver holds a licence to drive small public service vehicles,
- (b) provides, and maintains, during the period of such rental, leasing or similar arrangement insurance provided by a vehicle insurer (within the meaning of section 58 of the Act of 1961) in respect of passengers carried for reward by the proposed driver in such vehicle,
- (c) in the case of a taxi, ensures that the vehicle is fitted with a taximeter in accordance with Regulation 53,
- (d) ensures that at the commencement of the rental, leasing or similar arrangement, the vehicle meets any requirements in relation to vehicle standards contemplated by these Regulations,
- (e) prior to the proposed driving or use of the vehicle by another person pursuant to a rental, leasing or similar arrangement, notifies the Authority of—
 - (i) the period of arrangement, and
 - (ii) the identity of the other party or parties to the arrangement,
- (f) in the case of an applicant who is a non-national, obtains a written declaration by such person that the conditions of his or her permission do not preclude him or her from operating a business or being self-employed in the State,
- (g) holds—
 - (i) a copy of the licence referred to in sub-paragraph (a),
 - (ii) evidence of the insurance referred to in sub-paragraph (b) and

- (iii) evidence that the conditions of the permission referred to in sub-paragraph (f) do not preclude him or her from operating a business or being self-employed in the State, and
- (h) at the request of the Authority, promptly provides a copy of the records referred to in sub-paragraph (g) and any written agreement evidencing the rental, leasing or similar arrangement.

Notification of driving of a small public service vehicle

51. (1) Subject to paragraphs (2) and (3), the holder of a licence to drive small public service vehicles shall not drive a vehicle as a small public service vehicle unless, prior to driving such vehicle, he or she notifies the Authority of the proposed driving of such vehicle.

(2) A notification under paragraph (1) shall be accompanied by such information as the Authority may determine in relation to the vehicle including, without limitation, identification details of the vehicle and the proposed period of operation of the vehicle.

(3) A notification made by a licence holder under paragraph (1) in respect of a vehicle shall expire, and shall no longer be valid in respect of such vehicle, upon the licence holder making a subsequent notification to the Authority in relation to a different vehicle.

(4) A person shall not knowingly make a false or misleading notification under this Regulation.

PART 8

COMMENCEMENT OF HIRE AND PAYMENT OF FARES

Commencement of hire and standing for hire

52. (1) Subject to paragraph (2), the hiring of a small public service vehicle shall be deemed to commence at the time the driver agrees to accept the hire.

(2) The hiring of a pre-booked small public service vehicle shall commence at the time and place agreed with the person who pre-booked the vehicle.

Taximeter

53. (1) Taxis shall be fitted with a taximeter complying with the requirements of paragraph 20 of Schedule 2.

(2) A person shall not drive or operate a taxi for the carriage of persons for reward unless—

- (a) a taximeter is fitted to the vehicle in accordance with paragraph (1),
- (b) the taximeter so fitted to the vehicle has been calibrated in accordance with Regulation 54, and

- (c) when carrying a person for reward, the taximeter so fitted to the vehicle is engaged and is recording and calculating the fare in respect of the journey.

(3) The driver of a taxi shall not cause or permit the taximeter fitted to such vehicle to be engaged while the vehicle is standing or plying for hire.

(4) Except where there is a prior written agreement between the driver or operator of a taxi and the passenger confirming—

- (a) the charge for the pre-booked service, and
- (b) that the passenger waives his or her right to have the fare calculated using the taximeter,

all fares in respect of journeys undertaken by a taxi shall be calculated using a taximeter fitted and calibrated in accordance with these Regulations. Where there is such a prior written agreement the driver shall charge the passenger the lesser of the pre-agreed charge or the charge calculated on the taximeter fitted, calibrated and engaged in accordance with paragraph (2) above.

(5) The driver or operator of a taxi and any dispatch operator in respect of which the taxi is affiliated—

- (a) shall not impose a minimum fare value as a condition of payment of the taxi fare by credit card or debit card, and
- (b) shall, if requested by the passenger or intending passenger, accept payment in cash in respect of such taxi fare.

Calibration of taximeters to reflect maximum fares order

54. (a) A taximeter fitted in a taxi shall be calibrated such that that taximeter calculates all fares in accordance with the maximum fares order.

- (b) Subject to the Metrology Act 1996, except for a period of 90 days prior to the coming into operation of a new maximum fares order, a person shall not drive or operate a taxi for the carriage of persons for reward unless the taximeter fitted in the taxi has been verified by the Legal Metrology Service as being correctly calibrated in accordance with the maximum fares order.

Booking fee

55. A booking fee shall not be charged in respect of a journey by taxi unless the vehicle is pre-booked by, or on behalf of, the intending passenger and shall not be charged where the taxi is engaged—

- (a) while plying for hire or standing for hire, or
- (b) without having been booked in advance by the consumer, at any location including an airport or other transport station or terminal.

Taxi receipts

56. (1) Where a maximum fares order is made by the Authority, the driver of a taxi shall, upon completion of the journey, print and offer a receipt to the passenger in accordance with paragraph (2). Such receipt shall be printed by a printer directly connected to the taximeter.

(2) A receipt referred to in paragraph (1) shall contain at least the following information—

- (a) the total fare payable in respect of the hire,
- (b) an itemised breakdown of any extra charges lawfully payable,
- (c) the date, starting time and finishing time of the hire,
- (d) the total distance travelled in kilometres (stated to at least one decimal place),
- (e) the small public service vehicle licence number of the vehicle,
- (f) the unique identification mark (registration number) of the vehicle,
- (g) the receipt number (in sequential order),
- (h) a reasonable space headed “Tips/Discounts/Tolls”, and
- (i) such other information as may be determined by the Authority.

Hackney and limousine receipts

57. (1) Except where—

- (a) a passenger avails of a pre-existing payment account, or
- (b) a limousine is hired as part of a wedding or funeral service,

the driver of a hackney or limousine shall, upon completion of the journey, make available a receipt to the passenger in accordance with paragraph (2).

(2) A receipt referred to in paragraph (1) shall contain at least the following information—

- (a) the receipt number,
- (b) the unique identification mark (registration number) of the vehicle,
- (c) the small public service vehicle licence number of the vehicle,
- (d) the date,
- (e) the amount charged in respect of the journey, and
- (f) such other information as may be determined by the Authority.

Area knowledge

58. (1) A driver of a taxi shall not stand or ply for hire other than in an area in which he or she is licensed to stand or ply for hire in accordance with a licence granted under section 9 of the Principal Act.

(2) It is a condition of a licence to drive a small public service vehicle that the holder of such licence to drive a small public service vehicle has adequate knowledge of the area in which he or she is licensed to stand or ply for hire.

(3) If requested by the Authority, the holder of a licence to drive a small public service vehicle shall provide evidence, in form and substance satisfactory to the Authority, that he or she has adequate knowledge of the area in which he or she is licensed to stand or ply for hire.

Hire of hackney or limousine

59. (1) Except where a limousine is hired as part of a wedding or funeral service, the driver of a hackney or limousine shall in respect of each hire carry a booking record in the vehicle during the period of such hire and during the journey to the point of commencement of the hire which sets out—

- (a) the points of commencement and completion of the hire,
- (b) the name of the person who hired the vehicle,
- (c) the contact details of the person referred to in sub-paragraph (b), and
- (d) the fare agreed for the hire.

(2) The booking record referred to in paragraph (1) shall be made available for inspection by the person who hired the vehicle on request.

PART 9

LICENSING OF DISPATCH OPERATORS

Requirement for dispatch operators to be licensed

60. A person shall not operate as a dispatch operator or provide a booking service in respect of small public service vehicles, other than limousines, unless such person holds a dispatch operator licence granted by the Authority under Regulation 61.

Grant of dispatch operator licence

61. The Authority may grant a licence to a person to act as a dispatch operator or to provide booking services in respect of small public service vehicles, provided that such person—

- (a) produces a valid tax clearance certificate for the time being in force in respect of the applicant under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997,

- (b) provides to the Authority the contact information used for the purposes of making or receiving bookings in relation to drivers affiliated with the dispatch operator or person providing the booking services including details of any trading name being used or proposed to be used by the applicant, and
- (c) pays to the Authority the appropriate fee specified in Schedule 1.

Period of validity of dispatch operator licence

62. A dispatch operator licence granted by the Authority shall remain in force until the earlier of—

- (a) the expiry of a period of twelve months from the date of its grant or renewal under Regulation 61,
- (b) the surrender of the licence by the licence holder, and
- (c) the revocation of the licence under the Principal Act.

Obligations of dispatch operators

63. (1) A dispatch operator or provider of a booking service shall only provide bookings to a driver where—

- (a) the driver holds a licence to drive small public service vehicles, and
- (b) there is a small public service vehicle licence in force in respect of the vehicle to be used by the driver to provide the services.

(2) A dispatch operator or provider of a booking service shall maintain a complete and up-to-date list of all vehicles and driver licences in respect of which he or she is providing a booking service and shall make such list available to the Authority promptly upon request.

(3) A person shall not promote, offer or advertise, or procure the promotion, offer or advertising of, a service for the booking of a small public service vehicle for hire unless such person holds a dispatch operator licence.

(4) A dispatch operator or provider of a booking service shall put in place a consumer complaints procedure to effectively address any complaints received from users of the booking service and shall provide details of such procedure available to the Authority promptly upon request.

(5) A dispatch operator or provider of a booking service shall put in place a record management procedure in relation to any bookings and complaints received and shall make such records available to the Authority promptly upon request.

(6) A dispatch operator or provider of a booking service shall notify the Authority of any change of name or address associated with his or her dispatch operator licence, including a change to any trading name used in relation to the services, within fourteen days of such change.

PART 10

PENALTIES

Penal regulations

64. Regulations 22(4), 23(2), 24, 25, 26, 27, 28, 29(9), 30, 35(1), 35(4), 36, 37, 38, 39, 40, 41, 42, 43, 44, 45(1), 45(3), 46, 47, 48, 49(b), 49(c), 49(d), 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 63 are declared to be penal regulations for the purpose of section 20(4) of the Principal Act.

Substantial breach of regulations

65. A contravention of regulation 38(5)(a), 38(5)(d), 40, 41, 42, or 50 is declared to be a substantial breach of these Regulations for the purposes of section 20(3) of the Principal Act.

Prescribed amount of fixed payment

66. For the purpose of section 48 of the Principal Act, the amount prescribed for a fixed payment offence referred to in column (2) of Schedule 8 is the amount indicated in column (4) of that Schedule opposite mention of the fixed payment offence.

Form of fixed payment notice

67. The form of notice set out in Schedule 9 is prescribed as the form of fixed payment notice.

SCHEDULE 1

FEES

1. The following fees shall be payable in respect of a granting of a new small public service vehicle licence—

- (a) €125 in respect of a wheelchair accessible taxi licence or wheelchair accessible hackney licence,
- (b) €1,000 in respect of a limousine licence, and
- (c) €50 in respect of a local area hackney licence.

2. The following fees shall be payable in respect of the renewal of a small public service vehicle licence for a period of twelve months—

- (a) €150 in respect of renewals of standard taxi licences, standard hackney licences or limousine licences completed prior to the expiry date of the prior licence,
- (b) €75 in respect of renewals of wheelchair accessible taxi licences, wheelchair accessible hackney licences or local area hackney licences completed prior to the expiry date of the prior licence, and
- (c) €500 in respect of replacement licences granted after the expiry date of the prior licence provided that—
 - (i) where the licence is replaced not more than 10 days after the date of expiry of the licence, the Authority shall refund €250 to the applicant, and
 - (ii) where the licence is replaced more than 10 days but not more than 30 days after the date of expiry of the licence, the Authority shall refund €150 to the applicant,

3. The following fees shall be payable in respect of the renewal of a small public service vehicle licence for a period of up to six months—

- (a) €75 in respect of renewals of standard taxi licences, standard hackney licences or limousine licences completed prior to the expiry date of the prior licence,
- (b) €37.50 in respect of renewals of wheelchair accessible taxi licences, wheelchair accessible hackney licences or local area hackney licences completed prior to the expiry date of the prior licence, and
- (c) €250 in respect of replacement licences granted after the expiry date of the prior licence provided that —where the licence is replaced not more than 10 days after the date of expiry of the licence, the Authority shall refund €100 to the applicant.

4. A fee of €250 shall be payable in respect of the initial grant of a small public service vehicle driver's licence.

5. The following fees shall be payable in respect of the renewal of a small public service vehicle driver's licence—

(a) €250 in respect of renewal applications submitted prior to the expiry date of the prior licence,

(b) €300 in respect of renewal applications submitted within 30 days after the expiry date of the prior licence, and

(c) €400 in respect of renewal applications submitted more than 30 days after the expiry date of the prior licence.

6. A fee of €20 shall be payable in respect of the initial granting or the renewal of a local area hackney driver's licence.

7. A fee of €150 shall be payable in respect of a continuance in force of a small public service vehicle licence in respect of a different vehicle.

8. A fee of €90 shall apply to all applications to undertake the SPSV Driver Entry Test.

9. A fee of €90 shall apply to all applications to undertake the Area Knowledge Test.

10. A fee of €90 shall apply to all applications to undertake the Industry Knowledge Test.

11. A fee of €100 shall be payable in respect of the grant of a new dispatch operator licence or the renewal of a dispatch operator licence.

12. A fee of €100 shall be payable in respect of applications for licensing exemptions under Part 7 of the Principal Act.

13. A fee of €125 shall be payable in respect of an application under section 15 of the Principal Act.

SCHEDULE 2

GENERAL VEHICLE REQUIREMENTS FOR TAXIS

Vehicle Weight and General Characteristics

1. The vehicle shall be a mechanically propelled vehicle which is designed and constructed for the carriage of passengers with passenger seating accommodation for no more than eight persons (exclusive of the driver) and a maximum design gross vehicle weight not exceeding 3,500 kilogrammes.

Wheel Arrangement

2. The vehicle shall have at least four wheels arranged in axle pairs such that the minimum wheelbase is 2,100 millimetres, the minimum track width is 1,100 millimetres and any side to side variation in wheelbase is less than 75 millimetres.

Tyre Load Rating

3. The tyres shall have a load rating appropriate for the design gross vehicle weight.

Doors

4. (1) The vehicle shall have a minimum of four doors.

(2) All doors shall be operable from inside or outside the vehicle by a passenger provided that a door may be automatically locked while the vehicle is in motion subject to it automatically unlocking once the vehicle becomes stationary.

Bull Bars

5. No bull bars shall be fitted to the vehicle, except where they are compliant with Regulation 78/2009/EC as amended and evidence of that compliance, in form and substance satisfactory to the Authority, has been provided.

Windows

6. (1) All passenger (side) windows shall be readily operable.

(2) The windows shall be in a clean condition.

(3) Except for a band of a maximum of 125 millimetres in depth at the top upper edge, the front windscreen of a small public service vehicle shall exhibit 70 per cent minimum visible light transmission.

(4) Subject to (5) below, where a passenger seating position or a wheelchair space is adjacent to a window (other than the front windscreen and the rear

windscreen of such vehicle), such window shall exhibit 70 per cent minimum visible light transmission.

(5) The requirements in (4) above shall not apply in respect of a vehicle associated to a taxi licence first granted before 8 June 2010 where the vehicle was associated with such licence on 1 January 2013.

Cleanliness

7. The vehicle shall be in a good and clean condition and its interior shall be free of dust, dirt, grime, refuse, litter, objectionable matter or unpleasant smell.

Seating Quality

8. The vehicle shall be fitted with seats which are properly upholstered with leather, good quality artificial leather or other durable material, and which are in a clean and hygienic condition.

Exterior Paint

9. The exterior paint of the vehicle shall exhibit good colour consistency without paint or bodywork repairs in progress.

Luggage Area

10. Any area within the vehicle which is provided for luggage shall be available for passenger luggage and shall not contain any other unsecured items or be dirty or damp.

Passenger Compartment Temperature

11. Other than where a vehicle is associated with a taxi licence first granted before 8 June 2010, and was associated to that licence on 1 January 2013, the vehicle shall be capable of maintaining a passenger compartment temperature of 20 degrees centigrade during an external ambient temperature of minus 5 degrees centigrade.

Safety Equipment and Communications

12. (1) The vehicle shall safely carry the following articles—
- (a) subject to paragraph (2) a spare wheel system,
 - (b) a first-aid kit, being a within date first aid kit complying with DIN (Deutsches Institut für Normung) 13164 or comparable travel kit recommended by the Health and Safety Authority,
 - (c) a fire extinguisher, meaning a fire extinguisher in serviceable condition complying with EN3 and suitable for inflammability classes A, B and C, with a minimum capacity of 2 kilogrammes of dry powder or an equivalent capacity for any other suitable extinguishing agent,

- (d) a reflective advance warning triangle to standard ECE Regulation 27,
- (e) a high visibility reflective safety vest to standard ANSI 107, BS EN 471 or CEN 471 or equivalent,
- (f) a working handheld torch, and
- (g) a pen and paper.

(2) The Authority may reduce the requirements of paragraph (1)(a) where the vehicle concerned is a series production electric vehicle, a series production hybrid electric vehicle, a series production flexible fuel vehicle or a series production plug-in hybrid electric vehicle, or a vehicle adapted for liquefied petroleum gas or compressed natural gas.

Interior Lighting

13. The standard fitment interior lighting of the vehicle shall be in operational condition.

Side Facing Seats

14. No side-facing seat shall be fitted in the vehicle.

Vehicle Roof

15. The vehicle shall have a permanent, rigid roof (which may contain a properly fitted sunroof) covering the driver and passenger compartments.

Luggage Capacity

16. (1) Subject to paragraphs (2) and (3) below, the vehicle shall comply with the following requirements—

- (a) the vehicle shall have accommodation for safely transporting luggage of minimum total volume of 420 litres, as measured by the VDA method when all passenger seats are in compliance with paragraph 18 of this Schedule 2,
- (b) a guard or cover shall be fitted to any luggage compartment referred to in paragraph (a) capable of preventing luggage from causing injury to any passenger in the event of an accident, and
- (c) a space consisting of the minimum box dimensions 735 millimetres x 330 millimetres x 805 millimetres shall be provided within the luggage volume specified at paragraph (a) to accommodate a folded wheelchair.

(2) Where a vehicle is associated with a standard taxi licence first granted before 1 January 2009, or a wheelchair accessible taxi licence first granted before 8 June 2010, and was associated to that licence on 1 January 2013, such vehicle

shall have provision for a reasonable quantity of luggage relative to the number of seating positions.

(3) The Authority may reduce the requirements of paragraph (1)(a) where the vehicle concerned is a series production electric vehicle, a series production hybrid electric vehicle, a series production flexible fuel vehicle or a series production plug-in hybrid electric vehicle, or a vehicle adapted for liquefied petroleum gas or compressed natural gas.

Passenger Seats General Requirements

17. Each passenger seat in a vehicle (other than the seat of a wheelchair) shall—

- (a) have a minimum squab width of 400 millimetres, and
- (b) shall be firmly and securely fixed in the vehicle when in a position for passenger occupation.

Passenger Seats / Space

18. Except where a vehicle is associated with a taxi licence first granted before 8 June 2010, and was associated with that licence on 1 January 2013, the vehicle shall comply with the following requirements—

- (a) the top of any uncompressed front passenger seat squab shall be at least 275 millimetres from the floor of the vehicle,
- (b) the top of any uncompressed passenger seat squab other than a front passenger seat squab shall be at least 275 millimetres and not more than 460 millimetres from the vehicle floor at the front of the squab,
- (c) there shall be at least 650 millimetres measured longitudinally and horizontally from the front face of the backrest at uncompressed squab height to the rear face of the seat or the surface immediately in front of the seat,
- (d) where seats face each other, there shall be at least 1300 millimetres measured longitudinally and horizontally between the front faces of the opposing backrests at uncompressed squab height, and
- (e) the shoulder room of at least one row of rear seats shall be a minimum of 1,360 millimetres.

Taxi Roof Sign

19. Each taxi shall have mounted on its roof at all times while operating as a small public service vehicle a sign (a “taxi roof sign”) complying with the following requirements—

- (a) the taxi roof sign shall be constructed of a durable material, be weath-erproof and capable of being securely mounted on the roof of the

vehicle so that it is not subject to vibration likely to damage the electric light installation required to be part of its construction,

- (b) the dimensions of the taxi roof sign shall be such that the surface of the taxi roof sign which is capable of being illuminated shall not be more than 120 millimetres and not less than 110 millimetres in height and not less than 1,030 millimetres and not more than 1,120 millimetres in length,
- (c) the front and rear faces of the taxi roof sign shall each be divided into three sections,
- (d) the central sections on each face of the taxi roof sign shall be no less than 300 millimetres and no more than 360 millimetres in width and shall display the word “TAXI” or, in the Irish language, “TACSAI” in yellow letters on a dark blue background of low light transmittance. Each letter shall be no less than 80 millimetres and no more than 90 millimetres in height and no less than 14 millimetres and no more than 16 millimetres in stroke width,
- (e) the sections of the taxi roof sign on the left of the sign as viewed from the rear of the vehicle and on the right of the sign as viewed from the front shall have a yellow background and shall be no less than 360 millimetres and no more than 425 millimetres in width and shall display on that background in black letters or numerals, as the case may be,—
 - (i) the licence number, each numeral of which shall be no less than 85 millimetres and no more than 90 millimetres in height; the strokes for each numeral shall be no less than 14 millimetres and no more than 16 millimetres broad; the total width of every numeral except the numeral “1” shall be no less than 45 millimetres and no more than 60 millimetres and the spacing between the nearest parts of adjoining numerals shall be approximately 7 millimetres, and
 - (ii) above the licence number or to the left hand side or to the right hand side of the licence number, the words “licence number” or, in the Irish language, “uimhir cheadunais”,
- (f) no letter or numeral displayed on the remaining sections of each face of the taxi roof sign shall exceed 70 millimetres in height,
- (g) the taxi sign shall be capable of being lit by means of an internal electric light installation to enable the licence number to be readily identifiable,
- (h) when lit, the taxi roof sign shall not show a red light to the front or a white light to the rear,

- (i) when lit, the taxi roof sign shall emit a diffused light and shall be designed to emit a light of a brightness not exceeding 400 candela per square metre of the illuminated area of the sign,
- (j) the panel on the right of the taxi roof sign as viewed from the rear of the vehicle and on the left of the taxi roof sign as viewed from the front of the vehicle shall contain only—
 - (i) the county identification(s) for those areas in which the driver of that vehicle, has been authorised as having appropriate area knowledge to stand or ply for hire, which identification(s) shall comprise such content and security features and be of such dimensions as are determined by the Authority,
 - (ii) contact details—
 - (A) in relation to the taxi, or
 - (B) in relation to the dispatch operator or the booking service through which the taxi may be booked or arranged,
 - (iii) where the vehicle is a wheelchair accessible taxi, the following symbol or a substantially similar symbol, which symbol shall be approximately 90mm in height—



- (iv) where the driver accepts payment by credit or debit card, a sign approximately 90mm x 90mm in size of the design below, in the colours blue (Pantone reference 534) and green (Pantone reference 382) as indicated may be displayed,



- (k) the colour of any blank sections of the panel on the right of the taxi roof sign as viewed from the rear of the vehicle or on the left of the taxi roof sign as viewed from the front of the vehicle shall be yellow,

- (l) a taxi sign shall at no time be so defaced, obscured or altered in such a manner that the word “TAXI” or “TACSAÍ” or the licence number is rendered illegible or partly illegible,
- (m) the taxi sign light shall be capable of being switched on when the vehicle is available for hire and shall accordingly be wired independently of the ignition or the vehicle light switch,
- (n) no protrusions shall be placed on the vehicle roof which would or could obscure any part of the taxi roof sign when viewed from the front or the rear of the vehicle,
- (o) no advertising, symbols, text, lights or other equipment shall be placed on or attached to the taxi roof sign or the roof of the vehicle other than that specified in this Schedule 2, and
- (p) the taxi roof sign shall be capable of being easily removed from the vehicle.

Taximeter and Printer

20. The vehicle shall be fitted with a taximeter in a manner such that it is—
- (a) securely attached to the vehicle so that the taximeter cannot be detached or caused to become inaccurate by the vibration of the engine or by the motion of the vehicle,
 - (b) in such position on the vehicle as to enable a passenger inside the vehicle to easily see and read the taximeter,
 - (c) have the transmitter cable connecting the taximeter with the wheels or the driving mechanism of the vehicle so situated and so protected by an outer cover as to render damage to the cable unlikely,
 - (d) calibrated in accordance with the maximum fares order made by the Authority under section 24 of the Principal Act,
 - (e) fitted with a device capable of printing automatically a receipt showing the details required in accordance with Regulation 56, and
 - (f) be in good order, repair and condition, and fitted where required to be so fitted, with the official verification mark/seals signifying conformity with the Metrology Act 1996 (No. 27 of 1996).

Vehicle Branding

21. (1) A vinyl self-adhesive approved external sign in the form and colours specified in Part 1 or Part 2 of Schedule 6 shall be affixed to the front door on the left side and the front door on the right side of the vehicle. Such signs shall—

- (a) be affixed by a supplier authorised by the Authority;

(b) be affixed in a semi-permanent manner that is not capable of being removed in the ordinary course;

(c) be complete, in good condition and free from any significant blemish;

(2) An approved external sign affixed to a taxi by an authorised supplier in accordance with paragraph (1) shall prior to being affixed to the vehicle, be customised by such authorised supplier by inserting the taxi licence number of the vehicle in the space marked “XXXXXX” in the form of approved external sign specified in Part 1 or Part 2 of Schedule 6, as the case may be.

(3) It is not permissible to affix magnetic signs of the form specified in Schedule 6, or resembling the form specified in Schedule 6, to the exterior doors of a vehicle.

Seat Structure Requirements

22. (1) Subject to paragraph (2), the vehicle shall be fitted with safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints that comply with the technical provisions of the relevant passenger car (M1) EC/UNECE standards and documentary evidence of such compliance shall be available in respect of any vehicle modifications.

(2) In respect of the renewal of a standard taxi licence relating to a vehicle associated with such licence on the date that these Regulations entered into force, the vehicle shall have safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints which comply with the relevant requirements of the Construction, Equipment and Use Regulations.

Modified Vehicles

23. Documentation in accordance with Regulation 29 is required in respect of all modified vehicles.

SCHEDULE 3

GENERAL VEHICLE REQUIREMENTS FOR HACKNEYS

Vehicle Weight and General Characteristics

1. The vehicle shall be a mechanically propelled vehicle which is designed and constructed for the carriage of passengers with passenger seating accommodation for no more than eight persons (exclusive of the driver) and a maximum design gross vehicle weight not exceeding 3,500 kilogrammes.

Wheel Arrangement

2. The vehicle shall have at least four wheels arranged in axle pairs such that the minimum wheelbase is 2,100 millimetres, the minimum track width is 1,100 millimetres and any side to side variation in wheelbase is less than 75 millimetres.

Tyre Load Rating

3. The tyres shall have a load rating appropriate for the design gross vehicle weight.

Doors

4. (1) The vehicle shall have a minimum of four doors.

(2) All doors shall be operable from inside or outside the vehicle by a passenger provided that a door may be automatically locked while the vehicle is in motion subject to it automatically unlocking once the vehicle becomes stationary.

Bull Bars

5. No bull bars shall be fitted to the vehicle, except where they are compliant with Regulation 78/2009/EC as amended and evidence of that compliance, in form and substance satisfactory to the Authority, has been provided.

Windows

6. (1) All passenger (side) windows shall be readily operable.

(2) All windows shall be clean.

(3) Except for a band of a maximum of 125 millimetres in depth at the top upper edge, the front windscreen of a small public service vehicle shall exhibit 70 per cent minimum visible light transmission.

(4) Subject to (5) below, where a passenger seating position or a wheelchair space is adjacent to a window (other than the front windscreen and the rear

windscreen of such vehicle), such window shall exhibit 70 per cent minimum visible light transmission.

(5) The requirements in (4) above shall not apply in respect of a vehicle associated to a standard hackney licence first granted before 1 January 2009 where the vehicle was associated with such licence on 1 January 2013.

Cleanliness

7. The vehicle shall be in a good and clean condition and its interior shall be free of dust, dirt, grime, refuse, litter, objectionable matter or unpleasant smell.

Seating Quality

8. The vehicle shall be fitted with seats which are properly upholstered with leather, good quality artificial leather or other durable material, and which are in a clean and hygienic condition.

Exterior Paint

9. The exterior paint of the vehicle shall exhibit good colour consistency without paint or bodywork repairs in progress.

Luggage Area

10. Any area within the vehicle which is provided for luggage shall be available for passenger luggage and shall not contain any other unsecured items or be dirty or damp.

Passenger Compartment Temperature

11. Except where a vehicle is associated with a hackney licence first granted before 1 January 2009, and where such vehicle was associated with such licence on 1 January 2013, the vehicle shall be capable of maintaining a passenger compartment temperature of 20 degrees centigrade during an external ambient temperature of minus 5 degrees centigrade.

Safety Equipment and Communications

12. (1) The vehicle shall safely carry the following articles—
- (a) subject to paragraph (2), a spare wheel system,
 - (b) a first-aid kit, being a within date first aid kit complying with DIN (Deutsches Institut für Normung) 13164 or comparable travel kit recommended by the Health and Safety Authority,
 - (c) a fire extinguisher, meaning a fire extinguisher in serviceable condition complying with EN3 and suitable for inflammability classes A, B and C, with a minimum capacity of 2 kilogrammes of dry powder or an equivalent capacity for any other suitable extinguishing agent,

- (d) a reflective advance warning triangle to standard ECE Regulation 27,
- (e) a high visibility reflective safety vest to standard ANSI 107, BS EN 471 or CEN 471 or equivalent,
- (f) a working handheld torch, and
- (g) a pen and paper.

(2) The Authority may reduce the requirements of paragraph (a) where the vehicle concerned is a series production electric vehicle, a series production hybrid electric vehicle, a series production flexible fuel vehicle or a series production plug-in hybrid electric vehicle, or a vehicle adapted for liquefied petroleum gas or compressed natural gas.

Interior Lighting

13. The standard fitment interior lighting of the vehicle shall be in operational condition.

Side Facing Seats

14. No side-facing seat shall be fitted in the vehicle.

Vehicle Roof

15. The vehicle shall have a permanent, rigid roof (which may contain a properly fitted sunroof) covering the driver and passenger compartments.

Luggage Capacity

16. (1) Subject to paragraphs (2) and (3) below, the vehicle shall comply with the following requirements—

- (a) the vehicle shall have accommodation for safely transporting luggage of minimum total volume of 420 litres, as measured by the VDA method provided that passenger seats in excess of four may be exempted from the requirements of paragraph 18 of this Schedule for the purpose of such measurement,
- (b) a guard or cover shall be fitted to any luggage compartment referred to in paragraph (a) capable of preventing luggage from causing injury to any passenger in the event of an accident, and
- (c) a space consisting of the minimum box dimensions 735 millimetres x 330 millimetres x 805 millimetres shall be provided within the luggage volume specified at paragraph (a) to accommodate a folded wheelchair.

(2) Where a vehicle is associated with a standard hackney licence first granted before 1 January 2009, and was associated to that licence on 1 January 2013,

such vehicle shall have provision for a reasonable quantity of luggage relative to the number of seating positions.

(3) The Authority may reduce the requirements of paragraphs (a) where the vehicle concerned is a series production electric vehicle, a series production hybrid electric vehicle, a series production flexible fuel vehicle or a series production plug-in hybrid electric vehicle, or a vehicle adapted for liquefied petroleum gas or compressed natural gas.

Passenger Seats General Requirements

17. Each passenger seat in a vehicle (other than the seat of a wheelchair) shall—

- (a) have a minimum squab width of 400 millimetres, and
- (b) shall be firmly and securely fixed in the vehicle when in a position for passenger occupation.

Passenger Seats / Space

18. Except where a vehicle is associated with a standard hackney licence first granted before 1 January 2009, and was associated with that licence on 1 January 2013, the vehicle shall comply with the following requirements—

- (a) the top of any uncompressed front passenger seat squab shall be at least 275 millimetres from the floor of the vehicle,
- (b) the top of any uncompressed passenger seat squab other than a front passenger seat squab shall be at least 275 millimetres and not more than 460 millimetres from the vehicle floor at the front of the squab,
- (c) there shall be at least 650 millimetres measured longitudinally and horizontally from the front face of the backrest at uncompressed squab height to the rear face of the seat or the surface immediately in front of the seat,
- (d) where seats face each other, there shall be at least 1300 millimetres measured longitudinally and horizontally between the front faces of the opposing backrests at uncompressed squab height, and
- (e) the shoulder room of at least one row of rear seats shall be a minimum of 1,360 millimetres.

Seat Structure Requirements

19. (1) Subject to paragraph (2), the vehicle shall be fitted with safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints that comply with the technical provisions of the relevant passenger car (M1) EC/UNECE standards and documentary evidence of such compliance shall be available in respect of any vehicle modifications.

(2) In respect of the renewal of a standard hackney licence relating to a vehicle associated with such licence on the date that these Regulations entered into force, the vehicle shall have safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints which comply with the relevant requirements of the Construction, Equipment and Use Regulations.

Modified Vehicles

20. Documentation in accordance with Regulation 29 is required in respect of all modified vehicles.

SCHEDULE 4

ADDITIONAL REQUIREMENTS FOR WHEELCHAIR ACCESSIBLE TAXIS AND
WHEELCHAIR ACCESSIBLE HACKNEYS**Vehicle Specification**

1. (1) The vehicle shall be constructed or converted specifically to accommodate at least one passenger in addition to an occupied wheelchair (equivalent in size to the space dimensions set out in paragraph 3(2) below) and a minimum of three adult passengers in a configuration where no occupied wheelchair is being transported.

(2) In the case of a wheelchair accessible taxi, seats which are not in use in the configuration for the transport of an occupied wheelchair shall be capable of being folded or otherwise safely stowed in the vehicle.

Accessible Door Dimensions

2. The vehicle shall comply with the following requirements—

(a) The vehicle shall be fitted with—

(i) at least one wheelchair accessible door aperture capable of being opened from inside and outside the vehicle, located to the near-side or rear of the vehicle, affording unrestricted access to the wheelchair space within the vehicle and of minimum unobstructed dimensions of 745 millimetres in width and 1,250 millimetres in opening height, and

(ii) at least one other opening door that enables access from inside or outside to the passenger compartment,

(b) the rear doors (vertically hinged) or tailgate (horizontally hinged) may be reckoned as an aperture referred to at subparagraph (a)(i) if the vehicle concerned was designed for rear wheelchair entry and the doors otherwise meet the dimensions specified therein, and

(c) the rear doors (vertically hinged) or tailgate (horizontally hinged) may be reckoned as an access opening referred to at subparagraph (a) (ii).

Wheelchair Space Dimensions and Prohibitions

3. (1) The vehicle shall have a space for the accommodation of one person to travel either forwards-facing or rearwards-facing seated in a wheelchair.

(2) The wheelchair space in paragraph (1) shall be not less than 700 millimetres in width and 1,200 millimetres in length. Subject to paragraph (3), minimum headroom of 1,350 millimetres shall be provided in the vicinity of the wheelchair occupant's head.

(3) Where a vehicle is associated with a wheelchair accessible taxi licence first granted on or before 8 June 2010 and was associated to that licence on 1 January 2013, minimum headroom of 1,300 millimetres shall be provided in the vicinity of the wheelchair occupant's head.

Seat Structural Requirements

4. (1) Subject to paragraph (2), the vehicle shall be fitted with safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints that comply with the technical provisions of the relevant passenger car (M1) EC/UNECE standards and documentary evidence of such compliance shall be available in respect of any vehicle modifications.

(2) In relation to a wheelchair accessible taxi licence first granted before 8 June 2010, and where the vehicle associated to the licence is the same vehicle as that which was associated to such licence on 1 January 2013, the vehicle shall have safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints that shall comply with the relevant requirements of the Construction, Equipment and Use Regulations.

Provision of Access Step

5. (1) Where one or more doors on the nearside or the rear of a vehicle has an aperture height exceeding 1150mm and where the floor or lowest internal surface of the passenger compartment is more than 230 millimetres above the ground when the vehicle is at normal ride attitude, an intermediate step (an "access step") shall be securely affixed to at least one door aperture located to either the nearside or rear of the wheelchair accessible vehicle.

(2) Where fitted, kneeling suspension may be lowered to reduce the normal ride attitude prior to any measurement of the passenger compartment floor height.

Access Step Requirements

6. (1) An access step shall have a slip-resistant surface.

(2) The tread depth of an access step shall be at least 200 millimetres and the width of the step shall be at least 400 millimetres.

(3) The height of the surface of an access step shall be no more than 230 millimetres from the ground, when the vehicle is at normal ride attitude.

(4) The maximum slope of an access step in any direction shall not exceed 30 when the vehicle is at normal ride attitude.

(5) An access step shall have clearly marked rounded nosings of not less than 40 millimetres in a bright colour contrasting to the colour scheme of the general interior.

(6) While a wheelchair accessible vehicle is in motion, an access step shall not project more than 10 millimetres beyond the widest part (excluding mirrors) of the vehicle exterior.

(7) The corners or supporting structures of an access step facing forwards or rearwards shall be rounded to a radius of not less than 5 millimetres and the edges of an access step shall be rounded to a radius of not less than 2.5 millimetres.

(8) Subject to paragraph (7), the edges of an access step shall be rounded to a radius of not less than 2.5 millimetres.

(9) Protruding parts of an access step made from a material of hardness not exceeding 60 shore A may have a radius of curvature of less than 2.5 millimetres.

(10) An access step that has been certified as part of the EC Whole Vehicle Type Approval vehicle specification is deemed to have complied with the requirements referred to in paragraphs (5) to (8).

Access Step Integrity

7. An access step shall be designed and constructed to withstand, without permanent deformation or deflection exceeding 10 millimetres, at any point on the access step, the following loads—

- (a) in respect of an access step designed to take one person at a time, a mass of 136 kilogrammes placed in the centre of a single step, or
- (b) in respect of an access step designed to accommodate more than one person at a time, a mass of 272 kilogrammes placed in the centre of a double step.

Kneeling Suspension System Requirements

8. Where a vehicle is fitted with a kneeling suspension system, such system shall comply with the following provisions—

- (a) a master control and separate user control for the kneeling system function shall be required to enable operation of the system,
- (b) any control which initiates the lowering or raising of any part or the whole of the body relative to the road surface shall be clearly identified and under the direct control of the driver or the wheelchair occupant or his or her assistant,
- (c) the lowering process shall be capable of being stopped and immediately reversed by either the master control or the separate user control, and

- (d) the kneeling system shall not allow the vehicle to be driven at a speed exceeding 5 kilometres per hour where the vehicle is at lower than normal ride attitude.

Boarding Aid

9. (1) Subject to paragraph (3) the vehicle shall comply with the following requirements—

- (a) a vehicle shall be equipped with a wheelchair ramp or powered lift assembly to allow a person travelling in a wheelchair to enter or exit the vehicle safely,
- (b) where the vehicle is equipped with a powered lift assembly, such powered lift assembly shall comply with the following provisions—
 - (i) be certified by a relevant competent entity as having a minimum safe working load of 300 kilogrammes, and
 - (ii) a lift platform of minimum area 725 millimetres wide x 900 millimetres long,
- (c) where the vehicle is equipped with a wheelchair ramp, such ramp shall—
 - (i) have a maximum permitted ramp angle of 16° relative to true level, (for side entry vehicles only this shall be assessed with the free end raised 125 millimetres from the ground),
 - (ii) be able to accommodate a variety of ground and kerb conditions,
 - (iii) support a combined wheelchair and occupant mass of at least 300kg,
 - (iv) where detachable, be suitable for manual handling,
 - (v) have a safe means of stowage in the vehicle,
 - (vi) where detachable, be permanently marked with the vehicle registration number of the associated vehicle,
 - (vii) where detachable, have an adequate locating device to ensure that it does not slip or tilt when in use,
 - (viii) provide a continuous, slip-resistant surface for the wheels of the wheelchair,
 - (ix) be a minimum of 700 millimetres in width between the edge upturns,
 - (x) have safety edge upturns that are at least 25 millimetres in height,
 - (xi) at all times be in good working order and available for use, and

(xii) display a Safe Working Load (SWL) marking.

(2) The Authority may waive one or more of the requirements of paragraph (1) in respect of a wheelchair ramp or powered lift assembly on the application of a manufacturer in respect of a particular design that cannot accommodate the specification or specifications in question where the Authority is satisfied that the merits of an innovative design solution for the consumer outweigh the desirability of compliance with this specification or specifications.

(3) In relation to a wheelchair accessible taxi licence first granted before 8 June 2010, and where the vehicle associated to the licence is the same vehicle as that which was associated to such licence on 1 January 2013, such vehicle shall be provided with a ramp or other mechanism to permit the safe entry and egress of a passenger seated in a wheelchair. The ramp or other mechanism shall be capable of transporting a combined wheelchair and occupant mass of 300 kilogrammes minimum between the road and the vehicle interior without the assistance of any person but the driver of the vehicle and at all times be in good working order and available for use, and display a Safe Working Load (SWL) marking. A ramp, where used, shall be such as to provide at least 3.6 units of length for each unit of height, measured at its highest point. The ramp(s), where detachable, shall have an adequate locating device to ensure that they do not slip or tilt when in use.

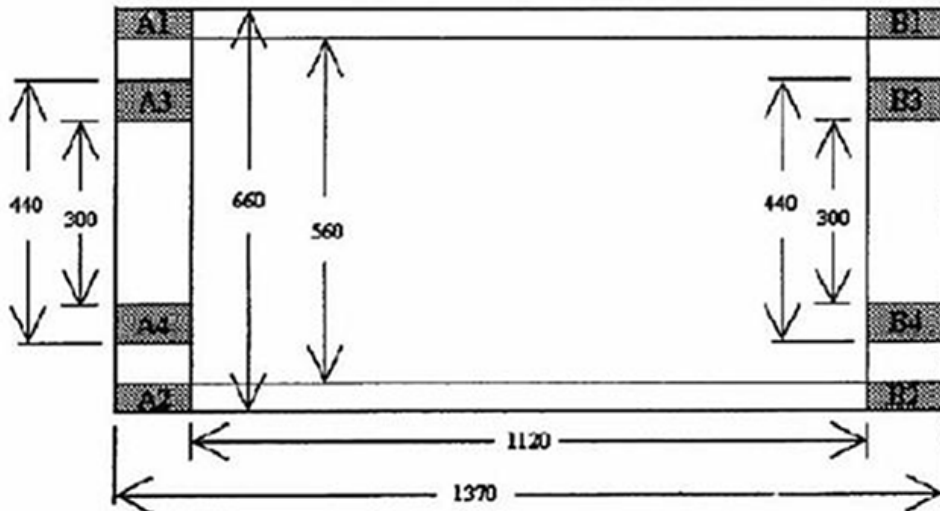
Wheelchair and Occupant Restraint Requirements

10. (1) Subject to paragraph (2) the vehicle shall comply with the following requirements—

- (a) a wheelchair space shall be fitted with—
 - (i) a restraint system in respect of the wheelchair occupant with a minimum of three belt anchorage points providing pelvic and upper torso restraints designed and constructed to perform in a manner similar to a safety belt, and
 - (ii) a wheelchair restraint system suitable for general wheelchair applications,
- (b) a wheelchair restraint system shall be capable of being securely attached to the vehicle belt anchorages,
- (c) a wheelchair occupant restraint system shall be capable of being securely attached to the vehicle belt anchorages,
- (d) the wheelchair restraint belt anchorages shall be symmetrically located longitudinally relative to the wheelchair space provided,
- (e) subject to paragraph (6), a minimum of four restraints shall be provided in respect of each wheelchair; two front and two rear for the purpose of securing the wheelchair to the vehicle wheelchair restraint belt anchorages,

- (f) a vehicle with EC Whole Vehicle Type Approval fitted with alternative wheelchair restraints and proven to the satisfaction of the Authority to have successfully demonstrated an equivalent level of performance to that set out in Schedule 7 will be considered acceptable,
 - (g) an application for a wheelchair accessible taxi licence or wheelchair accessible hackney licence shall include documentary proof that the wheelchair restraint belt anchorages have met the standards set out in Schedule 7,
 - (h) an application for a wheelchair accessible taxi licence or wheelchair accessible hackney licence shall include documentary proof that the wheelchair occupant restraint belt anchorages have met the standards set out in Schedule 7,
 - (i) each tie down or restraint device shall be clearly marked or designed or permanently attached to its belt anchorages in a manner to avoid the attachment of a tie down or restraint to the incorrect belt anchorage, and
 - (j) tie downs, straps, components and sub-assemblies of wheelchair restraint systems equipment shall comply with the requirements of the relevant part of ISO 10542 or equivalent international standard and be marked accordingly.
- (2) In relation to a wheelchair accessible taxi licence first granted before 8 June 2010, and where the vehicle associated to the licence is the same vehicle as that which was associated to such licence on 1 January 2013, the vehicle shall comply with the following requirements—
- (a) the area designated for the accommodation of the wheelchair and its occupant (the wheelchair space) which shall be provided with a restraint system or systems fixed to the structure of the vehicle by an appropriate means for the purpose of securing the wheelchair and its occupant.
 - (b) for the purpose of sub-paragraph (a), an appropriate means shall be deemed to have been provided where the vehicle is equipped as follows—
 - (i) four restraints — two to the front and two to the rear — shall be provided for the purpose of connecting the wheelchair to anchorage points on the vehicle,
 - (ii) a minimum of a lap belt shall be provided for the purpose of securing the wheelchair occupant,
 - (iii) fixed anchorage points shall be provided for each wheelchair restraint and for the lap belt, or alternatively straight tracks shall be provided that allow for variation in the location of anchorage points.

- (iv) The location of anchorage points under either of these arrangements shall be such as to provide, as a minimum, one anchorage point in each of the locations A1 and A2, or alternatively A3 and A4, in addition to one anchorage point in each of the locations B1 and B2 or alternatively B3 and B4 as set out in the following drawing:—



All dimensions in mm

- (v) the wheelchair's front and rear restraints shall be connected to the front and rear anchorage points, respectively. A lap belt shall either be connected to the two rear restraints of the wheelchair, to the two rear anchorage points for the wheelchair or to two anchorage points positioned to provide downward and rearward restraint on the pelvic area of the wheelchair occupant,
- (vi) each single fixed anchorage point shall be attached to the structure of the vehicle by a high tensile bolt or set screw of not less than 10 millimetres in diameter with a reinforcing plate or washer having no sharp edges and measuring not less than 75 cm² in size and not less than 3 mm in thickness — fastened tightly with a locknut,
- (vii) where a track is used it shall have a minimum length of 200 millimetres and shall be attached to the structure of the vehicle by a minimum of 4 high tensile bolts or set screws of not less than 6 millimetres in diameter with reinforcing plates or washers not less than 35 cm² in size and not less than 1 mm in thickness — fastened tightly with a locknut. For each additional length of track, measuring 120 millimetres or part thereof, there shall be at least one additional bolt or screw conforming to the above specification. The bolts or set screws nearest each end of the track shall be located not more than 25 millimetres from the ends of the

track and the distance between adjacent bolts or set screws shall not be less than 75 millimetres nor more than 125 millimetres,

- (viii) if the location of an anchorage point is contoured, the reinforcing plate or washer shall be formed to fit the shape of the area and shall be augmented, if necessary, with a shaped spacer so as to ensure that the face of the locknut is parallel to the surface against which it is tightened, and
- (ix) in any case where the bolts or set screws pass through doubleskin or hollow panels, spacers of the correct dimensions shall be used to avoid compressing or causing distortion to the panels.

User Manual

11. A user manual detailing the correct use of the vehicle's wheelchair related equipment shall be kept in the vehicle.

Handholds

12. The vehicle shall be equipped with a handhold or rail to assist a passenger to access to or exit from the vehicle, such handhold or rail shall—

- (a) be approximately 30 millimetres in diameter,
- (b) have a clearance of at least 35 millimetres between the inside of the working surface of a handhold or rail and any adjacent surface,
- (c) be slip-resistant, and
- (d) be brightly coloured contrasting to the colour scheme of the general interior.

Targeted Interior Lighting

13. The vehicle shall be equipped with localised lighting of not less than 200 lux at the entrance step and the background interior lighting level shall be not less than 150 lux.

Flooring

14. The vehicle which shall be fitted with slip-resistant flooring. Any transitions between the floor and the doorways or seats shall be delineated in a bright colour contrasting to the colour scheme of the general interior.

Intercom and Induction Loop

15. Where a vehicle is fitted with a full dividing screen, partition or bulkhead between the driver and passenger compartment, the vehicle shall be fitted with an intercom and induction loop. Where an intercom and induction loop is fitted, signage shall be clearly displayed in the passenger compartment to advise passengers of these facilities.

Accessibility Symbol (wheelchair accessible hackney only)

16. A wheelchair accessible hackney shall display externally on a passenger door the following symbol or a substantially similar symbol of not less than 105mm in height and of a clearly contrasting colour:



Modified Vehicles

17. Documentation in accordance with Regulation 29 is required in respect of all modified vehicles.

SCHEDULE 5

GENERAL VEHICLE REQUIREMENTS FOR LIMOUSINES

Vehicle Weight and General Characteristics

1. The vehicle shall—
 - (a) be a mechanically propelled vehicle which is designed and constructed for the carriage of passengers with passenger seating accommodation for no more than eight persons (exclusive of the driver). Other than a vehicle in respect of which the small public service vehicle licence was in force in respect of the vehicle on 1 January 2013, the vehicle shall have a maximum design gross vehicle weight not exceeding 3,500 kilogrammes,
 - (b) be evidently suited by reason of its style and condition for the provision of hire services for ceremonial occasions, or for corporate or other prestige purposes, and
 - (c) be a vehicle of such make and model as the Authority may from time to time specify or such equivalent make and model as the Authority may approve.

Wheel Arrangement

2. The vehicle shall have at least four wheels arranged in axle pairs such that the minimum wheelbase is 2,100 millimetres, the minimum track width is 1,100 millimetres and any side to side variation in wheelbase is less than 75 millimetres.

Tyre Load Rating

3. The tyres shall have a load rating appropriate for the design gross vehicle weight, with such tyre load rating for stretched vehicles to be a minimum of 107 unless documentary evidence from the vehicle manufacturer recommending a lower rating is supplied.

Doors and Windows

4. (1) Where passengers are carried in a compartmented section of the vehicle (i.e. an area with seats and a permanent rigid roof), there shall be at least two doors that open into or from this compartmented area which provide access to passenger seats. Where there is more than one row of passenger seats to the rear of the driver, at least one of these doors shall be to the rear of the driver. A rear door (vertically hinged) shall constitute a door for the purposes of this paragraph, provided it was clearly designed or constructed for the intended purpose of passenger access.

(2) All doors shall be operable from inside or outside the vehicle by a passenger provided that a door may be automatically locked while the vehicle is in motion subject to it automatically unlocking once the vehicle becomes stationary.

(3) All passenger (side) windows shall be readily operable.

(4) All windows shall be clean.

(5) Except for a band of a maximum of 125 millimetres in depth at the top upper edge, the front windscreen of a small public service vehicle shall exhibit 70 per cent minimum visible light transmission.

Bull Bars

5. No bull bars shall be fitted to the vehicle, except where they are compliant with Regulation 78/2009/EC as amended and evidence of that compliance, in form and substance satisfactory to the Authority, has been provided.

Cleanliness

6. The vehicle shall be in a good and clean condition and its interior shall be free of dust, dirt, grime, refuse, litter, objectionable matter or unpleasant smell.

Seating Quality

7. The vehicle shall be fitted with seats which are properly upholstered with leather, good quality artificial leather or other durable material, and which are in a clean and hygienic condition.

Exterior Paint

8. The exterior paint of the vehicle shall exhibit good colour consistency without paint or bodywork repairs in progress.

Passenger Compartment Temperature

9. Other than in respect of a vehicle exceeding thirty years of age, the vehicle shall be capable of maintaining a passenger compartment temperature of 20 degrees centigrade during an external ambient temperature of minus 5 degrees centigrade.

Safety Equipment and Communications

10. (1) The vehicle shall safely carry the following articles—

(a) subject to paragraph (2), a spare wheel system,

(b) a first-aid kit, being a within date first aid kit complying with DIN (Deutsches Institut für Normung) 13164 or comparable travel kit recommended by the Health and Safety Authority,

- (c) a fire extinguisher, meaning a fire extinguisher in serviceable condition complying with EN3 and suitable for inflammability classes A, B and C, with a minimum capacity of 2 kilogrammes of dry powder or an equivalent capacity for any other suitable extinguishing agent,
- (d) a reflective advance warning triangle to standard ECE Regulation 27,
- (e) a high visibility reflective safety vest to standard ANSI 107, BS EN 471 or CEN 471 or equivalent,
- (f) a working handheld torch, and
- (g) a pen and paper.

(2) The Authority may reduce the requirements of paragraph (a) where the vehicle concerned exceeds thirty years of age or the vehicle is a series production electric vehicle, a series production hybrid electric vehicle, a series production flexible fuel vehicle or a series production plug-in hybrid electric vehicle, or a vehicle adapted for liquefied petroleum gas or compressed natural gas.

Interior Lighting

11. The standard fitment interior lighting of the vehicle shall be in operational condition.

Seat Structure Requirements

12. (1) Subject to paragraph (2), the vehicle shall be fitted with safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints that comply with the technical provisions of the relevant passenger car (M1) EC/UNECE standards and documentary evidence of such compliance shall be available in respect of any vehicle modifications.

(2) Where—

- (a) in the case of the renewal of a limousine licence, the vehicle to which the licence relates was associated with such licence on the date that these Regulations entered into force, or
- (b) the Authority is satisfied that the design and construction characteristics of the vehicle are of a unique or particular design such that compliance with the specifications in paragraph (1) cannot be reasonably accommodated,

the vehicle shall have safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints which comply with the relevant requirements of the Construction, Equipment and Use Regulations.

(3) Each passenger seat in a vehicle shall—

- (a) have a minimum squab width of 400 millimetres, and

(b) shall be firmly and securely fixed in the vehicle when in a position for passenger occupation.

Modified Vehicles

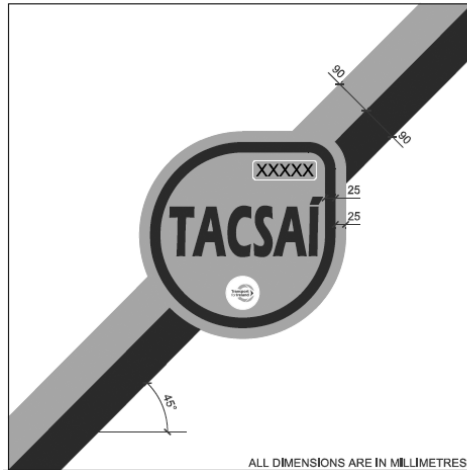
13. Documentation in accordance with Regulation 29 is required in respect of all modified vehicles.

SCHEDULE 6

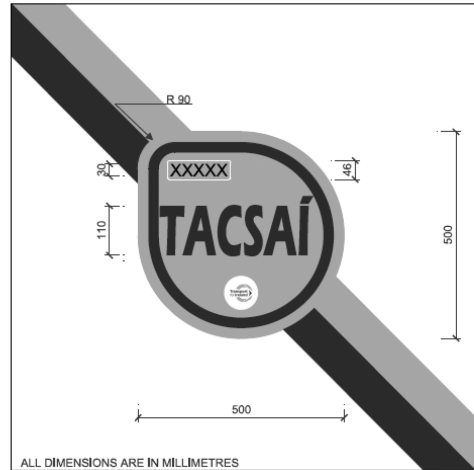
TAXI BRANDING

Part 1

TAXI VEHICLE BRANDING - RIGHT SIDE FRONT DOOR



TAXI VEHICLE BRANDING - LEFT SIDE FRONT DOOR

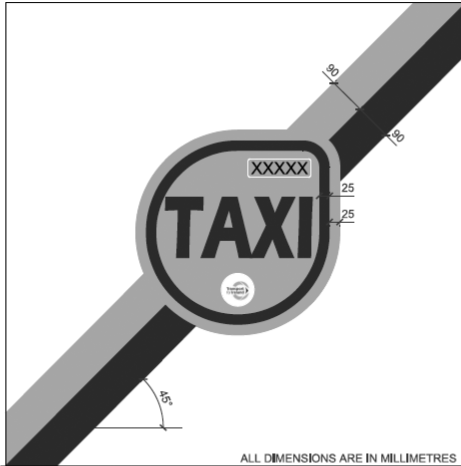


ALPHA NUMERIC CHARACTER OF LICENCE NUMBER = X
 ■ COLOUR = PANTONE 534
 ■ COLOUR = PANTONE 382
 "TACSAÍ" TEXT HEIGHT = 110mm
 LICENCE NUMBER TEXT FONT = HELVETICA BOLD
 LICENCE NUMBER TEXT COLOUR = BLACK

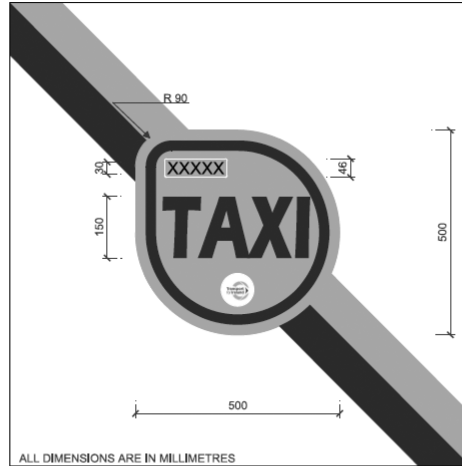
NOTE:
 DIAGONAL STRIP TO BE EXTENDED
 IN EACH CASE TO THE RELEVANT
 CORNER OF THE VEHICLE DOOR
 AND TRIMMED AT DOOR EDGE

Part 2

TAXI VEHICLE BRANDING - RIGHT SIDE FRONT DOOR



TAXI VEHICLE BRANDING - LEFT SIDE FRONT DOOR



ALPHA NUMERIC CHARACTER OF LICENCE NUMBER = X
 ■ COLOUR = PANTONE 534
 ■ COLOUR = PANTONE 382
 "TAXI" TEXT HEIGHT = 150mm
 LICENCE NUMBER TEXT FONT = HELVETICA BOLD
 LICENCE NUMBER TEXT COLOUR = BLACK

NOTE:
 DIAGONAL STRIP TO BE EXTENDED
 IN EACH CASE TO THE RELEVANT
 CORNER OF THE VEHICLE DOOR
 AND TRIMMED AT DOOR EDGE

SCHEDULE 7

WHEELCHAIR AND OCCUPANT RESTRAINT BELT ANCHORAGE REQUIREMENTS

(Static Test)

1. A static test should be carried out on the belt anchorage points for both the wheelchair restraint system and the wheelchair occupant restraints in accordance with the requirements below—

- (a) the forces specified in subparagraph 2(a) should be applied by means of a device reproducing the geometry of the wheelchair restraint system i.e. rigid surrogate wheelchair with attachment points for front and rear restraints,
- (b) the forces specified in subparagraph 2(b) should be applied by means of a traction device specified in paragraph 5.3.4 of Annex 1 of Council Directive 76/115/EEC, as amended, and supported on the device defined in paragraph (a),
- (c) the forces in subparagraphs (a) and (b) above should be applied simultaneously in the forward direction and at an angle of between 5° and 15° above the horizontal plane,
- (d) the forces in subparagraph (a) above should be applied in the rearward direction and at an angle of between 5° and 15° above the horizontal plane,
- (e) the forces should be applied as rapidly as possible (a maximum load introduction time of ten seconds) through the central vertical axis of the wheelchair space,
- (f) the force should be maintained for a period of not less than 0.2 seconds, and
- (g) the test should be carried out on a vehicle or a representative section of the vehicle structure together with any fitting provided in the vehicle which is likely to contribute to the strength or rigidity of the structure. Only the components of the wheelchair restraint and occupant restraint devices which form part of the belt anchorages with the vehicle are required for the purposes of the test.

2. The forces referred to in paragraph 1 are—

- (a) in the case of belt anchorages provided for the wheelchair restraint system—

- (i) $22250\text{N} \pm 200\text{N}$ applied in the longitudinal plane of the vehicle and towards the front of the vehicle at a height of not less than 200 millimetres and not more than 300 millimetres measured vertically above the floor of the wheelchair space, and
 - (ii) $11100\text{N} \pm 200\text{N}$ applied in the longitudinal plane of the vehicle and towards the rear of the vehicle at a height of not less than 200 millimetres and not more than 300 millimetres measured vertically above the floor of the wheelchair space,
 - (b) in the case of belt anchorages provided for a wheelchair occupant restraint system, the forces should be in accordance with the requirements of paragraph 5.4 of Annex 1 of Directive 76/115/EEC, as amended for M1 vehicles.
3. A test carried out under paragraph 1 shall fail unless the following requirements are met—
- (a) no part of the system should have failed, or should have become detached from its belt anchorage or from the vehicle during the test,
 - (b) any mechanism to release the wheelchair and user should be capable of release after completion of the test, and
 - (c) no part of the system should be deformed to such an extent after completion of the test that, because of sharp edges or other protrusions, the part is capable of causing injury.

SCHEDULE 8

FIXED PAYMENT OFFENCES — PRESCRIBED AMOUNTS

Code (1)	Section of the Principal Act or Regulation under these Regulations (2)	Description of Offence (3)	Fixed Penalty Amount (4)
D1	Regulation 45(1) of these Regulations	Failure to display the required in-vehicle information.	€40
D2	Section 25(9) in so far as it relates to section 25(6) of the Principal Act	Standing at appointed stand while vehicle is not available for hire.	€40
D3	Section 25(9) in so far as it relates to section 25(3) of the Principal Act	Standing for hire in a taxi otherwise than at an appointed stand.	€40
D4	Regulation 39(1) of these Regulations	Refusal to carry assistance dog or guide dog in a small public service vehicle.	€40
D5	Regulation 56(1) and 56(2) of these Regulations	Failure to print and offer a receipt in the prescribed form to a passenger upon completion of a journey in a taxi.	€40
D6	Regulation 57(1) and 57(2) of these Regulations	Failure to make available a receipt in the prescribed form to a passenger upon completion of a journey in a hackney or limousine.	€40
D7	Regulation 58(1) of these Regulations	Standing or plying for hire in a county without a licence to stand or ply for hire in that county.	€40
L8	Regulation 24 and 46 of these Regulations	Failure to comply with taxi roof sign requirements.	€40
L9	Regulation 48(1) of these Regulations	Displaying on a hackney or limousine a sign or advertisement other than one prescribed by the National Transport Authority.	€40
L10	Regulation 51(1) of these Regulations	Failure to notify details of small public service vehicle being operated.	€40
D11	Regulation 53(3) of these Regulations	Operating taximeter while taxi is standing for hire or plying for hire.	€60
D12	Regulation 53(2)(c) of these Regulations	Failure to operate taximeter while taxi is on hire.	€60
D13	Regulation 53(2)(a) of these Regulations	Failure to comply with the requirements in relation to the fitting and operation of a taximeter.	€60

Code (1)	Section of the Principal Act or Regulation under these Regulations (2)	Description of Offence (3)	Fixed Penalty Amount (4)
D14	Regulation 55 of these Regulations	Applying a booking fee in respect of a taxi which is engaged while plying for hire or standing for hire or without having been booked in advance by the consumer.	€60
D15	Section 25(9) in so far as it relates to section 25(5) of the Principal Act	Standing with a taxi on part of the public road adjoining or in proximity of an appointed stand when the appointed stand is full.	€40
D16	Regulation 47(1) of these Regulations	Failure to display required driver identification.	€60
A17	Regulation 24, 25, 26, 27 and 28 of these Regulations, except in so far as they relate to paragraph 21(1) of Schedule 2 of these Regulations	Failure to comply with the vehicle standards and requirements applicable to the licence category	€60
D18	Regulation 59(1) of these Regulations	Failure of the driver of a hackney or limousine to carry the required booking record in respect of a hire	€60
A21	Regulation 44(3) of these Regulations	Removal or attempted removal of tamper-proof disc from a small public service vehicle.	€80
D22	Regulation 44(1) of these Regulations	Failure to display tamper-proof disc.	€80
D23	Section 23(2)(b) of the Principal Act	Unreasonable refusal to carry a passenger where the journey is not more than 30 kilometres.	€80
D24	Regulation 53(2)(b) of these Regulations	Failure to comply with the requirements in relation to the calibration of taximeters	€250
A26	Paragraph 21(1) of Schedule 2 of these Regulations	Failure to have prescribed signage affixed to the front doors of taxi or wheelchair accessible taxi.	€250

SCHEDULE 9

FORM OF FIXED PAYMENT NOTICE

Notice under section 48 of the Taxi Regulation Act 2013

Date (insert date)

Name: (insert name) SPSV Driver Licence No: (insert
number)

.....
Address: (insert address)

.....

Alleged Offence

It is alleged that you have committed an offence (specify offence), involving the use of a small public service vehicle bearing licence number (insert licence number) in a public place at (insert location) at (insert time) on (insert date).

Name of authorised person:

Signature of authorised person:

Fixed Payment

1. In respect of the offence alleged in this notice you may, during the period of 28 days, beginning on the date of this notice, pay a fixed charge of €_____ to the National Transport Authority at the address below.

2. If no payment is made during the period specified in (1) you may, during the period 28 days beginning on the expiration of that period, pay a fixed charge of an amount 50 per cent greater than the prescribed amount referred to in (1) to the National Transport Authority at the address below.

3. A fixed payment made under this notice must be accompanied by all of this notice, if payment is made in person or by post.

4. You are not obliged to make the above payment. However, in the event that you choose not to make such payment, you may be prosecuted in respect of the offence specified in this notice.

5. You will not be prosecuted—

(a) during the period specified in (1) and (2), or

(b) at all,

if the correct payment, in accordance with this notice, during that period, is made in respect of the offence specified in this notice.

6. The offence alleged is/is not (*strike out whichever is not applicable*) a demerit offence (within the meaning of Part 5 of the Taxi Regulation Act 2013). If the alleged offence relates to a demerit offence a total of _____ (*specify*) demerits will be endorsed on your SPSV licence record (within the meaning of Part 5 of the Taxi Regulation Act 2013) upon payment of the amount set out in (1) or (2) above and a total of _____ (*specify*) demerits will be endorsed on your SPSV licence record if you do not pay the amount set out in (1) or (2) above and are subsequently convicted of this offence.

7. All fixed payments made under section 48 of the Taxi Regulation Act 2013 shall be paid to the National Transport Authority, (*insert address*) and shall be so paid (otherwise than in cash) by cheque, money order or postal order, or by such other means as the Authority for the time being considers appropriate. (*State other payment means information if applicable*)



GIVEN under the seal of the National Transport Authority,
30 January 2015.

JOHN FITZGERALD,
Chairperson, National Transport Authority.

EXPLANATORY NOTE IN RELATION TO

Taxi Regulation (Small Public Service Vehicle) Regulations 2015

The primary purpose of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 (the “Regulations”) is to amend and restate the Small Public Service Vehicle (Consolidation and Reform) Regulations 2014 (the “2014 Regulations”). The purpose of the 2014 Regulations was to further develop the statutory framework established by the Taxi Regulation Act 2013 (the “Principal Act”) for the regulation of small public service vehicles (“SPSVs”) and their drivers. The Regulations contain a number of amendments to the 2014 Regulations having regard to, among other things, the amendments to be made to the Principal Act by the Public Transport Bill 2014.

The Regulations contain 10 Parts and 9 Schedules. The main provisions are summarised below.

In this note, a reference to “the Authority” is to the National Transport Authority.

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

Part 1 — Preliminary and General

This Part contains standard provisions in relation to citation and commencement of the Regulations. Part 1 also sets out standard provisions regarding definitions of key terms used in the Regulations.

Regulation 4 contains a saver for valid licences granted prior to the coming into force of the Regulations.

Part 2 — Licensing of Drivers of Small Public Service Vehicles

This Part sets out the regulatory regime for the licensing of drivers of small public service vehicles.

Among other things, this Part sets out the requirements in relation to:

(a) applications for:

(i) a new licence to drive SPSVs;

(ii) the renewal of a licence to drive SPSVs; and

(iii) a licence to drive a local area hackney;

(b) the documents and other evidence to be provided by an applicant to the Authority in connection with his or her application;

(c) the entry test for new SPSV drivers;

(d) the form and duration of licences to drive SPSVs, including the rules governing the expiry of such licences;

(e) certain exemptions from the requirement to hold a licence to drive SPSVs in respect of persons providing a non-commercial personal vehicle sharing service or operating a vehicle under a contract of employment where the operation of such vehicle is solely for the carriage of the owner of the vehicle (or persons nominated by the owner of the vehicle); and

(f) the area knowledge of a driver of a SPSV.

The relevant fees in respect of applications for licences to drive SPSVs are set out in Schedule 1.

Part 3 — Licensing of Small Public Service Vehicles

This Part sets out the regulatory regime for the licensing of small public service vehicles. The underlying principle in Part 3 is that only one licence may be in force in respect of a vehicle at any time.

Among other things, this Part sets out the requirements in relation to applications for a new SPSV licence or the renewal of an existing SPSV licence. This Part specifies the documents and other evidence to be provided by an applicant to the Authority in connection with his or her application including:

(a) a valid NCT certificate;

(b) a tax clearance certificate;

(c) evidence of an approved policy of insurance; and

(d) in the case of an applicant who is a non-national, a declaration by such person that the conditions of his or her permission do not preclude him or her from operating a business or self-employed in the State;

Regulation 16 sets out the various rules governing the periods of validity of a SPSV licence. Subject to certain exceptions, the general rule is that a SPSV licence expires on the earlier of:

(a) the date falling one year after the date on which the licence was granted;

(b) the date the vehicle reaches its maximum permissible age;

(c) the surrender or revocation of the licence; or

(d) the date on which the licence holder ceases to be legally entitled to use and possession of the vehicle.

Subject to certain exemptions in relation to existing vehicles, limousines and wheelchair accessible vehicles, the maximum permissible age of a vehicle is 10 years from the date of first registration of the vehicle.

It is permissible under this Part for the holder of a SPSV licence to apply to the Authority for the continuance in force of the licence in respect of a different vehicle. Regulation 16 sets out the detailed requirements and restrictions relating to such applications, including the documents or other evidence to be provided to the Authority.

Part 3 contains a number of technical provisions dealing with matters such as the death of a licence holder, insurances, the surrender of a licence, the form of licence to be granted by the Authority and certain exemptions from the requirement to hold a SPSV licence. In addition, this Part includes an application procedure in relation to a new category of SPSV licence; namely, a local area hackney licence.

Schedule 1 sets out the fees to be paid in connection with the matters contemplated by Part 3.

Part 4 — Vehicle Standards

The detailed technical requirements and standards relating to SPSVs are set out in Schedules 2 to 7 of the Regulations. The Regulations in this Part 4 incorporate, and apply, such detailed technical requirements and standards by reference to the relevant Schedules. For example, Regulation 24 provides that standard taxis shall comply with the vehicle standards and requirements specified in Schedule 2 (General Vehicle Requirements for Taxis).

In addition, this Part contains provisions relating to modified vehicles (including the requirement for a technical assessor's report), a prohibition on crew cabs and pick-ups and a mutual recognition provision whereby a vehicle may satisfy the technical requirements of Part 4 by complying with certain European and/or international standards.

Part 5 — Duties of Holders of Wheelchair Accessible Hackney Licences and Wheelchair Accessible Taxi Licences

The primary purpose of Part 5 of the Regulations is to ensure that the holders of SPSV licences associated with wheelchair accessible vehicles give priority to bookings in respect of persons with disabilities, including persons who wish to travel in their wheelchairs.

This Part also sets out requirements in relation to the information to be provided to the Authority by the holders of SPSV licences associated with wheelchair accessible vehicles and the maintenance of records by such persons. Using the information furnished to it by licence holders, the Authority is permitted to publicise information to

assist consumers who wish to avail of, or to book, a wheelchair accessible taxi or wheelchair accessible hackney.

Part 6 — Duties of Drivers of Small Public Service Vehicles

The focus of this Part is on the duties of drivers of SPSVs when carrying passengers for reward. Among other things, this Part sets out the requirements in relation to:

- (a) carrying passengers and their luggage in accordance with the reasonable directions of the passenger;
- (b) advance payment in respect of services not yet rendered;
- (c) the provision of reasonable assistance to passengers and the taking of reasonable precautions to ensure the safety of passengers; and
- (d) except where the driver is unable, for medical reasons, to carry a dog in his or her vehicle, the carrying of guide dogs or other assistance dogs.

Finally, this Part provides that the driver of a SPSV shall not while standing or plying for hire or carrying passengers for reward act in a manner that is abusive, threatening, offensive or discriminatory to any passenger or intending passenger.

Part 7 — Operating Requirements

This Part contains Regulations in relation to the operation of SPSVs including, among other things, Regulations in relation to:

- (a) the maximum hours of operation of SPSVs;
- (b) a limitation on the number of passengers that may be carried;
- (c) unfit vehicles; and
- (d) the carriage of dangerous substances.

In addition, this Part provides for certain requirements in relation to the identification of SPSVs and their drivers. In particular, this Part requires:

- (a) a tamper proof disc to be affixed to the vehicle;
- (b) certain in-vehicle information to be provided for the benefit of passengers;
- (c) a roof sign to be affixed in the case of taxis; and
- (d) the driver of a SPSV to display a SPSV Driver Display Card containing the information specified in the Regulation 48.

Part 7 contains detailed provisions in relation to the operation of a SPSV by a person who is not the licence holder and certain restrictions in relation to the rental or lease of a SPSV to another person.

Finally, Regulation 51 contains requirements in relation to the details to be given to the Authority before a person operates a SPSV including identification details of the vehicle and the proposed period of operation of the vehicle.

Part 8 — Commencement of Hire and Payment of Fares

Part 8 is primarily concerned with the payment of fares by passengers. This Part sets out requirements in relation to:

- (a) the commencement of hire of vehicles;
- (b) the calibration and operation of taximeters;
- (c) booking fees; and
- (d) the receipts that must be printed and offered to passengers.

Part 9 — Licensing of Dispatch Operators

This Part sets out the regulatory regime for the licensing of dispatch operators. Under this Part, the Authority is empowered to issue licences to persons to act as a dispatch operator or to provide booking services in respect of small public service vehicles. Regulation 63 provides for the period of validity of a dispatch operator licence. Regulation 64 sets out the obligations of dispatch operators.

Part 10 — Penal Regulations

Part 10 identifies the penal regulations and substantial breaches of the Regulations for the purposes of the Principal Act.

In particular, Regulation 64 sets out the penal regulations for the purpose of section 20(4) of the Taxi Regulation Act 2013. A person who fails to comply with or contravenes a Regulation specified in Regulation 64 commits an offence and is liable on summary conviction to a Class C fine.

Regulation 65 sets out each penal regulations breach of which is a “substantial breach” for the purposes of section 20(3) of the Taxi Regulation Act 2013. A person who fails to comply with or contravenes a Regulation specified in Regulation 65 commits an offence and is liable on summary conviction to a Class A fine.

Finally, Part 10 prescribes that the form of fixed payment notice to be issued in connection with a fixed payment offence is specified in Schedule 9 and the amount payable in respect of a fixed payment

offence is the amount specified in Schedule 8 in respect of that offence.

Schedules

There are 9 Schedules to the Regulations, each providing for certain technical matters relating to the foregoing Parts, as follows:

- Schedule 1 — Fees;
- Schedule 2 — General Vehicle Requirements for Taxis;
- Schedule 3 — General Vehicle Requirements for Hackneys;
- Schedule 4 — Requirements for Wheelchair Accessible Taxis and Wheelchair Accessible Hackneys;
- Schedule 5 — General Vehicle Requirements for Limousines;
- Schedule 6 — Taxi Branding;
- Schedule 7 — Wheelchair and Occupant Restraint Belt Anchorage Requirements (Static Test);
- Schedule 8 — Fixed Payment Offences — Prescribed Amounts; and
- Schedule 9 — Form of Fixed Payment Notice.

BAILE ÁTHA CLIATH
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