



Compendium of SPSV Legislation

A guide to amended legislative provisions

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

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This document represents an attempt to provide a consolidated and updated version of relevant legislative provisions. Key –

Black – represents original provisions
Blue – represents an amended provision
Green – represents further amendment

ROAD TRAFFIC ACT 1961

PART VII

CONTROL AND OPERATION OF PUBLIC SERVICE VEHICLES

82. Regulations in relation to the control and operation of public service vehicles

83. Annual inspection and verification of taximeters

84. Bye-laws in relation to stands for street service vehicles

85. Stopping places and stands for omnibuses

86. Bye-laws with respect to stopping places and stands for omnibuses

87. Property left in a public service vehicle

Interpretation.

3.—(1) In this Act, save where the context otherwise requires—

"ancillary disqualification order" has the meaning specified in subsection (1) of section 27;

"appointed stand" has the meaning specified in subsection (1) of section 84;

"appointed weighbridge" has the meaning specified in subsection (1) of section 15;

"approved guarantee" has the meaning specified in section 63;

"approved policy of insurance" has the meaning specified in section 62;

"built-up area speed limit" has the meaning specified in subsection (4) of section 45;

"certificate of competency" has the meaning specified in subsection (4) of section 33;

"certificate of fitness" has the meaning specified in subsection (4) of section 34;

"certificate of exemption" has the meaning specified in section 68;

"certificate of guarantee" has the meaning specified in subsection (2) of section 66;

"certificate of insurance" has the meaning specified in subsection (1) of section 66;

"combination of vehicles" means a mechanically propelled vehicle and a vehicle or vehicles drawn thereby;

"the Commissioner" means the Commissioner of the Garda Síochána;

"consequential disqualification order" has the meaning specified in subsection (1) of section 26;

"contravenes" includes refuses or fails to comply with, and "contravention" shall be construed accordingly;

"driving" includes managing and controlling and, in relation to a bicycle or tricycle, riding, and "driver" and other cognate words shall be construed accordingly;

"driving licence" has the meaning specified in subsection (1) of section 22;

"footway" means that portion of any road which is provided primarily for the use of pedestrians;

"hire-drive agreement" means, in relation to a mechanically propelled vehicle, an agreement under which the vehicle is hired from its registered owner, other than—

(a) a hire-purchase agreement,

(b) an agreement merely for the carriage of persons or goods, or

(c) an agreement under which the registered owner of the vehicle drives, or provides a driver

for, the vehicle;

"the insured" has the meaning assigned to it in paragraph (a) of subsection (1) of section 62;

"large public service vehicle" means a public service vehicle having seating passenger accommodation for more than eight persons exclusive of the driver;

"mechanically propelled vehicle" means, subject to subsection (2) of this section, a vehicle intended or adapted for propulsion by mechanical means, including—

(a) a bicycle or tricycle with an attachment for propelling it by mechanical power, whether or not the attachment is being used,

(b) a vehicle the means of propulsion of which is electrical or partly electrical and partly mechanical,

but not including a tramcar or other vehicle running on permanent rails;

"the Minister" means the Minister for Local Government;

"mobile weighbridge" has the meaning specified in subsection (7) of [section 15](#);

"omnibus" means a large public service vehicle which is for the time being used on a definite route for the carriage of passengers who are carried at separate fares and are picked up and set down along such route whether on request or at fixed stopping places;

"ordinary speed limit" has the meaning specified in subsection (3) of [section 41](#);

"owner", when used in relation to a mechanically propelled vehicle which is the subject of a hire-purchase agreement, means the person in possession of the vehicle under the agreement;

"park" in relation to a vehicle, means keep or leave stationary, and cognate words shall be construed accordingly;

"parking place" has the meaning specified in paragraph (a) of subsection (2) of [section 90](#);

"pedal bicycle" means a bicycle which is intended or adapted for propulsion solely by the physical exertions of a person or persons seated thereon;

"pedal cycle" means a vehicle which is a pedal bicycle or pedal tricycle;

"pedal cyclist" means a person driving a pedal cycle;

"pedal tricycle" mean a tricycle which is intended or adapted for propulsion solely by the physical exertions of a person or persons seated thereon;

"pedestrian-controlled mechanically propelled vehicle" means a mechanically propelled vehicle—

(a) which is neither intended nor adapted for use for carrying the ` driver or a passenger, or

(b) which is intended or adapted so that there are alternative methods of driving it, namely, by a person carried on it or by a pedestrian, except during a period during which it is driven while carrying the driver or a passenger;

"period of cover" has the meaning assigned to it in paragraph (b) of subsection (1) of [section 62](#) or paragraph (b) of subsection (1) of [section 63](#) (as may be appropriate);

"prescribed" means prescribed by regulations made by the Minister under this Act;

"principal debtor" has the meaning assigned to it in paragraph (a) of subsection (1) of [section 63](#);

"public place" means any street, road or other place to which the public have access with vehicles whether as of right or by permission and whether subject to or free of charge;

"public road" means a road the responsibility for the maintenance of which lies on a road authority;

"public service vehicle" means a mechanically propelled vehicle used for the carriage of persons for reward;

"registered owner" has the meaning assigned to it by the Road Vehicles (Registration and Licensing) Regulations, 1958, but, if those regulations should be revoked, it shall have the meaning assigned to it by such regulations corresponding to those regulations as may for the time being be in force;

"the repealed Act" means the Road Traffic Act, 1933 (repealed by this Act);

"road" includes any bridge, pipe, arch, gully, footway, pavement, fence, railing or wall forming part thereof;

"road authority" means—

- (a) the council of a county,
- (b) the corporation of county or other borough, or
- (c) the council of an urban district;

"road traffic weighbridge" has the meaning specified in subsection (4) of section 15;

"roadway" means that portion of a road which is provided primarily for the use of vehicles;

"small public service vehicle" means a public service vehicle which is not a large public service vehicle;

"special disqualification order" has the meaning specified in subsection (5) of section 28;

"special speed limit" has the meaning specified in subsection (4) of section 46;

"street service vehicle" means a small public service vehicle the driver of which offers on a public road himself and the vehicle for hire and for that purpose stands or drives the vehicle on a public road;

"test certificate" has the meaning specified in paragraph (b) of subsection (8) of section 18;

"use" in relation to a vehicle, includes park, and cognate words shall be construed accordingly;

"vehicle guarantor" has the meaning specified in section 59;

"vehicle insurer" has the meaning specified in section 58.

(2) Where a vehicle, which, apart from this subsection, would be a mechanically propelled vehicle, stands so substantially disabled (either through accident, breakdown or the removal of the engine or other such vital part) as to be no longer capable of being propelled mechanically, it shall be regarded for the purposes of this Act as not being a mechanically propelled vehicle.

(3) Save in relation to animal-drawn vehicles, any reference in this Act to a drawn vehicle is to a vehicle attached to another (including attached by way of partial superimposition) for the purpose of being drawn thereby, or actually drawn thereby.

(4) Any reference in this Act to the Rules of the Road is to the publication issued (whether before or after the commencement of this section) under that title by the Minister, being the edition thereof which, at the relevant time, is the latest edition.

(5) Any reference in this Act to use of a vehicle with the consent of a person includes a reference to use with his implied consent and to use on his order.

General provisions with respect to regulations.

5.—(1) The Minister may make regulations prescribing any matter or thing which is referred to in this Act as prescribed or to be prescribed.

(2) Every regulation made under this Act shall be laid before each House of the Oireachtas as soon as may be after it is made and, if a resolution annulling the regulation is passed by either such House within the next subsequent twenty-one days on which that House has sat after the regulation is laid before it, the regulation shall be annulled accordingly but without prejudice to the validity of anything previously done thereunder.

PART VII
CONTROL AND OPERATION OF PUBLIC SERVICE VEHICLES

82 Regulations in relation to control and operation of public service vehicles.

82.—(1) The Minister may make regulations in relation to the control and operation of public service vehicles.

(2) Regulations under this section may, in particular and without prejudice to the generality of subsection

(1) of this section, make provision in relation to all or any of the following matters:

- (a) the licensing of public service vehicles;
- (b) the licensing of drivers and conductors of public service vehicles;
- (c) the payment of specified fees in respect of licences, badges or plates granted or applied for under the regulations and the disposition of such fees;
- (d) the conduct and duties of drivers and conductors of public service vehicles and of their employers;
- (e) the conduct and duties of passengers and intending passengers in public service vehicles;
- (f) the conditions (including the use of taximeters) subject to which vehicles may be operated as public service vehicles;
- (g) the keeping of specified records and the issue of specified certificates and the specifying of the persons by whom such certificates are to be issued;
- (h) the authorising of the fixing of maximum fares for street service vehicles;
- (i) matters related to the transition from the repealed Act to the regulations under this section.

(3) Different regulations may be made under this section—

- (a) in respect of different classes of vehicles,
- (b) for different circumstances and for different areas.

(4) A certificate purporting to be issued pursuant to regulations under this section that on a specified day a specified fare was the maximum fare fixed for street service vehicles in a specified area shall, without proof of the signature of the person purporting to sign it or that he was the proper person to issue it, be evidence in any legal proceedings until the contrary is shown of the matters certified therein.

(5) A certificate purporting to be issued pursuant to regulations under this section that a specified person was on a specified day the holder of a licence under the regulations or that on a specified day a licence under the regulations was in force in respect of a specified vehicle shall, without proof of the signature of the person purporting to sign it or that he was the proper person to issue it, be evidence in any legal proceedings until the contrary is shown of the matters certified therein.

(6) A person who contravenes a regulation under this section which is declared to be a penal regulation and, in such cases involving a vehicle as may be prescribed and where such person is not the owner of the vehicle, such owner shall each be guilty of an offence.

(7) In a prosecution for an offence under this section in which a licence under regulations under this section is material, it shall be presumed, until the contrary is shown by the defendant, that at the material time, such a licence, then having effect, was not held.

(8) Where a mechanically propelled vehicle is used for the carriage of eight or more persons who are not in the employment of the owner of the vehicle, they shall, until the contrary is shown, be deemed to be carried in the vehicle for reward.

(9) (a) If a person refuses or omits to pay to the owner, driver or conductor of a public service vehicle a sum payable by the person to such owner, driver or conductor, as the case may be, in respect of the hire of, or the fare for the

person's carriage in, the vehicle, the person shall, if so requested by such owner, driver or conductor, as the case may be, give him his name and address.

(b) Where a person refuses or fails to comply with a request under paragraph (a) of this subsection or, following such a request, gives a name or address that the owner, driver or conductor concerned has reasonable grounds for believing to be false or misleading, the owner, driver or conductor, as the case may be, aforesaid may detain the person until the arrival of a member of the Garda Síochána.

(c) A member of the Garda Síochána may request—

(i) a person who has refused or failed to comply with a request under paragraph (a) of this subsection,

(ii) a person who, following a request under that paragraph, has given to the owner, driver or conductor concerned a name or address that the latter has reasonable grounds for believing to be false or misleading, **Or**

(iii) a person detained pursuant to paragraph (b) of this subsection, to give to the member his name and address and, if the person refuses or fails to give his name and address or gives a name or address that the member has reasonable grounds for believing to be false or misleading, the member may arrest the person without warrant and, if the person has refused or failed to give his name and address or has given a name or address that is false or misleading, the person shall be guilty of an offence."

83 Annual inspection and verification of taximeters.

Section 83 revoked by Section 6(1) Metrology Act 1996

84 Bye-laws in relation to stands for street service vehicles.

84.—(1) A local authority may make bye-laws in respect of any specified area in its functional area (in this section referred to as 'a taximeter area') for all or any of the following purposes:

(a) appointing the places (in this section referred to as 'appointed stands') in the taximeter area at which taxis may stand for hire,

(b) fixing the maximum number of taxis which may stand for hire at the same time at any particular appointed stand,

(c) specifying appointed stands at which taxis may stand for hire at particular times only and specifying those times,

(d) determining the manner in which taxis shall make use of and stand for hire at any particular appointed stand,

(e) prohibiting taxis from standing for hire at places in the area that are not appointed stands, and

(f) otherwise regulating and controlling the use of appointed stands by taxis.

(2) Different bye-laws may be made under this section—

(a) in respect of different taximeter areas within the functional area of the local authority concerned, and

(b) in respect of other different circumstances.

(3) A taxi shall not stand for hire other than at an appointed stand in the taximeter area in which it is licensed under regulations under section 82 of this Act to so stand.

(4) A driver of a taxi in respect of which there is a contravention of subsection (3) or a bye-law under this section shall be guilty of an offence.

(5) Any other person who contravenes a bye-law under this section shall be guilty of an offence.

(6) Where a local authority proposes to make bye-laws under this section, it shall—

(a) consult with the Commissioner, and

(b) publish a notice in *Iris Oifigiúil* and in one or more newspapers circulating in the taximeter area to which the proposed bye-laws will relate stating—

(i) that the authority proposes to make bye-laws under this section in relation to the area,

(ii) the times at which, the period (being of 4 weeks duration) during which and the place in the functional area of the authority where a copy of the draft bye-laws may be inspected and purchased,

(iii) that representations may be made to the authority by any person affected before a specified date (which shall be not less than 2 weeks after the end of the period referred to in subparagraph (ii) of this paragraph),

and

(c) make the draft bye-laws available for inspection and purchase at the times, during the period of 4 weeks, and at the place specified in each case in the notice aforesaid.

(7) Where a notice is published pursuant to subsection (6) of this section, a person may make representations in relation to the proposed bye-laws to the local authority concerned before the date specified in the notice, and the authority shall, before deciding to make the bye-laws and determining their contents, have regard to any such representations.

(8) Where a local authority ('the authority') proposes to make bye-laws under this section in relation to a public road (within the meaning of the [Roads Act, 1993](#)) responsibility for the maintenance of which lies on a road authority (not being the local authority), the authority shall consult with that other authority before making the bye-laws.

(9) As soon as may be after the making of bye-laws under this section—

(a) copies of the bye-laws shall be made available for inspection and purchase by the public at a place in the functional area of the local authority concerned, and

(b) notice of their making and of the place aforesaid shall be published in one or more newspapers circulating in the area aforesaid.

(10) The Minister may draw up and publish to local authorities guidelines in relation to bye-laws under this section and their contents and may by notice in writing published to local authorities amend or revoke guidelines, and amendments thereof, under this subsection, and local authorities shall have regard to any such guidelines for the time being in force when drawing up, amending or revoking bye-laws under this subsection.

(11) In this section—

'local authority' means a local authority for the purposes of the [Local Government Act, 1941](#) ;

'taxi' means a street service vehicle.

(12) The function conferred on a local authority by subsection (1) is a reserved function.

(13) [Section 7](#) of this Act shall apply to bye-laws under subsection (1) of this section as it applies to bye-laws under this Act made by the Commissioner.

(2) Bye-laws under [section 84](#) of the Principal Act in force immediately before the commencement of this section shall continue in force after such commencement as if made under [section 84](#) (as inserted by this Act) of the Principal Act and may be amended or revoked accordingly

85 Stopping places and stands for omnibuses.

85.—(1) A road authority may, by notice in writing, direct, in respect of a route upon which buses are operated, that specified points shall be stopping places at which persons may board or descend from buses or that specified places shall be used as stands for buses.

(2) A road authority may by notice in writing amend or revoke a direction given, or amendment made, by it under this section.

(3) A person operating or proposing to operate a bus service may apply to the road authority in whose functional area the service is being or will be operated for a direction under this section and the authority may, if it so thinks fit, after consultation with the person, give a direction specifying such points for stopping places, and places for stands, for buses as it considers appropriate.

(4) A notice under this section may direct that—

(a) one or more of the stopping places specified in the notice shall be used only for boarding buses or, as the case may be, only for descending from buses, or

(b) one or more of the stopping places so specified, or one or more of the stands so specified, shall be used only by buses providing a service or services operated by a specified person or by specified persons.

(5) A notice under this section—

(a) shall be given or sent by post to the person who is operating the bus service to which it relates, and

(b) shall specify the date on which it comes into operation, and the notice shall come into operation on the date so specified.

(6) A certificate purporting to be signed by an officer of a road authority and stating that a notice under this section in specified terms was in force on a specified day or during a specified period shall, without proof of the signature of the person purporting to sign the certificate or that he or she was such an officer, be evidence in any legal proceedings until the contrary is shown that a notice under this section in the specified terms was given or sent by post to the person named in it and that it was in force on the specified day or during the specified period.

(7) In this section—

‘bus’ means omnibus;

‘road authority’ has the meaning assigned to it by the [Roads Act, 1993](#) .’.

(2) Directions under [section 85](#) of the Principal Act in force immediately before the commencement of this section shall continue in force after such commencement as if given under [section 85](#) (as inserted by this Act) of the Principal Act and may be amended or revoked accordingly

86 Bye-laws with respect to stopping places and stands for omnibuses.

86.—(1) In this section—

references to stopping places shall be construed as references to stopping places directed by notice under section 85 of this Act;

references to stands shall be construed as references to stands directed by notice under that section;

"provide" includes erect or place, and also maintain, and cognate words shall be construed accordingly.

(2) The Minister may make regulations for all or any of the following purposes:

- (a) controlling the stopping of omnibuses on any route on which there are stopping places;
- (b) controlling the use by omnibuses of stopping places and stands;
- (c) prohibiting, from stopping at or being parked in the vicinity of stopping places and stands, vehicles other than those for which stopping places or stands are directed;
- (d) enforcing order at stopping places and stands (including requiring queuing of intending passengers).

(3) Different regulations may be made under this section—

- (a) in respect of different classes of vehicles,
- (b) for different circumstances.

(4) Where a person uses an omnibus in contravention of a regulation under this section, he and, if he is not the owner of the omnibus, such owner shall each be guilty of an offence.

(5) Where a person uses a mechanically propelled vehicle other than an omnibus in contravention of a regulation under this section, each of the following persons shall be guilty of an offence:

- (a) the registered owner of the vehicle,
- (b) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the hirer under the agreement, and
- (c) if the person using the vehicle on the occasion in question is not the registered owner or the hirer under a hire-drive agreement, the person so using the vehicle

(6) Where a person contravenes a regulation under this section and the contravention does not constitute an offence under subsection (4) or subsection (5) of this section, he shall be guilty of an offence under this subsection.

(7) Where a person charged with an offence under subsection (4) of this section is the owner of the vehicle, it shall be a good defence to the charge for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

(8) (a) Where a person charged with an offence under subsection (5) of this section is the registered owner of the vehicle, it shall be a good defence for him to show that the vehicle was being used on the occasion in question by another person and that—

- (i) such use was unauthorised, or
- (ii) the vehicle was on that occasion the subject of a hire-drive agreement.

(b) Where a person charged with an offence under subsection (5) of this section is the hirer of the vehicle, it shall be a good defence for him to show that the vehicle was being used on the occasion in question by another person and that such use was unauthorised.

(9) Where there are stopping places or stands in respect of a route upon which omnibuses are operated—

- (a) the person carrying on the service may, with respect to any stopping place or stand, provide thereat a sign to indicate that it is a stopping place or stand and provide markings on the roadway, in the vicinity thereof, indicating the area within which vehicles (other than vehicles for which the stopping place or stand is directed) are not to be stopped or parked;
- (b) the said person, on request by the Commissioner with respect to any stopping place or stand, shall provide such sign and markings as aforesaid at that stopping place or stand;
- (c) a sign or markings provided under or in pursuance of this subsection shall be of a size, form and colour approved of by the Minister;
- (d) a sign or markings provided under or in pursuance of this subsection may be provided on a public road without the consent of the road authority charged with the maintenance of the road;
- (e) the said person may provide, or contribute to the provision of, a shelter for intending bus passengers at or near any stopping place or stand, subject, where the shelter is provided on a public road, to the consent of the road authority charged with the maintenance of the road;
- (f) a sign provided at a stopping place or stand and indicating such stopping place or markings provided on the roadway in the vicinity of a stopping place or stand and indicating an area in which vehicles are not to be stopped or parked shall in any prosecution for an offence under this Act, be presumed, until the contrary is shown by the defendant, to have been so provided lawfully and to be of a size, form and colour approved of by the Minister.

(10) Where a person, without lawful authority, removes, defaces or otherwise injures a sign or shelter provided under this section, he shall be guilty of an offence.

87 Property left in public service vehicle.

87.—(1) The Commissioner may, in respect of any area and in respect of all public service vehicles or any class of public service vehicles, make bye-laws for all or any of the following purposes:

- (a) requiring the owners, drivers and conductors of public service vehicles to deposit in an appointed place within a specified time property left in the vehicles by passengers therein;
- (b) providing for the safe custody of such property and the re-delivery of such property to the owners thereof;
- (c) providing for the disposal of all such property which is not re-delivered to the owners thereof and, in particular, making special provision in regard to property which is a live animal or is of a perishable or offensive character;
- (d) authorising the charging of fees for re-deliveries;
- (e) providing, with the consent of the Minister for Finance, for the disposition of fees, proceeds of sale and other moneys received by the Commissioner in respect of such property, including the payment out of those moneys of rewards to persons depositing property in pursuance of this section.

(2) Bye-laws shall not be made under this section save where the Commissioner is of opinion that, as respects the area and vehicles to which the bye-laws relate, satisfactory provision has not been made for the safe custody, re-delivery and disposal of property left in the vehicles by passengers.

(3) A person who contravenes a bye-law under this section shall be guilty of an offence.

(4) The Commissioner shall cause to be established and kept registers of lost property deposited under this section.

(5) A register kept in pursuance of this section shall be in such form and in respect of such area as the Commissioner directs, and there shall be entered therein all such matters as he directs.

(6) A register kept in pursuance of this section shall be received in evidence without further proof in any legal proceedings on being produced as such register by an officer of the Garda Síochána.

(7) A document purporting to be a copy of an entry in a register kept in pursuance of this section and purporting to be certified by an officer of the Garda Síochána to be a true copy of the entry shall without proof of the signature of the person purporting so to certify or that he was such officer, be received in evidence in any legal proceedings and shall, until the contrary is shown, be deemed to be a true copy of the entry and to be evidence of the terms of the entry.

(8) A register kept in pursuance of this section shall at all reasonable times be open to inspection by any person on payment of [the or part of a folio or prescribed fee](#).

(9) A person shall be entitled to obtain from the Commissioner a copy, certified in writing by an officer of the Garda Síochána to be a true copy, of any entry in any register kept in pursuance of this section on payment thereof of [the or part of the folio fee or prescribed fee](#).

ROAD TRAFFIC ACT 1968

PART VII: PUBLIC SERVICE VEHICLES

56. Penalty for damaging a public service vehicle

57. Amendment of section 82 of Principal Act

58. Transfer to Minister of functions of Commissioner of Garda Síochána under section 86 of Principal Act

PART VII PUBLIC SERVICE VEHICLES

56 Penalty for damaging public service vehicle.

56.—(1) A person who wilfully or maliciously commits any damage or injury to a public service vehicle shall be guilty of an offence and on summary conviction thereof may, in addition to any penalty which may be imposed under section 102 of the Principal Act, be ordered by the court by which he is so convicted to pay to the owner of the vehicle such sum as the court shall fix as compensation for the damage or injury and for the loss of the time of the owner and of the driver and conductor of the vehicle or of any of them (as the case may require) in attending the court.

(2) Whenever a member of the Garda Síochána has reasonable grounds for believing that a person is committing or has committed an offence under this section the member may demand of such person his name and address and may, if such person refuses or fails to give his name and address or gives a name or address which the member has reasonable grounds for believing to be false or misleading, arrest such person without warrant.

57 Amendment of section 82 of Principal Act.

57.—section 82 of the Principal Act is hereby amended—

- (a) by the insertion after "granted" in subsection (2) (c) of "or applied for", and
- (b) by the insertion after subsection (8) of the following subsection :

"(9) Whenever a member of the Garda Síochána has reasonable grounds for believing that a person pointed out to him by the owner, driver or conductor of a public service vehicle has refused or omitted to pay to the owner, driver or conductor any sum payable by that person to that owner, driver or conductor for the hire of the vehicle or the fare for that person's carriage in that vehicle, the member may, if that person refuses or fails to give his name and address or gives a name or address which the member has reasonable grounds for believing to be false or misleading, arrest that person without warrant."

58 Transfer to Minister of functions of Commissioner of Garda Síochána under section 86 of Principal Act.

58.— section 86 of the Principal Act is hereby amended—

- (a) by the substitution for "The Commissioner may, with the consent of the Minister, make bye-laws" in subsection (2) of "The Minister may make regulations",
- (b) by the substitution of regulations "for bye-laws" in subsection (3),
- (c) by the substitution of regulation "for bye-law" in subsections (4) and (6), and
- (d) by the substitution of the following subsection for subsection (5):

"(5) Where a person uses a mechanically propelled vehicle other than an omnibus in contravention of a regulation under this section, each of the following persons shall be guilty of an offence:

- (a) the registered owner of the vehicle,
- (b) if the vehicle is the subject of a hire-drive agreement on the occasion in question, the hirer under the agreement, and
- (c) if the person using the vehicle on the occasion in question is not the registered owner or the hirer under a hire-drive agreement, the person so using the vehicle."

(3) Regulations under this section may apply generally or in such circumstances as may be specified in such regulations and different regulations may be made for different circumstances.

(4) Notwithstanding any other provisions of this section, a vehicle removed under this section shall not be disposed of thereunder before the expiration of a period of six weeks from the date of the removal or two weeks after notice has been given in the prescribed manner, whichever is the longer.

(5) A person who obstructs or impedes, or assists another person to obstruct or impede, the removal of a vehicle under this section shall be guilty of an offence.

(6) No action shall lie in respect of anything done in good faith and without negligence in the course of the removal, storage or disposal of a vehicle under this section.

(7) For the purposes of this section 'vehicle' shall include—

(a) a part of a vehicle,

(b) an article designed as a vehicle but not at the time of removal capable of functioning as a vehicle,

(c) a load on or in a vehicle."

(7) A report made under this section shall not be used as evidence in any legal proceedings arising out of the accident in question.

(8) The Minister may make regulations for giving effect to this section

(9) In this section "authorised person" means a person duly authorised in writing by the Minister for the purposes of this section.

S.I 190/1963

ROAD TRAFFIC (CONSTRUCTION, EQUIPMENT AND USE OF VEHICLES) REGULATIONS, 1963

PART V: ADDITIONAL PROVISIONS APPLICABLE TO SMALL PUBLIC SERVICE VEHICLES.

49. Equipment to be carried.

49. Every small public service vehicle while in a public place shall carry the following articles:—
- (a) a wheel or rim fitted with a tyre 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;
 - (c) a kit of tools, including such tools as are necessary for any repairs which might reasonably be expected to be carried out in the course of a journey.

50. Limitation on number of passengers.

50. (1) The number of passengers carried on a small public service vehicle in a public place shall not exceed the number stated, in the public service vehicle licence granted under the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963) in respect of the vehicle, to be the number of passengers for Which passenger accommodation is available in such vehicle.

(2) If and so long as three or more children under the age of 15 years are being carried on a small public service vehicle, the number of such children shall be deemed to be reduced by one-third for the purpose of calculating the number of passengers carried.

51. Provisions applicable to public hire vehicles.

51. (1) This article applies to every licensed public hire vehicle within the meaning of the Road Traffic (Public Service Vehicles) Regulations, 1963 while in a public place.

- (2) (a) Every vehicle to which this article applies shall be provided with—
- (i) at least 4 doors (or where there is a doorless opening to the left of the driver, at least 3 doors) each door being capable of being readily opened to a reasonable extent,
 - (ii) a permanent top,
 - (iii) seats which are properly upholstered with leather, good quality artificial leather or other durable material, and which are maintained in a clean and hygienic condition
- (b) The requirements of paragraph (a) of this sub-article shall not apply in relation to a vehicle licensed as a public service vehicle under Part VII of the Road Traffic Act, 1933 before the coming into operation of these Regulations, and which complies with the regulations in force immediately prior to that date.
- (3) In regard to the seats of a vehicle to which this article applies—
- (a) the supports of such seats shall be firmly fixed in position,
 - (b) at least 16 inches measured in a straight line along the front of each seat shall be allowed for each passenger, and
 - (c) any cross or transverse seats shall be so fitted that, when facing each other, there shall be a clear space of at least 16 inches between any part of the front of a seat and any part of any seat which faces it.

(4) *Regulation 51(4) revoked by Regulation 2, S.I. 48/1998*

(5) In the case of every vehicle to which this article applies, provision shall be made for the carrying of a reasonable quantity of luggage and efficient means provided for securely packing the luggage in or on the vehicle.

52. Saver for certain vehicles.

52. Articles 49 to 51 of these Regulations shall not apply to a vehicle in respect of which a licence is in force under article 60 of the Road Traffic (Public Service Vehicles) Regulations, 1963 while such vehicle is being used for the carriage of school-children in accordance with such a licence.

S.I. No. 191/1963

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) REGULATIONS, 1963.

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45. Rules for conductor of large public service vehicle.
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47. Rules for persons employed on large public service vehicle.
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52. Duties of drivers of public hire vehicles.
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REVOCATIONS.

The Minister for Local Government in exercise of the powers conferred on him by sections 5 and 82 of the Road Traffic Act, 1961 (No. 24 of 1961) hereby makes the following Regulations—

PART I.
GENERAL.

1 Citation:

1. These Regulations may be cited as the Road Traffic (Public Service Vehicles) Regulations, 1963.

2 Commencement.

2. These Regulations shall come into operation on the 27th day of October, 1963.

3 Interpretation.

3. (1) In these Regulations, save where the context otherwise requires:—
"the Act" means the Road Traffic Act, 1961;

"Commissioner" means the Commissioner of the Garda Síochána;

"Cork Corporation" means the Lord Mayor, Aldermen and Burgesses of Cork;

"Cork taximeter area" means the area consisting of the County Borough of Cork together with such portion of the County of Cork as lies within a circle with a radius of six miles having its centre at the principal post office at Oliver Plunkett Street, Cork;

"Dublin Corporation" means the Right Honourable the Lord Mayor, Aldermen and Burgesses of Dublin;

"Dublin taximeter area" means the area as lies within a circle having a radius of 15 miles from its centre at the General Post Office at O'Connell Street, Dublin.

"licensed private hire vehicle" means a small public service vehicle the public service vehicle licence in respect of which limits the use of the vehicle to use as a private hire vehicle;

"licensed public hire vehicle" means a small public service vehicle the public service vehicle licence in respect of which does not limit the use of the vehicle to use as a private hire vehicle;

"passenger accommodation" means seating passenger accommodation determined in accordance with the provisions of the [Road Traffic \(Passenger Accommodation of Mechanically Propelled Vehicles\) Regulations, 1962 \(S.I. No. 143 of 1962\)](#);

"public service vehicle licence" means a licence granted under [article 20](#) of these Regulations;

"statutory transport undertaking" means Córas Iompair Eireann, Londonderry and Lough Swilly Railway Company and County Donegal Railways Joint Committee;

'taximeter area ' includes the Dublin taximeter area, the Cork taximeter area, the Limerick Taximeter area and the Galway taximeter area

"vehicle" means a mechanically propelled vehicle.

(2) In these Regulations a reference to the use of a vehicle as a public hire vehicle shall be construed as a reference to the use of a small public service vehicle—

(a) by standing the vehicle for hire at an appointed stand or by using the vehicle in pursuance of a contract of hiring made at an appointed stand with the driver for the immediate hire of the driver and the vehicle for the carriage of persons for reward,

(b) by the driver offering, in a public place in a taximeter area, himself and the vehicle for immediate hire for the carriage of persons for reward,

(c) so that the driver stands or drives the vehicle in a public place in a taximeter area for the purpose of being immediately hired with the vehicle for the carriage of persons for reward,

(d) so that the vehicle and the driver are hired in a public place in a taximeter area for the carriage of persons for reward on the terms that the hiring is to commence immediately,

(e) in pursuance of a contract of hiring made in a public place in a taximeter area with the driver for the immediate hire of the driver and the vehicle for the carriage of persons for reward, or

Para (f) revoked by Regulation 4(2) S.I. 316 of 1999

(3) In these Regulations a reference to the use of a vehicle as a private hire vehicle shall be construed as a reference to the use of a small public service vehicle otherwise than as a public hire vehicle.

4 Revocations.

4. The regulations and orders specified in the Second Schedule to these Regulations are hereby revoked to the extent specified in the third column of that Schedule.

PART II.
OPERATION OF PUBLIC SERVICE VEHICLES.

5 Use of vehicle for carriage of persons for reward.

5. A person shall not use a vehicle in a public place for the carriage of persons for reward unless—
- (a) there is in force in respect of the vehicle a public service vehicle licence issued pursuant to these Regulations, or
 - (b) in the case of a large public service vehicle, the vehicle is owned or operated by a statutory transport undertaking.

6 Use of vehicle as public hire vehicle.

6. A person shall not use a vehicle as a public hire vehicle unless the vehicle is a licensed public hire vehicle.

7. Public hire vehicles in taximeter areas.

Regulation 7 Revoked by Regulation 3(2)(a) S.I. No. 367 of 2002.

8 Taximeters.

Regulation 8 revoked by Regulation 3(2)(a) of S.I. No. 367 of 2002.

9 Maximum fares in taximeter areas.

9. (1) A statement of the maximum fares for licensed public hire vehicles in a taximeter area shall be made available for purchase by the

- (a) Dublin Corporation for the Dublin taximeter area,
- (b) Cork Corporation for the Cork taximeter area, and
- (c) Galway Corporation for the Galway taximeter area. And
- (d) Limerick Corporation for the Limerick taximeter area

(2) The Minister may fix the maximum fares for licensed public hire vehicles in a taximeter area referred to in sub-article (1) of this article and he may fix different maximum fares in respect of any such taximeter area.

(3) The Minister may issue a certificate that on a specified day a specified fare was the maximum fare fixed for licensed public hire vehicles in any of the taximeter areas specified in sub-article (1) of this article

10 Certificate as to maximum fares.

10. Regulation 10 revoked by Regulation 3 S.I. No. 35 of 1975

11 Notice of maximum fares.

Regulation 11 revoked by Regulation 4(a) S.I. No 493 of 2006; 493 revoked by S.I. 710; Regulation 7 re-revoked by Regulation 26(a) S.I. 710

12 Use of word "taxi"

12. (1) The word "taxi" shall not be used or exhibited in any written statement, advertisement, sign or other published notice in relation to a public service vehicle which is not a licensed public hire vehicle fitted with a taximeter in pursuance of these Regulations.

12(2): Regulation 12(2) revoked by Regulation 4(1) S.I. 316 of 1999

13 Vehicle plate.

Regulation 13 revoked by Regulation 3 S.I. No. 139 of 1987

14 Conductors.

14.(1) A large public service vehicle having passenger accommodation for more than fourteen passengers shall not be used as an omnibus unless—

- (a) there is carried on the vehicle a conductor who acts as the conductor of the vehicle,
- (b) the vehicle is a single-deck vehicle every entrance or exit (other than an emergency exit) of which is fitted with a powered door under the effective control and supervision of the driver, or
- (c) the vehicle is of such a class or is used in such circumstances as is or are certified by the Commissioner (or any officer of the Garda Síochána authorised by the Commissioner in that behalf) to warrant the use of the vehicle as an omnibus without the carriage of a conductor thereon.

(2) Where the owner or operator of a public service vehicle employs two or more conductors, he shall issue to each conductor a distinctive badge having a serial number thereon, which badge shall be worn by the conductor while acting as the conductor of a public service vehicle of that employer.

15 Weekly period of rest.

15.(1) Every person employed as a driver or as a conductor of a large public service vehicle shall be allowed by his employer a weekly period of rest of not less than twenty-four consecutive hours in every period of seven days, and the right of such person to such weekly period of rest shall be deemed to be a term of his employment as such driver or conductor.

(2) Every person employed as a driver or as a conductor of a large public service vehicle shall take the weekly period of rest to which he is entitled under sub-article (1) of this article.

16 Defective public service vehicle

16. A person shall not cause or permit the use of a vehicle for the carriage of persons for reward while the vehicle is unserviceable or unsafe or otherwise unfit for the carriage of persons or, by reason of dilapidation, lack of cleanliness or other cause, unsuitable for the accommodation of passengers.

17 Damage to public service vehicles.

17. A person shall not wilfully or maliciously commit any damage to a public service vehicle.

18 Carriage of dangerous substances.

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

(2) Sub-article (1) of this article shall not operate so as to prohibit the carriage in a 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

PART III.
LICENSING OF PUBLIC SERVICE VEHICLES

Part III Revoked by Regulation 2(1) S.I. No. 292 of 1978

PART IV.
LICENSING OF DRIVERS OF PUBLIC HIRE VEHICLES.

34 Grant of licence.

34 (1) The Commissioner may grant to any person a licence to drive small public service vehicles.

(2) An application for the grant of a licence to drive small public service vehicles shall be made in such form and manner and contain such particulars as the Commissioner shall direct and shall be accompanied by

- (a) a current driving licence;
- (b) Para (b) revoked by Regulation 10 S.I. 111 of 1977
- (c) a statement signed by the applicant showing the nature of his employment during the three years immediately prior to the making of the application;
- (d) a receipt showing that the fee payable in respect of the application has been paid, and
- (e) an undertaking in writing that, if the licence is granted, the applicant shall not drive a public service vehicle for more than eleven hours in any one day in any period of three consecutive days

(3) Where an application for the grant of a licence to drive small public service vehicles is duly made, the Commissioner shall grant the licence if he is satisfied that the applicant—

- (a) is a fit and proper person to hold a licence to drive small public service vehicles;
- (b) has an adequate knowledge of
 - (i) general traffic regulations,
 - (ii) the area in which he proposes normally to make his services available as a driver of small public service vehicles and of local traffic and parking regulations applying to that area,
 - (iii) the regulations relating to small public service vehicles;
- (c) Para (c) of sub-para 3 revoked by Regulation 5 (b) S.I. 295 of 1998
- (d) has not been convicted of an offence which, in the opinion of the Commissioner, would render him unsuitable to hold a licence to drive small public service vehicles;
- (e) in the case of an applicant who is not the holder of a valid subsisting licence to drive small public service vehicles, holds at the time of the application a driving licence without endorsement

35 Form and duration of licence.

35.(1) A licence to drive small public service vehicles shall bear a serial number and shall be expressed to licence the grantee to drive licensed public hire vehicles.

(2) A licence to drive small public service vehicles shall remain in force for a period of five years from the date of its grant or until the sooner surrender or revocation of the licence.

36 Revocation of licence.

36 (1) The Commissioner may at any time revoke a licence to drive public service vehicles if he considers that the holder of the licence is no longer a fit and proper person to hold such a licence or if at any time during its currency the holder is convicted of an offence under section 53 of the Road Traffic Act, 1961 or of an offence which in the opinion of the Commissioner renders him unsuitable to hold such a licence.

(2) On the revocation by the Commissioner of a licence to drive small public service vehicles, the Commissioner shall send notice in writing of the revocation to the person whose licence is revoked, but failure to send such notice or any error or inaccuracy in the notice shall not invalidate the revocation.

(3) Where the holder of a licence to drive small public service vehicles is convicted of an offence which in the opinion of the court renders him unsuitable to hold such a licence, the court may revoke the licence and shall notify the Commissioner of any such revocation.

(4) An application for a licence to drive small public service vehicles by the former holder of a licence revoked under this article shall not be considered by the Commissioner until at least one year has elapsed from the date on which the former licence was revoked

37 Appeal.

37.(1) Whenever the Commissioner or authorised officer refuses an application for the grant of a licence to drive [small public service vehicles](#) or whenever the Commissioner revokes such a licence, the applicant or person whose licence is revoked may appeal against such refusal or revocation to the Justice of the District Court having jurisdiction in the place in which such applicant or person ordinarily resides.

(2) On the hearing of an appeal under this article, the Justice may either confirm the refusal or revocation or direct the Commissioner or authorised officer to grant the licence or to annul the revocation.

(3) The Justice shall cause notice of his decision on an appeal under this article to be given to the Commissioner or authorised officer, who shall comply with any direction given under this article.

38 Driver's badge.

38.(1) On granting a licence to drive [small public service vehicles](#), the Commissioner or authorised officer shall issue to the person to whom the licence is granted a badge (in these Regulations referred to as a driver's badge) bearing a serial number and such words and numbers as the Commissioner shall direct.

(2) Where the Commissioner or authorised officer is satisfied that a driver's badge has been lost or destroyed or has become so defaced as to be wholly or partly illegible, he may issue a substitute badge to the holder of the licence on the production to him of a receipt showing that the fee payable for a substitute driver's badge has been paid.

39 Delivery of licence and badge by driver.

39.(1) Whenever a licence to drive [small public service vehicles](#) is revoked or ceases to be in force otherwise than by effluxion of time, the person whose licence is revoked or has ceased to be in force shall within three days deliver to the Commissioner the licence and the driver's badge issued to such person.

(2) On the annulment of a revocation of a licence to drive [small public service vehicles](#) or on the termination of the cesser of such a licence, the Commissioner shall return the licence and driver's badge.

(3) Whenever a licence to drive [small public service vehicles](#) ceases through effluxion of time to be in force the person whose licence has ceased to be in force shall deliver the driver's badge to the Commissioner or authorised officer who granted the licence.

40 Change of address.

40. The holder of a licence to drive [small public service vehicles](#) shall, within three days after any change of his address send to the Commissioner or authorised officer who granted the licence, the licence together with notice in writing stating the facts of such change and giving particulars of his new address for noting on the licence.

41 Fees.

41 (1) The fee payable in respect of an application for a new licence to drive a small public service vehicle is €250.00.

(2) The fee payable in respect of an application to renew a licence to drive a small public service vehicle is €250.00.

(3) The fees payable under this Regulation are payable to the Commission for Taxi Regulation.

42 Register.

42.(1) The Commissioner shall cause to be kept a register of all licences to drive [small public service vehicles](#) granted under these Regulations.

(2) The register shall show the name and address of each holder of a licence to drive [small public service vehicles](#) every change of address notified under article 40 of these Regulations, all revocations of such licences and all annulments of such revocations.

(3) The register shall be available for inspection at all reasonable times.

(4) The Commissioner or any officer of the Garda Síochána authorised by the Commissioner in that behalf may issue a certificate that a specified person was on a specified day the holder of a licence to drive **small public service vehicles** under these Regulations.

43 Restriction on driving of licensed public hire vehicle.

43. (1) A person shall not operate a small public service vehicle unless there is in force in respect of that person a licence to drive small public service vehicles.

(2) A person shall not drive a licensed public hire vehicle in a taximeter area unless there is endorsed on the licence referred to in sub-article (1) of this article a statement by the Commissioner or any officer of the Garda Síochána authorised by the Commissioner that such person has satisfied the Commissioner or officer that he has an adequate knowledge of the taximeter area.

(3) The owner of a small public service vehicle shall not employ a person as a driver of such a vehicle unless there is in force in respect of that person a licence to drive small public service vehicles and shall not employ a person as a driver of a licensed public hire vehicle operating in a taximeter area unless in addition such licence has endorsed on it a statement under sub-article (2) that such person has an adequate knowledge of that taximeter area.

PART V.
DUTIES OF DRIVERS, CONDUCTORS AND OTHER EMPLOYEES AND PASSENGERS ON PUBLIC SERVICE VEHICLES.

44 Rules for conductor and driver of large public service vehicle.

44. The conductor and the driver of a large public service vehicle shall, while acting as such conductor and driver respectively, comply with the following rules, that is to say:

- (1) Each shall be in constant attendance on the vehicle.
- (2) Each shall take all reasonable precautions to ensure the safety of passengers in or on or entering or alighting from the vehicle.
- (3) Each shall give all reasonable assistance and information to any person having authority to examine the vehicle.
- (4) Each shall give, if so requested, to any member of the Garda Síochána or to any other person having reasonable cause, his name, the name and address of the person by whom he is employed and, in the case of the driver, particulars of his driving licence.

45 Rules for conductor of large public service vehicle.

45. The conductor of a large public service vehicle shall, while acting as such conductor, comply with the following rules, that is to say:

- (1) He shall not, except for sufficient reason, by failing to signal to the driver to start, or by signalling to the driver to stop, or otherwise, cause the vehicle to remain stationary on a road longer than is reasonably necessary to take up or set down passengers except at a stand or place where the vehicle is permitted by law to stop for a longer time than is necessary for the said purpose.
- (2) He shall by signal or otherwise cause the driver to stop the vehicle—
 - (a) for the purpose of enabling intending passengers to enter the vehicle at a point where the vehicle can lawfully be stopped for the purpose of taking up passengers,
 - (b) for the purpose of enabling passengers to leave the vehicle at a point where the vehicle can lawfully be stopped for the purpose of setting down passengers,
 - (c) when he observes a member of the Garda Síochána in uniform signalling the vehicle to stop,

- (d) when the vehicle is involved in any occurrence whereby any person is injured or any property is damaged and the driver of the vehicle might not be aware of such occurrence, or
- (e) in any emergency of which the driver of the vehicle might not be aware and which renders it advisable to stop the vehicle in order to avoid injury to any person or damage to any property.

(3) Save and except for the purposes and in the circumstances mentioned in the next preceding rule or at a regular stopping place on a journey or at the end of the journey, he shall not, by signal or otherwise, cause the vehicle to stop.

(4) He shall keep the driver informed either by signal or otherwise whether the vehicle is or is not at any time carrying the maximum number of passengers which at the time and in the circumstances it is lawful to carry on the vehicle.

(5) He shall not, when the vehicle is in motion, distract the driver's attention without reasonable cause.

(6) He shall guide the driver while the vehicle is being reversed.

(7) He shall to the best of his ability take steps whenever necessary to enforce the provisions of these Regulations relating to the conduct of passengers and intending passengers.

(8) He shall take all reasonable precautions to ensure that the means provided for indicating the route, the fares and the destination are clearly and correctly displayed and that the means for indicating the fares, where these are not displayed in the vehicle, and any current timetable provided are available for inspection by a passenger on demand.

(9) He shall not wilfully deceive or refuse to inform any passenger or intending passenger as to the destination or route of the vehicle or as to the fare for any journey on the route of the vehicle.

(10) He shall ensure that any article which may be carried in or on the vehicle (whether such article is or is not accompanied by the owner thereof) is so placed and arranged that it will not interfere with the comfort or safety of passengers.

(11) As respects the badge issued to him pursuant to these Regulations—

- (a) he shall wear it in a position where it can be seen readily by passengers and while so worn it shall be in such condition that the number thereon is not obliterated or concealed in any way;
- (b) he shall not hinder, prevent or obstruct any person having reasonable cause for doing so from taking the number of such badge.

(12) In the case of fire in the vehicle he shall immediately make every reasonable effort to extinguish the fire, using where necessary the appliances provided for that purpose.

46 Rules for driver of large public service vehicle.

46. The driver of a large public service vehicle shall, while acting as such driver, comply with the following rules, that is to say:

(1) He shall stop the vehicle—

- (a) at the next point where the vehicle can lawfully be stopped for the purpose of setting down passengers when he is signalled to do so by any person in the vehicle,
- (b) when signalled to do so by any intending passenger at a point where the vehicle can lawfully be stopped for taking up passengers unless the vehicle is already carrying the maximum number of passengers which at the time and in the circumstances it is lawful to carry on the vehicle,
- (c) in any emergency which renders it advisable to stop the vehicle in order to avoid injury to any person or damage to any property, or
- (d) at any point or in any circumstances where he is required by law to stop the vehicle.

(2) In the case of an omnibus, he shall not stop the vehicle save as is provided by the next preceding rule or at a regular stand or stopping place or at the end of the journey or as is necessary in the course of traffic.

(3) He shall not start the vehicle unless he is satisfied that he can do so without infringing the law and without causing any danger to person or property.

(4) Where the vehicle is used with a conductor the driver shall not, except in order to avoid injury to any person or damage to any property, cause the vehicle to move in reverse without informing the conductor of his intention and without the guidance of the conductor.

(5) He shall, as far as possible, assist the conductor to extinguish any fire occurring in the vehicle.

(6) On an omnibus, while moving or stopped in traffic, he shall not enter into conversation with any other person.

47 Rules for persons employed on large public service vehicle.

47. Every person employed in or about a large public service vehicle shall behave in a civil and orderly manner and shall refrain from smoking in or on the vehicle while the vehicle moves or stands in a public place.

48 Rules for passengers on large public service vehicle.

48. Every passenger or intending passenger on a large public service vehicle shall comply with the following rules, that is to say:

(1) He shall not wilfully obstruct or impede the driver or conductor of the vehicle or any other person employed in or about the vehicle.

(2) On an omnibus route or portion of an omnibus route on which there are stopping places, he shall not enter an omnibus except at a stopping place for taking up intending passengers, or alight from an omnibus except at a stopping place for setting down passengers.

(3) He shall not enter or alight from the vehicle otherwise than by the doors or openings provided for that purpose, and he shall not use any emergency exit except in an emergency.

(4) He shall not travel in or on any part of the vehicle not provided for the conveyance of passengers.

(5) He shall not travel in or on the upper deck of a double-deck vehicle unless he occupies a seat provided for that purpose.

(6) He shall comply with any lawful direction given to him by the conductor of the vehicle including a request to leave or not to enter the vehicle.

(7) He shall not use obscene or offensive language or conduct himself in a riotous or disorderly manner.

(8) He shall not smoke or carry a lighted pipe, cigar or cigarette in or on any part of the vehicle in or on which a notice is exhibited that smoking is prohibited.

(9) He shall not spit upon or from the vehicle or wilfully damage, soil or defile any part of the vehicle.

(10) He shall not when in or on the vehicle distribute printed or similar matter of any description, or distribute any article for the purpose of advertising, or offer any article for sale.

(11) He shall not, to the annoyance of other passengers, either use or operate any wireless apparatus or other instrument or make or combine with any other person or persons to make any excessive noise by singing, shouting or otherwise.

(12) He shall not throw out of the vehicle any bottle, liquid or litter or any other article or thing likely to annoy persons or to cause danger or injury to any person or property.

(13) Where a door is fitted to the opening through which passengers enter and leave the vehicle, he shall not open such door unless the vehicle is stationary and a conductor is not available.

(14) He shall not wilfully do or cause to be done with respect to any part of the vehicle or its equipment anything which is calculated to obstruct or interfere with the working of the vehicle or to cause injury or discomfort to any person.

(15) He shall not wilfully remove, displace, deface or alter any number plate, notice board, fare table, route indicator, or destination board or any printed or other notice or advertisement in or on the vehicle.

(16) He shall not give any signal which might be interpreted by the driver as a signal from the conductor to start the vehicle.

(17) He shall not by signal or otherwise, except for the purpose of enabling him to enter the vehicle at a point where the vehicle can lawfully be stopped for the purpose of taking up intending passengers or for the purpose of enabling him to leave the vehicle at a point where the vehicle can lawfully be stopped for the purpose of setting down passengers, cause the driver to stop the vehicle.

(18) He shall not carry on a vehicle—

- (a) any bulky or cumbersome article except with the consent of the conductor and in such portion of the vehicle as the conductor shall direct, or
- (b) any animal, except with the permission of the conductor (which permission may be withdrawn at any time by the conductor) and in such portion of the vehicle as the conductor shall direct.

(19) He shall deliver up to the conductor any article of lost property found by him on the vehicle.

(20) A passenger in an omnibus shall, on the request of the conductor or any other person authorised in that behalf by the owner of the vehicle—

- (a) inform the conductor or other authorised person of the journey he has taken or intends to take and of the place at which he entered the omnibus,
- (b) pay the fare for the whole journey taken or intended to be taken by him and accept the appropriate ticket, and
- (c) produce to the conductor or such other person the ticket given to him in respect of the fare.

49 Powers of conductor of large public service vehicle.

49. (1) The conductor of a large public service vehicle may exclude from or request to leave the vehicle—

- (a) any passenger or intending passenger who is, in his opinion, in a condition likely to be offensive to passengers in the vehicle, or
- (b) any passenger or intending passenger whose clothing is such that it may be reasonably expected to injure the linings or cushions of the vehicle or the clothing of other passengers in the vehicle.

(2) The conductor of a large public service vehicle may exclude an intending passenger from the vehicle—

- (a) on the grounds that the vehicle is already carrying the maximum number of passengers which at the time and in the circumstances it is lawful to carry on the vehicle, or
- (b) because the taking up of passengers at the place and time is unlawful.

(3) The conductor of an omnibus may request every passenger in the omnibus to leave the omnibus at a terminal point on the route.

(4) The conductor of a large public service vehicle may exclude or remove from the vehicle any article or animal the carrying of which is prohibited by or under article 18 or under rule (18) of article 48 of these Regulations and may prevent any person from bringing such an article or animal into the vehicle.

50 Reference to conductor.

50. In Articles 44 to 49 of these Regulations any reference to a conductor shall (save where the context indicates otherwise), in relation to a vehicle on which no conductor is carried, be read as a reference to the driver.

51 Commencement of hire and standing for hire.

51. (1) For the purpose of this part of these Regulations—

(a) the hiring of a vehicle used as a public hire vehicle shall be deemed to commence at the time when the driver agrees to accept the hire,

(b) a vehicle used as a public hire vehicle which has been hired by any person shall not, while the hiring continues, be regarded as standing for hire.

(2) Where a vehicle fitted with a taximeter is stationary in a public place in a taximeter area and is not occupied by any person other than the driver it shall, until the contrary is shown, be deemed to be a vehicle used as a public hire vehicle standing for hire.

52 Duties of drivers of public hire vehicles.

52. (1) Whenever a vehicle used as a public hire vehicle is lawfully hired, it shall, subject to the provisions of article 56 of these Regulations, be the duty of the driver of that vehicle, while the hiring continues, to do the following things—

(a) to drive the vehicle with such persons and luggage as the hirer may reasonably direct to such places as the hirer may reasonably direct.

(b) to proceed at a reasonable speed while so driving and by such route as the hirer may reasonably direct or, where no such directions are given, by the most expeditious route, and

(c) to wait with the vehicle at such places and for such lengths of time as the hirer may lawfully direct.

(2) Whenever a person requests the driver of a vehicle used as a public hire vehicle then standing for hire in a taximeter area to drive him to a specified place in that area, it shall be the duty of the driver to comply with the request unless the person making the request fails to tender the lawful fare or prove that he is able to pay the lawful fare on being so required by the driver or the driver has other reasonable excuse for refusing or failing to comply with the request.

(3) Whenever the hirer of a vehicle used as a public hire vehicle makes an advance payment in respect of services not yet rendered, the driver of the vehicle shall comply with the following provisions—

(a) he shall perform those services immediately unless directed to the contrary by the hirer or prevented by some sufficient cause,

(b) he shall hold the said payment as a deposit and retain it if and when these services are fully performed,

(c) he shall retain the lawful fare for the amount of services performed and he shall repay the balance of the payment whenever the hiring is terminated by the hirer before those services are fully performed.

(4) The driver of a vehicle used as a public hire vehicle, while such vehicle is being used for the carriage of persons for reward or is standing, plying or being driven for hire, shall comply with the following rules, that is to say:

(a) He shall be in constant attendance on the vehicle.

(b) He shall behave in a civil, orderly and respectful manner.

(c) He shall comply with every reasonable requirement of any person hiring or being conveyed in such vehicle.

(d) He shall be clean in person and of decent apparel.

(e) He shall give all reasonable assistance and information to any person having authority to examine the vehicle.

(f) As respects the driver's badge issued to him under these Regulations—

- (i) he shall wear it in a position where it can be seen readily by passengers and intending passengers, and while so worn it shall be in such condition that the number thereon is not obliterated or concealed in any way;
- (ii) he shall not prevent, hinder or obstruct any person having reasonable cause for doing so from taking the number of such badge.

(g) He shall take all reasonable precautions to ensure the safety of persons in, on, entering or alighting from the vehicle.

(h) He shall not invite or allow any person to travel in the vehicle without the consent of the person hiring the vehicle.

(i) He shall switch on the light to illuminate the interior of the vehicle when requested to do so by a passenger in the vehicle provided that this does not interfere with the safe driving of the vehicle.

(j) He shall, 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 he takes up or sets down such person.

53 Special rules for the drivers of public hire vehicles fitted with taximeters.

53. (1) The driver of a vehicle used as a public hire vehicle fitted with a taximeter shall not, while such vehicle is standing for hire or plying for hire in a taximeter area, cause the taximeter in the vehicle to commence operating.

(2) The driver of a vehicle used as a public hire vehicle fitted with a taximeter shall not charge or demand for services rendered by him in a taximeter area—

- (a) a greater sum than the maximum fare fixed for such services, or
- (b) a greater sum than the fare shown by the taximeter, save where the maximum fare fixed for such services exceeds the amount that can be shown on the taximeter.

(3) The driver of a vehicle used as a public hire vehicle fitted with a taximeter shall operate the taximeter within a taximeter area so long as the vehicle is on hire.

54 Rules for passengers in public hire vehicles.

54. Every passenger or intending passenger in a vehicle used as a public hire vehicle shall comply with the following rules, that is to say:

(1) He shall not wilfully do or cause to be done with respect to any part of the vehicle or its equipment anything which is calculated to obstruct or interfere with the working of the vehicle or to cause injury to any person.

(2) He shall not wilfully remove, displace, deface or alter any vehicle plate, fare table or any printed or other notice in or on the vehicle.

(3) He shall not spit upon or from the vehicle or wilfully soil or defile any part of the vehicle.

(4) He shall not throw out of the vehicle any bottle, liquid, litter or other article likely to annoy persons or to cause injury to any person or property.

(5) He shall comply with any lawful request of the driver to leave or not to enter the vehicle.

(6) He shall not carry on the vehicle any animal without the permission of the driver (which permission may be withdrawn at any time by the driver).

55 Powers of the driver of a public hire vehicle.

55. (1) The driver of a vehicle used as a public hire vehicle may exclude from or request to leave the vehicle—
- (a) any passenger or intending passenger who is conducting, or can reasonably be expected to conduct, himself in the vehicle in a disorderly or offensive manner, or
 - (b) any passenger or intending passenger whose clothing is likely to soil or damage the interior of the vehicle.
- (2) The driver of a vehicle used as a public hire vehicle may exclude or remove from the vehicle any article or animal the carrying of which is prohibited by or under article 18 of these Regulations or under rule (6) of article 54 of these Regulations and may prevent any person from bringing a prohibited article or animal into the vehicle.
- (3) (a) Whenever the driver of a vehicle used as a public hire vehicle which has been lawfully hired in a taximeter area is directed by the hirer to drive to a place in that area, the driver may demand and receive from the hirer either the lawful fare for the services theretofore rendered by him or the lawful fare for such services together with the lawful fare for driving to the place directed from the place at which the directions are given.
- (b) Whenever the driver of a vehicle used as a public hire vehicle which has been lawfully hired in a taximeter area is directed by the hirer to wait at a place in that area, the driver may inquire from and be informed by the hirer of the length of time that he is to wait, and may demand and receive from the hirer either the lawful fare for the services theretofore rendered by him or the lawful fare for such services together with the lawful fare for waiting for the said length of time.
- (c) The driver of a vehicle used as a public hire vehicle may terminate the hiring of his vehicle whenever the hirer fails or refuses to pay a lawful fare demanded of him under this article.

56 Payment of fares, etc.

56. A person shall not refuse or omit to pay to the owner, driver or conductor of a public service vehicle any sum which is payable by such person to such owner, driver or conductor for the hire of the vehicle or the fare for his carriage in the vehicle.

57 Entering a public service vehicle.

57. A person (other than an intending passenger) shall not enter a public service vehicle save with the consent of the driver, conductor or other person in charge of the vehicle.

58 Removal of persons or articles from vehicles.

58. (1) The conductor or the driver of a public service vehicle, or a member of the Garda Síochána acting on the request of such conductor or driver, may remove from the vehicle any person who contravenes any provision of this Part of these Regulations.
- (2) In exercise of the above power and in exercise of the powers of refusal of entry to an intending passenger or of preventing the bringing of a prohibited article or animal into the vehicle, a conductor, driver or member of the Garda Síochána may use such reasonable force as is necessary for the purpose.

59 Giving of name and address.

59. Where the conductor or the driver of a public service vehicle, or a member of the Garda Síochána, acting on the request of such conductor or driver, alleges that a person has contravened any provision of this Part of these Regulations, he may demand of such person his name and address, and on such demand such person shall give his correct name and address.

PART VI.
MISCELLANEOUS AND TRANSITIONAL.

60 School vehicle licences.

60. (1) The Commissioner or an officer of the Garda Síochána authorised by the Commissioner in that behalf, in circumstances where the Minister for Education considers that special provision for the carriage of children for reward to and from a school is necessary and where the Commissioner or authorised officer is satisfied that a mechanically propelled vehicle is safe for the carriage of passengers, may grant to the owner of the vehicle a licence for the carriage of children for reward to and from school.

(2) A licence granted under sub-article (1) of this article—

(a) shall remain in force for such period, not exceeding 3 years, as the Commissioner or authorised officer may determine and as shall be expressed in the licence,

(b) shall be subject to such conditions as may be specified therein and in particular to a condition limiting the number of children which may be carried in the vehicle.

(3) Parts II, III, IV and V of these Regulations shall not apply in respect of a vehicle while such vehicle is used for the carriage of children for reward to and from school in accordance with a licence granted under this article.

(4) Every licence granted by the Minister for Education under section 93 of the Road Traffic Act, 1933 (No. 11 of 1933) and in force at the date of the coming into operation of these Regulations shall continue in force and be regarded as having been granted as a licence under this article until the expiration of the period for which such licence was expressed to be in force.

61 Penal regulation and owner liability.

61. (1) The provisions of these Regulations set out in Parts I and II of the First Schedule to these Regulations shall be penal regulations.

(2) The provisions of these Regulations set out in Part II of the First Schedule to these Regulations shall be regulations in respect of which the owner of the vehicle shall also be guilty of an offence where there is a contravention of any such provision involving a vehicle by a person other than the owner of the vehicle.

62 Transitional.

62. (1) Every public service vehicle licence granted under Part VII of the Road Traffic Act, 1933 and in force at the date of the coming into operation of these Regulations shall continue in force and be regarded as having been granted under these Regulations until the expiration of the period in respect of which the current annual licence fee in respect of such licence has been paid.

(2) Every licence to drive a public service vehicle granted under Part VII of the Road Traffic Act, 1933 and in force at the date of the coming into operation of these Regulations shall continue in force and be regarded as having been granted as a licence to drive public hire vehicles under these Regulations until the expiration of the period in respect of which the current annual licence fee in respect of such licence has been paid.

(3) Where a public service vehicle licence which is granted under Part VII of the Road Traffic Act, 1933 in respect of a small public service vehicle and which is expressed to limit the use of the vehicle as a private hire vehicle is in force at the date of the coming into operation of these Regulations the use (while such licence is in force) of such vehicle at an appointed stand, not being in a taximeter area, or in pursuance of a contract of hire made at such appointed stand shall be deemed not to be use of the vehicle as a public hire vehicle.

(4) Every vehicle plate and every driver's badge issued under Part VII of the Road Traffic Act, 1933, shall be regarded as a vehicle plate or driver's badge (as the case may be) issued under these Regulations.

(5) On the coming into operation of these Regulations and pending the coming into operation of regulations under the Act, requiring an application by a person for a driving licence in respect of large public service vehicles or in respect of a class of vehicles comprising licensed public hire vehicles to be accompanied by a certificate of competency under section 33 of that Act, a person shall not, subject, to the exemption in section 83 of the Road Traffic Act, 1933—

(a) drive a large public service vehicle unless he holds or has held a certificate of competency or a driver's licence to drive a large public service vehicle issued to him under Part VI or VII of the Road Traffic Act, 1933, or

(b) drive a licensed public hire vehicle unless he holds or has held a certificate of competency or a driver's licence to drive a small public service vehicle issued to him under Part VI or VII of the Road Traffic Act, 1933.

(6) (a) On the coming into operation of these Regulations, fare bye-laws made under section 139 of the Road Traffic Act, 1933, in respect of the Dublin taximeter area shall continue in force, and the maximum fares fixed under those bye-laws shall be regarded as having been fixed under article 9 of these Regulations until maximum fares for licensed public hire vehicles are fixed in respect of the Dublin taximeter area under the said article.

(b) On the coming into operation of these Regulations, fare bye-laws made under section 139 of the Road Traffic Act, 1933, in respect of the Cork taximeter area shall continue in force, and the maximum fares fixed under those bye-laws shall be regarded as having been fixed under article 9 of these Regulations until maximum fares for licensed public hire vehicles are fixed in respect of the Cork taximeter area under the said article.

(7) Pending the coming into operation of section 23 of the Act, the reference in sub-article (4) of article 36 of these Regulations to a driving licence shall be construed as a reference to a driving licence granted under Part III of the Road Traffic Act, 1933.

FIRST SCHEDULE.

PENAL REGULATIONS.

PART I.

Articles.

Articles 8, 11, 12, 15, 16, 17, 18, sub-article (1) of article 29, 30, sub-article (3) of article 33, 39, 40, 43, 44, 45, 46, 47, 48, 52, 53, 54, 56, 57, 59.

PART II.

Articles.

Articles 5, 6, 7, 13, and 14.

SECOND SCHEDULE.

REVOCATIONS.

Number. Title. Extent of Revocation.

S.R. & O. 1935 No. 259. Large Public Service Vehicles Regulations, 1935. Article 56.

S.R. & O. 1936 No. 269. Small Public Service Vehicles Regulations, 1936. Articles 18 and 32.

S.R. & O. 1937 No. 92. Road Traffic Act (Parts VI and VII) (Fees) Regulations, 1937. The whole regulations.

S.R. & O. 1937 No. 88. Public Service Vehicles (Licences and Vehicle Plates) Order, 1937. The whole order.

S.R. & O. 1937 No. 162. Dublin Metropolitan Taximeter Area Order, 1937. The whole order.

S.R. & O. 1937 No. 187. Large Public Service Vehicles (Conduct) Regulations, 1937. The whole regulations.

S.R. & O. 1939 No. 89. City of Cork Taximeter Area Order, 1939. The whole order.

S.R. & O. 1942 No. 66. Large Public Service Vehicles (Conduct) Regulations, 1942. The whole regulations.

GIVEN under the Official Seal of the Minister for Local Government this
twelfth day of October, One Thousand Nine Hundred and Sixty-three.

NEIL T. BLANEY,
Minister for Local Government.

EXPLANATORY NOTE.

These Regulations prescribe the procedure for the licensing of classes of public service vehicles, for the licensing of drivers of public service vehicles in certain cases and set out certain provisions relating to the control and operation of public service vehicles. Vehicles operated by statutory transport undertakings are exempted from public service vehicle licence control.

The Regulations prescribe the duties of the drivers, conductors and passengers on large public service vehicles and of the drivers and passengers on public hire vehicles.

These Regulations replace certain provisions of Parts VII and VIII of the Road Traffic Act, 1933 and certain regulations under that Act.

S.I. NO. 273 OF 1968

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES)(AMENDMENT) REGULATIONS 1968

The Minister for Local Government in exercise of the power conferred on him by sections 5 of the Road Traffic Act, 1961 (No. 24 of 1961) hereby makes the following regulations:—

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1968.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1967, may be cited as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1968.

(3) In these Regulations " the Principal Regulations " means the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963).

2. Sub-article (1) of article 3 of the Principal Regulations is hereby amended by the substitution in the definition of " Cork taximeter area " for the word " ten " of the word " six ".

3. *Regulation 3 revoked by Regulation 4 of S.I. 316 of 1999*

4. Part IV of the Principal Regulations is hereby amended by the substitution for the words " licensed public hire vehicles " wherever these words appear, save in article 43, of the words " small public service vehicles."

5. There shall be substituted for article 43 of the Principal Regulations the following—

" 43. (1) A person shall not drive a small public service vehicle unless there is in force in respect of that person a licence to drive small public service vehicles.

(2) A person shall not drive a licensed public hire vehicle in a taximeter area unless there is endorsed on the licence referred to in sub-article (1) of this article a statement by the Commissioner or any officer of the Garda Síochána authorised by the Commissioner that such person has satisfied the Commissioner or officer that he has an adequate knowledge of the taximeter area.

(3) The owner of a small public service vehicle shall not employ a person as a driver of such a vehicle unless there is in force in respect of that person a licence to drive small public service vehicles and shall not employ a person as a driver of a licensed public hire vehicle operating in a taximeter area unless in addition such licence has endorsed on it a statement under sub-article (2) that such person has an adequate knowledge of that taximeter area."

6. There shall be substituted for paragraph (8) of article 45 of the Principal Regulations the following—

" (8) He shall take all reasonable precautions to ensure that the means provided for indicating the route, the fares and the destination are clearly and correctly displayed and that the means for indicating the fares, where these are not displayed in the vehicle, and any current timetable provided are available for inspection by a passenger on demand."

7. There shall be substituted for sub-article (2) of article 52 of the Principal Regulations, the following sub-article—

" (2) Whenever a person requests the driver of a vehicle used as a public hire vehicle then standing for hire in a taximeter area to drive him to a specified place in that area, it shall be the duty of the driver to comply with the request unless the person making the request fails to tender the lawful fare or prove that he is able to pay the lawful fare on being so required by the driver or the driver has other reasonable excuse for refusing or failing to comply with the request."

8. Article 53 of the Principal Regulations is hereby amended by the addition thereto of the following sub-article—

" (3) The driver of a vehicle used as a public hire vehicle fitted with a taximeter shall operate the taximeter within a taximeter area so long as the vehicle is on hire."

9. Every licence to drive licensed public hire vehicles granted under Part IV of the Principal Regulations and in force at the date of the coming into operation of these Regulations shall continue in force and be regarded as having been granted as a licence to drive small public service vehicles under these Regulations until the expiration of the period in respect of which the current annual licence fee in respect of such licence has been paid.

10. These Regulations shall come into operation on the first day of February, 1969.

GIVEN under the Official Seal of the Minister for Local Government this
17th day of December, One Thousand Nine Hundred and Sixty-Eight.

CAOIMHGHÍN Ó BEOLÁIN,
Aire Rialtais Áitúil.

EXPLANATORY NOTE.

These Regulations amend the Road Traffic (Public Service Vehicles) Regulations, 1963. They amend the definition of the " Cork taximeter area "; prohibit the use of advertisements on private hire vehicles (" hackneys "); require the licensing of drivers of private hire vehicles; require taxi drivers to have a knowledge of the area in which they operate and make other minor amendments in relation to the duties of drivers of public service vehicles. The Regulations come into operation on the 1st February, 1969.

S.I. No. 200 of 1970.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) (No. 2) REGULATIONS, 1970.

The Minister for Local Government in exercise of the powers conferred on him by sections 5 of the Road Traffic Act, 1961 (No. 24 of 1961) hereby makes the following Regulations:—

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1970.

(2) The Road Traffic (Public Service Vehicles) Regulations, 1963 to 1970 and these Regulations shall be construed as one.

(3) The collective citation "the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1970" shall include these Regulations.

(4) In these Regulations "the Principal Regulations" means the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963).

2. The functions of the Commissioner of the Garda Síochána under the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1970 may be performed by any officer of the Garda Síochána authorised by the Commissioner to perform such functions.

3. There shall be substituted for sub-article (1) of article II of the Principal Regulations the following sub-article—

"(1) There shall be exhibited in every licensed small public service vehicle so as to be easily seen by a passenger therein—

- (a) a photograph of the driver, the name of the driver, the serial number of the license to drive small public service vehicles issued to him and the signature of the person who has granted the license,
- (b) the serial number of the public service vehicle licence issued in respect of the vehicle,
- (c) the name and official address of the person by whom the vehicle was licensed, and
- (d) in the case of a licensed public hire vehicle used in a taximeter area, a notice showing the maximum fares fixed for public hire vehicles in the taximeter area".

4. *Regulation 4 revoked by Regulation 2(2) S.I. No. 292 of 1978*

5. *Regulation 5 revoked by Regulation 2(2) S.I. No. 292 of 1978*

6. *Regulation 6 revoked by Regulation 2(2) S.I. No. 292 of 1978*

7. *Regulation 7 revoked by Regulation 2(2) S.I. No. 292 of 1978*

8. There shall be substituted for article 34 of the Principal Regulations the following article:—

"34 (1) The Commissioner may grant to any person a licence to drive small public service vehicles.

(2) An application for the grant of a licence to drive small public service vehicles shall be made in such form and manner and contain such particulars as the Commissioner shall direct and shall be accompanied by

- (a) a current driving licence;
- (b) in the case of a person (other than a person who during the whole of the period from the date of these Regulations to the date of the application was the holder of a valid licence), a

certificate of a registered medical practitioner, in a form acceptable to the Commissioner, that he is fit to drive small public service vehicles;

(c) a statement signed by the applicant showing the nature of his employment during the three years immediately prior to the making of the application;

(d) a receipt showing that the fee payable in respect of the application has been paid, and

(e) an undertaking in writing that, if the licence is granted, his services will be available as a driver of a small public service vehicle for at least forty hours in each week and that in any period of three consecutive days he will not so drive for more than eleven hours a day.

(3) Where an application for the grant of a licence to drive small public service vehicles is duly made, the Commissioner shall grant the licence if he is satisfied that the applicant—

(a) is a fit and proper person to hold a licence to drive small public service vehicles;

(b) has an adequate knowledge of

(i) general traffic regulations,

(ii) the area in which he proposes normally to make his services available as a driver of small public service vehicles and of local traffic and parking regulations applying to that area,

(iii) the regulations relating to small public service vehicles;

(c) not being a person who during the whole of the period from the date of these Regulations to the date of the application was the holder of a valid licence, is not engaged in employment of such a nature as, in the opinion of the Commissioner, to be likely to impair his efficiency or to conflict with his responsibilities or to be incompatible with his employment as a driver of small public service vehicles;

(d) has not been convicted of an offence which, in the opinion of the Commissioner, would render him unsuitable to hold a licence to drive small public service vehicles;

(e) in the case of an applicant who is not the holder of a valid subsisting licence to drive small public service vehicles, holds at the time of the application a driving licence without endorsement".

9. Sub-article (2) of article 35 of the Principal Regulations is hereby amended by the substitution of the word "three" for the word "five".

10. There shall be substituted for article 36 of the Principal Regulations the following article:—

"36 (1) The Commissioner may at any time revoke a licence to drive public service vehicles if he considers that the holder of the licence is no longer a fit and proper person to hold such a licence or if at any time during its currency the holder is convicted of an offence under section 53 of the Road Traffic Act, 1961 or of an offence which in the opinion of the Commissioner renders him unsuitable to hold such a licence.

(2) On the revocation by the Commissioner of a licence to drive small public service vehicles, the Commissioner shall send notice in writing of the revocation to the person whose licence is revoked, but failure to send such notice or any error or inaccuracy in the notice shall not invalidate the revocation.

(3) Where the holder of a licence to drive small public service vehicles is convicted of an offence which in the opinion of the court renders him unsuitable to hold such a licence, the court may revoke the licence and shall notify the Commissioner of any such revocation.

(4) An application for a licence to drive small public service vehicles by the former holder of a licence revoked under this article shall not be considered by the Commissioner until at least one year has elapsed from the date on which the former licence was revoked."

11. There shall be substituted for sub-articles (1) and (2) of article 41 of the Principal Regulations the following sub-articles—

"(1) Subject to sub-article (2), the fee payable in respect of an application for a licence to drive small public service vehicles shall be £5 and, if the licence is granted, the fee payable in respect of the grant of such licence shall be £6.

(2) The fee payable in respect of an application for a licence to drive small public service vehicles by a person who during the whole of the period from the date of these Regulations to the date of his application held a valid such licence, shall be £1 and the licence may be granted without payment of any further fee."

12. There shall be added to article 41 of the Principal Regulations the following sub-article—

"(4) The fee payable for a substitute driver's badge shall be £1."

13. A vehicle which is used as a small public service vehicle shall be kept in a clean condition and in particular its interior shall be kept free of dust, dirt, grime, refuse, litter, or objectionable matter.

14. *Regulation 14 revoked by Regulation 16 S.I. No. 111 of 1977*

15. Article 2 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1970 (S.I. No. 138 of 1970) shall be amended by the substitution for "is" of "was, on 15th June, 1970".

GIVEN under the Official Seal of the Minister for Local Government
this 27th day of August, 1970.

ROBERT MOLLOY
Minister for Local Government.

EXPLANATORY NOTE.

These regulations—

- (a) enable the functions of the Commissioner of the Garda Síochána under the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1970 to be performed by any authorised officer of the Garda Síochána and make additional provisions in relation to revocation of small public service vehicle drivers' licenses,
- (b) require the display of the driver's photograph and other information in small public service vehicles,
- (c) prescribe additional requirements to be fulfilled by applicants for small public service vehicle and drivers' licenses,
- (d) require higher standards for small public service vehicles,
- (e) revise fees payable for small public service vehicle and drivers' licenses,
- (f) require that taxis in the Dublin area bear orange stripes painted on the front and rear of the roof.

Existing licence holders are exempt from certain of these provisions.

S.I. No. 225 of 1973.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS, 1973.

The Minister for Local Government in exercise of the powers conferred on him by sections 5 of the [Road Traffic Act, 1961](#), (S.I. No. 24 of 1961) hereby makes the following Regulations:—

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1973.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1970 shall be construed together and may be cited as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1973.

2. (1) *Sub-para (1) of Regulation 2 revoked by Regulation 4 S.I. No. 24 of 1976*

(2) *Sub-para (2) of Regulation 2 revoked by Regulation 2(3) of S.I. No. 292 of 1978*

(3) Notwithstanding anything contained in the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1970, an application by a person for the grant of a licence to drive small public service vehicles may be made only in the periods from the first to the fourteenth day inclusive of the months of March, June, September and December in any year unless the application is made by a person who held such a licence at any time in the period of twelve months preceding the date of application.

3. The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1970 (S.I. No. 138 of 1970) are hereby revoked.

GIVEN under the Official Seal of the Minister for Local Government this 1st day of August, 1973.

JAMES TULLY,
Minister for Local Government.

EXPLANATORY NOTE.

These Regulations provide that (a) an application for the grant of a small public service vehicle licence in respect of the use of a vehicle as a public hire vehicle may be made only in the period from the first to the fourteenth day inclusive of June in any year unless the applicant satisfies specified conditions; and (b) an application for the grant of a small public service vehicle licence in respect of the use of a vehicle as a private hire vehicle or for the grant of a licence to drive small public service vehicles may be made only in the periods from the first to the fourteenth day inclusive of March, June, September and December in any year unless the applicant satisfies specified conditions.

The Regulations revoke the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1970 (S.I. No. 138 of 1970).

S.I. No. 24 of 1976.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS, 1976.

The Minister for Local Government, in exercise of the powers conferred on him by sections 5 of the [Road Traffic Act, 1961](#) (No. 24 of 1961) hereby makes the following Regulations:—

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1976.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1975 shall be construed together and may be cited as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1976.

2. *Regulation 2(1) revoked by Regulation 2 S.I. No. 268 of 1977*

3. Notwithstanding anything contained in the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1975, a sum may be charged where the hiring of a vehicle used as a public hire vehicle in a taximeter area is initiated by way of telephonic or radio communication and, for the purposes of article 53 of the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963), such sum shall be regarded as part of the maximum fare for the services being rendered by the driver of the vehicle.

4. Sub-article (1) of article 2 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1973 (S.I. No. 225 of 1973) is hereby revoked.

GIVEN under the Official Seal of the Minister for Local Government this 2nd day of February, 1976.

JAMES TULLY,
Minister for Local Government.

EXPLANATORY NOTE.

These Regulations—

(a) provide that an application for a small public service vehicle licence in respect of the use of a vehicle as a public hire vehicle may be made only in the period from the first to the fourteenth day inclusive of September, and

(b) enable a charge to be made where the hiring of a vehicle used as a public hire vehicle in a taximeter area is initiated by way of telephonic or radio communication.

S.I. No. 111 of 1977.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS, 1977.

The Minister for Local Government in exercise of the powers conferred on him by sections 5 of the [Road Traffic Act, 1961](#) (No. 24 of 1961) hereby makes the following Regulations:—

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1977.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1976 shall be construed together and may be cited as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1977.

(3) In these Regulations "the Principal Regulations" means the [Road Traffic \(Public Service Vehicles\) Regulations, 1963 \(S.I. No. 191 of 1963\)](#) as amended by the [Road Traffic \(Public Service Vehicles\) \(Amendment\) \(No. 2\) Regulations, 1970 \(S.I. No. 200 of 1970\)](#) and the [Road Traffic \(Public Service Vehicles\) \(Amendment\) \(No. 3\) Regulations, 1970 \(S.I. No. 252 of 1970\)](#).

2. There shall be substituted for article 7 of the Principal Regulations the following article—

"7. (1) Subject to sub-article (2) of this article, a person shall not use a vehicle as a public hire vehicle in a taximeter area unless—

(a) there is fitted to the vehicle a taximeter complying with these Regulations, and

(b) with effect from the 1st day of July, 1977 the vehicle bears an orange stripe nine inches in width painted from side to side on the front and on the rear of its roof and the remainder of the roof is of a colour which is readily distinguishable from the orange stripes.

(2) Sub-article (1) of this article shall not operate so as to prohibit in a taximeter area the carriage of persons for a reward in a small public service vehicle which is not fitted with a taximeter or which does not bear orange stripes in accordance with that sub-article where the contract to carry such persons is made outside the taximeter area."

3. Sub-article (4) of article 20 of the Principal Regulations is hereby revoked.

4. *Regulation 4 Revoked by Regulation 2(4) S.I. No. 292 of 1978*

5. *Regulation 5 Revoked by Regulation 2(4) S.I. No. 292 of 1978*

6. Sub-article (2) of article 22 of the Principal Regulations is hereby revoked.

7. Paragraphs (b) (i), (b) (ii), (b) (iii) and (b) (iv) of sub-article (1) of article 31 of the Principal Regulations are hereby revoked.

8. *Regulation 8 Revoked by Regulation 2(4) S.I. No. 292 of 1978*

9. *Regulation 9 Revoked by Regulation 2(4) S.I. No. 292 of 1978*

10. Paragraph (b) of sub-article (2) of article 34 of the Principal Regulations is hereby revoked.

11. There shall be substituted for paragraph (c) of sub-article (3) of article 34 of the Principal Regulations the following paragraph:—

"(c) is not engaged in any occupation which, in the opinion of the Commissioner, is likely to impair his efficiency or to conflict with his responsibilities or to be incompatible with his employment as a driver of small public service vehicles,".

12. Sub-article (2) of article 35 of the Principal Regulations is hereby amended by the substitution of the word "one" for the word "three".

13. There shall be substituted for sub-articles (1) and (2) of article 41 of the Principal Regulations the following sub-articles:—

"(1) A fee of £10 shall be payable in respect of the first application by a person for a licence to drive small public service vehicles.

(2) A fee of £3 shall be payable in respect of the grant of a licence to drive small public service vehicles."

14. Sub-article (4) of article 41 of the Principal Regulations is hereby amended by the substitution of "£2" for "£1".

15. Regulation 15 Revoked by Regulation 2(4) S.I. No. 292 of 1978

16. Article 14 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1970 is hereby revoked.

GIVEN under the Official Seal of the Minister for Local Government this 19th day of April, 1977.

JAMES TULLY,
Minister for Local Government.

EXPLANATORY NOTE.

These Regulations standardise the conditions of licensing of small public service vehicles and drivers of such vehicles, and in particular—

- (a) provide for annual licensing for small public service vehicle and driver licences,
- (b) require that as from 1st day of July, 1977, public hire vehicles in taximeter areas shall bear orange stripes painted on the front and on the rear of the roof,
- (c) withdraw the requirement that in certain circumstances, vehicles for which licences are applied should be under two years old,
- (d) provide that, on a transfer of ownership of a vehicle in respect of which a small public service vehicle licence is in force, the new owner may apply to the Garda Commissioner for the continuance in force of that licence, and
- (e) provide for revised fees for small public service vehicle and driver licences and drivers' badges.

S.I. No. 292 of 1978.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (LICENSING) REGULATIONS, 1978

The Minister for the Environment in exercise of the powers conferred on him by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and section 82 of that Act, as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968) hereby makes the following Regulations:—

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Licensing) Regulations, 1978.

(2) "The Road Traffic (Public Service Vehicles) Regulations 1963 to 1978" and these Regulations shall be construed as one and the collective citation "The Road Traffic (Public Service Vehicles) Regulations 1963 to 1978" shall include these Regulations.

2. (1) Part III of the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963) is hereby revoked.

(2) articles 4, 5, 6(1) (a), 6(2) and 7 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1970 (S.I. No. 200 of 1970) are hereby revoked.

(3) sub-article (2) of article 2 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1973 (S.I. No. 225 of 1973) is hereby revoked;

(4) articles 4, 5, 8, 9 and 15 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1977 (S.I. No. 111 of 1977) are hereby revoked;

(5) the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1978 (S.I. No. 226 of 1978) are hereby revoked,

(6) the Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations, 1978 (S.I. No. 259 of 1978) are hereby revoked,

(7) paragraph (b) of sub article (1) of article 7 of the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963) as substituted by article 2 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1977 (S.I. No. 111 of 1977) is hereby revoked.

(8) the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1977 (S.I. No. 177 of 1977) are hereby revoked.

3. (1) In these Regulations:—

"the Act" means the Road Traffic Act, 1961;

"grant period" means the period from 1st day of November, 1978 to the 31st day of August, 1979 and each succeeding period of twelve months from the 1st day of September, 1979;

"public hire vehicle licence" means a small public service vehicle licence which does not limit the use of the vehicle to use as a private hire vehicle;

"new public hire vehicle licence" means a public hire vehicle licence applied for by a person other than a person who in the period of twelve months before the date of application held such a licence in respect of a vehicle and whose application is made for the purpose of licensing that vehicle, or another vehicle to replace it, where the licence so held has ceased to be in force through effluxion of time or has been surrendered or revoked;

"Drogheda Corporation" means the Mayor, Aldermen and Burgesses of Drogheda;

"Limerick Corporation" means the Mayor, Aldermen and Burgesses of Limerick;

"Galway Corporation" means the Mayor, Aldermen and Burgesses of Galway;

"Donegal Town" means the area declared under section 2(6) of the Local Government (Planning and Development) Act, 1963 (S.I. No. 28 of 1963) by the Council of the County of Donegal to be comprised in the town of Donegal for the purposes of that Act.

4. (1) Articles 10, 11, 19, 21 and 22 shall apply to all public service vehicles other than large public service vehicles owned or operated by a statutory undertaker.

(2) Subject to sub-article (1), these Regulations shall not apply to small public service vehicles

5. (1) A local authority specified in column 1 of the table to this article shall, from time to time by resolution—

(a) determine the number of new public hire vehicle licences which may be granted during a grant period by the Commissioner in respect of the use of vehicles as public hire vehicles in the taximeter area specified in column 2 of the said table opposite the mention of such local authority, and

(b) specify a period within which applications may be made to the Commissioner for the grant of such licences.

(2) The number of new public hire vehicle licences which may be granted by the Commissioner during the grant period beginning on the 24th day of October, 1991 in respect of the Dublin taximeter area shall be not more than 100.

(3) (a) The Commissioner shall not during a grant period grant new public hire vehicle licences for use of vehicles as public hire vehicles in a taximeter area specified in column 2 of the table to this article in excess of the number determined by a local authority in accordance with paragraph (a) of sub-article (1) of this article in respect of that period for that taximeter area.

(b) The Commissioner shall not during the grant period beginning on the 24th day of October 1991 grant new public hire vehicle licences for use of vehicles as public hire vehicles in the Dublin taximeter area in excess of the number set down in sub-article (2) of this article.

(4) Where a local authority has not made a determination under paragraph (a) of sub-article (1) of this article in respect of a grant period the Commissioner shall not grant any new public hire vehicle licences for the use of vehicles as public hire vehicles in the taximeter area specified in column 2 of the said table opposite the mention of such local authority.

(5) Where a local authority has made a determination under paragraph (a) of sub-article (1) of this article it shall cause notice of such determination and of the period specified for the making of applications to be published in a newspaper circulating in the taximeter area.

(6) The period specified for the making of an application for new public hire vehicle licences in the Dublin taximeter area shall be determined by the Commissioner who shall give notice of the said period in a daily newspaper circulating in the Dublin taximeter area.

TABLE

Column 1	Column 2
Cork Corporation	Cork taximeter area

Limerick Corporation	Limerick taximeter area
Galway Corporation	Galway taximeter area
Drogheda Corporation	The Borough of Drogheda
Dundalk Urban District Council	Urban District of Dundalk
Tralee Urban District Council	Urban District of Tralee
Ennis Urban District Council	Urban District of Ennis
Donegal County Council	Donegal Town
Waterford Corporation	The County Borough of Waterford
Killarney Urban District Council	Urban District of Killarney
Sligo Corporation	The Borough of Sligo
Kilkenny Corporation	The Borough of Kilkenny
Carlow Urban District Council	Urban District of Carlow
Naas Urban District Council	Urban District of Naas
Longford Urban District Council	Urban District of Longford

6. (1) Where an application for the grant of a public service vehicle licence is duly made, the Commissioner may, subject to the provisions of these Regulations, grant a licence in respect of a vehicle to which these Regulations apply to the owner of the vehicle.

(2). *Regulation 6(2) Revoked by Regulation 3 S.I. No. 272 of 1991*

(3). *Regulation 6(3) Revoked by Regulation 3 S.I. No.272 of 1991*

(4) The Commissioner shall not grant a public service vehicle licence unless he is satisfied that—

- (a) (i) the character and previous conduct of the applicant are such that the applicant is a fit and proper person to hold such a licence;
- (ii) the vehicle is safe for the carriage of passengers;
- (iii) the use of the vehicle as a public service vehicle is or will be covered by insurance;
- (iv) save in the case of a vehicle in respect of which the Minister has issued a permit under section 13 of the Act, the vehicle complies with the regulations in operation under section 11 of the Act;
- (v) in the case of a vehicle in respect of which the Minister has issued a permit under section 13 of the Act, the vehicle complies with the requirements imposed by the permit; and

(b) Where the application is for a licence to use a vehicle as a private hire vehicle that the applicant has made available to him a Tax Clearance Certificate issued by the Revenue Commissioners in respect of the applicant

7. (1) A public service vehicle licence shall bear a **licence number** shall state the number of persons for which the vehicle has passenger accommodation and shall be expressed to licence the vehicle for use as—

- (a) a large public service vehicle,
- (b) a small public service vehicle limited to use as a private hire vehicle, or
- (c) a small public service vehicle the use of which is not limited to use as a private hire vehicle but the use of which as a public hire vehicle is limited to use in an area specified in column 2 of the table to article 5 of these Regulations.

(2) a licence for a large public service vehicle shall remain in force for a period of three years from the date of its grant or until the sooner—

- (i) surrender or revocation of the licence, or
- (ii) change of ownership of the vehicle in respect of which the licence was granted (other than by devolution of the ownership on the personal representative of an owner who has died);

(3) a licence for a small public service vehicle shall remain in force for a period of one year from the date of its grant, or, where it was granted prior to the coming into operation of these Regulations, until the expiration of the period for which it was expressed to be in force, or, in every case, until the sooner—

- (i) surrender or revocation of the licence, or
- (ii) change of ownership of the vehicle in respect of which the licence was granted (other than on the continuance in force of the licence in the name of the new owner of the vehicle in accordance with article 9 of these Regulations or on a devolution of the ownership on the personal representative of an owner who has died).

8. The holder of a public service vehicle licence may at any time surrender the licence to the Commissioner by sending it to the Commissioner together with a statement that the licence is surrendered.

9. On a change of ownership of a vehicle (other than by devolution of the ownership on the personal representative of an owner who has died) in respect of which a licence for a small public service vehicle is for the time being in force—

- (a) the holder of the licence shall, within seven days of such change, send to the Commissioner the licence together with particulars of the name and address of the new owner of the said vehicle; and
- (b) in the case of a licence other than a new public hire vehicle licence—
 - (i) the new owner of the vehicle may apply to the Commissioner for the continuation in force of the licence granted in respect of the vehicle and shall furnish with the application such particulars as would be required to accompany an application for the grant of a licence under article 6 of these Regulations;
 - (ii) such licence shall continue in force, and be held by the new owner where the Commissioner is satisfied that he would grant a licence to the new owner if an application for the grant of a licence under article 6 of these Regulations were made to him at that time by the new owner.

10. On the death of the holder of a public service vehicle licence, the licence shall devolve on his personal representative [or where the personal representative is not the beneficiary, on such beneficiary](#)

11. Where the owner of a public service vehicle is an infant or of unsound mind or under any other disability, the public service vehicle licence in respect of such vehicle may be granted to the guardian or committee of or to a trustee for such owner.

12. (1) The Commissioner may at any time revoke a public service vehicle licence if he considers that the condition of the vehicle or the character or conduct of the owner is such that he would be justified in refusing to grant the licence if an application for the grant of a licence under article 6 of these Regulations were made to him at that time.

(2) On the revocation by the Commissioner of a public service vehicle licence, the Commissioner shall send notice in writing of the revocation to the owner of the vehicle at the address shown in the register referred to in article 19 of these Regulations as the address for the time being of the owner, but failure to send such notice or any error or inaccuracy in the notice shall not invalidate the revocation.

(3) Where the holder of a public service vehicle licence is convicted of a crime or offence which in the opinion of the court renders him unfit to hold such a licence, the court may revoke the licence and shall notify the Commissioner of any such revocation.

13. (1) The Commissioner may at any time suspend a public service vehicle licence for a period where he considers that the condition of a vehicle is such that he would be justified in refusing to grant the licence if

an application for the grant of the licence under article 6 of these Regulations were made to him at that time.

(2) On the suspension of a public service vehicle licence, the Commissioner shall send notice of the suspension to the owner of the vehicle at the address shown in the register referred to in article 19 of these Regulations, but failure to send such notice or any error or inaccuracy in the notice shall not invalidate the suspension.

(3) The Commissioner may at any time remove the suspension of a public service vehicle licence.

(4) On suspension a public service vehicle licence shall cease to be in force for the period of the suspension or until the suspension is removed.

14. (1) Where the Commissioner refuses an application for the grant of a public service vehicle licence, otherwise than under the provisions of sub-articles (2) or (3) of article 5 of these Regulations, or where the Commissioner revokes or suspends such a licence, the owner of the vehicle may appeal against such refusal, revocation or suspension.

(2) In the case of a refusal of an application for a public service vehicle licence or of a revocation of such a licence where the ground of such refusal or revocation is that the owner of the vehicle is not a fit and proper person to hold a public service vehicle licence, the appeal shall be to the Justice of the District Court having jurisdiction in the place in which the owner of the vehicle ordinarily resides and, in the case of any other refusal or revocation and in the case of a suspension of a public service vehicle licence, the appeal shall be to the Minister for the Environment.

(3) On the hearing of an appeal under this article, the Justice or the Minister (as the case may be) may either confirm the refusal, revocation or suspension or direct the Commissioner to grant the licence or to annul the revocation or remove the suspension.

(4) The Justice or the Minister (as the case may be) shall cause notice of his decision on an appeal under this article to be given to the Commissioner, who shall comply with any direction given under this article.

15. Regulation 15 revoked by Regulation 3 S.I. No. 139 of 1987

16. Regulation 16 revoked by Regulation 3 S.I. No. 139 of 1987

17. (1) The holder of a public service vehicle licence shall, within three days after any change of his address, send to the Commissioner the licence together with a statement in writing stating the fact of such change and giving particulars of his new address.

(2) Where the holder of a public service vehicle licence has died the personal representative of such holder shall send to the Commissioner a statement in writing of the death together with particulars of the name and address of the personal representative.

18. Regulation 18 revoked by Regulation 7 S.I. 272 No. of 1991

19. (1) The Commissioner shall cause to be kept a register of all public service vehicle licences granted under these Regulations.

(2) The register shall show the name and address of each holder of a licence, every change of address notified under article 17 of these Regulations, all revocations and suspensions of public service vehicle licences and all annulments of such revocations and removals of such suspensions.

(3) The register shall be available for inspection at all reasonable times.

(4) The Commissioner may issue a certificate that a specified person was on a specified day the holder of a public service vehicle licence under these Regulations or that on a specified day a public service vehicle licence was in force in respect of a specified vehicle.

20. (1) For the purposes of article 6 (4), the Commissioner may cause a vehicle to be inspected or examined by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person.

(2) For the purposes of an inspection and examination of a vehicle by a member of the Garda Síochána under subarticle (1), the Commissioner may require that a statement from a qualified person, not being a member of the Garda Síochána, shall be provided in relation to the vehicle, confirming that, in the opinion of that person, the vehicle complies with Regulations in operation under section 11 of the Act or a permit issued by the Minister under section 13 of the Act and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998, applicable to the vehicle.

(3) The Commissioner may at any time, other than for the purposes specified in sub-article (1), cause a large public service vehicle to be inspected by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person.

(4) In this article, "qualified person" means a mechanical or automotive engineer, an automotive assessor or a person with similar qualifications who, in the opinion of the Garda Commissioner, by reason of his or her competence, experience and independence, is an appropriate person to assess the fitness of a mechanically propelled vehicle

21. Every public service vehicle licence granted under Part III of the Road Traffic (Public Service Vehicles) Regulations, 1963 and in force at the date of the coming into operation of these Regulations shall continue in force and be regarded as having been granted under these Regulations until the expiration of the period in respect of which the licence would have remained in force under those regulations or until the licence is sooner revoked, or surrendered.

22. Sub-article (1) of article 16, article 17, and sub-article (3) of article 20 of these Regulations shall be penal regulations.

GIVEN under the Official Seal of the Minister for the Environment
this 25th day of October, 1978.

SYLVESTER BARRETT,
Minister for the Environment.

EXPLANATORY NOTE.

These Regulations prescribe the procedure for the licensing of public service vehicles. The Regulations provide that appropriate local authorities will determine the number of new public hire vehicle licences which may be granted by the Commissioner and, in respect of the years from 1st September 1979, the periods within which application may be made for such licences. In 1978 it is provided that such applications may be made between 1st and 14th November. Under the Regulations all licences for the use of vehicles as public hire vehicles will specify the area in which the vehicle may be so used.

Vehicles operated by statutory transport undertakings are exempted from the requirements of these Regulations.

The Regulations replace Part III of the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963) and subsequent amendments thereto.

S.I. No. 136 of 1995.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS, 1995.

The Minister for the Environment in exercise of the powers conferred on him by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968) hereby makes the following Regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1993 shall be construed as one and may be cited together as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1995.

2. These Regulations shall come into operation on the 1st day of September, 1995.

3. (1) In these Regulations, save where the context otherwise requires:
"the Act" means the Road Traffic Act, 1961;

"the Regulations of 1978" means the Road Traffic (Public Service Vehicles) (Licensing) Regulations, 1978 (S.I. No. 292 of 1978);

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

"hackney licence" means a licence granted in respect of a small public service vehicle by a licensing authority under article 14;

"licensing authority" means the council of a county, the corporation of a county or other borough, or the council of an urban district;

"lighting-up hours" has the meaning assigned to it in article 2 of the Road Traffic General Bye-Laws, 1964 (S.I. No. 294 of 1964);

"reserved function" means-

(a) in the case of the council of a county, the corporation of a borough or the council of an urban district, a reserved function for the purposes of the County Management Acts, 1940 to 1994, and

(b) in the case of the corporation of a county borough, a reserved function for the purposes of the Acts relating to the management of the county borough;

"taxi" means a small public service vehicle in respect of which a taxi licence has been granted;

"taxi licence" and "wheelchair accessible taxi licence" mean licences granted in respect of small public service vehicles by a licensing authority under article 13.

(2) Regulation 3(2) deleted by Regulation 5 S.I. No.493 of 2006; 493 revoked by S.I. 710; Regulation 3(2) re-revoked by Regulation 26(b)S.I. 710

(3) In these Regulations, any reference to a wheelchair shall be construed as a reference to a wheelchair which has maximum dimensions when unoccupied of:

width: 660 mm
height: 1,090 mm
length: 1,050 mm

(4) In these Regulations, any reference to a wheelchair accessible taxi or wheelchair accessible hackney shall be construed as a reference to a vehicle -

(a) in respect of which a wheelchair accessible taxi licence or wheelchair accessible hackney has been granted under the Regulations of 1992 and has been deemed to have been granted under these Regulations, or

(b) in respect of which a wheelchair accessible taxi or wheelchair accessible hackney licence has otherwise been granted under these Regulations prior to the commencement of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998, or

(c) which in any other case complies with the requirements set out in the Schedule to the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998 and in respect of which a wheelchair accessible taxi or wheelchair accessible hackney licence has been granted."

(5) (a) In these Regulations, any reference to an article or Schedule which is not otherwise identified is a reference to an article of, or Schedule to, these Regulations.

(b) In these Regulations, any reference to a sub-article, paragraph or sub-paragraph which is not otherwise identified is a reference to the sub-article, paragraph or sub-paragraph of the provision in which the reference occurs.

4. (1) The following Regulations are hereby revoked:

(a) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1979 (S.I. No. 242 of 1979);

(b) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1980 (S.I. No. 54 of 1980);

(c) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1981 (S.I. No. 66 of 1981);

(d) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1986 (S.I. No. 300 of 1986);

(e) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1987 (S.I. No. 184 of 1987);

(f) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1991 (S.I. No. 272 of 1991);

(g) The Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1991 (S.I. No. 302 of 1991);

(h) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1992 (S.I. No. 32 of 1992);

(i) The Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1992 (S.I. No. 172 of 1992);

(j) The Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 1992 (S.I. No. 308 of 1992);

(k) The Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations, 1992 (S.I. No. 358 of 1992);

(l) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1993 (S.I. No. 29 of 1993).

(2) Article 4 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1987 (S.I. No. 139 of 1987) is hereby revoked.

5. (1) Reference to the use of, and conditions applying to, a public hire vehicle in the Regulations collectively cited in article 1 (2) shall be construed as including a reference to a taxi and a wheelchair accessible taxi save where specific reference to the use of, or conditions applying to, such vehicles are contained in these Regulations.

(2) Reference to the use of, and conditions applying to, a private hire vehicle in the Regulations collectively cited in article 1 (2) shall be construed as including a reference to a hackney wheelchair accessible hackney save where specific reference to the use of, or conditions applying to, such a vehicle is contained in these Regulations.

6. Regulation 6 deleted by Regulation 5 S.I. No. 493 of 2006; 493 revoked by S.I. 710; Regulation 6 re-revoked by Regulation 26(b)S.I. 710

7. Regulation 7 deleted by Regulation 5 S.I. No.493 of 2006; 493 revoked by S.I. 710; Regulation 7 re-revoked by Regulation 26(b)S.I. 710

8. Regulation 8 revoked by Regulation 3(2)(b) of S.I No. 367 of 2000

9. Regulation 9 Revoked by regulation 3(2)(b) of S.I No. 367 of 2000

10. An application for a taxi licence, wheelchair accessible taxi licence, hackney licence, wheelchair accessible hackney licence or limousine licence shall be made to a licensing authority in such form and manner as shall be determined by a licensing authority and shall be accompanied by the appropriate fee specified in the Fourth Schedule.

10A. The Commission for Taxi Regulation may, at its discretion, waive (in whole or in part) the fee specified at paragraph 1(ee) of the Fourth Schedule where it is of the opinion that payment of this fee would cause undue hardship to the applicant.

11. Regulation 11 revoked by Regulation 3(2)(b) of S.I No.367 of 2000

12. (1) Subject to sub-article (3), where an application for the grant of a taxi licence or a wheelchair accessible taxi licence is made to a licensing authority which has declared an area to be a taximeter area, the authority shall make a conditional offer of the grant of the licence to the applicant.

(2) Where an application for the grant of a hackney licence is made to a licensing authority, the authority shall make a conditional offer of the grant of the licence to the applicant.

(3) An application for the grant of a taxi licence, a wheelchair accessible taxi licence or a hackney licence shall not be made if the applicant is the subject of a suspension or revocation of a licence by the court under article 23

13. Where a licensing authority has made a conditional offer to a person for the grant of a taxi licence or a wheelchair accessible taxi licence or a hackney licence, the licensing authority shall only grant the licence where, within a period to be specified by the licensing authority—

(a) the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule, and

(b) the applicant presents to the licensing authority a test certificate and a certificate of suitability issued in respect of the vehicle to which the relevant licence application refers, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi or as a wheelchair

accessible taxi or as a hackney and that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000, applicable to the vehicle, and

(c) the applicant satisfies the Commission for Taxi Regulation that the use of the vehicle as a small public service vehicle is covered by appropriate insurance, and

(d) the vehicle meets any requirements in relation to vehicle standards prescribed by Regulations made by the Commission for Taxi Regulation under section 34 of the Taxi Regulation Act 2003.

14. Regulation 14 Revoked by Regulation 3(2)(b) of S.I No. 367 of 2000

15. (1) Where prior to the date on which these Regulations come into operation, the Commissioner has granted a public hire vehicle licence, that licence shall be deemed to be a taxi licence granted under article 13 by the licensing authority named in column 2 of the First Schedule opposite the taximeter area referred to in column 1 in respect of which taximeter area the public hire vehicle licence was granted and that licence shall continue in force until the date on which it is due to expire.

(2) Where prior to the date on which these Regulations come into operation, the Commissioner has granted a wheelchair accessible public hire vehicle licence, within the meaning of article 3 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1992 (S.I. No. 172 of 1992), that licence shall be deemed to be a wheelchair accessible taxi licence granted under article 13 by Dublin Corporation and that licence shall continue in force until the date on which it is due to expire.

(3) Where prior to the date on which these Regulations come into operation, the Commissioner has granted a small public service vehicle licence, other than a licence referred to in sub-articles (1) and (2), that licence shall be deemed to be a hackney licence granted under article 14 by the licensing authority in whose functional area the address of the holder of the licence is situated and that licence shall continue in force until the date on which it is due to expire.

16. (1) Where a taxi licence, a wheelchair accessible taxi licence or a hackney or wheelchair accessible hackney licence or limousine licence has been granted or deemed to be granted by a licensing authority in accordance with these Regulations, the said licensing authority may, subject to this article, renew the said taxi licence, wheelchair accessible taxi licence or hackney or wheelchair accessible hackney licence or limousine licence.

(2) A taxi licence or a wheelchair accessible taxi licence or a hackney licence shall only be renewed—

(a) where a test certificate issued in respect of the vehicle to which the licence refers is presented to the licensing authority, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi or as a wheelchair accessible taxi or as a hackney and that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000, applicable to the vehicle, and

(b) where the applicant satisfies the licensing authority that the use of the vehicle as a taxi or as a wheelchair accessible taxi or as a hackney is covered by insurance, and

(c) where the applicant has paid to the Commission for Taxi Regulation the appropriate fee specified in the Fourth Schedule, and

(cc) where the vehicle meets any requirements in relation to vehicle standards prescribed by regulations made by the Commission for Taxi Regulation under section 34 of the Taxi Regulation Act 2003

(d) where the application is made in accordance with paragraph (2B), and

(e) where the licence is being renewed, on or after 1 September 2002, the applicant satisfies the licensing authority that the taximeter fitted to the taxi or wheelchair accessible taxi is fitted with a device capable of printing automatically a receipt showing the fare charged for a hire and the receipt displays the information

required under Regulation 16(2) of the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007 (S.I. No. 710 of 2007).".

(2A) For the purposes of sub-article 2(a), compliance with article 13(B) insofar as the same concerns the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000 applicable to a vehicle which is a wheelchair accessible taxi shall be -

(a) in the case of a vehicle in respect of which a wheelchair accessible taxi licence has been granted under the Regulations of 1992 and has been deemed to have been granted under these Regulations, that the vehicle has seating accommodation for at least three persons in addition to a passenger seated in a wheelchair and complies with the requirements set out in the Second Schedule to these Regulations, and

(b) in the case of any other vehicle in respect of which a wheelchair accessible taxi licence has been granted, that the vehicle complies with the requirements set out in the Schedule to the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998.".

(2B) (1) Where a small public service vehicle licence lapses by virtue of not being renewed on or before the date of expiry of the licence, the applicant may make an application for late renewal to the Commission for Taxi Regulation

(2) An application for late renewal of a licence under subparagraph (1) shall be accompanied by a restoration fee payable to the Commission for Taxi Regulation in the sum of €500.

(3) The Commission for Taxi Regulation may, at its discretion, waive (in whole or in part) the restoration fee provided for in subparagraph (2) where it is of the opinion that payment of this fee would cause undue hardship to the applicant.

(4) A small public service vehicle licence that has lapsed for in excess of 5 years from the date of expiry may not be renewed.

(4) A limousine licence shall only be renewed—

(a) where a test certificate issued in respect of the vehicle to which the limousine licence refers is presented to the licensing authority, and article 6(2)(a) and (d) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 have been complied with, or where article 6(2)(a), (c) and (d) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 have been complied with, and

(b) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule, and

(c) where the application for renewal is received by the licensing authority on or before the date of expiry of the licence.".

17. (1) A person who holds a taxi licence, a wheelchair accessible taxi licence or a hackney or wheelchair accessible hackney licence or limousine licence may, subject to this article, apply to the licensing authority which granted the licence or to the Commission for Taxi Regulation as appropriate to have the said licence continue in force in respect of a different vehicle.

2(a) where the applicant presents to the licensing authority a test certificate and a certificate of suitability issued in respect of the vehicle to which the relevant licence application refers, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi, as a wheelchair accessible taxi, as a hackney or as a limousine and that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000, applicable to the vehicle, and

(b) where the applicant has paid to the Commission for Taxi Regulation the appropriate licence renewal fee specified in the Fourth Schedule, and

(c) where the applicant satisfies the Commission for Taxi Regulation that the vehicle to which it is proposed to have the licence continued in force complies with any age requirements prescribed by Regulations made under section 34 of the Taxi Regulation Act 2003.

(2A) For the purposes of sub-article (2), the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998 applicable to a different vehicle in respect of which it is proposed to continue in force a wheelchair accessible taxi licence which has been granted under the Regulations of 1992 and has been deemed to have been granted under these Regulations shall, until the 30th day of June 2000, be that the vehicle has seating accommodation for at least three persons in addition to a passenger seated in a wheelchair and complies with the requirements set out in the Second Schedule to these Regulations, and thereafter shall be as set out in the Schedule to the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998

(3) Where a licensing authority gives approval under this article for the continuance in force of a licence, the licence will be deemed to have been renewed in accordance with the relevant sub-article of article 16 of the Regulations of 1995 with effect from the date of the approval, and the validity period set out in article 10(1) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 2000, shall apply from that date."

18. (1) a person to whom a vehicle, in respect of which a taxi licence or a wheelchair accessible taxi licence has been granted, is being sold or otherwise transferred may apply to the licensing authority which granted the licence to have the said licence continue in force.

(2) The approval by a licensing authority of an application for the continuance in force of a licence under this article shall only be granted-

(a) where the applicant satisfies the licensing authority that the use of the vehicle as a taxi or as a wheelchair accessible taxi is covered by insurance, and

(b) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule.

(c) where the applicant satisfies the Commission for Taxi Regulation that the vehicle to which it is proposed to have the licence continued in force complies with any age requirements prescribed by Regulations made under section 34 of the Taxi Regulation Act 2003.

(3) An applicant for the transfer of a taxi licence or a wheelchair accessible taxi licence shall comply with the provisions of sub-article (2) at the time at which the application for the transfer of the licence is being made.

(4) The approval by the licensing authority of an application for the continuance in force of a taxi licence or a wheelchair accessible taxi licence under this article shall not affect the period in respect of which the licence remains in force.

(5) *18(5) Revoked by Regulation 3(2)(b) of S.I. No. 367 of 2000*

(6) *18(6) Revoked by Regulation 3(2)(b) of S.I.No. 367 of 2000*

(7) The provisions of sub-articles (2), (3), (5) and (6) shall not apply where, upon the death of the holder of a licence, the licence has devolved to the holder's personal representative, or where the personal representative is not the beneficiary, to such beneficiary.

19. *Regulation 19 Revoked by Regulation 3(2)(b) of S.I No. 367 of 2000*

20. (1) Subject to sub-article (2), a licence granted under these Regulations or under the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999, or renewed under these Regulations shall be in such form as shall be determined by the licensing authority

(2) A licence granted or renewed under these Regulations shall state-

(a) the name of the licensing authority which granted or renewed the licence,

- (b) the date on which the licence was granted or renewed,
- (c) the name and address of the person to whom the licence was granted or renewed,
- (d) the licence number,
- (e) the number of persons for which the vehicle has passenger accommodation, and
- (f) the registration number of the vehicle in respect of which the licence was granted or renewed.

(3) Regulation 20(3) Revoked by Regulation 3(2)(b) of S.I. No. 367 of 2000

21. (1) the holder of a taxi licence, a wheelchair accessible taxi licence or a hackney licence [or a limousine licence](#) may at any time surrender the licence to the licensing authority named on the licence and the said licence shall be deemed to have expired and shall not be renewed.

(2) Regulation 21(2) Revoked by Regulation 3(2)(b) of S.I. No. 367 of 2000

(3) Regulation 21(3) Revoked by Regulation 3(2)(b) of S.I. No. 367 of 2000

22. (1) The holder of a taxi licence, a wheelchair accessible taxi licence or hackney [or wheelchair accessible hackney](#) licence [or a limousine licence](#) shall, within one month after any change of address, send to the licensing authority the licence together with a statement in writing stating the fact of such change and giving particulars of the new address.

(2) Where the holder of a taxi licence, a wheelchair accessible taxi licence or hackney [or wheelchair accessible hackney](#) licence [or a limousine licence](#) has died the personal representative of such holder shall send to the licensing authority a statement in writing of the death together with particulars of the name and address of the personal representative.

23. Where the holder of a taxi licence, a wheelchair accessible taxi licence or a hackney [or wheelchair accessible hackney](#) licence [or a limousine licence](#) is convicted of an offence, which in the opinion of the court renders the holder unfit to hold such a licence, the court may at its discretion suspend the licence for such period as it thinks fit or may revoke the licence and shall notify the licensing authority of any such suspension or revocation.

24. (1) A licensing authority may at any time on the advice of, or following consultation with, the Commissioner suspend a taxi licence, a wheelchair accessible taxi licence or a hackney [or wheelchair accessible hackney](#) licence [or a limousine licence](#) where the condition of the vehicle is such that the Commissioner would not issue a certificate under article [or under article 6\(2\)\(c\) of the Road Traffic \(Public Service Vehicles\)\(Amendment\) \(No. 2\) Regulations, 1999](#), in respect of a limousine licence 13(b) in respect of a taxi licence or a wheelchair accessible licence or a hackney or wheelchair accessible hackney licence'.

(2) On the suspension of a taxi licence, a wheelchair accessible taxi licence or a hackney [or wheelchair accessible hackney](#) licence [or a limousine licence](#), the licensing authority shall send notice of the suspension to the owner of the vehicle at the address shown in the register referred to in article 25 but failure to send such notice or any error or inaccuracy in the notice shall not invalidate the suspension.

(3) The licensing authority may at any time remove the suspension of a taxi licence, a wheelchair accessible taxi licence or a hackney [or wheelchair accessible hackney](#) licence [or a limousine licence](#) imposed under this article.

(4) On suspension, a taxi licence, a wheelchair accessible taxi licence or a hackney [or wheelchair accessible hackney](#) licence [or a limousine licence](#) shall cease to be in force for the period of the suspension or until the suspension is removed.

25. (1) A licensing authority shall keep a register of all taxi licences, wheelchair accessible taxi licences and hackney [or wheelchair accessible hackney](#) licences [and limousine licences](#) granted or renewed under these Regulations.

(2) The register shall contain particulars of the name and address of each holder of a licence, every change of address notified under article 22 (1), the licence number, all revocations and suspensions of each licence and all removals of such suspensions.

(3) The register shall be available for inspection at all reasonable times.

(4) A licensing authority may, on payment of the appropriate fee specified in the Fourth Schedule, issue a certificate that a specified person was on a specified day the holder of a licence granted or renewed under these Regulations or that on a specified day a licence was in force in respect of a specified vehicle.

26. (1) where a licensing authority refuses to grant or renew a taxi licence, a wheelchair accessible taxi licence or a hackney or wheelchair accessible hackney licence or where a licensing authority suspends a taxi licence, a wheelchair accessible taxi licence or a hackney or wheelchair accessible hackney licence or a limousine licence or where a licensing authority refuses an application for the continuance in force of a licence the owner of the vehicle may appeal against such refusal or suspension.

(2) Where the Commissioner refuses to issue a certificate under article 13(b), article 16(2)(a), article 16(4)(a) or article 17(2)(a) or under Article 6(2)(c) of the [Road Traffic \(Public Service Vehicle\)\(Amendment\)\(No. 2\) Regulations 1999](#) the owner of the vehicle may appeal against such refusal.

(3) An appeal under this article shall be to the Justice of the District Court having jurisdiction-

- (a) in the case of a taxi licence or a wheelchair accessible taxi licence, in the taximeter area, or
- (b) in the case of a hackney or wheelchair accessible hackney licence or a limousine licence, in the area in which the name and address of the owner of the vehicle shown is situated.

(4) On the hearing of an appeal under sub-article (1), the Justice may either confirm the refusal or suspension or direct the licensing authority to grant or renew the licence or remove the suspension.

(5) On the hearing of an appeal under sub-article (2), the Justice may either confirm the refusal or direct the Commissioner to issue the certificate.

(6) The Justice shall cause notice of the decision on an appeal under this article to be given to the licensing authority against whose decision the appeal was taken or, as appropriate, to the Commissioner and the licensing authority or Commissioner shall comply with any such decision.

(7) Regulation 26(7) Revoked by regulation 3(2)(b) of S.I No. 367 of 2000

27. Regulation 27 revoked by Regulation 6 S.I. No. 651 of 2005; 651 revoked by S.I. 710; Regulation 27 re-revoked by Regulation 26(b) S.I. 710

28. Regulation 28 revoked by Regulation 8(a) S.I. No. 280 of 2007; 280 revoked by S.I. 710; Regulation 28 re-revoked by Regulation 26(b) S.I. 710

29. Regulation 29 revoked by Regulation 26(b) S.I. No. 710 of 2007

30. (1)(a) On the granting of a hackney licence, the licensing authority shall issue to the owner of the vehicle a plate (in these Regulations referred to as a hackney plate) complying with this article.

(b) A hackney plate shall be in the form of an ellipse surrounded by a band and shall display the words "Feithicil Seirbhíse Poiblí" in the band and the licence number in the space within the band.

(2) The hackney plate shall at all times be securely affixed to the hackney, in respect of which it is issued, inside the vehicle in such a manner that the face of the hackney plate is clearly visible in daylight when the vehicle is stationary to a person wishing to inspect it without entering the vehicle.

(3) Where the licensing authority is satisfied that a hackney plate has been lost or destroyed or has become defaced, it may issue a substitute hackney plate to the owner of the vehicle on the payment of the appropriate fee specified in the Fourth Schedule.

31. Regulation 31 Revoked by Regulation 2(f) of S.I No. 154 of 2006; 154 revoked by S.I. 710; Regulation 31 re-revoked by Regulation 26(b)S.I. 710;

32. (1) Regulation 32(1)Revoked by Regulation 3(2)(b) of S.I No. 367 of 2000

(2) Regulation 32(2) revoked by Regulation 5 S.I. No. 493 of 2006; 493 revoked by S.I. 710; Regulation 32(2) re-revoked by Regulation 26(b)S.I. 710

(3) Regulation 32(3) revoked by Regulation 5 S.I. No. 493 of 2006; 493 revoked by S.I. 710; Regulation 32(2) re-revoked by Regulation 26(b)S.I. 710

(4) Regulation 32(4) revoked by Regulation 5 S.I. No. 493 of 2006; 493 revoked by S.I. 710; Regulation 32(4) re-revoked by Regulation 26(b)S.I. 710

(5) Regulation 32(5) revoked by Regulation 3(2)(b) of S.I. No. 367 of 2000

(6) (a) A fee of €60 shall be paid to the Commissioner in respect of an application and the grant of a licence for a large public service vehicle by the owner of the vehicle.

(b) When an application for a large public service vehicle licence is refused, the fee paid by the owner of the vehicle shall be refunded.

(7) (a) Fees payable under this article to the Commissioner shall be paid at an office designated by the Commissioner in any area.

(b) Fees received by the Commissioner shall be paid into or disposed of for the benefit of the Exchequer in such manner as the Minister for Finance directs.

33. Regulation 33 revoked by regulation 26(b) S.I. 710 of 2007

34. The [Road Traffic \(Public Service Vehicles\) \(Amendment\) Regulations, 1987 \(S.I. No. 139 of 1987\)](#) shall not apply to taxis, wheelchair accessible taxis and hackneys.

35. Regulation 35 revoked by regulation 26(b) S.I. 710 of 2007

36. The following article shall be substituted for article 4 of the Regulations of 1978:-

"4. (1) Articles 10, 11, 19, 21 and 22 shall apply to all public service vehicles other than large public service vehicles owned or operated by a statutory undertaker.

(2) Subject to sub-article (1), these Regulations shall not apply to small public service vehicles."

37. (1) For the purposes of article 3(b), article 16(2)(a), article 16(4)(a) and article 17(2)(a), and article 6(2)(c) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 (S.I. No. 316 of 1999) the Commissioner may cause a vehicle to be inspected or examined by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person, and may issue or refuse to issue a certificate in relation to that vehicle.

(2) For the purposes of an inspection and examination of a vehicle by a member of the Garda Síochána under sub-article (1), the Commissioner may require that a statement from a qualified person, not being a member of the Garda Síochána, shall be provided in relation to the vehicle, confirming that, in the opinion of that person, the vehicle complies with the Regulations in operation under section 11 of the Act and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998 applicable to the vehicle.

(3) The Commissioner may at any time, cause any taxi, wheelchair accessible taxi or hackney to be inspected and examined by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person.

(4) In this article, "qualified person" means a mechanical or automotive engineer, an automotive assessor or a person with similar qualifications who, in the opinion of the Commissioner, by reason of his or her competence, experience and independence, is an appropriate person to assess the fitness and safety of a mechanically propelled vehicle

38. Regulation 38 Revoked by Regulation 3(2)(b) of S.I. No. 367 of 2000

FIRST SCHEDULE

First schedule deleted by Regulation 5 S.I. No. 493/2006; S.I. 493 revoked by S.I. 710, First Schedule re-revoked by Reg 26(b) S.I. 710

SECOND SCHEDULE

REQUIREMENTS FOR WHEELCHAIR FACILITIES IN WHEELCHAIR ACCESSIBLE TAXIS

1. A ramp or other suitable device to facilitate the entry or egress of a person seated in a wheelchair must be available for use at all times.
2. An adequate locating device must be fitted to ensure that a ramp or ramps do not slip or tilt when in use.
3. Ramps must be capable of being stowed safely when not in use.
4. Anchorages must be provided for the wheelchair and the occupant.
5. Restraints for a wheelchair and the occupant must be independent of each other.

THIRD SCHEDULE

Third Schedule deleted by Regulation 5 S.I. No. 493/2006; S.I. 493 revoked by S.I. 710, Third Shedule re-revoked by Reg 26(b) S.I. 710

FOURTH SCHEDULE

FEES

1. A fee of €125 shall be payable in respect of —
 - (a) the grant of a wheelchair accessible taxi licence or wheelchair accessible hackney,
 - (b) the renewal of a wheelchair accessible taxi licence or wheelchair accessible hackney,
 - (c) the renewal of a hackney licence,
 - (d) the renewal of a limousine licence,
 - (e) the continuation in force of a taxi licence or a wheelchair accessible taxi licence in respect of another person,
 - (ee) the continuation in force of a taxi licence, a wheelchair accessible taxi licence, a hackney licence or a limousine licence in respect of another vehicle,
 - (f) the renewal of a taxi licence.
2. A fee of €1,000 shall be payable in respect of —
 - (a) the grant of a hackney licence,
 - (b) the grant of a limousine licence.
3. A fee of €6,300 shall be payable in respect of the grant of a taxi licence

FIFTH SCHEDULE

5th Schedule Revoked by Regulation 3(2)(b) of S.I 367 of 2000

SIXTH SCHEDULE

Sixth schedule Revoked by Regulation 3(2)(b) of S.I No. 367 of 2000

SEVENTH SCHEDULE

Seventh schedule Revoked by Regulation (3)(2)(b) of S.I No. 367 of 2000

EIGHT SCHEDULE

Eight Schedule revoked by Regulation 26(b) S.I. 710 of 2007

GIVEN under the Official Seal of the Minister for the Environment, this 31st day of May, 1995.

BRENDAN HOWLIN,
Minister for the Environment.

EXPLANATORY NOTE.

These Regulations assign to local authorities certain powers and functions in relation to the licensing of taxis and hackneys. The new licensing authorities are empowered, inter alia, to declare areas to be taximeter areas; alter the boundaries of taximeter areas; grant and renew taxi licences, wheelchair accessible taxi licences, and hackney licences; determine the number of taxis and wheelchair accessible taxis to be licensed in the area; and determine fare structures to apply in their taximeter areas.

The Regulations provide for a points system for the grant of licences for taxis and wheelchair accessible taxis and contain other miscellaneous provisions governing the licensing of taxis and hackneys.

S.I. No. 47 of 1998.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS, 1998

The Minister for the Environment and Local Government, in exercise of the powers conferred on him by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and by section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968), hereby makes the following Regulations :

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1997 shall be construed as one and may be cited together as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998.

2. In these Regulations:

"the Regulations of 1992" means the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1992 (S.I. No. 172 of 1992) ;

"the Regulations of 1995" means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995 (S.I. No. 136 of 1995);

"the Regulations of 1997" means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1997 (S.I. No. 193 of 1997).

3. Articles 3, 4 and 5 of the Regulations of 1997 are hereby revoked.

4. The following shall be substituted for sub-article (4) of article 3 of the Regulations of 1995:

"(4) In these Regulations, any reference to a wheelchair accessible taxi shall be construed as a reference to a vehicle

(a) in respect of which a wheelchair accessible taxi licence has been granted under the Regulations of 1992 and has been deemed to have been granted under these Regulations, or

(b) in respect of which a wheelchair accessible taxi licence has otherwise been granted under these Regulations prior to the commencement of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998, or

(c) which in any other case complies with the requirements set out in the Schedule to the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998 and in respect of which a wheelchair accessible taxi licence has been granted."

5. The following shall be substituted for paragraph (b) of article 13 (1) of the Regulations of 1995:

"(b) where the applicant presents to the licensing authority a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi or as a wheelchair accessible taxi and that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998, applicable to the vehicle, and "

6. The Regulations of 1995 are hereby amended by the insertion of the following sub-article after sub-article 16 (2)

"(2A) For the purposes of sub-article 2(a), compliance with article 13 (1) (b) insofar as the same concerns the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998 applicable to a vehicle which is a wheelchair accessible taxi shall be -

(a) in the case of a vehicle in respect of which a wheelchair accessible taxi licence has been granted under the Regulations of 1992 and has been deemed to have been granted under these Regulations, that the vehicle has seating accommodation for at least three persons in addition to a passenger seated in a wheelchair and complies with the requirements set out in the Second Schedule to these Regulations, and

(b) in the case of any other vehicle in respect of which a wheelchair accessible taxi licence has been granted, that the vehicle complies with the requirements set out in the Schedule to the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998."

7. Article 17 of the Regulations of 1995 is hereby amended -

(a) by the substitution of the following for paragraph (a) of sub-article (2) -

"(a) where the applicant presents to the licensing authority a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi, as a wheelchair accessible taxi or as a hackney and that the vehicle complies with the Regulations in operation under section 11 of the Act and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998, applicable to the vehicle, and ", and

(b) the insertion of the following sub-article after sub-article (2) -

"(2A) For the purposes of sub-article (2), the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998 applicable to a different vehicle in respect of which it is proposed to continue in force a wheelchair accessible taxi licence which has been granted under the Regulations of 1992 and has been deemed to have been granted under these Regulations shall, until the 30th day of June 2000, be that the vehicle has seating accommodation for at least three persons in addition to a passenger seated in a wheelchair and complies with the requirements set out in the Second Schedule to these Regulations, and thereafter shall be as set out in the Schedule to the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998. "

8. The Regulations of 1995 are hereby amended by the substitution of the following article for article 37 -

"37. (1) For the purposes of article 13 (1) (b), article 14 (2) (b) and article 17 (2) (a), the Commissioner may cause a vehicle to be inspected or examined by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person, and may issue or refuse to issue a certificate in relation to that vehicle.

(2) For the purposes of an inspection and examination of a vehicle by a member of the Garda Síochána under sub-article (1), the Commissioner may require that a statement from a qualified person, not being a member of the Garda Síochána, shall be provided in relation to the vehicle, confirming that, in the opinion of that person, the vehicle complies with the Regulations in operation under section 11 of the Act and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998, applicable to the vehicle.

(3) The Commissioner may at any time, other than for the purposes specified in sub article (1), cause any taxi, wheelchair accessible taxi or hackney to be inspected and examined by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person.

(4) In this article, "qualified person" means a mechanical or automotive engineer, an automotive assessor or a person with similar qualifications who, in the opinion of the Commissioner, by reason of his or her competence, experience and independence, is an appropriate person to assess the fitness and safety of a mechanically propelled vehicle."

SCHEDULE

Requirements for Wheelchair Accessible Taxis

1. The vehicle must have been constructed or adapted so as to be capable of accommodating a person seated in a wheelchair.
2. The vehicle must have seating accommodation for at least three passengers in addition to the person seated in the wheelchair.
3. The vehicle must have at least two doors giving access to the area in the vehicle where the wheelchair and its occupant is to be accommodated. Each of these doors must have an aperture height of at least 1250mm and an aperture width of at least 735mm.
4. The vehicle must be provided at all times 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 must be capable of transporting a combined wheelchair and occupant mass of 300 kg minimum between the road and the vehicle interior without the assistance of any person but the driver of the vehicle. A ramp, where used, must be such as to provide at least 3.6 units of length for each unit of height, measured at its highest point.
5. The wheelchair and its occupant must be accommodated in either a forward facing or rear facing position in such an area of the vehicle that the occupant has an unrestricted view of the taximeter.

This area must be at least 1300mm in height measured from the floor to the roof lining and have a length of at least 1200mm and a width of at least 750mm available for the exclusive accommodation of a wheelchair and its occupant at all times while the vehicle is standing or plying for hire.

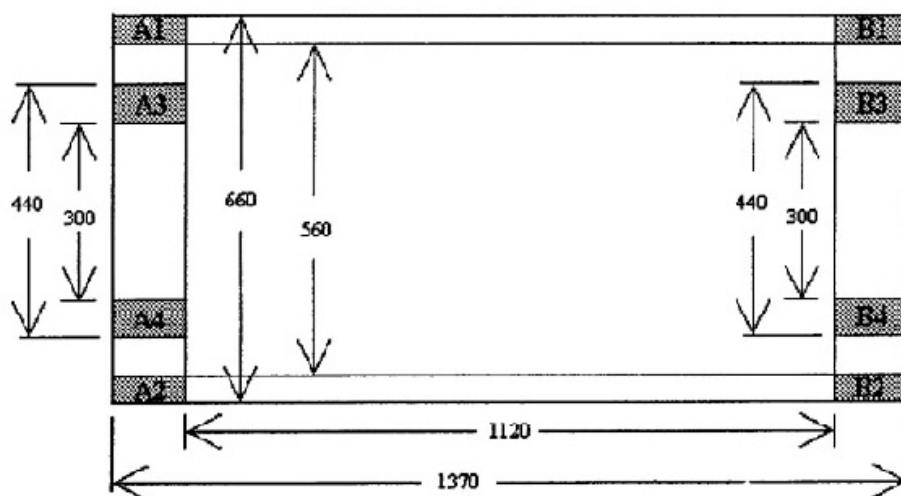
6. (1) The area designated for the accommodation of the wheelchair and its occupant must be provided with a restraint system or systems fixed to the structure of the vehicle by an appropriate means for the purpose of securing the wheelchair and its occupant.

(2) For the purpose of sub-paragraph (1), an appropriate means shall be deemed to have been provided where the vehicle is equipped as follows:—

(a) 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.

(b) A lap belt shall be provided for the purpose of securing the wheelchair occupant.

(c) 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. The location of anchorage points under either of these arrangements must 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

(d) The wheelchairs front and rear restraints shall be connected to the front and rear anchorage points, respectively. The 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.

(e) 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 mm 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.

(f) (i) Where a track is used it shall have a minimum length of 200 mm 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 mm 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 mm or part thereof, there shall be at least one additional bolt or screw conforming to the above specification.

(ii) The bolts or set screws nearest each end of the track shall be located not more than 25 mm from the ends of the track and the distance between adjacent bolts or set screws shall not be less than 75 mm nor more than 125 mm.

(g) 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.

(h) 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.

GIVEN under the Official Seal of the Minister for the Environment and Local Government this 25th day of February, 1998.

NOEL DEMPSEY
Minister for the Environment and Local Government.

EXPLANATORY NOTE

These regulations amend the criteria for wheelchair accessible taxis and clarify the powers of the Garda Commissioner in relation to the inspection of taxis, wheelchair accessible taxis and hackneys.

S.I. No. 295 of 1998.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) (NO. 2) REGULATIONS, 1998.

The Minister for the Environment and Local Government, in exercise of the powers conferred on him by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and by section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968) and section 7 of the Dublin Transport Authority (Dissolution) Act, 1987 (No. 34 of 1987), hereby makes the following Regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1998.

(2) The collective citation "the Road Traffic (Public Service Vehicles) Regulations 1963 to 1998" shall include these Regulations.

2. In these Regulations:

"the Regulations of 1978" means the Road Traffic (Public Service Vehicles) (Licensing) Regulations, 1978 (S.I. No. 292 of 1978)

3. Sub-article (4) of article 6 of the Regulations of 1978 is hereby amended—

(a) by the substitution of the following for sub-paragraph (iv) of paragraph (a) —

"(iv) save in the case of a vehicle in respect of which the Minister has issued a permit under section 13 of the Act, the vehicle complies with the regulations in operation under section 11 of the Act;" and,

(b) by the addition of the following sub-paragraph after subparagraph (iv) of paragraph (a)—

"(v) in the case of a vehicle in respect of which the Minister has issued a permit under section 13 of the Act, the vehicle complies with the requirements imposed by the permit; and "

4. The Regulations of 1978 are hereby amended by the substitution of the following article for article 20—

"20. (1) For the purposes of article 6 (4), the Commissioner may cause a vehicle to be inspected or examined by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person.

(2) For the purposes of an inspection and examination of a vehicle by a member of the Garda Síochána under subarticle (1), the Commissioner may require that a statement from a qualified person, not being a member of the Garda Síochána, shall be provided in relation to the vehicle, confirming that, in the opinion of that person, the vehicle complies with Regulations in operation under section 11 of the Act or a permit issued by the Minister under section 13 of the Act and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998, applicable to the vehicle.

(3) The Commissioner may at any time, other than for the purposes specified in sub-article (1), cause a large public service vehicle to be inspected by a member of the Garda Síochána, or at his discretion by a member of the Garda Síochána with the assistance of a person not being a member of the Garda Síochána who is a qualified person.

(4) In this article, "qualified person" means a mechanical or automotive engineer, an automotive assessor or a person with similar qualifications who, in the opinion of the Garda Commissioner, by reason of his or her competence, experience and independence, is an appropriate person to assess the fitness of a mechanically propelled vehicle."

5. Article 34 of the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963) as substituted by article 8 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1970 (S.I. No. 200 of 1970) and amended by article 11 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1977 (S.I. No. 111 of 1977) is hereby amended—

(a) by the substitution of the following for paragraph (e) of sub-article (2):—

"(e) an undertaking in writing that, if the licence is granted, the applicant shall not drive a public service vehicle for more than eleven hours in any one day in any period of three consecutive days." and,

(b) by the revocation of paragraph (c) of sub-article (3).

Given under the Official Seal of the Minister for the Environment and Local Government this 21st day of August, 1998.

NOEL DEMPSEY
Minister for the Environment and Local Government

EXPLANATORY NOTE

These Regulations remove certain regulatory requirements in connection with applications for small public service vehicle drivers licences and they clarify the powers of the Garda Commissioner in relation to the inspection of large public service vehicles.

S.I. NO. 316 OF 1999.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) (NO. 2) REGULATIONS, 1999.

In exercise of the powers conferred on the Minister for the Environment and Local Government by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and by section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968), which powers were delegated to me by the Environment and Local Government (Delegation of Ministerial Functions) Order, 1997 (S.I. No. 427 of 1997), I, Robert Molloy, Minister of State at the Department of the Environment and Local Government hereby make the following Regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999.

(2) The collective citation the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1999 shall include these Regulations.

2. These Regulations shall come into operation on the 1st day of March 2000.

3. In these Regulations, save where the context otherwise requires:

"limousine" means the small public service vehicle having the qualities set out in article 6 (2) (a) and in respect of which a limousine licence has been granted;

"limousine licence" means a licence granted in respect of a small public service vehicle by a licensing authority under article 6;

"the Principal Regulations" means the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963);

"the Regulations of 1978" means the Road Traffic (Public Service Vehicles) (Licensing) Regulations, 1978 (S.I. No. 292 of 1978);

"the Regulations of 1995" means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995 (S.I. No. 136 of 1995).

4. (1) Article 12 (2) of the Principal Regulations inserted by article 3 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1968 (S.I. No. 273 of 1968) is hereby revoked.

(2) Paragraph (f) of article 3 (2) of the Principal Regulations as substituted by article 2 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1983 (S.I. No. 273 of 1983) is hereby revoked.

5. Applications for limousine licences shall be made to licensing authorities and shall be in such form and manner as shall be determined by a licensing authority and shall be accompanied by the appropriate fee specified in the Fourth Schedule to the Regulations of 1995.

6. (1) A licensing authority shall grant limousine licences in its functional area.

(2) The grant of a limousine licence to an applicant shall only be made-

(a) in respect of a vehicle that complies with any vehicle standard requirements pertaining to limousines contained in Regulations made under section 34 of the Taxi Regulation Act 2003.

(b) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule to the Regulations of 1995, and

(c) where the applicant presents to the licensing authority a test certificate and a certificate of suitability issued in respect of the vehicle to which the limousine licence application refers, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner

and that the Commissioner is satisfied that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000 applicable to the vehicle, and

(d) where the applicant satisfies the licensing authority that the use of the vehicle as a limousine is covered by insurance.

7. Regulation 7(1) revoked by Regulation 6 S.I. No. 493 of 2006; S.I. 493 revoked by S.I. 710, 7(1) re-revoked by Reg 26(c) S.I. 710

Regulation 7(2) Revoked by Regulation 3(a) S.I. No. 154 of 2006; S.I. 154 revoked by S.I. 710, Reg 7(2) re-revoked by Reg 26(c) S.I. 710

8. Regulation 8 revoked by Regulation 26(c) SI 710 of 2007

9. Regulation 9 Revoked by Regulation 26(c) S.I. No. 710 of 2007

10. Regulation 10 Revoked by Regulation 26(c) S.I. No. 710 of 2007

11. Regulation 11 Revoked by Regulation 26(c) S.I. No. 710 of 2007

12. (1) Where the hire of a hackney involves the vehicle being driven in, into or out of a taximeter area, the driver of the vehicle shall from the time of the receipt of the notification of the hire to its completion carry a document in the vehicle which indicates the points of commencement and completion of the hire, the name of the person who hired the vehicle and the fare agreed for the hire.

(2) The document referred to in sub-article (1) shall be made available for inspection by the person who hired the hackney or a member of the Garda Síochána on request.

13. (1) There shall be carried by the driver in every hackney, but not displayed, a document which shall contain-

- (a) the name and telephone number of the holder of the hackney licence,
- (b) the licence number of the hackney licence granted in respect of the vehicle,
- (c) the name, address and telephone number of the licensing authority which granted the hackney licence.

(2) The document referred to in sub-article (1) shall be made available for inspection by the person who hired the hackney or by a member of the Garda Síochána on request.

(3) No document or sign referring to the licensing or operation of the vehicle as a hackney, other than the notice referred to in sub-article (4), shall be displayed within the vehicle

(4) On or after 30 September 2000 a notice shall be displayed within every hackney on the front dashboard of the vehicle on the passenger side and on the rear of at least one of the front seats, which shall comply with the following requirements.

(a) The appearance of the notice shall be as in the diagram below, the specification for which is as follows:

- (i) The notice shall be rectangular in shape and the measurements shall not exceed 130mm in width by 70mm in height.
- (ii) The notice shall be white in colour with letters and figures all in black.
- (iii) The notice shall contain the following information:
 - The word "Hackney" or "Hacnaí" and the hackney licence number.
 - The name of the licensing authority which granted the hackney licence.
 - The name of the driver of the vehicle.
 - The serial number of the licence to drive small public service vehicles issued to the driver.

- The signature of the driver of the vehicle.
- A photograph of the driver of the vehicle.

HACKNEY LICENCE NO.

70mm L. A.:

Photo

NAME OF DRIVER:

PSV DRIVER LICENCE NO:

SIGNATURE _____

130mm

14. Article 35 (2) of the Principal Regulations, as amended by article 9 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1970 (S.I. No. 200 of 1970) and article 12 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1977 (S.I. No. 111 of 1977), is hereby further amended by the substitution of the word "five" for the word "one".

15. The requirement to display a limousine sign under article 8 of these regulations or a hackney sign under article 10 of these regulations shall, for a vehicle in respect of which a hackney licence is in force on the date of the commencement of these Regulations, have effect from the date of renewal of the hackney licence or the grant of a limousine licence.

16. The provisions of article 30 of the Regulations of 1995 shall not apply-

- (a) in respect of a vehicle for which a limousine licence is granted, or
- (b) in respect of a vehicle for which a hackney licence is granted or renewed following the commencement of these regulations or on which is displayed hackney signs in accordance with article 10 of these Regulations.

17. Article 16 of the Regulations of 1995 is hereby amended-

- (a) by the insertion of the words "or limousine licence" after the words "hackney licence" wherever they appear in sub-article (1), and
- (b) by the insertion of the following sub-article after sub-article (3)-

"(4) A limousine licence shall only be renewed-

- (a) where article 6(2)(a), (c) and (d) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 have been complied with, and
- (b) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule, and
- (c) where the application for the renewal is received by the licensing authority on or before a date six months following the date of expiry of the licence."

18. Article 18 of the Regulations of 1995 is hereby amended-

- (a) by the removal of the words "or will be" where they appear in paragraph (a) of sub-article (2), and
- (b) by the insertion of the following after the word "representative" in sub-article (7)-
"or where the personal representative is not the beneficiary, to such beneficiary."

19. Article 20 of the Regulations of 1995 is hereby amended by the substitution of the following sub-article for sub-article (1)-

"(1) Subject to sub-article (2), a licence granted under these Regulations or under the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999, or renewed under these Regulations shall be in such form as shall be determined by the licensing authority."

20. Article 24 of the Regulations of 1995 is hereby amended-

- (a) by the insertion of the words "or under article 6 (2) (c) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 in respect of a limousine licence" after the words "in respect of a hackney licence" in sub-article (1),
- (b) by the insertion of the words "or a limousine licence" after the words "hackney licence" where they appear for the first time in sub-article (1) and where they appear in sub-articles (2), (3) and (4).

21. Article 26 of the Regulations of 1995 is hereby amended-

- (a) by the insertion of the words "or a limousine licence" after the words "hackney licence" where they appear in sub-article (1) and sub-article 3 (b), and
- (b) by the insertion of the words "or under article 6 (2) (c) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999" after the words "article 17 (2) (a)" in sub-article (2).

22. The Regulations of 1995 are hereby amended-

- (a) by the insertion of the words "or a limousine licence" after the words "hackney licence" wherever they appear in articles 21, 22 and 23, and
- (b) by the insertion of the words "and limousine licences" after the words "hackney licences" in article 25, and
- (c) by the insertion of the words "or limousine licence" after the words "hackney licence" and by the insertion of the words "or limousine" after the words "or as a hackney" in article 17, and
- (d) by the insertion of the words "or in accordance with article 6 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999" after the words "article 13 and 14" in article 19, and
- (e) by the removal of the words "or will be" where they appear in paragraph (c) of article 13 (1) and paragraph (c) of article 14 (2), and
- (f) by the insertion of the words "or under article 6 (2) (c) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999" after the words "article 17 (2) (a)" in article 32 (5), and
- (g) by the removal from article 35 of-
 - (i) the words "hackney" and "or hackney licence", and
 - (ii) the word "address" in paragraph (b).

23. The Fourth Schedule to the Regulations of 1995 is hereby amended-

- (a) by the insertion of the words "or a limousine licence" after the words "hackney licence" in paragraph 1 (b), and
- (b) by the insertion of the words "or spouse or parent" after the word "daughter" in paragraph 2 (e), and
- (c) by the insertion of the following sub-paragraph after sub-paragraph (e) of paragraph 2-
 - "(f) the renewal of a limousine licence.", and
- (d) by the substitution of the following sub-paragraph for sub-paragraph (b) of paragraph 5-
 - "(b) the issue of a substitute limousine sign under article 8 (3) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999.", and
- (e) by the addition of the following paragraph after paragraph 5-
 - "6. A fee of £200 shall be payable in respect of the grant of a limousine licence."

24. Article 10 of the Regulations of 1978 is hereby amended by the insertion of the following after the word "representative"-
"or where the personal representative is not the beneficiary, on such beneficiary."

Schedule to S.I. 316 of 1999 revoked by Regulation 29(c) of S.I. 249 of 2010

DATED this 13th day of October, 1999.

ROBERT MOLLOY,
Minister of State at the Department of the Environment and Local Government.

EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)
These regulations implement a range of recommendations addressed to the Department of the Environment and Local Government in the report of the Dublin Taxi Forum.
The regulations, provide, inter alia, for the introduction of a separate licensing regime for limousines, a form of identification for hackneys and limousines, the removal of the restrictions placed on the use of radios and telephonic equipment by hackneys, the introduction of a requirement for hackneys to carry a log of agreed fares when driving into, through or out of a taximeter area, the restoration of the five year period of validity for small public service vehicle drivers licences, as well as other miscellaneous provisions governing the licensing of taxis, wheelchair accessible taxis, hackneys and limousines.

S.I. NO. 255 OF 2000.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) (NO. 2) REGULATIONS, 2000

In exercise of the powers conferred on the Minister for the Environment and Local Government by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and by section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968), which powers were delegated to me by the Environment and Local Government (Delegation of Ministerial Functions) Order, 1997 (S.I. No. 427 of 1997), I, Robert Molloy, Minister of State at the Department of the Environment and Local Government hereby make the following Regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 2000.
(2) The collective citation the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000 shall include these Regulations.
2. In these Regulations “the Regulations of 1999” means the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 (S.I. No. 316 of 1999).
3. Article 6 of the Regulations of 1999 is hereby amended by the substitution of the following for sub-article (2) (a) -
 - “(a) (i) in respect of a vehicle which has an engine capacity of at least 1900 cubic centimetres, save in the case of a vehicle which was constructed more than thirty years prior to the date of the application for a limousine licence, and
 - (ii) which is 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”.
4. Article 8 of the Regulations of 1999 is hereby amended by the substitution of the following for sub-article (1) (b) -
 - “(b) A limousine sign issued on or after 30 September 2000 shall be in the form of an ellipse, be either white, grey or silver in colour and shall display the letters “LM”, the number of the limousine licence and the name of the licensing authority or a letter(s) identification for that name in black letters.”.

5. Article 13 of the Regulations of 1999 is hereby amended –

(a) by the substitution of the following for sub-article (3) –

“(3) No document or sign referring to the licensing or operation of the vehicle as a hackney, other than the notice referred to in sub-article (4), shall be displayed within the vehicle.”, and

(b) by the insertion of the following sub-article after sub-article (3) –

“(4) On or after 30 September 2000 a notice shall be displayed within every hackney on the front dashboard of the vehicle on the passenger side and on the rear of at least one of the front seats, which shall comply with the following requirements.

(a) The appearance of the notice shall be as in the diagram below, the specification for which is as follows:

- (i) The notice shall be rectangular in shape and the measurements shall not exceed 130mm in width by 70mm in height.
- (ii) The notice shall be white in colour with letters and figures all in black.
- (iii) The notice shall contain the following information:
 - The word “Hackney” or “Hacnaf” and the hackney licence number.
 - The name of the licensing authority which granted the hackney licence.
 - The name of the driver of the vehicle.
 - The serial number of the licence to drive small public service vehicles issued to the driver.
 - The signature of the driver of the vehicle.
 - A photograph of the driver of the vehicle.

HACKNEY LICENCE NO.
70mm L. A.: Photo
NAME OF DRIVER:
PSV DRIVER LICENCE NO:
SIGNATURE _____

130mm

Dated this 8th day of August, 2000.

ROBERT MOLLOY
Minister of State at the Department of the Environment and Local Government

EXPLANATORY NOTE.

(This note is not part of the Instrument and does not purport to be a legal interpretation.)
These regulations amend existing regulatory requirements in relation to limousines and limousine signs, and introduce requirements for an internal hackney identification.

S.I. NO. 367 OF 2000.

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) (NO. 3) REGULATIONS, 2000.

In exercise of the powers conferred on the Minister for the Environment and Local Government by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and by section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968), which powers were delegated to me by the Environment and Local Government (Delegation of Ministerial Functions) Order, 1997 (S.I. No. 427 of 1997), I, ROBERT MOLLOY, Minister of State at the Department of the Environment and Local Government hereby make the following Regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 2000.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations 1963 to 2000 shall be construed as one and may be cited as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000.

2. In these Regulations—

“the Principal Regulations” means the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963);

“the Regulations of 1995” means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995 (S.I. No. 136 of 1995);

“the Regulations of 1998” means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1998 (S.I. No. 47 of 1998);

“The Regulations of 1999” means the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 (S.I. No. 316 of 1999);

“shared hire” means a hire which is engaged jointly by more than one person at the same time from an appointed stand which has been designated for shared hire purposes by a licensing authority;

“test certificate” means a certificate under section 18(1) of the Road Traffic Act, 1961;

“certificate of suitability” means a certificate issued under article 5 of the Road Traffic (National Car Test) Regulations, 2000.

3. (1) The following regulations are hereby revoked:

(a) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 2000 (S.I. No. 3 of 2000), and

(b) The Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1999 (S.I. No. 51 of 1999).

(2) (a) Articles 7 and 8 of the Principal Regulations are hereby revoked.

(b) Articles 8, 9, 11, 14, 18(5), 18(6), 19, 20(3), 21(2), 21(3), 26(7), 32(1), 32(5), and 38, and the Fifth, Sixth and Seventh Schedules of the Regulations of 1995 are hereby revoked.

(c) Articles 6 and 7 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1997 (S.I. No. 193 of 1997) are hereby revoked.

4. The Regulations of 1995 are hereby amended—

(a) by the removal of the reference “or 8” from article 6(2), and

(b) by the insertion of the words “to a licensing authority” after the word “made” in article 10, and

- (c) by the removal from article 18(1) of the words “Subject to sub-articles (5) and (6),”, and
- (d) by the removal from article 21(1) of the words “Subject to sub-articles (2) and (3),”, and
- (e) by the replacement in article 24(1) of the words “13(1)(b) in respect of a taxi licence or a wheelchair accessible taxi licence or under article 14(2)(b) in respect of a hackney licence” by the words “13(b) in respect of a taxi licence or a wheelchair accessible taxi licence or a hackney licence”, and
- (f) by the removal from article 26(1) of the words “Subject to sub-article (7)”, and
- (g) by the replacement in article 26(2) of the words “13(1)(b), article 14(2)(b) or article 17(2)(a)” by the words “13(b), article 16(2)(a), article 16(4)(a) or article 17(2)(a)”, and
- (h) by the replacement in article 37(1), as inserted by article 8 of the Regulations of 1998, of the words “13(1)(b), article 14(2)(b) and article 17(2)(a)” by the words “13(b), article 16(2)(a), article 16(4)(a) and article 17(2)(a), and article 6(2)(c) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 (S.I. No. 316 of 1999)”, and
- (i) by the replacement in article 37(2), as inserted by article 8 of the Regulations of 1998, of the words “Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998” by the words “Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000”, and
- (j) by the removal of the words “other than for the purposes specified in sub-article (1),” from sub-article (3) of article 37, as inserted by article 8 of the Regulations of 1998, and
- (k) by the removal of the references to “Article 8”, “Article 14(1)(b) and (3)”, “Article 18(5)” and “Article 32(1)” from the Third Schedule.

5. Article 6 of the Regulations of 1999 is hereby amended—

- (a) by the replacement of the word “may” by the word “shall” in sub-article (1), and
- (b) by the substitution of the following sub-article for sub-article (2)(c)—

“(c) where the applicant presents to the licensing authority a test certificate and a certificate of suitability issued in respect of the vehicle to which the limousine licence application refers, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000 applicable to the vehicle, and”.

6. Article 8 of the Regulations of 1999 is hereby amended by the removal of the words “on payment of the appropriate fee specified in the Fourth Schedule to the Regulations of 1995.” from sub-article (3).

7. The following shall be substituted for article 12 of the Regulations of 1995—

“12. (1) Subject to sub-article (3), where an application for the grant of a taxi licence or a wheelchair accessible taxi licence is made to a licensing authority which has declared an area to be a taximeter area, the authority shall make a conditional offer of the grant of the licence to the applicant.

(2) Where an application for the grant of a hackney licence is made to a licensing authority, the authority shall make a conditional offer of the grant of the licence to the applicant.

(3) An application for the grant of a taxi licence, a wheelchair accessible taxi licence or a hackney licence shall not be made if the applicant is the subject of a suspension or revocation of a licence by the court under article 23.”.

8. The following shall be substituted for Article 13 of the Regulations of 1995—

“13. Where a licensing authority has made a conditional offer to a person for the grant of a taxi licence or a wheelchair accessible taxi licence or a hackney licence, the licensing authority shall only grant the licence where, within a period to be specified by the licensing authority—

(a) the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule, and

(b) the applicant presents to the licensing authority a test certificate and a certificate of suitability issued in respect of the vehicle to which the relevant licence application refers, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi or as a wheelchair accessible taxi or as a hackney and that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000, applicable to the vehicle, and

(c) the applicant satisfies the licensing authority that the use of the vehicle as a taxi or as a wheelchair accessible taxi or as a hackney, as may be appropriate, is covered by insurance.”.

9. Any condition or restriction applied by a licensing authority under articles 14(3) and 18(5) of the Regulations of 1995 in respect of hackney licences or taxi licences or wheelchair accessible taxi licences granted since the coming into operation of those Regulations shall cease to have effect following the date of these Regulations.

10. A small public service vehicle licence granted or renewed under the regulations collectively cited in article 1(2) shall remain in force for a period of one year from the date on which it was granted or renewed.

11. Article 16 of the Regulations of 1995 is hereby amended—

(a) by the substitution of the following sub-article for sub-articles (2) and (3)—

“(2) A taxi licence or a wheelchair accessible taxi licence or a hackney licence shall only be renewed—

(a) where a test certificate issued in respect of the vehicle to which the licence refers is presented to the licensing authority, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi or as a wheelchair accessible taxi or as a hackney and that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate, with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000, applicable to the vehicle, and

(b) where the applicant satisfies the licensing authority that the use of the vehicle as a taxi or as a wheelchair accessible taxi or as a hackney is covered by insurance, and

(c) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule, and

(d) where the application for the renewal is received by the licensing authority on or before a date two months following the date of expiry of the licence.”, and

(b) by the replacement in sub-article (2A), as inserted by article 6 of the Regulations of 1998, of the words “article 13(1)(b) insofar as the same concerns the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 1998” by the words “article 13(b) insofar as the same concerns the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000”, and

(c) by the substitution of the following sub-article for sub-article (4) as inserted by article 17(b) of the Regulations of 1999—

“(4) A limousine licence shall only be renewed—

(a) where a test certificate issued in respect of the vehicle to which the limousine licence refers is presented to the licensing authority, and article 6(2)(a) and (d) of the Road Traffic (Public Service Vehicles)

(Amendment) (No. 2) Regulations, 1999 have been complied with, or where article 6(2)(a), (c) and (d) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1999 have been complied with, and

(b) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule, and

(c) where the application for renewal is received by the licensing authority on or before the date of expiry of the licence.”.

12. Article 17 of the Regulations of 1995 is hereby amended—

(1) by the substitution of the following sub-articles for sub-articles (2)(a) and (b)—

“2(a) where the applicant presents to the licensing authority a test certificate and a certificate of suitability issued in respect of the vehicle to which the relevant licence application refers, or a certificate issued by the Commissioner that the vehicle to which the licence is to refer has been inspected by the Commissioner and that the Commissioner is satisfied that the vehicle is suitable to be licensed as a taxi, as a wheelchair accessible taxi, as a hackney or as a limousine and that the vehicle complies with the Regulations in operation under section 11 of the Act, and, as appropriate with the requirements of the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2000, applicable to the vehicle, and

(b) where the applicant has paid to the licensing authority the appropriate licence renewal fee specified in the Fourth Schedule.”.

(2) by the substitution of the following sub-article for sub-article (3)—

“(3) Where a licensing authority gives approval under this article for the continuance in force of a licence, the licence will be deemed to have been renewed in accordance with the relevant sub-article of article 16 of the Regulations of 1995 with effect from the date of the approval, and the validity period set out in article 10(1) of the Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 2000, shall apply from that date.”.

13. (1) The Commissioner may issue a certificate for the purposes of articles 13(b), 16(2)(a), 16(4)(a) and 17(2)(a) of the Regulations of 1995 and article 6(2)(c) of the Regulations of 1999.

(2) The provisions of articles 13(b), 16(2)(a), 16(4)(a) and 17(2)(a) of the Regulations of 1995 and article 6(2)(c) of the Regulations of 1999 insofar as the certification of vehicles by the Commissioner is concerned shall apply until 30 June 2001.

14. (1) *Regulation 14(1) Revoked by Regulation 8(c) of S.I. 280 of 2007*

(2) Where on the date of these regulations no maximum fares for taxis and wheelchair accessible taxis have been fixed by a licensing authority in respect of its taximeter area, the requirement of sub-article (1) shall not apply in respect of that taximeter area until maximum fares are fixed or until, 1 July 2001, whichever is the earlier.

15. *Regulation 15 Revoked by Regulation 8(c) of S.I. 280 of 2007*

16. The following shall be substituted for article 27 of the Regulations of 1995—

“(1) A licensing authority may fix maximum fares for taxis and wheelchair accessible taxis in respect of any area declared by the said authority to be a taximeter area in accordance with article 7 of the Regulations of 1995.

(2) For the purposes of sub-article (1), a licensing authority may fix different maximum fares under this article in respect of hires engaged on a single hire basis and on a shared hire basis.

(3) Where maximum fares are fixed under this article by a licensing authority, details of the fares so fixed shall be published by the said authority in one or more newspapers circulating in the taximeter area in respect of which the maximum fares have been fixed.

(4) An officer of a licensing authority may issue a certificate that on a specified day specified fares where the maximum fares fixed for taxis and wheelchair accessible taxis in respect of the taximeter area.

(5) In any prosecution of an offence in relation to maximum fares fixed for taxis and wheelchair accessible taxis in accordance with sub-article (1), a certificate issued under sub-article (4) of this article shall be presumed, until the contrary is shown by the defendant, to indicate the specified maximum fares fixed for taxis and wheelchair accessible taxis in respect of the taximeter area.”.

17. The provisions of article 52(1) of the Principal Regulations in so far as they require the driver of a taxi or a wheelchair accessible taxi to comply with the directions of a hirer shall not apply to a shared hire.

18. Where a licensing authority fixes maximum fares for single hires or shared hires under article 27 of the Regulations of 1995, it may provide at any appointed stands an information sign indicating that the appointed stand is for use for single hire or shared hire purposes and may provide for the display of the relevant maximum fares at any such appointed stand.

19. Article 33 of the Regulations of 1995 is hereby amended—

(a) by the substitution of the following for sub-article (3):

“(3) The driver of a taxi or a wheelchair accessible taxi shall not charge or demand for services which are the subject of maximum fares fixed by a licensing authority rendered in a taximeter area, including a hire which commences in the taximeter area and terminates in an adjoining taximeter area, a greater sum than the maximum fare fixed for such services.”.

(b) by the insertion of the following sub-articles after sub-article (5)—

“(6) Where on or after 1 January 2002 a taxi or a wheelchair accessible taxi is engaged in a hire in respect of which a maximum fare has been fixed by a licensing authority, the driver must—

(a) in the case of a single hire, give to the person who hired the taxi or wheelchair accessible taxi, a receipt which shall contain the information in sub-article (7) and which has been produced automatically from the taximeter, or

(b) in the case of a shared hire, give to each person who hired the taxi or wheelchair accessible taxi, a receipt which shall contain the information in sub-article (7).

(7) A receipt to which sub-article (6) refers shall display the following minimum information—

- (a) the full fare (including all extras which shall be indicated separately) chargeable for the hire, and
- (b) the date, starting time and finishing time of the hire, and
- (c) the licence number of the taxi or wheelchair accessible taxi.”.

20. The Fourth Schedule to the Regulations of 1995 is substituted by the following—

FOURTH SCHEDULE

Fees

1. A fee of £100 shall be payable in respect of—

- (a) the grant of a wheelchair accessible taxi licence,
- (b) the renewal of a wheelchair accessible taxi licence,
- (c) the renewal of a hackney licence,
- (d) the renewal of a limousine licence,
- (e) the continuation in force of a taxi licence or a wheelchair accessible taxi licence in respect of another person.

2. A fee of £200 shall be payable in respect of—

- (a) the grant of a hackney licence,

(b) the grant of a limousine licence.

3. A fee of £5,000 shall be payable in respect of the grant of a taxi licence.

4. A fee of £500 shall be payable in respect of the renewal of a taxi licence.”

Dated this 21st day of November, 2000.

ROBERT MOLLOY,

Minister of State at the Department of the Environment and Local Government.

EXPLANATORY NOTE.

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

These regulations provide for the full resumption of taxi licensing following the recent High Court decision [High Court Judicial Review Record No. 38 JR/2000] and provide for the revocation of regulatory provisions involving quantitative restrictions on the licensing of taxis and hackneys.

S.I. NO. 38 OF 2001

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS, 2001

In exercise of the powers conferred on the Minister for the Environment and Local Government by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and by section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968) which powers were delegated to me by the Environment and Local Government (Delegation of Ministerial Functions) Order, 1997 (S.I. No. 427 of 1997), I, Robert Molloy, Minister of State at the Department of the Environment and Local Government hereby make the following Regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 2001.

(2) These Regulations and the Road Traffic (Public Service Vehicles) Regulations 1963 to 2000 shall be construed as one and may be cited as the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2001.

2. In these Regulations:

"the Regulations of 2000" means the Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 2000 (S.I. No. 367 of 2000).

"the Regulations of 1995" means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995 (S.I. No. 136 of 1995).

3. The Regulations of 2000 are hereby amended by the replacement in article 14(2) of the words "1 March 2001" with the words "1 July 2001".

4. The Fourth Schedule to the Regulations of 1995 is hereby amended -

(a) by the addition of the following sub-paragraph after sub-paragraph (e) of paragraph 1 -

"(f) the renewal of a taxi licence.", and

(b) by the revocation of paragraph 4.

5. (1) This article shall apply to the temporary transfer to a different vehicle of a licence granted in respect of any small public service vehicle.

(2) The holder of a small public service vehicle licence may apply to the licensing authority which granted the licence **or to the Commission for Taxi Regulation as appropriate** for approval for the temporary transfer of the licence aforesaid to a different vehicle.

(3) An application for approval by a licensing authority for the temporary transfer of a licence under this article shall only be granted -

(a) where the provisions of article 17 (2) (a) of the Regulations of 1995, as amended by article 12 of the Regulations of 2000, are complied with, and

(b) where the applicant satisfies the licensing authority that the use of the vehicle as a temporary replacement for the small public service vehicle to which the licence refers is covered by insurance, and

(c) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule to the Regulations of 1995

(4) The temporary transfer of a small public service vehicle licence to a different vehicle under this article may apply for any period to be determined by the licensing authority which, in any event, may not exceed the remaining period of validity of the licence.

(5) The approval of a licensing authority of an application for approval for the temporary transfer of a small public service vehicle licence under this article shall not affect the period in respect of which the licence remains in force.

(6) Where, in the case of a transfer of a licence from one vehicle to another, the licence is transferred back to the original vehicle within eight weeks of the date of the transfer, the licence holder may apply to the Commission for Taxi Regulation for a refund in the sum of 50 per cent of the fee specified in the Fourth Schedule to the Regulations of 1995, as paid by the licence holder.

Dated this 14th day of February, 2001.

ROBERT MOLLOY
Minister of State at the Department of the Environment and Local Government

EXPLANATORY NOTE

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

These regulations provide for an amendment to existing regulatory provisions in relation to the fee for the renewal of a taxi licence and the requirement to be fitted with a taximeter. The regulations also provide for the temporary transfer of a small public service vehicle licence to a different vehicle

S.I. NO. 534 OF 2001

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) (NO. 2) REGULATIONS, 2001

In exercise of the powers conferred on the Minister for the Environment and Local Government by section 5 of the Road Traffic Act, 1961 (No. 24 of 1961) and by section 82 of that Act as amended by section 57 of the Road Traffic Act, 1968 (No. 25 of 1968) which powers were delegated to me by the Environment and Local Government (Delegation of Ministerial Functions) Order, 1997 (S.I. No. 427 of 1997), I, Robert Molloy, Minister of State at the Department of the Environment and Local Government hereby make the following Regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 2001.

(2) The collective citation the Road Traffic (Public Service Vehicles) Regulations, 1963 to 2001 shall include these Regulations.

2. Articles 5(a), 6 and 7 of these regulations shall come into operation on 1 January 2002.

3. In these Regulations -

"the Principal Regulations" means the Road Traffic (Public Service Vehicles) Regulations, 1963 (S.I. No. 191 of 1963);

"the Regulations of 1977" means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1977 (S.I. No. 111 of 1977);

"the Regulations of 1995" means the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1995 (S.I. No. 136 of 1995);

"the Regulations of 2000" means the Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 2000 (S.I. No. 367 of 2000).

4. The Regulations of 2000 are hereby amended —

(a) by the replacement in article 15(d) of the words "1 January, 2002" with the words "1 September, 2002", and

(b) by the substitution of the following sub-article for article 15(e) —

"(e) be in good order, repair and condition and subject to the terms of the Metrology Act, 1996 (No. 27 of 1996) have affixed the mark(s) signifying conformity with that Act."

5. The Regulations of 1995 are hereby amended —

(a) by the substitution in article 32(6)(a) of "€60" for "€50", and

(b) by the replacement in article 33(6), as inserted by article 19 of the Regulations of 2000, of the words "1 January 2002" by the words "1 September 2002".

6. The Principal Regulations are hereby amended —

(a) by the substitution for sub-articles (1) and (2) of article 41, as amended by article 13 of the Regulations of 1977, of the following sub-articles:-

"(1) A fee of €12 shall be payable in respect of the first application by a person for a licence to drive small public service vehicles.

(2) A fee of €3 shall be payable in respect of the grant of a licence to drive small public service vehicles.", and

(b) by the substitution in article 41(4), as amended by article 14 of the Regulations of 1977, of "€2.50" for "£2".

7. The Fourth Schedule to the Regulations of 1995, as substituted by the Regulations of 2000 and amended by article 4 of the Road Traffic (Public Service Vehicles) (Amendment) Regulations, 2001 (S.I. No. 38 of 2001), is substituted by the following -

1. A fee of €125 shall be payable in respect of —
 - (a) the grant of a wheelchair accessible taxi licence,
 - (b) the renewal of a wheelchair accessible taxi licence,
 - (c) the renewal of a hackney licence,
 - (d) the renewal of a limousine licence,
 - (e) the continuation in force of a taxi licence or a wheelchair accessible taxi licence in respect of another person,
 - (f) the renewal of a taxi licence.
2. A fee of €250 shall be payable in respect of —
 - (a) the grant of a hackney licence,
 - (b) the grant of a limousine licence.
3. A fee of €6,300 shall be payable in respect of the grant of a taxi licence."

Dated this 29th day of November, 2001.

ROBERT MOLLOY
Minister of State at the Department of the Environment and Local Government

EXPLANATORY NOTE

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

These regulations provide for amendments to existing regulatory provisions in relation to taximeters and for the introduction of Euro licence fees from 1 January 2002.

S.I. NO. 411 OF 2002

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS 2002

I, Séamus Brennan, Minister for Transport, in exercise of the powers conferred on me by sections 5 and 82 of the Road Traffic Act, 1961 (No. 24 of 1961) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations 2002.

(2) The Road Traffic (Public Service Vehicles) Regulations 1963 to 2001 and these Regulations may be cited as the Road Traffic (Public Service Vehicles) Regulations 1963 to 2002 and shall be construed as one.

2. In these Regulations -

"Regulations of 1995" means the Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995 (S.I. No. 136 of 1995);

"Regulations of 2000" means the Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 2000 (S.I. No. 367 of 2000);

"Regulations of 2001" means the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 2001 (S.I. No. 534 of 2001).

3. Article 16(2) (inserted by Article 11(a) of the Regulations of 2000) of the Regulations of 1995 is amended by the substitution for subparagraph (d) of the following:

"(d) where the application for the renewal is received by the licensing authority not later than two months following the date of expiry of the licence, and

(e) where the licence is being renewed, on or after 1 September 2002, the applicant satisfies the licensing authority that the taximeter fitted to the taxi or wheelchair accessible taxi is fitted with a device capable of printing automatically a receipt showing the fare charged for a hire and the receipt displays the information required under Article 33(7) of these Regulations."

4. Article 15 of the Regulations of 2000 is amended by the substitution for subparagraph (d) (as amended by Article 4 of the Regulations of 2001) of the following:

"(d) where the licence in respect of the taxi or wheelchair accessible taxi is being granted or renewed on or after 1 September 2002, before the licence is granted or renewed, be fitted with a device capable of printing automatically a receipt showing the fare charged for a hire, and"

5. Article 33 (as amended by Article 19 of the Regulations of 2000) of the Regulations of 1995 is amended by the insertion after sub-article (6) of the following:

"(6A) Notwithstanding sub-article 6(a), that sub-article applies to a taxi or a wheelchair accessible taxi, where the licence in respect of it is granted or renewed on or after 1 September 2002, from the date of such grant or renewal."

GIVEN under my Official Seal, 7 August 2002.

SÉAMUS BRENNAN
Minister for Transport

EXPLANATORY NOTE

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

These regulations provide for amendments to existing regulatory provisions in relation to the requirement that a taximeter be fitted with a device capable of printing automatically a receipt showing the fare charged for a taxi hire.

S.I. NO. 517 OF 2003

TAXI REGULATION ACT 2003 (PART 4) (APPOINTED DAY) ORDER 2003

I, Séamus Brennan, Minister for Transport, in exercise of the powers conferred on me by section 53 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby order as follows:

1. This Order may be cited as the Taxi Regulation Act 2003 (Part 4) (Appointed Day) Order 2003.
2. The 4th day of November 2003 is appointed as the appointed day for the purposes of Part 4 of the Taxi Regulation Act 2003 (No. 25 of 2003).

GIVEN under my Official Seal, 31 October 2003.

Séamus Brennan
Minister for Transport

EXPLANATORY NOTE

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

This order provides that 4 November 2003 is the appointed day for the purposes of Part 4 of the Taxi Regulation Act 2003 (No. 25 of 2003). The Advisory Council to the Commission for Taxi Regulation is established on that date.

TAXI REGULATION ACT 2003

NUMBER 25 OF 2003

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PART 3

Small Public Service Vehicle Regulation

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35. Appeal against refusal to grant, suspension or revocation of, licence.
36. Mandatory disqualification for holding licence on conviction of certain offences.
37. Tax clearance certification requirements for licence applicants.
38. Register of licences.
39. Conduct and duties of drivers of small public service vehicles.
40. Regulation of passengers in small public service vehicles.

- 41. Taximeter areas.
- 42. Maximum fares.
- 43. Prohibition on providing taxi or hackney, etc., service without licence.
- 44. Penalties.
- 45. Prosecution of summary offences.
- 46. Fixed charges offences.
- 47. Guidelines.
- 48. Service certification.
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PART 4

Advisory Council to Commission for Taxi Regulation

- 53. Appointed Day.
- 54. Establishment and membership of Advisory Council.
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PART 5

Amendment of Road Traffic Act 2002

- 56. Amendment of section 23 of Act of 2002 (penalties).
- 57. Amendment of Part 1 of First Schedule to Act of 2002 (penalty points).

Acts Referred to

- Civil Service Regulation Act 1956, No. 46
- Comptroller and Auditor General (Amendment) Act 1993, No. 8
- Criminal Justice (Theft and Fraud Offences) Act 2001, No. 50
- Criminal Justice Act 1994, No. 15
- European Parliament Elections Act 1997, No. 2
- Finance Act 2002, No. 5
- Firearms and Offensive Weapons Acts 1925 to 1990
- Freedom of Information Act 1997, No. 13
- Illegal Immigrants (Trafficking) Act 2000, No. 29
- Local Government Act 2001, No. 37
- Minimum Notice and Terms of Employment Acts 1973 to 2001
- Non-Fatal Offences against the Person Act 1997, No. 26
- Organisation of Working Time Act 1997, No. 20
- Redundancy Payments Acts 1967 to 2001
- Road Traffic Act 1961, No. 24
- Road Traffic Act 2002, No. 12
- Sex Offenders Act 2001, No. 18
- Taxes Consolidation Act 1997, No. 39
- Terms of Employment (Information) Act 1994, No. 5
- Unfair Dismissals Acts 1977 to 2001
- Worker Protection (Regular Part-Time Employees) Act 1991, No. 5

TAXI REGULATION ACT 2003

AN ACT TO MAKE PROVISION FOR THE ESTABLISHMENT OF A BODY TO BE KNOWN AS THE COMMISSION FOR TAXI REGULATION, OR, IN THE IRISH LANGUAGE, AN COIMISIÚ N UM RIALAÍL TACSAITHE, TO DEFINE ITS FUNCTIONS, TO PROVIDE FOR THE ESTABLISHMENT OF AN ADVISORY COUNCIL TO BE KNOWN AS THE ADVISORY COUNCIL TO THE COMMISSION FOR TAXI REGULATION, OR, IN THE IRISH LANGUAGE, AN CHOMHAIRLE DON CHOIMISIÚ N UM RIALAÍL TACSAITHE, TO DEFINE ITS FUNCTIONS, TO AMEND THE ROAD TRAFFIC ACTS 1961 TO 2002 AND TO PROVIDE FOR CONNECTED MATTERS. [8th July 2003]
BE IT ENACTED BY THE OIREACHTAS AS FOLLOWS:

PART 1

Preliminary and General

1.—This Act may be cited as the Taxi Regulation Act 2003.

2.—(1) In this Act, except where the context otherwise requires—

“Act of 1961” means the Road Traffic Act 1961;

“Act of 2002” means the Road Traffic Act 2002;

“appointed stand” has the meaning assigned to it by section 84(1) (inserted by section 15 of the Act of 2002) of the Act of 1961;

“authorised person” has the meaning assigned to it by section 49;

“civil service” has the meaning assigned to it by the Civil Service Regulation Act 1956;

“Commission” means the Commission for Taxi Regulation;

“Commissioner” means a member of the Commission;

“Council” means the Advisory Council to the Commission;

“driver number” means the number of a driving licence granted under Part III of the Act of 1961;

“driving licence” has the meaning assigned to it by section 22 of the Act of 1961;

“establishment day” means the day appointed under section 5 to be the establishment day for the purposes of *Part 2*;

“Garda Commissioner” means the Commissioner of the Garda Stochana;

“grant” in relation to a licence, includes the renewal, transfer or continuance in force of the licence;

“licence” means a licence in respect of a small public service vehicle or a licence to drive a small public service vehicle granted, as the case may be, under section 34 of this Act or section 82 of the Act of 1961;

“licensing authority” means a person entitled to grant licences in respect of small public service vehicles or their drivers or both under regulations made under section 34 of this Act or under section 82 of the Act of 1961;

“local authority” means—

(a) other than in sections 17, 18 and 20, a county council, a city council or a town council (within the meaning of the Local Government Act 2001) other than the council of a

town mentioned in Part 2 of Schedule 6 of that Act, and
(b) in sections 17, 18 and 20, a county council, a city council or a town council (within the meaning of that Act);

“mechanically propelled vehicle” has the meaning assigned to it by section 3 of the Act of 1961;

“Minister” means the Minister for Transport;

“Ministerial directions” means directions under section 10;

“register of licences” means a register established under section 38;

“Regulations of 1995” means the Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995 (S.I. No. 136 of 1995);

“small public service vehicle” has the meaning assigned to it by section 3 of the Act of 1961;

“statutory body” means—

- (a) a Minister of the Government,
- (b) the Commissioners of Public Works in Ireland,
- (c) a local authority (within the meaning of the Local Government Act 2001),
- (d) the Garda Commissioner or a member of the Garda Síochána duly authorised by the Garda Commissioner,
- (e) a body established by or under statute,
- (f) a company in which all the shares are held by, or on behalf of, or by directors appointed by a Minister of the Government,

Or

- (g) a company in which all the shares are held by a body referred to in *paragraph (e)* or a company referred to in *paragraph (f)*;

“superannuation benefits” means pension, gratuities and other allowances payable on resignation, retirement or death;

“taxi” means a street service vehicle (within the meaning of section 3 of the Act of 1961);

“taximeter area” means an area declared to be or deemed to be a taximeter area under section 41.

(2) In this Act—

- (a) a reference to a section or Part is a reference to a section or Part of this Act, unless it is indicated that a reference to some other enactment is intended,
- (b) a reference to a subsection or paragraph is a reference to a subsection or paragraph of the provision in which the reference occurs, unless it is indicated that reference to some other provision is intended, and
- (c) a reference to any enactment or instrument made under statute shall be construed as a reference to that enactment or instrument as amended, adapted or extended by or under any subsequent enactment or instrument made under statute including this Act.

3.—(1) Every order (other than an order under section 5 or section 33) or regulation made under this Act shall be laid before each of the Houses of the Oireachtas as soon as practicable after it is made.

(2) Either House of the Oireachtas may, by resolution passed within 21 sitting days after the day on which an order or a regulation was laid before it in accordance with *subsection (1)*, annul the order or regulation.

(3) The annulment of an order or regulation under this section takes effect immediately on the passing of the resolution concerned, but does not affect anything that was done under the order or regulation before the passing of the resolution.

4.—The expenses incurred by the Minister in the administration of this Act shall, to such extent as may be sanctioned by the Minister for Finance, be paid out of moneys provided by the Oireachtas.

PART 2

Commission for Taxi Regulation

5.—The Minister shall by order appoint a day to be the establishment day for the purposes of this Part.

6.—(1) There stands established, on the establishment day, a body to be known as the Commission for Taxi Regulation or, in the Irish language, An Coimisiun um Rialail Tacsaithe, in this Act referred to as the “Commission”, to perform the functions assigned to it by or under this Act.

(2) The Commission shall be a body corporate with perpetual succession and a seal and power—

- (a) to sue and be sued in its corporate name,
- (b) to acquire, hold and dispose of land or an interest in land, and
- (c) to acquire, hold and dispose of any other property.

(3) The Commission shall have all such powers as are necessary for or incidental to the performance of its functions under this Act.

7.—(1) The Commission shall, as soon as may be after its establishment, provide itself with a seal.

(2) The seal shall be authenticated by the signature of—

- (a) a Commissioner, or
- (b) a member of the staff of the Commission, authorised by the Commission to act in that behalf.

(3) Judicial notice shall be taken of the seal of the Commission and every document—

- (a) purporting to be an instrument made by and to be sealed with the seal of the Commission, and
 - (b) purporting to be authenticated in accordance with *subsection (2)*,
- shall be received in evidence and be deemed to be such instrument without proof unless the contrary is shown.

8.—Subject to this Act, the Commission shall be independent in the exercise of its functions.

9.—(1) The principal function of the Commission is the development and maintenance of a regulatory framework for the control and operation of small public service vehicles and their drivers.

(2) In exercising its function, the Commission shall seek to achieve the following objectives—

- (a) to promote the provision and maintenance of quality services by small public service vehicles and their drivers,
- (b) to pursue the continued development of a qualitative and customer orientated licensing system, regulatory code and standards for small public service vehicles, small public service vehicle licence holders and small public service vehicle drivers,
- (c) to oversee the development of a professional, safe, efficient and customer-friendly service by small public service vehicles and their drivers,
- (d) to encourage and promote competition in relation to services (including fares) offered by small public service vehicles,

(e) in seeking to achieve the provision of quality services by small public service vehicles and their drivers, to have due regard to the protection of service users and providers alike,

(f) to promote measures to facilitate increased integration of taxi services in the public transport system,

(g) to promote the development of high quality cost effective services by small public service vehicles and their drivers which meet a wide range of customer needs including those of passengers with mobility or sensory impairments,

(h) to promote access to small public service vehicles by persons with disabilities,

(i) to encourage investment to support and enhance the services offered by small public service vehicles and to promote innovation in this regard.

(3) The exercise of functions of the Commission under this Act may be carried out by or through any member of the staff of the Commission or a person authorised by the Commission, as the Commission deems appropriate.

10.—(1) The Minister may give such general policy directions to the Commission in relation to small public service vehicles and their drivers as he or she considers appropriate to be followed by the Commission in the exercise of its functions.

(2) The Commission shall comply with any directions given under *subsection (1)*.

(3) Where the Minister gives a direction under *subsection (1)* a notice of the giving of the direction and details of it (including reasons for giving the direction) shall be—

- (a) laid before each House of the Oireachtas as soon as may be after it is given, and
- (b) published in *Iris Oifigiúil* within 28 days of the giving of it.

11.—(1) The Commission may, out of income generated from the payment of fees under this Act, provide financial assistance to local authorities to support the development or provision of infrastructure to facilitate and support the operation of small public service vehicles.

(2) For the purpose of facilitating the provision of financial support under this section, the Commission may prepare a scheme that shall include provisions relating to the conditions that may be applied to the application for, approval of and payment of such financial support.

(3) A scheme under *subsection (2)* shall be prepared in consultation with the Council and with the consent of the Minister.

12.—(1) For the purpose of enabling the Commission to perform its functions, a statutory body may provide any service to the Commission on such terms and conditions (including payment for such service) as may be agreed and the Commission may avail of such service.

(2) In this section “service” includes the use of premises or equipment and the use of services or employees.

13.—(1) The Commission shall consist of at least one member and not more than 3 members.

(2) Each member of the Commission shall be known as a Commissioner for Taxi Regulation and is in this Act referred to as a “Commissioner”.

(3) Subject to this Act, the Commission may regulate its own procedure.

14.—(1) Each Commissioner shall be appointed—

- (a) by the Minister, and

(b) on such terms and conditions, including remuneration, as the Minister may fix, with the consent of the Minister for Finance.

(2) A person shall not be appointed as a Commissioner unless the Civil Service and Local Appointments Commissioners, after holding a competition on behalf of the Commission, have selected him or her for appointment as a Commissioner.

(3) A Commissioner appointed in accordance with *subsection (2)* shall be appointed on a full-time basis for a period of not less than 3 years and not more than 5 years.

(4) Where there is more than one Commissioner, the Minister shall appoint one of them to be chairperson of the Commission on such terms and conditions of appointment, including remuneration, as the Minister may fix, with the consent of the Minister for Finance, to hold office in a full-time capacity for a period of not less than 3 and not more than 5 years.

(5) The chairperson shall have a casting vote in the case of decisions to be taken by the Commission in the event of a tied vote.

(6) A Commissioner, including the chairperson, whose term of office expires by effluxion of time shall be eligible for re-appointment to serve a second term, subject to a limit of serving no more than 10 years on the Commission.

(7) A Commissioner shall not serve more than 2 terms of office as a Commissioner.

(8) In circumstances where the chairperson is unavailable to perform his or her duties, the Minister shall appoint an acting chairperson to assume the duties of chairperson of the Commission for a stated period not exceeding 6 months. The acting chairperson shall be an existing Commissioner.

(9) The Commission may act where a vacancy arises in its membership.

15.—The Commission shall, where there is only one Commissioner appointed under *section 14*, designate a member of its staff as a deputy member of the Commission (“deputy commissioner”) who shall assume and carry out with the authority of the Commission all of the functions of the Commission in the absence of the Commissioner or where the membership of the Commission is vacant.

16.—(1) A Commissioner may resign by giving notice in writing to the Minister of his or her intention to resign and any such resignation shall take effect as of the date upon which the Minister shall have received notice of the resignation.

(2) A Commissioner may be removed from office by the Minister—

- (a) if, in his or her opinion, the Commissioner has become incapable through ill health of effectively performing his or her duties, or
- (b) for stated misbehaviour.

(3) In removing a Commissioner, the Minister shall give a statement of the reason or reasons for the removal to the Commissioner and the statement of reasons shall be laid before each House of the Oireachtas.

(4) Where the chairperson of the Commission ceases to be a Commissioner he or she shall also thereupon cease to be chairperson of the Commission.

17.—(1) A Commissioner is deemed to have vacated his or her office where he or she—

- (a) is nominated as a member of Seanad Eireann, or
- (b) is nominated as a candidate for election as a member of Dail Eireann, Seanad Eireann or to the European Parliament, or is regarded pursuant to Part XIII of the Second Schedule to the European Parliament Elections Act 1997, as having been elected to the European Parliament to fill a vacancy.

(2) A person who is, for the time being, entitled under the Standing Orders of either House of the Oireachtas to sit in either House or who is a member of the European Parliament shall, while he or she is so entitled or is such a member, be disqualified from becoming a Commissioner.

(3) (a) A person who is a member of a local authority is disqualified from becoming a Commissioner.

(b) A Commissioner is deemed to have vacated his or her office where he or she becomes a member of a local authority.

(4) A Commissioner shall not hold any other office or employment in respect of which emoluments are payable.

(5) For a period of 12 months after a Commissioner has ceased to be a Commissioner, such Commissioner shall not accept any office, consultancy or employment where, in the course of such office, consultancy or employment, the Commissioner could or might use or disclose any confidential information acquired by him or her in the exercise of his or her functions under this Act.

18.—(1) The Commission may—

(a) with the consent of the Minister and the Minister for Finance, determine the number, grading, remuneration and other conditions of service of staff to be appointed to the Commission, and

(b) appoint to be members of the staff of the Commission such persons as the Commission may determine from time to time.

(2) Where a member of the staff of the Commission has previous service in the civil service or in a local authority, such service shall be reckonable for the purposes of, but subject to any other exceptions or exclusions in—

(a) the Redundancy Payments Acts 1967 to 2001,

(b) the Minimum Notice and Terms of Employment Acts 1973 to 2001,

(c) the Unfair Dismissals Acts 1977 to 2001,

(d) the Terms of Employment (Information) Act 1994,

(e) the Worker Protection (Regular Part-Time Employees) Act 1991, and

(f) the Organisation of Working Time Act 1997.

19.—(1) The Commission may, from time to time, engage such consultants or advisers as it may consider necessary to assist it in the discharge of its functions.

(2) Any fees due to a consultant or adviser engaged under this section shall form part of the expenses of the Commission.

20.—(1) Where a person employed by the Commission—

(a) is nominated as a member of Seanad Éireann,

(b) is elected as a member of either House of the Oireachtas or to the European Parliament,

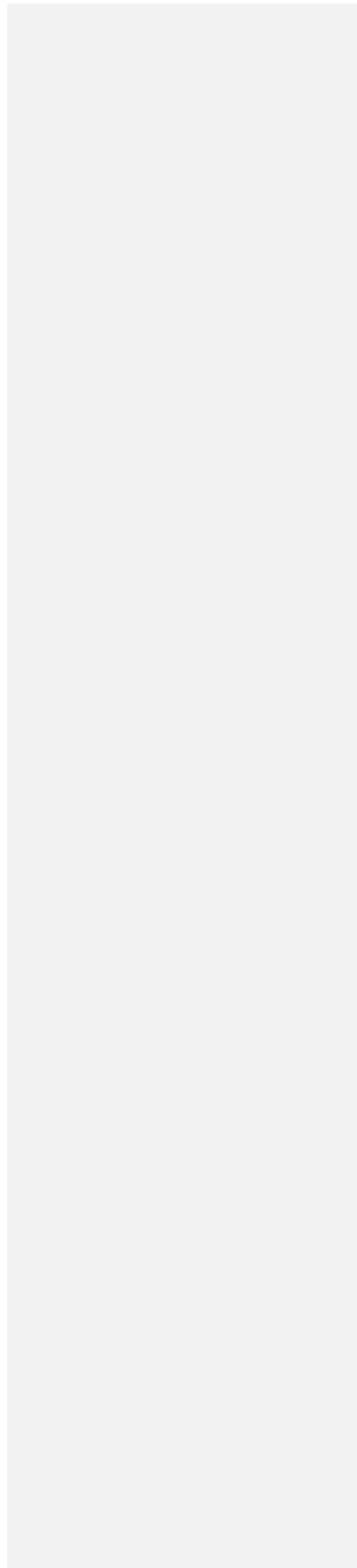
(c) is regarded pursuant to Part XIII of the Second Schedule to the European Parliament Elections Act 1997, as having been elected to the European Parliament to fill a vacancy, or

(d) becomes a member of a local authority,

he or she shall upon that happening, stand seconded from his or her employment by the Commission and shall not be paid by, or be entitled to receive from, the Commission remuneration or allowances in respect of the period commencing on such nomination, election, when he or she is so regarded as having been so elected or becoming a member of a local authority, as the case may be, and ending when he or she ceases to be a member of either such House, the European Parliament, or the local authority, as the case may be.

(2) A person who is, for the time being, entitled under the Standing Orders of either House of the Oireachtas to sit in either House or who is a member of the European Parliament shall, while he or she is so entitled or is such a member, be disqualified from becoming a member of the staff of the Commission.

(3) Without prejudice to the generality of *subsection (1)*, that subsection shall be read as prohibiting, among other things, the reckoning of a period mentioned in that subsection as service with the Commission for the purposes of any superannuation benefits.



21.—(1) Save as otherwise provided by law, a person shall not disclose confidential information obtained by him or her while performing duties as a Commissioner, member of the staff of, or an adviser or consultant to, or as an authorised person (within the meaning of *Part 3*) of, or as an agent of the Commission, unless he or she is duly authorised by the Commission to do so.

(2) In this section, “confidential information” includes information that is expressed by the Commission to be confidential either as regards particular information or as regards information of a particular class or description.

(3) A person who contravenes *subsection (1)* is guilty of an offence and is liable on summary conviction to a fine not exceeding £3,000.

(4) Nothing in *subsection (1)* shall prevent the disclosure of information in a report made to the Commission or by or on behalf of the Commission to the Minister.

(5) Proceedings for an offence under *subsection (3)* may be brought and prosecuted summarily by the Commission.

(6) The Third Schedule to the Freedom of Information Act 1997 is amended by inserting in Part I at the end thereof:

- (a) in the second column of “*Taxi Regulation Act 2003*”, and
- (b) in the third column of “*section 21(1)*”.

22.—(1) Where a Commissioner, a member of the staff of the Commission, or a consultant, adviser or other person engaged by the Commission, has a pecuniary interest or other beneficial interest in, or material to, any matter which falls to be considered by the Commission, Commissioner and he or she is the only Commissioner, disclose to the Minister, the nature of his or her interest in advance of any consideration of the compelling reasons.

(2) For the purposes of this section but without prejudice to the generality of *subsection (1)*, a person shall be regarded as having a beneficial interest if he or she or any member of his or her household—

- (a) holds a licence,
- (b) or any nominee of his or her is a member of a company or any other body which has a beneficial interest in, or material to, a matter referred to in that subsection,
- (c) is in partnership with or is in the employment of a person who has a beneficial interest in, or material to, such a matter, or
- (d) is a party to any arrangement or agreement (whether or not enforceable) concerning land to which such a matter relates.

(3) For the purposes of this section, a person shall not be regarded as having a beneficial interest in, or material to, any matter, by reason only of an interest of his or hers or of any company or of any other body or person mentioned in *subsection (2)* which is so remote or insignificant that it cannot reasonably be regarded as likely to influence a person in considering, discussing or in voting on, any question with respect to the matter, or in performing any function in relation to that matter.

(4) Where a question arises as to whether or not a course of conduct, if pursued by a person, would be a failure by him or her to comply with the requirements of *subsection (1)*, the question shall be determined by the Commission or, where there is only one Commissioner, in the case of that Commissioner, by the Minister.

(5) Where a disclosure is made to the Commission, particulars of the disclosure shall be recorded in the minutes of any meeting concerned.

(6) Where a person, other than a Commissioner, referred to in this section fails to make a disclosure in accordance with this section, the Commission shall decide the appropriate action (including removal from office or termination of contract) to be taken.

(7) Where a Commissioner fails to make a disclosure in accordance with this section, the Minister shall decide the appropriate action (including removal from office) to be taken.

23.—(1) The Minister may, with the consent of the Minister for Finance, make a scheme or schemes for—

- (a) the granting of superannuation benefits to or in respect of a Commissioner ceasing to hold office, or
- (b) the making of contributions to a pension scheme approved of by the Minister with the consent of the Minister for Finance which has been entered into by a Commissioner.

(2) The Minister may, with the consent of the Minister for Finance, make a scheme amending or revoking a scheme under *subsection (1)*, including a scheme amended under this subsection.

(3) If any dispute arises as to the claim of a Commissioner to, or the amount of, any superannuation benefit payable in pursuance of a scheme under *subsection (1)*, such dispute shall be submitted to the Minister who shall refer it to the Minister for Finance for determination by him or her.

(4) A scheme under *subsection (1)* shall be carried out by the Minister in accordance with its terms.

(5) No superannuation benefit shall be granted by the Minister to or in respect of any Commissioner ceasing to hold office otherwise than—

(a) in accordance with a scheme under *subsection (1)*, or

(b) as may be approved of by the Minister with the consent of the Minister for Finance under *subsection (1)*.

(6) (a) A scheme under *subsection (1)* shall be laid before each House of the Oireachtas by the Minister as soon as may be after it is made.

(b) Either House of the Oireachtas may, by resolution passed within 21 sitting days after the day on which the scheme was laid before it in accordance with *paragraph (a)*, annul the scheme.

(c) The annulment of a scheme under *subsection (1)* takes effect immediately on the passing of the resolution concerned but does not affect anything that was done under the scheme before the passing of the resolution.

24.—(1) The Commission may prepare and submit to the Minister a scheme or schemes or make such other arrangements with the approval of the Minister, given with the consent of the Minister for Finance, for the granting of superannuation benefits to or in respect of such members of the staff of the Commission as it may think fit.

(2) Every scheme under *subsection (1)* shall fix the time and conditions of retirement for all persons to or in respect of whom superannuation benefits are payable under the scheme, and different times and conditions may be fixed in respect of different classes of persons.

(3) Every scheme submitted by the Commission to the Minister under *subsection (1)* may, with the consent of the Minister for Finance, be amended or revoked by a subsequent scheme prepared, submitted and approved under *subsection (1)*.

(4) A scheme under *subsection (1)* shall, if approved by the Minister with the consent of the Minister for Finance, be carried out by the Commission in accordance with its terms.

(5) No superannuation benefit shall be granted by the Commission nor shall any other arrangements be entered into by the Commission for the provision of such a benefit to or in respect of a member of the staff of the Commission otherwise than—

(a) in accordance with a scheme under *subsection (1)*, or

(b) as may be approved of by the Minister with the consent of the Minister for Finance.

(6) If any dispute arises as to the claim of any person to, or the amount of, any superannuation benefit payable in pursuance of a scheme under *subsection (1)*, such dispute shall be submitted to the Minister who shall refer it to the Minister for Finance, whose decision shall be final.

(7) As soon as may be after the establishment day, ~~the Commission may establish a fund~~ administered by trustees who shall be appointed by the Commission, from which superannuation benefits payable, in respect of a member of the staff of the Commission ceasing to hold office, under a scheme under *subsection (1)* shall be paid.

(8) (a) A scheme under *subsection (1)* shall be laid before each House of the Oireachtas by the Minister for Finance as soon as may be after it is made.

(b) Either House of the Oireachtas may, by resolution passed within 21 sitting days after the day on which the scheme was laid before it in accordance with *paragraph (a)*, annul the scheme.

(c) The annulment of a scheme under *subsection (1)* takes effect immediately on the passing of the resolution concerned but does not affect anything that was done under the scheme before the passing of the resolution.

(9) Moneys required to be paid by the Minister for Finance under this section shall be advanced out of the Central Fund or the growing produce thereof.

25.—(1) The chairperson of the Commission or, where there is no chairperson, the Commissioner, shall, whenever required by a Committee of Dail Eireann established under the Standing Orders of Dail Eireann to examine and report to Dail Eireann on the appropriation accounts and reports of the Comptroller and Auditor General, give evidence to that Committee on—

(a) the regularity and propriety of the transactions recorded or required to be recorded in any book or other record of account subject to audit by the Comptroller and Auditor General which the Commission is required by or under statute to prepare,

(b) the economy and efficiency of the Commission in the use of its resources,

(c) the systems, procedures and practices employed by the Commission for the purpose of evaluating the effectiveness of its operations, and

(d) any matter affecting the Commission referred to in a special report of the Comptroller and Auditor General under section 11(2) of the Comptroller and Auditor General (Amendment) Act 1993 or in any other report of the Comptroller and Auditor General (in so far as it relates to a matter specified in paragraph (a), (b) or (c)) that is laid before Dail Eireann.

(2) From time to time, and whenever so requested, the Commission shall account for the performance of its functions to a Committee of one or both Houses of the Oireachtas.

26.—(1) The Minister may, from time to time, with the consent of the Minister for Finance, advance to the Commission out of moneys provided by the Oireachtas such sums as the Minister may determine for the purposes of expenditure by the Commission in the performance of its functions.

(2) The sums to be advanced under *subsection (1)* shall be expended solely for the purpose and exercise of the functions conferred on the Commission by this Act or in specified circumstances that are the subject of a Ministerial direction.

27.—The Commission may, for the purpose of the performance of its functions, borrow money but shall not do so without the consent of the Minister and the Minister for Finance.

28.—(1) The Commission shall draw up and adopt a strategy statement reflecting its statutory functions.

(2) A strategy statement shall—

(a) be adopted within 1 year of the establishment day and every 5 years thereafter,

(b) take into account the principal function and objectives set out in *section 9* and any Ministerial direction, and

(c) comprise the key objectives, outputs and related strategies, including use of resources, of the Commission.

(3) The Commission shall present a copy of a strategy statement to the Minister and to such committees of either or both Houses of the Oireachtas as the Minister may, from time to time, direct.

(4) Prior to the adoption of a strategy statement and its presentation to the Minister, the Commission shall undertake a public consultation process on a draft of the strategy statement.

(5) The Commission shall publish a strategy statement drawn up and adopted under this section.

29.—(1) In accordance with good accounting practice, the Commission shall keep, in such form as may be approved by the Minister, with the consent of the Minister for Finance, all proper and usual accounts of all moneys received or expended by it including an income and expenditure account and balance sheet.

(2) (a) Within 3 months of the end of each financial year, the Commission shall submit accounts kept under *subsection (1)* in respect of that financial year to the Comptroller and Auditor General for audit.

(b) Within 42 days of the accounts being audited by the Comptroller and Auditor General, they shall, together with the report of the Comptroller and Auditor General on those accounts, be presented by the Commission to the Minister.

(c) The Minister shall cause copies of the accounts and report referred to in *paragraph (b)* to be laid before each House of the Oireachtas within 3 months of being presented them.

(3) The Commission shall, when presenting the report referred to in *subsection (2)(b)* to the Minister, present a report to the Minister in relation to—

(a) the performance of its functions, including decisions taken following the receipt of advice from the Council, in the previous financial year, and

(b) its proposed work programme for the following year, with reference to progress on the strategy statement.

(4) The financial year of the Commission shall be the period of 12 months ending on 31 December in any year, and for the purposes of this section the period commencing on the establishment day and ending on the following 31 December shall be deemed to be a financial year.

(5) The Commission shall supply the Minister with such information relating to the performance of its functions as the Minister shall from time to time request.

30.—(1) The Commission shall keep itself informed of the policies, objectives, resolutions and guidelines of any public authority the functions of which have, or may have, a bearing on the matters with which the Commission is concerned.

(2) In this section “public authority” means the Minister, the Commission of the European Communities and any other public authority inside or outside the State which, in the opinion of the Commission, has functions that have, or may have, a bearing on matters with which the Commission is concerned.

31.—Subject to [section 21](#), the Commission may publish any reports or codes of practice on matters related to its functions.

32.—The Commission may, for the purposes of providing premises necessary for the performance of its functions purchase, lease, equip and maintain offices and premises with the consent of the Minister and the Minister for Finance.

PART 3

Small Public Service Vehicle Regulation

33.—This Part comes into operation on such day or days as the Minister may appoint by order either generally or with reference to any particular purpose or provision and different days may be so appointed for different purposes or different provisions.

34.—(1) The Commission may make regulations in relation to the licensing, ownership, control and operation of small public service vehicles and dispatch operators, the licensing and control of small public service vehicle drivers and small public service vehicle licence holders, and the standards to be applied to such vehicles and their drivers.

(2) Regulations under this section may, in particular and without prejudice to the generality of subsection (1) make provision in relation to—

- (a) licences in respect of small public service vehicles,
- (b) the categories of small public service vehicles in respect of which licences may be granted,
- (c) licences in respect of the drivers of small public service vehicles and the categories of small public service vehicles they may drive for hire,
- (d) the persons (including the Commission) who may grant licences,
- (e) applications for or matters relating to licences including the following—
 - (i) the terms or conditions relating to the grant of a licence,
 - (ii) the manner and form of an application for the grant of a licence,
 - (iii) the fees to be paid in respect of the grant of a licence or badges or plates or signs relating to a licence,
 - (iv) the format and content of a licence,
 - (v) the inspection and certification of a vehicle that is the subject of an application for or renewal of a licence,
 - (vi) the age of a vehicle that is the subject of an application for a licence,
 - (vii) the insurance of a vehicle that is the subject of an application for a licence,
 - (viii) the period of validity of a licence,
 - (ix) the revocation and suspension of a licence,
 - (ee) the standards to apply to the service provided by dispatch operators,
- (f) the operation of a small public service vehicle, including any or all of the following matters—
 - (i) the vehicle standards to be complied with, including standards in relation to the entry to and accommodation in the vehicle for people with a disability, including wheelchair users or persons with mobility and sensory difficulties,
 - (ii) the size of a vehicle including the passenger carrying and luggage carrying capacity of the vehicle,
 - (iii) the identification, including the internal and external signage or colour of a vehicle,
 - (iv) advertising in or on the vehicle,
 - (v) the conditions or restrictions, if any, to be applied to the transfer of a licence to another person or to another vehicle,
 - (vi) the conditions subject to which the vehicle may be operated as a small public service vehicle,
 - (vii) the use of taximeters, machines for issuing receipts and other apparatus,
 - (viii) the keeping of records in relation to the operation of the vehicle as a small public service vehicle,
 - (ix) the information that must be displayed, and the manner of such display, in relation to the licence granted in respect of the vehicle, including where appropriate the approved maximum fare structure applying to the vehicle,
 - (x) the insurance of the vehicle,
 - (xi) the display, and manner of such display, of information necessary for the assistance of a passenger, including information relating to the requirements established for the conduct of drivers of small public service vehicles and requirements established for the conduct of hirers and other passengers,
 - (xii) requirements relating to the fitting or non-fitting of equipment in the vehicle and the operation of such equipment,

(g) the inspection of small public service vehicles,

(h) powers of authorised persons in addition to those under [section 49](#).

(3) In making regulations under this section, the Commission may establish requirements and conditions for the purpose of the assessment of applicants for the grant of licences, including requirements and conditions in respect of—

(a) the fitness of a person to hold a licence having regard to an assessment carried out by the Garda Commissioner or on behalf of the Commission,

(b) requirements relating to the knowledge of the geography, routes, place names and other matters relevant to the provision of service by a small public service vehicle in an area in respect of which a person makes application for the grant of a licence,

(c) the knowledge of and ability to meet the needs of people with disabilities including mobility and sensory difficulties to a standard determined by the Commission in consultation with the National Disability Authority,

(d) knowledge of and ability to meet the needs of consumers,

(e) knowledge of the regulations, standards and requirements relating to the licensing, driving and operation of small public service vehicles, and the general law relating to road traffic,

(f) the health of the applicant.

(4) The Commission may, for the purpose of assessing applications for the grant of a licence, authorise or approve persons for the purpose of determining that a person who wishes to apply for the grant of a licence complies with or has reached an acceptable level of competence in respect of each or any of the standards established under this section.

(5) Any regulation made under this section relating to the licensing of drivers of small public service vehicles shall be made only after consultation with the Garda Commissioner and the Council.

(6) The Commission may, after consultation with the Garda Commissioner and the Council make regulations for the purpose of specifying conditions and requirements for drivers of small public service vehicles in respect of any or all of the following—

(a) the identification of drivers including internal and external vehicle signage, badges or any other means that may be specified,

(b) the dress code of drivers,

(c) availability for work and scheduling of persons as drivers.

(7) In making regulations under this section, the Commission may set different and separate requirements and conditions in relation to the licensing of drivers of different categories of small public service vehicle.

(8) The Commission, in making regulations under this section, may set different requirements and conditions in relation to—

(a) the licensing and operation of different categories of small public service vehicles and their drivers,

(b) for different circumstances, and

(c) for different areas.

(9) In making a regulation under this section the Commission may amend or revoke any regulation made under [section 82](#) of the [Act of 1961](#) in so far as it relates to small public service vehicles and their drivers.

(10) A person who fails to comply with or contravenes a regulation under this section is guilty of an offence.

(11) In this Part, 'dispatch operator' means a person engaged in the activity of taking a booking of a small public service vehicle that is operated by another person and arranging with the operator or driver of the vehicle to provide the service booked.

35.—(1) Whenever a licensing authority proposes to refuse to grant a licence or proposes to suspend or revoke a licence, it shall notify in writing the applicant or the holder, as the case may be, of the proposal and the reasons for the refusal, suspension or revocation and shall, if any representations are made by or on behalf of the applicant within 14 days after the date of the notification, consider the representations.

(2) Whenever the licensing authority having considered the representations (if any) that may have been made by or on behalf of the applicant, decides, as the case may be, to refuse to grant the licence or revoke or suspend the licence, the licensing authority shall notify in writing the applicant of its decision and of the appeal procedure under *subsection (3)*.

(3) Where an applicant for a licence has been notified under *subsection (2)* of the decision of the licensing authority, as the case may be, to refuse to grant the licence or to revoke or suspend the licence, the applicant may, within 14 days after the date of the notification, appeal to the District Court against the refusal.

(4) Where the decision under *subsection (2)* is to suspend or revoke a licence and the holder of the licence has made an appeal under *subsection (3)* against the decision, the decision stands suspended until the appeal has been determined or withdrawn.

(5) An appeal under *subsection (3)* shall be to the judge of the District Court within whose jurisdiction the applicant or the holder ordinarily carries on or proposes to carry on the business of providing small public service vehicle services.

(6) On the hearing of an appeal under *subsection (3)* in relation to the decision of the licensing authority under *subsection (2)*, the Court may either confirm the decision or allow the appeal. If the appeal is allowed in relation to a decision to refuse to grant a licence the licensing authority shall, upon notification to it by the Court, grant the licence.

(7) The decision of the District Court on an appeal under *subsection (3)* is final except by leave of the Court, an appeal on a specified point of law lies to the High Court.

(8) On the commencement of this section any appeals procedure established under any regulations made under section 82 of the Act of 1961 in relation to the refusal of an application for a licence or revoking or suspending a licence is replaced by this section.

36.—(1) Where a person being the applicant for or the holder of a licence is convicted of any of the following offences, namely—

- (a) murder,
- (b) manslaughter,
- (c) an offence—

- (i) under the Non-Fatal Offences against the Person Act 1997 (other than section 2 or 3), or
- (ii) on—

- (I) conviction on indictment, under section 2 or 3 of that Act, or
- (II) summary conviction, under section 2 or 3 of that Act where the individual assaulted was at the time of the offence or at a material time before it a fare paying passenger in a small public service vehicle being driven by the person, other than where the individual assaulted contributed, in the opinion of the Commission, in a material way to the assault or is convicted of an offence under either of those sections for assaulting the person,

- (d) a sexual offence (within the meaning of section 3 of the Sex Offenders Act 2001),
- (e) a drug trafficking offence (within the meaning of section 3 of the Criminal Justice Act 1994),
- (f) an offence relating to money laundering under Part IV of the Criminal Justice Act 1994,
- (g) an offence under the Criminal Justice (Theft and Fraud Offences) Act 2001,

- (h) an offence under section 2 of the Illegal Immigrants (Trafficking) Act 2000, or
- (i) an offence under the Firearms and Offensive Weapons Acts 1925 to 1990,

The person –

(i) in the case of being convicted summarily, where a penalty other than a term of imprisonment (that the person serves in whole or in part) is imposed by the Court, is disqualified for holding a licence for a period of 12 months and, accordingly, where the person is the holder of a licence, the licence stands suspended for that period,

(ii) in any other case, subject to subsection (2), is disqualified for holding a licence and, accordingly, where the person is the holder of a licence, the licence stands revoked

(1A) A disqualification, revocation or suspension under subsection (1) takes effect upon—

- (a) the expiration of the ordinary time for bringing an appeal against the conviction concerned, and
- (b) in the event of an appeal—

- (i) where the conviction is confirmed, its confirmation, or
- (ii) its withdrawal.”,

(2) Subject to subsection (3), after the period of—

(a) 2 years in the case of being convicted summarily, where a term of imprisonment (which is served in a whole or in part) is imposed by the Court, with or without a fine,

(b) 5 years in the case of being convicted on indictment, where a fine or a term of imprisonment of less than 10 years or both is imposed by the Court, or

(c) 10 years in the case of being convicted on indictment, where a term of imprisonment of 10 or more years is imposed by the Court with or without a fine, from conviction of an offence referred to in subsection (1), the person so convicted may apply—

(i) where the offence has been tried—

- (I) summarily, to the judge of the District Court in whose district, or
- (II) on indictment in the Circuit Court, to the judge of the Circuit Court in whose circuit, the person intends to provide small public service vehicle services, or

(ii) where the offence has been tried on indictment in the High Court, to a judge of the High Court, to be allowed to apply for a licence, where the court having regard to the person’s conduct since conviction and his or her suitability to hold a licence considers it appropriate.

(2A) (a) A person intending to make an application to the Court under subsection (2) shall give 21 days notice in writing of that intention to the Superintendent of the Garda Síochána for the district in which the person ordinarily resides and, where the person is the holder of a licence, to the licensing authority which granted the licence.

(b) At the hearing of the application under subsection (2)—

- (i) the Superintendent of the Garda Síochána,
- (ii) where the person making the application is the holder of a licence, the licensing authority which granted the licence, and
- (iii) any other person whom the Court considers relevant or affected by the application, may appear and shall be entitled to be heard and to adduce evidence to the Court, and any such evidence may be considered by the Court when it is considering an application by a person under subsection (2).

(c) The Court shall cause notice of its decision on an application under subsection (2) to

be given to the Superintendent of the Garda Stochana for the district in which the applicant ordinarily resides and to the licensing authority concerned, as appropriate.

(d) The decision of the Court on an application under subsection (2) is final, save that, by leave of the Court, an appeal from the decision lies—

- (i) in the case of a decision of the District or Circuit Court, to the High Court, or
- (ii) in the case of a decision of the High Court, to the Supreme Court, on a specified question of law.’’

(3) Notwithstanding [section 33](#), where a person has been convicted of an offence referred to in *subsection (1)* before the commencement of that subsection, and the relevant period referred to in *subsection (2)* for making an application under *subsection (2)* has elapsed before the commencement of *subsections (1) and (2)*, he or she may make an application under *subsection (2)* before the commencement of that subsection.

(3A) Subsection (1) applies to a person who has been convicted of an offence referred to in that subsection before the commencement of that subsection other than a person who is or has been convicted summarily where a term of imprisonment is not or has not been imposed on the person in respect of an offence committed before the commencement.

(4) A person shall not make an application under *subsection (2)* where he or she is serving a term of imprisonment.

(5) Where a person being the applicant for or the holder of a licence to drive a small public service vehicle is convicted, after the commencement of this subsection, of any of the following offences under the [Act of 1961](#), namely—

- (a) on conviction on indictment, dangerous driving under [section 53](#),
- (b) driving a vehicle while under the influence of an intoxicant under [section 49](#) (inserted by [section 10](#) of the [Act of 1994](#)), or
- (c) being in charge of a vehicle while under the influence of an intoxicant under [section 50](#) (inserted by [section 11](#) of the [Act of 1994](#)), the person is disqualified for holding a licence to drive a small public service vehicle for the period of any disqualification for holding a driving licence resulting from conviction for the offence under the Act of 1961 and—

- (i) in the case of a conviction mentioned in *paragraph (a)*, the period of 5 years, or
- (ii) in the case of a conviction mentioned in *paragraph (b) or (c)*, the period of 2 years, following the end of the first-mentioned period, and, accordingly, where the person is the holder of a licence to drive a small public service vehicle, the licence stands revoked.

(6) A person who is disqualified under this section for holding a licence and who—

- (a) carries or attempts to carry a passenger for reward or stands or plys for hire in a small public service vehicle, or
- (b) operates or controls any business or activity relating to the provision of small public service vehicle services, is guilty of an offence.

37.—(1) A licence shall not be granted by a licensing authority unless the applicant produces to the licensing authority, a tax clearance certificate issued under [section 1095](#) (inserted by [section 127](#) of the [Finance Act 2002](#)) of the [Taxes Consolidation Act 1997](#).

(2) The Commission may, with the consent of the Minister for Finance, make regulations for the purpose of specifying particular conditions or requirements for applicants for licences in relation to taxation obligations.

38.—(1) The Commission shall establish and maintain a register or a number of registers (“register of licences”) relating to licences granted under this Part.

(2) A register of licences may be maintained in a form that is not legible if it is capable of being converted into permanent legible form.

(3) A register shall contain the following details in relation to licences and their holders—

- (a) the name and address of the holder,
- (b) any change of address of the holder,
- (c) the licence number,
- (d) where the licence is granted in respect of a vehicle, the unique identification mark (registration number) of the said vehicle,
- (e) the driver number of the holder of a licence, that is to say the number of the driving licence granted to the holder,
- (f) the category of small public service vehicle in respect of which a licence has been granted,
- (g) the date of the grant of a licence,
- (h) the area of application in respect of which the licence has been granted, where appropriate,
- (i) details of any transfer of ownership of a licence or of the continuance in force of a licence in respect of a different vehicle,
- (j) details of any suspension applying to a licence, including the period of the suspension, a reference to the reason for the suspension and particulars of all removals of such suspensions,
- (k) details of the revocation of a licence and the reasons for the revocation.

(4) (a) Pending the establishment of registers under this section, registers currently held by local authorities and the Garda Síochána under regulations made under section 82 of the Act of 1961 shall continue and shall be regarded as registers for the purpose of this section.

(b) The Commission shall arrange for the transfer of information from the registers held by the Garda Síochána and local authorities referred to at *paragraph (a)*, to the registers to be established under this section in consultation with them.

(5) Information contained in a register of licences shall, subject to a determination by the Commission in consultation with the Garda Commissioner, that certain information relating to a person referred to in the register should remain confidential, be available for inspection at all reasonable times.

(6) The Commission shall, on payment of a fee (other than where a request is made by the Garda Commissioner or by the Courts Service) as determined by the Commission, issue a certificate relating to information contained in a reference in a register of licences relating to a licence granted under regulations made under section 34 or regulations made under section 82 of the Act of 1961, including the name and address of the person who holds the licence or the vehicle in respect of which the licence was granted.

(7) The establishment and maintenance of a register of licences shall be funded from income derived from fees accruing to the Commission under this Act.

39.—(1) The Commission may, subject to any Ministerial directions, make regulations in relation to the conduct, general behaviour, deportment and the duties of drivers of small public service vehicles.

(2) Without prejudice to the generality of *subsection (1)*, the Commission may make regulations for the purpose of setting requirements in respect of any or all of the following matters—

- (a) the operation of any equipment fitted in a small public service vehicle for the purpose of facilitating a hire,
- (b) the treatment of and conduct towards passengers or intending passengers,
- (c) the acceptance of a hire,
- (d) compliance with the stated requirements of the person who has hired the vehicle, where such requirements are reasonable,
- (e) the recording of agreed fares prior to the commencement of a hire,

- (f) the display, on the driver of or in the small public service vehicle or both, of information relating to the licence in respect of a small public service vehicle held by the driver of the vehicle,
- (g) the issue of receipts,
- (h) the determination of and adherence with the shortest route between the commencement and completion of a hire,
- (i) the facilitation of the needs of any person with mobility, sensory or other difficulties in the provision and reception of a hire.

(3) Different requirements may be created under this section—

- (a) in respect of different categories of small public service vehicles,
- (b) for different circumstances, and
- (c) for different areas or different taximeter areas.

(4) A driver of a small public service vehicle who fails to comply with or contravenes a regulation made under this section is guilty of an offence.

(5) The driver of a small public service vehicle in respect of which a fare has been agreed in advance of the commencement of the hire, who charges or seeks to charge a fare that is greater than the agreed fare is guilty of an offence.

40.—(1) A passenger or intending passenger in a small public service vehicle shall comply with any reasonable request made to him or her by a driver of a small public service vehicle.

(2) A passenger or intending passenger in a small public service vehicle shall not—

- (a) deliberately remove, displace, deface or alter any instrument, sign or notice in the vehicle,
- (b) spit in or on or deliberately soil any part of the vehicle,
- (c) deliberately leave any syringe (within the meaning of the Non-Fatal Offences against the Person Act 1997) or sharp instrument in any part of the vehicle,
- (d) carry into such vehicle an animal (other than a guide dog in the company of a visually impaired passenger or, subject to any requirements of regulations under section 34, a domestic animal in need of urgent veterinary attention) save with the express permission of the driver, which permission may be withdrawn at any time.

(3) A person, or where prior arrangements in relation to payment have been made with another party, that party, who has hired a small public service vehicle shall pay the fare **that has been** agreed in advance for the hire or, where the maximum fare for the hire is the subject of a maximum fares order, the fare determined in accordance with that order.

(4) A passenger or an intending passenger of a small public service vehicle who contravenes *subsection (2)* is guilty of an offence.

(5) A person who hires a small public service vehicle and who, without reasonable excuse, does not comply with *subsection (3)* is guilty of an offence.

41.—(1) The Commission may—

- (a) declare any area to be a taximeter area in which a taxi may operate for the carriage of a passenger for reward within the area, and
- (b) extend or otherwise alter the boundary of a taximeter area.

(2) Before making a declaration under *subsection (1)*, the Commission shall—

- (a) consult with the Council, the Garda Commissioner and the local authority in whose functional area the taximeter area is located,
- (b) publish a notice in one or more newspapers circulating in the area to be declared to be a taximeter area or where an existing taximeter area is to be extended or otherwise altered—

(i) indicating that it is proposed to make such a declaration, and

(ii) stating that representations in relation to the proposed declaration may be made in writing to the Commission within a period of one month from the publication of the notice,

(c) consider any observations made by the Council or the Garda Commissioner or a local authority under *paragraph (a)* and any representations made subsequent to the publication of the notice referred to in *paragraph (b)*.

(3) An area declared before the commencement of this section to be a taximeter area under article 7(1) of the Regulations of 1995, or regarded to be a taximeter area under article 7(3) of the Regulations of 1995, is deemed to be a taximeter area for the purpose of this section and may be extended or altered by the Commission in accordance with this section.

(4) A licensing authority (within the meaning of the Regulations of 1995) shall not, upon the commencement of this section, declare, extend or alter a taximeter area under the Regulations of 1995.

42.—(1) The Commission may make an order (“maximum fares order”) fixing the maximum fares in respect of any taximeter area that may be charged by the driver of a **small public service vehicle**.

(2) In this section—

“shared hire” means a hire which is engaged jointly by more than one person at the same time, not necessarily terminating at the same location, from an appointed stand which has been designated for shared hire purposes by a local authority;

“single hire” means a hire which is engaged by one person on that person's sole behalf or on behalf of that person and additional persons.

(3) Different maximum fares may be fixed under this section—

- (a) in respect of hires engaged on a single hire basis and on a shared hire basis,
- (b) for different circumstances or times, and
- (c) for different taximeter areas.

(4) Before fixing maximum fares under this section the Commission shall—

(a) consult with—

- (i) any local authority within whose functional area the taximeter area exists,
- (ii) the Council,
- (iii) the Legal Metrology Service,

(b) publish a notice in one or more newspapers circulating in the taximeter area—

- (i) indicating that it is proposed to exercise the function, and
- (ii) stating that representations in relation to the proposal may be made in writing to the Commission before a specified date (which shall be not less than one month after the publication of the notice), and

(c) consider any observations made by the Council, the Legal Metrology Service, any local authority consulted under *paragraph (a)* and any representations made pursuant to *paragraph (b)*.

(5) Where maximum fares are fixed under this section by the Commission, details of the fares fixed shall be published by the Commission in one or more newspapers circulating in the taximeter areas in respect of which the maximum fares have been fixed.

(6) The Commission may amend or revoke a maximum fares order.

(7) An officer of the Commission may issue a certificate that on a specified day specified fares were the maximum fares fixed for a taxi in respect of a particular taximeter area.

(8) A certificate purporting to be issued under *subsection (7)* that on a specified day a specified fare was the maximum fare fixed for a taxi in a particular taximeter area shall, without proof of the signature of the person purporting to sign it or that he or she was the proper person to issue it, be evidence until the contrary is shown of the matters certified in the certificate.

(9) Any maximum fares fixed for particular taximeter areas in accordance with article 27 of the Regulations of 1995 and in force immediately before the commencement of this section shall, after such commencement, continue in force as if fixed under this section and may be amended or revoked accordingly.

(10) Section 84 (inserted by section 15(1) of the Act of 2002) of the Act of 1961 is amended by inserting after subsection (1)(d) the following:

“(dd) designating appointed stands for the purpose of shared hire,”.

(11) The driver of a small public service vehicle who charges or attempts to charge a fare for a hire, in respect of a journey in a taximeter area to which a maximum fares order applies, that is greater than the maximum fare that may be calculated in accordance with the order is guilty of an offence.

43.—(1) A person shall not drive or use a mechanically propelled vehicle in a public place (within the meaning of the Act of 1961) for the carriage of persons for reward unless the person holds a licence to drive a small public service vehicle and there is a small public service vehicle licence in force in respect of the vehicle.

(2) A person who contravenes this section is guilty of an offence.

(3) In this section—

“small public service vehicle licence” means a licence, in respect of a small public service vehicle, granted under regulations made under section 34 of this Act or section 82 of the Act of 1961;

“use” includes the stopping, parking of a mechanically propelled vehicle or the vehicle standing for hire at an appointed stand.

44.—(1) A person guilty of an offence under section 42(11) or 43 is liable on summary conviction—

- (a) other than for an offence referred to in paragraph (b), to a fine not exceeding 5,000, and
- (b) in the case of a third or subsequent offence which is the third or subsequent offence in any period of 12 consecutive months, to a fine not exceeding 5,000 or to imprisonment for a term not exceeding 3 months or to both.

(2) A person guilty of an offence under section 34(10), 39(4) or (5), 40(4) or (5), 48(5) or 49(6) is liable on summary conviction to a fine not exceeding 2,000.

(3) Where the holder of a small public service vehicle driver’s licence is convicted of an offence under this Part or section 82 of the Act of 1961 which in the opinion of the Court makes the holder unfit to hold the licence, the Court may revoke or suspend, for such period as it sees fit, the licence.

(4) Where a licence is suspended or revoked under subsection (3) and the person who held the licence carries or attempts to carry a person for reward or stands or plys for hire in a small public service vehicle, he or she is guilty of an offence and is liable on summary conviction to a fine not exceeding 5,000 or to imprisonment for a term not exceeding 3 months or to both.

(5) A person guilty of an offence under section 36(6) is liable—

- (a) on summary conviction, to a fine not exceeding 5,000 or to imprisonment for a term not exceeding 6 months or to both, or
- (b) on conviction on indictment, to a fine not exceeding 50,000 or to imprisonment for a term not exceeding 3 years or to both.

45.—Proceedings for an offence under this Part, or under section 82(6) of the Act of 1961 in respect of small public service vehicles, may be brought and prosecuted summarily by—

- (a) the Commission,
- (b) an authorised person (including a member of the Garda Síochána),
- (c) a licensing authority and where a licensing authority is a local authority, by the local authority in whose functional area the offence was committed.

46.—(1) Where an authorised person has reasonable grounds for believing that a person is committing or has committed a contravention of—

(a) regulations made by the Commission under section 34 or section 39 or
(b) regulations made under section 82 of the Act of 1961 in relation to small public service vehicles, declared by the Commission by regulations to be a fixed charge offence, he or she may serve personally or by post on the person a notice in the prescribed form stating that—

(i) the person is alleged to have committed the offence,
(ii) the person may during the period of 28 days beginning on the date of the notice make to the Commission at the address specified in the notice a payment of the prescribed amount accompanied by the notice, and
(iii) a prosecution in respect of the alleged offence will not be instituted during the period specified in the notice and, if the payment specified in the notice is made during that period, no prosecution in respect of the alleged offence will be instituted.

(2) Where notice is given under *subsection (1)*—

(a) the person to whom the notice applies may, during the period specified in the notice, make to the Commission at the address specified in the notice the payment specified in the notice accompanied by the notice;

(b) the Commission may receive the payment, issue a receipt for it and retain the money so paid, and any payment so received shall not be recoverable in any circumstances by the person who made it;

(c) a prosecution in respect of the alleged offence shall not be instituted during the period specified in the notice, and if the payment so specified is made during the period, no prosecution in respect of the alleged offence shall be instituted.

(3) In a prosecution for an offence under section 34(10) or under section 82(6) of the Act of 1961 the onus of proving that a payment pursuant to a notice under this section has been made lies on the defendant.

(4) Regulations under *subsection (1)* prescribing an amount for a fixed charge offence may prescribe different fixed charge amounts in relation to different contraventions and to such contraventions involving different categories of small public service vehicle and to such contraventions committed in different areas.

(5) [Section 46\(5\) deleted by Road Traffic Act 2007.](#)

(6) The Commission may make regulations for prescribing any matter referred to in this section as prescribed or to be prescribed.

(7) Income generated by the payment of prescribed fixed charge amounts under this section shall be disposed of in a manner determined by the Commission with the agreement of the Minister and the Minister for Finance.

(8) In this section—

“contravention” in relation to regulations, means a contravention of or a failure to comply with the regulations;

“prescribed” means prescribed by regulations made by the Commission.

47.—(1) The Commission may draw up and issue guidelines to a licensing authority which is not the Commission in relation to the licensing and operation of small public service vehicles and their drivers. A licensing authority shall have due regard to any guidelines issued.

(2) Guidelines drawn up by the Minister under section 84(10) (inserted by section 15 of the Act of 2002) of the Act of 1961 are deemed to be guidelines drawn up and issued by the Commission under this section.

(3) Section 84 (inserted by section 15 of the Act of 2002) of the Act of 1961 is amended in subsection (10) by substituting “The Commission for Taxi Regulation” for “The Minister”.

48.—(1) The Commission may establish or provide for the establishment of schemes for the recognition of quality service (“quality service certification”) by persons or commercial concerns that provide services for the support of the operation of small public service vehicles.

(2) The Commission shall determine both the content and design of a notice containing details of the award of a quality service certification, and provisions in relation to the display of the said notice by a person or commercial concern determined to be a quality service provider.

(3) In determining, or arranging for the certification of, requirements and performance criteria for quality service under this section, the Commission shall consult with—

- (a) the Council,
- (b) the Garda Commissioner,
- (c) any other body that the Commission considers may be of assistance in formulating such requirements and performance criteria.

(4) Certification as a quality service provider under this section may be awarded or removed by the Commission having regard to performance indicators over specified periods of time.

(5) A person or a commercial concern who claims to have been awarded certification as a quality service provider under this section or who displays a notice as such notwithstanding where no such certification has been awarded to the person under this section is guilty of an offence.

(6) In this section “quality service” means a service that meets specified requirements and performance criteria determined by the Commission or by another person on behalf of the Commission.

49.—(1) The Commission may, after consultation with the Garda Commissioner, appoint in writing such and so many persons as it may determine to perform the functions conferred on authorised persons under this Part.

(2) The Commission may revoke an appointment under *subsection (1)*.

(3) The number of authorised persons standing appointed under *subsection (1)* and their remuneration and other conditions of service shall be such as may be determined by the Commission with the consent of the Minister and the Minister for Finance.

(4) A person appointed as an authorised person under *subsection (1)*, shall, on his or her appointment, be furnished by the Commission with a warrant of his or her appointment and when exercising a power conferred on an authorised person under this Part shall, if requested by any person affected, produce the warrant to the person for inspection.

(5) For the purposes of ensuring that the holders of licences are complying with any regulations or requirements made under this Part with respect to licences granted under this Part or section 82 of the Act of 1961, an authorised person may—

(a) at any reasonable time, enter the premises or place where any activity connected with the provision of small public service vehicle services takes place, and search and inspect the premises and any licences or documents found there,

(b) in the presence of a member of the Garda Síochána in uniform, stop and search any small public service vehicle and any licence or documents found in the vehicle,

(c) secure for future inspection any premises, place or vehicles in which licences or documents relating to the provision of small public service vehicle services are kept or there are reasonable grounds for believing that such are kept,

(d) require a person in charge of the premises or the driver of the vehicle to produce any licence or documents relating to the provision of such services which are in the person's power and control and to give the authorised person such information as he or she may reasonably require for the purpose of enforcing this Part,

(e) inspect and take extracts from or make copies of such licences or documents including in the case of information in a non-legible form, an extract from or copy of such information in permanent legible form),

(f) remove and retain such licences or documents for such reasonable period for future inspection,

(g) take photographs or make any record or visual recording of any activity on the premises or place or of the vehicle.

(6) A person who—

(a) obstructs or impedes an authorised person exercising a function of an authorised person under this section or a regulation made under *section 34* or under *section 82* of the *Act of 1961*,

(b) fails to comply with a requirement of an authorised person under this section or such regulations, or

(c) gives information to an authorised person which he or she knows to be false or misleading, is guilty of an offence.

(7) In this Part "authorised person" means a person appointed by the Commission to be an authorised person for the purposes of this Part, or a member of the Garda Síochána.

50.—(1) The fees set by the Commission under this Part in respect of the licensing of small public service vehicles and the drivers of small public service vehicles, the award of quality service certification and the issue of certificates relating to registers of licences shall, subject to this section, accrue to the Commission.

(2) Income from fees received by the Commission shall be applied for the purpose of—

(a) meeting the expenses properly incurred by the Commission in the discharge of its functions under this Act, and

(b) where appropriate, to support the funding or part funding of the development or provision of infrastructure referred to in *section 11*.

(3) Where licensing authorities, other than the Commission, are engaged in the licensing of small public service vehicles or the drivers of small public service vehicles on behalf of the Commission, the Commission, with the agreement of the Minister and the Minister for Finance shall determine a percentage of the fee income generated by the licensing authority that shall be retained by it.

(4) Income generated by the payments referred to in *subsection (1)* that is surplus to the income necessary to meet the demands established in *subsection (2)*, shall be disposed of in a manner determined by the Commission with the agreement of the Minister and the Minister for Finance.

51.—(1) The Commission shall set up a procedure to consider complaints from members of the public and users and intending users of small public service vehicles in respect of—

(a) the condition and cleanliness,

(b) the conduct and behaviour of a driver,

(c) overcharging or other matters relating to fares charged by a driver for the hire, and

(d) matters relating to the hiring, of a small public service vehicle.

(2) The procedure set up under *subsection (1)* shall, as far as practicable, be user-friendly and accessible. The Commission shall publish details of the procedure.

52.—(1) *Section 82* of the *Act of 1961* is amended by substituting for *subsection (1)* the following:

“(1) The Minister may make regulations in relation to the control and operation of large public service vehicles.”.

(2) Regulations made by the Minister under section 82 of the Act of 1961 in relation to the control and operation of small public service vehicles which are in force immediately before the commencement of this section shall continue in force and may be amended or revoked by the Commission.

(3) The Minister may make regulations in respect of matters relating to the transition from regulations made under section 82 of the Act of 1961 to regulations under this Act (including the revocation or amendment of regulations made under section 82 of the Act of 1961).

PART 4

Advisory Council to Commission for Taxi Regulation

53.—The Minister shall by order appoint a day to be the appointed day for the purposes of this Part.

54.—(1) There stands established, on the appointed day, a body to be known as the Advisory Council to the Commission for Taxi Regulation or in the Irish language, An Chomhairle don Choimisiun um Rialail Tacsaithe and in this Act referred to as the ‘‘Council’’, to perform the functions assigned to it under this Part.

(2) The Council shall consist of a chairperson and 17 ordinary members.

(3) (a) The Minister shall appoint a person to be the chairperson of the Council who, in the opinion of the Minister, has appropriate experience and expertise and is sufficiently independent from small public service vehicle operations and the Commission.

(b) An appointment under *paragraph (a)* shall be for such period not exceeding 3 years as may be specified by the Minister when appointing the person and shall be on such terms and conditions as may be determined by the Minister, with the consent of the Minister for Finance.

(c) The chairperson shall chair the meetings of the Council.

(d) In the event of the chairperson being unable to attend a meeting of the Council, the members who are present shall choose one of their number to chair the meeting.

(e) In the event of the office of chairperson being vacant, the Minister shall designate one of the members of the Council to chair its meetings until a chairperson is appointed.

(4) In addition to the chairperson appointed under *subsection (3)*, members of the Council shall comprise:

(a) at least 4 persons representing small public service vehicle and driver interests;

(b) at least one person representing local authorities;

(c) at least one person representing the Garda Stochana;

(d) at least 2 persons who in the opinion of the Minister represent the interests of consumers;

(e) at least one person from an organisation representing the interests of persons with disabilities;

(f) at least one person who in the opinion of the Minister represents the interests of business;

(g) at least one person who in the opinion of the Minister represents the interests of tourism; and

(h) at least 4 other persons, who, in the opinion of the Minister, have a special interest or expertise in matters relating to the functions of the Commission, the Council or matters related thereto.

(5) An organisation or person may, at its own initiative or at the request of the Minister, nominate a person to be a member of the Council and the Minister in making an appointment under *subsection(6)*, shall have regard, in so far as is practicable, to any nominations received by him or her under this subsection.

(6) The Minister shall appoint persons to be ordinary members of the Council in accordance with *subsection (4)*. An appointment under this subsection shall be for such period not exceeding 3 years as may be specified by the Minister when appointing persons and shall be on such terms and conditions as may be determined by the Minister, with the consent of the Minister for Finance.

(7) The chairperson and ordinary members of the Council may be paid, out of monies at the disposal of the Commission, such allowances for expenses as the Minister, with the consent of the Minister for Finance, may determine.

(8) A person whose term of office expires by the effluxion of time shall be eligible for re-appointment.

(9) In appointing the chairperson and ordinary members of the Council, the Minister shall insofar as is practicable ensure—

(a) an equitable gender balance between men and women, and

(b) both urban and rural representation, in the composition of the Council.

(10) An officer of the Minister who is an established civil servant for the purposes of the Civil Service Regulation Act 1956 and a Commissioner or a member of the staff of the Commission may attend and be heard at meetings of the Council but shall not be eligible to vote on any issue.

(11) The Commission shall provide all reasonable facilities and services as may be required by the Council for the carrying out of its functions.

(12) The Council may act notwithstanding a vacancy or vacancies in its membership.

(13) The Council may regulate, by standing orders or otherwise, its procedure and business.

(14) The Minister shall fix the date, time and place of the first meeting of the Council and the members of the Council shall decide on the frequency of all further meetings, subject to the Council meeting at least once each year.

(15) The chairperson or ordinary members of the Council may resign from office by letter addressed to the Minister.

(16) The Minister may remove from office the chairperson or an ordinary member of the Council in the following circumstances:

- (a) where, in the opinion of the Minister, he or she has become incapable through ill-health of effectively performing his or her duties,
- (b) for stated misbehaviour,
- (c) in the case of a person appointed to represent an organisation or interest under *subsection (4)*, where the person is no longer such a representative, or
- (d) where his or her removal appears to the Minister to be necessary or desirable for the effective performance by the Council of its functions.

(17) The Minister may, after consultation with the Council, make regulations on any matter which the Minister considers expedient for the purposes of this section.

55.—(1) It shall be the duty generally of the Council to advise the Commission or the Minister, as appropriate, in relation to issues relevant to small public service vehicles and their drivers.

(2) Without prejudice to the generality of *subsection (1)*, the Council may provide advice from time to time—

(a) to the Commission in relation to—

- (i) proposals for regulations, standards, codes of practice in relation to small public service vehicles and their drivers submitted by the Commission to the Council for advice,
- (ii) matters relating to the delivery of quality services by small public service vehicles and their drivers,
- (iii) the preparation and review of the Commission strategy statement, and
- (iv) any other matters related to the functions of the Commission or which the Commission submits to the Council for advice, other than matters related to decisions of the Commission in individual cases,

(b) to the Minister in relation to—

- (i) policy relevant to small public service vehicles and their drivers,
- (ii) proposals for legislation or regulations in relation to small public service vehicles and their drivers submitted by the Minister to the Council for advice,
- (iii) the assignment of specific functions relating to small public service vehicles and their drivers to the Commission, and
- (iv) any other matter which, in the opinion of the Council, is relevant to the effective performance by the Council or by the Commission of its functions or which the Minister submits to the Council for advice.

(3) The Commission or the Minister, as appropriate, may consider the advice of the Council given under this section but shall not be bound to act on it.

(4) The Commission may consult with or seek the advice of the Council on any matter relating to small public service vehicles and their drivers or to the effective performance by the Commission of its functions.

(5) The Minister may consult with or seek the advice of the Council on any matter arising in relation to his or her functions with respect to small public service vehicles and their drivers.

(6) Where the advice of the Council is sought by the Commission or the Minister under this Act, neither body shall be required to await the receipt of such advice of the Council before exercising its functions under this Act, once a reasonable period to facilitate the giving of such advice has elapsed.

(7) The Council shall be entitled to be informed at its meetings about the work of the Commission provided that disclosure of such information shall not be in breach of *section 21*.

(8) (a) The chairperson or ordinary members of the Council shall not disclose confidential information obtained by him or her as a member of the Council.

(b) In this subsection ‘‘confidential information’’ includes information that is expressed by the Commission or the Minister to be confidential either as regards particular information or as regards information of a particular class or description.

(9) A person who fails to comply with *subsection (8)* is guilty of an offence and is liable on summary conviction to a fine not exceeding \3,000.

(10) Proceedings for an offence under *subsection (9)* may be brought and prosecuted summarily by the Commission.

PART 5

Amendment of Road Traffic Act 2002

56.—Section 23 of the Act of 2002 is amended in the Table thereto by substituting in column (3)—

(a) at reference number 24, “\1,500” for “\800”, and

(b) at reference number 25, “\800” for “\1,500”.

57.—The chapeau to the columns of Part 1 of the First Schedule to the Act of 2002 is amended by inserting “or may” after “required to” and the chapeau, as so amended, is set out in the Table to this section.

TAXI REGULATION ACT 2003

EXPLANATORY MEMORANDUM

[*This memorandum is not part of the Act and does not purport to be a legal interpretation.*]

General

The principal purposes of this Act can be summarised as follows—

- to provide for the establishment of the Commission for Taxi Regulation;
- to provide for a new code for the regulation of small public service vehicles and their drivers with a particular emphasis on the establishment of a qualitative and consumer orientated licensing system;
- to realise the establishment of the Advisory Council to the Commission for Taxi Regulation which will advise both the Commission and the Minister for Transport in relation to issues relevant to small public service vehicles and their drivers.

Section 1 is a standard provision regarding the short title of the Act.

Section 2 sets out definitions of various terms which are referred to in the Act.

Particular attention is drawn to the following:

- “Commission” is defined to mean the Commission for Taxi Regulation;
- “Council” means the Advisory Council to the Commission;
- “grant” in relation to a licence, includes the renewal, transfer or continuance in force of the licence;
- “licence” means a licence in respect of a small public service vehicle or a licence to drive a small public service vehicle granted, as the case may be, under *section 34* of this Act or *section 82* of the Road Traffic Act 1961;
- “the Minister” means the Minister for Transport.

Section 3 contains standard provisions relating to orders and regulations made under the Act by the Minister or the Commission, including the requirement of laying such orders and regulations before each House of the Oireachtas.

Section 4 provides that where the Minister incurs expenses under the Act, they may be paid out of monies provided by the Oireachtas, as sanctioned by the Minister for Finance.

Section 5 empowers the Minister to make an order appointing the day to be the establishment day of the Commission for Taxi Regulation.

Section 6 provides for the establishment of the Commission for Taxi Regulation, that the Commission will be a body corporate and will have all the powers necessary for the performance of its functions under the Act.

Section 7 provides for the seal of the Commission, the authentication of the seal and that judicial notice shall be taken of it.

Section 8 establishes that the Commission will be independent in the exercise of its functions.

Section 9 establishes both the principal function and the objectives of the Commission.

Subsection (1) presents the Commission’s principal function as being the development and maintenance of a regulatory framework for the control and operation of small public service vehicles and their drivers.

Subsection (2) outlines the objectives of the Commission. A particular emphasis is placed on the promotion and maintenance of a quality service by small public service vehicles and their drivers, that is professional, safe and has a strong customer orientation.

Subsection (3) provides that the functions of the Commission may be exercised by its staff or persons authorised by the Commission.

Section 10 provides that the Minister can give policy directions to the Commission in relation to small public service vehicles and their drivers, which the Commission must comply with. *Subsection (3)* provides that notice of the giving of a direction under the section and details of it must be laid before each House of the Oireachtas and be published in *Iris Oifigiúil*.

Section 11 allows the Commission to use income generated by receipts from fees under the Act to provide financial assistance to local authorities to support the development or provision of infrastructure to facilitate and support the operation of small public service vehicles. A scheme prepared by the Commission for the purposes of this section will be prepared in consultation with the Advisory Council and with the consent of the Minister.

Section 12 permits the Commission to engage a statutory body to provide services to support the performance of the Commission functions.

Section 13 provides that the Commission shall consist of at least one and not more than 3 members, each to be known as a Commissioner for Taxi Regulation. *Subsection (3)* provides specifically that the Commission can regulate its own procedures.

Section 14 provides for the appointment and terms of office of the Commissioners.

Subsection (1) provides that the Minister is responsible for the appointment of each Commissioner subject to terms and conditions, including remuneration, fixed by the Minister with the consent of the Minister for Finance.

Subsection (2) provides that all Commissioners must be selected by open recruitment competition held by the Civil Service and Local Appointments Commission on behalf of the Commission.

Subsection (3) establishes that the period of appointment for a Commissioner will be not less than 3 years and not more than 5 years.

Subsection (4) relates to the appointment by the Minister of a chairperson of the Commission, where there is more than 1 Commissioner, and *subsection (5)* provides that the chairperson will have a casting vote where it is necessary. *Subsections (6) and (7)* provide for the re-appointment for a second term of Commissioners and that the maximum period that a Commissioner can serve will be 10 years.

Subsections (8) and (9) provide that where the chairperson is not available, another Commissioner can be appointed by the Minister as an acting chairperson and that the Commission can perform its functions even when there is a vacancy in its membership.

Section 15 provides that where there is only one Commissioner, he or she may appoint a member of the Commission staff to be a deputy commissioner to assume and carry out the functions of the Commission in certain circumstances.

Section 16 provides for the resignation of or the removal of a Commissioner by the Minister.

Subsection (2) establishes the parameters that must apply in the case of a decision to remove a Commissioner.

Subsection (3) provides that the Minister must give a statement of reasons for the removal of a Commissioner and the statement must be laid before the Houses of the Oireachtas. *Subsection (4)* clarifies that where the chairperson of the Commission ceases to be a Commissioner he or she will also cease to be chairperson of the Commission.

Section 17 establishes that where a Commissioner is nominated or elected to public office in the Dail, Seanad, European Parliament or a local authority, he or she will be deemed to have vacated his or her office with the Commission. *Subsections (4) and (5)* also provide that a Commissioner cannot take up other paid employment or take up a consultancy or employment within a year of leaving the Commission that would have a direct relevance to the duties he or she exercised as a Commissioner.

Section 18 provides that the Commission may, subject to the consent of the Ministers for Transport and Finance, determine the number, grading, remuneration and other conditions of service of its staff and appoint persons to be members of its staff.

Subsection (2) clarifies the position of staff of the Commission with previous service in the Civil Service or Local Government service and provides for the reckonability of such previous service.

Section 19 allows the Commission to engage consultants or advisers for the purpose of assisting it in the discharge of its functions.

Section 20 clarifies the position relating to the staff of the Commission with regard to membership of the Oireachtas, the European Parliament and local authorities.

Subsection (1) provides that on being nominated or elected or on becoming a member of any of those institutions, an employee of the Commission will be seconded from the Commission to that institution for the period involved and will not be paid by or be entitled to receive remuneration or allowances from the Commission for that

period.

Subsection (2) provides that a person who is entitled to sit in either House of the Oireachtas or who is a member of the European Parliament is disqualified from becoming a member of the staff of the Commission.

Subsection (3) provides that a period of secondment referred to in *subsection (1)*, shall not be reckoned as service with the Commission for superannuation purposes.

Section 21 places an obligation on Commissioners, staff, advisers, consultants, authorised persons and agents of the Commission not to disclose confidential information obtained by them while performing their duties.

Subsection (2) defines “confidential information” for the purposes of this section.

Subsection (3) provides that a person who contravenes *subsection (1)* is guilty of an offence and is liable on summary conviction to a fine not exceeding \3,000 and *subsection (5)* provides that the Commission can prosecute such an offence.

Subsection (4) clarifies the position in relation to the disclosure of information in a report made to the Commission or by or on behalf of the Commission to the Minister, while *subsection (6)* amends the Freedom of Information Act 1997 by inserting the reference to this Act into the Third Schedule for the purpose of setting aside the secrecy provisions of this section for the purposes of FOI.

Section 22 establishes requirements for Commissioners, the staff of the Commission, advisers, consultants or any other person engaged by the Commission to disclose any interests that may be of relevance to the functions of the Commission.

Subsection (2) clarifies that a beneficial interest for the purposes of this section includes a small public service vehicle licence or a licence to drive a small public service vehicle.

Section 23 provides for the establishment of a superannuation scheme for Commissioners with the consent of the Minister for Finance.

Section 24 provides for the establishment of a superannuation scheme for the staff of the Commission with the approval of the Minister and the consent of the Minister for Finance.

Section 25 provides that the chairperson of the Commission or the Commissioner will be required to give evidence before the Dail Public Accounts Committee and specifically any other Committee of one or both Houses of the Oireachtas whenever required or requested to do so.

Section 26 allows the Minister, with the consent of the Minister for Finance, to advance money to the Commission out of moneys provided for by the Oireachtas.

Section 27 enables the Commission, with the consent of the Minister and the Minister for Finance, to borrow money for the purpose of carrying out its functions.

Section 28 requires the Commission to draw up and adopt a Statement of Strategy within 1 year of its establishment and every 5 years thereafter. The draft statement must be subject to a public consultation process. The statement must be presented to the Minister and any Committee of the Houses of the Oireachtas as the Minister directs and must also be published.

Section 29 provides for the keeping of accounts by the Commission, the auditing of these accounts by the Comptroller and Auditor General and for their laying before each House of the Oireachtas, together with the report of the Comptroller and Auditor General.

The section also provides for the presentation of an annual report of the Commission to the Minister.

Section 30 obligates the Commission to keep abreast of policies, objectives, resolutions and guidelines which may emerge from the Minister, the European Commission and any other public authority inside or outside the State which may have a bearing on any matter with which the Commission is concerned.

Section 31 allows the Commission to publish any report or code of practice on matters relating to its functions.

Section 32 empowers the Commission to purchase, lease, equip and maintain offices and premises for the purposes of discharging its functions, subject to the consent of the Minister and the Minister for Finance.

Section 33 provides that the Minister may make orders bringing the provisions of *Part 3* of the Act into operation. This Part provides for the regulation of small public service vehicles.

Section 34 provides a new legislative basis for the regulation of the licensing, ownership, control and operation of small public service vehicles and their drivers. It will replace section 82 of the Road Traffic Act 1961 and empowers the Commission to make regulations that will provide a replacement to the current Public Service Vehicle Regulations

Subsection (1) empowers the Commission to make regulations relating to the licensing, ownership, control and operation of small public service vehicles and the licensing and control of the drivers of such vehicles. The subsection also establishes a benchmark to the overall focus of the new licensing regime which will relate primarily to qualitative standards.

Subsection (2) provides for the regulation of a broad range of matters such as:

- the categorisation of small public service vehicles and their drivers;
- the determination of the appropriate authorities for the purpose of granting licences;
- requirements for the consideration and grant of licences;
- standards for the operation of licensed vehicles;
- the inspection of vehicles both for the purpose of the grant of licences and the ongoing operation of the licensed vehicles;
- the determination of powers for authorised persons (see *section 49*) in connection with regulations made under this section.

Subsection (3) provides that the Commission can establish requirements and conditions for licence applicants in respect of a number of areas focused on the delivery of good quality services to consumers.

Subsection (4) allows the Commission to authorise or approve persons for the purpose of making determinations as to the competence of a licence applicant in respect of any of the areas in respect of which standards are applied.

Subsections (5) and (6) relate specifically to the licensing of the drivers of small public service vehicles. The former provides that the Commissioner of the Garda Síochána and the Advisory Council must be consulted in respect of any regulation made that relates to drivers.

Subsection (6) provides for the regulation of additional issues over those provided for in *subsections (2) and (3)* in relation to drivers, following consultation with the Garda Commissioner and the Advisory Council.

Subsections (7) to (9) relate generally to the making of regulations and provide in particular that different requirements and conditions can be applied to different categories of vehicle and driver licences.

Subsection (10) provides that a person who fails to comply with or contravenes a regulation under this section, will be guilty of an offence.

Section 35 provides that any decision made to refuse to grant, suspend or revoke a licence can be reviewed at the request of the applicant or licence holder and that where the decision is upheld, an appeal can be made to the District Court.

Section 36 introduces a system of automatic disqualification from applying for or holding a licence for those who have been convicted of one of a range of very serious offences. The section includes provisions through which a person who is affected by this provision can

request the courts to allow them to apply for a licence in certain restricted circumstances.

In addition, where a person has committed one of a number of serious traffic offences he or she will be disqualified for holding a licence to drive a small public service vehicle for a period additional to any driving disqualification that is applied.

Section 37 provides that all decisions to grant licences under this Act will be subject to the production by the applicant of a tax clearance certificate.

Section 38 provides that the Commission can establish and maintain a register or registers of licences which will include data held by other licensing authorities.

Section 39 empowers the Commission to make regulations in relation to the conduct, general behaviour, deportment and the duties of drivers of small public service vehicles.

Subsection (2) sets out a range of matters in respect of which the Commission may set requirements through regulations including requirements relating to the general behaviour and deportment of the drivers of small public service vehicles while driving or otherwise using such vehicles. A driver who does not comply with such requirements will be guilty of an offence.

Section 40 establishes obligations and rules that apply to any person who is either a passenger or an intending passenger or a hirer of a small public service vehicle. The obligations include reference to general or criminal behaviour and to the payment of fares.

Section 41 provides that the Commission can declare an area to be a taximeter area and alter or extend existing taximeter areas following consultation with the Garda Commissioner, the Advisory Council and the relevant local authority.

Section 42 provides that the Commission may make orders fixing the maximum fares for taxis operating in any taximeter area following a consultation process including public advertisement. Fares can be fixed for either shared or single hires.

Section 43 provides that a person shall not drive or use a mechanically propelled vehicle in a public place for the carriage of persons for reward unless both the vehicle and its driver is licensed under this Act.

Section 44 establishes a range of penalties to be applied on conviction for offences under this Act. Generally maximum penalties of up to \5,000 or \2,000 can be applied depending on the seriousness of the offence. However an offence of being engaged in any activity relating to the operation of small public service vehicle services when disqualified under *section 36* could on conviction on indictment, attract a fine of up to \50,000 and/or 3 years in jail.

Section 45 provides that offences under this Part of the Act or under section 82(6) of the Road Traffic Act 1961 can be prosecuted summarily by the Commission, a member of the Gardai, another authorised person or another licensing authority.

Section 46 empowers the Commission to make regulations, with the consent of the Minister, for the purpose of applying fixed charges to offences under the Act or under section 82 of the Road Traffic Act 1961. The payment of a fixed charge will mean that a prosecution will not be taken.

Section 47 provides that the Commission may draw up guidelines for other licensing authorities in relation to the licensing and operation of small public service vehicles and their drivers.

Section 48 empowers the Commission to establish a quality service certification scheme to be applied to services that support small public service vehicle operations.

Section 49 provides that authorised persons may be appointed by the Commission. Members of the Gardai will be automatically regarded as authorised persons. Authorised persons will perform the enforcement functions necessary to support the regulations and other controls applied under this Act.

Section 50 provides for matters relating to the accrual, use and disposal of fee income received by the Commission.

Subsection (3) provides that where another body is carrying out licensing functions on behalf of the Commission, a percentage of the fees received as a result of that body's involvement can be retained by it. The determination of that percentage will be subject to agreement with the Minister and the Minister for Finance.

Subsection (4) provides that where there is excess income available to the Commission each year, having provided for the necessary funding provided for in this section, its disposal will be provided for in agreement with the Minister and the Minister for Finance.

Section 51 provides for the establishment by the Commission of a complaints procedure for members of the public, users and intending users of small public service vehicles.

Section 52 provides that section 82 of the Road Traffic Act 1961 will continue to apply to the licensing and operation of large public service vehicles only. The section also provides for the continuance in force of regulations made under section 82 in relation to small public service vehicles and empowers the Commission to amend or revoke such regulations with the consent of the Minister.

Section 53 provides that the Minister may make an order appointing a day on which the Advisory Council to the Commission for Taxi Regulation will be established.

Section 54 provides for the establishment of the Advisory Council, for its membership and related matters. The Minister will appoint the Council, chairperson and ordinary members. Members may be nominated from a range of disciplines or interest groupings referred to in *subsection (4)*.

Section 55 provides that the general duty of the Council will be to advise the Commission or the Minister in relation to issues relevant to small public service vehicles and their drivers. The range of matters in respect of which the Council may provide advice from time to time to either the Commission or to the Minister is set out in *subsection (2)*.

Section 56 provides for an amendment to the Table to section 23 of the Road Traffic Act 2002 to make a correction to the maximum fine that may be imposed in respect of two offences under section 106 of the Road Traffic Act 1961.

Section 57 promotes a minor amendment to the wording of the chapeau to Part 1 of the First Schedule to the Road Traffic Act 2002 and for the sake of clarity it restates the full chapeau.

S.I. 157 OF 2004

ROAD TRAFFIC (PUBLIC SERVICE VEHICLES) (AMENDMENT) REGULATIONS 2004

I, Séamus Brennan, Minister for Transport, in exercise of the powers conferred on me by section 5 and section 82 (as amended by section 57 of the Road Traffic Act 1968 (No. 25 of 1968)) of the Road Traffic Act 1961 (No. 24 of 1961) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)), hereby make the following regulations:

1. These Regulations may be cited as the Road Traffic (Public Service Vehicles) (Amendment) Regulations 2004.
2. The Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995 (S.I. No. 136 of 1995) are amended -
 - (a) in Article 28, by substituting for sub-article (4) the following:

"(4) 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 are rendered illegible or partly illegible.", And
 - (b) in paragraph 3 of the Eight Schedule -
 - (i) by substituting for subparagraph (b) the following:

"(b) The central sections on each face of the sign shall display the word 'TAXI' or, in the Irish language, 'TACSAÍ' in yellow letters on a dark blue background of low light transmittance. No letter shall be more than 90 millimetres high or more than 16 millimetres in stroke width.", and
 - (ii) by substituting for subparagraph (c)(iii) the following:

"(iii) to the left or right hand side of the licence number, the words 'licence number' or, in the Irish language, 'uimhir cheadúnais'."

GIVEN under my Official Seal, 19 April 2004.

L.S. SÉAMUS BRENNAN
Minister for Transport.

EXPLANATORY NOTE

(This note is not part of the Instrument and does not purport to be a legal interpretation).
These regulations amend the existing regulatory requirements in relation to taxi signs to provide for the use of both an Irish and English version of the taxi sign.

SI 260 OF 2004

TAXI REGULATION ACT 2003 (SECTION 37(1)(COMMENCEMENT) ORDER 2004

TAXI REGULATION ACT 2003 (SECTION 37(1)) (COMMENCEMENT) ORDER 2004

I, SÉAMUS BRENNAN, Minister for Transport, in exercise of the powers conferred on me by section 33 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby order as follows:

1. This Order may be cited as the Taxi Regulation Act 2003 (Section 37(1)) (Commencement) Order 2004.
2. The 2nd day of August 2004 is appointed as the day on which section 37(1) of the Taxi Regulation Act 2003 (No. 25 of 2003) comes into operation.

GIVEN under my Official Seal, 1 June 2004.

SÉAMUS BRENNAN,
Minister for Transport.

EXPLANATORY NOTE.

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

This order appoints 2 August 2004 as the day on which section 37(1) of the Taxi Regulation Act 2003 (No. 25 of 2003) shall come into operation. This section requires the production of a tax clearance certificate to the licensing authority by an applicant for the grant or renewal of a small public service vehicle drivers or vehicle licence.

SI 402 OF 2004

ROAD TRAFFIC (REMOVAL OF EXEMPTION FROM WEARING SEAT BELTS BY TAXI DRIVERS) REGULATIONS 2004

I, SÉAMUS BRENNAN, Minister for Transport, in exercise of the powers conferred on me by section 11 of the Road Traffic Act, 1961 (No. 24 of 1961) and the National Roads and Road Traffic (Transfer of Departmental Administration and Ministerial Functions) Order 2002 (S.I. No. 298 of 2002) (as adapted by the Public Enterprise (Alteration of Name of Department and Title of Minister) Order 2002 (S.I. No. 305 of 2002)), hereby make the following regulations:

1. (1) These Regulations may be cited as the Road Traffic (Removal of Exemption from Wearing Seat Belts by Taxi Drivers) Regulations 2004.
- (2) These Regulations come into operation on 1 July 2004.
2. Article 8 (1) of the Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) (No. 3) Regulations 1991 (S.I. No. 359 of 1991) is amended by deleting paragraph (g).

GIVEN under my Official Seal, 22 May 2004.

SÉAMUS BRENNAN,
Minister for Transport.

EXPLANATORY NOTE.

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

These Regulations remove, with effect from 1 July 2004, the exemption whereby the driver of a taxi, hackney or limousine is not required to wear a seat belt while driving such a vehicle.

SI 523 OF 2004

TAXI REGULATION ACT 2003 (PART 2) (ESTABLISHMENT DAY) ORDER 2004

I, SÉAMUS BRENNAN, Minister for Transport, in exercise of the powers conferred on me by section 5 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby order as follows:

1. This Order may be cited as the Taxi Regulation Act 2003 (Part 2) (Establishment Day) Order 2004.
2. The 1st day of September 2004 is appointed as the establishment day for the purposes of Part 2 of the Taxi Regulation Act 2003 (No. 25 of 2003).

GIVEN under my Official Seal, 30 August, 2004.

SÉAMUS BRENNAN,
Minister for Transport.

EXPLANATORY NOTE.

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

This Order appoints 1 September 2004 as the establishment day for the purposes of Part 2 of the Taxi Regulation Act 2003 (No. 25 of 2003). The Commission for Taxi Regulation is established on that date.

S.I. No. 610 OF 2005

TAXI REGULATION ACT 2003 (PART 3) (COMMENCEMENT) ORDER 2005

The Minister for Transport, Mr. Martin Cullen, T.D., has made the above order.

This order provides the 26 September, 2005, shall be the commencement date for the remaining sections of Part 3 (other than sections 35, 36 and 44(5)) of the Taxi Regulation Act 2003.

S.I. NO. 710 OF 2007

TAXI REGULATION ACT 2003 (AMENDMENT AND LICENSING) REGULATIONS 2007

The Commission for Taxi Regulation, in exercise of the powers conferred on it by sections 34 and 39 of the Taxi Regulation Act 2003 (No. 25 of 2003) hereby makes the following regulations:

Citation.

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007.

Definitions and Interpretation.

2. (1) In these Regulations –

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

“booking fee” means a fee that may be charged in respect of a taxi or wheelchair accessible taxi service that had been booked in advanced by the consumer;

“Commission” means the Commission for Taxi Regulation;

“current maximum fare” means the maximum fare most recently fixed by the Commission by order under section 42 of the Taxi Regulation Act 2003 (No. 25 of 2003);

“dispatch operator” means a person engaged in the activity of taking a booking of a small public service vehicle that is owned or driven by another person (other than an employee of the first person) and arranging with that small public service vehicle driver to provide the service booked;

“registered medical practitioner” means a person registered in the General Register of Medical Practitioners established under the Medical Practitioners Acts 1978 to 2000;

“Regulations of 1995” means the Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995 (S.I. No. 136 of 1995);

“Regulations of 1999” means the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1999 (S.I. No. 316 of 1999);

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

“Regulations of 2001” means the Road Traffic (Public Service Vehicles) (Amendment) Regulations 2001 (S.I. No. 38 of 2001);

“Regulations of 2007” means the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) Regulations 2007 (S.I. No. 280 of 2007);

(2) References to “licensing authority” in the Road Traffic (Small Public Service Vehicles) Regulations 1963 to 2002 shall be deemed to mean the Commission for Taxi Regulation;

(3) References to “taximeter area” in the Road Traffic (Small Public Service Vehicles) Regulations 1963 to 2002 shall be deemed to mean the national taximeter area, as declared by the Commission for Taxi Regulation under section 41 of the Taxi Regulation Act 2003 with effect from 25 September 2006, and references to Dublin, Cork, Galway, Donegal or other taximeter areas shall be read accordingly;

(4) The terms defined by the Road Traffic Act, 1961 and by the Road Traffic (Public Service Vehicles) Regulations 1963 to 2002 shall have the same meanings in these Regulations that are assigned to them by that Act and those

statutory instruments.

Licensing Authority

3. A reference to a licensing authority in regulations made under section 82 of the Act of 1961 is to be read as including a reference to the Commission.

Fees.

4. (1) The fees specified in the Fourth Schedule (inserted by Regulation 7 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 2001 (S.I. No. 534 of 2001)) to the Regulations of 1995 continue to be the fees to be paid in respect of the grant of a licence.

(2) Where, in the case of a transfer of a licence from one vehicle to another, the licence is transferred back to the original vehicle within eight weeks of the date of transfer, the licence holder may apply to the Commission for a refund in the sum of 50 per cent of the fee specified in the Fourth Schedule to the Regulations of 1995, as paid by the licence holder.

Commission to grant licences.

5. The Commission may grant licences.

One Licence; One Vehicle.

6. (1) A small public service vehicle licence shall be granted or, from the date of renewal, renewed only in relation to a vehicle in respect of which no other small public service vehicle licence is in force.

(2) The holder of a licence in respect of a small public service vehicle shall not, on renewal of his or her licence, operate or purport to operate more than one small public service vehicle licence in respect of a single vehicle.

(3) The holder of a licence in respect of a small public service vehicle shall not, on renewal of his or her licence, operate or purport to operate a small public service vehicle licence in relation to a vehicle in respect of which another small public service vehicle licence is in force.

(4) On change of ownership of a small public service vehicle, the small public service vehicle licence lapses and the holder of that licence has until the date of expiry of the licence concerned within which to transfer the licence to another vehicle.

Tamper-proof disc.

7. (1) Subject to paragraph (5), a small public service vehicle licence shall not be granted or renewed unless a tamper-proof licence disc issued by the Commission is affixed in a prominent position, as determined by the Commission, to the front and rear windows of the vehicle.

(2) A person shall not, without the prior consent of the Commission, remove or attempt to remove a tamper-proof licence disc referred to in paragraph (1).

(3) A driver shall not operate or purport to operate a small public service vehicle licence in relation to a vehicle to which a tamper-proof disc has not been affixed in accordance with paragraph (1).

(4) Notwithstanding paragraph (2), on change of ownership of a small public service vehicle, the holder of the small public service vehicle licence in respect of that vehicle shall remove the tamper-proof licence disc referred to in Regulation 3 and confirm in writing to the Commission for Taxi Regulation that this disc has been so removed

(5) In respect of vehicles that are in excess of 30 years old, the Commission may, at its discretion, waive the requirement in paragraph (1) to display a tamper-proof licence disc on the rear window

In-vehicle information.

8. (1) The driver of a small public service vehicle shall display in the small public service vehicle the relevant in-vehicle information provided by the Commission, in the manner determined by the Commission.

(2) The information referred to in paragraph (1) includes:

- (a) the rights and obligations of consumers relevant to the class of small public service vehicle concerned;

- (b) in taxis and wheelchair accessible taxis, details of the current maximum fare;
- (c) the small public service vehicle licence number;
- (d) such other information as may be determined by the Commission.

(3) The holder of a small public service vehicle licence or the driver of a small public service vehicle shall not, without the prior consent of the Commission, remove or attempt to remove the in-vehicle information referred to in paragraph (1).

Obligation not to unreasonably refuse fares of 30 kilometres or under.

9. The driver of a taxi or a wheelchair accessible taxi who is plying for hire or standing for hire shall not unreasonably refuse to carry a passenger where that passenger's proposed journey is not more than 30 kilometres in distance from the commencement of the journey.

Taximeter - Fares.

10. (1) The driver of a taxi or a wheelchair accessible taxi shall not operate or purport to operate a vehicle as a taxi or wheelchair accessible taxi unless the taximeter fitted to the vehicle in respect of which he or she holds a small public service vehicle licence is properly calibrated in accordance with the current maximum fare.

(2) When a maximum fares order is made by the Commission, the holder of a taxi or wheelchair accessible taxi licence shall have his or her taximeter calibrated in accordance with the current maximum fare within a period of 21 days from the date on which the maximum fares order comes into operation.

(3) The driver of a taxi or a wheelchair accessible taxi shall not, while such vehicle is standing for hire or plying for hire, cause the taximeter in the vehicle to commence operating.

(4) Subject to paragraph (5), the driver of a taxi or wheelchair accessible taxi shall operate the taximeter for so long as the vehicle is on hire.

(5) In circumstances other than where the taxi or wheelchair accessible taxi is standing for hire or plying for hire, where there is a prior written agreement between the driver or operator and the consumer confirming –

- (a) the charge for a pre-booked service, and
- (b) that the consumer waives his or her right to have the fare calculated on the taximeter, the fare may be calculated other than by means of the taximeter.

Taximeter – Technical Specifications.

11. (1) The driver of a taxi or wheelchair accessible taxi licence shall not operate or purport a vehicle as a taxi or wheelchair accessible taxi unless there is fitted to the vehicle a taximeter complying with these Regulations.

(2) A taximeter fitted to a taxi or wheelchair accessible taxi shall –

- (a) be securely attached to the vehicle so that the taximeter cannot be detached or be caused to become inaccurate by vibration of the engine or by the motion of the vehicle,
- (b) be in such position on the vehicle as to enable a passenger inside the vehicle easily to 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) be fitted with a device capable of printing automatically a receipt showing the fare charged for a hire, and
- (e) be in good order, repair and condition and subject to the terms of the Metrology Act 1996 (No. 27 of 1996) have affixed the mark or marks signifying conformity with that Act.

Booking Fee.

12. A driver or operator of a taxi or wheelchair accessible taxi may not charge a booking fee where 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.

Appointed Stands.

13. (1) The driver of a taxi or wheelchair accessible taxi shall not allow the vehicle to stand at an appointed stand unless the vehicle concerned is available for hire.

(2) The driver of a taxi or wheelchair accessible taxi shall not stand for hire at a place other than an appointed stand.

Prohibition on hackneys or limousines plying for hire or standing for hire.

14. The driver of a hackney or limousine shall not ply for hire or stand for hire.

Guide dogs.

15. (1) Notwithstanding Regulation 54(6) of the Road Traffic (Public Service Vehicles) Regulations 1963 (S.I. No. 191 of 1963) and 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 furnished to the Commission, in advance of the refusal, a written statement from a registered medical practitioner certifying that the driver concerned is medically unfit to carry a dog in his or her vehicle.

Taxi or wheelchair accessible taxi receipts.

16. (1) Where a taxi or wheelchair accessible taxi is engaged in a hire in respect of which a maximum fare has been fixed by the Commission, the driver shall provide a receipt in accordance with paragraph (2).

(2) A receipt to which paragraph (1) refers shall display the following minimum information:

- (a) the full fare (including all extras which shall be indicated separately) chargeable for the hire,
- (b) the date, starting time and finishing time of the hire,
- (c) the total distance travelled in kilometres,
- (d) the licence number of the taxi or wheelchair accessible taxi,
- (e) the unique identification mark (registration number) of the vehicle,
- (f) the receipt number (in sequential order),
- (g) a space at the foot of the receipt headed "Tips/Discounts/Tolls", and
- (h) such other relevant information as may be determined by the Commission.

Hackney or limousine receipts.

17. (1) The driver of a hackney or limousine shall provide to the passenger a receipt, as determined by the Commission, at the end of his or her journey.

(2) In respect of a hackney, the receipt referred to in paragraph (1) shall include:

- (a) the receipt number;
- (b) the small public service vehicle licence number;
- (c) the unique identification mark (registration number) of the vehicle;
- (d) the date;
- (e) the distance travelled in kilometres;
- (f) the amount charged.

(3) In respect of a limousine, the receipt referred to in paragraph (1) shall include:

- (a) the receipt number;
- (b) the small public service vehicle licence number,
- (c) the unique identification mark (registration number) of the vehicle;
- (d) the date;
- (e) the amount charged.

Local Knowledge.

18. A taxi or wheelchair accessible taxi may stand for hire or ply for hire only in the county in respect of which the driver of the vehicle concerned has demonstrated a satisfactory knowledge of the local area, as determined by the Commission.

Passenger.

19. A passenger in a small public service vehicle shall not consume food or drink in that vehicle without the prior express consent of the driver.

Insurance Certificate.

20. A certificate of insurance in respect of a small public service vehicle shall be in such form as may be determined by the Commission.

Roof Sign.

21. (1) On the granting of a taxi licence or wheelchair accessible taxi licence or, where a new licence number is issued, within 28 days of the date of issue of that number, the licence-holder shall, while such vehicle is being operated as a taxi or wheelchair accessible taxi, display on the roof of the vehicle a sign (in these Regulations referred to as a taxi sign) which shall comply with the requirements set out in the Schedule to these Regulations.

Regulation 21(2) revoked by Regulation 29(d) of S.I. 249 of 2010

(3) A taxi or a wheelchair accessible taxi shall not be operated in a taximeter area unless a taxi sign is displayed on the roof of the vehicle in accordance with these Regulations and the Schedule hereto.

(4) A taxi sign shall at no time be so defaced, obscured or altered in such a manner that the word "TAXI" or "TACSAI" or the licence number are rendered illegible or partly illegible.

(5) Whenever a taxi licence or a wheelchair accessible taxi licence is revoked or suspended the person who held the licence immediately prior to revocation or suspension shall from the date of the revocation or suspension cease to display the taxi sign and, within seven days, deliver the licence granted in respect of the vehicle to the Commission.

(6) Whenever a taxi licence or a wheelchair accessible taxi licence ceases to be in force and an application for the renewal of the licence is not made, or an application for the renewal of the licence is refused, the licence-holder shall immediately upon cessation of the licence or upon receipt of notification from the Commission of the refusal of the application for the renewal of the licence cease to display the taxi sign.

Driver identification.

22. (1) The driver of a small public service vehicle shall display, as determined by the Commission, in a prominent place on the dashboard of every small public service vehicle or, where this is not possible, on some other place in the vehicle that can be easily seen by a passenger from inside the vehicle an identification card.

(2) The identification 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 driver's Small Public Service Vehicle Driver Licence Number;
- (d) the date of expiry of the driver's Small Public Service Vehicle Driver Licence;
- (e) on the reverse side of the card, displayed in a manner that is clearly visible from outside the vehicle, or as otherwise determined by the Commission, the name of the county in respect of which the driver licence to drive a small public service vehicle issued;
- (f) such security features as may be determined by the Commission;
- (g) such other relevant information as the Commission may from time to time determine.

(3) A person shall not display or attempt to display or knowingly have in his or her possession a forged document purporting to be an identification card referred to in paragraph (1).

Prohibition on advertising on hackneys or limousines.

23. The licence-holder of a hackney or limousine licence shall not display or permit to be displayed any sign or advertisement other than one prescribed by the Commission.

Amendment to Regulations of 1995.

24. The Regulations of 1995 are amended in Regulation 16(2B) (1) (inserted by Regulation 2(c) of the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) Regulations 2006 (S.I. No. 154 of 2006)) by –

- (a) deleting “”within a period of six months from the date on which the licence elapsed”, and
- (b) substituting subparagraphs (4) and (5) for the following:
“(4) A small public service vehicle licence that has lapsed for in excess of five years from the date of expiry may not be renewed.”.

Amendment to the Regulations of 1999.

25. The Regulations of 1999 are amended by –

- (a) in Regulation 8(4) by substituting “one prescribed by the Commission for Taxi Regulation” for “a limousine sign that complies with this article”, and
- (b) in Regulation 10(3) by substituting “one prescribed by the Commission for Taxi Regulation” for “hackney signs”.

Revocations

26. The following Regulations are revoked –

- (a) Regulation 11 (as amended by the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 1970 (S.I. No. 200 of 1970)) of the Regulations of 1963;
- (b) Regulation 3(2), 6, 7, 27 (as inserted by Regulation 16 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 2000 (S.I. No. 367 of 2000)), Regulations 28, 29, 31, 32(2), (3) and (4), 33 and 35 of the Regulations of 1995 and the First, Third and Eighth Schedules to the Regulations of 1995;
- (c) Regulations 7(1) and (2), 8, 9, 10 and 11 of the Regulations of 1999;
- (d) Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations 1999 (S.I. No. 445 of 1999);
- (e) Regulations 14(1) and 15 of the Regulations of 2000;
- (f) Taxi Regulation Act 2003 (Fees and Licensing) Regulations 2005 (S.I. No. 651 of 2005);
- (g) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) Regulations 2006 (S.I. No. 154 of 2006);
- (h) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Fixed Charge Offences) Regulations 2006 (S.I. No. 155 of 2006);
- (i) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Licensing) Regulations 2006 (S.I. No. 211 of 2006);
- (j) Taxi Regulation Act 2003 (Tamper-Proof Licence Disc) Regulations 2006 (S.I. No. 305 of 2006);
- (k) Taxi Regulation Act 2003 (One Vehicle; One Licence) Regulations 2006 (S.I. No. 439 of 2006);
- (l) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Licensing) (No. 2) Regulations 2006 (S.I. No. 467 of 2006);
- (m) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Tamper-Proof Licence Disc) (Amendment) Regulations 2006 (S.I. No. 482 of 2006);
- (n) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) (No. 2) Regulations 2006 (S.I. No. 493 of 2006);
- (o) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Licensing) (No. 2) (Amendment) Regulations 2006 (S.I. No. 501 of 2006);
- (p) Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) Regulations 2007 (S.I. No. 280 of 2007).

SCHEDULE

Regulation 21

REQUIREMENTS TO BE COMPLIED WITH IN RELATION TO A TAXI SIGN

1. The sign shall be constructed of a durable material, be weatherproof 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 under paragraph 4 of this Schedule.

2. Subject to paragraph 5, the dimensions of the sign shall be such that the surface of the 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.

3. (1) The front and rear faces of the sign shall each be divided into three sections.

(2) The central sections on each face of the 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.

(3) The sections of the 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 –

(a) 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

(b) 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".

(4) Subject to paragraph 5, no letter or numeral displayed on the remaining sections of each face of the sign shall exceed 70 millimetres in height.

4. (1) The sign shall be capable of being lit by means of an internal electric light installation to enable the licence number to be readily identifiable.

(2) When lit, the sign shall not show a red light to the front or a white light to the rear.

(3) When lit, the 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.

5. A taxi or wheelchair accessible taxi shall display on the panel on the right of the sign as viewed from the rear and on the left of the sign as viewed from the front of the vehicle the county identification of the driver of that vehicle, which identification shall comprise such content and security features and be of such dimensions as are determined by the Commission.

6. (1) Subject to paragraph 5 and subparagraph (2), the panel on the right of the sign as viewed from the rear of the vehicle and on the left of the sign as viewed from the front of the vehicle shall contain only –

- (a) the contact details in relation to the taxi or wheelchair accessible taxi,
- (b) the contact details of the dispatch operator, as appropriate, or
- (c) the name of a small public service vehicle representative body.

(2) A wheelchair accessible taxi shall display on the panel on the right of the sign as viewed from the rear of the vehicle and on the left of the sign as viewed from the front of the vehicle the following symbol or a substantially similar symbol, which symbol shall be approximately 90 millimetres in height:



(3) Where, subject to paragraph 5, the panel on the right of the sign as viewed from the rear of the vehicle or on the left of the sign as viewed from the front of the vehicle remains blank, its background shall be yellow in colour.

7. With the prior consent of any individual who hires a taxi in respect of any journey that is likely to exceed 30 kilometres, the taxi sign may be positioned longitudinally.

8. The driver shall cause the taxi sign to be illuminated when standing for hire or plying for hire and shall cause the taxi sign illumination to be switched off when transporting a fare-paying passenger.

Given under the seal of the Commission for Taxi Regulation,

2007.

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

These Regulations consolidate provisions in relation to the following:

- Confirmation of existing fees payable for the grant, continuation in force or renewal of licences in respect of small public service vehicles (SPSVs). By virtue of section 50(1) of the Taxi Regulation Act 2003, licence fees accrue to the Commission for Taxi Regulation (Commission);
- Confirmation that the Commission may grant licences in respect of SPSVs and their drivers.
- Revocation of the power of local authorities to fix maximum taxi fares which is now a function of Commission under section 42 of the Taxi Regulation Act 2003;
- Confirmation that a person may not operate more than one SPSV licence in respect of a single vehicle and that no two or more persons may operate a SPSV licence in respect to a single vehicle. On change of ownership of a SPSV, the SPSV licence lapses and the existing licence-holder has until the date of expiry of the licence within which to transfer that licence to another vehicle. If the licence-holder fails to transfer that licence to another vehicle before the date of expiry of the licence, the licence will expire on that date.
- tamper-proof disc requirements;
- in-vehicle information requirements;
- The obligation not to unreasonably refuse a fare that is not more than 30 kilometres;
- Taximeter requirements in relation to fares;
- Requirements in relation to technical specifications in relation to the fitting and operation of taximeters;
- The circumstances in which a booking fee may not be charged;
- Requirements in relation to appointed stands;
- Obligations in relation to carrying a guide or assistance dog;
- Requirements in relation to taxi or wheelchair accessible taxi receipts;
- Requirements in relation to hackney or limousine receipts;

- Requirements in relation to local knowledge;
- Obligation on passenger not to consume food or drink;
- Form of insurance certificate;
- Taxi roof sign requirements;
- Driver identification requirements;
- Prohibition on advertising on hackneys or limousines;

In addition, they:

- Remove the necessity to apply to the District Court to restore a SPSV licence that has lapsed for in excess of six months;
- Expressly prohibit hackneys and limousines from standing for hire or plying for hire;
- Provide that a taxi licence may not be restored if it has not been renewed within five years of the date of its expiry date.

S.I. NO. 722 OF 2007

TAXI REGULATION ACT 2003 (FIXED CHARGES OFFENCES) REGULATIONS 2007

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 46 of the Taxi Regulation Act 2003 (No. 25 of 2003) hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2007.
2. An offence under Part 3 of the Taxi Regulation Act 2003 (No. 25 of 2003) consisting of a contravention of a provision of the Regulations referred to in Schedule 1 is declared to be a fixed charge offence.
3. The amount of €250 is prescribed for the fixed charges offences referred to in Schedule 1 for the purposes of section 46 of the Taxi Regulation Act 2003.
4. The form of notice set out in Schedule 2 is prescribed as the form of notice for the purposes of section 46 of the Taxi Regulation Act 2003.
5. The Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2006 (S.I. No. 494 of 2006) is revoked.

Schedule 1

Regulation 2.

€250 Fixed Charge

Offences under Part 3 of the Taxi Regulation Act 2003

Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007 (S.I. No. 710 of 2007)

Regulation	Description of Contravention
Regulation 6.	Operation of more than one small public service vehicle licence in respect of a single small public service vehicle.
Regulation 7(2).	Removal or attempted removal of tamper-proof disc from a small public service vehicle.
Regulation 7(3).	Failure to display tamper-proof disc.
Regulation 8(1).	Failure to display required in-vehicle information.
Regulation 8(3).	Removal or attempt removal of in-vehicle information.
Regulation 9.	Unreasonable refusal to carry passenger where journey not more than 30 kilometres.
Regulation 10(1).	Failure to have taximeter calibrated in line with current maximum fare order.
Regulation 10(3).	Operating taximeter while taxi standing for hire or plying for hire.
Regulation 10(4).	Failure to operate taximeter while taxi on hire.
Regulation 11.	Failure to comply with the requirements in relation to the fitting and operation of a taximeter.
Regulation 12.	Applying a booking fee in respect of a taxi or wheelchair accessible taxi where engaged while plying for hire or standing for hire or without having been booked in advance by the consumer.
Regulation 13(1)	Standing at appointed stand while vehicle not available for hire.
Regulation 13(2).	Standing for hire in taxi or wheelchair accessible taxi otherwise than at an appointed stand.
Regulation 14.	Plying for hire or standing for hire in a hackney or limousine.
Regulation 15.	Refusal to carry Assistance Dog or Guide Dog in small public service vehicle.
Regulation 16.	Failure to provide receipt in respect of taxi or wheelchair accessible taxi.
Regulation 17.	Failure to provide receipt in respect of hackney or limousine.
Regulation 18.	Operating in county without satisfactory local knowledge.
Regulation 21 and Schedule.	Failure to comply with taxi sign requirements (including failure to display current licence number within 28 days of date of issue of new licence number).
Regulation 22(1).	Failure to display required driver identification.
Regulation 22(3).	Displaying forged driver identification on small public service vehicle.

Regulation 23.	Displaying on a hackney or limousine a sign or advertisement other than one prescribed by the Commission.
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Schedule 2

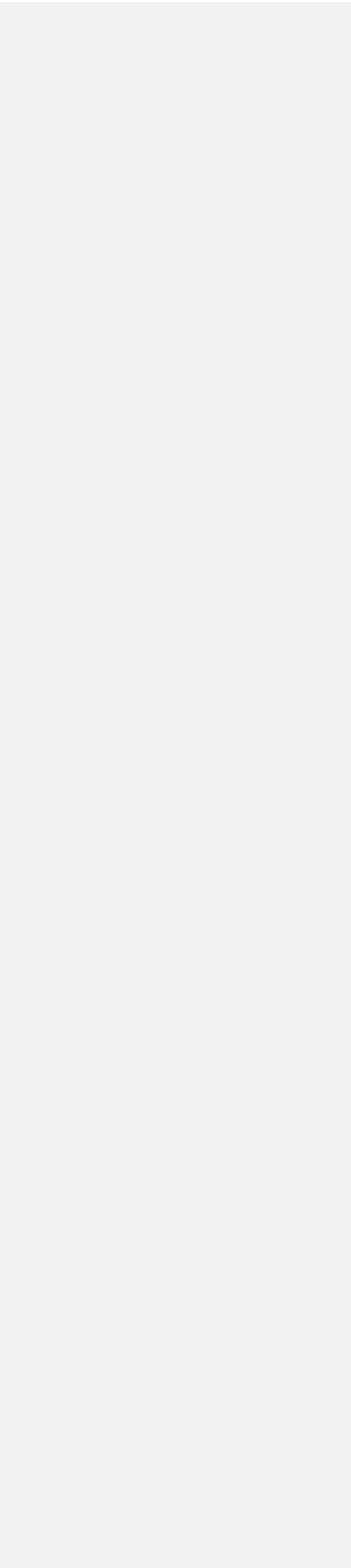
Regulation 4.

Fixed Charge Offence

Notice under section 46 of the Taxi Regulation Act 2003

Date _____ (*insert date*)

(*insert name*).....
 (*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:

Payment of Fixed Charge

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 €250.00 (otherwise than in cash) to the Commission for Taxi Regulation at _____ (*insert address*).
2. A payment of a fixed charge under this notice must be accompanied by all of this notice, if payment is made in person or by post.
3. You will not be prosecuted –
 - (a) during the period of 28 days from the date of this notice, 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.

Manner of Payment

All fixed charges payable under section 46 of the Taxi Regulation Act 2003 shall be paid to the Commission for Taxi Regulation, 35 Fitzwilliam Square, Dublin 2 and shall be so paid (otherwise than in cash) by cheque, money order or postal order, or by such other means as the Commission for the time being considers appropriate.

Given under the seal of the Commission for Taxi Regulation, 2007

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

These Regulations declare contraventions of certain Regulations to be fixed charges offences. These are:

- Operation of more than one small public service vehicle licence in respect of a single vehicle;
- Removal or attempt to remove tamper-proof disc;
- Failure to display tamper-proof disc;
- Failure to display the relevant in-vehicle information in a small public service vehicle;
- Removal or attempt to remove required in-vehicle information;
- Unreasonable refusal to carry a passenger for a journey of not more than 30 kilometres;
- Failure to have taximeter properly calibrated in line with the current maximum fare;
- Operating taximeter while taxi or wheelchair accessible taxi standing for hire or plying for hire;
- Failure to operate the taximeter while the taxi or wheelchair accessible taxi is on hire
- Failure to comply with requirements in relation to the fitting and operation of the taximeter;
- Charging a booking fee when plying for hire or standing for hire or, without having been pre-booked by a consumer, at an airport, transport station or other location;
- Standing at an appointed stand while vehicle is not available for hire;
- Standing for hire in a taxi or wheelchair accessible taxi otherwise than at an appointed stand;
- Plying for hire or standing for hire in a hackney or limousine;
- Refusal to carry a guide dog or other assistance dog;
- Failure to provide a required receipt in respect of a taxi or wheelchair accessible taxi;
- Failure to provide a required receipt in respect of a hackney or limousine;
- Operating as a taxi or wheelchair accessible taxi without having demonstrated satisfactory knowledge of the local area;
- Failure to comply with roof sign requirements for taxis and wheelchair accessible taxis, including failure to display current licence number within 28 days of the date of issue of a new licence number;
- Failure to display required driver identification;
- Displaying forged driver identification on a SPSV;
- Displaying on a hackney or limousine a sign or advertisement other than one prescribed by the Commission;

All fixed charges offences declared by these Regulations attract a fixed charge of €250. The Regulations prescribe the form of notice for the purposes of enforcement of the fixed charge offences.

S.I. NO. 48 OF 2008

**TAXI REGULATION ACT 2003 (GRANT OF HACKNEY AND LIMOUSINE LICENCE FEES)
(AMENDMENT) REGULATIONS 2008**

The Commission for Taxi Regulation, in exercise of the powers conferred on it by sections 34 and 39 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

2. These Regulations may be cited as the Taxi Regulation Act 2003 (Grant of Hackney and Limousine Licence Fees) (Amendment) Regulations 2008.
2. The Fourth Schedule to the Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995 (S.I. No. 136 of 1995) as amended by Regulation 7 of the Road Traffic (Public Service Vehicles) (Amendment) (No.2) Regulations 2001 (S.I. No. 534 of 2001) is amended by substituting the following for paragraph 2.:

“2. A fee of €1,000 shall be payable in respect of –
(a) the grant of a hackney licence,
(b) the grant of a limousine licence.”.



GIVEN under the seal of the Commission for Taxi Regulation,
1 February 2008

KATHLEEN DOYLE.
Commissioner for Taxi Regulation

EXPLANATORY NOTE

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

These Regulations increase the fee for the grant of a hackney or limousine licence to €1,000 from 1 February 2008.

S.I. NO. 233 OF 2008

TAXI REGULATION ACT 2003 (PERMITTED USE OF SMALL PUBLIC SERVICE VEHICLE LICENCES) REGULATIONS 2008

The Commission for Taxi Regulation, in exercise of the powers conferred on it by sections 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Permitted Use of Small Public Service Vehicle Licences) Regulations 2008.

2. In these Regulations—

“Commission” means the Commission for Taxi Regulation;

“driver licence” means a licence to drive a small public service vehicle granted, as the case may be, under section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003) or section 82 of the Road Traffic Act, 1961 (No. 24 of 1961);

“small public service vehicle licence” means a licence in respect of a small public service vehicle granted under section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003) or section 82 of the Road Traffic Act, 1961 (No. 24 of 1961).

3. The holder of a small public service vehicle licence shall not allow another person to operate his or her small public service vehicle unless the licence holder concerned:

(a) ensures that any other person proposing to operate the vehicle as a small public service vehicle holds a driver licence;

(b) ensures that any such other person is insured to drive the vehicle concerned as a small public service vehicle;

(c) holds records confirming the details of any driver licences being operated by use of his or her small public service vehicle;

(d) holds a certificate of insurance or a copy of such certificate in relation to any such other drivers;

(e) makes available to the Commission, within 21 days of the date of a request for same from the Commission, copies of the records referred to in subparagraph (c) and (d).

4. The holder of a small public service vehicle licence shall not employ another person to operate his or her small public service vehicle unless the holder of the licence concerned:

(a) ensures that the person he or she is proposing to employ holds a driver licence;

(b) ensures that the person he or she is proposing to employ holds a certificate of insurance to drive the vehicle concerned as a small public service vehicle;

(c) holds a copy of the driver licence referred to in paragraph (a) together with a copy of the certificate of insurance referred to in paragraph (b);

(d) makes available to the Commission, within 21 days of the date of a request for same from the Commission, copies of the records referred to in subparagraph (b) and (c).

5. The holder of a small public service vehicle licence shall not rent or lease his or her licensed vehicle to another person to operate his or her small public service vehicle unless the licence holder concerned:

(a) ensures that the person to whom he or she is proposing to rent or lease the vehicle concerned holds a driver licence;

(b) ensures that the person to whom he or she is proposing to rent or lease the vehicle holds a certificate of insurance to drive the vehicle concerned as a small public service vehicle;

(c) holds a copy of the driver licence referred to in paragraph (a) together with a copy of the certificate of insurance referred to in paragraph (b);

(d) makes available to the Commission, within 21 days of the date of a request for same from the Commission, copies of the records referred to in subparagraph (b) and (c).

L.S

GIVEN under the seal of the Commission for Taxi Regulation,
1 July 2008

KATHLEEN DOYLE
Commissioner for Taxi Regulation.

EXPLANATORY NOTE

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

These Regulations prescribe the circumstances in which a taxi, hackney or limousine licence may be operated by a person other than the licence holder.

The purpose of these Regulations is to enhance accountability within the small public service vehicle industry. They include the requirement that the licence holder must ensure that a person using his or her licensed vehicle holds a valid small public service vehicle driver licence as well as being appropriately insured.

S.I. NO. 234 OF 2008

TAXI REGULATION ACT 2003 (WHEELCHAIR ACCESSIBLE HACKNEY AND WHEELCHAIR ACCESSIBLE TAXI LICENCES — CONTACT INFORMATION AND RECORD MAINTENANCE) REGULATIONS 2008

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Wheelchair Accessible Hackney and Wheelchair Accessible Taxi Licences — Contact Information and Record Maintenance) Regulations 2008.

2. In these Regulations—

“Commission” means Commission for Taxi Regulation;

“Small Public Service Vehicle Regulations” means the Road Traffic (Public Service Vehicles) Regulations 1963 to 2003 insofar as they apply to small public service vehicles and Regulations made under section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003);

“wheelchair accessible licence” means a licence granted under the Small Public Service Vehicle Regulations in respect of a wheelchair accessible hackney or a wheelchair accessible taxi;

“wheelchair accessible vehicle” means a vehicle in respect of which there is a wheelchair accessible licence in force.

3. (1) The holder of a wheelchair accessible licence shall, within 21 days from the date of a request for same by the Commission, furnish to the Commission for disclosure by the Commission on request to consumers who wish to access a wheelchair accessible vehicle service the following information:

- (a) name of licence-holder and driver, as appropriate;
- (b) contact details in accordance with paragraph (2);
- (c) area of the country in which the licence-holder operates a small public service vehicle service;
- (d) hours during which the licence-holder operates a small public service vehicle service.

(2) The contact details referred to in paragraph (1) include:

- (a) where the licence-holder takes his or her own bookings, the licence holder’s business contact details for the purposes of making or receiving a booking;
- (b) where the licence-holder is affiliated with a dispatch operator and takes bookings exclusively from that dispatch-operator, the contact details of the dispatch operator concerned;
- (c) where the licence-holder takes his or her own bookings in addition to being affiliated to a dispatch operator, the licence-holder’s business contact details together with the contact details of the dispatch operator concerned.

4. (1) The holder of a wheelchair accessible 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;

(f) the time at which the destination was arrived at.

(3) All records held under this Regulation shall be furnished to the Commission by the licence-holder within 21 days from the date of a request for same by the Commission either by—

(a) allowing inspection of the original records, or

(b) allowing the original records to be photocopied on the premises or to removed for the purposes of photocopying, as considered appropriate by the Commission.

(4) The records referred to in this Regulation shall be maintained by the licence-holder concerned for a period of not less than one year.

5. 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.

L.S

Given under the seal of the Commission for Taxi Regulation,
1 July 2008

KATHLEEN DOYLE.
Commissioner for Taxi Regulation.

EXPLANATORY NOTE

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

These Regulations require the holder of a wheelchair accessible small public service vehicle (SPSV) licence to register his or her contact details with the Commission for Taxi Regulation. The Commission may in turn disclose this information on request to consumers who wish to avail of a wheelchair accessible service. In addition, the holders of wheelchair accessible SPSV licences are required to keep records relating to bookings.

S.I. 394 OF 2008

TAXI REGULATION ACT 2003 (MAXIMUM FARES) ORDER 2008

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 42 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following order:

1. (1) This Order may be cited as the Taxi Regulation Act 2003 (Maximum Fares) Order 2008.
(2) This Order shall come into operation on 1 November 2008.
2. In these Regulations “public holiday” has the same meaning as it has in paragraphs 1 and 2 of the Second Schedule to the Organisation of Working Time Act 1997 with the addition, where a public holiday falls on a Sunday, of the following weekday.
3. The fares contained in the Schedule are fixed as the maximum fares that may be charged by the driver of a taxi in respect of the national taximeter area, as declared by the National Taximeter Area Declaration 2006.
- 4.
5. The Taxi Regulation Act 2003 (Maximum Fares) Order 2006 (S.I. No. 438 of 2006) is revoked.

SCHEDULE

Regulation 3.

Standard Fare	
Applies 08.00 hours to 20.00 hours	
Initial Fare	
Monetary Value	€4.10
Distance Allowance	1,000.0 metres
Time Allowance	170.0 seconds
Tariff A	
Monetary Unit	€0.20
Distance Allowance	194.2 metres
Time Allowance	33.0 seconds
Hourly Rate	€21.84
Rate per km	€1.03
Tariff A initiated at switch of running total from	€4.10
to	€4.30
Range of Tariff A	€4.60
Graduates to Tariff B when running total switches from	€8.70
to	€8.90
Maximum Unit Increments on Tariff A	73
Range of Tariff A when charged only on distance	14,176.6 metres
<i>Mileage of journey elapsed when switching to Tariff B</i>	15,176.6 metres
Range of Tariff A when charged only on time	2,407.0 seconds
<i>Range of Tariff A when charged only on time (mins)</i>	40.12
<i>Mins of journey elapsed when switching to B</i>	42.95
Tariff B	
Monetary Unit	€0.20
Distance Allowance	148.1 metres
Time Allowance	25.2 seconds
Hourly Rate	€28.62
Rate per km	€1.35
Tariff B initiated at switch of running total from	€8.70
to	€8.90
Range of Tariff B	€0.20
Graduates to Tariff C when running total switches from	€8.90

to	€9.10	
Maximum Unit Increments on Tariff B	101.0	
Range of Tariff B when charged only on distance	14,958.1	metres
<i>Mileage of journey elapsed when switching to Tariff C</i>	30,135	metres
Range of Tariff B when charged only on time	2,540.9	seconds
<i>Range of Tariff B when charged only on time (mins)</i>	42.35	mins
<i>Mins of journey elapsed when switching to C</i>	85.30	mins
Unit Increments on Tariff B if you didn't allow for the excess over 15km travelled on initial charge and Tariff A	102.0	
Tariff C		
Monetary Unit	€0.20	
Distance Allowance	113.0	metres
Time Allowance	19.2	seconds
Hourly Rate	€7.52	
Rate per km	€1.77	
Tariff C initiated when running total switches from	€8.90	
to	€9.10	
Tariff C applies for the remainder of the journey		

Premium Fare

Always applies 20.00 hours to 08.00 hours &
all day Sunday and public holidays except
Christmas and New Year

Initial Fare

Monetary Value	€4.45	
Distance Allowance	1,000.0	metres
Time Allowance	170.0	seconds

Tariff A

Monetary Unit	€0.20	
Distance Allowance	148.1	metres
Time Allowance	25.2	seconds
Hourly Rate	€28.62	
Rate per km	€1.35	

Tariff A initiated at switch from

to

Range of Tariff A

Graduates to Tariff B when running total

switched from

to

Maximum Unit Increments on Tariff A

Range of Tariff A when charged only on
distance

*Mileage of journey elapsed when switching to
Tariff B*

Range of Tariff A when charged only on time

*Range of Tariff A when charged only on time
(mins)*

Mins of journey elapsed when switching to B

Tariff B

Monetary Unit	€0.20	
Distance Allowance	127.4	metres
Time Allowance	21.6	seconds
Hourly Rate	€33.28	
Rate per km	€1.57	

Tariff B initiated at switch of running total
from

to

Range of Tariff B

Graduates to Tariff C when running total

switches from

to

Maximum Unit Increments on Tariff A

Range of Tariff B when charged only on
distance

<i>Mileage of journey elapsed when switching to Tariff C</i>	30,102.7	
Range of Tariff B when charged only on time	2,552.6	seconds
<i>Range of Tariff B when charged only on time (mins)</i>	42.54	mins
<i>Mins of journey elapsed when switching to C</i>	85.21	
Unit Increments on Tariff B if you didn't allow for the excess over 15km travelled on initial charge and Tariff A	118.0	
Tariff C		
Monetary Unit	€0.20	
Distance Allowance	113.0	metres
Time Allowance	19.19	seconds
Hourly Rate	€37.52	
Rate per km	€1.77	
Tariff C initiated when running total switches from	€47.05	
to	€47.25	
Tariff C applies for the remainder of the journey		

Special Premium Rate for Christmas & New Year

A special premium rate applies between Christmas Eve 20:00h to St. Stephens Day 08:00h and New Years Eve 20:00h to New Years Day 08:00h. During these periods the Premium Tariff C is applied immediately after the Premium Initial Charge

Initial Fare

Monetary Value	€4.45
Distance Allowance	1,000.0 metres
Time Allowance	170.0 seconds

Tariff C

Monetary Unit	€0.20
Distance Allowance	113.0 metres
Time Allowance	19.19 seconds
Hourly Rate	€37.52
Rate per km	€1.77

Tariff C initiated when running total switches from

€4.45

to

€4.65

Tariff C applies for the remainder of the journey

Extra metered charges (where applicable)

Booking fee:	€2.00
Each additional passenger after the first passenger:	€1.00 per additional adult passenger (or per each additional two children under 12 years)

Soiling Charge, where applicable	€40.00
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Given under the seal of the Commission for Taxi Regulation,
30 September 2008.

L.S

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

This Order sets the new National Fare with effect from 1 November 2008 in line with the table contained in the Schedule to the Order (explained in the fare card below). It also revokes the Maximum Fares Order of 2006.

National Maximum Taxi Fare <small>Effective from 1 November 2008</small>		
Standard rate 8.00h–20.00h		Premium rate 20.00h–8.00h & Sundays & public holidays*
INITIAL CHARGE Includes 1km or 170 secs	€4.10 Fixed	INITIAL CHARGE Includes 1km or 170 secs
TARIFF A Next 14km or 40 mins Up to €18.70	€1.03 per km or €0.36 per min	TARIFF A Next 14km or 40 mins Up to €23.45
TARIFF B Next 15km or 42 mins Up to €38.90	€1.35 per km or €0.48 per min	TARIFF B Next 15km or 42 mins Up to €47.05
TARIFF C Over 30km or 85 mins Over €38.90	€1.77 per km or €0.63 per min	TARIFF C Over 30km or 85 mins Over €47.05
Distance rate applies unless speed drops below 21 km/h when time rate applies.		*A special premium rate applies between Christmas Eve 20:00h to St. Stephens Day 08:00h and New Years Eve 20:00h to New Years Day 08:00h. During these periods Tariff C is applied immediately after the premium rate initial charge.
		Extras <small>Where relevant</small>
		Booking fee €2.00
		Extra adults: second and additional passengers €1.00 each.
		Extra children under 12: 1 free 2 or 3 €1.00 4 or 5 €2.00 6 or 7 €3.00
		Road toll charges as incurred.
		Soiling charge €140.00

S.I. 166 OF 2009

TAXI REGULATION ACT 2003 (SMALL PUBLIC SERVICE VEHICLE SKILLS DEVELOPMENT PROGRAMME AND DRIVER LICENCE FEE) REGULATIONS 2009

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 34 of the [Taxi Regulation Act 2003 \(No. 25 of 2003\)](#), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Small Public Service Vehicle Skills Development Programme and Driver Licence Fee) Regulations 2009.
2. (1) An applicant for a new licence to drive a small public service vehicle shall undertake a programme of skills ("Small Public Service Vehicle Skills Development Programme") developed by the Commission in respect of operators in the small public service vehicle industry.

(2) On the successful completion of the Small Public Service Vehicle Skills Development Programme, an applicant shall be granted a Small Public Service Vehicle Skills Development Programme Certificate, as determined by the Commission.

3. For the purposes of Part IV of the Road Traffic (Public Service Vehicles) Regulations 1963 (S.I. No. 191 of 1963), an application for a new licence to drive a small public service vehicle may be deemed duly made only where the application concerned is accompanied by a Small Public Service Vehicle Skills Development Programme Certificate as referred to in Regulation 2.
4. The Road Traffic (Public Service Vehicles) Regulations 1963 (S.I. No. 191 of 1963), as amended by Regulation 6 of the Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations 2001 (S.I. No. 534 of 2001), are amended by substituting the following for Regulation 41:

“(1) The fee payable in respect of an application for a new licence to drive a small public service vehicle is €250.00.

(2) The fee payable in respect of an application to renew a licence to drive a small public service vehicle is €250.00.

(3) The fees payable under this Regulation are payable to the Commission for Taxi Regulation.”

Given under the seal of the Commission for Taxi Regulation,
1 May 2009.

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

These Regulations introduce the Commission for Taxi Regulation Driver Skills Development Programme in respect of applicants for small public service vehicle (SPSV) driver licences. This programme replaces the test formerly administered by the Garda Síochána.

In addition, these Regulations provide that the fee for a SPSV driver licence (both first application and renewal) is €250.00.

S.I. 472 of 2009

TAXI REGULATION ACT 2003 (LICENSING OF DISPATCH OPERATORS) REGULATIONS 2009

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Licensing of Dispatch Operators) Regulations 2009.

2. In these Regulations –

“Commission” means the Commission for Taxi Regulation;

“dispatch operator” means a person engaged in the activity of taking a booking of a small public service vehicle that is owned or driven by another person (other than an employee of the first person) and arranging with that small public service vehicle driver to provide the service booked and, for the avoidance of doubt, does not include –

- (a) a person who marshals a small public service vehicle at an airport or other transport terminal,
- (b) a person employed as a receptionist by a dispatch operator to manage telephone calls, or
- (c) a person who acts as a telephone agent on behalf of an intending passenger or other consumer at an information desk in a hotel, tourist office, airport, other transport terminal, or at a similar customer service facility.

“operational manager” means the person responsible for the supervision of the delivery of dispatch operator services and may not include a person seeking to act as operational manager in respect of more than one dispatch operator;

“Small Public Service Vehicle Regulations” means the Road Traffic (Public Service Vehicles) Regulations 1963 to 2003 insofar as they apply to small public service vehicles and Regulations made under section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003).

4. (1) Subject to paragraph (2), a person shall not operate as a dispatch operator unless that person holds a small public service vehicle dispatch operator licence (in these Regulations referred to as a “dispatch operator licence”) granted by the Commission.

(2) A person may operate as a dispatch operator exclusively in relation to the provision of limousine services without a dispatch operator licence.

5. Before a dispatch operator licence may be granted by the Commission, the applicant shall -

- (a) produce a tax clearance certificate issued under section 1095 (inserted by section 127 of the Finance Act 2002) of the Taxes Consolidation Act 1997;
- (b) produce a Commission Skills Development Programme Certificate in the name of the owner or operational manager of the Dispatch Operator Centre, whose name and contact details shall be registered with the Commission;
- (c) pay to the Commission –
 - (i) a licence fee in the sum of €250.00 in respect of an application for the grant of a dispatch operator licence, the duration of which licence shall be 12 months from the date of grant;
 - (ii) thereafter an annual fee of €125.00 in respect of an application for the renewal of a dispatch operator licence;

(iii) in the event that a dispatch operator licence is allowed to lapse by the failure of the licence-holder to renew the licence on or before the expiry date, a restoration fee in the sum of €250.

- (d) provide a booking system that is accessible to persons with disabilities;
- (e) provide to the Commission, within 21 days from the date of a request for this information by the Commission, contact information for the purposes of making or receiving bookings in relation to drivers affiliated with the Dispatch Operator Centre concerned;
- (f) put in place procedures to ensure that all drivers and vehicles affiliated to the Dispatch Operator concerned are properly licensed in accordance with the Small Public Service Vehicles Regulations;
- (g) put in place a complaints procedure in relation to consumers;
- (h) put in place record management procedure in relation to any bookings and complaints received, which records will be made available to the Commission on request;
- (i) ensure that management and staff are trained in relation to customer care, fare structure, complaints procedure and assisting persons with disabilities;
- (j) maintain and disclose to the Commission, within 21 days from the date of a request for these records by the Commission, training records.

6. Where a person has been granted a dispatch operator licence under Regulation 4 and subsequently fails to comply with one or more of the requirements of Regulation 5 (d) – (j), the Commission may, at its discretion, suspend or revoke the dispatch operator licence concerned.

7. The Taxi Regulation Act 2003 (Licensing of Dispatch Operators) Regulations 2009 (S.I. No. 138 of 2009) are revoked.

Given under the seal of the Commission for Taxi Regulation,
1 December 2009.

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

These Regulations provide that, in order to operate lawfully, Dispatch Operators providing small public service vehicle (SPSV) services other than exclusively limousine services must be licensed by the Commission for Taxi Regulation. They also outline various standards that must be complied with before a Dispatch Operator Licence will be granted by the Commission. These include the provision of an accessible booking system and the completion by the owner or operational manager of the Commission's Skills Development Programme. These licensing requirements come into operation on 1 December 2009.

S.I. 248 of 2010

TAXI REGULATION ACT 2003 (WHEELCHAIR ACCESSIBLE HACKNEY AND WHEELCHAIR ACCESSIBLE TAXI – VEHICLE STANDARDS) REGULATIONS 2010

The Commission for Taxi Regulation, in exercise of the powers conferred on it by sections 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Wheelchair Accessible Hackneys and Wheelchair Accessible Taxis – Vehicle Standards) Regulations 2010.

2. These Regulations shall come into operation –

(a) on 8 June 2010 in respect of applications for the grant of a wheelchair accessible hackney or a wheelchair accessible taxi licence,

(b) on 8 June 2010 in respect of applications for the renewal of a licence referred to in paragraph (a), and

(c) on 3 January 2012 in respect of the renewal of a wheelchair accessible hackney or a wheelchair accessible taxi licence.

3. In these Regulations –

“approved installer” means a person or company authorised by the manufacturer of the part, component or assembly to install and fit that part, component or assembly and to provide certification of the part, component or assembly in accordance with the manufacturer’s instructions;

“belt anchorage” means the part or parts of the vehicle structure or seat structure or any other part or parts of the vehicle to which the safety belt assemblies or the wheelchair restraints are to be secured;

“Commission” means the Commission for Taxi Regulation;

“EC/UNECE standards” means European Community Directives and the United Nations Economic Community for Europe (UNECE) Regulations in respect of the Type Approval of motor vehicles, vehicle systems and separate components;

“ECWVTA” means the European Community Whole Vehicle Type Approval system for motor vehicles;

“EEA” means the European Economic Association;

“EFTA” means the European Free Trade Association;

“ISO” means the International Standards Organisation;

“manufacturer” means the person or body who is responsible to the Commission and its agents for all aspects of the type approval, authorisation or certification process and, as appropriate, for ensuring conformity of production and includes a manufacturer’s duly authorised agent;

“master control” means a control that enables another control to activate the system that is the subject of the control but that is not capable of activating that system on its own;

“normal ride attitude” means the vehicle attitude in running order positioned on the ground, with the tyres inflated to the recommended pressures, the front wheels in the straight-ahead position, with maximum capacity of all fluids necessary for operation of the vehicle, with all standard equipment as provided by the vehicle manufacturer, and with the suspension set for a driving speed of 35 kilometres per hour in normal running conditions specified by the manufacturer;

“safety belt” means an arrangement of straps with a securing buckle, adjusting devices and attachments that is capable of being anchored to a vehicle and is designed to diminish the risk of injury to its wearer, in the event of collision or abrupt vehicle deceleration, by limiting the mobility of the wearer’s body;

“Small Public Service Vehicle Regulations” means the Road Traffic (Public Service Vehicles) Regulations 1963 to 2003 insofar as they apply to small public service vehicles and Regulations made under section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003);

“specialist equipment” means that equipment or parts intended to assist a person with disabilities in relation to his or her boarding, use, travel and disembarkation of the vehicle;

“swivel seat” means a seat specially designed for vehicles that enables it to turn around on an axis fundamentally perpendicular to the floor of the vehicle;

“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 Commission to be an appropriate person to assess the fitness and safety of a mechanically propelled vehicle;

“wheelchair accessible licence” means a licence granted under the Small Public Service Vehicle Regulations in respect of a wheelchair accessible hackney or a wheelchair accessible taxi;

“wheelchair accessible vehicle” means a vehicle in respect of which there is a wheelchair accessible licence in force;

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

“VIN” means Vehicle Identification Number, 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.

Mutual Recognition Clause

4. The requirements contained in these Regulations 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.

Vehicle specifications.

5. A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall comply with the requirements of the Small Public Service Vehicle Regulations, insofar as they apply to such a vehicle.

6. (1) A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be constructed or converted specifically to accommodate at least one person seated in his or her wheelchair in addition to a minimum of three adult passengers and shall in its converted form hold -

- (a) a category M1 ECWVTA Certificate of Conformity,
- (b) a category M1 National or Low Volume or Small Series Type Approval Certificate of Conformity, or
- (c) a category M1 Single or Individual Vehicle Approval Certificate.

(2) The applicant for a wheelchair accessible vehicle licence shall submit a Technical Assessor's Report and information package confirming compliance with paragraph (1) and compliance by the vehicle (referenced by its VIN) with these Regulations in relation to seats, safety belts, seat and belt anchorages and wheelchair and occupant restraints anchorages and specialist equipment.

7. (1) Subject to paragraph (2), a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall have a permanent, rigid roof covering the driver and passenger compartments.

(2) A vehicle referred to in paragraph (1) with a sunroof, to any length including full length, may be the subject of an application for a wheelchair accessible vehicle licence.

Luggage.

8. (1) Accommodation for safely transporting luggage of minimum total volume of 420 litres, as measured by the VDA method, shall be provided within a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence.

(2) A guard or cover shall be fitted to the luggage compartment of any vehicle referred to in paragraph (1) sufficient to prevent luggage from causing injury to any passenger in the event of an accident.

(3) 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 (1) to accommodate a folded wheelchair.

(4) In relation to a vehicle the subject of an application for the grant or renewal of a wheelchair accessible taxi licence, the volume specified at paragraph (1) shall be in addition to the seating dimension requirements specified at Regulations 10 and 12.

Door dimensions.

9. (1) A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be fitted with -

(a) at least one wheelchair accessible door aperture capable of being opened from inside and outside the vehicle, located to the nearside or rear of the vehicle, affording unrestricted access to the wheelchair space referred to in Regulation 10 and of minimum dimensions of 745 millimetres in width and 1,250 millimetres in opening height, and

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

(2) The rear doors (vertically hinged) or tailgate (horizontally hinged) may be reckoned as an aperture referred to at paragraph (1)(a) if the vehicle concerned was designed for rear wheelchair entry and the doors otherwise meet the dimensions specified therein.

(3) The rear doors (vertically hinged) or tailgate (horizontally hinged) may be reckoned as an access opening referred to at paragraph 1(b).

Wheelchair space.

10. (1) A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall contain space of a minimum dimension of 1,350 millimetres in respect of headroom, 700 millimetres in respect of the width of the wheelchair space and 1,200 millimetres in respect of the length of the wheelchair space.

(2) Space of the dimensions specified in paragraph (1) shall be made available exclusively for the accommodation of one person to travel either forwards-facing or rearwards-facing in his or her wheelchair.

Seating dimensions and requirements

11. (1) The top of the uncompressed front passenger seat squab in a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be at least 275 millimetres from the floor of the vehicle, with a minimum foot exit space or radius between the corner of the squab and the door pillar of 350 millimetres.

(2) In respect of the vehicle referred to in paragraph (1) there shall be a substantially flat area on the floor of the vehicle immediately in front of the front passenger seat of a minimum dimension of 350 millimetres in length and 350 millimetres in width.

12. (1) In relation to all passenger seats other than the front passenger seat in a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence –

(a) there shall be a minimum seat squab width of 400 millimetres in respect of each passenger, and

(b) the top of each uncompressed squab shall be at least 275 millimetres and not more than 460 millimetres from the vehicle floor at the front of the squab.

(2) In respect of a vehicle referred to in paragraph (1) 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.

(3) Where in a vehicle referred to in paragraph (1) 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.

(4) The shoulder room of at least one row of rear seats in a vehicle referred to in paragraph (1) shall be a minimum of 1,360 millimetres.

(5) Subject to paragraph (6), no seat in a vehicle referred to in paragraph (1) may be added that contravenes these Regulations.

(6) A seat in a vehicle referred to in paragraph (1) may be replaced by a swivel seat fitted by an approved installer.

(7) Folding or removable seats may be used in a vehicle referred to in paragraph (1) only as supplied by the original manufacturer and in compliance with these Regulations.

(8) No seat on a vehicle referred to in paragraph (1) may be side facing.

13. Seat covers in a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be original equipment manufacturer quality cloth upholstery, leather retrim or of equivalent quality.

14. (1) Safety belts, belt anchorages, seats, seat anchorages, seat mechanisms, and head restraints in a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall comply with the technical provisions of the relevant passenger car (M1) EC/UNECE standards.

(2) In respect of the vehicle referred to in paragraph (1) proof shall be provided that the same level of performance required by the passenger car (M1) EC/UNECE Directives/Regulations is guaranteed.

Access Steps

15. (1) Where in respect of a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence -

(a) the vehicle is at normal ride attitude,

(b) the floor or lowest internal surface of the passenger compartment is higher than 230 millimetres from the ground, and

(c) the door aperture exceeds 1,150 millimetres in height,

an intermediate step (in these Regulations known as 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) An access step shall have a slip-resistant surface.

(3) Where fitted, kneeling suspension may be lowered to reduce the normal ride attitude prior to any measurement of the passenger compartment floor height in a vehicle referred to in paragraph (1).

16. (1) 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.

(2) 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.

(3) The maximum slope of an access step in any direction shall not exceed 3° when the vehicle is at normal ride attitude.

(4) 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.

(5) 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.

(6) 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.

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

(8) 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.

(9) An access step that has been certified as part of the ECWVTA approved vehicle specification is deemed to have complied with the requirements referred to in paragraphs (5) to (8).

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

18. Where a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence is fitted with a kneeling suspension system –

(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.

Wheelchair ramps and lifts.

19. (1) A wheelchair ramp or other mechanism, referred to in these Regulations as a “boarding aid”, that is either part of a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence or is carried

securely in that vehicle, shall be employed by the operator of that vehicle to permit a person travelling in a wheelchair to enter or exit the vehicle safely.

(2) Where the boarding aid is a powered lift assembly, the vehicle presenter shall provide a service or installation certificate no more than six months old which certificate shall confirm the minimum safe working load to be at least 300 kilogrammes.

(3) A lift platform shall be of minimum area 725 millimetres wide x 900 millimetres long.

(4) Subject to paragraph (6), a wheelchair ramp shall –

- (a) 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),
- (b) be able to accommodate a variety of ground and kerb conditions,
- (c) support a combined wheelchair and occupant mass of at least 300kg,
- (d) where detachable, be suitable for manual handling,
- (e) have a safe means of ramp stowage,
- (f) where detachable, be permanently marked with the vehicle registration number of the associated vehicle,
- (g) where detachable, have an adequate locating device to ensure that they do not slip or tilt when in use,
- (h) provide a continuous, slip-resistant surface for the wheels of the wheelchair,
- (i) be a minimum of 700 millimetres in width between the edge upturns,
- (j) have safety edge upturns that are at least 25 millimetres in height,
- (k) at all times be in good working order and available for use, and
- (l) display a Safe Working Load (SWL) marking.

(5) On request by the Commission, the applicant for a wheelchair accessible vehicle licence shall produce to the Commission within 14 days of the request documentary proof that the wheelchair ramp stored within the passenger compartment has met the standards set out in Schedule A.

(6) The Commission may waive one or more of the specifications contained in paragraphs (4) and (5) on the application of a manufacturer in respect of a particular design that cannot accommodate the specification or specifications in question where the Commission is satisfied that the merits of an innovative design solution for the consumer outweigh the desirability of compliance with this specification or specifications.

Restraints for wheelchairs and for passengers travelling in wheelchairs.

20. (1) A wheelchair space shall be fitted with –

- (a) 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
- (b) a wheelchair restraint system suitable for general wheelchair applications.

(2) A wheelchair restraint system shall be capable of being securely attached to the vehicle belt anchorages.

(3) A wheelchair occupant restraint system shall be capable of being securely attached to the vehicle belt anchorages.

(4) The wheelchair restraint belt anchorages shall be symmetrically located longitudinally relative to the wheelchair space provided.

(5) 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.

(6) A vehicle with ECWVTA fitted with alternative wheelchair restraints and proven to have successfully demonstrated an equivalent level of performance to that set out in Schedule B will receive consideration upon application by the manufacturer to the Commission.

(7) On request by the Commission, the applicant for a wheelchair accessible vehicle licence shall produce to the Commission within 14 days of the request documentary proof that the wheelchair restraint belt anchorages have met the standards set out in Schedule B.

(8) On request by the Commission, the applicant for a wheelchair accessible vehicle licence shall produce to the Commission within 14 days of the request documentary proof that the wheelchair occupant restraint belt anchorages have met the standards set out in Schedule B.

(9) 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.

(10) 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.

(11) A User Manual published in respect of the make and model of the vehicle concerned and detailing the correct use of specialist equipment shall be available in the vehicle at all times.

Handholds.

21. (1) A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be equipped with at least one handhold or rail to assist a passenger to access to or exit from the vehicle.

(2) A handhold or rail referred to in paragraph (1) shall –

- (a) approximate 30 millimetres in diameter,
- (b) be slip-resistant, and
- (c) be brightly coloured contrasting to the colour scheme of the general interior.

(3) There shall be a clearance of at least 35 millimetres between the inside of the working surface of a handhold or rail referred to in paragraph (1) and any adjacent surface.

Interior lighting.

22. (1) A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be equipped with localised lighting of not less than 200 lux at the entrance step.

(2) The background interior lighting level of a vehicle referred to in paragraph (1) shall be not less than 150 lux.

Flooring.

23. (1) A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be fitted with slip-resistant flooring.

(2) Any transitions between the floor and the doorways or seats of a vehicle referred to in paragraph (1) shall be delineated in a bright colour contrasting to the colour scheme of the general interior.

Induction loop and microphone

24. (1) Where a vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence is fitted with a full dividing screen, partition or bulkhead between the driver and passenger compartment, it shall be fitted with an intercom and induction loop.

(2) Where an intercom and induction loop is fitted to a vehicle referred to in paragraph (1), signage shall be clearly displayed in the passenger compartment to advise passengers of these facilities.

Windows.

25. (1) A vehicle the subject of an application for the grant or renewal of a wheelchair accessible licence shall be fitted with clear window glass.

(2) With the exception of a band of a maximum of 125 millimetres depth at the top upper edge, the front windscreen of a vehicle referred to in paragraph (1) shall exhibit 75 per cent minimum visible light transmission.

(3) The windows other than the front windscreen of a vehicle referred to in paragraph (1) shall exhibit 70 per cent minimum visible light transmission.

Signage

26. A vehicle the subject of an application for the grant or renewal of a wheelchair accessible hackney licence shall display externally on a passenger door the following symbol or a substantially similar symbol of not less than 105 millimetres in height and of a clearly contrasting colour:



Amendments

27. The Taxi Regulation Act 2003 (Wheelchair Accessible Hackney and Wheelchair Accessible Taxi Licences – Contact Information and Record Management) Regulations 2008 (S.I. No. 234 of 2008) are amended by inserting after Regulation 4 the following Regulation:

“5. 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.”

Schedule A

Regulation 19.

Impact Requirements for Boarding Aids (Static Test)

Any boarding aid contained in the passenger compartment should, in its stowed position, be capable of meeting the static strength test requirements below.

A static test should be carried out on the boarding aid in accordance with the following requirements:

- (a) The force specified below should be applied by means of a device that spreads the load across the width and the stowed height of the ramp or lift platform assembly. A strap running around the back of the ramp or lift platform at the point defined in (b), across vertical spreader channels and connected to the loading device at the front of the ramp would be suitable;
- (b) The force specified below should be applied by means of a device positioned at as close as possible to the centre of gravity of the ramp or lift structure. This should preferably be a position stated by the manufacturer. Otherwise, if the ramp or lift platform is a symmetrical structure this can be taken as half way along the length and stowed height of the structure;
- (c) The force in (a) and (b) above should be applied in the forward direction and at an angle of between 0° and 15° above the horizontal plane;
- (d) The force should be applied as rapidly as possible through the central vertical axis of the ramp/lift structure;
- (e) The force should be maintained for a period of not less than 0.2 seconds; and
- (f) 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.

The forces referred to above are:

A force equal to 20 times the weight of the complete ramp/lift structure i.e.

$$\text{force (N)} = 20 \times \text{ramp mass (kg)} \times 9.81$$

The test above should fail unless the following requirements are met:

- (i) no part of the system should have failed, or should have become detached from its belt anchorage or from the vehicle during the test;
- (ii) the ramp/lift should be capable of deployment after completion of the test;
- (iii) 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 B

Regulation 20.

Wheelchair & Occupant Restraint Belt Anchorage Requirements (Static Test)

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:

1. (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) 22250N ± 200N 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;
 - (ii) 11100N ± 200N 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 in paragraph 1 should 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;
 - (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.

Given under the seal of the Commission for Taxi Regulation,

8 June 2010.

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

These Regulations introduce additional requirements for wheelchair accessible taxis from 8 June 2010 in respect of new licences and from 3 January 2012 in respect of existing licences (i.e. renewals). In addition, they create a new licence category; that of wheelchair accessible hackney. A draft of these Regulations was notified under Directive 98/34/EC.

These Regulations contain specifications relating to –

- general vehicle requirements,
- luggage,
- door dimensions,
- wheelchair space,
- seating numbers and dimensions,
- access steps,
- wheelchair ramps and lifts together with compliance test,
- restraints for wheelchairs and passengers travelling in wheelchairs together with compliance test,
- handholds,
- interior lighting,
- flooring,
- induction loop and microphone,
- transparent windows, and
- mandatory signage.

They also amend 2008 Regulations in relation to accessible taxis and hackneys to provide that holders of accessible vehicle licences are obliged to prioritise bookings in respect of persons with disabilities.

S.I. 249 of 2010

TAXI REGULATION ACT 2003 (SUITABILITY INSPECTION AND ANNUAL LICENCE RENEWAL ASSESSMENT OF SMALL PUBLIC SERVICE VEHICLES) REGULATIONS 2010

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Suitability Inspection and Annual Licence Renewal Assessment of Small Public Service Vehicles) Regulations 2010.
2. These Regulations shall come into operation on 8 June 2010.
3. (1) In these Regulations –

“anchorage” means the part or parts of the vehicle structure or seat structure or any other part or parts of the vehicle to which the safety belt assemblies or the wheelchair restraints are to be secured;

“ANSI” means American National Standards Institute;

“BS” means British Standard;

“CEN” means Comité Européen de Normalisation;

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

“design gross vehicle weight” means the gross weight of a vehicle laden with the heaviest load which it can reasonably carry having regard to the engine capacity, brakes, tyres and the general construction of the vehicle and shall, until the contrary is shown, be taken to be the design gross weight of the vehicle as specified by the manufacturer or distributor of the vehicle, or where the design gross weight of the vehicle as specified by the manufacturer or distributor is not ascertainable, the design gross weight of the vehicle as specified by a technical assessor.

“ECE” means United Nations Economic Commission for Europe;

“ECWVTA” means the European Community Whole Vehicle Type Approval system for motor vehicles;

“EN” means European Norm;

“flexible fuel vehicle” means a vehicle that derives its motive power from an internal combustion engine that is capable of using a blend of ethanol and petrol, where such blend contains a minimum of 85 per cent ethanol;

“fire extinguisher” means a portable 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;

“first aid kit” means a within date first aid kit complying with DIN (Deutsches Institut für Normung) 13164 or a comparable travel kit recommended by the Health and Safety Authority;

“hybrid electric vehicle” means a vehicle that derives its motive power from a combination of an electric motor and an internal combustion engine and is capable of being driven on electric propulsion alone for a material part of its normal driving cycle;

“inspector” means a person engaged by the Commission for the purpose of conducting vehicle inspections under these Regulations;

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

"modified vehicle" means a vehicle that is not a standard mass produced passenger car and includes any vehicle that has been converted from a goods or light goods vehicle without subsequent Type Approval, any vehicle that has been stretched, any vehicle that is a "kit car" or any vehicle where the seats, safety belts and safety belt anchorages are not original or the installation of these items is not original;

"public place" means-

(a) any public road, and

(b) any street or road or any other place to which the public have access with vehicles whether as of right or by permission and whether subject to or free of charge;

"Regulations of 2007" means the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007 (S.I. No. 710 of 2007);

"Regulations of 2008" means the Taxi Regulation Act 2003 (Permanent Feature Vehicle Size and Safety Equipment) Regulations 2008 (S.I. No. 569 of 2008);

"safety belt" means an arrangement of straps with a securing buckle, adjusting devices and attachments that is capable of being anchored to a vehicle and is designed to diminish the risk of injury to its wearer, in the event of collision or abrupt vehicle deceleration, by limiting the mobility of the wearer's body;

"small public service vehicle" means a mechanically propelled vehicle which –

(a) is designed and constructed for the carriage of passengers and which has a maximum of eight seats excluding the driver's seat and a maximum design gross vehicle weight of 3,500 kilogrammes,

(b) has 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, and

(c) is licensed to operate as a hackney, wheelchair accessible hackney, taxi, wheelchair accessible taxi or limousine.

"Small Public Service Vehicle Regulations" means the Road Traffic (Public Service Vehicles) Regulations 1963 to 2003 insofar as they apply to small public service vehicles and Regulations made under section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003);

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

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

"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 Commission to be an appropriate person to assess the fitness and safety of a mechanically propelled vehicle;

"VDA method" means the method of luggage volume measurement of the German Association of the Automotive Industry, *Verband die Automobil Industrie*;

“VIN” means Vehicle Identification Number, 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.

(2) A reference to “Commissioner” in the Road Traffic (Small Public Service Vehicles) Regulations 1963 to 2002 shall be deemed to mean the Garda Commissioner or the Commissioner for Taxi Regulation, as appropriate, and a reference to “licensing authority” shall be deemed to include a reference to the Commission for Taxi Regulation, as appropriate.

Initial Suitability Inspection – taxi

4. In order to submit an application for the continuance in force of a taxi licence in respect of a different vehicle, the applicant shall first demonstrate that the vehicle in respect of which it is proposed to have the licence continued in force complies with the requirements relating to a taxi licence of Regulations 10 – 21, 23 and 25 by successfully completing the appropriate initial suitability inspection.

Initial Suitability Inspection – wheelchair accessible taxi

5. In order to submit an application in respect of the grant of a wheelchair accessible taxi licence, the applicant shall first demonstrate that the vehicle the subject of the application complies, as appropriate, with-

- (a) the requirements relating to a wheelchair accessible taxi licence of Regulations 10 – 13, 15 – 21 and 25,
- (b) the licence requirements of Schedule 2, and
- (c) the requirements of the Taxi Regulation Act 2003 (Wheelchair Accessible Hackney and Wheelchair Accessible Taxi – Vehicle Standards) Regulations 2010 (S.I. No.248 of 2010),

by successfully completing the appropriate initial suitability inspection.

Initial Suitability Inspection – hackney

6. In order to submit an application for the continuance in force of a hackney licence in respect of a different vehicle, the applicant shall first demonstrate that the vehicle in respect of which it is proposed to have the licence continued in force complies with the requirements relating to a hackney licence of Regulations 10 – 20 and 22 - 24 by successfully completing the appropriate initial suitability inspection.

Initial Suitability Inspection – wheelchair accessible hackney

7. In order to submit an application in respect of the grant of a wheelchair accessible hackney licence, the applicant shall first demonstrate that the vehicle the subject of the application complies, as appropriate, with –

- (a) the requirements relating to a wheelchair accessible hackney licence of Regulations 10 – 13, 15 – 20, 22 and 24,
- (b) the requirements of Schedule 2, and
- (c) the requirements of the Taxi Regulation Act 2003 (Wheelchair Accessible Hackney and Wheelchair Accessible Taxi – Vehicle Standards) Regulations 2010 (S.I. No.248 of 2010),

by successfully completing the appropriate initial suitability inspection.

Initial Suitability Inspection – limousine

8. In order to submit an application in respect of the grant of a limousine licence, the applicant shall first demonstrate that the vehicle the subject of the application complies with the requirements relating to a limousine licence of Regulations 10–13, and 16 – 20 together with Schedule 3 by successfully completing the appropriate initial suitability inspection.

Annual Renewal Assessment

9. In order to submit an application in respect of the renewal of a small public service vehicle licence, the applicant for renewal shall first demonstrate that the vehicle the subject of the renewal application complies with the requirements of Schedule 4, as appropriate, by successfully completing an Annual Renewal Assessment.

Modified vehicle

10. (1) An application in respect of the grant of a small public service vehicle licence in relation to a “modified vehicle” shall be supported by a Technical Assessor’s Report dated no older than 90 days.

(2) The Technical Assessor’s Report referred to in paragraph (1) shall include confirmation that the vehicle concerned, as identified by reference to its VIN, in its modified state complies with relevant Type Approval Regulations and Construction, Equipment and Use Regulations for category M1 passenger cars (including safety belts, safety belt anchorages and seat strength requirements).

Equipment to be carried

11. A vehicle the subject of an application for the grant or renewal of a small public service vehicle licence shall, at all times, safely carry the following articles:-

- (a) a spare wheel system;
- (b) a first-aid kit;
- (c) a fire extinguisher;
- (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;
- (f) a working handheld torch;
- (g) a pen and paper.

Limitation on number of passengers

12. (1) The number of passengers carried in a small public service vehicle in a public place shall not exceed the number stated, in the small public service vehicle licence granted under the Small Public Service Vehicle Regulations in respect of the vehicle, to be the number of passengers for which passenger accommodation is available in such vehicle, subject to a maximum number of eight.

(2) The number of passengers in respect of which a vehicle is to be licensed as a small public service vehicle shall be the number of seating positions 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;
 - (d) in relation to a wheelchair accessible vehicle each wheelchair space is reckoned as one seating position.
- (3) The number of seating positions, as determined in paragraph (2) shall not exceed eight and a vehicle that may clearly accommodate in excess of this number shall be required to permanently disable any surplus seating positions.

(4) In respect of an application for the renewal of a small public service vehicle licence, the number of passengers in respect of which the licence concerned is to be renewed shall not be different to that determined by the relevant original Initial Suitability Inspection.

Vehicle Weight

13. The design gross vehicle weight of a vehicle shall be assessed at the initial suitability inspection and shall be no greater than 3,500 kilogrammes.

Taxi and Hackney – Vehicle Size and Luggage

14. (1) Subject to paragraph (2), a vehicle the subject of an application for the grant or renewal of a hackney licence or a taxi licence shall –

(a) comply with the fitness for purpose specifications relating to permanent feature vehicle size contained in Schedule 5,

(b) have a guard or cover fitted to the luggage compartment to prevent luggage from causing injury to any person in the event of an accident, and

(c) have a permanent, rigid roof covering driver and passenger compartments.

(2) The Commission may reduce or waive the requirements of paragraph (1)(a) where it is satisfied that the vehicle concerned is a series production hybrid electric vehicle or a series production flexible fuel vehicle.

(3) In relation to a vehicle the subject of an application for the continuance in force of a taxi or hackney licence in respect of a different vehicle, the vehicle in respect of which it is proposed to have the licence continued in force shall comply with the requirements of paragraph (1).

(4) In relation to a vehicle the subject of an application for the continuance in force of a taxi licence in respect of another party, the vehicle in respect of which it is proposed to have the licence continued in force shall comply with the requirements of paragraph (1).

(5) In respect of a vehicle referred to in paragraph (1), (2), (3) or (4), any area provided for luggage shall be available for passenger luggage and shall not contain insecure items or be damp or dirty.

(6) In respect of a vehicle referred to in paragraph (1), (2), (3) or (4), the vehicle concerned shall be provided with seats in relation to which –

(a) the supports shall be firmly fixed in position, and

(b) at least 400 millimetres measured in a straight line along the front of each seat shall be allowed for each passenger.

Hackney, wheelchair accessible hackney, taxi and wheelchair accessible taxi – prohibition on side-facing seats

15. A vehicle the subject of an application for the grant or renewal of a hackney, wheelchair accessible hackney, taxi or wheelchair accessible taxi licence shall not be fitted with side-facing seats.

Requirements relating to condition

16. (1) A vehicle the subject of an application for the grant or renewal of a small public service vehicle licence shall be kept in a good and clean condition and in particular its interior shall be kept free of dust, dirt, grime, refuse, litter, objectionable matter or unpleasant smell.

(2) In respect of a vehicle the subject of an application for the grant or renewal of a small public service vehicle licence, the exterior paint shall exhibit good colour consistency and there shall be no repairs in progress.

(3) In respect of a vehicle the subject of an application for the grant or renewal of a small public service vehicle licence, the vehicle shall be fitted with seats which are properly upholstered with leather, good quality artificial leather or other durable material, and which are maintained in a clean and hygienic condition.

Passenger compartment – temperature

17. (1) In relation to the heating capability of the passenger compartment of a vehicle the subject of an application for the grant of a small public service vehicle licence, it shall be possible to maintain a temperature of

20 degrees centigrade during an external ambient temperature of -5 degrees centigrade.

(2) A vehicle the subject of an application for the renewal of a small public service vehicle licence shall be fitted with a heater that is in operational condition at all times.

Interior Lighting

18. In respect of a vehicle the subject of an application for the grant or renewal of a small public service vehicle licence, the standard fitment interior lighting of the vehicle shall be in operational condition at all times.

Doors and windows

19. (1) Subject to paragraph (3), all doors of a vehicle the subject of an application for the grant or renewal of a small public service vehicle licence shall be operable from inside or outside by a passenger.

(2) All passenger (side) windows of a vehicle referred to in paragraph (1) shall be readily operable.

(3) A door of a vehicle referred to in paragraph (1) may be automatically locked while the vehicle is in motion provided it automatically unlocks once the vehicle becomes stationary.

In-vehicle information

20. A vehicle the subject of an application for the grant or renewal of a small public service vehicle licence shall comply with the requirement of Regulation 8 of the Regulations of 2007 in relation to in-vehicle information.

Taxi and Wheelchair Accessible Taxi – taximeter

21. (1) A vehicle the subject of an application for the grant or renewal of a taxi licence or a wheelchair accessible taxi licence shall be fitted with a taximeter complying with this Regulation.

(2) A taximeter referred to in paragraph (1) shall –

(a) be securely attached to the vehicle so that the taximeter cannot be detached or caused to become inaccurate by vibration of the engine or the motion of the vehicle,

(b) be in such position on the vehicle as to enable a passenger inside the vehicle easily to see and read the taximeter, and

(c) be fitted with a device capable of printing automatically a receipt showing the fare charged for a hire, including the vehicle registration number and vehicle licence number.

Hackney and wheelchair accessible hackney – prohibition on taximeter

22. A vehicle the subject of an application for the grant or renewal of a hackney licence or a wheelchair accessible hackney licence shall not be fitted with a taximeter.

Hackney and Taxi – Vehicle Age

23. (1) On the date on which an application for the grant of a hackney or taxi licence is received by the Commission, the vehicle the subject of such an application shall be less than nine years of age from the date of first registration.

(2) In respect of a vehicle the subject of an application for the renewal of a hackney licence or taxi licence first granted on or after 1 January 2009, the vehicle concerned shall, on the date on which the application is received by the National Transport Authority, be less than nine years of age from the date of first registration.

(3) Subject to Regulation 3(3) of the Taxi Regulation Act 2003 (Grant of Taxi Licences) (Amendment) Regulations 2010 (S.I. No. 250 of 2010), in relation to an application for the continuance in force of a taxi licence

or hackney licence in respect of a different vehicle, the vehicle in respect of which it is proposed to have the licence continued in force shall, on the date on which the application is received by the Commission, be less than nine years of age from the date of first registration.

(4) For the purposes of this Regulation, “date of first registration” means the date on which the vehicle in question was first registered in whichever country the vehicle was first registered.

Hackney and Wheelchair Accessible Hackney – sign

24. (1) Subject to paragraph (2), no sign or advertisement, other than one prescribed by the Commission, shall be displayed on a vehicle the subject of an application for the grant or renewal of either a hackney licence or a wheelchair accessible hackney licence.

(2) A sign of a size no larger than 500 millimetres by 20 millimetres or equivalent area (10,000 square millimetres) may be displayed on a vehicle referred to in paragraph(1) beneath the rear registration plate bearing the unique identification mark (registration number) of the vehicle concerned or on the lower half of the rear window.

(3) The sign referred to in paragraph (2) may contain only the contact details of the owner of the vehicle, the driver of the vehicle, the company which owns the vehicle or to which the vehicle is affiliated or the contact details of the vehicle dealer, agent or supplier.

Taxi Roof Sign

25. (1) There shall be displayed on the roof of a vehicle the subject of an application for the grant or renewal of a taxi licence or wheelchair accessible taxi licence a sign (in these Regulations referred to as a taxi sign) which complies with the requirements contained in the Schedule to the Regulations of 2007.

(2) A taxi sign shall at no time be so defaced, obscured or altered in such a manner that the word “TAXI” or “TACSAI” or the licence number is rendered illegible or partly illegible.

(3) 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.

Operational requirements

26. A person shall not operate a vehicle as a small public service vehicle unless the vehicle concerned complies with the requirements of the appropriate initial suitability inspection together with the requirements of the appropriate annual renewal assessment.

Suspension or Revocation of Licence

27. Where the holder of a small public service vehicle licence in respect of a vehicle fails to comply with these Regulations, the Commission may, at its discretion, suspend or revoke the licence concerned.

Amendments

28. (1) The Road Traffic (Public Service Vehicles) (Amendment) Regulations 1995 (S.I. No. 136 of 1995) are amended –

(a) in Regulation 3(4) by inserting after “wheelchair accessible taxi” “or wheelchair accessible hackney”,

(b) in Regulation 5(2) by inserting after “hackney” “or wheelchair accessible hackney”,

(c) in Regulation 10 by substituting “An application for a taxi licence, wheelchair accessible taxi licence, hackney licence, wheelchair accessible hackney licence or limousine licence” for “Applications for taxi licences, wheelchair accessible taxi licences and hackney licences”,

(d) in Regulation 13 by substituting for paragraph (c) the following:

“(c) the applicant satisfies the Commission for Taxi Regulation that the use of the vehicle as a small public service vehicle is covered by appropriate insurance, and

(d) the vehicle meets any requirements in relation to vehicle standards prescribed by Regulations made by the Commission for Taxi Regulation under section 34 of the Taxi Regulation Act 2003.”,

(e) in Regulation 16 -

(i) in paragraph (2)(c) by substituting for subparagraph (c) the following –

“(c) where the applicant has paid to the Commission for Taxi Regulation the appropriate fee specified in the Fourth Schedule, and

(cc) where the vehicle meets any requirements in relation to vehicle standards prescribed by regulations made by the Commission for Taxi Regulation under section 34 of the Taxi Regulation Act 2003,”,
and

(ii) in paragraph (2)(e) by substituting “Regulation 16(2) of the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007 (S.I. No. 710 of 2007)” for “Article 33(7) of these Regulations”.

(f) in Regulation 17(2) by inserting after paragraph (a) the following:

“(b) where the applicant has paid to the Commission for Taxi Regulation the appropriate licence renewal fee specified in the Fourth Schedule, and

(c) where the applicant satisfies the Commission for Taxi Regulation that the vehicle to which it is proposed to have the licence continued in force complies with any age requirements prescribed by Regulations made under section 34 of the Taxi Regulation Act 2003.”,

(g) in Regulation 18(2) by inserting after paragraph (a) the following:

“(b) where the applicant has paid to the licensing authority the appropriate fee specified in the Fourth Schedule, and

(c) where the applicant satisfies the Commission for Taxi Regulation that the vehicle to which it is proposed to have the licence continued in force complies with any age requirements prescribed by Regulations made under section 34 of the Taxi Regulation Act 2003.”,

(h) in each place it occurs in Regulations 16(1), 17(1), 22(1), 22(2), 23, 24(1), 24(2), 24(3), 24(4), 25(1), 26(1), 26(3)(b) by inserting after “hackney” “or wheelchair accessible hackney”,

(i) in paragraphs 1(a) and 1(b) of the Fourth Schedule, by inserting after “wheelchair accessible taxi licence” or “wheelchair accessible hackney”.

(2) The Schedule to the Regulations of 2007 is amended –

(a) by substituting paragraph 2 for the following:

“(1) Subject to paragraph (2), the dimensions of the sign shall be such that the surface of the sign which is capable of being illuminated shall not be more than 120 millimetres approximately and not less than 110 millimetres approximately in height and not less than 1,030 millimetres and not more than 1,120 millimetres in length.

(2) The dimensions of any identification component to be displayed on the taxi sign relating to the county of operation of the driver shall be such as are from time to time determined by the Commission.”;

(b) by adding the following:

“6. With the prior consent of any individual who hires the taxi in respect of any journey that is likely to exceed 30 kilometres, the taxi sign may be positioned longitudinally.”

(3) Regulation 6 of the Road Traffic (Public Service Vehicles) (Amendment) (No.2) Regulations 1999 (No. 316 of 1999) is amended by substituting for paragraph (2)(a) the following:

“(a) in respect of a vehicle that complies with any vehicle standard requirements pertaining to limousines contained in Regulations made under section 34 of the Taxi Regulation Act 2003”.

Revocations

29. The following Regulations are revoked –

(a) the Road Traffic (Public Service Vehicles) (Amendment) Regulations 1987 (S.I. No. 139 of 1987);

(b) the Road Traffic (Public Service Vehicles) (Amendment) Regulations 1997 (S.I. No. 193 of 1997);

(c) the Schedule to the Road Traffic (Public Service Vehicles) (Amendment) (No.2) Regulations 1999 (S.I. No 316 of 1999);

(d) Regulation 21(2) of the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007 (S.I. No. 710 of 2007);

(e) The Taxi Regulation Act 2003 (Permanent Feature Vehicle Size and Safety Equipment) Regulations 2008 (S.I. No. 569 of 2008).

Schedule 1

Regulations 4 - 8.

SPSV Initial Suitability Inspection

The applicant for the grant of a small public service vehicle licence shall arrange to submit the vehicle, associated with that application, for inspection prior to the licence being granted to satisfy the inspector that the vehicle concerned meets the following requirements:

In respect of a taxi licence:-

Modified vehicle	Regulation 10
Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle Weight	Regulation 13
Vehicle size and luggage	Regulation 14
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18

Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Taximeter and printer	Regulation 21
Vehicle age	Regulation 23
Taxi roof sign	Regulation 25

In respect of a wheelchair accessible taxi licence: -

Modified vehicle	Regulation 10
Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle Weight	Regulation 13
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Taximeter and printer	Regulation 21
Taxi roof sign	Regulation 25
Accessible features and luggage	Part 1 of Schedule 2

In respect of a hackney licence:-

Modified Vehicle	Regulation 10
Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle Weight	Regulation 13
Vehicle size and luggage	Regulation 14
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Prohibition on taximeter	Regulation 22
Vehicle age	Regulation 23
Hackney sign	Regulation 24

In respect of a wheelchair accessible hackney licence:-

Modified vehicle	Regulation 10
Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle Weight	Regulation 13
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Prohibition on taximeter	Regulation 22
Hackney sign	Regulation 24
Accessible features and luggage	Part 1 of Schedule 2

In respect of a limousine licence:-

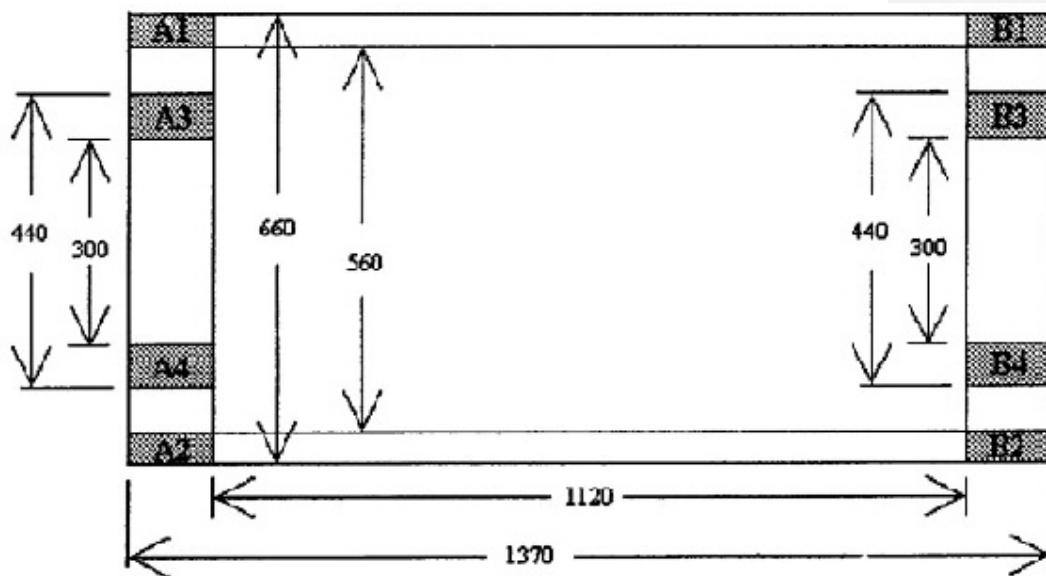
Modified Vehicle	Regulation 10
Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle Weight	Regulation 13
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Vehicle style & engine size	Schedule 3
Doors	Schedule 3
Prohibition on taximeter	Schedule 3
Tyre specification	Schedule 3
Passenger capacity	Schedule 3
Modified vehicle	Schedule 3
Limousine sign	Schedule 3

SCHEDULE 2

Part 1

Requirements for a Vehicle the subject of an Application for the Grant of a Wheelchair Accessible Taxi Licence or a Wheelchair Accessible Hackney Licence

1. The vehicle shall have been constructed or adapted so as to be capable of accommodating a person seated in a wheelchair.
2. The vehicle shall have seating accommodation for at least three passengers in addition to the person seated in the wheelchair.
3. The vehicle shall have at least two doors giving access to the area in the vehicle where the wheelchair and its occupant is to be accommodated. Each of these doors shall have an aperture height of at least 1,250 millimetres and an aperture width of at least 735 millimetres.
4. The vehicle shall be provided at all times 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. 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.
5. The wheelchair and its occupant shall be accommodated in either a forward facing or rear facing position. This area shall be at least 1,300 millimetres in height measured from the floor to the roof lining and have a length of at least 1,200 millimetres and a width of at least 750 millimetres available for the exclusive accommodation of a wheelchair and its occupant at all times while the vehicle is standing or plying for hire.
6. (1) The area designated for the accommodation of the wheelchair and its occupant 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.
- (2) For the purpose of sub-paragraph (1), an appropriate means shall be deemed to have been provided where the vehicle is equipped as follows:-
 - (a) 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.
 - (b) A minimum of a lap belt shall be provided for the purpose of securing the wheelchair occupant.
 - (c) 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. 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

(d) 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.

(e) 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.

(f) (i) 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.

(ii) 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.

(g) 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.

(h) 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.

7. The vehicle shall have reasonable provision for luggage relative to the number of seating positions in respect of which the licence application is subsequently granted.

Part 2

Additional Requirements in respect of a Vehicle the subject of an Application for the Renewal of a Wheelchair Accessible Taxi Licence or a Wheelchair Accessible Hackney Licence

1. Any area provided for luggage shall be available for passenger luggage and shall not contain insecure items or be dirty or damp.
2. Wheelchair access through the accessible doors shall be free of obstruction.
3. Ramps or other boarding aids shall be –
 - (a) present in the vehicle,
 - (b) available for use,
 - (c) in fully operational condition,
 - (d) where detachable, have an adequate locating device to ensure that they do not slip or tilt when in use, and
 - (e) operable at the accessible doors.
4. The wheelchair space shall be reserved for the exclusive accommodation of a person seated in his or her wheelchair and shall be free from obstruction or intrusion.
5. Restraints for the purpose of securing a general wheelchair to the vehicle shall be present.
6. A safety belt for securing the occupant of the wheelchair shall be present and in full operational condition.

Regulation 8.

SCHEDULE 3

Additional Requirements in respect of a vehicle the subject of an application for the grant or renewal of a limousine licence.

1. Subject to Paragraph 2, a limousine licence may be granted only in respect of a vehicle that has an engine capacity of at least 1,900 cubic centimetres and that is 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.
2. The Commission may waive the requirement in relation to engine capacity contained in Paragraph 1 where the vehicle concerned was constructed more than 30 years prior to the date of the application for a limousine licence.

3. Where a passenger is 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. 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.

4. The fitment of a taximeter is prohibited.

5. (1) In relation to stretched vehicles –

(a) the tyre load rating shall be appropriate for the (stretched) design gross vehicle weight, and

(b) a minimum tyre load rating of 107 is required unless documentary evidence in support of a lower rating is supplied.

6. (1) Subject to paragraph (2), no sign or advertisement, other than one prescribed by the Commission, shall be displayed on a vehicle the subject of an application for the grant or renewal of a limousine licence.

(2) A sign of a size no larger than 500 millimetres by 20 millimetres or equivalent area (10,000 square millimetres) may be displayed beneath the rear registration plate bearing the unique identification mark (registration number) of a vehicle referred to in paragraph (1) or on the lower half of the rear window.

(3) The sign referred to in paragraph (2) shall contain the contact details of the owner of the vehicle, the driver of the vehicle, the company which owns the vehicle or to which the vehicle is affiliated or the contact details of the vehicle dealer, agent or supplier.

Regulation 9.

SCHEDULE 4

SPSV Annual Licence Renewal Assessment.

The holder of the vehicle licence shall arrange to submit the vehicle, associated with that licence, for inspection annually no earlier than 90 days prior to the licence expiry date to satisfy the inspector that the vehicle concerned continues to meet the following requirements:

In respect of a taxi licence:-

Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle Weight	Regulation 13
Vehicle size and luggage	Regulation 14
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19

In-vehicle information	Regulation 20
Taximeter and printer	Regulation 21
Vehicle age	Regulation 23
Taxi roof sign	Regulation 25

In respect of a wheelchair accessible taxi licence:-

Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle Weight	Regulation 13
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Taximeter and printer	Regulation 21
Taxi roof sign	Regulation 25
Accessible Features and Luggage	Part 2 of Schedule 2

In respect of a hackney licence:-

Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle weight	Regulation 13
Vehicle size and luggage	Regulation 14
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Prohibition on taximeter	Regulation 22
Vehicle age	Regulation 23
Hackney sign	Regulation 24

In respect of a wheelchair accessible hackney licence: –

Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11
Seating capacity	Regulation 12
Vehicle weight	Regulation 13
Prohibition on side-facing seats	Regulation 15
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Prohibition on taximeter	Regulation 22
Hackney sign	Regulation 24
Accessible Features and Luggage	Part 2 of Schedule 2

In respect of a limousine licence:-

Spare wheel	Regulation 11
In-vehicle safety equipment	Regulation 11

Seating capacity	Regulation 12
Vehicle weight	Regulation 13
Cleanliness	Regulation 16
Passenger compartment temperature	Regulation 17
Interior lighting	Regulation 18
Doors and windows	Regulation 19
In-vehicle information	Regulation 20
Prohibition on taximeter	Schedule 3, paragraph 4
Tyre Specification	Schedule 3, paragraph 5
Limousine sign	Schedule 3, paragraph 6

Schedule 5

Regulation 14.

Permanent Feature Vehicle Size

Permanent Feature	Capacity
Number of doors	Minimum of four
Luggage Capacity	Minimum of 420 litres by VDA method
Capability to accept dummy folded wheelchair within the luggage compartment/capacity	Over-all maximum size 735 x 330 x 805 millimetres
Rear shoulder width dimension	Minimum of 1360 millimetres
Rear legroom/seat length	Minimum of 650 millimetres
Front passenger foot space	Minimum of 350 x 350 millimetres at floor
Front passenger exit radius	Minimum of 350 millimetres
Front and rear seat squab height	Front minimum 275 millimetres Rear 275-460 millimetres

Given under the seal of the Commission for Taxi Regulation,

8 June 2010.

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

These regulations prescribe the suitability requirements for a vehicle which is intended for use as a small public service vehicle (SPSV). A draft of these Regulations was notified under Directive 98/34/EC.

They further require that in order to make an application for a SPSV licence, the applicant must first demonstrate that the vehicle the subject of the application complies with the suitability requirements in respect of that particular class of SPSV, as defined

in this legislation. In addition, they introduce a requirement for relevant vehicles to complete an Annual Renewal Assessment in order to renew a SPSV licence. They also provide for the category of wheelchair accessible hackney licence.

S.I. 250 of 2010

**TAXI REGULATION ACT 2003 (GRANT OF TAXI LICENCES)
(AMENDMENT) REGULATIONS 2010**

The Commission for Taxi Regulation, in exercise of the powers conferred on it by sections 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Grant of Taxi Licences) (Amendment) Regulations 2010.
2. In respect of an application for the grant of a small public service vehicle licence other than a limousine licence, the Commission may grant such a licence only where the vehicle the subject of the application complies with the specifications relating to wheelchair accessible taxis or wheelchair accessible hackneys, as appropriate, contained in the Road Traffic (Public Service Vehicles) Regulations 1963 to 2003 and Regulations made under section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003).
3. (1) A taxi licence granted before the date on which these Regulations come into operation may be continued in force in respect of another party on one occasion only.

(2) A continuance in force referred to in paragraph (1) may be completed only where the vehicle in respect of which it is proposed to continue the licence in force is, on the date such application is received by the Commission, less than three years of age from the date of first registration.

(3) Subject to paragraph (4), where there is an application for the continuance in force of a licence referred to in paragraph (1) in respect of a different vehicle, the vehicle in respect of which it is proposed to have the licence continued in force shall, on the date such application is received by the Commission, be no older than the vehicle from which the licence is to be transferred.

(4) For the purposes of this Regulation –
 - (a) the age of the vehicle shall be assumed to be three years on the date of application for continuance in force referred to in paragraph (1), and
 - (b) “date of first registration” means the date on which the vehicle in question was first registered in whichever country the vehicle was first registered.
4. A taxi licence granted after the date on which these Regulations come into operation may not be continued in force in respect of another party.
5. A wheelchair accessible taxi licence may not be continued in force in respect of another party.

Given under the seal of the Commission for Taxi Regulation,

8 June 2010.

Kathleen Doyle
Commissioner for Taxi Regulation

Explanatory Memorandum

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

These Regulations provide that a hackney or taxi licence may be granted only in respect of a vehicle that is wheelchair accessible.

They further provide that a person who is granted a taxi or wheelchair accessible taxi licence (i.e. a new licence) after these Regulations come into operation will not be permitted to transfer that licence to another party. In addition, they provide that a taxi licence granted before these Regulations come into operation (i.e. an existing taxi licence) may be transferred from the licence-holder to another party on only one further occasion. This transfer may only be made in respect of a vehicle that is less than three years old. Subsequent changes in vehicle may be no older than the vehicle it replaces. A wheelchair accessible taxi licence granted before these Regulations come into operation is not transferable.

S.I. 291 of 2010

TAXI REGULATION ACT 2003 (WHEELCHAIR ACCESSIBLE HACKNEYS AND WHEELCHAIR ACCESSIBLE TAXIS – VEHICLE STANDARDS) (AMENDMENT) REGULATIONS 2010

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Wheelchair Accessible Hackneys and Wheelchair Accessible Taxis –Vehicle Standards) (Amendment) Regulations 2010.
2. The Taxi Regulation Act 2003 (Wheelchair Accessible Hackneys and Wheelchair Accessible Taxis –Vehicle Standards) Regulations 2010 (S.I. No. 248 of 2010) are amended by substituting the following for Regulation 4:

“Mutual Recognition Clause

4. The requirements contained in these Regulations 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.”.

Given under the seal of the Commission for Taxi Regulation,

6 June 2010

Kathleen Doyle

Commissioner for Taxi Regulation

Explanatory Memorandum

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

These Regulations amend earlier vehicle standards Regulations pertaining to accessible small public service vehicles (i.e. wheelchair accessible hackneys and

wheelchair accessible taxis) in respect of the Technical Standards Directive (Directive 98/34/EC) mutual recognition clause.

S.I. 549 of 2010

TAXI REGULATION ACT 2003 (SUITABILITY INSPECTION AND TAXI ROOF SIGN) (AMENDMENT) REGULATIONS 2010

The Commission for Taxi Regulation, in exercise of the powers conferred on it by section 34 of the Taxi Regulation Act 2003 (No. 25 of 2003), hereby makes the following regulations:

1. (1) These Regulations may be cited as the Taxi Regulation Act 2003 (Suitability Inspection and Taxi Roof Sign) (Amendment) Regulations 2010.

(2) Regulation 2(b) shall come into operation on 1 January 2011, Regulation 3 shall come into operation on 1 August 2011 and Regulation 2(a) shall come into operation on 1 January 2012.
2. The Taxi Regulation Act 2003 (Suitability Inspection and Annual Licence Renewal Assessment of Small Public Service Vehicles) Regulations 2010 (S.I. No. 249 of 2010) are amended

- (a) by substituting the following for Regulation 14:

“Taxi and Hackney – Vehicle Size and Luggage

14. (1) Subject to paragraph (2), a vehicle the subject of an application for the grant or renewal of a hackney licence or a taxi licence shall-

(a) comply with the fitness for purpose specifications relating to permanent feature vehicle size contained in Schedule 5,

(b) have a guard or cover fitted to the luggage compartment to prevent luggage from causing injury to any person in the event of an accident, and

(c) have a permanent, rigid roof covering driver and passenger compartments.

(2) The Commission may reduce or waive the requirements of paragraph (1)(a) where it is satisfied that the vehicle concerned is a series production hybrid electric vehicle or a series production flexible fuel vehicle.

(3) In relation to a vehicle the subject of an application for the continuance in force of a taxi or hackney licence in respect of a different vehicle, the vehicle in respect of which it is proposed to have the licence continued in force shall comply with the requirements of paragraph (1).

(4) In relation to a vehicle the subject of an application for the continuance in force of a taxi licence in respect of another party, the vehicle in respect of which it is proposed to have the licence continued in force shall comply with the requirements of paragraph (1).

(5) In respect of a vehicle referred to in paragraph (1), (2), (3), or (4), any area provided for luggage shall be available for passenger luggage and shall not contain insecure items or be damp or dirty.

(6) In respect of a vehicle referred to in paragraph (1), (2), (3) or (4), the vehicle concerned shall be provided with seats in relation to which-

(a) the supports shall be firmly fixed in position, and

(b) at least 400 millimetres measured in a straight line along the front of each seat shall be allowed for each passenger.”,

(b) by substituting the following for Regulation 23(2):

“(2) In relation to a vehicle the subject of an application for the renewal of a hackney licence or taxi licence, the vehicle concerned shall, on the date on which the application is received by the Commission, be less than nine years of age from the date of first registration.”, and

(c) by substituting the following for Regulation 23(2):

“(3) Subject to Regulation 3(3) of the Taxi Regulation Act 2003 (Grant of Taxi Licences) (Amendment) Regulations 2010 (S.I. No 250 of 2010), in relation to an application for the continuance in force of a taxi licence or hackney licence in respect of a different vehicle, the vehicle in respect of which it is proposed to have the licence continued in force shall, on the date on which the application is received by the Commission, be less than nine years of age from the date of first registration.”.

3. The Schedule to the Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment and Licensing) Regulations 2007 (S.I. No 710 of 2007) is substituted by the Schedule to these Regulations.

SCHEDULE

Regulation 3.

REQUIREMENTS TO BE COMPLIED WITH IN RELATION TO A TAXI SIGN

1. The sign shall be constructed of a durable material, be weatherproof 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 under paragraph 4 of this Schedule.

2. Subject to paragraph 5, the dimensions of the sign shall be such that the surface of the 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.

3. (1) The front and rear faces of the sign shall each be divided into three sections.

(2) The central sections on each face of the 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.

(3) The sections of the 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 –

(a) 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

(b) 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".

(4) Subject to paragraph 5, no letter or numeral displayed on the remaining sections of each face of the sign shall exceed 70 millimetres in height.

4. (1) The sign shall be capable of being lit by means of an internal electric light installation to enable the licence number to be readily identifiable.

(2) When lit, the sign shall not show a red light to the front or a white light to the rear.

(3) When lit, the 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.

5. A taxi or wheelchair accessible taxi shall display on the panel on the right of the sign as viewed from the rear and on the left of the sign as viewed from the front of the vehicle the county identification of the driver of that vehicle, which identification shall comprise such content and security features and be of such dimensions as are determined by the Commission.

6. (1) Subject to paragraph 5 and subparagraph (2), the panel on the right of the sign as viewed from the rear of the vehicle and on the left of the sign as viewed from the front of the vehicle shall contain only –

(a) the contact details in relation to the taxi or wheelchair accessible taxi,

(b) the contact details of the dispatch operator, as appropriate, or

(c) the name of a small public service vehicle representative body.

(2) A wheelchair accessible taxi shall display on the panel on the right of the sign as viewed from the rear of the vehicle and on the left of the sign as viewed from the front of the vehicle the following symbol or a substantially similar symbol, which symbol shall be approximately 90 millimetres in height:



(3) Where, subject to paragraph 5, the panel on the right of the sign as viewed from the rear of the vehicle or on the left of the sign as viewed from the front of the vehicle remains blank, its background shall be yellow in colour.

7. With the prior consent of any individual who hires a taxi in respect of any journey that is likely to exceed 30 kilometres, the taxi sign may be positioned longitudinally.

8. The driver shall cause the taxi sign to be illuminated when standing for hire or plying for hire and shall cause the taxi sign illumination to be switched off when transporting a fare-paying passenger.

Given under the seal of the Commission for Taxi Regulation,
17 November 2010.

Kathleen Doyle,
Commissioner for Taxi Regulation.

Explanatory Memorandum

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

These Regulations provide for amendments to the initial suitability inspection and licence renewal assessment of taxis and hackneys. They also amend the roofsign requirements in relation to taxis.

S.I. 103 of 2011

TAXI REGULATION ACT 2003 (VEHICLE AGE LIMIT) (AMENDMENT) REGULATIONS 2011

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

1. These Regulations may be cited as the Taxi Regulation Act 2003 (Vehicle Age Limit) (Amendment) Regulations 2011.
2. Regulation 23 of the Taxi Regulation Act 2003 (Suitability Inspection and Annual Licence Renewal Assessment of Small Public Service Vehicles) Regulations 2010 (S.I. No 249 of 2010) is amended by substituting the following for paragraph (2):

“In respect of a vehicle the subject of an application for the renewal of a hackney licence or taxi licence first granted on or after 1 January 2009, the vehicle concerned shall, on the date on which the application is received by the National Transport Authority, be less than nine years of age from the date of first registration.”

Given under the seal of the National Transport Authority,
4 March 2011.

John Fitzgerald,
Chairperson,
National Transport Authority.

Explanatory Memorandum

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

These Regulations remove the nine-year vehicle age limit as it previously applied to renewals of standard hackneys and taxis first licensed prior to 1 January 2009.

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REVOKED LEGISLATION

Section I: Revocations by S.I. 225/1973

- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1970 (S.I. 138/1970)

Section II: Revocation of 247/1978

- Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 1977 (S.I. 268/1977)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations, 1977 (S.I. 284/1977)

Section III: Revocation by 259/1978

- Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 1978 (S.I. 247/1978)

Section IV: Revocation by 292/1978

- Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1977 (S.I. 177/1977)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1978. (S.I. 226/1978)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations, 1978 (S.I. 259/1978)

Section V: Revocations by 242/1979

- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1975 (S.I. 35/1975)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1976. (S.I. 160/1976)

Section VI: Revocations by S.I. 136/1995

- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1979. (S.I. 242/1979)
- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1980 (S.I. 54/1980)
- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1981 (S.I. 66/1981)

- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1986 (S.I. 300/1986)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1987 (S.I. 184/1987)
- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1991 (S.I. 272/1991)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1991. (S.I. 302/1991)
- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1992. (S.I. 32/1992)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 2) Regulations, 1992 (S.I. 172/1992)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 3) Regulations, 1992 (S.I. 308/1992)
- Road Traffic (Public Service Vehicles) (Amendment) (No. 4) Regulations, 1992 (S.I. 358/1992)
- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1993 (S.I. 29/1993)

Section VII: Revocations by 367/2000

- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 1999 (S.I. 51/1999)
- Road Traffic (Public Service Vehicles) (Amendment) Regulations, 2000 (S.I. 3/2000)

Section VIII: Revocations by S.I. 710/2007

- Taxi Regulation Act 2003 (Fees And Licensing) Regulations 2005 (S.I. 651/2005)
- Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) Regulations 2006 (S.I. 154/2006)
- Taxi Regulation Act 2003 (Small Public Service Vehicles) (Licensing) Regulations 2006 (S.I. 211/2006)
- Taxi Regulation Act 2003 (Tamper-Proof Licence Disc) Regulations 2006 (S.I. 305/2006)
- Taxi Regulation Act 2003 (One Vehicle; One Licence) Regulations 2006 (S.I. 439/2006)
- Taxi Regulation Act 2003 (Small Public Service Vehicles) (Licensing) (No. 2) Regulations 2006 (S.I. 467/2006)
- Taxi Regulation Act 2003 (Small Public Service Vehicles) (Tamper-Proof Licence Disc) (Amendment) Regulations 2006 (S.I. 482/2006)

- Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) (No. 2) Regulations 2006 (S.I. 493/2006)
- Taxi Regulation Act 2003 (Small Public Service Vehicles) (Licensing) (No. 2) (Amendment) Regulations 2006 (S.I. 501/2006)
- Taxi Regulation Act 2003 (Small Public Service Vehicles) (Amendment) Regulations 2007 (S.I. 280/2007)

Section IX: Revocations by S.I. 722/2007

- Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2006 (S.I. 494/2006)

Section X: Revocations by S.I. 342/2008

- Taxi Regulation Act 2003 (Dispatch Operator Licence) Regulations 2008 (S.I. No. 232/2008)

Section X: Revocations by S.I. 394/2008

- Taxi Regulation Act 2003 (Maximum Fares) Order 2006 (S.I. 438/2006)

Section XI: Revocations by S.I. 138/2009

- Taxi Regulation Act 2003 (Licensing of Dispatch Operators) Regulations 2008 (S.I. 342 of 2008)

Section XI: Revocations by S.I. 472/2009

- Taxi Regulation Act 2003 (Licensing of Dispatch Operators) Regulations 2009 (S.I. 138 of 2009)

Section XII: Revocations by S.I. 249/2010

- Road Traffic (public Service Vehicles) (Amendment) Regulations 1987 (S.I. No. 139 of 1987)
- Road Traffic (Public Service Vehicles) (Amendment) Regulations 1997 (S.I. No. 193 of 1997)
- Taxi Regulation Act 2003 (Permanent Feature Vehicle Size and Safety Equipment) Regulations 2008 (S.I. No. 569 of 2008)