

A Review of Driver Licensing in the
Small Public Service Vehicle Sector in Ireland

Public Consultation Discussion Paper

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1. INTRODUCTION

The National Transport Authority (the “Authority”) is a statutory body established by the Minister for Transport on 1 December 2009. On 1 January 2011, the Authority subsumed the Commission for Taxi Regulation, and became responsible for the regulation of the small public service vehicle (SPSV) sector, i.e. small public service vehicles (taxis, and private hire vehicles), together with their drivers, owners and associated services, including booking services. The regulatory framework for the industry comprises the Taxi Regulation Acts 2013 and 2016, together with Taxi Regulation (Small Public Service Vehicle) Regulations 2015 and the Taxi Regulation Act 2013 (Maximum Fares) Order 2015. Unlike many analogous jurisdictions, SPSV services are regulated at a national level.

The rationale for SPSV regulation is to ensure that passengers have a safe vehicle for their journey, with appropriate insurance in place, driven by a driver who has been vetted by An Garda Síochána and, in the case of taxis, with a pre-established and verified charging system. While there are many other aspects to the overall regulatory system, these are the foundation elements, focussing on passenger safety and protection.

Whilst dealt with in chapter 2, by way of brief introduction, in Ireland, SPSVs are public transport vehicles with seating for up to eight passengers in addition to the driver (taxis, and private hire vehicles). The Authority is the licensing authority for SPSVs and dispatch operators. This includes the granting and renewal of vehicle and dispatch operator licences, together with all associated licencing, vehicle inspection, technical and compliance activity. These licences require renewal on at least an annual basis, allowing the Authority to monitor the quality of the vehicles and service provided. At 31 December 2015, a total of 21,146 SPSVs were licensed to the Irish fleet; 17,429 were taxis and wheelchair accessible taxis; and 3,717 were private hire vehicles such as limousines and hackneys.

The operation of an SPSV vehicle not only requires that the vehicle is licensed as an SPSV but also that the driver is the holder of a valid SPSV driver’s licence as well as a standard driving licence. An Garda Síochána is the licensing authority for SPSV driver’s licences. A current SPSV driver’s licence permits the holder to drive all categories of SPSV and is normally valid for a period of five years. The Authority, working closely with An Garda Síochána, administers the application and renewal processes, together with the issue of SPSV driver identification cards. Vetting remains the responsibility of An Garda Síochána.

Since July 2009, the Authority also provides the “Skills Development Programme” for SPSV operators which is designed to assist SPSV operators to develop the range of skills needed to operate in the Irish SPSV industry on a day-to-day basis. New applicants for an SPSV driver’s licence must complete the Skills Development Programme and pass the SPSV Driver Entry Test, which comprises two modules covering both regulatory industry knowledge and geographical knowledge for the county in which the entrant wishes to operate.

If an operator wishes to pick up non-pre-booked passengers in any county he/she must have passed the area knowledge test for that county. It is possible to be licensed in several counties.

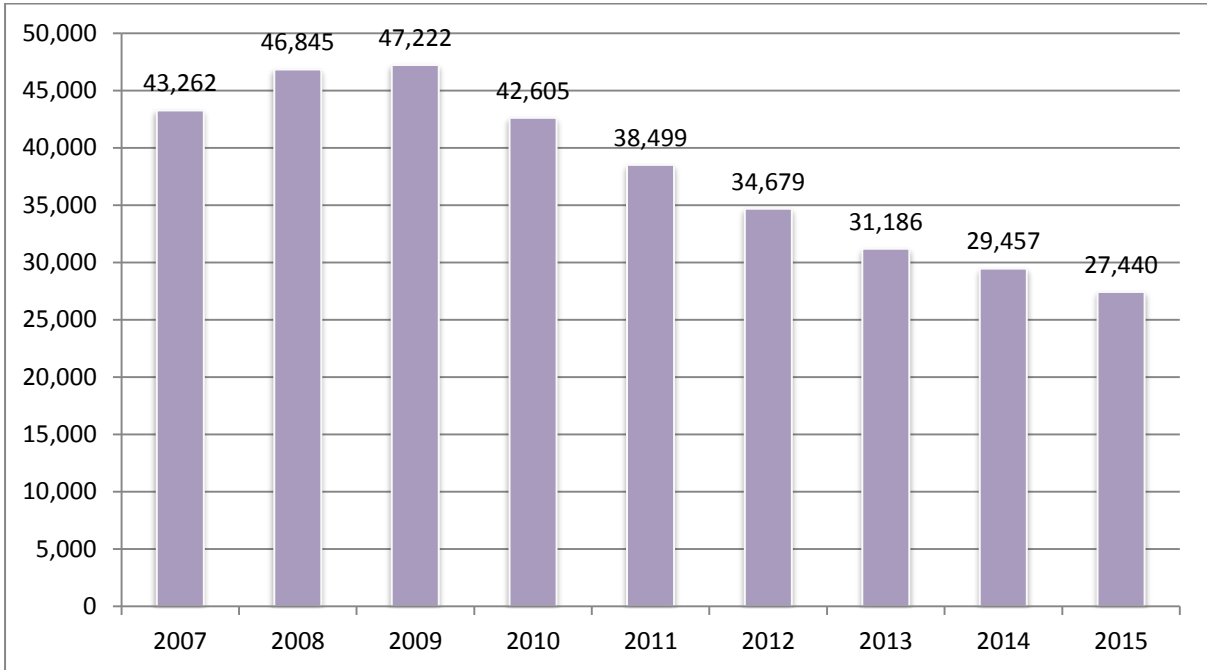
Ireland maintains a county boundary based zoning system based on driving entitlement, through the area knowledge test, which raises concerns from some quarters in relation to the area knowledge required in the larger Irish counties. This is particularly relevant where a driver living and operating in one extreme of the county may never need to travel to the other extreme.

The number of licensed SPSV drivers in Ireland stood at 27,440 at 31 December 2015. It should be noted that this is the number of SPSV driver licences which are available for use in Ireland, rather than the number of SPSV drivers actually active on a daily basis nationwide. Some operators choose to keep their SPSV licences live as an option for the future rather than as a current employment preference.

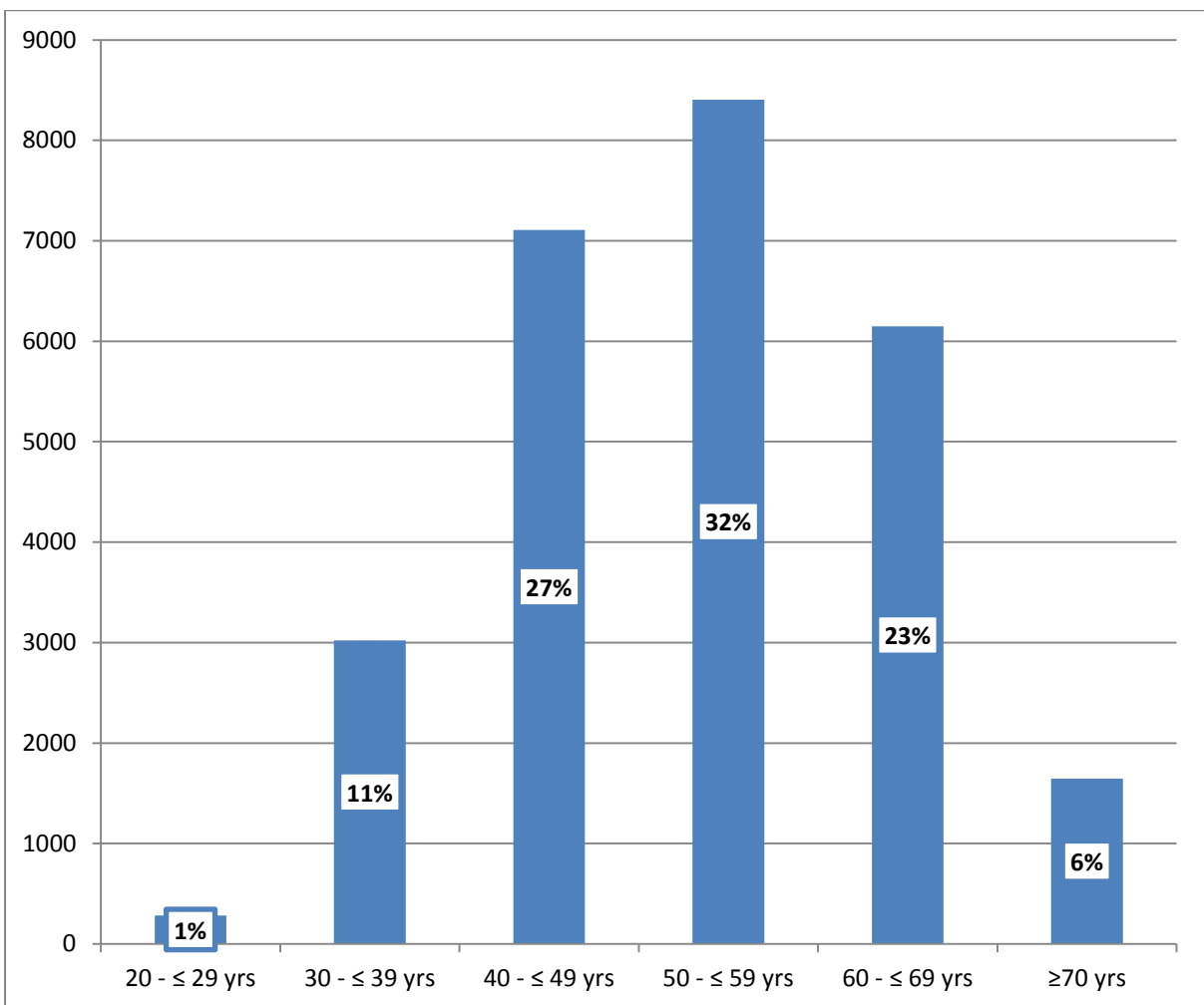
The number of active SPSV driver licences has reduced by 42% from the peak of 47,529 in May 2009, prior to

- a rise in SPSV driver licence renewal fees from €3 to €250 for a five year SPSV driving licence;
- a rise in SPSV driver licence application fees from €12 to €250 for a five year SPSV driving licence; and
- the introduction of the Skills Development Programme for SPSV operators.

Active SPSV Driver Licences by Year, 2007 to 2015



Current Active SPSV Driver Licences by Age Profile



As with the vehicle fleet profile geographically, the majority of drivers, approximately 53%, hold a Dublin licence entitlement. The number of new drivers entering the SPSV industry remains relatively stable year on year with 519 new driving licences issued in 2015. 122 SPSV driver licences were formally surrendered in the same period, with 1,985 being allowed to lapse permanently.

Given the current volume of new SPSV driver licence applications, together with the rate of industry attrition and age profiling, the Authority has decided that a review of the driver licensing framework, together with the associated testing, training and monitoring of drivers in place since 2009, is appropriate at this time.

The aim of this review is to allow consumers and the SPSV sector to have confidence in the suitability of the system for driver licensing and to ensure that legitimate and competent operators and drivers are rewarded fairly by operating under a regulatory framework that is adequately enforced and competitive. As part of this review, the Authority is undertaking a public consultation exercise. This consultation invites submissions in relation to the licensing of SPSV drivers, such as taxis and hackneys, in the Republic of Ireland.

In order to foster discussion, and to inform interested parties, the Authority has prepared this document, which is intended for use as a discussion document. Chapter 2 outlines the existing situation with regard to the licensing of SPSV drivers in Ireland, along with other supporting information¹. Chapter 3 provides information on the regulation and market for SPSV drivers in other relevant jurisdictions by way of comparison, highlighting issues that might be of particular interest, and shows how these are managed.

¹ The use of unlicensed drivers or vehicles for the carriage of passengers for reward (sometimes called ridesharing) is not permitted under Irish law. It is, with very limited exceptions, a fundamental tenet of the regulatory regime that only licensed drivers and licensed vehicles are used in relation to the carriage of passengers for reward. The underlying policy which governs this is a concern for passenger safety.

Carpooling, where costs are shared between a group of people to cover a route chosen by the driver at a price that allows recovering the costs of the trip, is regarded as a private activity in Ireland, with the proviso at law, that any money passing between any of the parties involved in the facilitation, provision or receipt of the carpooling does not exceed the reasonable cost of only the fuel consumed on that journey.

Neither ridesharing nor carpooling are dealt with in this discussion document.

2. LICENSING SMALL PUBLIC SERVICE VEHICLE DRIVERS IN THE REPUBLIC OF IRELAND

This chapter outlines the existing system of licensing of SPSVs and SPSV drivers in the Republic of Ireland.

2.1 OVERVIEW

A. Vehicles

In Ireland, small public service vehicles (SPSVs) are public transport vehicles with seating for up to eight passengers in addition to the driver. There are currently six categories of SPSV:

1. Taxi
2. Wheelchair Accessible Taxi
3. Hackney
4. Wheelchair Accessible Hackney
5. Local Area Hackney
6. Limousine

Taxis (including wheelchair accessible taxis) are the only *public* hire vehicles, meaning that they are permitted to stand at taxi ranks or ply for hire in a public place (i.e. be hailed on-street). They can also be pre-booked by a passenger, and enjoy other relative privileges in traffic, such as access to bus-lanes. Hackneys and limousines are *private* hire vehicles, meaning that they must be pre-booked and cannot be used to ply for hire in a public place or stand at a taxi rank.

The total number of SPSVs in the Irish fleet has declined by 23%, from the 2008 peak of 27,429, to 21,146 as of 31 December 2015. Key reasons for this fall have been the decline in the economy, increased vehicle standards, a prohibition on vehicle licence transfers except upon death and a regulatory decision taken in 2010 to issue new vehicle licences only for wheelchair accessible taxis and hackneys, limousines or local area hackneys. Nevertheless, the national fleet of SPSVs still remains high by international standards.

The Republic of Ireland has a population of 4.8 million people and 21,146 SPSVs. This ranks it as the eighth largest national SPSV fleet in Europe in terms of numbers. In terms of supply, Ireland has four SPSVs per thousand population. Great Britain is the only comparable jurisdiction with more. Generally, SPSV vehicles concentrate in major cities, and Ireland is no exception. Dublin has eight

SPSVs per thousand population; but an average of three per thousand population elsewhere in the country.

Approximately 69% of taxi operators in Ireland are individual owner operators where the driver owns the vehicle and the vehicle licence and drives it him or herself, also using it as his or her private transport. There are some Multi Vehicle Licence Operators who own several licensed vehicles and rent/lease them to independent drivers, with the largest of such single owner fleets having circa 160 vehicles.

B. Drivers

There is no limit on the number of drivers who may be licensed to operate an SPSV in Ireland. However, there are qualitative requirements based on various legal requirements, including background checks and driver testing. A licensed SPSV driver may drive their own licensed vehicle; a licensed vehicle owned by another person or be employed as a driver by another person. A licensed taxi driver may only stand or ply for hire in a public place within the county boundaries for which an area knowledge test has been passed. If an operator wishes to pick up passengers in any county he/she must have passed the area knowledge test for that county unless the journey has been pre-booked. It is possible to be licensed in several counties.

The number of licensed SPSV drivers in Ireland stood at 27,440 on 31 December 2015, representing a fall of 42% against the all-time high of 47,529 in 2009 prior to the increase of licence renewal/application fees from €3/€12 to €250 and the introduction of the Small Public Service Vehicle Skills Development Programme.

The number of licensed SPSV drivers is now equivalent to 1.3 drivers per SPSV, suggesting that most drivers drive their own vehicle. The ratio is no higher in Dublin, 53% of licensed drivers in Ireland hold a licence that entitles them to work in the capital city. In some countries, where the number of vehicles per thousand population is far lower due to regulatory quantitative restrictions, the number of drivers averages over two per vehicle with almost all taxis driven on at least double shifts.

2.2 DRIVER LICENSING

In order to be licensed to drive, applicants must complete the following process:

- Successfully complete the Skills Development Programme for SPSV operators (€90);
- Pay an application fee of €250;

- Submit a completed application form to An Garda Síochána including
 - evidence that
 - The applicant holds a full Irish driving licence – Class B or higher, free from disqualification and free from endorsement (including penalty points). Alternatively, they may hold an equivalent licence from an EU or EEA Member State, or another recognised state;
 - The applicant is up to date in their tax affairs. Licence holders are required to maintain their tax clearance status throughout the period of their licence;
 - The application fee has been received by the Authority; and
 - A Skills Development Programme has been successfully completed.
 - together with personal written undertakings in the following matters:
 - Applicants must sign a declaration that their health does not materially affect their ability to drive an SPSV, and that they are not taking drugs or medication that would be likely to impair their ability to drive safely;
 - Applicants must confirm that they will not drive an SPSV for more than 11 hours on any three consecutive days;
 - Applicants must confirm that they have not been convicted of any relevant criminal offences; and
 - Applicants must provide details of any other occupation in which they are engaged, including the name and address of an employer (if relevant), and, if that other occupation involves driving, evidence that they have informed the employer of their intention to apply for an SPSV driver licence.
- Be confirmed by An Garda Síochána to be suitable persons to hold SPSV driver licences through criminal records and other appropriate background checks.

2.3 SKILLS DEVELOPMENT PROGRAMME FOR THE SPSV SECTOR

The Authority provides the Skills Development Programme for SPSV operators which is designed to assist SPSV operators to develop the range of skills needed to operate in the SPSV industry on a day-to-day basis. New applicants for an SPSV driver's licence must complete the Skills Development Programme by passing the SPSV Driver Entry Test, which comprises two modules covering both regulatory industry knowledge and area knowledge for the county in which the entrant wishes to operate.

The SPSV Entry Test consists of 90 questions in two sections. The format is Multiple Choice Questions (MCQs) tested on computer. The test lasts approximately 1 hour 45 minutes in total. The first section – the Industry Knowledge Module – consists of 54 questions relating to regulations and good practice in the SPSV industry. The *Official Manual for Operating in the SPSV Industry*, a text freely downloadable from the Authority website, is the only research resource required for the Industry Knowledge Test. The manual, currently in its 6th edition, contains all of the information that is examined and covers the following topics:

The SPSV industry

- General overview of the SPSV industry, the role of the National Transport Authority and the objectives of the Skills Development Programme.

Driver licensing

- Requirements in order to be licensed as an SPSV driver and procedures involved in applying for or renewing an SPSV driver licence. It also outlines the principal rights and responsibilities of SPSV drivers.

Choosing a vehicle to use as an SPSV

- Vehicle standards required in order to be licensed as an SPSV.

SPSV licensing

- Processes involved in applying for a vehicle licence, renewing a vehicle licence, changing the vehicle on a licence, replacing a licence that has expired and surrendering a licence.

Working as an SPSV operator

- Regulations that apply to vehicles being operated as SPSVs and to the persons driving them.

Finding your way around

- Map reading and other ways of working out the best route to take passengers to destinations.

Fares

- Fare calculation and charge for each journey.

Delivering customer satisfaction

- Delivery of a high-quality service to all customers, including those with disabilities, together with offering advice in regarding equality and diversity. Customer complaints management.

Your SPSV business

- Operational and financial aspects of running an SPSV business. Maintenance of business records and tax compliance, opportunities to maximise income.

Staying safe

- Wide range of driver and passenger safety and security issues.

Preparing for your test

- Skills Development Programme for the SPSV industry including sample questions for the tests.

The second section of the Entry Test – the Area Knowledge Module – consists of 36 questions relating to the county in which the applicant wishes to be licensed to operate. There is no authorised material used to prepare for this module test. Applicants are advised to study maps for the relevant area, and to acquaint themselves with the county on the ground. Questions are asked on urban centres; towns, villages and local parishes; national roads, routes and motorways; and landmarks or places of interest such as hospitals, Garda stations, public buildings and transport terminals.

A licensed taxi driver may only stand or ply for hire in a public place within the county for which an area knowledge test has been passed. If already licensed, an applicant who wishes to stand or ply for hire in any county other than the one in which they are already licensed must pass the Area Knowledge Test for each additional county.

Since the commencement of the SPSV Skills Programme, 1 July 2009, just over 9,000 candidates have attempted the SPSV Driver Entry Test. 54% of the candidates have been successful. Of the unsuccessful candidates, 56% made only one attempt at the test. The average amount of times the test was attempted to achieve a pass mark was 2.93. The table below shows the average number of test attempts required by successful applicants to pass the area knowledge test broken down by county (note: some applicants have taken the test in more than one county):

County	Applicants	Tests	Average Attempts
CARLOW	50	125	2.5
CAVAN	40	84	2.1
CLARE	89	184	2.1
CORK	300	816	2.7
DONEGAL	88	215	2.4
DUBLIN	2989	9432	3.2
GALWAY	239	680	2.8
KERRY	193	355	1.8

KILDARE	78	223	2.9
KILKENNY	82	192	2.3
LAOIS	32	65	2.0
LEITRIM	22	55	2.5
LIMERICK	166	489	2.9
LONGFORD	31	46	1.5
LOUTH	81	249	3.1
MAYO	39	112	2.9
MEATH	108	285	2.6
MONAGHAN	20	43	2.1
OFFALY	39	83	2.1
ROSCOMMON	17	31	1.8
SLIGO	53	100	1.9
TIPPERARY	38	107	2.8
WATERFORD	81	209	2.6
WESTMEATH	13	30	2.3
WEXFORD	50	121	2.4
WICKLOW	53	135	2.5

Once licensed, on-going training for drivers is not compulsory in Ireland, and is rarely undertaken. The majority of SPSV driver licences are valid for five years (pending compliance with both the standard and any special conditions attaching).

2.4 BACKGROUND CHECKS

An Garda Síochána completes a criminal vetting process on each applicant for an SPSV driver licence. Applicants who have been convicted (in Ireland or elsewhere) of any of the offences specified in the national SPSV legislation are disqualified from holding an SPSV driver licence. If they are already licensed and are convicted whilst operating, their driver licence will be revoked and no new licence or renewal will be granted for the duration of the disqualification.

For some convictions, including those for murder, rape and some sexual offences, this disqualification can be for a lifetime. For other convictions, including offences against the person, some sexual offences, human trafficking, theft, fraud, and offences against the state, the duration of the disqualification may be limited to 12 months, in the case of a suspended sentence, or up to five years after release, where a term of imprisonment was imposed.

Furthermore, where a driver is disqualified from driving for any of the following Road Traffic Act offences (or their international equivalents), the driver will be disqualified from driving an SPSV for the period of the standard driving disqualification plus a further three to five years:

- Careless driving
- Dangerous driving;
- Driving under the influence of an intoxicant
- Being in charge of a vehicle under the influence of an intoxicant; or
- Failing to provide a specimen.

Applicants and current licence holders are legally obliged to notify An Garda Síochána immediately of any relevant conviction. As part of the background check, applicants are also required to sign a declaration that they have not been convicted of any relevant offences specified.

Applicants or existing licence holders who have received a disqualification, can apply to the appropriate court to have the revocation of an existing licence lifted or be allowed to apply for an SPSV driver licence.

3. PRACTICE IN OTHER JURISDICTIONS.

As part of the preparation for this public consultation, an independent review was undertaken of the systems in place to regulate SPSV drivers in other analogous countries. This serves to better inform the discussion of what options might be available for Ireland. This chapter presents the findings of that review.

Ireland has, by international standards, a high level of licensed SPSVs per capita. The situation can be very different in other comparable countries, because the supply of vehicles is often restricted through regulated, quantitative limits. This in turn can often influence the supply of drivers; in general, where the supply of SPSVs is low, the ratio of drivers required to drive each available vehicle is high as each vehicle is driven for multiple shifts. In some jurisdictions, there are as many as three licensed drivers for each available SPSV.

The processes followed for driver testing and training are the primary focus of this chapter, but where any other noteworthy regulations exist, these too have been highlighted. In most jurisdictions, the regulatory authorities have devised standard testing procedures for at least some categories of SPSV drivers, which are applied to all new applicants. The situation with regard to training, as opposed to testing, is different. Sometimes, it is a precondition of licensing that the applicant has undergone formal, accredited training prior to applying for the test. This is the case in Austria and Finland. However, it is more often the case that applicants can apply to be tested for licensing without having to complete any specified training as a pre-condition.

On-going training or continuous professional development also exists, for those who are already licensed. It is usually not a regulatory requirement, merely one that is encouraged. In some cases, typically where all vehicles are required to be affiliated with a dispatch operator, the training is left to the private sector, with or without regulatory oversight. For example, in Germany, some dispatch operators have devised their own quality models that include certain criteria to be met by drivers by way of continuous professional development. The State may contribute to the cost of training for driver-applicants, especially the unemployed. This is the case in the Netherlands, Belgium, Germany, and some parts of Britain.

This chapter begins with a discussion of some of the most important issues in driver-licencing, with an example of how they are dealt with in other countries. It begins with an example of driving

proficiency, as exemplified by the 'Taxi Test', first devised by the Driver and Vehicle Standards Agency (DVSA) for Leeds City Council but now popular throughout Great Britain. It then notes the existence of national training schemes, and the case of the United Kingdom. Safeguarding training for those working with vulnerable passengers which has now been introduced in Great Britain is then discussed. The section that follows relates to the issue of medical criteria and age restrictions in the licencing of drivers. Language proficiency and dress codes are then examined. This is followed by a general overview of the practice of limiting drivers to operating only in restricted zones.

The second half of the chapter provides an overview of the full licencing regime in a number of jurisdictions. It is important to note that many countries do not adopt a standard system for regulating drivers throughout their entire jurisdiction. This is the case in the United Kingdom, which shares many similarities with the licensing regime that existed in Ireland prior to the year 2000. In Great Britain, the regulation of SPSVs varies from one region to another. In particular, the SPSV sector in Great Britain is very different to that in Northern Ireland; and within Great Britain, London is treated as an exception. Where such variation exists within a country, a general discussion is provided, along with a more specific discussion of a typical city or province.

3.1 THE 'TAXI TEST': OF THE DRIVER AND VEHICLE STANDARDS AGENCY (DVSA) IN GREAT BRITAIN

In most jurisdictions, a driver is deemed to be suitably qualified to drive a taxi if he is already the holder of a Category B licence that relates to a private car. However, in a minority of countries, such as the Netherlands, a national test is applied for driving skills. In Great Britain, there is no compulsory national test, but a test has been devised by The Driver and Vehicle Standards Agency (DVSA) that offers and examines a practical vocational assessment to drive either a taxi or private hire vehicle (PHV) nationwide. It is at the discretion of each local authority as to whether to require such a test or not. A similar but not identical test is offered by the Driver & Vehicle Agency (DVA) in Northern Ireland.

The test lasts approximately 40 minutes, and consists of two components: an eyesight test and, where the eyesight test is successful, a practical assessment (which contains the option of an additional enhanced test on wheelchair use):

- (i) Eyesight test: the test simply requires candidates to read a vehicle number plate from a distance of approximately 20 metres.
- (ii) The practical assessment includes a driving manoeuvre where the candidate turns the vehicle to face the opposite direction; 10 minutes of driving without being given turn-by-

turn directions by the examiner; stops at the side of the road as if a passenger is getting in or out; and possibly an emergency stop. Questions relating to SPSV operations and the Highway Code are also asked. Candidates pass the assessment if they make nine faults or fewer; and fail if they make a serious or dangerous fault.

Candidates and standard licence holders have the option of undertaking an additional enhanced assessment using their own wheelchair accessible vehicle. Testing covers safely loading and unloading a wheelchair; using wheelchair brakes to secure and release; fastening a seat belt or safety harness; and securing any wheel belts or clamps fitted to the vehicle.

Those who have passed the standard assessment in the past, and now want to do the wheelchair exercise, can simply upgrade their assessment without having to re-take the entire test.

Successful candidates are given a pass certificate. Failed candidates may re-sit the test after three working days.

TABLE: COST OF THE TAXI TEST - THE DRIVER AND VEHICLE STANDARDS AGENCY (DVSA)

TEST TYPE	WEEKDAYS	EVENINGS, WEEKENDS AND BANK HOLIDAYS
HACKNEY SALOON VEHICLES AND PRIVATE HIRE SALOON VEHICLES	£79.66	£96.00
HACKNEY WHEELCHAIR ACCESSIBLE VEHICLES	£92.94	£112.34
TAXI WHEELCHAIR EXERCISE	£26.56	£32.68

3.2 NATIONAL TRAINING SCHEMES - GREAT BRITAIN

Most countries do not require training as a compulsory condition of licensing, but many seek to encourage it. One of the most comprehensive systems exists in the UK, and some local authorities have chosen to make such training compulsory.

A national industry training scheme for SPSV drivers has been introduced under the UK Qualifications and Credit Framework (QCF), and this has resulted in two programmes:

1. QCF Level 2 Certificate; “Introduction to the Role of the Professional Taxi and Private Hire Driver”; and
2. National Vocational Qualifications (NVQ) Level 2 Certificate: “Road Passenger Vehicle Driving (Taxi and Private Hire)”. NVQs are work based awards that are achieved through assessment and training.

In the UK, some councils may require licensed drivers to undergo this further taxi training course after a period of time, usually within one year of having been issued with the licence.

To achieve the QCF Level 2 Certificate, “Introduction to the Role of the Professional Taxi and Private Hire Driver”, learners must achieve 15 credits from nine mandatory units.

TABLE: MANDATORY UNITS IN LEVEL 2 CERTIFICATE IN INTRODUCTION TO THE ROLE OF THE PROFESSIONAL TAXI AND PRIVATE HIRE DRIVER

Title	QCF Credits
Health and safety in the taxi and private hire work environment	1
Road safety when driving passengers in a taxi or private hire vehicle	1
Professional customer service in the taxi and private hire industry	2
Taxi and private hire vehicle maintenance and safety inspections	2
The regulatory framework of the taxi and private hire industry	3
Taxi and private hire services for passengers who require assistance	3
Routes and fares in the taxi and private hire vehicle industries	1
Transporting of parcels, luggage and other items in the taxi and private hire industries	1
Transporting of children and young persons by taxi or private hire vehicle	1

The knowledge gained from the QCF Certificate enables candidates to go on to be assessed under the NVQ Level 2 Certificate: "Road Passenger Vehicle Driving (Taxi and Private Hire)". This is a 30 credit course covering 16 units, including similar units to the certificate above, plus optional units focused on the management and administration of a small business and fare specific training.

Many local authorities now require it when issuing a licence to first-time applicants. The cost of the QCF Level 2 Certificate varies between £400 and £600, and state agencies subsidise this at approximately £400. The NVQ Certificate is fully funded at around £1,200.

Requiring aspiring drivers to hold a national qualification, as many local authorities do, is the most obvious means of increasing participation. However, another initiative aimed at increasing participation is a voluntary "Licence to Practice" scheme currently being piloted by People 1st, the sector skills council for hospitality, passenger transport, travel and tourism. Through the scheme, drivers that have carried out one of the two nationally recognised qualifications are able to record their training on the National Register of Professional Taxi and Private Hire Drivers. They receive a badge that will demonstrate to their customers that there is a professional driver behind the wheel. Registration costs £20, and once drivers have registered, they will need to renew it every three years after completing Continual Professional Development (CPD) training. The CPD training is a one-day course that covers areas such as disability awareness, personal safety and legislation. The register also allows licensing authorities to access information about drivers' skills and qualifications that authorised training providers have verified.

3.3 SAFEGUARDING TRAINING - GREAT BRITAIN

Following recent high profile cases of child sexual exploitation in England, Safeguarding training has become mandatory in most authorities in the Great Britain, and is being retrospectively applied to all licensed drivers, and not just new entrants. The training aims to promote good safeguarding practice for drivers and staff working with vulnerable passengers in the taxi or private hire trade. It is not a legal requirement for authorities to introduce such training.

Courses are delivered in two ways:

- Some authorities outsource the training to a specialist provider, who delivers the course on a face to face basis. The logistics involved mean that some authorities are planning to deliver the training to the base of licensed drivers over a period of several years.
- Other authorities deliver an online course. Licence holders or new applicants need to answer questions correctly on different modules before being issued with a certificate validating that they have undertaken the training to the required standard.

3.4 MEDICAL FITNESS AND AGE RESTRICTIONS

The requirements for medical fitness vary considerably from country to country. In Ireland, and some other countries, drivers make a self-declaration with regard to their health.

In the UK, the level of good health required to be licensed to drive varies. For example, many authorities now require that SPSV drivers meet the higher standard of health required to drive buses and lorries (Group 2 Licences) than saloon cars (Group 1 Licences).

A small number of UK local authorities also require applicants to take a drugs test, either by appointment or unannounced, during the application process. The fee is £26.60 and failure to pass the test results in refusal of the application for a licence.

The regulators in some large British cities such as Edinburgh and Leeds require applicants to pass a physical medical. This is similar to the standard practice in the Netherlands and Germany.

There are frequently minimum age requirements to drive a taxi, above that for general driver licences. For example, German and UK cities usually require the applicant to be 21 years or over. In Ireland there is no minimum age but there is a requirement to have held a standard licence for

twelve months, equating to a minimum age of 18 years. Currently, there are no SPSV drivers in Ireland under 21 years old.

There are also restrictions on older drivers in some countries. In Northern Ireland, applicants must undergo a full medical if they are over 45 years. In Australia all drivers must undergo a medical from 60 years. In some jurisdictions, taxi drivers are excluded from licencing after 73 years of age.

3.5 LANGUAGE PROFICIENCY

Taxi driving is a popular occupation amongst immigrants in almost all of the countries surveyed. This can often present challenges in terms of turnover, as many enter the profession only as a temporary measure. Another common challenge however is in ensuring that such drivers have the required fluency in the language of their destination country. Where a demanding written and oral test exists for applicants, it would be difficult to obtain the relevant training or to pass the topographical test without proficiency in the language. Where such tests are not demanding of the candidates fluency, as in the case of licensing private hire drivers in Great Britain, a test in English language proficiency is now required by some authorities.

In some jurisdictions, the regulators require a proven level of fluency, but have broadened the range of evidence that they are prepared to accept. For example, in Sydney, where most taxi drivers were not born in Australia, applicants for a taxi driver licence are required to show evidence of English competency through accredited training certificates or secondary school qualifications.

Finland follows a less common practice. Applicants are assessed for their personal characteristics, amongst which is an ability to interact satisfactorily in Finnish and Swedish.

3.6 DRESS CODES AND UNIFORMS

In most jurisdictions, drivers are expected to wear smart clothing, but nothing in particular is specified. Some cities have become more specific about what constitutes smart clothing, in response to falling standards. Edinburgh obliges all taxi and private hire car drivers to comply with the following dress code. The code is notable in that in addition to requiring smart clothing, it specifically excludes certain items of clothing from being acceptable.

Male Drivers	Shirt with collar either open neck or (preferably) with tie
	Smart trousers
	Shoes
Female Drivers	A blouse
	Smart skirt or trousers
	Shoes
The following must <u>not</u> be worn:	Training shoes
	Baseball caps
	Track suits
	Denims
	T-shirts

When drivers do wear a uniform it is usually because of a requirement of the dispatch operator to which they are affiliated. Uniforms are most commonly found in Australia. For example, in New South Wales, taxi drivers are obliged to affiliate with a dispatch centre. As part of the affiliation agreement, their vehicle is fitted with the decals associated with the taxi company, and the drivers are required to wear the uniform of that company. Frequently, a local authority will mandate a uniform such as white collared shirt and black trousers and shoes, such as in many parts of Spain. Occasionally, a local authority will design and mandate a municipal uniform, such as in Ottawa, but this is rare.

3.7 ZONING JURISDICTION AND RELATED ISSUES

Almost all jurisdictions regulate taxis in a way that confines their operation to a distinct area. This is frequently an inherent consequence of the devolution of the power to regulate to a regional or local body. Such bodies do not have the power to authorise SPSVs to operate beyond their own boundaries. Most taxi policy enforces transport zones related to local municipalities, regions (such as the wider metropolitan region in Brussels) or 'collective regions' (a group of local-authority transport zones that have been amalgamated such as in France).

Zoning has been abandoned in some countries. For example, the Netherlands is not zoned. Taxis from anywhere throughout the country are free to pick up at any location, except Amsterdam. Drivers in Amsterdam must now be members of an approved taxi organisation and pass a special area knowledge test. New Zealand followed a similar practise for several years, before concerns about the fall in driver standards, after zoning was abolished, led to the re-introduction of an area knowledge test.

If allowing taxis to pick up in as large an area as a whole country can have undesirable consequences, so too can confining their operation to smaller area, especially where demand is high. In particular, if the areas in which an SPSV or driver are authorised to operate, are sub-divisions of a larger urban area, this can be problematic. This is because intra-urban trips in small vehicles frequently cross between such zones. If the SPSV is not allowed to pick up a return journey after dropping outside of its zone, then productivity and earnings are compromised. If drivers (and dispatch operators) are regularly faced with an obligation to effectively engage in inefficient route-planning, then the incidence of infringements become more common. Nevertheless, the practice continues in cities, often because the policy is intended to decrease cabs from congesting central streets. For example, in London, some taxis are confined to operate only in certain suburbs. Several Australian cities issue licences that are only permitted to operate within certain sub-divisions of the city.

Just as zoning restrictions can be intended to deploy taxis away from areas that are already regarded as being well-supplied, so too can they be used as a regulatory tool to seek to increase supply in other areas. In jurisdictions that limit the supply of SPSVs, there is frequently a shortfall in outlying areas as a result of taxis clustering in busy city-centre locations and at transport hubs such as airports. To overcome this problem, some regulators have issued new licences that are restricted to

suburban locations. Others require drivers or dispatch companies to serve a certain number of trips in underserved areas each day; this is common in the USA.

It is at the perimeter of zones that problems usually arise. Because the regulation of SPSVs is done at local authority level in many countries, taxi zones are typically defined as lying within the relevant municipality area. Such definitions are highly problematic in certain cities because they fail to take account of urban growth, and many of the suburbs may actually lie outside of the legal boundary. As a result, a high proportion of trips cross the boundary. This problem is further compounded if a major transport hub, such as an airport, lies outside of the taxi zone.

In the United Kingdom, the Department of Transport has considered this matter, and offered the following guidance to licensing authorities:

“90. The Department recommends the abolition of zones. That is chiefly for the benefit of the travelling public. Zoning tends to diminish the supply of taxis and the scope for customer choice - for example, if fifty taxis were licensed overall by a local authority, but with only twenty five of them entitled to ply for hire in each of two zones. It can be confusing and frustrating for people wishing to hire a taxi to find that a vehicle licensed by the relevant local authority is nonetheless unable to pick them up (unless pre-booked) because they are in the wrong part of the local authority area. Abolition of zones can also reduce costs for the local authority, for example through simpler administration and enforcement. It can also promote fuel efficiency, because taxis can pick up a passenger anywhere in the local authority area, rather than having to return empty to their licensed zone after dropping a passenger in another zone.”

Source: Department for Transport, Taxi and Private Hire Vehicle Licensing: Best Practice Guidance (March 2010), paras 89 – 91

Outside of the cities, in rural or semi-rural areas, schemes that encourage the use of taxis either through a lighter regulatory burden, financial aid, or innovations such as taxi-sharing are common. Sometimes, taxi-drivers are not required to reach the same standard of knowledge required for operation in an urban area. The intended consequence is to minimise the cost of regulation to the operator, in an effort to have the provision of the service become viable. Such schemes can be effective. However, the challenge of making anything more than a marginal living often remains, and drivers that have been licensed to serve such areas may ultimately resist the restriction and seek to work in a wider area.

In New South Wales, SPSVs were until late 2015 divided into town and country licences (i.e. urban and rural). New regulations introduced in 2015 removed the restrictions on where booked taxis and hire car trips can be taken, so that any booked trip can now be taken anywhere in NSW. However, the change was part of a widespread package of reforms that also removed the requirement to hold a private hire car licence, and the demanding vehicle specification that had hitherto existed. Previously, licence costs for private hire cars amounted to AUS \$8235, per year, in Sydney; and AUS \$3000 per year outside. There is, therefore, now no incentive for a private hire car driver to be licensed in a rural area if they wish to work predominately in Sydney, as the requirements to be licensed in the city are no more demanding or expensive than they are in the country.

3.8 GREAT BRITAIN

3.8.1 OVERVIEW

Within Great Britain, two types of vehicle operate as small public service vehicles:

- Licensed metered taxis (often referred to in Britain as hackney carriages) that are allowed to ply for hire on the streets or at ranks and can also be pre-booked.
- Private Hire Vehicles (also known as minicabs) that are not allowed to ply for hire and that can only be pre-booked by telephone or calling in person at an office.

The overarching regulatory environment in Great Britain varies across three geographical regions (i) London; (ii) elsewhere in England and Wales; and (iii) Scotland. Outside of London, the licensing of taxi operators and drivers is usually at Local Authority level. About one third of Local Authorities limit the number of taxi vehicle licences, especially in urban districts. This has led to expensive trading of taxi licences in larger towns and cities.

There are almost 272,000 Small Public Service Vehicles in Great Britain, of which 242,000 are in England. The number of taxis per capita in Great Britain is an average 1.5 taxis per 1,000 population, and this is broadly in line with other comparable countries. In comparison to taxi supply, the number of private hire vehicles per capita in Great Britain is high at 2.9 per 1,000 population, and is very high in London at 7.3 private hire vehicles per capita. Overall, the total number of SPSVs (taxis and private hire combined) is 4.3 per 1,000 population, a level of supply that is matched by only a few other countries, including Ireland. The overall number of SPSVs is very high in London at 10 per 1,000 population.

In order to be licensed to drive a taxi in Great Britain, a driver has to satisfy two licensing bodies: the Driver and Vehicle Licensing Agency (DVLA) and the relevant local authority. Therefore, taxi drivers need to hold two licences:

- An ordinary driving licence covering category B which allows them to drive vehicles up to 3.5 tonnes and with up to eight passengers.
- An additional taxi driver licence from the local authority.

A local authority is also required to satisfy itself that an applicant for a taxi licence is a 'fit and proper' person and does so by way of a criminal record check. The types of criminal convictions which disqualify a person from working as a driver are very varied across the UK.

In general, but not always, drivers are subject to less onerous requirements if they wish to be licensed to drive a PHV. At a minimum, they need an ordinary driving licence covering category B, and must also be a 'fit and proper' person. Licensed PHV drivers are almost always subject to a criminal record check. Some authorities also require a topographical knowledge test of PHV drivers, which may be easier than that required for taxi drivers in the same area.

Disability awareness training is often compulsory, together with a medical check; an additional driving test; a check on the financial standing of prospective proprietors; and a requirement to hold an approved qualification.

3.8.2 GREATER LONDON

In London, overall responsibility for London taxis lies with Transport for London (TfL). Delegated authority for day-to-day licensing operations is carried out by the Public Carriage Office (PCO).

Taxis in London are formally known as hackney carriages or colloquially as 'black cabs'. In London, all taxis are purpose built, and are designed to be wheelchair accessible. There are two types of London taxi driver licence:

- All London, green badge holders, who can ply for trade anywhere in the metropolitan police district.
- Suburban, yellow badge holders who can operate in one or more of sixteen suburban sectors.

In London, the requirements for taxi drivers include a minimum age limit of 21 years (there is no upper age limit); meeting the Group 2 standard of medical fitness to drive; criminal records and financial standing checks; and the Knowledge of London test. The Knowledge of London test requires applicants to have a very detailed knowledge of London's geography in order to pass the examination; in practical terms, most candidates also need to undertake a formal course to have a reasonable likelihood of passing. Like other authorities in the UK, Transport for London also has a duty to ensure it grants licences only to people who are 'fit and proper' to drive a taxi.

Ostensibly, London has no limits on taxi driver numbers. Nevertheless, in 2011, TfL announced that it would no longer process new applications for driver licences for certain suburban areas for a period of three years due to significant increases in applications and long waiting lists for licences. Furthermore, the London Knowledge test is so highly demanding in terms of time, ability, and financial outlay that it too could be regarded as inhibiting supply.

Over the past fifteen years, Private Hire Vehicles (PHVs) in London have moved from being totally unregulated into a comprehensive regulatory regime. PHV licensing in London applies to PHV operators, drivers and vehicles. The requirements for PHV drivers in London are similar to that for taxis - with the very significant omission of the Knowledge of London Test. The topographical test for PHV drivers in London is far easier than the test applied to taxi drivers: Modules test a candidate's ability to understand a map index, locate streets or places on a map and select the most appropriate route for a designated journey. Training and examination for the test is available widely through a list of accredited test centres.

3.8.3 LICENSING CRITERIA FOR GREAT BRITAIN OUTSIDE OF LONDON - THE CASE OF LEEDS

Taxis in England and Wales, outside of London, are licensed locally by district councils. All public hire taxis and their drivers must be licensed. The licensing of private hire vehicles (the equivalent of hackneys and limousine in Ireland) and private hire vehicle drivers is not compulsory in all districts; however, about 95% of all councils have chosen to regulate both.

The requirements for a taxi driver's licence vary widely outside of London. In general, local authorities rely on a standard car driving licence issued in any EEA State as evidence of driving proficiency. Some require that an additional driving test be taken, as well as a test examining the

applicant's knowledge of the local area. Most authorities also require a criminal record check and a medical check.

In some remote areas, the requirements to obtain a driver's licence are undemanding, but Great Britain is a highly urbanised society, and the bulk of SPSVs operate in larger towns and cities. In these jurisdictions, the process is more detailed, and the city of Leeds has been selected for detailed examination in this report, as its system of driver regulation offers insight into how many of the challenges of driving licensing are being addressed.

The population of Leeds is 766,000, and is served by a combination of 537 taxis and 3,877 private hire vehicles. The density of taxis per capita is particularly low at 0.7 taxis per 1,000 population but there is a large fleet of private hire vehicles. Overall, the total number of SPSV per head is 5.8 vehicles. There are 1.9 drivers licensed to drive every licensed taxi vehicle, a common feature in jurisdiction where the number of taxis is low.

The application process to become a taxi or private hire vehicle driver in Leeds is a very comprehensive process. Applications remain valid for a period of 12 months. If an applicant does not pass and complete all of the required tests within this time period, the application will be cancelled.

There are specific requirements that applicants must meet in order to progress with an application:

- Be at least 18 years old for a private hire driver (21 years of age to be a Hackney carriage driver) and have held a full DVLA, Northern Ireland or European Economic Area (EEA) state driving licence for at least three years;
- Undergo & pass a Group 2 medical examination by their own GP practice, any cost of which is borne by the applicant;
- Complete an online Disclosure and Barring Service (DBS) disclosure form (criminal check);
- Produce a letter of introduction, on letter headed paper, from the applicant's intended employer (all applicants are required to have a sponsor);

In addition, all applicants must pass four tests

1. The *Taxi Test* set by the Driver and Vehicles Standards Agency (DVSA), as outlined in Section 3.1, the cost of which is borne by the applicant;
2. The English and maths comprehension test
3. The Driver Knowledge test, and

4. The customer care training and test

THE ENGLISH AND MATHS COMPREHENSION TEST.

The test covers the following areas:

- Speaking clearly: giving information
- Reading signs and documents
- Writing: transferring information
- Dealing with fares
- Basic numeracy and maths skills

Leeds City Council approved the introduction of the NVQ and VRQ qualifications for all licensed Hackney Carriage and Private Hire drivers and those applicants accessing the trade. Existing drivers were given until December 2011 to achieve them, whilst new applicants are expected to achieve the qualifications within 12 months i.e. prior to the renewal of their licence.

All new applicants must attend an in-house training programme which is classified in two elements: Customer Care Training and Knowledge Training. However, those who have already attained the NVQ Level 2 Certificate: "Road Passenger Vehicle Driving (Taxi and Private Hire)", or can demonstrate that they are studying towards achieving it, do not have to undertake this training.

CUSTOMER CARE TRAINING

The customer care training covers the role of a taxi or private hire driver. The course lasts for five hours and is followed by a multiple choice test on the day.

The stated aims of the customer care training are as follows:

- to provide a high level of professional service to customers
- to ensure passengers feel safe whilst travelling
- to assist drivers in working in a professional way.

There is an 80% pass rate for the customer care training. However there are 3 mandatory questions which the applicant must get right. A wrong answer on any of these would result in the test being failed. The cost of the customer care training for a new applicant is £551.

KNOWLEDGE TRAINING

The Knowledge training and test was introduced to address concerns that some licence applicants do not have a working knowledge of the law surrounding the licensed SPSV trade, and are not familiar with the Leeds District. The training is delivered by the Taxi and Private Hire Licensing Section of the Council and lasts for one full day. Applicants are supplied with a training pack in advance of the course which they are expected to study before attending the course. The day of training consists of a common course in the morning for all applicants, followed by separate courses and tests in the afternoon depending on whether the applicant wishes to qualify for a taxi licence or a private hire licence.

On the day of the course, applicants are tested in the morning on:

- Knowledge of legislation and Conditions
- Geographical knowledge – Districts of Leeds and City Centre locations
- Use of an A-Z to find routes around Leeds

It is delivered by a council officer in one morning, and it is followed by a single test on the legislation and three geography tests. Drivers are expected to know the geography of Leeds before they attend, as no training is given on geography on the day.

The Knowledge seminar is delivered and tested in four or five modules:

- **MODULE 1 - Training Seminar and Testing of Knowledge of Legislation**
This module incorporates questions based on basic primary legislation and health and safety.
- **MODULES 2 & 3 - Geographical Test: Districts of Leeds and City Centre Locations**
- **MODULE 4 - A to Z questions.**
Applicants are tested on being able to identify key locations using an A-Z book, provided within the training pack.
- **MODULE 5 - Private hire conditions seminar and test**
Private Hire applicants stay for an additional session in the afternoon which is a seminar and test on the conditions attached to holding a private hire driver's licence and the conditions attached to holding a private hire vehicle licence. In this Module applicants are tested on the Standard Conditions attached to a private hire driver's licence and private hire vehicle licence.

Taxi applicants do not attend Module 5 but are required to sit a subsequent taxi local knowledge test and must pass modules 1-4 before they can sit this advanced local knowledge test, which requires very detailed and thorough knowledge of routes, roads, landmarks and Byelaws in Leeds.

The knowledge seminar test has a pass mark of 90% for each module, and the following rules apply:

- If an applicant fails Module 1 (Training seminar and testing of knowledge of legislation) they will be required to re-sit the seminar and be retested on this module.
- If an applicant fails either part of Modules 2 - 3 (Districts of Leeds and Leeds city centre) they will be required to re-sit and be tested on both of these areas.
- If an applicant fails Module 4 (Using an A-Z) they will be required to re-sit and be tested on this module.
- If an applicant fails Module 5 (Private hire conditions seminar and test) they will be required to re-sit the seminar and be retested on this module. There will be an automatic fail if the question(s) regarding 'plying for hire' is (are) incorrectly answered.

In addition to the knowledge training, Leeds Council has, like most large authorities, embarked on requiring the entire base of drivers to undergo Safeguarding training.

The cost of the first knowledge seminar and tests is included in the licence application fee. The accompanying training pack must be purchased at the time of application. The private hire training pack costs £15; the Hackney carriage training pack costs £10.

If an applicant fails any of the tests, they must arrange a second training date and pay the appropriate re-test fee.

All licences are initially issued for a period of 12 months. Licensed drivers may be eligible to apply for a 3 year driver's licence when they renew their licence, only if they have completed five years continuous good service with Leeds City Council. This means service as either a private hire driver or taxi driver, or a combination of both, but only with Leeds City Council.

3.8.4. Scotland- a Case Study of Edinburgh

Scotland requires all vehicles and all drivers to be licensed by the local authority. Licensing issues are a matter for the Scottish Parliament and matters relating to transport for people with a disability are determined by the Westminster government. Nevertheless, licensing works largely on the same basis as England and Wales. In Scotland, there are 3.9 SPSVs per 1,000 population. Although requirements can be relatively undemanding in certain rural areas, the regulatory regime in larger cities is comprehensive. Edinburgh provides a typical example.

In Edinburgh, the number of licensed taxi vehicles is restricted, but the number of private hire vehicles is not. All taxis are wheelchair accessible. There are currently 1,316 licensed taxis in Edinburgh operated by approximately 3,099 taxi drivers: a ratio of 2.4 drivers per vehicle, suggesting that most are driven on a double-shift. There are also 1,012 PHVs (known as Private Hire Cars or PHCs) operated by approximately 1,258 PHC drivers: a ratio of 1.2 drivers per vehicle.

The process of applying for a drivers licence for the first time is similar for both taxi and private hire carriage (PHC) licences, with the exception of the requirement for taxi applicants to pass a topographical test. All applications are background checked by Police Scotland. The Police may object or make a representation to the application if they do not consider the applicant to be a 'fit and proper person' to hold a licence. All first-time applicants are also required to pass a medical examination prior to grant of licence.

To become a licensed taxi driver in Edinburgh an applicant is required to complete a topographical awareness test of the Edinburgh area, which comprises a two part written assessment and lasts for a total of one hour.

Part 1 - This component assesses the applicant's knowledge of landmarks, premises, locations and street awareness, and consists of 80 questions. To successfully complete part 1 a candidate must achieve a pass mark of 90%.

Part 2 – Assesses the applicant's route knowledge through the city and requires them to identify how they would convey a fare-paying passenger by the 'shortest practicable route' between two points. The assessment consists of five routes and a candidate must achieve a pass mark of 80%.

Applicants need to pass both parts to pass the assessment. The assessment is marked within 7 – 10 working days.

In addition to the topographical test, a taxi driver must also complete a modular training course. The required modules are as follows:

1. Wheelchair access and disability awareness;
2. Licensing conditions and Road Safety issues;
3. First Aid assistance;
4. Handling conflict and stress; and
5. Customer care.

The first two modules ('Wheelchair Access and Disability Awareness' and the 'Licensing Conditions and Road Safety issues') must be completed before a Taxi Driver's Licence is issued. Drivers must then complete the remaining three modules within six months of being granted the licence. All training is currently provided by Edinburgh College. Each module is offered in one 3 to 3.5 hour session at a cost of £69.

The cost of a licence application for a first-time taxi driver is £172, and includes one opportunity to sit the topographical test. A licence is then issued for one year. Those renewing their drivers licence have the option of doing so for between one and three years. The fees are £104 for one year or £166 for three years.

The cost for first time applicants for private hire drivers is £141, and successful applicants have a licence issued for one year. Like taxi drivers, licencees have the option of subsequently renewing their licence for between one and three years. The fees are £104 for 1 year or £156 for 3 years

Once a licence has been issued, neither taxi drivers nor private hire drivers undergo periodic training. One unusual feature of regulation in Edinburgh is a very specific dress code that has been adopted into regulation.

3.9 NORTHERN IRELAND

There are 9,171 SPSVs in Northern Ireland, which equates to a high level of supply of 5 per 1,000 population. There are currently 13,438 licensed SPSV drivers i.e. a ratio of 1.5 licensed drivers for every licensed vehicle. Approximately three quarters of taxis in Northern Ireland are owner-operators running a single vehicle. Approximately 50% are affiliated with a dispatch centre.

First time applicants for a drivers licence must fulfil the following criteria.

- have held a full driving licence for at least three years;
- be eligible to work in Northern Ireland;
- meet the necessary medical requirements;
- meet the necessary good repute requirements - including an enhanced criminal record check; and
- pass a taxi driver theory test and a taxi driver practical test.

The Taxi Driver Theory and Practical Driving Test was introduced in Northern Ireland in 2014. A supporting manual, *Your Guide to Becoming a Taxi Driver & Information Manual*, has been produced by The Driver & Vehicle Agency (DVA), and includes extracts from the range of driving skills publications of the Driver & Vehicle Standards Agency (DVSA). Its purpose is to offer guidance on professional driving; preparation for the taxi theory and practical tests; and to set out the requirements for periodic training. The driver test is conducted at six test centres throughout Northern Ireland. There is no topographical element to the test i.e. the candidate is not required to have knowledge of any particular area. There are two components to the test - the theoretical and the practical.

TAXI DRIVER THEORY TEST: Anyone applying to take the *Taxi Driver Theory and Practical Driving Test* must first pass the theory test before they are eligible to apply for the practical test. There are two parts to the taxi driver theory test: (i) multiple choice questions and (ii) hazard perception video clips. The multiple choice questions are designed to test knowledge of road safety and operating as a taxi driver and are based on the following broad topic areas:

- road procedures and responsibilities, eco-safe driving and the environment
- traffic signs and signals, vulnerable road users, mechanical knowledge
- health and safety, legal responsibilities, safe loading of the vehicle
- customer care, carriage of vulnerable passengers, passenger safety and comfort

The pass mark for the multiple choice questions is 80%. However, candidates must show that they have a broad knowledge in all topic areas by achieving a score of at least 19 in each of the four topic areas listed above.

The hazard perception test is designed to test the candidate's ability to scan the road, recognise potentially dangerous situations as they arise, and adopt a driving plan to reduce the risk. To achieve a high score, a candidate needs to respond to the developing hazard during the early stages; the maximum score on each hazard is five. The pass mark for the hazard perception test is 76%.

TAXI DRIVER PRACTICAL TEST: The practical test is the second component of the test. Before they can apply for this, applicants must first have passed the taxi driver theory test. Where possible, the test is conducted on both rural and urban roads, and lasts approximately one hour. Its purpose is to satisfy the examiner that the applicant knows how to drive, has a good knowledge of road safety standards and can apply them in practice.

The application fee for first-time applicants is £140. An additional fee of £34 is charged for the taxi theory test. The practical test costs £60 during the day and £90 in the evening or on Saturdays.

Periodic training

In Northern Ireland, all drivers are now subject to periodic training obligations, and these are measured in hours and not tested. Drivers renewing a taxi driver's licence must show that they have completed an average of seven hours of taxi driver periodic training per annum over each of the previous licensed years. The training must have been delivered by a training provider authorised by the Department for Infrastructure (DfI) for this purpose and at least 3.5 hours must have been Disability Awareness training. The training is not formally tested. There are 22 parties offering courses in Northern Ireland that have been approved by the Joint Approvals Unit for Periodic Training (JAUPT).

All approved training courses for Taxi Periodic Training must fall into one or more of the 14 categories designated by JAUPT, and each course must last for at least 3 hours 30 minutes. Details of the content of such courses are provided in the following table.

TABLE: NORTHERN IRELAND - 14 CATEGORIES DESIGNATED BY JAAPT FOR TAXI TRAINING

Syllabus Ref.	Subject Area (Taxi Periodic Training)
4.1	Vehicle Systems (Transmission System) - Knowledge of the characteristics of the transmission system in order to make the best possible use of it
4.2	Vehicle Systems (Safety Controls) - Knowledge of the technical characteristics and operation of the safety controls in order to control the vehicle, minimise wear and tear and prevent malfunctioning
4.3	Safe and Fuel Efficient Driving - Ability to optimise fuel consumption: optimisation of fuel consumption by applying know how as regards points (4.1) & (4.2)
4.4	Customer Service / Disability Awareness - Ability to ensure passenger comfort and safety, be aware of the needs of your passengers including those with disabilities
4.5	Loading / Unloading - Ability to load the vehicle with due regard for safety rules and proper vehicle use
5.1	Legislation (including Taxi Regulations) - Knowledge of the social environment of road transport and the rules governing it
5.2	Regulations for Carriage of Passengers - Knowledge of the regulations governing the carriage of passengers
6.1	Health, Safety and Emergencies - Awareness of the risks of the road and of incidents at work including types of incidents specific to the taxi industry, road collision statistics and their causes
6.2	Prevention of Criminality and Trafficking - Ability to prevent criminality and trafficking in illegal immigrants
6.3	Personal Health and Wellbeing - Ability to prevent physical risks and enhance your health and wellbeing, including your physical fitness, posture while driving and manual handling
6.4	Physical / Mental Health and Wellbeing - Awareness of the importance of physical and mental ability and wellbeing including principles of healthy, balanced eating, effects of alcohol, drugs or any other substance likely to affect behaviour, symptoms, causes, effects of fatigue and stress, fundamental role of the basic work/rest cycle

6.5	First Aid - Ability to assess emergency situations including assessment of the situation, avoiding complications of an incident, summoning assistance, assisting casualties and giving first aid, reaction in the event of fire, evacuation of passengers, ensuring the safety of all passengers, reaction in the event of aggression; basic principles for the drafting of an incident report
6.6	Professional Driver and Company Issues - Ability to adopt behaviour to help enhance the image of the company

3.10 THE NETHERLANDS

All SPSVs in the Netherlands are generally referred to as taxis. There were over 36,000 taxis in the Netherlands by 2012, up from 23,000 taxis in 2001, after which there was a dramatic increase after the ending of a control on taxi numbers. However, only about 7,000 taxis are actually involved in conventional telephone bookings for cabs or operating as street taxis. The remainder are dedicated to providing the Netherlands host of alternative public transport services such as Regiotaxi.

In the Netherlands, like Ireland, the licensing function is centralised. There are no numerical restrictions on street taxis, no taximeter zones and generally no geographic knowledge test. Until recently, all street taxis were free to pick up and set down passengers anywhere in the country; however, seven municipalities have recently been given the power which allows them to restrict this activity. These municipalities can now impose a quality policy for street taxis, in addition to national rules, that obliges taxi drivers to form a group as a requirement to access the local market.

There is no quantitative restriction on entry into the profession and approximately 50,000 people are employed in the taxi sector, the vast majority of whom are drivers. In order to be licensed as a driver, applicants must have a valid driver's licence and a good driving record, obtain a medical certificate, and be of good character. They must also pass an exam and receive the relevant diplomas. There is a hierarchy of examinations, with the most demanding being that required to work as a taxi driver in all types of service as opposed to certain restricted activities. The tests and diplomas are overseen by the CBR, which is the Central Office for Motor Vehicle Driver Testing.

Full taxi driver's card: This licence allows the holder to conduct both contract and street work. Applicants must pass two exams within one year of each other: one practical and one theoretical. The theory test examines applicant's knowledge of the laws and regulations; the desired attitudes

and behaviour; and communication with customers and the emergency services. The test takes 60 minutes, involves 40 MCQs and costs €38. It is required for all classes of taxi licences.

The practical test is applied only to those who want to get the full drivers licence. Applicants are subject to an 85 minute test, during which they are required to undertake three journeys:

- (i) Driving from the CPR testing station to a specified location without the aid of a navigation system, map and/or street atlas;
- (ii) Driving to a specified address with the aid of a navigation system, map and/or street atlas; and
- (ii) Driving from the address back to the CBR testing station on instructions from the examiner.

The objective is to test responsible and safe traffic participation; professional driving; prevention, identification and troubleshooting; route, travel time and payments; customer interaction; and handling accidents. During the exam, candidates are questioned on how to deal with customers, technical failures and the handling of accidents. The practical exam costs €203.

Limited taxi driver's card: This entitles the holder to drive passengers, on set routes and at regular times. The holder may not process fares in the taxi. The licence is primarily for those undertaking contract transport of elderly people, children and people with a disability.

Applicants must pass the same theory test in competence that applies to full taxi licence holders, but are set an easier practical exam lasting 70 minutes, during which they are required to undertake two journeys:

- (i) Driving from the CPR testing station to a specified location *with* the aid of a navigation system, map and/or street atlas; and
- (ii) Driving from that location back to the CBR testing station on instructions from the examiner.

During the exam, candidates are questioned in a similar manner to those testing for a full taxi driver licence, but they are not subject to questions on all elements e.g. fare processing is not tested. The practical exam costs €163.

Amsterdam Driver's Card: To serve the street market in Amsterdam, and to drive on the designated bus lanes and tram lines, taxi drivers must seek a special licence, which requires additional training and testing. The test gives successful candidates a waiver known as the *Conditions for Bus lane*

Waiver / Licensed Taxi Amsterdam. Drivers in possession of a driver's licence (that therefore allows them to practice elsewhere outside of Amsterdam) are still subject to the test, but are exempt from some of its requirements.

There are three elements to the exam:

(i) Mandatory Training: Those that already hold a taxi licence attend only half of the hours that are required of an unlicensed candidate

Status of Applicant	Theoretical training	Practical training
Existing Holder of a taxi driver licence	8 hours	At least 4 hours, during which at least 2 hours of which the candidate is driving.
Not a holder of a taxi driver card	8 hours	At least 8 hours, during which at least 4 hours the candidate is driving.

Having undertaken mandatory training by a certified trainer of the CBR, the trainer registers this training at the CBR, and candidates can then check this record online. They are then allowed to proceed to apply for the relevant theory and practical test for Amsterdam.

(ii) Theory Test (s): Applicants must pass the same theory test in competence that applies to full and limited taxi licence holders throughout the Netherlands. Existing holders of a taxi driver licence are of course exempt from this requirement, as they have already passed this test.

A further theory test for Amsterdam must also be passed by all applicants, the *Taxi Amsterdam Theorie*. It is an oral test lasting 35 minutes and costing €83. It includes questions about the rules on the use of the bus and tram lines in Amsterdam, and on the candidate's knowledge of the streets of Amsterdam. The exam includes the use of a map index with photos, a street map of Amsterdam, and a street guide of Amsterdam.

(iii) Practical Test: The practical test for Amsterdam tests the candidate's knowledge of the rules for the shared use of bus-lanes and tram crossing, as well as knowledge of the city geography and streets. The practical exam consists of three journeys:

- Drive to a specified address / location, with aids (navigation, map and / or street book);

- Driving to a specified landmark without aids (navigation, map and / or street book); and
- Drive back to the CBR testing station on the instructions from the examiner.

The practical exam is otherwise similar in format to the practical exam for outside of Amsterdam, in that during the exam, candidates are questioned on how to deal with customer behaviour, technical failures and the handling of accidents. It also lasts 85 minutes and costs €203.

Candidates that take and pass all elements of the exam must fulfil one last condition to be licensed to drive in Amsterdam: they must affiliate with a Licensed Taxi Organisation (TTO), and only then will their driving licence be issued.

There are also a number of additional tests that can often be a requirement of driving passengers under Government contracts. For example, the Practical Exam in Special Groups Transportation is an oral and practical exam open to only licensed taxi drivers. It tests professional attitude, the ability to use technical aids such as hoists, and other aspects of transporting people from different target groups. It also addresses health and safety aspects, ergonomics and specific legislation. It lasts 85 minutes and costs €188.

The CBR also offer other tests that are not a legal requirement, but that are designed to improve standards and quality within the SPSV sector. For example, the chauffeur certificate provides basic training and testing in these skills. Those who hold this certificate can also increase their knowledge and skills further by taking advanced chauffeur certificate. Some tests are available to all of those within the industry. For example, there is a course on handling conflict with customers in the taxi sector that takes 30 minutes to test and costs €103.

Is not compulsory to undergo any training prior to taking most exams, but in practise most candidates avail of it. Costs and details vary from €750 for a course covering the requirements for a limited driver's card, to over €1,000 for those seeking training in all aspects required to gain a taxi drivers licence for Amsterdam.

3.11 GERMANY

There are two principal classifications of SPSVs in Germany, taxis and private hire, but a third category of hybrid vehicle licence exists principally outside of the larger cities. Taxi vehicles in Germany are subject to numerical control in most districts, (of which there are 800 in Germany), but there are some exceptions such as Berlin and Hamburg. There are a total of 92,800 vehicles working as taxis and hire cars: 53,554 operate exclusively as taxis; 35,995 are private hire vehicles; and 3,291 have hybrid licences. This gives a ratio of 1.2 SPSVs per 1,000 population, a low level of supply compared to Ireland. There is an estimated 2.2 drivers per SPSV licence. Although there is no requirement for drivers to join a dispatch centre, in practise, 80% of drivers are allied to one of the 500 co-operatives.

In order to be licensed to drive an SPSV, a applicants must at least fulfil the following criteria

- Have a principal residence in the area in which they intend to work;
- Non EU nationals must provide a valid residence permit;
- Be aged 21 years or over if seeking a taxi licence (or 19 if seeking a private hire driver licence) and have two full years driving experience within the previous five years;
- Have a German, EU or EEA country driving licence or a proven equivalent from a driver's own country i.e. the person must apply for a European Category B driving licence which proves equivalency;
- Have a limited number of penalty points at the Register for Traffic Offences (e.g. 4 in the case of Berlin);
- be demonstrably physically fit;
- undergo medical checks including physical and mental fitness, and a vision test;
- sign a declaration acknowledging that they bear a special responsibility because they provide commercial passenger transport services; and
- Pass a local knowledge test for taxi and hire car drivers conducted mostly by the local licensing authority or by the local chamber of commerce. The content and testing of the local knowledge requirement can differ between taxi and private hire drivers.

Berlin provides an example of the different standards that are sometimes applied to the knowledge test. In Berlin, those seeking a Private Hire licence attend a course of three modules, run over 8 weeks:

Module 1. Main connecting roads

Module 2. Local Knowledge (methodology, local geography, rights and responsibilities)

Module 3. Preparation for the oral “local knowledge” exam conducted by the authorities

Those seeking a Taxi Driver’s Licence, attend a course covering the same three modules described above, and two additional ones, and the course is run over 20 weeks:

Module 4. Advanced course in extended local knowledge

Module 5. Preparation for oral local knowledge exam

Sometimes a city may require a taxi driver to attend additional courses to enjoy additional privileges. For example, without passing an additional oral exam, licensed taxi drivers in Berlin may not collect passengers from the Berlin-Brandenburg airport. They must attend an Advanced Local Knowledge module and pass an oral local knowledge exam.

The typical costs of becoming a licensed taxi driver in Germany are shown below. Under certain circumstances, the unemployed may be eligible for state support.

TABLE: TRAINING AND TESTING COSTS FOR TAXI DRIVERS IN GERMANY

Training course (including all instruction material):	€590,00
Application fees (LABO III C):	€42,60
Certificate of good conduct (law) (LABO III C):	€13,00
Medical certificate:	€100,00
Local Knowledge Test Fee:	€55,00
Total Cost: incl. VAT	€800,60

In-house, on-going training initiatives are also offered by taxi companies to their affiliated drivers; and other associations offer courses in safety. However, none are a regulatory requirement.

3.12 AUSTRALIA

In Australia, each State and Territory has its own system of regulation, but the approach followed is generally similar across jurisdictions. In particular, the number of taxi vehicle licences issued is subject to restriction, and the number of taxis per capita is low by international standard in all regions. This is particularly pronounced in the larger cities.

For example, New South Wales is Australia's most populous State with one-third of the national population living within its borders, of whom 4.7 million live in Sydney. The traditional regulatory structure has allowed for two main classifications: taxis and hire cars. In New South Wales there were 9,031 SPSVs in 2015, of which 7,285 were taxis and 1,684 were hire cars i.e. a ratio of 1.2 SPSVs per 1,000 population. SPSVs licensed to operate in Sydney made up 80% of the fleet.

Traditionally, demanding training and testing regulations applied to drivers, but these have largely been removed in New South Wales over the last year. However, the following general criteria, that are required to hold a taxi licence in metropolitan areas, still remain: Applicants must have held an Australian Driver Licence for a total of at least 12 months in the previous two years; hold an unrestricted NSW Driver Licence; be at least 20 years old; be medically fit to drive a public transport vehicle; undergo a criminal history check; and potentially complete an English language test. Although most drivers were traditionally required to complete an English proficiency test, the rules regarding the requirement were changed in 2016 to provide expanded options for applicants to show evidence of English competency.

The only training requirement now under regulation is the training required to drive a wheelchair accessible vehicle. To become endorsed to drive a Wheelchair Accessible Taxi (WAT) driver, an authorised taxi driver must undertake and successfully complete the training program *TaxiCare Wheelchair Accessible Taxi Driver*. In the Sydney Metropolitan Transport District, this course is run by the NSW Taxi Council. A prerequisite is that they already hold a valid NSW Taxi Driver Licence, with at least 6 months taxi driving experience. The course last two days and costs AUS\$ 242.

Course Modules studied are as follows:

- Wheelchair Accessible Taxi Driving;
- Wheelchair Accessible Taxi and Equipment;
- Radio Booking Procedures;
- Taxi Transport Subsidy Scheme; and
- Customer Service.

Successful completion of this course provides the student with a Statement of Attainment for a nationally recognised unit of competency from the *Transport and Logistics Training Package - Transport Passengers with Disabilities*. As such students will be required to undertake competency based assessment to complete the course. If competency is not achieved they need to sit re-assessment.

The test is popular because, while the number of conventional taxi licences remains restricted, the limit on the number of WAT has been removed.

3.13 NEW ZEALAND

The present requirements in New Zealand regulate SPSVs in terms of four service categories: taxi, private hire, shuttles, dial-a-driver, and carpooling. Taxis can take pre-booked, rank or hailed passengers. Private hire services can only take pre-booked customers. Shuttles can only take passengers travelling to specific destinations (e.g. an airport). In New Zealand, there are 7,261 taxi drivers which equates to 1.6 taxis per 1,000 population, each belonging to one of 190 approved taxi organisations. No fare regulations currently apply, in that taxi services are free to choose their own.

Different types of compliance are applied to each category, and taxi services have the most demanding obligations.

TAXI SERVICES: Only approved taxi organisations can operate taxi services and drivers are licensed by being required to hold a *passenger endorsement* to a full general driver licence. Applicants can seek a passenger endorsement for a period of either one or five years. To gain a passenger endorsement, an applicant must fulfil the following requirements:

- be a fit and proper person
- be medically fit to drive
- have knowledge of the English language
- have completed a P endorsement course
- hold an area knowledge certificate if they are operating in an urban area
- held a full New Zealand class one (car) licence for at least two years
- completed a full licence test (unless one has been completed in the preceding five years).

A taxi driver may engage a customer via a pre-booking, taxi rank or street hail.

PRIVATE HIRE SERVICES: The operator of a private hire service is required to hold a Passenger Service Licence (PSL). Private hire services may only engage a customer via a pre-booking and the fare must be agreed before the service starts. These services are prohibited from using a meter. Drivers of private hire vehicles must hold a passenger endorsement for their driver licence. Applicants for a passenger endorsement are subject to the same criteria as taxi drivers, except that they are exempt from the requirement to hold an area knowledge certificate.

SHUTTLE SERVICES: Shuttle services may only carry passengers to or from transport terminals, and must meet private hire rules.

DIAL-A-DRIVER: The vehicle is provided by the passenger to the driver, who is paid to drive the vehicle. The driver must hold a passenger endorsement.

In New Zealand, the authorities have stated that the established clear distinctions in the types of SPSVs are now changing, due to the emergence of new technologies used by TNCs. In April 2016, following an extensive review process in 2015, the Government announced their intention to completely reform the SPSV sector. The changes will be considered by Parliament as part of the Land Transport Amendment Bill in 2016, and additional consultation will occur at Committee Stage.

Under the proposed changes, the existing separate categories and rules for taxis, private hire, shuttles, and dial-a-driver services are to be removed; so that in the future, these services will be regulated under the single category of a small passenger service.

With regard to driver licencing, it is intended to abolish requirements to hold an Area Knowledge Certificate; and to have passed a full licence test in the preceding five years (currently needed to obtain a Passenger endorsement). The requirement to have passed a Passenger endorsement course is being reviewed by Ministers, but the Department has stated that removing this requirement would save a driver \$400-\$700 when applying for a Passenger endorsement. Under the new system, the fundamentals of safety are maintained by drivers continuing to be required to hold a Passenger endorsement and display a driver identification card. A fit and proper person check, including a police check, will still be undertaken before a Passenger endorsement is granted. Drivers also must continue to operate within their work time limits.

All SPSVs will continue to be required to have a Certificate of Fitness; and vehicles operating within the 18 main urban areas will require an in-vehicle recording camera unless they have an exemption.

3.14 FINLAND

In Finland, national rather than regional legislation covers the sector, but the number of operator's licences is determined at a regional level by the State Provincial Offices. There are 9,683 taxis in Finland and no private hire sector, with a total of 1.8 SPSVs per 1,000 population. Most taxis in the cities are driven on a double shift, with the owner-driver employing one other driver. There are an estimated 16,000 drivers in total i.e. 1.7 drivers per vehicle.

Like Sweden, Finland has a national Special Transport Service provision for disabled people, with much of that service being provided by taxis. As a result, over a quarter of all trips are paid for from the public purse. 87% of taxis are conventional vehicles but the remainder are composed of wheelchair accessible vehicles.

New applicants for a taxi driving licence must fulfil the following obligations:

- Hold a Category B licence from any EU or EEA country valid for at least one year.
- Complete a course of instruction lasting at least 30 hours and pass the final test.
- Pass a local knowledge test for each area in which they wish to work.
- Be certified by a doctor on a standard form.
- In assessing whether the applicant has the personal characteristics to be licensed the principal criteria considered are as follows:
 - the applicant's capacity to interact in the Finnish or Swedish language;
 - whether the applicant has a poor record regarding driving in a dangerous way or under the influence of alcohol;
 - whether the applicant has during the preceding five years been convicted of certain criminal offences; or
 - whether the police have other information concerning whether the applicant is appropriate to operate as a taxi driver.

On-going training in professional competence is compulsory for all taxi drivers. In order to maintain the validity of a taxi driver licence, all drivers must complete a periodic course of instruction lasting at least seven hours every five years. A taxi driver licence is valid for five years or for two if the licence holder is over 68. The aims of the law are to improve drivers' skills, encourage environmentally-friendly driving, and promote the health and safety of taxi drivers and other road users.

In April 2016, the Finnish Minister for Transport announced a widespread package of reforms, the stated aims of which are to support new service models, and to make market access easier.

The existing system of licence quotas is to be abandoned. Geographical restrictions that do not allow taxis to pick up passengers outside of their licensed area of operation are to cease. The Ministry has said that this should make the system more flexible and efficient and make the operations easier particularly in sparsely populated areas.

Part of the reform has the intention of catering for drivers in emerging rideshare and Transport Network Companies, and for part-time drivers in rural areas. A licence will no longer be needed for small-scale passenger and goods transport: the limit for small-scale operations will be a maximum annual turnover of €10,000, and it will be subject to income taxation. If the limit is exceeded, the driver is required to obtain an operating licence.

The second phase of the regulatory reforms will focus on driver training, professional qualifications and transport registers. The aim is to lay the groundwork for new teaching methods and to examine whether it would be possible to regulate competence instead of training. The proposal is scheduled to be sent out for comments in summer 2017, but the Department of Transport and Communications have already stated that they intend to end the current situation that requires drivers to have a taxi driving licence, which includes requirements such as knowledge of the local area. The proposed change is that all that would be required to drive a taxi would be to hold at least a private car driving licence (B licence) and at least one year of driving experience. An operator's criminal record would be checked in the same way as for those working with children and young people, with additional checks for traffic offences. The Ministry states that the requirements for local knowledge are deemed to be no longer relevant given that the requirement to be confined to a zone of operation is to be dropped.