

PUBLIC CONSULTATION ON SPSV DRIVER ENTRY REQUIREMENTS

The Authority is seeking opinions on the current SPSV driver licensing framework, together with the associated testing, training and monitoring of drivers, which has been in place since 2009.

Should the current arrangements continue? Or should revised arrangements be put in place?

We have prepared some information on driver licensing in both Ireland and other relevant jurisdictions to encourage discussion and we welcome any ideas you may have in relation to testing an applicant's suitability to be licensed as a driver of taxis, hackneys or limousines.

The deadline for receipt of submissions by the Authority by email, online form or post is 5pm, Wednesday, 30 November 2016. All submissions may be published.

Full details are available on our website: www.nationaltransport.ie

PRIORITY FOR PEOPLE WITH DISABILITIES

Remember that both the Taxi Regulation Acts 2013 & 2016 and the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 clearly identify that people with disabilities must be given priority by SPSV drivers as far as possible.

"...promote access to, the availability and affordability of, and priority in booking or hiring of, small public service vehicles by persons with disabilities"

"...give, as far as is possible, priority to the carriage of a person with a physical or sensory disability which affects the mobility of the person and to ensure that the driver of such a vehicle gives reasonable assistance to these persons in entering and alighting from the vehicle"

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

Breaches of the law will be pursued and prosecutions taken against offenders.

OBLIGATION TO CARRY PASSENGERS WITH ASSISTANCE OR GUIDE DOGS

The driver of a SPSV cannot refuse to carry a guide dog or other assistance dog accompanying a passenger with disabilities. Failure to do so may result in a Fixed Payment Notice being issued.

Drivers with a certified medical condition may be exempted subject to prior notification and acceptance by the Authority.

This year a driver who refused a passenger in Galway was prosecuted at the District Court, having failed to pay the Fixed Payment Notice. On this occasion, the driver mistakenly maintained that the guide dog and passenger should be carried in a Wheelchair Accessible Vehicle and not a 'standard taxi'. This is not the case and resulted in the driver receiving fines and costs of €600 at court.

OVER 200 WHEELCHAIR ACCESSIBLE VEHICLE GRANTS ALREADY PAID

The closing date for applications for WAV16, the Wheelchair Accessible Vehicle Grant Scheme which opened on 01 April, was 28 October. This Scheme aims to encourage the wider availability of wheelchair accessible vehicles in Ireland's fleet. It offers disability awareness training, together with financial assistance of up to €10,000 (depending on vehicle age) to purchase a WAV or to convert to a WAV.

747 applications were received in the application period and 702 provisional grant offers were issued by the Authority.

The final date for completion of the full grant process is 30 November but already over 200 grants have been paid.

You must complete the process by 30 November 2016 to receive the monies offered. Make sure of the following:

- › your personal provisional grant offer letter must be in date;
- › the proposed wheelchair accessible vehicle must have passed its initial suitability test;
- › the proposed wheelchair accessible vehicle must have been licensed;
- › the proposed driver must have completed a Disability Awareness Training Course; and
- › the completed payment form must have been received by the Authority.

WHEELCHAIRS IN TRANSIT – THE HOOK SYMBOL



All operators of Wheelchair Accessible Vehicles must familiarise themselves with the hook or 'karabiner' symbol on wheelchairs. All powered wheelchairs and the vast majority of manual wheelchairs have been crash-tested and approved for use in transport. This is shown by the wheelchair tie-down securement points being labelled with a hook symbol.

Where there is any query over the suitability of a wheelchair for transit and there is definitely no hook symbol on the wheelchair, this may have the potential to present a risk to the passengers, driver, vehicle or other road users. The driver should explain the situation to the potential passenger and see if it is possible for the passenger to transfer to a seat and then store the wheelchair separately. Where this is not possible, it is legally permissible to refuse the journey. The burden of proof lies squarely with the licence holder for any refusal.

A recent customer complaint has demonstrated that an operator, despite training, was not familiar with the symbol and its meaning and his refusal case is currently with our legal team

UPDATE YOUR DRIVER LINK WHEN UPDATING YOUR CAR OR LICENCE

The absence of a 'Driver Link' still accounts for about 50% of the fines issued by our compliance team nationwide. Our records show that just under 90% of active taxi drivers are linked to a vehicle. Hackney and limousine drivers, please remember you too need to link. A failure to notify the Authority of the vehicle being operated, by creating a Driver Link, is an offence which may be the subject of a Fixed Payment Notice of €40. Failure to pay the notice will result in a prosecution being taken at the District Court. Recent prosecution results show that the Court takes this public safety issue very seriously.

In October, two drivers who had not created Driver Links were convicted and had fines and costs awarded against them totalling €650.00 each. On the same day, a driver who had failed to link and who failed to appear at court had a total of €1,400 in fines and costs awarded against him. These and similar convictions for the absence of a Driver Link were obtained against both owner-operators and those who rent vehicles and both full and part-time drivers.

Our compliance team has noticed that some licence holders have accidentally let their driver link break for the following reasons:

- › Changing the vehicle on the vehicle licence
- › Late renewal of the vehicle licence
- › Late renewal of driver licence

Remember that when any of these events occurs, you must create a new driver link before you begin operating.

The correct licenced driver must be linked to the correct licenced vehicle. To check the status of your driver link, you can:

- › Search for your licence on the Driver Check app
- › Log in to the SPSV Online app and visit the Driver Links Homepage
- › Log in to SPSV Online Services on your PC or tablet and visit the Driver Links homepage
- › Call the Information Line 0761 06 4000

Keep your driver link up to date.

KEEP YOUR VEHICLE LICENCE ALIVE

- 1 If you want to stop operating your SPSV yourself but don't want to let the licence lapse, you can rent your insured and licenced vehicle to another licenced driver to operate.

To rent out your licenced vehicle you must:

- › remain tax cleared;
- › keep the vehicle insured;
- › personally make each vehicle inspection booking call in relation to your vehicle;
- › keep a written record of the periods of use and a copy of each driver licence; and
- › notify the Authority of the period of arrangement, vehicle details and the name, address and licence number of the renting driver.

- 2 If you are ill or otherwise incapacitated, you can choose a representative to make the vehicle inspection booking call for you or act on your behalf in relation to any licences held by you. To arrange this, contact us with the name of your chosen representative, together with written incapacitation confirmation from your doctor.

- 3 Please also think about submitting a Section 15 Nomination Form to nominate the person you would like to apply to operate your vehicle licence in the event of your death. This is the only way that a licence can be transferred. By completing this short form now, you can avoid potential complications for your family in the future and ensure your licence and potential income remain alive.

To find out more about how to do any of this, please phone the Information Line on 0761 064 000.

OBLIGATION TO PRINT A RECEIPT

Providing a receipt to a customer is good customer service. Not all passengers will remember to ask for one, but all taxi drivers are obliged to print and offer a receipt to the passenger at the end of the journey. The fine for not printing and offering a receipt is €40 per instance.

CHRISTMAS & NEW YEAR OPENING HOURS

		INFORMATION & BOOKING LINES	INSPECTION CENTRES
MONDAY, 26 DECEMBER	Public Holiday	Closed	Closed
TUESDAY, 27 DECEMBER	Public Holiday	Closed	Closed
WEDNESDAY, 28 DECEMBER	Working Day	9am – 6pm	Cavan, Cork, Dublin, Galway, Kilkenny, Killarney, Letterkenny, Limerick
THURSDAY, 29 DECEMBER	Working Day	9am – 6pm	Athlone, Greenhills, Sligo
FRIDAY, 30 DECEMBER	Working Day	9am – 6pm	Cork, Galway, Kilkenny, Limerick, Northpoint
MONDAY, 02 JANUARY	Public Holiday	Closed	Closed

Please make your vehicle inspection bookings at least two weeks before your licence expiry date to ensure you get a time and centre that suits you.

USE OF BUS LANES IN NORTHERN IRELAND

Northern Ireland has similar legislation regarding bus lanes as we do. Taxis licensed in Northern Ireland to operate in that jurisdiction may use bus lanes when carrying a fare. A taxi, licensed in the Republic of Ireland, is not permitted to use those bus lanes. The same prohibition applies to Northern Ireland licensed taxis when they are in the Republic.

85% OF SPSVS HAVE BEEN CHECKED AT LEAST ONCE



Compliance Officers can check all SPSV vehicles against the Authority's licensing database in real-time and, so far this year, approximately 85% of active SPSV vehicles have been checked at least once. Compliance Officers had also undertaken over 10,000 roadside inspections by the end of October this year. These inspections, which include checks of driver and vehicle identification, vehicle safety equipment and the taximeter and printer, have demonstrated a high level of compliance within the industry. Where issues are detected, the issuing of a Fixed Payment Notice is an option for each Compliance Officer, with 880 notices issued so far this year. The absence of a 'Driver Link' still accounts for about 50% of all fines issued.

The Authority has already brought over 160 prosecutions this year, with more cases due in November and December. For the non-payment of a Fixed Payment Notice, the courts have consistently imposed fines which have far exceeded the cost of the original notice and have also awarded costs to the Authority in almost every case.

The Authority continues to investigate every customer complaint received (over 800 in 2016), issuing fines or prosecuting operators where necessary, in relation to any offence committed. The largest, single category of complaints relate to 'driver behaviour' towards passengers and these account for almost half of all complaints.

REMINDER OF FIXED PAYMENT OFFENCES

REF.	OFFENCE	PENALTY
D1	Failure to display required in-vehicle information	€40
D2	Standing at appointed stand while vehicle not available for hire	€40
D3	Standing for hire at a place other than an appointed stand	€40
D4	Refusal to carry Assistance Dog or Guide Dog in small public service vehicle	€40
D5	Failure to print and offer a receipt in the prescribed form to a passenger upon completion of a journey in a taxi	€40
D6	Failure to make available a receipt in the prescribed form to a passenger upon completion of a journey in a hackney or limousine	€40
D7	Standing or plying for hire in a county without a licence to stand or ply for hire in that county	€40
L8	Failure to comply with taxi roof sign requirements	€40
L9	Displaying on a hackney or limousine a sign or advertisement other than one prescribed by the National Transport Authority	€40
L10	Failure to notify details of small public service vehicle being operated	€40
D11	Operating taximeter while taxi is standing for hire or plying for hire	€60
D12	Failure to operate taximeter while taxi on hire	€60
D13	Failure to comply with the requirements in relation to the fitting and operation of a taximeter	€60
D14	Applying a booking fee in respect of a taxi which is engaged while plying for hire or standing for hire or without having been booked in advance by the consumer	€60
D15	Standing with a taxi on part of a public road adjoining or in proximity to an appointed stand when the appointed stand is full	€40
D16	Failure to display required driver identification	€60
A17	Failure to comply with vehicle standards applicable to licensing category	€60
D18	Failure of the driver of a hackney or limousine to carry the required booking record in respect of a hire	€60
A21	Removal or attempted removal of tamper-proof disc from a small public service vehicle.	€80
D22	Failure to display tamper-proof disc.	€80
D23	Unreasonable refusal to carry a passenger where the journey is not more than 30 kilometres.	€80
D24	Failure to comply with the requirements in relation to the fitting and calibration of taximeters.	€250
A26	Failure to have prescribed signage affixed to the front doors of taxi or wheelchair accessible taxi.	€250