

WHEELCHAIR ACCESSIBLE VEHICLE GRANT SCHEME 2019 (WAV19)

INFORMATION GUIDE FOR WAV19 GRANT SCHEME APPLICANTS

This document is not a legal document and does not purport to be a legal interpretation of the relevant legislation

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1 Definitions

“**2013 Act**” means Taxi Regulation Acts 2013 and 2016;

“**Applicant**” means a person (individual or a company with a designated driver proposed) who signs the application form for the Wheelchair Accessible Vehicle Grant Scheme (form WAV19A);

“**Approved Applicant**” means an Applicant who receives a Provisional Grant Letter;

“**Provisional Grant Letter**” means a letter in which NTA offers to make available to the Approved Applicant a Grant subject to certain conditions;

“**Grant**” means the sum or sums of money being made available by NTA to the Approved Applicant pursuant to, and in accordance with, the Provisional Grant Letter and these Terms and Conditions;

“**Owner**” means, in relation to a Wheelchair Accessible Vehicle, any of:

- a) the Registered Owner of the Wheelchair Accessible Vehicle; or
- b) the person whom a member of An Garda Síochána or an officer of NTA can reasonably ascertain keeps or has possession or charge or control, whether actual or constructive (including arising from a leasing or similar arrangement) of the Wheelchair Accessible Vehicle;

“**Company**” means a company formed and registered under the Companies Act;

“**Recipient**” means an Applicant who receives or is in the process of receiving a Grant;

“**Service**” or “**Services**” means the carriage or intended carriage for reward of persons who travel while seated in a wheelchair, and other persons travelling with such person, in accordance with the SPSV Regulations;

“**Services Period**” means the aggregate of:

- a) the period of thirty-six (36) months from the date of issue of the Grant to the Recipient’s nominated bank account; and
- b) to the extent of paragraph 8.3 applies, the period during which the Wheelchair Accessible Vehicle is not being used in the provision of Services;

“**Small Public Service Vehicle**” or “**SPSV**” has the meaning assigned to it by section 2 of the Taxi Regulation Acts 2013 and 2016;

“**SPSV Regulations**” means the Taxi Regulation (Small Public Service Vehicle) Regulations 2015;

“**SPSV Driver Licence**” means a licence to drive an SPSV granted to an individual in accordance with the SPSV Regulations;



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“Tax” means any tax, levy, impost, duty or other charge or withholding of a similar nature (including any penalty or interest payable in connection with any failure to pay or any delay in paying any of the same);

“Wheelchair Accesible Vehicle Licence” means a licence granted in accordance with the SPSV Regulations in respect of a Wheelchair Accesible Vehicle;

“Wheelchair Accesible Vehicle” means a wheelchair accessible taxi or a wheelchair accessible hackney (having the meanings assigned in accordance with the SPSV Regulations) or a wheelchair accessible limousine;

“WAV” means a wheelchair accessible taxi or a wheelchair accessible hackney (having the meanings assigned in accordance with the SPSV Regulations) or a wheelchair accessible limousine;

“Working Day” means a day (other than a Saturday or Sunday or public holiday) on which banks are open for general business in Ireland.

2 Background

2.1 The legislative background, against which the National Transport Authority operates, in the area of small public service vehicle regulation, incorporates the Taxi Regulation Acts 2013 and 2016 (2013 Act), the Taxi Regulation (Small Public Service Vehicle) Regulations 2015 and ancillary legislation.

2.2 The key objectives of the 2013 Act include the promotion of a quality service by small public service vehicles and their drivers and the promotion of access to small public service vehicles by persons with disabilities.

2.3 The number of wheelchair accessible vehicles has declined from a high of 1,600 vehicles in 2008 to 1,555 vehicles as 31 December 2017. This reduction in the availability of wheelchair accessible vehicles is causing significant challenges in the provision of services to people with mobility impairments.

2.4 To address this issue, amongst other measures, in 2014 NTA amended the regulations governing Wheelchair Accessible Vehicles as follows:

- A reduced minimum size standard applies to wheelchair accessible vehicles. Vehicles must be capable of carrying at least one adult passenger plus an occupied wheelchair while in wheelchair mode, and at least three adult passengers in non-wheelchair mode;
- Wheelchair accessible vehicles entering the fleet are allowed to operate up to 15 years of age;
- Wheelchair accessible vehicles already in the fleet on 1st April 2014 are allowed to operate (on their current licence) without an age limit, subject to passing vehicle licence renewal inspections;
- Holders of a standard taxi licence may exchange that vehicle licence for a wheelchair accessible taxi licence and avail of the higher permissible vehicle age limit for the wheelchair accessible taxi. For such an exchange, the proposed wheelchair accessible taxi must be under six years of age; and
- An operator who exchanges a standard taxi licence for a wheelchair accessible taxi licence may also revert to the standard taxi licence after the Services Period.

3 Duration of Scheme and Funding Level

3.1 The WAV19 Grant Scheme commences on **01 February 2019** and applications will be considered on a first received basis, subject to an application being satisfactorily completed, until the available funds are expended.

The last date for the receipt by NTA of applications for the WAV19 Grant Scheme is **31 October 2019** or when the funding is expended whichever is the earlier.

The closing date for the WAV19 Grant Scheme is **30 November 2019**, meaning

- a) the proposed wheelchair accessible vehicle must have passed its initial suitability test and have received a licence; and
- b) the proposed driver must have completed an NTA approved course or disability awareness training specific to SPSVs

by that date in order to qualify for the Grant.

While initially there will be no regional distribution limits, NTA reserves the right to introduce such limits. Once the available funding is depleted, the application period for the WAV19 Grant Scheme will close.

4 Who can Avail of the Scheme?

4.1 This scheme is available nationwide to:-

- Applicants for new wheelchair accessible vehicle licences;
- Existing wheelchair accessible vehicle licence holders who wish to upgrade their current wheelchair accessible vehicle with a replacement vehicle; and
- Existing operators who wish to exchange their standard taxi licence for a wheelchair accessible taxi licence either on conversion of their current vehicle or the purchase of a wheelchair accessible vehicle (retaining the future right to swap back).

5 Prior to Application

5.1 Applicants are advised to:

- Get several insurance quotes for SPSV use for the carriage of passengers for reward for the proposed type of licence, i.e. wheelchair accessible SPSV services.



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- Research available vehicles that meet the required standards and age, see Information Guide G1 (Applying for a new SPSV licence) or G6 (Changing a vehicle) available on our website www.nationaltransport.ie

6 Level of Grant

6.1 The levels of grant payable by NTA are as follows:

- New Wheelchair Accessible Vehicle (<3,000kms and <3 months old) - €7,500
- Wheelchair Accessible Vehicle less than one year of age - € 7,000
- Wheelchair Accessible Vehicle less than two years of age - € 6,000
- Wheelchair Accessible Vehicle less than three years of age - € 5,000
- Wheelchair Accessible Vehicle less than four years of age - € 4,000
- Wheelchair Accessible Vehicle less than five years of age - € 3,000
- Wheelchair Accessible Vehicle less than six years of age - € 2,500

7 Scheme Requirements

7.1 The Applicant must:

- 7.1.1 have and maintain tax cleared status;
- 7.1.2 have no prosecutions or complaints (in respect of SPSV operation) upheld against them in the 24 months preceding the application date and have no prosecutions or complaints (in respect of SPSV operation) in progress while completing the application process;
- 7.1.3 or the proposed driver must, undertake a half-day NTA approved SPSV related disability awareness training course, which will be available free of charge from NTA;
- 7.1.4 agree to register their contact details on a website or app nominated by NTA for the taking of bookings and provision of the Services;
- 7.1.5 agree to install and operate a smartphone app, when same is provided free of charge by NTA or its agent;
- 7.1.6 obtain and maintain SPSV insurance as set out in the Taxi Regulation Acts 2013 and 2016 and the SPSV Regulations or subsequent legislation;
- 7.1.7 ensure that the proposed vehicle complies with the standards established for wheelchair accessible vehicles as set out in the SPSV Regulations;



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- 7.1.8 be the registered owner of the proposed vehicle, or be legally entitled to the use and possession of the proposed vehicle (such as a lease or hire purchase agreement) for a period of not less than 12 months from the date of the application;
- 7.1.9 the number of applications is limited to five per applicant; and
- 7.1.10 complete and return to NTA journey documentation (WAV19J form) at six monthly intervals during the Services Period.

8 Approved Disability Awareness Training

It is a condition of receipt of any portion of the Grant that the Applicant, or where the Applicant is a company or not the proposed driver, the proposed driver, must either undertake the free half day SPSV specific disability awareness training provided by NTA or provide evidence that they have completed a SPSV specific disability awareness training course during the three years prior to the application date.

Any driver of a WAV19 Grant assisted vehicle must be able to prove that such a course has been completed.

No Grant will be released by NTA without having received confirmation of successful completion of such a course in a manner satisfactory to NTA.

9 Repayment of Grant by the Applicant to NTA

The Grant will be required to be repaid to NTA under the following circumstances:

- Where the Service is not being delivered in accordance with the licensing conditions;
- Where booking records as per the SPSV Regulations are not provided to NTA, six monthly or within ten working days of a request from NTA;
- Where the vehicle licence falls inactive at any point during the following the Service Period;
- Where the applicant sells or changes the vehicle within the Service Period; or
- Where the Wheelchair Accessible Vehicle licence holder swaps back to a standard taxi licence within the Service Period.



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10 Application Process

10.1 There are essentially six steps to the application process:

10.1.1 Check that as an Applicant you fulfil the criteria set out at section 7 and ensure you read and understand the Terms and Conditions of the WAV19 Grant Scheme (available on the “Forms and Guides” section of our website www.nationaltransport.ie). Research appropriate vehicles and ensure insurance cover will be available.

Download and complete in full the Application Form WAV19A (also available on the “Forms and Guides” section of our website). Applications must be hand signed.

Completed application forms are to be sent to “WAV19 Applications, National Transport Authority, PO Box 436, City North Business Park, Tuam Road, Galway” for consideration.

Applications will be processed on a first received basis, subject to available funding.

Applications must be received by latest **31 October 2019** to be considered. However, if the allocated funding is expended at an earlier date the application period will close and a waiting list will operate.

If successful, a Provisional Grant Letter, including the Terms and Conditions, will issue to the Applicant. This Provisional Grant Letter is valid until the earliest of 3 calendar months, 30 November 2019 or the funds are expended.

If your application is unsuccessful we will contact you to provide the reason. You may need to submit further information, so please allow plenty of time for this possibility and subsequent additional processing.

We would strongly urge you not to purchase a vehicle prior to receipt of a Provisional Grant Letter.

10.1.2 Should you receive a Provisional Grant Letter, you are required to arrange to have a Technical Assessor’s Full Report completed on your proposed vehicle and submit it with a new vehicle licence application form (VL1) to “WAV19, Technical Assessors Report, National Transport Authority, PO Box 436, City North Business Park, Tuam Road, Galway”.

The correct versions of the VL1, Technical Assessor’s Full Report Template and Guidance Notes, together with our Information Guides in relation to the Initial Suitability Inspection for WAV inspections, provide relevant information and identify where further details can be obtained from the “Guides and Forms” section our website at www.nationaltransport.ie

When NTA has reviewed these documents, you will be contacted informing you of the next steps, this could be a request for further information or you will be invited to book a vehicle inspection and start the normal vehicle licensing process. ***Please do not call to book an inspection before this step is completed.***



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Where there are any queries as to the technical standards or required vehicle test data necessary (see G1/G6 guides available on www.nationaltransport.ie), please contact the WAV Technical Adviser at NTA – 01 879 8300.

10.1.3 Once a Technical Assessors Full Report has been approved for the proposed vehicle, a scheduled appointment for Disability Awareness Training will be assigned. You will be sent a confirmation letter with the date, time and location.

If you wish to cancel or reschedule your booking you will have to do this within 7 working days from the issue date on the letter received. You will also have to wait for another available slot and this may result in a delay with your application. Should you reschedule after this date or fail to attend on the date appointed a fee of €50 will be payable on the day of your training. Where you do attend as arranged no fee will be payable.

The proposed driver for your vehicle must have completed NTA provided disability awareness training course as part of the Terms and Conditions for the Wheelchair Accessible Vehicle grant scheme 2019.

10.1.4 Book an Initial Suitability Inspection at one of the network of SPSV inspection centres for the proposed vehicle (Information and Booking Line - 0761 06 4000)

10.1.5 Forward your completed Grant Payment Request Form supplied with your Provisional Grant Letter to: "WAV19 Payment, National Transport Authority, Dún Scéine, Harcourt Lane, Dublin 2".

10.1.6 Once NTA confirms that all information provided is acceptable, the Grant monies will be issued to your nominated bank account within 20 Working Days.

11 How to Apply for a Wheelchair Accessible Vehicle Grant

Before filling out the application form, please ensure you have the following to hand:

- PPS number (individual) or company tax reference number;
- SPSV driver licence details;
- Electronic Tax Clearance certificate; and
- Where SPSV specific Disability Awareness training has been completed by the Applicant in the preceding 3 years, a copy of the certificate of completion, including the date of completion and course provider details.

In completing the application form, you should be aware of the following:-

- The Applicant accepts that NTA reserves the right to reject/approve an application for a Grant under the Scheme.



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- The Applicant grants permission to NTA to verify any and all information provided on or with the application form.
- The Applicant accepts that if they submit an incomplete application, it will be rejected and returned and that they will be required to re-apply.
- Any Provisional Grant Letter is valid until the earliest of 3 calendar months from the date of issue, 30 November 2019 or the funds are depleted.
- It is the licence holder's responsibility to notify NTA of any change of contact details.
- The Applicant's agreement with NTA in the event of a Provisional Grant Letter offer being accepted will comprise the Provisional Grant Letter, the Terms and Conditions, the payment request form, the training certificate and the completed application form. The Applicant shall comply with and agrees to be bound by the provisions of the said documentation. NTA will use the information provided for the purpose of administering the SPSV licensing system and in order to perform the functions assigned to NTA by the Taxi Regulation Acts 2013 and 2016, as amended, and the SPSV Regulations including the maintenance of a public register of SPSVs. Information provided will be shared with certain authorised third parties where necessary in order to carry out our functions and for the purposes of law enforcement. NTA is registered with the Office of the Data Protection Commissioner and all information sharing will be performed in accordance with the Data Protection Acts 1988 and 2003.
- In the event of any breach by the Applicant of the Terms and Conditions of the WAV19 Grant Scheme and where the Applicant has received payment pursuant to the Scheme, NTA shall, among its remedies against the Applicant, be entitled to demand the complete repayment of the Grant in full or pro-rata, as appropriate, and the Applicant agrees to comply with any such demand within one month of the date of the letter from NTA containing such demand.
- NTA reserves the right to review or supplement the Terms and Conditions of the Scheme after the Applicant's submission of an application and shall not incur any liability for such revision or supplementation.

12 Compliance

NTA's Compliance Officers will follow up directly with every Grant Recipient to ensure that the vehicle is being used to provide the Services appropriately. WAV19J - journey documentation will be issued with confirmation of payment. This documentation shall be completed in full and returned every six months for the duration of Services Period.