

SMALL PUBLIC SERVICE VEHICLE (EMERGENCY MEASURE COVID-19) REGULATIONS 2021

The National Transport Authority, in exercise of the powers conferred on it by sections 7 and 20 of the Taxi Regulation Acts 2013 and 2016 (No. 37 of 2013 as amended), hereby makes the following Regulations to make exceptional provision, having regard to the Covid-19 pandemic, and in order to mitigate the adverse economic consequences likely to result from the spread of that disease and to mitigate its impact on essential public transport services:

1. These Regulations may be cited as the Small Public Service Vehicle (Emergency Measure Covid-19) Regulations 2021.
2. Regulations 4 and 5 shall come into operation on the 21st day of May 2021.
3. In these Regulations, “Covid-19” means a disease caused by infection with the virus SARS-CoV-2 and specified as an infectious disease in accordance with Regulation 6 of, and the Schedule to, the Infectious Diseases Regulations 1981 (S.I. No. 390 of 1981) or any variant of the disease so specified as an infectious disease in those Regulations.
4. The Taxi Regulation (Small Public Service Vehicle) Regulations 2015 (S.I. No. 33 of 2015) are amended by substituting the following for Regulation 31:-

“Maximum permissible age requirements

31. (1) Subject to paragraphs (2), (3), (4) and (5), the maximum permissible age of a—

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

(2) Subject to paragraphs (4) and (5), where a vehicle is associated with a standard taxi licence or standard hackney licence first granted before 1 January 2009 and was associated with such licence on 1 January 2013, the maximum permissible age of such vehicle is fifteen years from the date of first registration of the vehicle.

(3) This Regulation does not apply to—

(a) limousines, or

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

(4) Notwithstanding anything in paragraphs (1) or (2), where a standard taxi, standard hackney, local area hackney, wheelchair accessible taxi or wheelchair accessible hackney would, by virtue of the time periods specified in paragraphs (1) or (2), have reached its maximum permissible age of ten years or fifteen years between 13 March 2020 and 31 December 2020, it shall not be deemed to have reached its maximum permissible age until a period of 24 months after the date upon which it would have otherwise reached its maximum permissible age of ten years or fifteen years by virtue of the time periods specified in paragraphs (1) or (2).

(5) Notwithstanding anything in paragraphs (1) or (2), where a standard taxi, standard hackney, local area hackney, wheelchair accessible taxi or wheelchair accessible hackney would, by virtue of the time periods specified in paragraphs (1) or (2), have reached its maximum permissible age of ten years or fifteen years between 1 January 2021 and 31 December 2021 it shall not be deemed to have reached its maximum permissible age until a period of 12 months after the date upon which it would have otherwise reached its maximum permissible age of ten years or fifteen years by virtue of the time periods specified in paragraphs (1) or (2).

(6) For the avoidance of doubt, the intention of paragraphs (4) and (5) is to extend the maximum permissible age of the vehicles which would have reached their maximum permissible age in the periods mentioned in those paragraphs by a period of 24 months and 12 months respectively.”

5. The following are revoked:-

- (a) the Small Public Service Vehicle (Emergency Measure COVID-19) Regulations 2020 (S.I. 175 of 2020) and
- (b) the Small Public Service Vehicle (Emergency Measure COVID-19) (No. 2) Regulations 2020 (S.I. 666 of 2020)

GIVEN under the Seal of the National Transport Authority

[•] day of xx, 2021

xx xx

EXPLANATORY NOTE

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

The purpose of the Small Public Service Vehicle (Emergency Measure Covid-19) Regulations 2021 is to amend Regulation 31 of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015, Maximum Permissible Age Requirements. This amendment is made as an exceptional provision and emergency measure resultant from the Covid-19 pandemic, noting that public transport, specifically including small public service vehicles, is deemed by Government to be an essential service.