



Public Consultation on

Proposals for

SPSV Fines for the Non-Compliant

- Focus on Safety, Consumer Protection and Services for
Users with a Disability

and

SPSV Driver Licence Validity Period

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Introduction

On the 1 January 2011, the National Transport Authority (NTA) assumed responsibility for regulation of the small public service vehicle (SPSV – taxi, hackney and limousine) industry in Ireland. As at 31 July 2022, the small public service vehicle (SPSV – taxi, hackney and limousine) fleet was made up of 21,896 taxis, hackneys and limousines in active and inactive licence status.

In Ireland, a national small public service vehicle (SPSV – taxi, hackney and limousine) structure, policy and regulatory framework is operated. Many similar jurisdictions have transferred small public service vehicle (SPSV – taxi, hackney and limousine) regulation to local authorities in terms of both licensing and enforcement, meaning there are variations in standards from area to area. It is a function of NTA to develop, operate and maintain a regulatory framework for the licensing and regulation of the standards to be applied in Ireland on a nationwide, equal basis to:

- a) small public service vehicles and their drivers, and
- b) the provision of services involving small public service vehicles.

In carrying out its functions, NTA must consider how best to ensure that the small public service vehicle (SPSV – taxi, hackney and limousine) industry is maintained at an appropriate level of safety, quality of service and consumer protection. This is done in such a way as to not become overly burdensome on compliant small public service vehicle (SPSV – taxi, hackney and limousine) service providers and/or cause a reduction in market competition or cost which can in turn also affect consumers.

Regulation without adequate enforcement and compliance arrangements will rarely be successful. For this reason, enforcement and compliance activities are at the heart of ensuring that the overall objectives of the regulations enforced are achieved. The objective of compliance and enforcement is to maximise compliance within the small public service vehicle (SPSV – taxi, hackney and limousine) industry

through all available means such as legislation, education, deterrence, resources and technology, which in turn maximises customer safety and satisfaction increasing demand for the services of compliant operators. Such activity supports compliant operators while targeting those who are non-compliant. This is key in ensuring a level playing field for compliant operators.

The policy objective considered in this public consultation is the making of small public service vehicle (SPSV – taxi, hackney and limousine) regulation as effective as possible and, in particular, the Fixed Penalties (fines) associated with a breach of such small public service vehicle (SPSV – taxi, hackney and limousine) legislation. This will help to ensure public safety and quality of service provision, together with compliant operator and consumer protection.

It is important to note that:

- ✓ this public consultation only impacts upon those small public service vehicle (SPSV – taxi, hackney and limousine) operators who break the law;
- ✓ for the year of 2018, with 199,369 compliance checks on 27,373 drivers, 1,878 Fixed Payment Notices (fines) were issued throughout Ireland. 2019 saw 196,868 compliance checks on 27,328 drivers with 1,641 Fixed Payment Notices (fines) issued. Meaning Fixed Payment Notices (fines) are issued on a tiny proportion of trips taken. The vast majority of drivers are compliant and provide very good services;
- ✓ the payment of any Fixed Payment Notice (fine) administered by NTA is voluntary. An alleged offender does not have to pay the Fixed Payment Notice (fine) and can choose to have his/her case decided by the Judge of the District Court where a prosecution is taken by NTA.

NTA currently issues Fixed Penalties (fines) for breaches of the:-

1. Taxi Regulation Acts 2013 & 2016 (the Act) and
2. Taxi Regulation (Small Public Service Vehicle) Regulations 2015 (the Regulations)

The use of Fixed Payment Notices (fines) for certain legal offences in licenced sectors is well established and has been proven in terms of effectiveness in many sectors, including small public service vehicle (SPSV – taxi, hackney and limousine) service provision. Following an examination of small public service vehicle (SPSV – taxi, hackney and limousine) compliance trends, and the changed environment within which the industry operates (over the last 11 years and particularly following the emergence of COVID), a review of the fixed payment amounts attaching to breaches is necessary.

Separately, An Garda Síochána, as the Licensing Authority for small public service vehicle (SPSV – taxi, hackney and limousine) Drivers in Ireland has requested that NTA complete a public consultation in relation to amending section 7(3)(a) of the Taxi Regulations (Small Public Service Vehicle) Regulations 2015. It involves a proposed amendment to allow An Garda Síochána to consider all parts of the small public service vehicle (SPSV – taxi, hackney and limousine) Driver Licence Application, including visa conditions, when issuing a licence for a particular period of validity. Currently, small public service vehicle (SPSV – taxi, hackney and limousine) Driver Licences may only be issued for a standard five-year period. This can be in conflict with visa periods as issued by the Irish immigration authorities. Where required, this amendment will allow An Garda Síochána to issue a licence for a period of less than five years.

Proposed Fines for SPSV Legislative Breaches

Background

The current fixed payment offences and the associated prescribed amounts for payment are set out in Schedule 8 of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015, together with details of the type and number of Fixed Payment Notices (fines) issued in 2018 and 2019. These are included in Appendix A

The current fixed payment offence schedule came into being as a result of a wide ranging report on the small public service vehicle (SPSV – taxi, hackney and limousine) industry in December 2011. This report was delivered by the Taxi Regulation Review Group, chaired by Mr. Alan Kelly TD, then Minister of State for Public and Commuter Transport. The principal act in place at the time was the Taxi Regulation Act 2003 with multiple statutory instruments attaching, together with various pieces of road traffic and road safety legislation. The Review Group included small public service vehicle (SPSV – taxi, hackney and limousine) operators and drivers, dispatch operators, consumers as well as Government Departments and regulatory and enforcement agencies.

The aim of the review was to allow consumers to have confidence in the taxi system while also ensuring that legitimate and competent operators and drivers could be rewarded fairly by operating under a regulatory framework that was adequately enforced. Among the key issues considered by the Review Group were:

1. supply and demand in the taxi market;
2. the quality and cost of services to the consumer;
3. driver and vehicle licensing reforms;
4. compliance and enforcement;
5. accessible taxi services for persons with reduced mobility and people with disabilities;
6. fleet management and rental controls;

7. the protection of consumer safety and security and service standards for consumers;
8. taxi services in rural areas; and
9. future industry interaction with the regulator taking account of the then role and structure of the statutory Advisory Committee on Small Public Service Vehicles.

The Review Group considered Industry compliance under several of the key issues listed above as well as the enforcement of legislation. This included the Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2007, which established a single financial penalty level of €250 for breaches of industry regulations, specifying almost the same list as is in place today. It was acknowledged by the Review Group that this “single size (€250) fits all” approach was not appropriate and was resulting in minor infringements incurring the same financial penalty as significant violations. This resulted in a lack of fairness to the industry. A significant outcome of the Review was:

“to introduce a graduated system of fixed charge penalties to replace the current single level of penalty charge of €250. This will enable the tailoring of the penalty charge to more closely reflect the significance of the particular infringement to which it refers.”

In 2011, NTA, the small public service vehicle (SPSV – taxi, hackney and limousine) industry, An Garda Síochána and local authorities therefore developed a range of Fixed Payment Notices (fines) attaching to breaches, which were enacted in January 2013 under the Taxi Regulation Act 2003 (Fixed Charges Offences) Regulations 2012. These ranged from €40 to €250.

Following receipt of advice from the Advisory Committee on Small Public Service Vehicles, under section 73 of the Act, the NTA is proposing revising the prescribed

amount for fixed payment offences in Schedule 8 of the Regulation (Small Public Service Vehicle) Regulations 2015 and adding a further prescribed amount for fixed payment offences in relation to refusing to provide small public service vehicle (SPSV – taxi, hackney and limousine) services to a person using a wheelchair.

The prescribed amounts in place at the moment were designed in 2011, with little data or information analysis available. It is now considered appropriate to revisit the penalties (fines) payable for prescribed offences, given the lapse of 11 years and significant technological advances, together with an assessment of passenger complaint trends over that period, particularly from vulnerable groups. NTA wishes to tailor the penalty to reflect the significance of the particular infringement to which it refers. Public safety, consumer protection and operational safety are the three pillars under which these fixed payment offences stand.

Current Legislation

A large amount of statutory instruments under the Taxi Regulation Act 2003 were consolidated in the Taxi Regulation (Small Public Service Vehicle) Regulations 2014 with the commencement of the Taxi Regulation Acts 2013. This consolidation was further revised in 2015 and 2016 but with no material relevance to this topic, fixed payment offences and payment amounts.

In exercising its functions under section 19 of the Act, NTA seeks to achieve the following objectives, each with licensing and enforcement implications:

- a) to promote the provision and maintenance of quality services by small public service vehicles and their drivers;
- b) to pursue the continued development of a qualitative and customer orientated licensing system, regulatory code and standards for small public service vehicles, small public service vehicle licence holders and small public service vehicle drivers;

- c) to oversee the development of a professional, safe, efficient and customer-friendly service by small public service vehicles and their drivers;
- d) to encourage and promote competition in relation to services (including fares) offered by small public service vehicles;
- e) in seeking to achieve the provision of quality services by small public service vehicles and their drivers, to have due regard to the protection of service users and providers alike;
- f) to promote measures to facilitate increased integration of taxi services in the public transport system;
- g) to promote the development of high quality cost effective services by small public service vehicles and their drivers which meet a wide range of customer needs including those of passengers with mobility or sensory impairments;
- h) to promote access to, the availability and affordability of, and priority in booking or hiring of, small public service vehicles by persons with disabilities;
- i) to encourage investment to support and enhance the services offered by small public service vehicles and to promote innovation in this regard.

Each of these functions has licensing and enforcement implications with sanctions and/or financial penalties attaching for each substantiated breach. These financial penalties are known as 'Fixed Payment Offences and Notices'.

Fixed Payment Offences and Notices

Under Part 6 of the Act, Authorised Persons (NTA Compliance Officers or any member of An Garda Síochána) may issue Fixed Payment Notices, commonly known as on-the-spot fines or just fines. These can be issued for a range of offences which have been declared to be Fixed Payment Offences under section 48 of the Act and listed in Schedule 8 of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015.

These Fixed Payment Notices may be issued as a result of a roadside audit or other contact with an Authorised Person. They may also be issued following receipt of a complaint by NTA through the post or our customer facing “Compliments and Complaints” portal on the Transport for Ireland website, which can be easily accessed at this link or even with a Google search of “complain taxi”.

<https://www.transportforireland.ie/support/taxi-compliments-complaints>

In the same way as road traffic matters, each Fixed Payment Notice specifies each alleged offence, together with the prescribed fixed penalty (fine) amount which must be paid within 28/56 days in order to avoid prosecution for the alleged breach. If Fixed Payment Notices (fines) are not paid within the prescribed period, a prosecution will be instigated by NTA for the alleged offence. The prosecution is not for the small public service vehicle (SPSV – taxi, hackney and limousine) operator refusing to pay a Fixed Payment Notice (fine) issued but rather for a judge to decide whether the offence itself occurred based on the evidence put forward at the District Court hearing. A court attendance is mandatory and it may result in a criminal conviction as well as a court fine and legal costs. It may also result in a successful defence by the small public service vehicle (SPSV – taxi, hackney and limousine) operator. A criminal conviction for a small public service vehicle (SPSV – taxi, hackney and limousine) offence can have serious implications for a career in the small public service vehicle (SPSV – taxi, hackney and limousine) industry and travel/visa applications amongst other matters.

It is important to note that paying on foot of any Fixed Payment Notice is voluntary. An alleged offender does not have to pay the Fixed Payment Notice (fine) and can choose to have his/her case decided by the Judge of the District Court where a prosecution is taken by NTA.

Proposal

NTA's primary aim is to make greater use of existing powers for prosecution of small public service vehicle (SPSV – taxi, hackney and limousine) offences to:

- Ensure the safety of passengers
- Enhance public confidence in the service providers
- Promote accessible and inclusive travel
- Promote compliance with legislation
- Protect compliant operators
- Provide an effective deterrent to non-compliant and illegal small public service vehicle (SPSV – taxi, hackney and limousine) activity
- Highlight the consequences of non-compliant and illegal activity through publicising penalties and sanctions, amplifying the deterrent effect
- Highlight the gravity of non-compliant and illegal activity for the judiciary

In order to achieve these aims, and following advice from the Advisory Committee on Small Public Service Vehicles, NTA proposes to increase the Fixed Payment Notices (FPNs) associated with existing offences where applicable and add a new Fixed Payment Notice in relation to refusing to provide small public service vehicle (SPSV – taxi, hackney and limousine) services to a person using a wheelchair. This will update the 2011 Fixed Payment Offences (fines) range, as appropriate:

1. on foot of evidence from enforcement results since its commencement;
2. in line with the severity of the offences as is now appreciated;
3. to assist the judiciary in appreciating the gravity of the offences in line with public safety, consumer protection and operational safety; and
4. to heighten the understanding of the severity of the offence in the eyes of all operators, particularly, of course, the non-compliant.

The proposal is to move the current Fixed Payment Offences Prescribed Amounts from the current four bands to five and to increase the amount of each Fixed Payment Notice (fine), except for two offences where the amount remains at €250. The current bands are €40, €60, €80, €250. The newly proposed five bands will include €80, €100, €150, €200, €250. The full scope is outlined in Appendix B included below.

In addition to the proposed changes to the payment amount, a new Fixed Payment Offence is proposed for the refusal of a driver of a SPSV to carry a passenger in a wheelchair. The amount for this will be €250, reflecting the gravity and nature of the offence.

Regulatory Impact

In respect of this proposed change to Fixed Payment Notices for small public service vehicle (SPSV – taxi, hackney and limousine) legislative breaches, NTA has reviewed the regulatory intervention in line with The Organisation for Economic Co-operation and Development (OECD) recommended analysis, finding positively on each as follows:

Necessity

NTA should only intervene when necessary. Intervention is required on this occasion to improve the service to the public and protect the compliant operator from bad actors, particularly in light of the changed environment that new apps and COVID have brought to the industry.

Also, by way of example, vulnerable user groups, including those with visual impairments and wheelchair users require greater protection than is available to them currently. This is particularly evident in respect of drivers refusing to accept a

person with an assistance/guide dog or a person using a wheelchair when the small public service vehicle (SPSV – taxi, hackney and limousine) is ordered or hailed. The fine on summary conviction for such discrimination under the Equal Status Act is a Class C fine (up to €2,500), or imprisonment for a term not exceeding one year or both. Currently this Fixed Payment Notice is just €40/€80 respectively for the same discrimination under SPSV legislation. There is also a necessity to continue to educate SPSV operators, of course, but financial and legal deterrence has a key role to play.

Effectiveness

Regulations should lead to achieving its goals. Here deterrence theory, together with our own road safety experience shows that a sufficiently high chance of detection and a simply understood and commensurate financial penalty will deter people from committing offences. As well as this, where the Fixed Payment Notice (fine) is low proportional to the impact of the offence, the importance of the offence is diminished in the eyes of the operator and the judiciary.

Proportionality

Proposed solutions should be appropriate to the risk posed, including cost. A table showing the increase to be proposed at the public consultation for each Fixed Penalty (fine) is set out in Appendix C below, together with a very brief rationale for each. The largest increases are based in public safety and consumer protection, where the decade advanced between design and current application has shown a clear lack of effectiveness and deterrence. The regulatory solution proposed to go to consultation does not cost the compliant SPSV operator, the State or the public in any real terms. It only has a detrimental impact on the noncompliant operator.

For example, the current €40 Fixed Payment Notice (fine) for the failure to notify NTA of the vehicle being operated in real time does not equate with the severity of the offence. Not complying with this regulation means that the driver and vehicle do

not show up on a search of the public facing, safety focused Driver Check App. This App shows the intending passenger whether the chosen vehicle and its driver are registered with NTA as properly licenced following Garda vetting for driver suitability, and whether the vehicle should be used. In fact, when this Fixed Payment Offence was set, the App for allowing the potential passenger to check the status of the driver had not even been developed. The addition of the App has been an important tool to reassure passengers, particularly those travelling alone, that the driver and vehicle are properly licensed and insured to carry passengers and it also allows a passenger to share details of the driver and vehicle in real time to a person of their choice. Although compliance rates with this obligation have notably improved, aided by the ease at which drivers can achieve compliance, a significant number of drivers continue to fail to meet their obligations with this legal requirement. The importance of it in terms of passenger safety and the relatively low financial penalty makes the proposed increase appropriate.

Predictability

The processes for reviewing regulations should be clearly set and followed. This is clearly defined in the Act and this process is being followed.

Transparency

Fixed Payment Notice Prescribed Amounts are readily available to all operators in various media and any notices issued have full details and signposts to further information printed on them, including the voluntary nature of any payment. In the vast majority of instances, the notice is handed to the driver by an Authorised Person, following a discussion and a question and answer session at the vehicle at the time of detection.

Accountability

NTA must be able to justify decisions, and be subject to public scrutiny. NTA reports publically on its enforcement activity monthly and annually and is consistently subject to operator, public and judicial scrutiny at trial.

Simplicity

These regulations and regulation-making processes is easy to understand and well communicated to all stakeholders particularly in terms of inviting submissions on any regulatory change proposed during the statutory consultation period.

Participation

All stakeholders should have an opportunity to express their views. This consultation process allow that opportunity in line with section 3 of the Taxi Regulation Acts 2013 and 2016. The purpose of the public consultation is to afford the Advisory Committee on Small Public Service Vehicles, An Garda Síochána, SPSV passengers, SPSV drivers, service suppliers, local authorities, suppliers to the industry and the general public an opportunity to submit written representations on the proposed increases in prescribed amounts for Fixed Payment Offences under the Act.

Enforcement and Compliance

Under existing legislation, the licensing and enforcement regime is already in place, and will not be substantially affected by any proposed changes to fixed payment offences or levels of penalties associated. There will not be any change in the level of compliance required of SPSV operators. The issuing of Fixed Payment Notices and the prosecution for the non-payment of same remains at the discretion of NTA, exercising a common sense approach.

Proposed SPSV Driver Licence Validity Period

Background

An Garda Síochána is the Licensing Authority for SPSV Drivers in Ireland and as such they grant, renew, refuse or revoke SPSV Driver Licences in Ireland. NTA assists with the administration of Small Public Service Vehicle Driver Licences by managing the SPSV Driver Entry Test, processing SPSV driver licence fees, issuing SPSV driver identification cards that an SPSV driver must have with them at all times while operating and maintaining the SPSV driver licence public register.

NTA received correspondence from An Garda Síochána requesting that consideration be given to amending section 7(3)(a) of the Taxi Regulations (Small Public Service Vehicle) Regulations 2015. This followed the 2022 judgment of the High Court in the matter of Rahman v Healy and Others.¹

Current Legislation

Within the Taxi Regulation Act (Small Public Service Vehicle Regulations) 2015, Regulation 7 sets out the form and duration of the licence to drive small public service vehicles.

The current Regulations read:-

7. (3) A licence to drive small public service vehicles shall remain in force until the earlier of—
- a) the expiry of a period of five years from the date of its grant or renewal,
 - b) the surrender of the licence by the holder,
 - c) the revocation of the licence under the Principal Act, and

¹ High Court Judicial Review, Judge Simons J, judgment delivered 24/04/22: [View the Judgement here.](#)

- d) the disqualification of the licence holder pursuant to section 30 or 38 of the Principal Act.

Proposal

The proposal for this amendment is to insert the words 'up to' prior to the words "five years from the date [...]" contained within Section 7(3)(a) of the Regulations.

Under this proposal the wording will change to:-

7. (3) A licence to drive small public service vehicles shall remain in force until the earlier of—

- a) the expiry of a period of up to five years from the date of its grant or renewal,
- b) the surrender of the licence by the holder,
- c) the revocation of the licence under the Principal Act, and
- d) the disqualification of the licence holder pursuant to section 30 or 38 of the Principal Act.

Regulatory Impact

This amendment will allow the Authorised Officer (in this case An Garda Síochána) to consider all parts of the application when issuing a licence. Where it may be required, it will allow the Authorised Officer to issue a licence for a period of less than five years.

The Regulatory Impact Assessment principles have been considered by An Garda Síochána and no negatives found.

Appendix A – Current Schedule 8 of the Taxi Regulation (Small Public Service Vehicle) Regulations 2015

Code	Section of the Principal Act or Regulation under these regulations	Description of Offence	Fixed Penalty Amount (Current)	Fixed Payment Notices issued 2018	Fixed Payment Notices issued 2019
D1	Regulation 45(1) of these Regulations	Failure to display the required in-vehicle information.	€40	10	8
D2	Section 25(9) in so far as it relates to section 25(6) of the Principal Act	Standing or parking at appointed stand while vehicle is not available for hire.	€40	39	24
D3	Section 25(9) in so far as it relates to section 25(4) of the Principal Act	Standing for hire in a taxi otherwise than at an appointed stand.	€40	177	228
D4	Regulation 39(1) of these Regulations	Refusal to carry assistance dog or guide dog in a small public service vehicle.	€40	3	12
D5	Regulation 56(1) and 56(2) of these Regulations	Failure to print and offer a receipt in the prescribed form to a passenger upon completion of a journey in a taxi.	€40	92	155

D6	Regulation 57(1) and 57(2) of these Regulations	Failure to make available a receipt in the prescribed form to a passenger upon completion of a journey in a hackney or limousine.	€40	0	3
D7	Regulation 58(1) of these Regulations	Standing or plying for hire in an area without a licence to stand or ply for hire in that area.	€40	15	7
L8	Regulation 46 of these Regulations	Failure to comply with taxi roof sign requirements.	€40	167	181
L9	Regulation 48(1) of these Regulations	Displaying on a hackney or limousine a sign or advertisement other than one approved in writing by the National Transport Authority.	€40	11	10
L10	Regulation 51(1) of these Regulations	Failure to notify details of small public service vehicle being operated.	€40	637	470
D11	Regulation 53(3) of these Regulations	Operating taximeter while taxi is standing for hire or plying for hire.	€60	11	19

D12	Regulation 53(2)(c) of these Regulations	Failure to operate taximeter while taxi is on hire.	€60	40	42
D13	Regulation 53(2)(a) of these Regulations	Failure to comply with the requirements in relation to the fitting and operation of a taximeter.	€60	228	132
D14	Regulation 55 of these Regulations	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	3	0
D15	Section 25(9) in so far as it relates to section 25(5) of the Principal Act	Standing with a taxi on part of the public road adjoining or in proximity of an appointed stand when the appointed stand is full.	€40	23	5
D16	Regulation 47(1) of these Regulations	Failure to display prominently the required valid SPSV Driver Display Card so as to be clearly visible	€60	26	20
A17	Regulation 24, 25, 26, 27 and	Failure to comply with the vehicle	€60	281	232

	28 of these Regulations, except in so far as they relate to paragraph 21(1) of Schedule 2 of these Regulations	standards and requirements applicable to the relevant licence category			
D18	Regulation 59(1) of these Regulations	Failure of the driver of a hackney or limousine to carry the required booking record in respect of a hire	€60	5	2
D19 2	Regulation 4(a) of Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294/2022)	Failure to carry a functioning cashless payment device	€200	N/A	N/A
D20 3	Regulation 4(b) of Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294/2022)	Failure to accept cashless payment	€200	N/A	N/A

² Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294 of 2022). 1st Sept 2022

³ Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294 of 2022). 1st Sept 2022

A21	Regulation 44(3) of these Regulations	Removal, attempted removal, damage or interference with a small public service vehicle tamper-proof disc.	€80	1	6
D22	Regulation 44(1) of these Regulations	Failure to display valid tamper-proof discs.	€80	8	4
D23	Section 23(2) of the Principal Act	Unreasonable refusal by the driver to carry a passenger.	€80	73	78
D24	Regulation 53(2)(b) of these Regulations	Failure to comply with the requirements in relation to the calibration of taximeters	€250	22	0
A26	Regulation 24 and 26 of these Regulations, in so far as they relate to paragraph 21(1) of Schedule 2 of these Regulations	Failure to have prescribed signage affixed to the front doors of taxi or wheelchair accessible taxi.	€250	6	3

Appendix B – Proposed SCHEDULE 8 Fixed Payment Offences – Prescribed Amounts

Code	Section of the Principal Act or Regulation under these Regulations	Description of Offence	Fixed Penalty Amount
D1	Regulation 45(1) of these Regulations	Failure to display the required in-vehicle information.	€100
D2	Section 25(9) in so far as it relates to section 25(6) of the Principal Act	Standing or parking at appointed stand while vehicle is not available for hire.	€80
D3	Section 25(9) in so far as it relates to section 25(4) of the Principal Act	Standing for hire in a taxi otherwise than at an appointed stand.	€100
D4	Regulation 39(1) of these Regulations	Refusal to carry assistance dog or guide dog in a small public service vehicle.	€250
D5	Regulation 56(1) and 56(2) of these Regulations	Failure to print and offer a receipt in the prescribed form to a passenger upon completion of a journey in a taxi.	€100
D6	Regulation 57(1) and 57 (2) of these Regulations	Failure to make available a receipt in the prescribed form to a passenger upon completion of a journey in a hackney or limousine.	€100
D7	Regulation 58(1) of these Regulations	Standing or plying for hire in an area without a licence to stand or ply for hire in that area.	€200

L8	Regulation 46 of these Regulations	Failure to comply with taxi roof sign requirements.	€100
L9	Regulation 48(1) of these Regulations	Displaying on a hackney or limousine a sign or advertisement other than one approved in writing by the National Transport Authority.	€80
L10	Regulation 51(1) of these Regulations	Failure to notify details of small public service vehicle being operated.	€200
D11	Regulation 53 (3) of these Regulations	Operating taximeter while taxi is standing for hire or plying for hire.	€150
D12	Regulation 53(2)(c) of these Regulations	Failure to operate taximeter while taxi is on hire.	€150
D13	Regulation 53(2)(a) of these Regulations	Failure to comply with the requirements in relation to the fitting and operation of a taximeter.	€150
D14	Regulation 55 of these Regulations	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.	€100
D15	Section 25(9) in so far as it relates to section 25(5) of the Principal Act	Standing with a taxi on part of the public road adjoining or in proximity of an appointed stand when the appointed stand is full.	€80

D16	Regulation 47(1) of these Regulations	Failure to display prominently the required valid SPSV Driver Display Card so as to be clearly visible	€200
A17	Regulation 24, 25, 26, 27 and 28 of these Regulations, except in so far as they relate to paragraph 21(1) of Schedule 2 of these Regulations	Failure to comply with the vehicle standards and requirements applicable to the relevant licence category	€100
D18	Regulation 59 (1) of these Regulations	Failure of the driver of a hackney or limousine to carry the required booking record in respect of a hire	€80
D19	Regulation 4(a) of Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294/2022)	Failure to carry a functioning cashless payment device	€200
D20	Regulation 4(b) of Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294/2022)	Failure to accept cashless payment	€200
A21	Regulation 44(3) of these Regulations	Removal, attempted removal, damage or interference with a small public service vehicle tamper-proof disc.	€150
D22	Regulation 44(1) of these Regulations	Failure to display valid tamper-proof discs.	€150
D23	Section 23(2) of the Principal Act	Unreasonable refusal by the driver to carry a passenger.	€150

D24	Regulation 53(2)(b) of these Regulations	Failure to comply with the requirements in relation to the calibration of taximeters	€250
A26	Regulation 24 and 26 of these Regulations, in so far as they relate to paragraph 21(1) of Schedule 2 of these Regulations	Failure to have prescribed signage affixed to the front doors of taxi or wheelchair accessible taxi.	€250
D27	Regulation 38(5)(d) of these Regulations.	Refusal by the driver to carry a passenger in a wheelchair.	€250

Appendix C - Fixed Payment Offences – Prescribed/Proposed Amounts and Fines Issued

Code	Section of the Principal Act or Regulation under these regulations	Description of Offence	Fixed Penalty Amount (Current)	Fixed Penalty Amount (New)	Fixed Payment Notices issued 2018	Fixed Payment Notices issued 2019	Rationale
D1	Regulation 45(1) of these Regulations	Failure to display the required in-vehicle information.	€40	€100	10	8	Passengers require detail of their entitlements and obligations, together with a path for complaint to the Regulator and transparency in fare structure.
D2	Section 25(9) in so far as it relates to section 25(6) of the Principal Act	Standing or parking at appointed stand while vehicle is not available for hire.	€40	€80	39	24	The smooth operation of a rank is affected by taxi drivers leaving their taxis unattended, or by private hire vehicles using it illegally. Consumers expect that any vehicle at a rank is available for immediate hire and where it is not, this can lead to conflict and frustration.

D3	Section 25(9) in so far as it relates to section 25(4) of the Principal Act	Standing for hire in a taxi otherwise than at an appointed stand.	€40	€100	177	228	This is an unsafe activity for motorists and passengers alike which also leads to interoperator confrontations. Taxi ranks are placed at locations ensuring safety and visibility for all users.
D4	Regulation 39(1) of these Regulations	Refusal to carry assistance dog or guide dog in a small public service vehicle.	€40	€250	3	12	A discriminatory practice. The existing penalty is an inadequate reflection of the severity of the offence and the significance of the impact on users.
D5	Regulation 56(1) and 56(2) of these Regulations	Failure to print and offer a receipt in the prescribed form to a passenger upon completion of a journey in a taxi.	€40	€100	92	155	The official taximeter receipts provide passengers with a record of their journey and a means with which to make a complaint or query.
D6	Regulation 57(1) and 57(2) of these Regulations	Failure to make available a receipt in the prescribed form to a passenger upon completion of a journey in a hackney or limousine.	€40	€100	0	3	Provides the passenger in a hackney or limousine the same level of protection regarding the fare paid as those in taxis. Represents a record of the licence holder, the journey and a means with which to make a complaint or query.

D7	Regulation 58(1) of these Regulations	Standing or plying for hire in an area without a licence to stand or ply for hire in that area.	€40	€200	15	7	Prevents drivers of taxis who have not passed a specific knowledge test for an area standing or plying for immediate off-street hire in that area. The local knowledge of the driver protects passengers who are unfamiliar with the area and local route knowledge ensures that the shortest route is taken wherever possible.
L8	Regulation 46 of these Regulations	Failure to comply with taxi roof sign requirements.	€40	€100	167	181	The legitimacy and availability of a taxi must be clearly evident to intending passengers and the level of financial penalty here is not considered sufficient to deter noncompliant/illegal operators.
L9	Regulation 48(1) of these Regulations	Displaying on a hackney or limousine a sign or advertisement other than one approved in writing by the National Transport Authority.	€40	€80	11	10	These pre-booked vehicles, which do not provide Maximum Taxi Fare protection for passengers, are not entitled to ply for work or induce passengers to flag them down. This increase will tailor the penalty to better reflect the seriousness of the offence.

L10	Regulation 51(1) of these Regulations	Failure to notify details of small public service vehicle being operated.	€40	€200	637	470	All drivers must notify NTA when they are operating. Several, simple methods to notify are provided and this populates the statutory public register and the public facing Driver Check safety app. Passengers are able to check before entering a vehicle that the driver and vehicle are licensed and insured, and save/share that journey detail.
D11	Regulation 53(3) of these Regulations	Operating taximeter while taxi is standing for hire or plying for hire.	€60	€150	11	19	Fares, including initial meter minimum fares, must be transparent for passengers and are critical for consumer confidence in the fare. The level of financial deterrent here requires tailoring to the significance of the offence, which can often be incremental on a per passenger basis.
D12	Regulation 53(2)(c) of these Regulations	Failure to operate taximeter while taxi is on hire.	€60	€150	40	42	Fares must be transparent for passengers for the duration of the journey, so that it can be clearly seen that the fare is in line with the maximum fare allowed under law. The level of financial deterrent here has not proved sufficient.

D13	Regulation 53(2)(a) of these Regulations	Failure to comply with the requirements in relation to the fitting and operation of a taximeter.	€60	€150	228	132	Fares must be transparent and correct for passengers. The taximeter, as the legal instrument to calculate the fare, must be clearly visible, working properly and clearly show the marks of conformity with legislation. The level of financial deterrent here has not proved sufficient.
D14	Regulation 55 of these Regulations	Applying a booking fee in respect of a taxi which is engaged without having been booked in advance by the consumer.	€60	€100	3	0	This has been an issue, particularly at transport hubs, where passengers unfamiliar with the fares structure have been charged extra. Given the incremental nature of this deception on multiple passengers, it is often difficult to investigate. This increase will tailor the penalty charge to the significance of the infringement.
D15	Section 25(9) in so far as it relates to section 25(5) of the Principal Act	Standing with a taxi on part of the public road adjoining or in proximity of an appointed stand when the appointed stand is full.	€40	€80	23	5	The capacity of rank spaces is limited. This activity is unfair on those drivers legitimately queuing for hire on a rank. It can also be the cause of conflict and impacts on

							the safety of passengers boarding taxis.
D16	Regulation 47(1) of these Regulations	Failure to display prominently the required valid SPSV Driver Display Card so as to be clearly visible	€60	€200	26	20	In addition to the Driver Check App, in-vehicle driver identification cards are crucial for a passenger to see that the driver is licensed, and insured, to drive the vehicle and provides a visible reassurance to the passenger when inside the vehicle.
A17	Regulation 24, 25, 26, 27 and 28 of these Regulations, except in so far as they relate to paragraph 21(1) of Schedule 2 of these Regulations	Failure to comply with the vehicle standards and requirements applicable to the relevant licence category	€60	€100	281	232	A wide-ranging penalty charge which often does not reflect the significance of the particular standard to which it refers. This includes the carrying of boarding aids and restraints for wheelchair passengers in addition to the cleanliness and condition of the vehicle for all passengers.
D18	Regulation 59(1) of these Regulations	Failure of the driver of a hackney or limousine to carry the required booking record in respect of a hire	€60	€80	5	2	Without a taximeter in the vehicle, a pre-agreed price and service must be recorded. This record ensures fare transparency for the passenger.

D19	Regulation 4(a) of Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294/2022)	Failure to carry a functioning cashless payment device	€200	€200			New Fixed Payment Offence enacted on 17 th June 2022 and to come into effect on 1 st September 2022
D20	Regulation 4(b) of Small Public Service Vehicle (Cashless Payment Facility) Regulations 2022 (S.I. 294/2022)	Failure to accept cashless payment	€200	€200			New Fixed Payment Offence enacted on 17 th June 2022 and to come into effect on 1 st September 2022
A21	Regulation 44(3) of these Regulations	Removal, attempted removal, damage or interference with a small public service vehicle tamper-proof disc.	€80	€150	1	6	The attempt to remove or damage the vehicle's licence disc, which confirms the adherence to licensing regulations, including insurance requirements, undermines the integrity of the SPSV licensing process.
D22	Regulation 44(1) of these Regulations	Failure to display valid tamper-proof discs.	€80	€150	8	4	This is a significant, illegal act by the operator of an unlicensed vehicle, removing the licence disc confirming adherence to licensing legislation, including compliance with insurance requirements.

D23	Section 23(2) of the Principal Act	Unreasonable refusal by the driver to carry a passenger.	€80	€150	73	78	A practice which is contrary to the obligation on taxi drivers to accept passengers for immediate hire. This penalty will now sit alongside specific penalties for refusing guide/assistance dogs and the refusal of passengers in wheelchairs.
D24	Regulation 53(2)(b) of these Regulations	Failure to comply with the requirements in relation to the calibration of taximeters	€250	€250	22	0	Fares must be transparent and correct for passengers and the calibration of the taximeter ensures that the correct fare is being calculated for all taxi journeys.
A26	Regulation 24 and 26 of these Regulations, in so far as they relate to paragraph 21(1) of Schedule 2 of these Regulations	Failure to have prescribed signage affixed to the front doors of taxi or wheelchair accessible taxi.	€250	€250	6	3	The legitimacy of a taxi must be clearly evident to all passengers and enforcement agencies alike and the presence of the vehicle licence number in a clear and permanent sign designates the vehicle as a legal taxi.

D27	Regulation 38(5)(d) of these Regulations.	Refusal by the driver to carry a passenger in a wheelchair.		€250 ⁴		A discriminatory practice. Existing offence in respect of unreasonably refusing any passenger does not adequately address the impact of this offence on the passenger.
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⁴ New Fixed Payment Offence