

Minutes
Advisory Committee on SPSVs
Hybrid Meeting, NTA Offices and MS Teams
Thursday, 30th June 2022, 10.30am

Present:

Chairperson	Mr. Cornelius O'Donohue
Representing SPSV and driver interests	Mr. John Murphy, Mr. Shajedul Chowdhury, Mr. Francis Doheny
Consumers	Mr. James Cawley
Representing the interests of Business	Ms. Ann Campbell
Special interest or expertise	Mr. Noel Ebbs, Mr. James O'Brien, Ms. Fiona Brady, Mr. Paul Gegan
Representing the interests of tourism	Mr. Al Ryan (IHF)

Apologies:

Representing SPSV and driver interests	Mr. Alan Cooley (ITDF)
Representing the interests of persons with disabilities	Ms. Joan Carthy (IWA)
Consumers	Ms Michelle Reid
An Garda Síochána	Superintendent Tom Murphy

NTA Staff in Attendance:

Ms. Wendy Thompson (Director of Transport Regulation)
Mr. Eddie Fullerton (Compliance Manager, Taxi Regulation)
Ms. Jackie Mullen (Secretary)

1. Minutes and Matters Arising.

The Chair congratulated new committee member Mr. Gegan on his appointment to the Advisory Committee, a person with special interest and expertise particularly in relation to limousine drivers and owners.

The minutes of the meeting held on the 26th May were approved with one amendment. The statistic for the number of SPSV drivers per thousand population in Ireland, as discussed at the meeting, will be inserted beside the UK data for comparison.

The Chair informed the Advisory Committee that there will be a presentation on roof signs at the July meeting. The Chair reminded members that there is no scheduled meeting of the Advisory Committee in August.

2. Draft Guidelines for the acceptance of cashless payments in taxis (Advisory Committee only)

Following issue of the draft guidelines to the members of the Advisory Committee for consideration and comment, a number of queries were raised by members and forwarded to NTA. These, and the

matters raised at this meeting, will be raised with NTA's Director for Transport Regulation at Item 4 of this agenda.

(NTA's Director for Transport Regulation and Compliance Manager joined the meeting)

3. NTA Update

Eddie Fullerton presented the SPSV Licensing & Compliance statistics for June.

4. Draft Guidelines for the Acceptance of Cashless Payments in Taxis *(Advisory Committee and NTA)*

In answer to the Advisory Committee member's submissions prior to the meeting and those raised earlier in this meeting Wendy Thompson confirmed the following:

- In the February 2022 Driver Surveys for the Maximum Fares Order review, 92% of drivers advised that they already have card payment terminals.
- The regulatory requirement is to associate the physical cashless payment terminal not with the taxi but with the individual taxi driver. This is because:
 - a) a single taxi can be operated by several SPSV drivers;
 - b) each taxi driver may provide services in different licenced vehicles once linked; and
 - c) an individual driver must be identifiable for each payment in case of errors or complaints.
- There is no regulatory requirement to fit/mount a cashless payment terminal in the taxi. That remains the preference of each driver. However, *should* an owner driver (in particular) wish to permanently mount his/her cashless payment terminal, the general guidance on positioning and safety outlined in the draft Guidelines must be followed.

Ms Thompson confirmed that, in London, there is a requirement that an approved TfL fixed card payment device must be fixed in the rear passenger compartment of a Black Taxi. However, this is due to the owner operated nature of these purpose-built vehicles, where predominantly passengers do not / cannot travel in a front seat. This would not be supported by the array of vehicles suitable for licensing as taxis in Ireland where passengers may use any of the available seats in the vehicle.

- Legally prescribed receipts issued from the taximeter printer remain the required evidence of fare requested under these draft Guidelines. The issuing of receipts from the cashless payment terminal is a matter between the cashless payment terminal owner (the taxi driver) and the card scheme under which s/he operates. It is a requirement that the transaction be identifiable on the card payment transaction history/statement of the passenger. This can then be compared against the prescribed taximeter receipt, which the taxi driver is obliged to print and offer under the SPSV Regulations, in the event of query or complaint.
- If a cashless payment device is not functioning because it is broken or out of charge, the driver will be required to withdraw from service until the device is functioning again. Any error intrinsic to the device which makes it unable to function must be remedied (or replaced temporarily/permanently by a similar device) prior to re-entering service.
- The draft Guidelines provide advice in relation to operating and accepting fares during a documented network outage and in a black spot.

- Insufficient funds on a card payment basis should be treated in the same way as insufficient funds on a cash payment basis.
- Stolen cards should be treated in the same way as stolen cash is. A block on a card should be treated in the same way as insufficient funds on a cash payment basis.

The Advisory Committee approved the draft Guidelines subject to some minor amendments being incorporated by Ms. Thompson following the discussions with the Committee.

5. Ride hailing

Wendy Thompson informed the Committee that there was a common misconception in the media regarding Uber. She informed the committee that Uber operates in Ireland in the same way as any other licenced dispatch operator using only licenced drivers and vehicles. This is the same in London, contrary to much media coverage.

In relation to the issue of current taxi demand, Ms. Thompson informed the Committee that the supply of licenced operators in cities is not the issue. Unlike other jurisdictions Ireland does not put a cap on the number of taxi and driver licences it issues. The issue is the availability of those licenced operators in the peak periods at weekends, specifically the late night shifts from midnight to 2am. This defined period on a Friday and a Saturday night is when passenger demand reaches unfulfillable levels as the night time economy venues all close. The new Maximum Fare has been loaded towards increases for popular distances at these times.

A query was raised in relation to other perceived barriers to enter the industry such as finance and Garda vetting. Ms. Thompson informed the Committee that microfinance loans are still available in addition to the WAV and eSPSV grants. Garda vetting/clearance can be a long process, depending on many factors, but is crucial to the safety of our travelling public. Once a driver's licence has been approved by An Garda Síochána and received by NTA, the driver can commence operating within 3 working days.

A query was raised in relation to the industry knowledge and area knowledge tests. Ms. Thompson informed the Committee that following an independent review of the SPSV Driver Entry Test and a public consultation in 2016, a number of improvements were made to the Test as discussed previously at meetings. These included a 75% pass rate and the ability to retain a pass in either module for 12 months whilst attempting the other module. The next 5 year (Covid delay) independent review of the SPSV Driver Entry Test is currently out to tender and will take place in 2022.

6. AOB

In view of the fact that the Advisory Committee would be receiving a presentation at the next meeting, on the international environment concerning roof signs and other industry technologies, the Chairperson asked the Advisory Committee members to consider attending the next meeting in person.

Date of next meeting – Thursday 28th July 2022 at 10.30am (Hybrid meeting)

Signed: _____ **Dated** _____