

Licence number

T-54321

Vehicle registration number

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Industry News

Taxi, Hackney and Limousine Industry News

Strong progress

I am pleased to report strong progress on a number of fronts since the publication of the last issue of Industry News in May of this year. Perhaps the most important area of progress has been in the roll-out of the new National Vehicle Licensing System.

This was a key feature of the Action Plan 2006/2007 'Driving Forward' published in March 2006. The new vehicle licensing system is being administered by the National Car Testing Service (NCTS) for the Commission. It replaces the previous cumbersome process where over eighty local authorities were the licensing authorities.

The implementation of the new system began on a pilot basis in Cork and Galway and since then strong progress has been made around the country. Dublin, the only remaining area under the old system will transfer to the new system later in the Autumn. The applicants will then be able to choose any NCT centre that they wish to attend. Under the new system licence holders will receive up to six weeks advance notice from the Commission of the expiry date of their licence as well as details of a provisional appointment to renew the licence at their nearest NCT centre.

This is clearly a major improvement on the previous fragmented and inconsistent system which has already improved enforcement. It will ensure a high quality, efficient and consistent approach to the licensing of Small Public Service Vehicles (SPSV). It is also contributing to the creation of a national register of SPSV licences, which will for the first time, give an accurate record of the number of licences in operation.

The next major milestone for the industry will be the introduction of the new National Taximeter Area and Fare Structure, which was signed into law on August 4th and becomes effective on September 25th next. This will see the entire country become one taximeter area and a new National Maximum Fare will apply from that date. The new National Fare Structure will consist of an initial charge, a distance-related charge or a time-related charge, a premium at certain times and on certain days and extras where applicable.

Following lengthy consultation the Commission decided a new National Fare structure and rate would apply across the entire country. This is the best way forward for the benefit of both consumers and service providers and removes the complex fare structure and diverse elements previously in place. The new National Fare will be simpler and more transparent making it easier for people using the service to understand how fares are calculated and ensuring that taxi operators are rewarded in a way that reflects their cost base.

I urge everyone to familiarise themselves with the new fare structure (available on the Commission's website at www.taxiregulator.ie or on request from the Commission) and ensure their meters are calibrated on time.

The Commission is currently working on preparing a public awareness campaign to explain the new fare structure and consumers rights and responsibilities while travelling in a SPSV. The awareness campaign will begin in advance of the introduction of the new fare structure in September and will ensure that confusion during the changeover is minimised. It will also remind consumers that while they have rights as passengers they also have certain responsibilities and must treat both drivers and vehicles with the respect they deserve.

I would like to thank operators and drivers for your co-operation in the changeover to the new National Licensing System and new National Fare. The level of compliance and co-operation at this stage is very encouraging and supports my view that the vast majority of SPSV drivers and operators already provide an excellent service and are keen to adopt the new regulations to raise standards within the industry. The Commission is determined that all SPSV drivers and operators achieve the same standard.

Unfortunately, the new National Fare Structure has not been universally welcomed and the matter has been the subject of withdrawal of services by some representative bodies. In my view the withdrawal of services by taxi drivers has been counterproductive and succeeded only in inconveniencing potential customers and causing drivers and operators to lose income. It leaves a poor reflection on the industry as a whole and played into the hands of those who seek to denigrate it. Based on feedback received directly to this office it was clear that many within the industry did not support these actions.

In arriving at decisions in relation to the Action Plan and the Fare Structure the Commission carried out the most extensive consultations and research ever undertaken in relation to small public service vehicles in Ireland.

Representatives of the industry were heavily involved in all stages of the consultation process. I had numerous meetings with them individually and collectively. They were invited to put forward submissions in writing and they were fully involved in the consultation process through the Advisory Council to the Commission for Taxi Regulation. In fact, the representative bodies involved in the current dispute were all members of the Advisory Council, which includes six industry representative bodies. Indeed, many aspects of the new national fare and the changes to be put in place as part of Driving Forward were influenced by this combined input.

I fully respect the right of self-employed people to withdraw their services in pursuit of the settlement of what they perceive to be a grievance. On the other hand, I must also assert the right of drivers who want and need to work and earn an income to do so.

There were numerous reports of intimidation of drivers who wished to work during the periods when service was withdrawn. It is my earnest hope that this will cease, as it will only serve to further damage the image of the industry.

I must point out that the Commission's decisions in relation to the National Fare Structure and the Action Plan will stand. In regulating any industry the Regulator has to take into consideration the views of all who have an interest in the sector. The decisions the Commission arrived at strike a balance between what SPSV drivers and operators wanted and what members of the travelling public wanted.

It is the nature of such a process, which seeks to reach a balanced approach that no party will be entirely happy with the result. It is not possible at this stage of the process for any one party, be it the industry or consumers, to operate a veto over the Regulator's decisions.

I am of the firm belief that once the new National Fare Structure is introduced it will prove of benefit to all involved. It will provide an increase for the majority of taxi journeys, create clarity and thus increase consumer confidence in the service. It is now time for us all to work together and embrace the change necessary to implement the Action Plan and the Fare Structure, building a service for the future of which we can all be proud.

Ger Deering
Commissioner for Taxi Regulation

New National Taxi Fare

All taxi customers will be entitled to have their entire journey calculated and charged on the meter according to the new National Taxi Fare from September 25th 2006. All journeys commenced at a taxi rank, transport terminal or hailed on the street must be charged on the meter.

The fare structure will consist of:

- 1 An initial charge
- 2 A charge for further travel based on either distance travelled or the time elapsed and calculated across three graduated tariffs
- 3 A premium at certain times and on certain days
- 4 Extra charges, where applicable

Pre-booking exception

Where a journey is pre-booked customers may waive their right to have a particular journey or series of journeys calculated and charged on the meter. In this situation a prior written agreement containing the information outlined here must be signed by both the driver and the passenger. A copy of this waiver must be given to the customer and a copy retained by the driver. Additional information may be provided for example, the drivers/operator's contact details.

In the event of a claim by a customer that they did not agree to being charged a fare other than that on the meter, the driver will be required to produce the signed waiver agreement.

If a driver/operator decides to use these forms they are responsible for their supply ensuring they contain all the required information as outlined.

Discounts

Drivers continue to have the right to discount the maximum fare. This can be done by either charging less than the fare recorded on the meter or not charging extras such as additional passenger charge or booking fee. Any discounts given should be recorded in handwriting on the receipt. A prior written agreement will not be required for discounts.

Tips

Customers may give tips to reward good service at their discretion. Tips may be recorded in handwriting on the receipt.

Waiver of right to have fare charged on the meter

I understand that I have the right to have all taxi journeys charged on the taximeter according to the National Taxi Fare but I am waiving this right in respect of the following journey/journeys.

Date: _____

From: _____

Destination: _____

Taxi Licence Number: _____

Driver/Operator's Signature: _____

Customer's Signature: _____

Amount Agreed: _____

Changing your meter

Taximeters used for calculating taxi fares payable by the users of taxis, must conform to legal requirements established under the Metrology Acts, 1996 – 1998.

These requirements stipulate that prior to being used for trade, a meter must be of an approved design and be verified and stamped by the Legal Metrology Service. It is an offence to have for use or to use a taximeter that is not in conformity with legal requirements.

The majority of taximeters are capable of being programmed in advance so that the new fare structure will automatically operate from the date of its introduction – September 25th next. Please ensure you book your appointment as soon as possible to have your meter with the new fare verified and stamped on time.

In order to facilitate a small number of vehicles which have meters installed that do not allow for fares to be pre-programmed, there will be a transitional period of 21 days from September 25th during which it will continue to be lawful to operate either the new fare or the existing fare. This will facilitate operators whose meters are not capable of being pre-programmed with the new fare before September 25th.

Operators are advised that from Monday, October 16th, 2006 it will be illegal for a taxi to operate unless it has a taximeter programmed with the new fare that the Legal Metrology Service has verified and sealed. As and from October 16th the enforcement agencies involved with the taxi industry will be enforcing the various applicable legal requirements. Any driver found not to be in compliance with these requirements could be liable to prosecution.

This could result in a fine on summary conviction of up to €1,900 or imprisonment for up to 12 months or to both the fine and imprisonment and to forfeiture of the meter. More serious penalties may be applied in the case of trial by indictment, including a daily fine for each day on which the contravention is continued.

All operators are advised to have the new fare programme installed and submit for verification by the Legal Metrology Service immediately. All queries relating to verification and stamping of taximeter areas should be addressed directly to Legal Metrology Services on 01 630 9191.

Have you updated your number?

The Commission would like to thank all SPSV licence holders for your co-operation in implementing the new National Licensing System and in particular the new National Licence number. The new numbers are an essential part of the new licensing system and will remove any duplication of numbers that currently exists due to the fact that each local authority previously had its own numbering system. The new numbering will make identification of licence holders much easier through a new national register of licenses which will in turn lead to better compliance and enforcement to the benefit of both operators and customers.

We would like to remind those taxi licence holders that have been issued with new numbers and have not yet updated their roof signs that failure to do so within 28 days of the receipt of the number is an offence and could result in a fine or a prosecution. It will no longer be possible to renew a taxi licence from September unless the new licence number is displayed on the roof sign. It will be a requirement to have the new licence number displayed on receipts no later than October 16th, 2006.

Any driver who have not yet received their national SPSV licence number should contact the Commission at 01 659 3800.

New SPSV Driver ID cards

Over the coming months drivers will be issued with a new driver's licence and identity card. It will be a requirement that this card is displayed on the dashboard of the vehicle using the stand supplied by the Commission for Taxi Regulation.

On the side of the card facing into the vehicle, it will carry a photograph of the driver together with the licence number and the expiry date of the licence. On the side facing out and visible from outside the vehicle it will have the county for which the driver has a knowledge and for which their SPSV driver licence was issued. Drivers will be limited to plying for hire or standing for hire in the area specified by the Card.

The Commission will issue each SPSV driver licence holder with their new driver identity card over the coming months. As there are approximately 50,000 files covering drivers in over 20 locations throughout the country it will take some time to issue all of the new cards. In the meantime, drivers' existing licences will continue to be valid.

Reminder

The Commission would advise SPSV licence holders to renew their licences as early as possible to avoid expiry - it is illegal to operate an SPSV without a current valid licence. SPSV licenses can be renewed up to 12 weeks in advance of expiry.

New in-car passenger information

From September, signs highlighting the Customer Charter of rights and responsibilities and other customer information along with the new National Fare will be distributed to all SPSV licence holders. The signs will set out what customers can expect from their drivers or service supplier and what is expected of them as passengers.

They will also advise customers on how to commend good service or make a complaint regarding poor service.

This information must be displayed on the front passenger sun visor and on both rear side windows in hackneys and taxis. The signs will also contain the licence number of the vehicle in Braille along with contact information for the Commission. This is designed to assist passengers with visual impairments.

The signs will be personalised for each licence number and will be updated when fares or other information changes. When issued they will come with detailed instructions on how to apply them.

The signs will be issued directly from the Commission to each SPSV licence holder in the country within the coming weeks. It will be an offence to operate a SPSV from October 16th 2006 without having the required information on display, in the appropriate manner.

TAXIMETER AREA AND TAXI FARES

Declaration of Taximeter Area and making of Maximum Fares Order

Taximeter Area

Pursuant to section 41 of the Taxi Regulation Act 2003, the Commission for Taxi Regulation has made a declaration that the entire state of Ireland will be one taximeter area, to be known as the National Taximeter Area, from the September 25th 2006.

Taxi Fares

Pursuant to section 42 of the Taxi Regulation Act 2003 the Commission for Taxi Regulation has made a maximum fares order fixing the maximum fares, to be known as the National Taxi Fare in respect of the National Taximeter Area which may be charged by the driver of a taxi, from the September 25th 2006. A period of 21 days will be allowed for the calibration of the taximeter from existing maximum taxi fares to the new National Taxi Fare set out below.

National Maximum Taxi Fare - Effective September 25th 2006

| Taxi fare standard rate 8.00h—20.00h | | Taxi fare premium rate 20.00h—8.00h & Sundays & public holidays | | Extras Where relevant |
|--|----------------------------------|--|----------------------------------|--|
| Distance rate applies unless speed drops below 21 km/h when time rate applies. | | Distance rate applies unless speed drops below 21 km/h when time rate applies. | | Booking fee €2.00. |
| INITIAL CHARGE Includes 1km or 170 secs | €3.80 Fixed | INITIAL CHARGE Includes 1km or 170 secs | €4.10 Fixed | Second and additional passengers €1.00 each. Two children under twelve charged as one adult. |
| TARIFF A Next 14km or 40 mins Up to €17.20 | €0.95 per km or €0.34 per min | TARIFF A Next 14km or 40 mins Up to €21.70 | €1.25 per km or €0.44 per min | Road toll charges as incurred |
| TARIFF B Next 15km or 43 mins Up to €36.00 | €1.25 per km or €0.44 per min | TARIFF B Next 15km or 43 mins Up to €43.50 | €1.45 per km or €0.51 per min | Snoring charge €25.00. |
| TARIFF C Over 30km or 86 mins Over €36.00 | €1.63 per km or €0.58 per min | TARIFF C Over 30km or 86 mins Over €43.50 | €1.63 per km or €0.58 per min | |

Further details of the National Taxi Fare are available on the Commission's website at www.taxiregulator.ie

Taxi drivers and operators should now make arrangements to have the new National Taxi Fare calibrated and verified by the Legal Metrology Service in their meters as it will be an offence to operate a taxi on or after the October 16th 2006 unless the meter is calibrated with the new National Taxi Fare.

Commission for Taxi Regulation
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Dublin 2

www.taxiregulator.ie

*Signed into law August 4th 2006,
taking effect September 25th 2006*

Your Questions Answered

1. Does the Commission intend to introduce an age limit on SPSVs?

The Commission has not made any decision in relation to whether or not there should be an age limit for SPSVs. This issue was raised in the Second Consultation Paper in June 2005, and will be the subject of further consultation in the Vehicle Standards Consultation to be carried out later this year. A copy of the consultation paper will be sent to all SPSV licence holders when published, and you will have an opportunity to put forward your views at that stage.

2. Has the Commission made any changes in relation to the transfer of taxi licences?

The Commission has not made any decision in relation to the transfer of taxi licences. The Commission intends to examine this area in 2007 in order to assess what affect the leasing, renting or transferring of licences has on the quality of service provided. What the Commission wants to achieve is accountability, so that the person who is the licence holder is accountable for the service provided in respect of that licence. A consultation process will be entered into in relation to the matter during 2007 at which stage you will have an opportunity to put forward your views.

3. Does my new SPSV licence number change anything in relation to my licence?

No. The new national licence number does not affect the status of your existing licence in any way. The new number is simply an administrative change and does not affect the status of the licence plate in any other way.

4. How will passengers make complaints after the 25th September 2006?

The Commission as it is legally obliged to do, will put in place a new national complaints system from September 25th 2006. Complaints will only be accepted in writing, and will be fully investigated. Any SPSV driver or operator against whom a complaint is made will be afforded an opportunity to tell their side of the story. It will not be possible for customers to make a complaint by telephone or by text. Passengers will only be provided with information by text or telephone on how to make a complaint.

5. Where will I get my in-vehicle information?

The stickers with the new in-vehicle information will be sent to you by post by the Commission along with instructions on how to affix them to your vehicle.

6. When do I have to display the new in-vehicle information?

The in-vehicle information can be put in place from September. The latest date by which the in-vehicle information must be permanently displayed in taxis and hackneys is the October 16th 2006.

7. When will the new national taxi fare become law?

The new national taxi fare was signed into law on the August 4th 2006 and will take effect on the September 25th 2006. However, the Commission is aware that, while the bulk of taximeters can be pre-programmed with the new national fare, a small number cannot.

For this reason we are putting in place a transitional period of 21 days from the September 25th during which it will continue to be lawful to operate either the new fare or the existing fare. From Monday, October 16th it will be illegal for a taxi to operate unless it is fitted with a taximeter programmed with the new fare that has been verified/sealed by the Legal Metrology Service, or an appointment made for such verification.

8. When will I have to do the Skills Development Programme?

New drivers will be required to do the skills development programme in 2007, while existing drivers will be required to do it from 2008 prior to renewing their drivers licence. Doing the skills development programme will not be difficult for drivers who are aware of the regulations and what is required of them as SPSV drivers. It can be done in a number of ways including attendance at evening courses or, alternatively if drivers prefer, the Commission will supply a DVD which can be watched by a driver at home or at any location they prefer. The programme will not present drivers with any more difficulty than construction workers who all must undertake the 'safe-pass programme' in order to be admitted to a building site.

9. When is a NCT Certificate valid for a SPSV licence?

The Commission has not made any changes in relation to NCT certification requirements. Regulations that are in place since 2003 require that a NCT Certificate cannot be more than 90 days old on renewal (and 180 days in the case of a new licence application). If the certificate is more than 90 days old on the date of renewal then it is no longer valid and a new NCT certificate is required.

10. What is the current section 36 position?

Section 36 of the 2003 Taxi Regulation Act introduces a system of automatic disqualification from applying for or holding a SPSV licence for those convicted of one of a range of serious offences. This substantive part of section 36 has not yet been commenced.

Section 36 includes provisions through which a person who is affected by the section can request the courts to allow them to apply for a licence in certain restricted circumstances. This aspect of section 36 has been commenced. For further information on section 36, please contact the Department of Transport.

11. As a taxi driver must I use my roof sign?

Yes. While a vehicle is being operated as a taxi or wheelchair accessible taxi it must display the roof sign. The Commission will consider any possible changes in relation to the use of roof signs as part of the vehicle consultation process later this year.

12. What do I do if I have changed my address?

The holder of a taxi licence, a wheelchair accessible taxi licence, hackney licence or a limousine licence must, within one month after any change of address, send to The Commission the licence together with a statement in writing confirming the fact of such change and giving particulars of the new address.

13. As a hackney driver can I advertise on my vehicle?

No sign or advertisement, other than one prescribed by the Commission for Taxi Regulation may be displayed on a hackney.

14. If a hackney driver is hailed by a member of the public, are they permitted to accept the fare?

A hackney must be booked privately and cannot ply for hire on the street or at taxi ranks. In the event that a hackney is hailed by a member of the public they are not permitted to take the fare as hackneys are limited to private hire work.

15. What happens to the licence when a small public service vehicle (SPSV) changes ownership?

When a vehicle which has a SPSV licence changes ownership, and the licence lapses the holder of that licence has until the date on which his or her licence expires to restore the licence to another vehicle.

16. As a SPSV driver am I required to wear a seatbelt?

Yes. All SPSV drivers are legally required to wear a seatbelt. The previous exemption for taxi drivers was removed by virtue of the Road Traffic (Removal of Exemption from Wearing Seat Belts by Taxi Drivers) Regulations 2004 (S.I. 402 of 2004). Since August 2003 failure by a driver of a car to wear a seat belt has been a fixed charge offence.

17. Who is responsible for the regulations regarding the wearing of seatbelts?

All regulations and matters relating to the wearing of seatbelts, including the wearing of seatbelts by SPSV drivers, is a matter for the Minister for Transport.

18. Am I responsible for providing seatbelts?

All vehicles registered on or after January 1st, 1992 are required to have safety belts fitted to all forward facing seats. Outboard seats are required to have a 3 point lap and diagonal belt since this date. It is important to note that the above requirements apply specifically to all passenger vehicles having accommodation for not more than 8 passengers by virtue of the Road Traffic (Construction, Equipment and Use of Vehicles) (Amendment) Regulations 1991¹.

19. Am I responsible for ensuring that a passenger wears a seatbelt?

Adult passenger

The failure to wear a seatbelt by an adult passenger (a person aged 17 years or over) in the front or rear of a vehicle is one of the offences that was brought into the fixed charge system. From April 3rd 2006², a person who contravenes the seatbelt requirement will be issued with a fixed charge notice giving them the option of making a fixed charge payment of €60 within 28 days or €90 within the following 28-day period in lieu of a court prosecution. It is the responsibility of the adult passenger to ensure that they comply with this legal requirement.

Passenger under the age of 17

Since August 2003³, to permit a person under 17 years of age not to be appropriately restrained in a car has been a fixed charge offence with charges applying as indicated above and with 2 penalty points applying on payment of a fixed charge and 4 penalty points on conviction by a court.

20. Must I provide Child Restraint Systems (CRS)?

No. Taxis are exempt from providing CRS by European Communities (Compulsory Use of Safety Belts and Child Restraint Systems in Motor Vehicles) Regulations 2006 (S.I. 240 of 2006). This essentially exempts taxis from the requirement to provide child restraint systems for children aged 3 years and under, however such persons may not occupy a front seat. It must be noted, however, that this only applies to vehicles without any suitable restraints fitted i.e. where there are child specific restraints in the vehicle they must be worn by any children traveling within.

1 S.I. No. 359/1991

2 S.I. No. 405/2006

3 S.I. No. 322/2003

Additional frequently asked questions are available on our website www.taxiregulator.ie